

PROJECT S.A.F.E.R

(Safety Assessment for Every Response)

EVALUATION REPORT

AUGUST 2005 TO JULY 2006

(& Pilot Study August 2003 to November 2003)

A JOINT INITIATIVE OF:
Research and Education Unit on Gendered Violence,
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**Gold Coast
Domestic Violence
Integrated Response**

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List of Abbreviations

CRISP	Crime Report Information System Program
DAS	Dangerousness Assessment Scale
DVI	Domestic Violence Index Database
DVPC	Domestic Violence Prevention Centre, Gold Coast, Inc
Domestic Violence MARAC	Multi-Agency Risk-Assessment Conference (Wales)
FVIP	Family Violence Intervention Program (ACT)
Project SAFER	Safety Assessment for Every Response
QPS	Queensland Police Service
SPECSS+ Model	The Metropolitan Police Domestic Violence SPECSS+ Risk, Identification, Assessment and Management Model, UK
STOP Funded	Services, Training, Officers, Prosecutors Funded Grants (USA)
VAWA	Federal Violence Against Women Act 1994 (USA)

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Laura Bahnisch and Dr Patrick O'Leary compiled the report.

We acknowledge that the data in this report is based upon the lived experiences of victims of domestic violence, largely women. Although the data produced has been quantified and summarised, this in no way devalues the complexities and pain in these women's lives.

To everyone involved in Project SAFER, thank you.
Dr Patrick O'Leary and Laura Bahnisch

Executive Summary and Recommendations

The overall goal of Project SAFER was to improve police responses to domestic violence by providing a tool that ensured a structured and uniform process for officers to adhere to when attending domestic violence incidents. This process would then assist in achieving the following objectives:

- Increasing action in regard to protection orders, criminal charges, evidence collection and detention.
- Responding to the needs of victims through risk assessment and linking to social services (DVPC).
- Providing a more comprehensive assessment of cases so that there can be an appropriate exchange of information amongst partners in the integrated response.

Overarching this was an acknowledgement that police call-outs to domestic violence were often the first and perhaps only chance for victims to be linked to assistance. It is widely acknowledged that when police attend call-outs to domestic violence this occurs within a history of many past unreported incidents of domestic violence. Therefore police responses to domestic violence form a critical and frontline role in both intervention, the prevention of further violence and linking those affected to specialist services.

There have been numerous lessons learned as a result of Project SAFER. The evaluation has shown that there has been some progress in achieving these aims and objectives. There has been an overall increase in police action, primarily civil action in the form of protection orders. Analysis indicates that there have been inconsistent decision-making processes in determining the most appropriate action. The research indicates that in response to domestic violence criminal action against offenders is rarely pursued in the first instance. This is despite information that would indicate that further investigation and evidence collection may result in criminal charges. Furthermore, current progress is tempered with a substantial level of scepticism and resistance to fully comply with the SAFER instrument. This is in part due to inconsistencies in the overall level of knowledge about domestic violence generally and the purpose and application of the SAFER instrument. This indicates that there is a strong and positive message that domestic violence requires police action, but there is a lack of guidance and monitoring about the type of action chosen. There are some compounding issues that have significantly hampered the level of compliance to complete the SAFER instrument and limited the choices for action. These include:

- Workload demands and time on domestic violence incidents.
- Paperwork and administration.
- Replication of paperwork.
- Lack of confidence that the instrument could be used in court for evidence.
- Workforce experience.
- Attitudes about gender and power in domestic violence.

- Domestic violence incidents that police attend are one in a series of acts of violence. There is confusion about how to respond to violence reported through the risk assessment.
- Questions about whether risk assessments, historical accounts of victims' experiences and social referral are police business.
- Current legislation in Queensland. Broad definitions include family violence and can complicate the way that forms of intimate violence are dealt with in comparison to other family and domestic relationships.
- Frustration at how victims may allegedly change their stories, their behaviour and beliefs that they will not pursue charges.
- Frustration about the lack of consequences for offenders.
- Sense of being too controlled by the documentation required for the SAFER Instrument.
- Suspicion about internal and external accountability.
- Support to maintain the status quo and resistance to change amongst some.

These compounding issues have resulted in numerous partially completed forms which have limited the amount of valid data available for analysis. Nevertheless, the data gained from the instruments details important findings regarding the nature of domestic violence incidents that police are attending. This includes results that show gender differences in terms of fear and injuries between victims and offenders, peak times for domestic violence incidents, age characteristics of victims and disparity between descriptions of the incident from police and victims with evidence collection and the type of action taken.

Main Results

The main findings to emerge from the focus groups, police data and information collected using the instrument include:

- As a result of Project SAFER there has been an increase in overall police action in domestic violence.
 - However, on first call-outs civil action (taking out an order) is preferred to criminal charges, rather than considering both civil and criminal charges. This is consistent with the results of the Pilot Study at Southport. There was some increase in Southport's level of criminal charges compared to the Pilot Study.
- Where women were suspects, they were as likely to be arrested as men. Women suspects were also significantly more likely to be injured than male suspects.
- Call-outs for domestic violence incidents peak from 6pm until 3am with most incidents occurring on weekends.
- Often the report of the incident was not consistent with the level of action taken by police:

- For example police reported injuries on the victim, yet opted for an order rather than assault charges, often failing to collect evidence such as photos or medical reports regarding injuries.
- There is inconsistency and misinformation about the way domestic violence is defined and acted upon especially in regard to definitions of “no action” and “no domestic violence”. For example, in one case neighbours rang to report a man causing property damage to the family home while no one was home. This was defined as “no domestic violence” because there was no victim present. There are numerous similar examples that indicate a narrow understanding of the dynamics of domestic violence.
- Fear in all measures remains a major issue for women who are victims whereas amongst men identified as victims fear is significantly less common. Also of note is that women were significantly more likely to believe that men would be more likely to carry out threats of violence.
- Injuries occur equally among female and male victims. However, women were more likely to have injuries relating to bruising and internal pain, whereas men had more injuries of abrasions and scratches. This is indicative of women having more defence related injuries and men having injuries related to these defensive actions.
- Police focus groups showed that there is a reluctance to use the Project SAFER instrument from most officers due to:
 - The time taken and other workload issues
 - The view that the SAFER instrument created duplication
 - A preference to use previous methods via notebook
 - Some questions not being seen as relevant to police business
- Police focus groups also showed some animosity towards domestic violence incidents suggesting that arrests were ineffective due to court findings or that cases were not clear-cut in terms of victim and offender, with biases against the man. However, less experienced officers were more satisfied with the SAFER instrument and expressed a higher level of compliance.
- Women are more likely than men to consent for their details to be sent to the Domestic Violence Prevention Centre (DVPC). Women are more likely to request a follow-up to the local DVPC, although less than one third became clients of the service. Most women were satisfied with the single follow-up call.
- Overall there was a poor compliance level in completing the SAFER instrument in a thorough manner. This was associated with:
 - The level of auditing by domestic violence specialist officers and senior officers
 - Leadership within stations and shifts
- Senior officers saw an overall negative attitude towards Project SAFER amongst their staff. Part of this would seem to stem from a general resistance to change. A lot of criticisms were based upon the time it took to fill in the booklet in a pressured work atmosphere. Also, many officers did not feel that the risk assessment questions added to their usual process of decision-making, hence its “redundancy” and time-wasting.

- There was a general feeling that returning to previous methods was not a worthwhile solution either. Many officers indicated that they would continue to use the SAFER instrument. Officers expressed some motivation to improve responses to domestic violence and viewed Project SAFER as a vehicle to achieve this development.
- There was a reduction in repeat call-outs across the three SAFER stations.
- In all three stations SAFER 2 was shown to have an overall increase in the level of action taken in domestic violence incidents, when compared to the previous two years. However, there was some variance in the level of impact at each station. When stations that participated in Project SAFER 2 were compared with non-SAFER stations of similar size, the results were mixed. This shows that whilst SAFER increased action in the trialled stations, this did not mean that they had increased action when compared with some stations that did not participate in this project. Therefore it is important to identify more clearly other factors in stations such as leadership, accountability and staffing that may also result in better responses to domestic violence.
- Comparisons amongst the stations show that the SAFER instrument improved responses at each trialled site; however, other strategies such as internal leadership processes need to be included in any explanation of police responses to domestic violence.
- Southport station showed the most consistent response in terms of action when compared to all stations. This may be due to the fact that Southport was the station that had the Pilot Study and therefore was more familiar with the application of the instrument.

Conclusion and Recommendations

This project has shown that a structured instrument specific to domestic violence does increase the overall level of action taken by police. Conclusions beyond this are more complex because the level at which police discretion and decision-making accurately reflect the most appropriate action is problematic and contentious. Police are more accountable and therefore take action but this action is not always commensurate with the incident. Therefore the impact of Project SAFER is mostly contained to the level that police are more likely to pursue some type of action but not necessarily the most appropriate action. Police largely viewed the instrument as too much of an encumbrance on their activities. This resentment is reflected in the fact that many officers did not complete the form in a systematic manner and in some cases opted not to complete a form at all.

Important data has emerged from the research that will help with understanding the nature of domestic violence incidents requiring police attendance. There is a consistent pattern regarding the timing of domestic violence incidents occurring in the evening and most often on weekends. This should be considered when allocating rosters for specialist domestic violence officers. Some patterns also emerge regarding the characteristics of offenders.

Nevertheless, it is important to consider that SAFER 2 did result in an increase in police actions and decrease in repeat call-outs. Both these results are in the desired direction. The level of quality assurance in specific action taken by police requires careful consideration in implementing SAFER as a more permanent and global feature of police responses to domestic violence on the Gold Coast and in Queensland generally. Therefore whilst the results of this evaluation are mixed, the critical direction that SAFER has taken is overwhelmingly positive in improving police responses to domestic violence. As a result, future directions should include the essential elements of a SAFER type instrument in all domestic violence related matters.

The type of instrument will need to be suitable for the location (urban or remote). Improvements are needed in the level of compliance and competency in using the instrument and understanding the dynamics of domestic violence. There is also a need to ensure that the information collected by the instrument is not required to be replicated in notebooks and other records. This requires some modifications to the current template of the instrument. Such modifications should be aimed at enhancing the ease at which the instrument can be used and making the instrument more concise. It is vital that information collected in the instrument is suitable for admission to court. This requires careful streamlining and negotiation with courts. Confirmation that the instrument can be used for evidence collection is an important development in providing officers with confidence that compliance with the instrument is not a replication and will contribute to the pursuit of charges. This will assist in a greater level acceptance of the instrument.

It is also clear that initiatives such as Project SAFER are one component in a set of strategies to improve police responses to domestic violence. However it is not known what other strategies may account for an increased level of police action. Some of these may include leadership, accountability processes, training, officer profiles and station culture. In order to better understand the impact of a range of factors and strategies to improve police responses to domestic violence, further research should be conducted to compare initiatives such as SAFER with other strategies. Part of this may include a comprehensive comparison of a variety of sites across Queensland. It is important that strategies be developed quickly to ensure the gains of Project SAFER are capitalised upon, as it seems that retreat from SAFER to previous practices would be detrimental.

In order to maintain the current momentum of the initiative of Project SAFER, the following recommendations should be implemented as priorities, while the preceding conclusions be considered as part of the longer-term strategic directions:

1. There should be a continued availability of the SAFER instrument, with consideration of the following interim options:
 - a) Continued use and reprint of the instrument.
 - b) Amend the instrument produced and used in all stations familiar with Project SAFER.

2. Contingent on the implementation of the above recommendation, training should be used in stations using the instrument to ensure a high level of compliance, understanding and professional development in responses to domestic violence.
3. Resource allocation should be considered for specialist domestic violence officers to be available at peak times for call-outs and to allow rapid follow-up for evidence collection and investigation.
4. Strategic planning should be conducted in the first half of 2007 to develop a plan based on recent research findings from this evaluation and the 2005 Crime & Misconduct Commission report into police responses to domestic violence.
5. To capitalise on the current research progress and to maintain a strong nexus between evidence based planning and implementation, there should be research agenda to parallel the future developments of Project SAFER. The authors of this report are keen to maintain this connection.

Chapter 1

The Initiative of Project SAFER

Introduction

Throughout Australia domestic violence is recognised as a social problem that adversely impacts on community cohesion and functioning. It is widely recognised that substantial amounts of police resources and time are consumed attending to incidents of domestic violence. Over the last decade police have developed a response to domestic violence that more effectively deals with the criminality of this behaviour. Domestic violence is widely regarded as criminal behaviour that requires a criminal justice and community response. Recently intervention into domestic violence is being developed to incorporate an integrated response that combines community based services with law enforcement and court agencies. Project SAFER is a result of this type of initiative.

International developments have been closely watched in Australia. In the United States, there has been substantial reform in the areas of mandatory or pro-arrest policies and victimless prosecution, putting the focus on the perpetrator of domestic violence crimes. This has required extensive training and funding to implement successfully. Thorough techniques of evidence collection and an interagency approach also support these changes. The legal and institutional Australian context is different, so other systems are important, more for critical analysis than direct application. Some governments, such as the Australian Capital Territory and Tasmania, have applied adaptations of the United States model, building up interagency links and taking a pro-arrest and pro-prosecution approach. In other states, there is a difference between actual policy and police practice, with low arrest and prosecution rates remaining. An analysis of police decision-making in domestic violence shows that the victim's willingness to testify and cooperativeness have a large influence. Many police see domestic violence as a civil matter only, less serious than stranger assaults. Tailoring a specific police response to domestic violence has shown the importance of thorough risk assessment and referral to social services to assist the victim and in some cases work with the perpetrator. This aspect of police responses has been contentious as often police see this as beyond their mandate. This shows the need for thorough training and support by senior police administrators.

In the last 10 years over 23 people have been murdered as a result of domestic violence in the Gold Coast region. In 2005 more than 2000 protection orders were awarded. The impact of domestic violence is devastating and widespread in terms of family breakdown, public health, mental health, child safety, education, housing, and economic performance. The Gold Coast region has particular characteristics that add to the complexity of the problem. It is a region that is growing rapidly in population and economic performance; it has a diverse mix of age, income levels,

educational achievement, opportunities and cultural groups. Nationally the Gold Coast has been identified as an example of good practice in integrated domestic violence responses (Chung, O'Leary and Zannettino, 2003). The ongoing development of Project SAFER is part of the evolving approach taken to combat domestic violence on the Gold Coast.

This project came about through the development of an instrument to assist police to assess domestic violence incidents. Project SAFER emerged as part of an established integrated response to domestic violence in the Gold Coast area. Already in the Gold Coast a 'Fax-back' system had been established to facilitate the police referral of victims of domestic violence to the Domestic Violence Prevention Centre, Gold Coast, Inc (DVPC). This initiative was seen as the beginning of a more integrated community response to domestic violence. As a result an instrument that incorporated the key qualities of the established 'Fax-back' system as well as an effective police tool for evidence collection, risk assessment and detailed referral information was developed.

This report focuses on the effectiveness of Project SAFER. The evaluation measures the impact of using a specialist police instrument at domestic violence incidents. In Australia there have been specialist responses to domestic violence but few police forces have utilised a specialist tool to be used at the scene of domestic violence to assist in assessing the situation, collecting evidence, pursuing appropriate civil and criminal action, and referring victims to appropriate services. Project SAFER is therefore an innovative initiative to maximise the safety of victims and hold offenders accountable. In this way the leadership of the project takes into account the gendered nature of domestic violence and the often long history of unreported violence. This requires a different approach to other crimes of violence that have not occurred in the context of intimate family relationships with significant power imbalances. Overseas experience has shown that swift police responses in terms of arrest and charges, along with good risk assessment and referral can assist in stopping violence from escalating. This project has assessed the effectiveness of such a response in the Australian context.

Background to SAFER

Project SAFER was developed as an outcome of a research project into integrated responses to domestic violence funded by Partnerships Against Domestic Violence. The Queensland Police and the Domestic Violence Prevention Centre, Gold Coast with facilitation by the Research and Education Unit on Gendered Violence at the University of South Australia undertook the development of the Project SAFER instrument. After the development of the instrument the Domestic Violence Prevention Centre, Gold Coast and Research and Education Unit funded the subsequent production, printing and evaluation of the instrument for the Pilot Program. Funding for second part of the project came from the Queensland State Government Gambling Community Benefit Fund.

The main aims of Project SAFER were to:

- Respond effectively to cases of domestic violence that have resulted in repeat police call-outs.
- Develop a systematic tool to assist police in identifying and assessing incidents of domestic violence.
- Develop an instrument to assist police in evidence collection in order for criminal charges or protection orders to be pursued.
- Develop a process for risk assessment and referral of victims of domestic violence.
- Provide an appropriate record of domestic violence incidents to ensure accountability in regard to police responses.

Project SAFER began with a pilot project that took place from August to November 2003 at Southport. In June 2004 the project was evaluated based on a literature review, focus groups with police officers and analysis of police data using the Project SAFER instrument. A number of elements of the tool were adapted in line with police recommendations. Based on the success of the Pilot Project, it was decided to expand the project further. From August 2005 to July 2006 Phase Two of the project was implemented in three Gold Coast jurisdictions – Southport, Coomera and Runaway Bay.

One strategy for a more effective approach to domestic violence is through risk assessment tools. The Project SAFER instrument shares many features with the Dangerousness Assessment Scale. The British SPECSS+ risk assessment model is another example of implementing a program across a large police area. Again this shows a need for training so that officers understand the need for risk assessment. The Multi-Agency Risk-Assessment Conference approach in Wales is an extensive interagency program, aimed towards identifying and addressing the most high risk domestic violence cases. Both of these projects show some predictive ability towards repeat offences. All these examples show that a lack of staff resources can make the implementation of change difficult and lead to resentment in staff. Similar experience was evident in Project SAFER.

The Project SAFER evaluation involved seeking feedback from police officers and domestic violence agency workers, with focus groups towards the end of the Pilot Project and the final project. Many police complained of the time commitment in using the Project SAFER booklet, which conflicted with demands to answer the next call-out. A large number showed a misunderstanding of the risk assessment process, saying they were only interested in what happened at the relevant incident only, not past history. A common criticism was that current police procedures meant that officers had to fill out a number of forms – the SAFER booklet, police notebooks and computer records, as the booklet was not admissible in court as evidence. Senior officers recommended legislative change to resolve this situation. Overall, police were positive about many features of the booklet, especially having a fax-back form about victim details to the domestic violence service, with consent, information and referrals. The domestic violence service also found this very helpful to give them a context to the situation before contacting victims.

Overview of the Evaluation Report

This report explores the context of police responses to domestic violence, using experiences from national and international perspectives to examine the data from Project SAFER. This includes an exploration of developments in prosecution and evidential issues, risk assessment, and integrated/community responses to domestic violence. This review of national and international literature is important to set the context of good practice in police responses to domestic violence and possible initiatives for Project SAFER to further evolve. Three sets of data were analysed for this evaluation:

- Focus groups with police officers who used the Project SAFER instrument/tool.
- Information collected using the Project SAFER instrument.
- Data supplied by Queensland Police concerning “call-outs”.

Where relevant we have included the analysis from the Pilot Study to contextualise the current research. Analysis of these data sets is done within the context of literature. Key aspects of these results are summarised and highlighted. The report concludes with key findings and recommendations.

The report contains two Appendices:

Appendix 1: Questions for Focus Groups

Appendix 2: Project SAFER Focus Group responses

Summary of the Pilot Project

The Pilot Project took place with the cooperation of the Southport Police Station and the Domestic Violence Prevention Centre, Gold Coast Inc from August to November 2003. It was designed to trial the Project SAFER instrument in a real situation, receive feedback from police and domestic violence workers and adjust or improve the tool and procedures before implementing the project on a wider scale.

Evaluation Feedback

Feedback from focus groups recommended some structural adjustments to the booklet, including time saving measures and format changes. These were implemented, where appropriate. In general, focus groups from the Pilot Study indicated some frustration with the tool for a number of reasons. Filling out all the details in the form was seen as taking too much time. Added to this, there was duplication with details recorded up to three times, in the booklet, notebooks and on the computer. A key problem was that the Project SAFER booklet was not admissible as court evidence, leading to this duplication. Although some police officers saw the detailed information in the tool as useful, in general this was outweighed by the feeling that it was not adding anything new to standard operational procedures.

In terms of risk assessment, most police officers preferred to base their decisions on their own discretion than the questions in the booklet. In some cases they saw a list of risk factors as simplistic, due to a misunderstanding

that risk was assessed merely by adding up the factors. In reality, the questions were designed to indicate some key risks that officers should consider. There were some complaints about sending the “fax-back” referral and consent forms to the DVPC, so that they could contact victims. While this information sharing was highly valued by the DVPC, police saw the project largely as a form of the domestic violence service and senior police “checking up” on their work. The work of the domestic violence worker was impeded by a number of forms not being faxed back to the agency.

One of the goals of the Pilot Study was to increase evidence collection and investigation, which could lead to a higher arrest rate for domestic violence incidents. However, feedback from the focus groups indicated that police only saw the instrument as being intended for cases where an application for a protection order was the appropriate action. They did not see it as useful for breaches of protection orders or other criminal charges. This indicated a basic misunderstanding of the booklet as an aid in the criminal investigation process. Overall, it seems that more training about the broad goals of the project was essential.

Data Analysis

Data from the Pilot Project showed that a majority of domestic violence incidents occurred after 3pm and before 9am and on weekends. The preferred response to domestic violence incidents was civil, with applications for protection orders in 52.3% of cases, compared to criminal charges in 9.2%. Evidence was only collected in a minority of cases, despite the presence of witnesses or children. There is some indication that the emotional state of the victim had a greater effect on the type of action police chose than physical injuries, with criminal action taken if the suspect was seen as angry. There was also a trend towards criminal charges when police themselves were subject to violence or observed more physical violence.

Key Recommendations

The Project SAFER Pilot Project resulted in police being more likely to take action in domestic violence cases, yet this action was predominantly an application for a protection order. However, in line with international research, the pursuit of criminal charges should be further encouraged, to reduce recidivism. In terms of evidence collection, there is a need for follow-up and forensic medical support in regards to victim injuries. Some injuries, for instance bruising, may take time to be visually evident. To enhance the results of the study, stronger links needed to be made with interagency partners and courts. The usefulness of the Project SAFER instrument would be greatly improved if it was admissible as evidence in both civil and criminal charges.

Another limitation of the study was that substantial sets of data were not recorded on the instruments. A number of compulsory areas were recommended. There was a lack of attention to the wellbeing of children, which the instrument could emphasise more. The role of children and other witnesses should be pursued further.

There is a need for more training on domestic violence, the purpose of the instrument and its use in evidence collection. For instance, evidence collection for criminal charges should be mandatory where victims are observed to have received injuries. Also, while risk factors were identified by the instrument, they were not consistently acted upon by police. For instance criminal charges would be more appropriate than a protection order in the case of threats of homicide or attempted strangulation. Further evaluation of the project and more research on police action in relation to domestic violence incident characteristics could aid the further development of risk assessment.

On the basis of these findings the SAFER pilot instrument was revised and a new instrument trialled at three stations for one year.

Chapter 2

Prosecution and Evidential Issues

Project SAFER aims to increase the quantity and quality of evidence collected at domestic violence incidents. This requires change at both policing practices but also more widely at the prosecution and judicial processes. The literature reviewed here provides an overview of some of the local and overseas experiences of bringing about this type of change.

Much has been written detailing individual models of police departments and domestic violence units and programs in various jurisdictions in the United States in particular (see, for example, Kuriansky (ed), 1998). Such detailed discussion typically occurs separately to the wider social issues surrounding these crimes. However, discussion of reform in the criminal justice response to domestic violence must remain cognizant of the broader context within which it occurs, because that context itself informs the measuring of desired improvements in police investigative and prosecutorial processes. Thus it is not possible to entirely separate the criminal justice and human service responses to domestic violence even in the most practical analysis. Neither is it possible to separate debates surrounding interagency collaboration and an integrated response to domestic violence from analysis of the criminal justice response. The factors to be addressed in reforming the police and prosecution responses to domestic violence are predominantly unique to those agencies. Despite this, research from the United States indicates that interagency collaboration influences these areas positively.

Measures of community interaction among agencies were related to outcomes such as more arrests, better evidence collection, more convictions and more adequate enforcement of protective orders. (Zweig & Burt, 2003:270).

International Developments

United States

The USA has certainly been one of the most proactive countries in reforming the prosecution of domestic violence. The most recent period of reform began with the passing of the Federal Violence Against Women Act 1994 (VAWA), which introduced a wholesale process of reform and what was essentially a policy shift regarding domestic violence; that of zero tolerance. To that end, various grants are available under the VAWA to facilitate the level of change required to overhaul domestic violence prosecution in the US. Although all jurisdictions differ, many have taken advantage of the Federal Government grants to restructure their police responses and management of domestic violence cases in particular. Many of these jurisdictions have a “no drop” policy, in which all cases proceed to prosecution irrespective of victim participation in the process. Whilst various criticisms have been levelled at this policy ideologically, in practice it has necessitated the development of superior evidence gathering techniques.

Changes in evidence gathering and evidentiary rules have been the primary structural changes to the criminal justice system under VAWA funded initiatives (Ellison, 2002). These initiatives have been closely scrutinised by other countries including Australia, with a view to implementing similar principles and programs, particularly in their interagency projects. Whilst there is much that is commendable about the US approaches, they do not translate easily or automatically across to the Australian position (Holder, 2001). The same has been noted of the English and Welsh systems (Ellison, 2002). It is thus important to make deliberate and discriminatory use of US techniques or broader approaches, and to modify them as necessary for inclusion within a specifically Australian response. For example, Holder notes that in the US there is a closer “operational relationship” structurally between police and District Attorneys’ offices, and that the District Attorneys undertake investigations also. She argues that these and other differences render terms such as mandatory arrest, no drop prosecution and victimless prosecution unsuitable for translation to the Australian position (2001:4).

Despite these difficulties, all jurisdictions have one thing in common - successful prosecution ultimately hinges on the evidence available in each individual case. The question then, is how to maximise the effectiveness of both the collection and the later use of evidence. The international experience clearly demonstrates that there are both specific and systemic answers to that question.

System Level Issues

Training and Funding

Officer training is a central feature of the US programs. It includes increasing understanding and awareness of emotional and behavioural consequences of domestic violence, with one aim of this to enable officers to better explain the process and potentially retain the victim’s participation in the prosecution, reducing the discontinuance rate. In Australia, the gap between the policy position of domestic violence as a crime, and the reality of practical statistics regarding processing and resolution of domestic violence offences is well documented (see, for example, Holder, 2001, Douglas & Godden, 2003, Lines, 2003). International studies also indicate that outside factors such as “victim blaming attitudes” and beliefs about domestic violence, its dynamics, causes and the appropriateness of state intervention can influence the course taken by police and prosecutors (see Holder, 2001:15-16).

Gwinn notes that in the 1980’s when his office was involved in looking for alternative responses to managing domestic violence cases, misunderstanding and a lack of information was evident on both sides. Domestic violence advocates had little awareness of what was needed to ensure a successful prosecution, and the prosecutors “understood even less” about domestic violence itself (2004). Although different agencies and workers will necessarily fulfil different roles in the process, there is certainly room to suggest that the greater understanding each has of the other, the more effective the intervention will be at all levels. If so, this has ramifications

regarding the type of training to provide to police in particular, but also to victim support workers.

Practical training in evidence law issues and gathering techniques is also crucial, in particular to help police “think outside the square” and thus rely less on the victim’s statement in order to make the case and satisfy the burden of proof. Gwinn’s work about San Diego is particularly useful. It highlights that the process needs to focus away from the victim and instead on the perpetrator in order to gather evidence which can support a conviction in a victimless prosecution. It also highlights the importance of follow up investigation and victim advocacy. Such training is a fundamental part of all the US STOP funded programs, and locally has been identified as crucial in the ACT’s Family Violence Intervention Program, notably in the report on Phase II. Specific areas of training are discussed below. More generally, it is clear that new laws or procedural policies are best adopted after appropriate planning, consultation and training. McGuire cites a US example of mandatory arrest rules being introduced without officer training as to their context and use (2004: 4). Many arrests were consequently made without the type of investigation and evidence gathering that would sustain a conviction. It is not sufficient to change only one facet of the police or prosecution approach to domestic violence, even in the absence of a coordinated interagency approach.

Funding was rightly recognised as the most practical prerequisite to the overhaul of domestic violence prosecutions and responses in the US through the VAWA. The grants program was specifically included within the legislation for that reason, in order to avoid bandaid solutions. Holder similarly warns that reforms to the criminal justice system must take into account the financial constraints under which it operates (2001:6). Lines reports regarding the FVIP that “the agencies involved...simply could not implement the changes required without substantial supplementary funding” (2003:35). Similarly, in Queensland, most domestic violence matters have been dealt with by way of (civil) domestic violence orders and not criminal charges (Douglas and Godden, 2003:2). Here we see a clear link between the need for attitudinal changes, educative measures, procedural development and funding: “[i]n most circumstances, the naming of the violence as a crime by itself will be insufficient without the resources and appropriate procedures being in place to implement the consequences of that designation” (Douglas and Godden, 2003:5).

Evidence Gathering

Victimless Prosecution

This is one of the most practical pieces of advice for police officers to come from any of the US literature. It takes into account the potential for the victim’s direct participation in the process to antagonise the defendant. Thus, investigating aggressively in order to render the victim’s personal testimony superfluous to the trial has benefits even where the victim is in fact prepared to testify if necessary. Improved investigative techniques can be transplanted

across to the Australian jurisdictions more easily than other features of the general US approach.

Victimless prosecution removes the dependence of the prosecution case on the victim's testimony and willingness to proceed with criminal charges. This has a crucial flow-on effect in the prosecution of such charges, since police are very well aware that if a victim refuses to testify, her case will most likely be discontinued. This can influence the investigative process if officers involved perceive an individual witness as likely to withdraw from the process at a later stage. Police who believe the case is likely to be dropped may be disinclined to pursue wider evidence gathering, at which point their belief is likely to become a self-fulfilling prophecy, since a successful prosecution depends on strong evidence; "anticipation of victim withdrawal and discontinuance can be seen to prompt a police response that promotes that very outcome" (Ellison, 2002:837). Conducting an investigation without an emphasis on the availability of the complainant's testimony avoids such catch 22's.

A US study identified three major barriers to calling police for help and proceeding with prosecution: the victim's personal circumstances, her negative experience with police and the victim's fears of negative repercussions through involvement with the police (Wolf in Crime & Misconduct Commission – Queensland 2005, p.15). If police fail to arrest despite a victim's wishes, this can add to the negative cycle of a woman not calling police because of previous dissatisfaction with the results.

There are additional ideological advantages argued in favour of victimless prosecutions, particularly regarding consequent shifts in the focus of domestic violence prosecutions in the US. However, partly due to the cultural and structural differences mentioned above, those issues most relevant to the Australian position are practical and evidence based. Ellison canvases many of these in assessing the place for victimless prosecution policies in England and Wales (2002). In particular, she highlights the fact that such a prosecution does not centre on the complainant's credibility to the trier of fact. This is especially important due to the social and cultural perceptions of domestic violence victims, and a lack of general understanding within society of domestic violence. The victim does not have to (effectively) explain herself or the situation in order for a conviction to be secured.

A victimless prosecution does not require the victim to assume responsibility for the prosecution, an important fact for the Australian criminal justice structure in which the state, and not the victim, prosecutes offenders. Here further intersection of human service and legal approaches occurs also. Gwinn points out that the criminal justice system has a focus on the victim which in many ways is positive but that also results in concentrating on questions such as "why won't she press charges" (or leave the defendant) and thus resting the responsibility for successful prosecution on the victim (2004). Instead, a victimless prosecution results in the spotlight being directed at the defendant's behaviour in perpetrating violence in the first place (Ellison, 2002; McGuire, 2004).

A further dynamic noted by Gwinn was that since most defendants exercise substantial if not total control over the victim's behaviour, centring the prosecution case on the victim's testimony was tantamount to enabling the defendant to control the outcome of his own case by determining what the victim would say (if anything) (2004). A further complication sometimes results from the cyclical nature of domestic violence. A victim may initially want to press charges, yet later refuse police assistance when the perpetrator switches to the "honeymoon period". Police understanding of these dynamics could reduce prejudice and the simplistic view that leaving is the only valid choice for victims (Western Australia Ombudsman, 2003:18-9).

In contrast, in San Diego, the victim is not asked whether they want to press charges; the prosecution automatically do so if the evidence is sufficient. The FVIP, Duluth (on which it is based) and indeed most other programs incorporating a broader evidentiary focus proceed similarly. In Queensland, police asking the victim if she wanted a formal complaint laid was identified as an inhibitor, especially if asked in the presence of the perpetrator (Douglas and Godden 2003:8). Ellison notes that "reliance on victim support in domestic violence cases in England and Wales is such that victims effectively exercise a power of veto over the prosecution process" (2003:840). Reducing this reliance by broadening the evidence base used at trial sidesteps all of the above problems.

Holder and Mayo argue that placing prosecutorial discretion with the prosecutor, rather than relying on the victim's cooperation, is in the interest of the victims, despite some concerns that it disempowers an already disempowered victim (2003). However, the concept of victim disempowerment needs to be assessed in the light of her level of empowerment in reality, with particular regard to the level of control exercised over her by the perpetrator, and her emotional state. These dynamics are closely related to the debate over compelling victims to testify; victimless prosecutions avoid the issues surrounding such compulsion (Ellison, 2003).

Gwinn states that 70% of San Diego's cases are victimless prosecutions, and yet 90% result in conviction overall (2004). Ellison acknowledges the need to treat statistics on victimless prosecutions with caution due to a lack of general research, but emphasises a "predictably clear" link between superior evidence gathering and successful prosecutions even where there is no testimony from the complainant (2003:842).

Specific Prosecution & Investigative Strategies

Given that victimless prosecutions hinge by default on corroborative evidence, the initial investigative process is crucial. It is around this area that the majority of police training programs, manuals and proformas have been developed.

Use of Photographs

Taking Polaroid photographs of injuries and crime scenes has become standard practice in relevant US jurisdictions. One study of factors relating to

guilty verdicts in domestic violence cases suggests that the availability of photographs increases the likelihood of conviction (see Cramer, 1999). Photographs are also routinely used within the FVIP in the ACT. There are ongoing debates about the court's acceptance of digital photos, which have been disputed by defence counsel. A final reading on the accessibility of these processes is important for future evidence collection procedures.

Best Practice Guidelines

The development and use of these guidelines occurs across the board in jurisdictions which utilise broader evidentiary approaches both in the US and Australia. In San Diego, interviewing all witnesses, taking victim statements, (including a history of previous incidents) is a minimum requirement, along with taking photographs. Proformas are also used, which serve in part as a checklist. The 2002 report on Phase 1 of the FVIP identified inconsistent data collection and response to incidences as a procedural problem. Although best practice guidelines were in place, they were not being followed as a matter of course (Lines, 2003). This was remedied, in part by clarifying expectations and policies.

Witness Statements

Witness statements are required to be taken from the victim, and from any other witnesses, including children, neighbours or other adults present. Most jurisdictions require the statements to be given in a private area.

Proformas

On a practical level, San Diego uses a standard form for evidence collection, including diagrams of the body on which to note physical trauma, detailed questions for the officers to ask and issues to address, and post arrest information, including follow up photographs. Victims sign the completed forms and this includes consent for release of medical records. Similar forms are becoming more common.

Prosecuting Even Minor Domestic Violence Offences

This policy is being applied in many US jurisdictions, partly as a preventative measure against potentially escalating violence in the future.

Specific Strategies in STOP Funded Programs

The Violence Against Women Grants Office Assessment Tool "Assessing Justice System Response to Violence Against Women" addresses specific evidentiary issues for investigators and prosecutors, and utilises checklists. It divides the response into six different stages:

1. Dispatcher Response
2. Initial Officer Response
3. Follow-up Investigator Response
4. Supervisor Response
5. Data Collection and Communication
6. Management Response

Elements relevant specifically to evidence gathering include advising the dispatcher to record the victim's excited utterances, and remind victims of sexual assault not to bathe or change clothes. Additionally, the dispatcher is advised to ask specific questions regarding the conduct of the defendant and use of weapons. This ensures that the probative value of the emergency call tape is increased.

Initial officer response includes conducting interviews and providing information in such a way as to maximise victim cooperation with this stage of the investigation, in particular in the manner of communicating options, support and referral, and providing information on the prosecution process. Other requirements are: to record excited utterances as well as the interview itself; make specific and deliberate observations of non-verbal communication; document injuries; interview all witnesses and the suspect. Evidence gathering techniques are utilised including photographs, physical evidence, diagramming of the scene and preserving the emergency call tape.

Obviously police receive academy training on evidence collection. However the specific approaches are predicated on the need to ensure that police are informed about how the evidence they are collecting will be used in court, particularly if there is no testimony given by the victim. Additionally, if they proceed assuming that there will be a victimless prosecution; this will ensure that every possible source of evidence is exhausted on a routine basis in each case. It will not be clear at the beginning of the investigation whether or not the victim's testimony will be central to the prosecution's case or not (Douglas and Godden, 2003:8). More specific training on evidence collection in domestic violence cases is necessary to understand that likely injuries such as strangulation marks are often not visible until the next day. Similarly, injuries also can provide information on the predominant aggressor.

Specific Jurisdictions

Appleton, Wisconsin

Officers state the decision to arrest is theirs, in the presence of the victim and suspect.

Kankakee, Illinois

"Creative investigation in consent cases": where a sexual assault is alleged and there is an anticipated defence of consent, police specifically gather evidence which tends to show a lack of consent. For example, evidence relating to any efforts by the victim to resist; detailed specific information regarding the victim's submission, in order for it to be more easily characterised as submission rather than consent at trial; specific words used by the victim prior to or during the assault; and evidence of any fear held by the victim which is attached to the location of the assault, which indicates that there was no consent.

San Diego Sex Crimes Unit

The unit focuses on investigation which will strengthen the victim's credibility, including witness statements, first disclosure, excited utterances and small

and less obvious ways to corroborate. There is deliberate use of open-ended questions in interviews.

Seattle, Washington

Police investigate with a victimless prosecution in mind. Other strategies include: all patrol sergeants have cameras; ongoing training programs regarding evidence collection are used; use of the dangerousness assessment tool; police reports are filed regardless of arrest decisions.

Virginia Beach

Information brochures are given to victims. Checklist protocols are used to ensure necessary evidence is collected. The suspect is specifically asked at the scene why they assaulted the victim, and this is documented in case they change their story subsequently. Police photograph the suspect even if he does not state he is injured. This can then be used to negate any later accusations that the suspect was defending himself from assault by the victim.

Specific Arrest Policies

The US jurisdictions tend to have either mandatory or pro-arrest policies. As noted by Holder, Australia has a more fragmented criminal justice and political system, whereas the whole judicial system in the US is more politicised, as well as having a more “retributive justice and penal framework” (2001:3). There has been much debate regarding the desirability of arrest policies which restrict the discretion of police. However, most such policies are predicated on the availability of evidence, no matter how “mandatory” they may appear at first glance. This practical need answered the concerns raised about the arrest policy by police officers in Phase I of the FVIP (Lines, 2003:36). Holder points to the need to move past the “arrest or no arrest debate” since investigative techniques also have a flow-on effect in other stages of the prosecution process (2001:14).

The report into Phase I of the FVIP shows the need for a clearly defined arrest policy position, as one with general statements about increasing arrests and the criminal justice and prosecution response “lacked the necessary clarity” (Lines, 2003:34). The FVIP has a policy of “pro-arrest, pro-charge and presumption against bail” (Lines 2003:34). Additionally, the victim is not to be asked if she wants to lay charges, and the decision regarding arrest is to be made independently of victim reluctance or consideration by the investigating officer of likely outcomes of a prosecution.

A less obvious but vital policy initiative in the FVIP is the establishment of strong lines of communication between the specialist family violence prosecutor and the individual police officers. Lines reports that police officers in the pilot program were heartened by swifter court outcomes and “began to see themselves as part of a much larger team” (2003:36). This feedback in combination with changed policies and careful implementation seems to have played a major role in the positive evaluation by police officers of the FVIP to date. The officers involved in Phase II of the Pilot Program were more likely to

believe that improved evidence gathering would equate to more convictions. Also, the officers use a wider range of investigative techniques, as well as feeling informed about the relevant legislation and the roles and procedures surrounding the program (Lines, 2003). It is not surprising, then, to note that the Phase II report indicates that 74% of victims stated they were satisfied with the police handling of their complaint, despite the complexities inherent in domestic violence and the myriad of competing factors influencing the victim's own attitudes to prosecuting the offender (see Holder, 2001).

Evidence at Trial

Police need to be aware of where the rules of evidence allow particular evidence to be adduced in domestic violence cases. Part of the training provided in many US programs covers this area. Understanding the rules of *res gestae*, excited utterances, first complaint for sexual assault and the importance of corroborative evidence all seem to increase the strength of the evidence eventually produced at trial.

There seem to be two main contentious areas regarding the rules of evidence and their suitability in domestic violence trials. These are the use of a victim's prior statements where she does not testify at trial, and the admission of prior acts of domestic violence to show propensity (not as similar fact evidence). In the USA, the rules of evidence have been specifically modified to allow for these two types of evidence to be far more easily utilised at trial. As Ellison points out, differences in the USA rules of evidence mean that adopting the specific changes made for the US rules would be counter productive and unnecessary for England and Wales (2003). Australia's rules of evidence, sourced in English common law, are similarly less amenable to the US style adaptations. Despite this, international research in the area remains informative, since the call for evidentiary reform is based on broader conceptual problems inherent in the nature of domestic violence itself. Although there are many policy reasons behind the content and focus of the rules of evidence, much of the rhyme and reason behind their development is based on beliefs about human behaviour in particular circumstances, for example when a person is or is not likely to lie or to be telling the truth. If the reality of domestic violence experiences renders those predictors irrelevant, then evidentiary rules stemming from them are likely to be at best unsuited. The need to address such rules thus exists regardless of the specific content of rules used in particular jurisdictions.

These underlying tensions are well demonstrated in the rules regarding both the propensity evidence and the prior statement of victims. Ellison discusses international research in the area indicating that the prior statement of an absent complainant is likely to be more reliable than her court testimony, since it is usually made at the time of the domestic violence. This is prior to pressure from the accused and other situational factors which may cause her to withdraw from the process (2003). In contrast, the rule originally developed because court testimony is considered more reliable than prior statements of a witness who is no longer prepared to testify.

An exception to admitting the victim's prior statement in her absence does exist if her refusal to testify is due to fear. However, Ellison points out that fear in this context in England and Wales has traditionally been interpreted as fear of injury, yet many other equally valid fears may be operating and should be recognised for a victim of domestic violence. She argues that only applying the exception where the fear relates to physical safety "would misrepresent the diverse pressures that underlie complainant withdrawal in domestic violence cases and [thus wrongly] deny prosecutors access to potentially cogent evidence" (2003:856). She suggests that the court apply a test of reasonableness of withdrawal instead (2003:855-856). Importantly, this exception is more likely to be applied even if fear is narrowly construed where there is other evidence supporting the prior statement, again highlighting the need for evidence from a variety of sources. Similar fact evidence is already admissible in Australia and in England and Wales in order to show propensity. The prior acts are only admissible if they meet the appropriate level of factual similarity to the offence charged; otherwise they are considered to be more prejudicial than probative and will be excluded.

However, the potential for reform in this area lies in the understanding of how probative evidence of prior acts of violence is likely to be. Again, much research has been done in this area, suggesting that conceptual rather than factual similarities are far more probative in domestic violence offences than in other offences (Ellison, 2003). Patterns of domestic violence behaviour are nonetheless often present and identifiable, although expert evidence may be needed, particularly regarding the cyclic nature of the offending and tendency to repeat conduct given its underlying causes. Similarly, one prior incident of domestic violence is also likely to be far more probative than a single incident of other violence, for example.

Changes in Australia

Some Australian states have made legislative changes in response to the increase in domestic violence incidents. Tasmania instituted the *Safe at Home* initiative in 2004. It includes a 24 hour telephone hotline, extension of legal aid, court support, counselling and other services for victims, children and offenders (Government of Tasmania, 2004:2-3). Police roles and court funding have also increased, to implement the pro-arrest, pro-prosecution response. Police officers at the rank of sergeants or above now have the authority to issue a Police Family Violence Order and service this at the time the offence is committed (Crime & Misconduct Commission – Queensland 2005:81). The order is valid for 12 months.

The ACT Family Violence Intervention Program (FVIP), which has been discussed for evidential reforms, was the first coordinated interagency response to domestic violence, beginning in 1997. The proportion of incidents where police took legal action increased from 27% to 47% over 9 months and 86% of family violence matters resulted in convictions in a two year period. Changes have been primarily due to police early evidence gathering, prosecution and sentencing (Holder & Mayo 2003:10). Reviews in Western Australia, New South Wales and Queensland have also recommended giving

police officers above a certain rank powers to issue immediate temporary or full protection orders (Crime & Misconduct Commission – Queensland 2005:82). Aside from legislative change, it is worth examining in detail how police operate in the current climate and how this relates to overseas trends.

Decision-making behind Police Responses to Domestic Violence Cases

Based on the findings of the Project SAFER 1, there was a disparity in the decisions about actions the police take in response to domestic violence incidents. Data suggests that the action taken by police increased under Project SAFER 2. However, differences remain between the choices of specific action, when measured against the details of the situation. One possible reason for these disparities is the nature of police decision-making. This has been a topic of previous research, both in the United States, the UK and Australia, which is important to look at in detail. It is likely in police decision-making that things such as attitudes to domestic violence, women, intimate relationships as well as personal experiences will have varying influences. Hence the issue of police discretion is also of critical importance.

The way police make decisions about whether to arrest domestic violence perpetrators or not, include demographic, organisational, attitudinal and situational factors. Despite the pro-arrest policies in the USA, rates of arrest on domestic violence remain low (Buzawa, Austin & Buzawa, 1995:444). In Australia, although police powers to deal with domestic violence have been strengthened, the approach tends to remain civil not criminal, with low arrest rates (see, for example Crime & Misconduct Commission – Queensland 2005:13; Victorian Law Reform Commission 2005:4; Western Australia Ombudsman 2003:19, 23). Reviewing the research on these factors can help explain the process of police action in domestic violence cases.

It is recognised that police attitudes to domestic violence will be representative of community values. Therefore it stands to reason that some of the variance in police action is attributed to believing myths concerning domestic violence, along with personal experiences that may bias decision-making. This underpins the importance of monitoring police action in domestic violence and the ongoing need to have training and accountability processes that reflect the community stand on issues such as domestic violence.

Demographic Factors

Firstly there are demographic differences that affect arrest rates relating to police as well as the situations of victims and perpetrators. In the United States, researchers have found that older or more experienced officers made fewer arrests than younger officers (Robinson & Chandek, 2000:20). In the Crime and Misconduct Commission on policing domestic violence in Queensland, results of a survey on police officers' responses indicate that more experienced officers did not place as much importance on the victim's wishes, due to a belief from their experience that the victim would change her mind and not support a charge (2005:50). While a US study shows that male police officers were more likely to make arrests than female officers

(Robinson & Chandek 2000:31), there was no difference based on gender in Queensland charges (Crime & Misconduct Commission – Queensland 2005:50).

Differences in police perception can be demonstrated by a comparison with higher charge rates in assaults by strangers. A US study shows that as the level of intimacy in the relationship between parties changes from more to less intimate, arrest becomes more likely (Buzawa, Austin & Buzawa, 1995:452). Also, in “stranger” assault cases, there is less reliance on witness evidence and more compliance with the victim’s wishes (Buzawa, Austin & Buzawa, 1995:456). This indicates that domestic violence may not be taken as seriously as other crimes.

Organisational Influences

While official organisational policies have been changing within the police force, the “unwritten rules” of actual practice can differ dramatically. Stranger assaults in the US are more likely to be viewed as a “breach of the peace”, justifying a call to police, despite the fact that domestic violence tends to be more severe and to reoccur more often (Buzawa & Buzawa, 1993:560-1). Similarly, in Australia police officers may not consider domestic violence cases to be “real police work” (Crime & Misconduct Commission – Queensland, 2005:17). The Crime & Misconduct Commission found that there are four key factors that police use to decide whether to apply a protection order: whether violence was likely to reoccur; the victim’s willingness to cooperate; perceptions that the victim is at fault; monitoring of police actions. This is despite Queensland Police Service (QPS) operational procedures that the wishes of the victim should not be a determining factor in the officer’s decision to seek a protection order (2005:45). Administrative factors, such as the length of paperwork and the time taken to attend an incident discourage officers from acting (Crime & Misconduct Commission – Queensland 2005:47-8). A call to a domestic violence incident that occurs towards the end of an officer’s shift might mean police were less likely to act (Crime & Misconduct Commission – Queensland. 2005:48), which concurs with US research (Robinson & Chandek, 2000:31).

The Victorian Law Reform Commission also found a tendency towards police inaction due to organisational culture. Police do not approach a family violence incident “like a crime scene”, often failing to gather evidence, not applying for intervention orders or not enforcing orders until there have been multiple breaches. Victims and agencies thought that police stereotyped women, assessing if their claims were genuine or exaggerated and were more likely to respond where the person subject to violence seemed “fearful, not angry” (Victorian Law Reform Commission, 2005:15-6). In Western Australia, again police action varies from existing policy, with attitudes such as victim-blaming around the “type” of woman who became victims leading to a reluctance to charge perpetrators (Western Australia Ombudsman, 2003:19, 21). This parallels discriminatory attitudes in the US, where arrests are less frequent. If the victim’s lifestyle is seen as including violence as “a normal way of life” (Buzawa & Austin, 1993:610).

Situational Differences

Situational differences in domestic violence cases is another major factor in decision-making over responses to incidents. US research shows that arrests are more likely when witnesses are present; if the suspect and victim are living together and less likely if the suspect has left the scene (Robinson & Chandek, 2000:30). Arrest is more likely according to the seriousness of the victim's injury and whether a weapon is involved (Buzawa, Austin & Buzawa, 1995:455). Queensland evidence also emphasises tangible factors, such as injury, use of a weapon and violence against police (Crime & Misconduct Commission – Queensland, 2005:50). Police are influenced by the commission of an indictable offence and the breach of a protection order; yet the victim's desire for an arrest is the least influential factor for most officers (Crime & Misconduct Commission – Queensland, 2005:48).

Attitudinal Factors

The way victims act towards police is another influential factor. If the victim is drunk, disruptive or abusive to officers, arrest is unlikely; while the views of "rational", undemanding or deferential victims are given more weight (Buzawa & Buzawa, 1993:566). Arrest is much more likely in cases when suspects are hostile to police, in order for police to avoid injury to themselves and regain control of the situation (Buzawa, Austin & Buzawa, 1995:447). In Queensland surveys, police saw domestic violence cases as a "grey area" involving verbal arguments arising from socioeconomic, relationship skill and substance abuse factors, more the responsibility of social welfare agencies than the law (Crime & Misconduct Commission – Queensland, 2005:56). The tendency of police to consider domestic violence as "not serious" and not part of their role as law-enforcers and the propensity of judgement and stereotyping are alarming aspects of the decision-making process.

Training and Managerial Support

Possible causes for the lack of action on domestic violence are the vastly different nature of the context of the incident, the victim's wishes and the process of collecting evidence. In general, a "stranger" assault can be isolated to one incident, with evidence drawn relating to that particular time and place. In contrast, a domestic violence incident must be viewed in the context of the past history of the relationship and must include a risk assessment of probable future threats. As we have seen, there is a need for knowledge on the cyclic nature of domestic violence for police officers to gain understanding about evidence relating to propensity.

For instance, Queensland police often fail to respond to breaches of protection orders due to what they see as insufficient evidence, particularly if the victim does not cooperate (Crime & Misconduct Commission – Queensland, 2005:68). Domestic violence agency workers feel that police fail to act on breaches not understanding that what may seem minor harassing behaviour in isolation, can be serious and fearful in the context of years of abuse (Crime & Misconduct Commission – Queensland, 2005:75). A follow-up survey of victims found that offenders were charged with assault in only 5 of 17 cases where women sought medical attention for their injuries (Crime & Misconduct Commission – Queensland, 2005:76), a clear example of police

inaction despite corroborating evidence. The Commission found that there is “strong evidence” that officers’ decisions to arrest and charge offenders continues to rely on victims’ testimony as their primary source of evidence. Thorough investigation and evidence collection is vital to ensure the best results for victims by either civil or criminal action (Crime & Misconduct Commission – Queensland, 2005:79). Other states also stress the need for training on the dynamics and nature of violence (Victorian Law Reform Commission, 2005:10) and the need for proper forensic evidence collection and refresher training for existing officers (Western Australia Ombudsman, 2003:.27). The disregard of victims’ wishes by more senior officers shows the importance of regular retraining.

In addition to thorough training, support by senior police administrators may affect police actions (Buzawa & Austin, 1993:622). Recently, the number of inquiries and reviews into police action on domestic violence in Australia show that governments and police departments are serious about tackling the problem. Queensland police see the monitoring of their actions as a significant influence on their decisions, which could be beneficial (Crime & Misconduct Commission – Queensland, 2005:46). In regards to the reluctance to take action towards the end of an officer’s shift, clarification about the availability of overtime by managers could counteract this (Crime & Misconduct Commission – Queensland, 2005:48).

Another factor that greatly affects police decision-making is their ability to do a thorough risk assessment of the domestic violence incident. This can help officers judge what action to take based on the seriousness of the incident in context of its history, relationship and other factors and its likelihood of reoccurrence. A number of risk assessment tools have been used in different contexts, which are revealing about police responses to domestic violence incidents.

Project SAFER is a significant initiative that shows a strong level of innovative leadership at senior levels within Gold Coast District and Queensland Police generally. The development of Project SAFER has shown a positive resolve to improve community responses to domestic violence. It is important to conceptualise the police response within the community integrated response (Chung, O’Leary and Zannettino, 2003). It is in this context that learning from the literature should be approached. As a starting point a pro-investigative model appears to be the most appropriate direction.

Chapter 3

The Use of Risk Assessment Instruments in Domestic Violence Responses

Introduction

Project SAFER utilised a risk assessment instrument as part of the booklet used at each call-out. Such instruments are designed to assist police in determining levels of ongoing risk to victims, and to aid victims in doing the same, especially if they are not aware that certain behaviours or factors are indicative of a tendency toward escalating levels of violence. There is also some potential for risk assessment instruments to assist courts in determining appropriate sentencing and/or treatment options for offenders. Laing emphasises the need for caution in the level of reliance placed on the risk assessments alone, partly because study of the predictive ability of most instruments is in its early stages (2004). Campbell & Webster et al suggest using risk assessment tools as a guide in the process (2003:16). However, it is clear that such instruments can significantly assist personnel working to respond appropriately to situations of domestic violence, particularly if carefully and deliberately implemented.

Characteristics of Risk Assessment Tools

Testing the accuracy of risk assessment tools' predictions is a difficult task, and much depends on the methodology used. The literature to date indicates that a large number of variables need to be taken into account, such as differently weighted items, combinations of factors that may have a cumulative effect when not assessed in isolation, the previous history of suspect and victim, and the effects of court actions and sanctions on reoffending (Goodman & Dutton et al, 2000). Laing recommends "multiple methods and sources" be used in studies of the reliability of risk assessment tools (2004:14). Weisz & Tolman et al note that risk predictions for survivors were made following a comprehensive review of the history and nature of the violent relationship (2000). This suggests that the risk assessment is most helpful when used with specific details of the circumstances. Despite these notes of caution, it is clear that risk assessment tools themselves do provide valuable information to police and other workers to support decision-making in their response to domestic violence.

Laing lists several factors common to risk assessment tools, covering both behavioural and attitudinal characteristics of the suspect:

- Assessing history of violence and "antisocial" attitudes
- Assessing stability of personal circumstances such as employment and relationships
- Checking for any mental health or personality disorders
- Any history of abuse as a child
- Assessment of the suspect's attitude to women

- Any history of arrests or convictions for domestic violence offences
- Any reasons for seeking treatment (2004:3)

The Project SAFER risk assessment checklist comprehensively covers the behavioural factors listed above, but does not include assessment of beliefs and attitudes apart from possessive beliefs regarding the victim. Neither does it check for a history of abuse or mental health difficulties, or the stability of personal circumstances although it does ask about employment.

Comparison of Project SAFER and DAS Risk Assessment Tools

Project SAFER's list of risk factors is similar to that used in the Dangerousness Assessment Scale. The 15 factors are:

- Prior history of domestic violence
- Prior police callouts
- Increase in frequency and/or severity of domestic violence
- Threats of homicide or suicide
- Any hostage taking
- Any strangulation attempt
- Violence to victim whilst pregnant
- Violence towards children
- Rage towards police or others
- Abusing pets
- Obsessive/possessive beliefs
- Abuser's perception of betrayal by the victim
- Prior/additional criminal activity
- Increasing drug/alcohol use
- Access to weapons

Apart from the checklist, there are three questions asked of the victim/aggrieved:

- How frequently does he or she intimidate, threaten or injure you?
- Describe the most frightening event/worst incident of violence involving him or her.
- How has his or her past and current behaviour impacted on you and your children's feelings of personal safety?

The Dangerousness Assessment Scale's (DAS) 15 questions formed the basis of the Project SAFER assessment factors. It was not originally developed for use by police officers, but by medical personnel or human service workers involved with the victim. The DAS risk factors were chosen based on research into characteristics of violent domestic relationships involving serious injury and/or homicide (Goodman & Dutton et al, 2000). Areas not covered by the Project SAFER assessment that are included within the DAS are forced sex, control of daily activities, whether the suspect is violent outside of the home, and whether the victim believes the suspect is capable of killing her. The questions in the DAS are also worded differently, with specific examples given for questions such as "does he control most or

all of your daily activities?” “Obsessive/possessive beliefs” is not assessed as such in the DAS; however, the victim is asked whether her partner is violently and constantly jealous of her. Frequency and severity of the violence are addressed as separate items, as are use of drugs and alcohol. The DAS does not address other criminal activity, abuse of pets or abuser’s perception of betrayal by the victim.

In addition to the 15 specific questions, the DAS asks victims to use a calendar to mark all approximate occurrences of domestic violence incidents over the past year, and to note their severity on a given scale of 1-5. Project SAFER does not include this type of assessment. The DAS also incorporates a written introduction to contextualise its use for the victim, and asks the victim to discuss the meaning of the DAS for their situation with their “nurse, advocate or counsellor”. The Project SAFER booklet includes an information sheet entitled “what is domestic and family violence?” for the victim/aggrieved to keep, as well as a copy of their responses to the three general questions. Information regarding the specific victim’s potential risk levels as per the risk assessment tool is left to be provided by the officers at the scene, and/or any domestic violence workers who are later involved with the victim. This highlights the need for officers to be trained in the interpretation and use of the risk assessment used in the Project SAFER booklet in order to maximise its effectiveness.

Comparison of Project SAFER and SPECSS+ Risk Assessment Tools

Another useful comparison is the SPECSS+ Risk Assessment Model, developed by the Metropolitan Police in the UK. This is particularly relevant to Project SAFER, as both were large-scale projects implemented over a number of sites. The SPECSS+ project involved implementation of the Risk Assessment model in two police divisions, London and West Yorkshire, with two sites in each and evaluating this process. The SPECSS+ model gives priority to 6 factors, which are seen to pose the highest risks to victims. An extra “plus 6 factors” are listed for police to consider (Humphreys et al. 2005:8).

The primary 6 factors are:

- Separation (child contact)
- Pregnancy (new birth)
- Escalation
- Culture (community isolation and barriers to reporting)
- Stalking
- Sexual Assault

The further 6 factors to consider are:

- abuse of children
- abuse of pets
- access to weapons
- either victim or perpetrator being suicidal

- drug and alcohol problems
- jealous and controlling behaviour
- threats to kill
- mental health problems (Humphreys et al. 2005:9)

It is interesting that only 2 of the primary 6 factors are included in the SAFER 15 point checklist. Areas not included are separation, culture, stalking and sexual assault. However, all of the further 6 factors are included, which means there is a large crossover overall. SPECSS+ was based on consultations between police and other agencies and utilises evidence from London murder reviews and serious sexual and physical assaults. There is some debate about which of the 12 factors involves the highest risk (Humphreys et al. 2005:7-8). If the 12 are used in conjunction, there is a significant parallel with the SAFER Risk Assessment.

Lessons from the Domestic Violence MARACs in Wales – A Multi-Agency Approach

Another recent innovative approach is the Domestic Violence MARACs (Multi-Agency Risk Assessment Conferences) for Very High-Risk Victims in Cardiff. The MARAC process, which started in April 2003, involved monthly meetings of 16 agencies, including police, probation, local authority, health, housing and victim support agencies. A large part of this was the implementation of a new risk assessment tool by the South Wales Police. The form contains 15 yes/no questions, similar to the DAS, with an area for officers to note extra information, such as whether the victim is isolated, how frightened the victim is and her belief about what the perpetrator will do (Robinson, 2004:7).

A summary of the MARAC Risk Factors are:

- Past physical abuse
- Escalation of abuse
- Weapons
- Unemployment
- Alcohol and/or drug abuse
- Pregnancy
- Psychological abuse
- Separation
- Threats
- Sexual abuse
- Suicidal thoughts (Robinson, 2004:10)

While SAFER covers a number of the 15 questions, it does not include: financial problems; relationship separation; conflict over child contact and sexual abuse. Of particularly high importance is if “perpetrator is jealous or controlling”, which Project SAFER checks for, as its presence makes 11 of the 14 other risk factors significantly more likely to occur (Robinson, 2004:3). During the 6 month evaluation, it was found that the majority of victims (about 6 in 10) had not been revictimised since the MARAC was used in their case. This reveals the benefits of a multi-agency approach to helping women and

their children, in particular the actions undertaken by the South Wales Police and the Women's Safety Unit (Robinson, 2004:3). On a smaller scale, liaison between the Domestic Violence Prevention Centre and the police in Project SAFER was seen as helpful by both.

The MARAC evaluation shows 4 of the 15 risk factors were significantly correlated with additional police call-outs for domestic violence: perpetrator has aggravating problems; perpetrator is jealous or controlling; abuse is becoming worse or more frequent; relationship separation (Robinson, 2004:3). Except the latter (which would probably be included in demographic information), these factors are included in the Project SAFER risk assessment. This is important as these factors could indicate a tentative prediction of reoccurrence of violence.

Effectiveness of Risk Assessment Tools

As would be expected, the DAS is more predictive than assessment based on violent history alone (Goodman & Dutton et al, 2000). For this reason, the number of similarities between the Project SAFER and DAS risk assessment tools is encouraging, especially regarding the 15 point checklist. Further assessment of personal circumstances and history of the suspect would also more closely align Project SAFER assessment with the features identified by Laing (2004). SPECSS+ is slightly different. Its role is to "enhance victim safety, manage lethal situations, make better use of intelligence and to increase the standard of the investigation and supervision". Thus it was designed to be about "prevention not prediction" and "risk assessment and risk management", emphasising the need for action (Humphreys et al. 2005:9-10).

It is clear that risk assessment tools are only as good as their implementation. Care must be taken not only in adopting or varying a program's individual risk assessment tool, but also in its day-to-day use. The SPECSS+ study indicates that training, high levels of supervision, commitment and leadership at the senior level are essential to improving intervention responses (Humphreys et al. 2005:57). Laing emphasises the need for workers to have a clear understanding of the reason they are including a risk assessment component in their domestic violence response in order to make the most of both its predictive and informative potential (2004). Domestic violence response is best seen as an ongoing process, and the literature thus far on risk assessment tools itself indicates that risk assessment "should not be seen as a single static event" either (Laing 2004:14). This recognition accords with comments from one officer in a Project SAFER Focus Group, who was critical of the seemingly formulaic nature of the risk assessment checklist. He pointed out that risk assessment ultimately comes down to officer discretion. It is clear however that risk assessment tools can do much to aid officers in making informed decisions, especially in their aim of protecting victims from future violence, given that risk assessment tools are designed to help "manage the risk" faced by victims on an ongoing basis (Laing 2004:15). Again, officers in the SPECSS+ project were seen as adding up the number of risks in a "mechanistic way" (Humphreys et al., 2005:9). The danger of "over-

simplification” should be balanced by training and experience of officers (Humphreys et al., 2005:30), which is born out by responses from police officers in Project SAFER focus groups.

Combining risk assessment tools with predictions from victims is seen as a more comprehensive way of assessing an offender’s potential to re-offend. Studies have indicated that risk assessment tools are not more accurate than victim predictions generally. Weisz & Tolman et al state regarding their study: “The results suggest that when a survivor predicts danger, it must be taken seriously even when other markers fail to identify a risk. “They recommend that both methods be used concurrently for the best results (2000:87). The DAS itself is now used in this way by directly asking the victim whether she believes the perpetrator is capable of killing her, although it does not ask for her perceptions of other future dangerous behaviour.

Understanding and Using Risk Assessment Tools

Common to all literature in the area is the warning to use risk assessment tools in a case context, to allow for some factors to be more heavily weighted than others and not approach checklists mathematically. This warning is important when testing the tool’s validity, and more so in making an interpretive assessment of the risk of future violence faced by any individual victim. For example, Strauss uses a checklist of 18 factors for risk assessment, yet the presence of 3 or more of those factors indicates a risk of future violence warranting further action (Weisz & Tolman et al, 2000). Campbell, Webster et al indicate that an average score for abused women on the DAS is only 3 out of 15. A score of 4 or more indicates “the need for great caution and protective action” (2003:19), and a score of 8 or more indicates very grave risk, with the average score for murdered women being just under 8 out of 15 (2003:16). It is crucial that any person administering a risk assessment checklist is clear as to how to interpret the result. If it were approached as a mathematical formula, then the result may be misinterpreted as requiring a score of 50% or more (8/15 on the booklet checklist) in order to indicate *any* risk, rather than *lethal* risk which that score would indicate on the DAS. It is clear that at least some of the officers in Project SAFER did approach the checklist as utilising a mathematical formula, which may account for their scepticism.

A risk with a model like SPECSS+ is whether the 6 factors are the most crucial. Yet it allows for discretion and flexibility, with other prompts for consideration provided (Humphreys et al. 2005:30). All models will only have a limited number of factors. While a calculation based on 6, 12 or 15 factors can help with initial assessment, decisions about risk must be more complex than this.

Apart from assisting officers to make informed decisions regarding arrest and other responses to call-outs, there is a further reason why they must be able to accurately interpret assessment results. Whilst many women are able to make accurate assessments of their own risk, some are not. Some victims’ perceptions of their situation and consequent ability to predict violence may

be adversely affected by factors such as trauma, memory impairment, or if they are minimising the danger to themselves as a coping mechanism. Additionally, they may doubt their own judgment if they have been subjected to ongoing emotional abuse (Weisz & Tolman et al, 2000:76). Campbell & Webster et al's study of homicide risk factors indicated "almost half of the murdered women studied did not recognise their risk" (2003:16). Risk assessment tools have a strong educative value, which in turn may be indirectly preventative of violence by better informing a victim of the objective risk she faces. However in order to do this, the results must be correctly interpreted with the victim.

Risk Assessment Lessons from Homicide Cases

High Risk Factors

The comparatively highest risk factors within the DAS were identified by Campbell & Webster et al in a study on risk factors for intimate partner homicide (2003). They found that women who were threatened with murder were 15 times more likely to be killed and those who were threatened or assaulted with a gun or other weapon were 20 times more likely to be killed (2003:16). Additionally, threats to kill, attempted strangulation, severe jealousy and forced sexual activity indicated a higher level of risk than the presence of alcohol or drug abuse (2003:16). This supports the inclusion of forced sexual activity in risk assessment checklists. It also demonstrates the importance of ensuring that officers receive training about the relative risk weighting for factors such as threats to kill and threats or use of weapons. Strangulation is somewhat unique not only as a risk factor but as an injury, since it can cause potentially fatal damage despite a lack of visible injury (Maryland Network Against Domestic Violence, 2002). For this reason, officer training in the USA recommends that police inform victims that it can be difficult to tell whether damage has been done without medical assessment and advise victims who have experienced this kind of injury to seek such assessment even if they do not feel unwell (Block, 2003; Maryland Network Against Domestic Violence, 2002).

Block identifies further points of note for officers and workers responding to domestic violence callouts. She analyses a Chicago study of women experiencing domestic violence, as well as reviewing case files of intimate partner homicides whether the woman was the victim or offender. Contrary to some expectations that such homicides occur at the end of a long course of domestic violence, she found that the homicide or life-threatening incident of violence occurred on the first occasion of violence from their partner for as many as 1 in 5 women (2003:5). For those who had experienced prior violence, "the number of days since the last act of violence was an important risk factor" as half of the women killed had been subjected to violence 30 days prior to the homicide (2003:5).

An additional high risk factor identified by Block is an attempt by the woman to leave the violent relationship. She notes that such an attempt was a "triggering factor" in 45% of femicides, and that "three quarters of homicide

victims and 85% of women who had experienced severe violence had left or tried to leave in the past year” (2003:6).

Implementation of Risk Assessment Tools in Police Agencies

The SPECSS+ project has demonstrated that a risk assessment procedure can be rolled out across a large police force. It can be applied despite differences in communities or policing structures, but will operate differently in different areas, depending on policing variables (Humphreys et al., 2005:8-9). There are a number of similarities in responses by police to the implementation of the new tool between SPECSS+ and Project SAFER. This can be shown through police reactions in the police officer focus groups, which will be covered in more detail later. One problem in both cases was a lack of staff resources as the process is never cost neutral. In London, it was found that further work was needed to ensure a response to high levels of repeat victimisation (Humphreys et al., 2005:9). On the Gold Coast, police officers did not perceive a reduction in repeat call-outs. Staff also complained of having to undertake extra work because of the risk assessment questions in SAFER. Many did not see this as relevant to their work. Again, this emphasises the need for training and support from senior management levels of the force.

Cardiff police also found that the MARACs increased their workload, without a reduction in other duties (Robinson, 2004:13-14). Information-sharing was seen as the major benefit, to increase victim, children and worker safety (Robinson, 2004:15). Trust between workers and agencies was vital to override confidentiality concerns (Robinson, 2004:16-17). A lack of resources and victim reluctance to act were seen as limits on improvements (Robinson, 2004:20). This also highlights the importance of risk assessment in identifying the highest risk cases.

Police officers in the UK were generally positive about the use of the SPECSS+ for risk assessment. Like in Project SAFER, they saw it as a useful tool for jogging the memory about what questions to ask and evidence to collect. Feedback from senior officers shows some other similarities with Project SAFER. They said SPECSS+ encouraged taking witness statements, gave permission for medical evidence and provided an initial risk assessment; also features of the SAFER booklet. A criticism was the number of “yes/no” questions (Humphreys et al. 2005:9). In contrast, more detail could be provided in the extensive notes sections in the SAFER booklet. While the rate of taking witness statements increased substantially, in both projects there were few examples of comprehensive evidence gathering, lacking photos or DNA, and with a small number of property reports. However, the arrest rate increased significantly in three of the UK areas (Humphreys et al., 2000:11).

Legislative changes in the UK and Queensland have broadened the definition of domestic violence to include disputes between non-spousal relatives (and same-sex relationships in Queensland), which has resulted in more work on relatively minor incidents. Police officers in both projects were frustrated with the extra work for these and other minor or verbal incidents (Humphreys et al.,

2005:12). In London and West Yorkshire, a large part of staff time was taken up with victim support and safety enhancement. Some areas in London are now working with non-police staff co-located at police stations, freeing up police for investigative work. However, opportunities for multi-agency work were under-utilised in the SPECSS+ project (Humphreys et al., 2005:13). A strength of Project SAFER was close work with the DVPC. Feedback from Gold Coast Police was overwhelmingly positive in regards to including consent to contact the DVPC, an information sheet about domestic violence and fax-back forms to the DVPC.

To implement a large scale risk assessment process, training and marketing are vital. There were some problems with the roll-out, planning and funding of training in the SPECSS+ project (Humphreys et al., 2005:14). It varied from 40 minutes to full one-day training, which was recommended. Training senior police officers first was advised as well as advanced careful planning (Humphreys et al., 2005:81). On the Gold Coast, training was also seen as inconsistent, varying at each of the 3 sites. Southport has received the most training because they were involved in the initial Pilot Project, while the two other stations received two sessions of training for the SAFER instrument. This could partly explain some of the variance in results across the three stations. Furthermore we do not know the level of training provided in non-SAFER stations, which could account for their relatively high level of response to domestic violence. Overall, both projects show some positive results from implementing a new risk assessment tool in a large police area. Negative attitudes towards the changes stem from perceptions of an increased workload, particularly concerning data about minor incidents. This reinforces the need for training, supervision, leadership and commitment at a senior level in implementing change.

The Role of Police

Much was said in the Project SAFER focus groups regarding the role of police within the project, and with respect to the overall response to domestic violence in conjunction with domestic violence services. Block's study indicates that the police may play a potentially greater preventative role than domestic violence services regarding women who are at high risk of severe injury or death; especially where those women recognise their danger and in most cases contact the police instead of a service agency (2003:7). Block suggests that this tendency demonstrates that calling the police can itself be indicative of a high-risk domestic violence relationship. This underscores the importance of a systematic linkage by police of victims to other services, since "helping professionals must be certain not to miss the opportunity to intervene when an abused woman reports the abuse" (2003:7).

Lessons Learnt from Literature

Project SAFER has benefited from the experiences of overseas initiatives to improve police and integrated responses to domestic violence. There are numerous important contextual differences in terms of laws of evidence, state policy and cultural environments. These differences are not barriers but rather emphasise the importance of creating a location-specific response to

domestic violence requiring a whole of government commitment to both legislative and community change. Nevertheless the central knowledge gained from overseas strongly underpins the need for specialised response for domestic violence crimes characterised by swift and thorough intervention at the first instance. This requires a dynamic level of integration between systems and at a minimum including police, courts, child protection and specialist domestic violence services. To achieve this, police and related services need to have appropriate work cultures to respond to domestic violence in structured and transparent ways. This can be done through using specialist tools to assess things such evidence collection, history of violence, identifying the predominant aggressor and risk assessment. This requires a standardised approach that is scrutinised for consistency. While there is debate about pro-arrest and prosecution policies, there is widespread thought that domestic violence should at the very least be pro-investigation. Project SAFER has evolved from these many lessons both locally and overseas to show police responses to domestic violence require action in most incidences. These responses should be transparent and be a central component of an integrated community response to domestic violence.

Conclusion

Risk assessment is an increasingly important part of an effective and ongoing domestic violence response strategy. Although the effectiveness of risk assessment tools is difficult to determine, studies to date demonstrate the valuable assistance that such tools can provide, in particular when appropriate training is provided and the tools incorporate victim predictions and are used as part of a carefully designed response. Such an approach in turn enables both police and victims to better evaluate the violence and make informed decisions about the best way of responding to it, and ideally preventing its reoccurrence. Risk assessment is not a precise activity. Rather it provides a screening process to identify factors known to be detrimental to victim safety. It also provides a more accurate template to analyse the occurrence of violence over time rather than solely focussing on the specific incident that police have attended. The process raises awareness and proves an effective referral to support services. Thus risk assessment is a central component of all integrated responses to domestic violence, especially in policing.

Chapter 4

Police Officers' Focus Group Responses

Background

Focus groups were held both towards the end of the Pilot Program in Southport in 2003 and at the end of the program in 2006. The focus group discussions asked several main questions centred on the officers' perceptions of the booklet in terms of its strengths, weaknesses and possible improvements (particularly concerning ease of use and in the pursuit of criminal charges). Officers were also asked about the response of both males and females to the booklet's use (see Appendix 1). In the second evaluation, there were also focus groups for officers in charge, shift supervisors and the domestic violence service.

The focus group responses are very informative in a range of areas and provide useful feedback regarding Project SAFER. Additionally, they provide anecdotal support for many of the results and suggestions seen in programs both nationally and overseas. The responses can be grouped into several themes which will be discussed below in the light of both the project itself and the literature in the area. The responses from the Pilot Program share a number of similarities and some differences, which shall be discussed.

The following tables summarise feedback from the written questionnaire, discussed below:

Table 4.1:
The Level of Documentation of Information Required by Project SAFER:

	HIGH	MEDIUM	LOW
On the Aggrieved	8	4	0
On the Respondent	6	6	0
On the Domestic Violence Related Incident	7	5	0
On Children Involved	7	4	2

Graph 4.1:

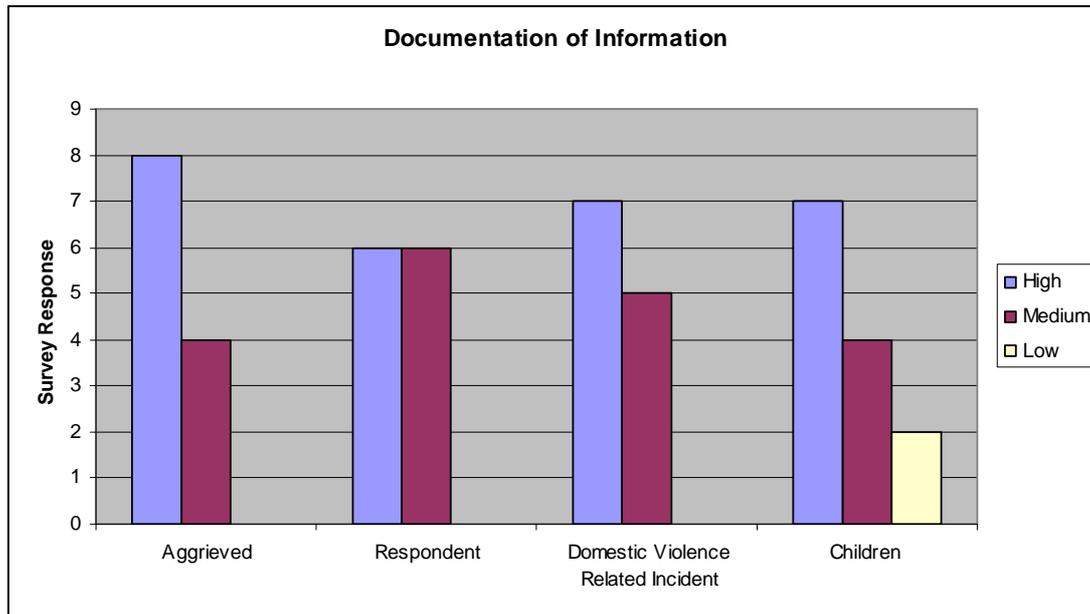
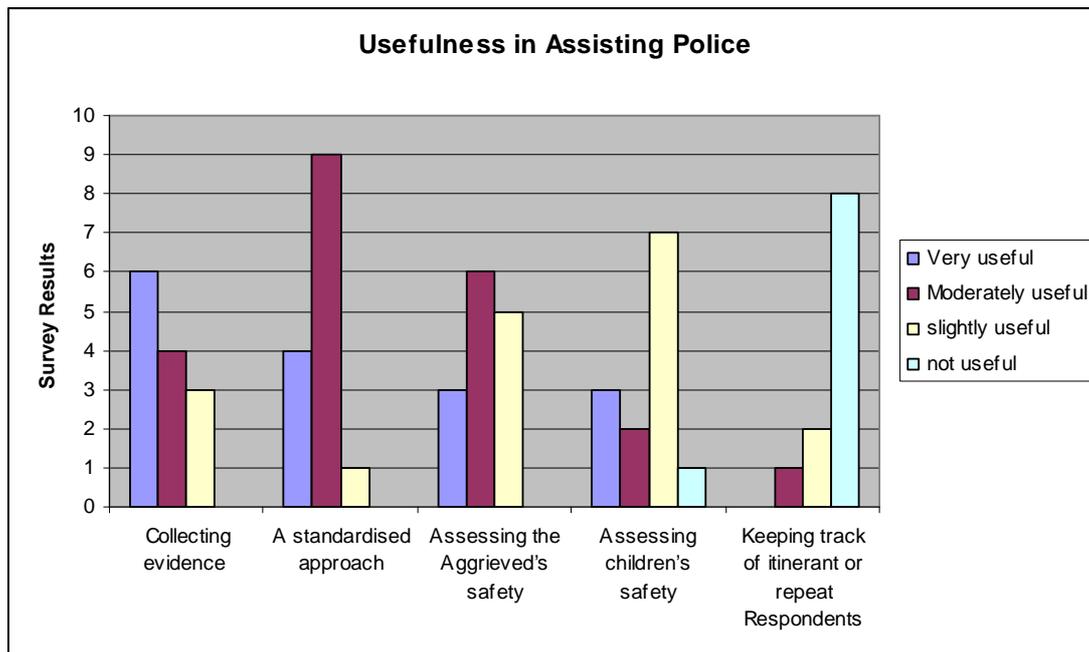


Table 4.2:
Usefulness of the Project SAFER Tool in Assisting Police

	VERY USEFUL	MODERATELY USEFUL	SLIGHTLY USEFUL	NOT USEFUL
Collecting evidence for charges & orders	6	4	3	0
Developing a standardised approach	4	9	1	0
Assisting to assess the aggrieved's safety	3	6	5	0
Assisting to assess children's safety	3	2	7	1
Assisting to identify & keep track of itinerant or repeat respondents	0	1	2	8

Graph 4.2:



Themes

Documentation of Information and Evidence Collection

The written evaluations about Project SAFER gave some valuable insights into its usefulness for documentation. The booklet was seen as enabling documentation of important information to a “high level” about the aggrieved (8 out of 12 participants), the respondent (6 participants), the domestic violence related incident (7 participants) and children (7 participants). In focus groups, police indicated that taking a statement from the victim/aggrieved at the time was positive, in that she could write her own story. Obtaining full details about children, which could be used for CRISP reports and of both parties, was useful. In the questionnaire, 6 out of 13 police wrote that the booklet was “very useful” for collecting evidence for charges and orders. They said that the evidence collection page was a helpful reminder. Medical diagrams were seen as a good method of recording information and getting consent to release medical records was conducive to evidence collection.

It was seen as “moderately useful” in developing a standardised approach for domestic violence incidents (by 9 out of 14 participants) and to make an adequate assessment about the safety of the aggrieved (by 6 out of 14 participants). In focus groups, officers saw the booklet as promoting consistency. Yet this was counterbalanced by its perceived constraint on their own discretion, in particular towards making risk assessments based upon their judgement or past experience.

Finally, the booklet was seen as “moderately helpful” about assessing the safety of children (by 6 out of 13 participants) while 8 out of 11 participants

found it “not helpful” in assisting police to keep track of itinerant respondents or repeat offenders. A common frustration that came out in the focus groups was the perception that the project had not reduced the number of repeat call-outs, despite this being one of its aims (although the data shows they were reduced).

Time Constraints and Duplication of Paperwork

In the Project SAFER evaluation, one of the major criticisms was the time taken to complete the booklet. A domestic violence call-out can take an average of 2 and 3 hours, with a reported extra 30-40 minutes taken to fill out the booklet. Time pressure from upper management was seen as a big issue. Police officers felt rushed to fill out paperwork, with pressure from police communications to attend the next call-out. In many cases, this was compounded by ambivalence from the victims and suspects about the purpose of the questions and investigation. In general, they found some women too upset or distraught to fill out the form, with confusion as to its importance. Some men were reluctant to fill it out or aggressive, while others were non-committal. Many officers commented that most of the information in the booklet was superfluous, for example asking about fears and history. The risk assessment in particular was criticised by many and was also seen as “traumatic” for victims.

Some saw the detail required in the booklet as useful, to promote a logical and consistent approach with 10 out of 13 respondents seeing this as moderately or very useful. Yet this was outweighed by the duplication and the feeling that it was not adding anything new to standard operational procedure. Complaints about the length of the tool were compounded by the practical use that can be made of the booklet as it currently stands. It is not an admissible court form and thus the information contained within it requires duplication to support a protection order, or a criminal charge. This would require legislative change, which was recommended by a number of senior officers. The officers indicated that the booklet information may need to be recorded up to 3 times, in the Domestic Violence Index (DVI), in notebook records (which are admissible in court) and in the computer. In contrast, counter enquiries were seen as easier because the information could be recorded straight on the computer, with not all of the form filled out, requiring less duplication. Also, officers seemed to be more comfortable interviewing parties at the counter – they complained that there was a high risk for police in private houses and a higher level of emotions.

Comments in the Pilot Study about time constraints and the duplication of paperwork were highly consistent with these conclusions. All of these concerns are reflective of those raised by Holder, that “reforms must incorporate recognition of the financial constraints the criminal justice system operates under” (2001:6), especially in regards to personnel. This is similar to results in the SPECSS+ and MARAC projects, in which risk assessment tools generated more police work but with no new resources. If the booklet is identified as a core requirement within this project, then the extra time taken by police to use it effectively should be factored into an assessment of the project requirements and costs, in future.

Information Sharing

In the focus groups, one of the key positives of the Project SAFER booklet was the domestic violence information page with contact numbers and fax-back to the DVPC. It was overwhelmingly seen as a useful feature of the tool. The pages for faxing to the DVPC were specific for the victim only, which made the process more streamlined. The fax-back pages allowed police to impart some information about the context of domestic violence incidents quickly and easily and also provide a clear follow-up for victims who wished to do this. The feedback from the DVPC found this “very helpful” and was very positive about getting the information from these forms before contacting clients. This gave them some background to the situation which meant that the worker could quickly move on to safety plans, referral and so on. This was particularly useful in regards to the changes in legislation which made “domestic violence” more broadly applicable. Knowing what kind of relationship it was beforehand made engagement with people easier.

Yet there were inconsistencies. In some cases police did not refer women to the DVPC or gave them incorrect information about whether charges could be laid. Some of the questions were seen as open to interpretation. The form was less useful if the quality of the information was low, particularly if there were no phone numbers or the compliance sheet was missing. Overall, any form of information sharing was seen as very helpful.

Comments from the DVPC representative about the importance of faxing back all forms, including the compliance sheet were similar to initial feedback from the Pilot Project, but it seemed that there was more awareness of the importance of this in the main project. In contrast, in the Pilot Program, there was a lot of criticism regarding the reasons for requiring so many pages to be faxed to DVPC. Police officers seemed to perceive the booklet as largely extra paperwork aimed at them.

In the Pilot Project, the worker also commented that from the DVPC’s point of view the booklet was “designed to see if a more thorough mode of investigation would reduce calls for service” and that *for this reason* the booklet was “asking different types of questions [of the aggrieved] about risks”. It is unclear whether officers were informed about these sorts of issues, and what individual officers were told about the project overall, the reasons for the specific design of the booklet, or their role within the project. While they were aware that one aim was to reduce call-outs, and especially repeat call-outs, there seemed to be some confusion as to how or why the booklet was expected to aid in that.

Overall, in both the pilot and the main project, a sense of working together with the domestic violence service was lacking. Police complained that the project had increased their workload and that they were being increasingly monitored and audited. In contrast, there was a stronger sense of common purpose in projects where police and domestic violence workers communicated more, such as the multi-agency conferences held in Wales (Robinson 2004).

Use of the Booklet

The focus groups indicated some confusion about when the booklet should be used. The Project SAFER booklet is intended to be used at every call-out to a situation of domestic violence, across the board. This is in line with similar international and national initiatives aimed at increasing convictions for offences involving domestic violence, as well as aiding in applications for protection orders. The goal of such initiatives is to facilitate the most appropriate response to each individual situation. As Holder states, it is not helpful to think in terms of “always arrest” or a “no drop policy”, since every case must be assessed on the evidence anyway, and any attempts to remove police discretion would be (at best) counter productive (2001). Instead, one function of tools such as the booklet is to ensure that the best evidence is available when that assessment is made.

The Project SAFER booklet itself clearly states that it is to be used for *every* call-out and not solely to assist in an application for a civil protection order. The second page lists a range of common offences involved in domestic violence, and states “always consider criminal charges”.

However, comments from the focus groups seem to indicate that the broader aims and usage of tools such as the booklet have not been adequately explained to the officers. It appears that whatever may have been explained to them or detailed on the booklet or other paperwork, their “working” approach to the booklet is as an aid to making applications for protection orders. This may explain the stated response of many officers to the perceived scrutiny by DVPC of making applications for protection orders that they previously may not have made, rather than perhaps considering criminal charges. It is clear that during the pilot and main project, where action was taken in response to a domestic violence call-out it was overwhelmingly applications for protection orders. Criticisms were made that the booklet was not appropriate for a breach of an order. The booklet was seen as appropriate for applications for protection orders but in the case of a breach, statements should be taken at the station.

This theme was outlined in detail in the Pilot Program focus groups. Specific comments were made during the course of the focus group feedback that indicated a perception of the booklet as being less applicable to situations where an application for a protection order was not the appropriate response. Firstly, one officer stated that he would not use the booklet for a breach of an order. He stated:

If someone came in for a breach I wouldn't even dream of sitting down and filling this out because straight away it's a criminal, in a sense it becomes a criminal matter where they've breached the civil agreement that's been taken out between them and the other person, you've done it on their behalf, so then you're doing the breach for them, so I wouldn't even think about filling one of these in for a breach.

He contrasted the practical amount of time taken to fill in the 26 page booklet with the time taken to make appropriate notes in his notebook and fill in a crime report and have the breach dealt with that way, especially from behind the counter as opposed to an initial call-out for domestic violence. Another

officer in the Pilot Project seemed to clearly consider the booklet as being intended for use in cases where an application would be sought as the appropriate response. One written focus group response to the question “what are the main weaknesses of the tool” was:

DV application is a civil matter and evidence gathered in (the) form appears to be based on criminal – beyond reasonable doubt offence.

Whilst an application for a protection order is a civil matter and its breach is a criminal offence, the booklet is designed for use in all cases. It is specifically designed to ensure all available evidence is gathered at first instance so that criminal charges can be supported if considered appropriate. The fact that the breadth of the booklet in this regard was perceived as a weakness indicates a fundamental misapprehension as to the role of the booklet in the investigation process.

If the booklet is perceived as being a tool to seek protection orders only, the police role in Project SAFER may indeed be viewed by some as more administrative in nature. This is particularly likely given that there is already a gap between the policy of viewing domestic violence as a crime in Australia and the practical reality of how domestic violence incidents are processed and resolved (see Holder 2001, Douglas & Godden, 2003, Lines, 2003). This is counterproductive to the overall goal of improving the justice system response to domestic violence.

Phase I of the ACT FVIP demonstrates the need for officers to see tangible results of the increased hours and effort put into the prosecution and other responses to domestic violence offences in similar projects and this was confirmed in the focus groups. The comments of frustration at fulfilling an administrative role were made during a discussion of leniency by the courts in some cases where protection orders had been breached with impunity. In the Pilot Study, two examples were provided by officers of such cases. One man was arrested for breaching an order on the same afternoon as he had been bailed for a previous breach. In another instance, a man was given the same penalty for four breaches as was given for one breach.

It is hoped that an increased use of the booklet to support criminal charges would lead to an alternative to the perceived cycle of “obtain order – arrest for breach of order” in some cases. As in the SPECSS+ program, one of the aims of Project SAFER was to increase evidence collection and investigation, in order to allow for a criminal response to domestic violence, where appropriate, not just civil action. In both projects, the amount of extra evidence collected was disappointing; despite increased prompts for this (Humphreys et al., 2000:11). This contrasts with the finding in the written evaluation that 6 out of 13 participants found the form “very useful” in assisting them to collect evidence for charges and orders, and 4 “moderately useful”. This indicates an overall lack of understanding of the broader goals of the project. Yet despite complaints by officers about increased surveillance, in SAFER 2 Officers in Charge saw the project as having increased consistency – officers who once would have written a job off as “no action” now had to go through a number of steps and be able to justify this response.

Officer Discretion & Risk Assessment

A key implication of the feedback about Project SAFER was that many officers resisted the changes it involved because they saw it as hindering their discretion. Although we have seen that the booklet is designed to be used in all domestic violence cases, there was major resistance to this. For instance, there was some confusion over whether the entire book had to be filled out for “no domestic violence” cases. Senior officers stated that this was not necessary if the incident was clearly not domestic violence and that this had not been clearly explained in training. The intention of the book is to improve police decision-making based on the officer’s discretion, through the risk assessment questions. By making a thorough risk assessment, with questions based upon history and future risk, what is seen as a couple arguing at face value may potentially be one aspect of a set of domestic violence incidents. Another indication of this is that only 4 out of 14 officers in the questionnaire found the form “very useful” in assisting them to make an adequate assessment about the safety of the aggrieved.

Another cautionary note is that officers in one focus group gave examples of “no domestic violence” as “if there are no threats; it’s a disagreement with raised voices; it’s a domestic relationship; it’s a ‘one-off’; threats alone; it’s a Family Court Dispute”, some of which could clearly be domestic violence situations, as outlined in the legislation. The evaluation also indicated some misunderstanding about the risk assessment process. Police indicated that they would only act upon what had happened at one particular incident – “The Risk Assessment is history – it doesn’t matter to the police”. Another officer said:

Police are only interested in:

1. Has domestic violence occurred?
2. Will it occur again?

In general, they are not interested in other questions.

Yet the “other questions” are either designed to help answer the primary assessment of whether domestic violence has occurred and will re-occur or to help collect evidence to prove this in a legal sense. A number of officers indicated that the tool does not change the officer’s perception of what has happened – “80% of what is in the booklet the police would do anyway”.

The risk assessment tool is designed to encourage more thorough evidence collection and an evaluation of the likelihood of violence reoccurring. It should give a broader picture of the context of one incident and enhance decision-making. One officer commented that if a victim said “I don’t wish to make a complaint” police should not proceed. This indicates that police place great emphasis on the wishes of victims to pursue charges or not. Also worrying were police doubts about the two parties’ honesty. Their comments centred on the victim, particularly in cases of separation and Family Court issues. Many found some questions, such as that around forced sexual intercourse “embarrassing” to ask or “leading questions”. Furthermore, this brought up legal issues around following up past cases of sexual assault, which made them unsure of what to do. A general reluctance to ask sensitive questions was implied. Clearly the Project SAFER tool was making their job more

complex, yet if appropriate investigations were followed up, this would make for a more thorough response. This is an example of the perception that the SAFER booklet was leading police officers to do a lot more work. Officers in Charge explained that staff were actually confusing requirements with procedures based upon use of the tool.

Research has shown that older or more experienced officers make fewer arrests than younger officers (Robinson & Chandek, 2000:20) and place less importance on the victim's wishes, perceiving that the victim would change her mind later and not support a charge (Crime & Misconduct Commission – Queensland 2005:50). We have seen that police officers were still placing importance on the victim's wish to proceed or not. A common response in the focus groups was that the tool was very useful for first year constables, showing them how to follow all the steps for a domestic violence incident. Officers in Charge said that overall staff attitudes were negative towards Project SAFER, with older staff "less happy" with the booklet "*because of their experience*" [emphasis added]. They also perceived "resistance to change"; with about 70% of officers not happy with the booklet and 30% happy overall. Again, these results imply that staff, particularly older more experienced officers did not feel that the booklet enhanced their job – they saw their decision-making based upon previous procedures and their own discretion as sufficient.

The focus groups in the Pilot Study shared this criticism of the project. The Risk Management page lists 15 common risk factors similar to those in the DAS, and police are asked to consider them and to tick any which apply to the call-out. This list has been interpreted as an attempt to replace police discretion and individual judgment about those risks and thus has been received with some understandable resentment. The introduction to the list states that the "red flags" may indicate that the victim is at risk and asks officers to consider them. However, the list may be interpreted as a replacement for police discretion since there is a line at the end asking for the total number of risk factors to be documented. At least one officer interpreted this tally to mean that they are to conclude high risk if a high number of risk factors are present, but not to come to this conclusion otherwise. He stated:

[R]eally it is on (sic) our decision, whether or not we say ok the degrees of danger (sic) or the kids are in danger. And whether that makes it 15/15 or 1 or 2/15, you could have one there which is maybe just a strangulation and it comes in, maybe a bit of violence which is like, 2/15, and you go, well as far as I am concerned, they're a high risk, even though they have scored a 2/15. And that's the decision I make, even though the risk factor is 2/15, well, that means bugger all.

The introduction to the list of factors actually states that the victim may be at high risk if any *one* of the factors is present. It does not require any particular tally to be reached. The officers do not appear to have understood why the risk management section was included in the booklet. As in the SPECSS+ project, there was a misunderstanding by officers that risk assessments involved merely adding up the number of risks (Humphreys et al 2005:30). More training is clearly needed to explain the use of the tools in a

sophisticated manner, which also allows for the officer's discretion and experience.

Goals of Project SAFER and Roles of Police

The discussions in focus groups seemed to indicate a lack of communication about such things as the respective roles of police and DVPC, the aims of the project, the aims of the booklet and the reasons for the booklet's specific structure.

Discussion in the focus groups centred on the day-to-day practical use of the booklet as a tool in responding to domestic violence call-outs. There was a great deal of emphasis on the booklet's length and detail and whether or not this was appropriate. Whilst such scrutiny is important on one level, a reference point is needed from which to assess appropriateness, and it was not clear that both DVPC and the police had such a reference point in common. Most officers asked themselves whether the booklet makes the job that they are already doing easier and more efficient (for themselves and the public), without much awareness of where they stood in the broader picture and whether the booklet itself was designed to achieve that aim. This in itself affects any analysis by officers of what is and is not "appropriate", especially given the level of discretion exercised by them in the use of the booklet and the course of a domestic violence call-out, interviewing parties etc.

For example, when officers were asked whether the booklet makes it more likely that they would make an application or consider criminal charges, one officer in the Pilot Project responded "this is just a form we have to do, we'd do the same job whether that form was there or not, because that's what we were doing before this". One common opinion seemed to be that the detail and structure of the booklet was aimed at making police do their job better, and/or monitoring their job. Not surprisingly, there seemed to be a sense of resistance to this. In the Pilot Study, one officer believed that duplication of paperwork was designed to check their work. He stated:

...if it could all be just *that* [filling in and using the booklet] that's what I think everyone has been saying, instead of then sitting down and doing an application. And that seems to be, and I think the perception of most of us here, is so that somebody else can check it and see that the police are doing their job and that the number of forms that have to be sent back to the DVPC, and it seems to me that that's the end of the line, that the DVPC is checking that the police are doing their job.

Domestic Violence Awareness by Police

The focus groups suggested that there may be additional misapprehensions as to the role of the police, the intended role of the booklet, and the appropriate responses to domestic violence call-outs. This is indicated in several ways. First, the terminology used by police in discussing the persons involved in domestic violence call-outs differed from that used in the booklet. The booklet consistently uses the categories of "victim" and "suspect", since it is designed as an evidential basis for criminal charges to be laid in appropriate cases. Later in the booklet, victim/aggrieved and suspect/respondent are used since at times applications for protection orders

may be made and “aggrieved/respondent”, being civil terms, are used for those. However, during the focus group discussions, “aggrieved” and “respondent” were the only terms used by police to describe the individuals involved. This occurred also during discussions of significant levels of threat or injury occasioned by the “aggrieved”. This seemed to indicate that the jobs where the booklet was used were viewed seriously, but nonetheless as primarily civil matters. It may reflect a perception of domestic violence offences as more civil than criminal, especially as there was widespread use of the booklet for supporting protection order applications.

This underlying approach may have influenced officers’ views on evidential issues. One focus group response from the Pilot Study seemed to indicate that it was not appropriate for an officer to accept that a respondent had a violent history just because the aggrieved had said so and that some record should be kept of the fact that there was no independent evidence of the allegation:

If you are satisfied that those risks exist, then you will put it on the computer index, and if you’re not satisfied, there’s still a spot where you can say “the aggrieved has provided this information, however it has not been substantiated, however she says that he has tried to kill her before”, whatever, those sorts of things, but (the risk assessment component) shouldn’t just be based on keeping it all on this file.

However, the risk assessment form within the booklet does not operate in the same way as the computer index. It is designed specifically to record information regarding a respondent/suspect’s history from the aggrieved/victim, which if admissible could form part of evidence given at any trial of criminal charges, or when a protection order application is made. The accuracy of the statements as to past history is not required to be determined by the officers, although they will need to make judgments as to the credibility of the aggrieved in making a risk assessment overall. The role that officer discretion and assessment of credibility plays in responding to domestic violence call-outs and assessing the appropriate action in each case is vital. This supports the need for officers to receive training specific to domestic violence issues, victim behaviour and responses, frequent reluctance to report assaults to police and so on, similar to that undertaken by police in domestic violence units generally.

Several issues arise from this perception and thus approach to the use of the booklet. First, it demonstrates a fundamental misapprehension of the roles of the booklet, and the role of police within this project. This in itself is problematic as it could indicate that the booklet’s ability to aid in the criminal investigation process has not yet been accurately tested through the SAFER project. Second, it demonstrates that the booklet itself cannot be used in isolation in the development of new responses to domestic violence. Training and communication are vital.

A further issue identified is that the way the police approach domestic violence interventions and interpret their role affects their use and opinion of the booklet. For example, one officer in the Pilot Project suggested that more

room be provided to document the reasons why a child has been included on an application for an order. The reason given was that:

Often children are included on the order for spiteful reasons. Should be more info room to back up why they are on the orders so it can't be out of spite.

Similarly, one officer stated in the focus group:

We are obligated to [include children on the order if requested to]. The respondent doesn't turn up to court and she gets kids. He's got to fork out bucket loads of money for family lawyer. Females are abusing this. It's like we are taking a side. We are administration, filling out a civil form.

This statement seems to confuse a domestic violence incident with a Family Law matter (in which the police have no role and thus should be impartial). Though the two matters may occur simultaneously they remain separate, and it is entirely appropriate for police to "take the side" of a victim of a criminal offence. In SAFER 2, police officers expressed similar doubts about the motivations and truthfulness of victims' statements, particularly regarding custody and access to children.

Two issues are pertinent here. First, officers' own attitudes and perceptions of the dynamics of domestic violence may be affecting their discretion in determining the action taken on call-outs. This is shown to be common within the literature, given that discretion is by nature exercised subjectively. It is one reason why a sound understanding of the unique characteristics of domestic violence situations and victims is needed for all officers dealing with such call-outs. Second, it may be that the frustration expressed by officers at making less impact in curbing domestic violence incidents, is, at times, affecting their interaction with victims, particularly those remaining with a partner who continues to breach orders. A change in the police approach to using the booklet and utilising additional responses more regularly will not unilaterally answer this concern. However, a greater awareness of their specific role and potential for increased results by participating fully in such programs accompanied with the training and support needed to increase the implementation of project goals may have the secondary effect of lessening this frustration.

Booklet Structure

Many comments were made regarding the structure of the booklet, with suggestions for improvement. The primary change sought by the officers was that the booklet itself becomes the basis for applications to avoid duplication. Many officers saw the booklet as a useful "memory jog", both for themselves and victims. The highest responses to the written questionnaire were on the questions about documentation. It provided them with a way to check through the steps that should be taken. It promoted consistency and provided a logical structure. This was seen as particularly useful for new recruits, as they would be able to handle cases on their own with less training. This was confirmed by less experienced officers who expressed the most satisfaction with the SAFER instrument. Many saw it as useful having all the information, including the medical information, statements and fax-back referrals all in the one document. Some features, like the medical diagrams, were seen as practical.

The Evidence Collection page was useful to remind officers what they did and for supervisors to check this. Overall the SAFER booklet was identified as a useful tool for auditing. However, its size and format were seen as “daunting”. Again, this reflects the view of many officers that most of the information it covers is “redundant”.

In the first evaluation, it was also suggested that the booklet be modified to allow one booklet to be used for cross orders rather than having to fill out a separate booklet for each. This change was instituted for Phase 2, along with a number of the suggestions from the Pilot Study. These changes centred on improving the format and structure of the instrument to ensure appropriate prompts and sections for assessment and evidence collection. Very practical suggestions for layout were identified such as having the victim/aggrieved sections and the suspect/respondent sections grouped together, so that one officer could take half and work with the victim and one could take the other half and work with the suspect.

Most changes suggested involved time saving measures, such as using barcodes to identify the booklet as a whole rather than writing in the index number on every page. Other changes, such as not giving the victim information sheet to every aggrieved, and not using the booklet for breaches of orders, were less appropriate given the aims of the booklet, especially in providing information and awareness to victims, and ensuring the best possible evidence is available to support criminal charges.

Training and Communication

There were a number of problems with training revealed in the evaluation. There were inconsistencies in different stations and confusion about when to use different forms. Police staff at Southport received more training, as they were trained for the Pilot Project and the main Project SAFER. Senior police in focus groups believed that there was a lack of marketing of the program and knowledge of its aims and functions. Many officers saw the risk assessment as adding to their workload yet making little difference to their decision-making, which implies little understanding about the possible predictive nature of these tools and its use to aid evidence collection. The perception that the DVPC and police supervisors were monitoring the police does not imply a sense of working together for a common cause.

The Pilot Study also indicated a need for training in not only how to “fill in” the booklet but as to the aims and objectives of the project more broadly and an explanation of the booklet’s features and its place within the wider project (such as the risk assessment tool and the specific nature of the DVPC response). There is also a need for training in broader issues of domestic violence given that these officers are not part of a domestic violence unit and thus may not have received such training previously. Intensive training in domestic violence, its status as a crime, the impacts on victims and children and consequent behavioural dynamics is a fundamental part of most programs overseas and in Australia. The needs for training and communication were the most fundamental of all identified in the FVIP review between Phases I and II (see Lines, 2003). The focus group discussions

seem to indicate a lack of information sharing and communication between the DVPC and police in particular, and some officers seemed to be approaching the use of the booklet in ways which did not allow its effectiveness to be adequately tested. All research indicates that training is crucial, and the focus group experiences in both evaluations support this. The inconsistency in completing the SAFER instrument is the most cogent evidence of the lack of training of police in SAFER stations. This gap in training relates to general knowledge and skills in relation to domestic violence but also to the specific use of the document.

Conclusion

Senior officers perceived an overall negative attitude towards Project SAFER amongst their staff. Part of this would seem to stem from a general resistance to change. A lot of criticisms were based upon the time it took to fill in the booklet in a pressured work atmosphere. Also, many officers did not feel that the risk assessment questions added to their usual process of decision-making, hence its “redundancy” and time-wasting.

Another key complaint related to the fact that the booklet could not be used as evidence in court, which resulted in duplication. Many officers thought the use of the Project SAFER booklet had increased their workload. This could be the case, but only in the sense that more efficient monitoring of police actions meant that they were more likely to follow actual QPS procedures. Senior staff saw this increase of consistency among officers as a positive. As staff had become more accustomed to using the instrument, they recommended retaining it. Many of the problems police officers had with the Project SAFER booklet have resulted from a general misunderstanding of the goals of the project, the use of the booklet, the role of police and possibly the dynamics and nature of domestic violence generally. There is a clear need for more thorough training and communication about the project to enhance its implementation. Also, structural changes like making the booklet admissible as evidence would have a strong impact on its perceived value.

What is most evident from the focus groups is that there is a will from management in the police to pursue initiatives like Project SAFER, but the officers using the instrument in the field do not always have the conceptualisation of the purpose and/or feel they are not adequately supported to successfully implement the initiative. This is a perception versus reality problem, where the integration of a police response needs to be instituted as part of the police culture at each of the stations.

Chapter 5

Quantitative Data from Incidents using the Project SAFER Instrument

This chapter explores important trends in the data collected by officers at domestic violence incidents. It enables us to examine some of the characteristics of the various incidents such as time, gender and effects observed and the resulting police action. The analysis allows us to make some conclusions about general trends and contextualises many of issues highlighted in the previous chapter regarding police officer focus groups.

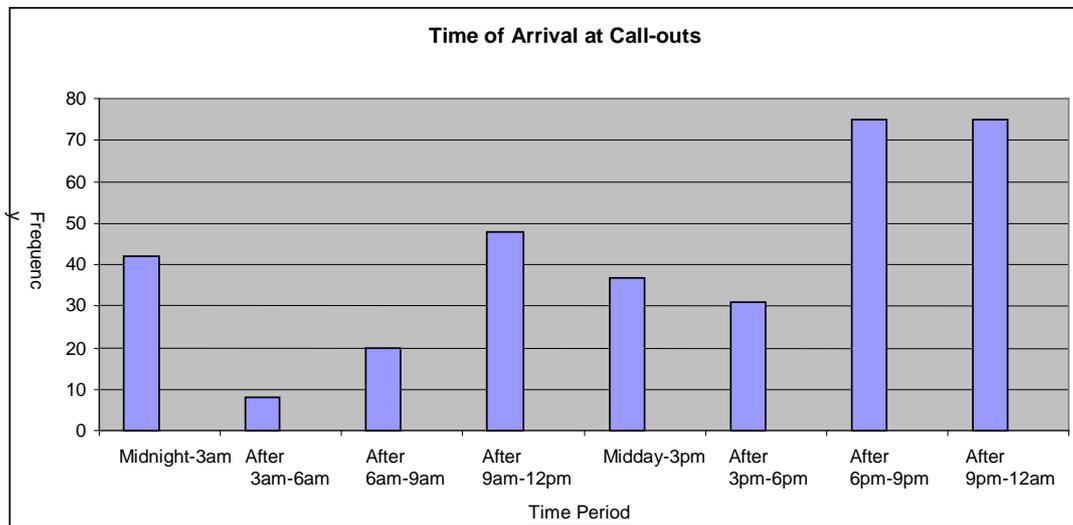
This chapter examines the data collected using the instrument developed for Project SAFER. Data was entered for 600 incidents. Of these 521 were useable; the other cases were not filled in appropriately and had too much missing data. Over 1000 instruments were completed across the three stations (Southport, Coomera and Runaway Bay). The level of compliance in thoroughly completing all sections of the booklet was often only about 60% or less. This indicates a poor level of usage of the booklet to its full potential. Various reasons for this were reported in the focus groups. However, it is clear that the low level of compliance in completion can be attributed to three main reasons, lack of training, poor accountability to ensure compliance and workload constraints. For this evaluation it has resulted in less data than planned and therefore there is some limitation in the interpretation of the results.

Information about Data Set and Analysis

Data was analysed using the software package Statistical Package for Social Sciences (SPSS). As previously stated it is important to note that the data collected using the instrument developed for Project SAFER was recorded in inconsistent ways. Many forms were incomplete, which meant that numerous cases had to be excluded from different analyses. Therefore numbers of valid cases varies across the data presented in this report.

Call-Outs and Times of Incidents

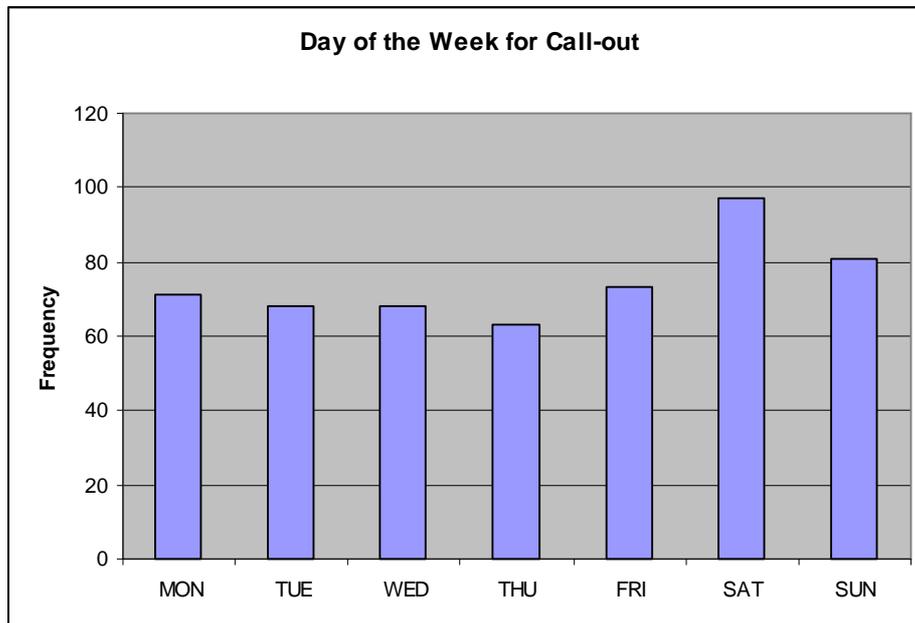
Graph 5.1:
Time of Arrival at Call-outs



Valid =348
Missing=185

Graph 5.1 highlights that domestic violence incidents requiring police attendance predominantly occur after 6pm. Furthermore 72.2% of incidents occurred between the hours 3pm and 9am the following day. This indicates that officers with domestic violence expertise would best be rostered to follow-up on incidents within these time frames especially between 6pm and 3am (55.3% of incidents).

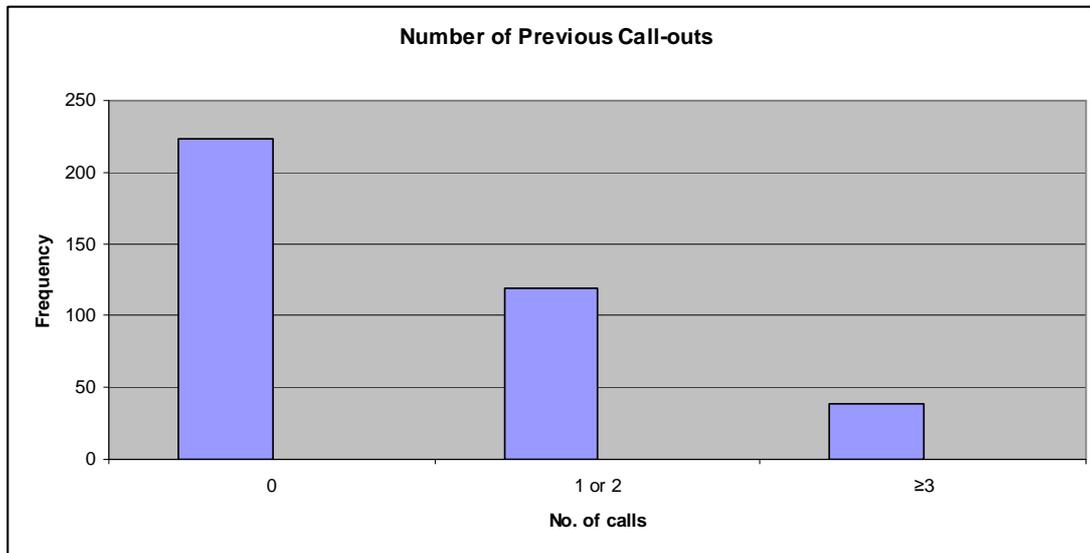
**Graph 5.2:
Day of the Week for Call-outs**



Graph 5.2 shows 34.1% of incidents occur on Saturday and Sunday. Again this suggests that these days combined with the peak times for call-outs should be considered as times when officers with specialist domestic violence knowledge and skills should be available. Both graphs 5.1 and 5.2 show that the times that incidents are likely to occur are outside normal working hours and when most occupants of households are likely to be present. It is also at these times that people are more likely to be engaged in substance use (alcohol and illicit drugs), a known exacerbating factor in the occurrence of violence (People, 2005:5-6). We have seen that incidents occurring towards the end of shifts can mean that police are less likely to act (Crime & Misconduct Commission – Queensland, 2005:48). This reinforces the importance of timing of shifts in line with times of peak need. These results are consistent with the findings of the Pilot Study (O’Leary, Richards, Chung and Zannettino, 2003)

The average time taken for a domestic violence call-out is approximately 3 hours. There are extremes at either end, with 12 cases taking less than 1 hour and 11 cases taking more than 6 hours. This is consistent with police estimates from the focus groups. Police indicated that filling out the SAFER instrument takes at least an extra 30 minutes. If they do not see the full benefits of the process, police may find this a frustrating part of already long call-outs, showing the need for police understanding of the aims of the project. However it is important to note that if thorough action is taken at the first callout this may result in reduced repeat call-outs. This was tested in this project and the results are listed below.

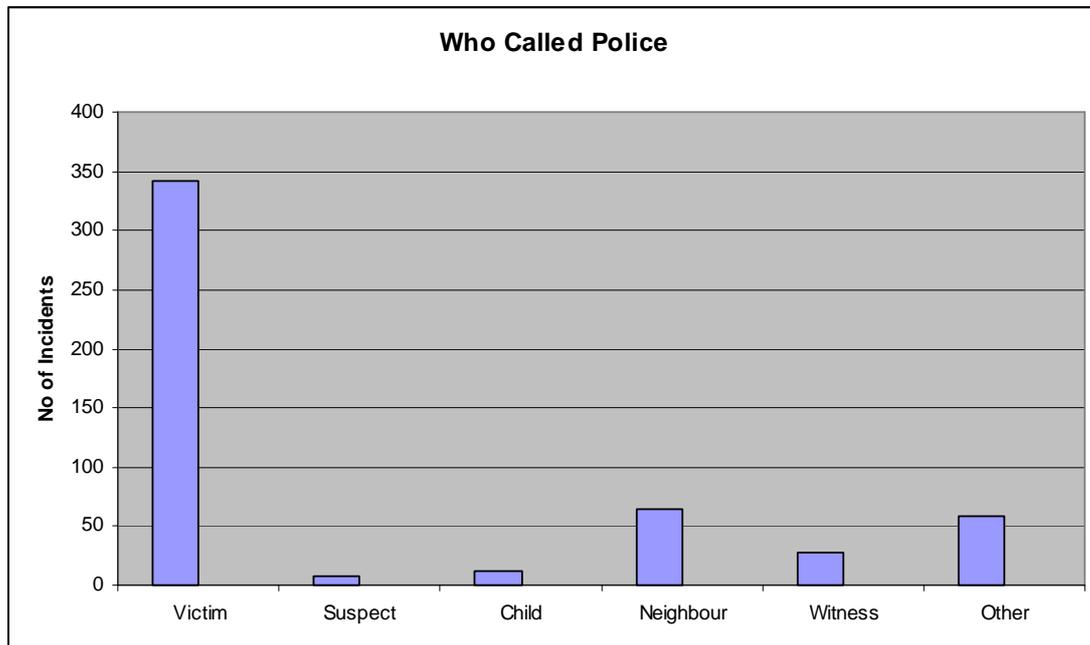
**Graph 5.3:
Number of Previous Call-outs**



Valid=381
Missing=140

Graph 5.3 shows that 41.4% of incidents were repeat call-outs. This highlights a recurring problem often cited by police when attending domestic violence incidents. However a review of police data regarding repeat call-outs shows that in all three stations there has been a reduction in repeat call-outs. This indicates that the impact of the SAFER instrument may reduce repeat call-outs even though there is extra time required to use the instrument. This has implications for police resources. Generally it is recognised that repeat call-outs are highly costly and it is better to spend more time at the first call than continue to attend the same address at a high frequency. Reports from the Police Operations database reveal that Project SAFER stations had a reduced number of repeat call-outs during the months when the tool was used. This shows an element of success in the project achievement in reducing repeat call-outs based on two sets of data.

**Graph 5.4:
Who Called Police**



Graph 5.4 shows that 66.6% of calls to police were made by the victim of domestic violence, with an extra 1.6% made by the victim together with a neighbour or the suspect. These figures highlight the ongoing responsibility of victims to take action and the low likelihood of community members contacting police on victim's behalf. It also reinforces the fact that in the majority of cases, police are the "first line of response" to domestic violence incidents, putting them in an ideal position to inform victims of their options (Western Australia Ombudsman, 2003:28). The positive police response to the information sheet about domestic violence for victims and easy referral system to the DVPC shows some awareness of this role. This referral role is also a central component of any integrated community response to domestic violence. It is recognised by the DVPC that a substantial number of victims referred through Project SAFER had not previously considered a self-referral to a support service.

Police Action & Evidence Collection

Table 5.1:
Action Taken by Police

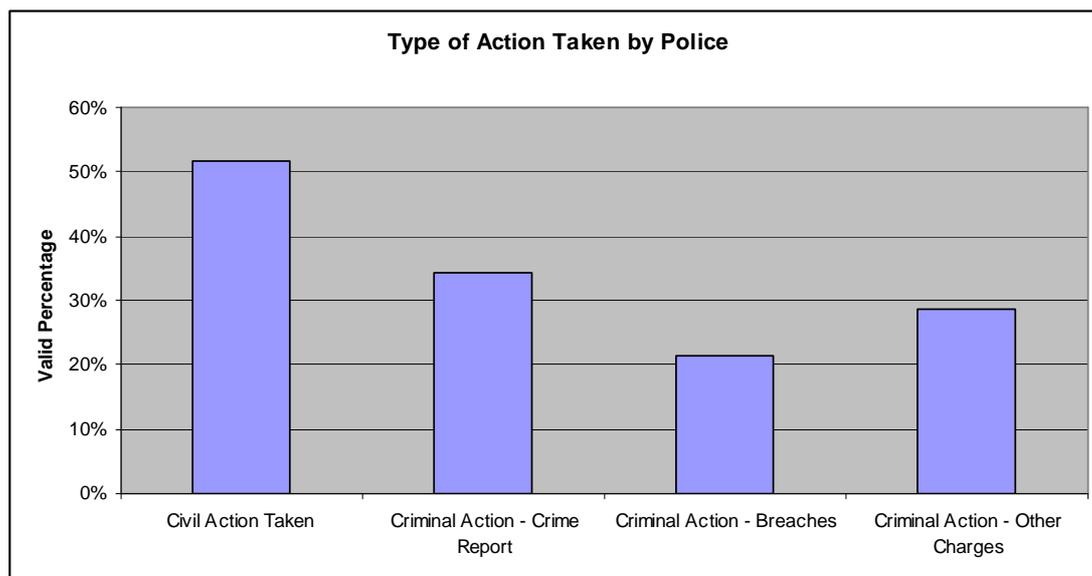
	CIVIL ACTION TAKEN BY POLICE	CRIMINAL ACTION TAKEN - CRIME REPORT	CRIMINAL ACTION TAKEN - BREACHES	CRIMINAL ACTION TAKEN - OTHER CHARGES
Frequency	270	91	112	149
*Percentage	51.8%	34.36%	21.5%	28.6%
Missing	251	342	409	372
Total	521			

* Percentages add up to more than 100, as more than 1 category may be applied.

Valid =521

Missing=251-409

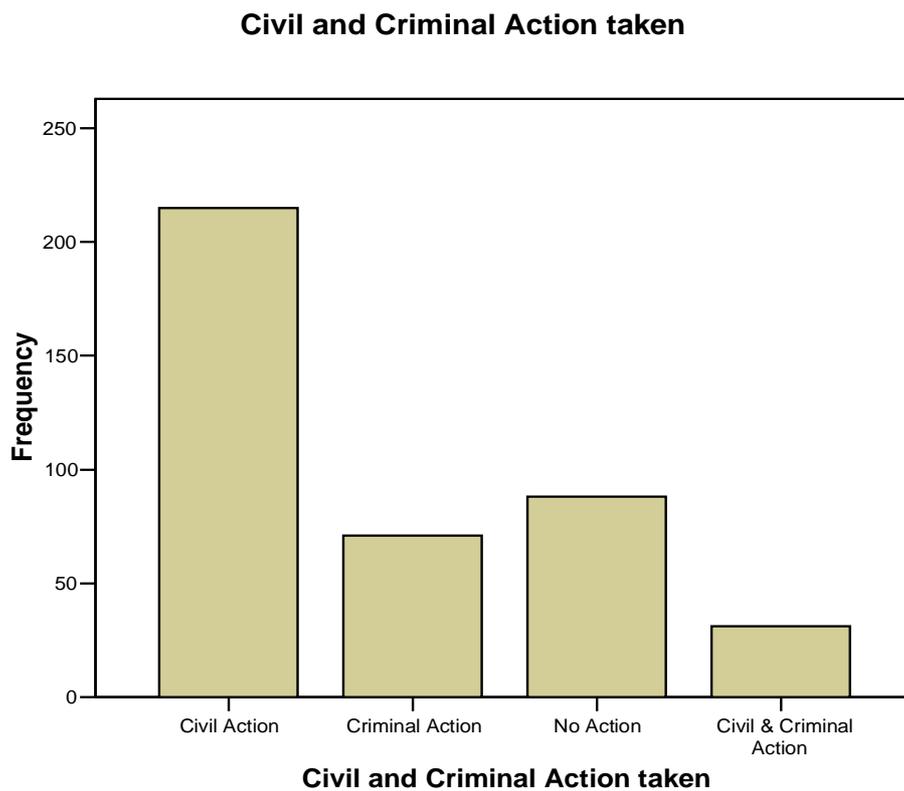
Graph 5.5



One of the difficulties in interpreting this data is that there was a high rate of incomplete information. Nevertheless, Table 5.1 and Graph 5.5 show that civil

action alone (applications for protection orders) was the preferred response to domestic violence incidents (51.8% of cases). While it appears that criminal action was taken in 21.5 - 34.4% of cases, these figures are slightly misleading for two main reasons. Firstly, a crime report does not mean that criminal charges will result and secondly, the number of cases of missing data ranges from approximately 50-80%. It could be assumed that these cases resulted in “no action” or “no action/ no domestic violence”.

**Graph 5.6:
Civil and Criminal Action Taken by Police**

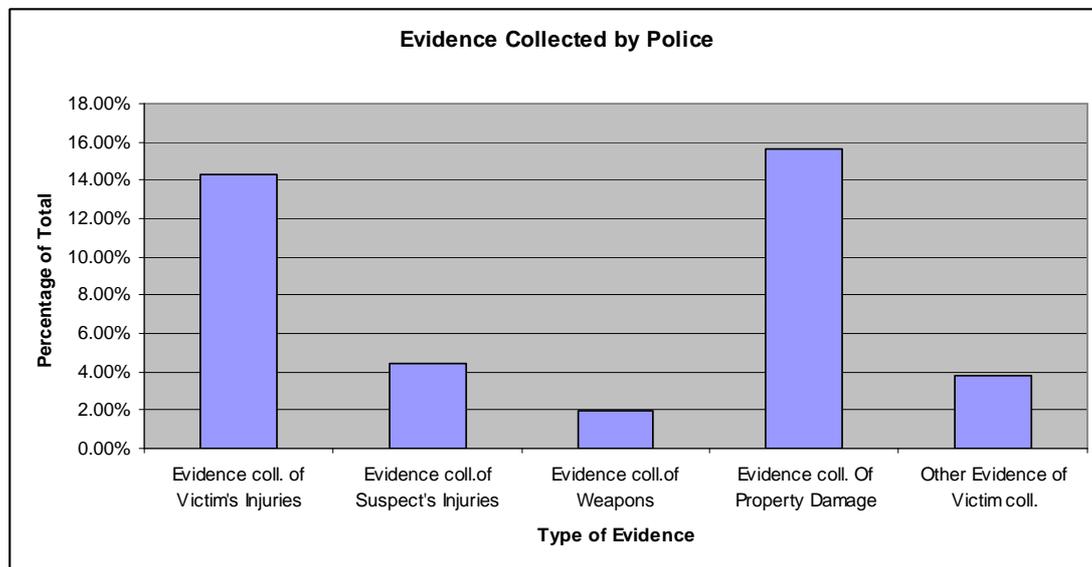


Graph 5.6 shows again that civil action was the preferred response but also that there was a substantial number of call-outs that were “no action” or “no domestic violence”. This indicates a general trend for police to not consider joint civil and criminal action.

**Table 5.2:
Evidence Collected by Police**

	EVIDENCE COLL. OF VICTIM'S INJURIES	EVIDENCE COLL. OF SUSPECT'S INJURIES	EVIDENCE COLL. OF WEAPONS	EVIDENCE COLL. OF PROPERTY DAMAGE	OTHER EVIDENCE OF VICTIM COLL.
Percentage	14.32%	4.41%	1.93%	15.59%	3.83%
Frequency	53	16	7	58	9
Missing	151	158	158	149	286
Total	370	363	363	372	235

Graph 5.7:

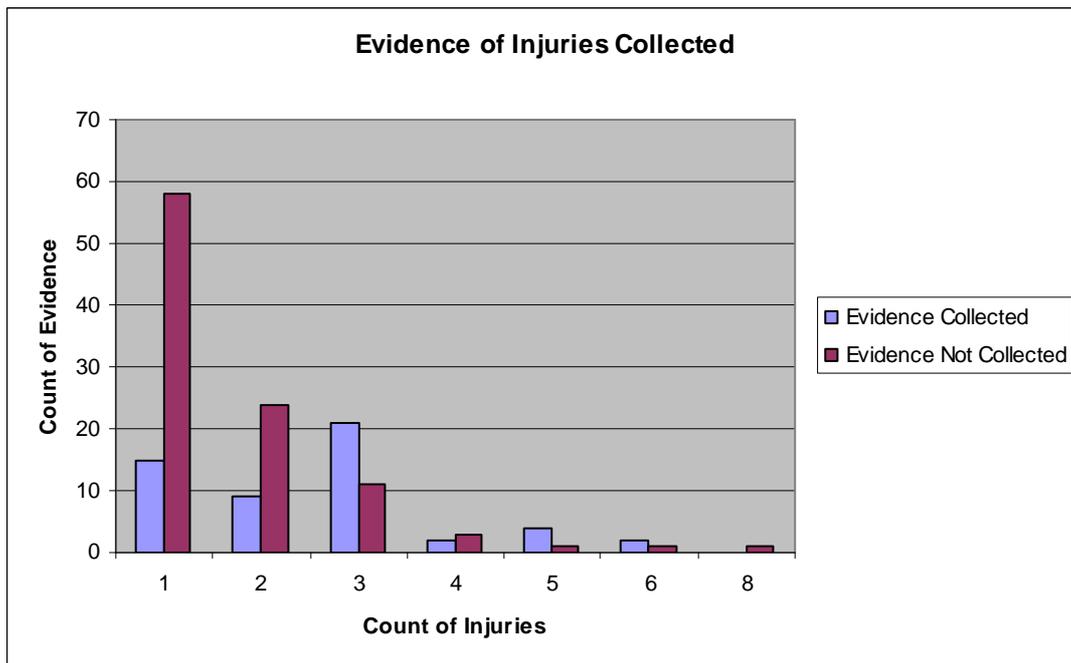


Valid =235-372 (classified under different questions)

Missing=149-286

Table 5.2 and Graph 5.7 show that evidence was not collected in the majority of cases where police reported injuries or other offences. This corresponds with the low number of criminal actions. On the whole, very little evidence was collected by police at the call-out or it was not recorded. It is not clear why this is the case. We can speculate in some cases it was not considered “serious enough” or the victim was reluctant to cooperate. In the cases where at least one injury was recorded by police at the scene, evidence was collected in only 35% of cases.

**Graph 5.8:
Evidence of Injuries Collected Compared to Count of Injuries**



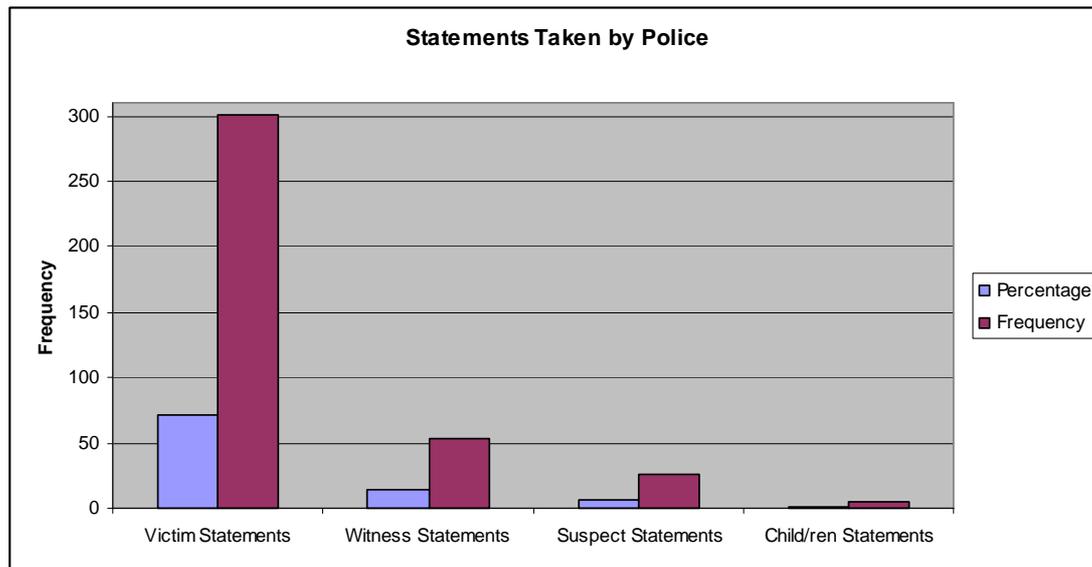
Valid =370
Missing=151
Pearson's Chi-Square=0.000

Graph 5.8 shows that police in the majority of cases where there were 2 or less injuries did not collect evidence to pursue any subsequent criminal action. Evidence collection increased with the number of injuries. This trend was statistically significant.

**Table 5.3:
Statements Taken by Police**

	VICTIM STATEMENTS	WITNESS STATEMENTS	SUSPECT STATEMENTS	CHILD/REN STATEMENTS
Valid Percentage	72%	14.1%	7%	1.4%
Frequency	301	53	26	5
Missing	103	144	149	153
Total	418	377	372	368

Graph 5.9



Valid=368-418 (classified under different questions)

Missing=109-153

Children's statements were taken in only 1.4% of cases, yet children were present at 53.8% of incidents. An outside party called the police in approximately 1/3 of cases, yet witness statements were only taken in 14.1% of incidents. This shows an incongruity with evidence collection. Analysis of Graph 5.8 shows a similar trend. The SAFER instrument asks if evidence of victim's injuries was collected – yes or no. The number of "yes" responses only exceeds the number of "no" where there is a count of 3 or 6 total injuries. The high numbers of no evidence collected regarding totals of 1 and 2 injuries is alarming. Although Project SAFER aimed to increase the collection of evidence, the results are disappointing. In the United States under best practice guidelines, evidence collection such as interviewing all witnesses present, including children, is standard practice. Resistance to thorough evidence gathering has remained, as it did in Phase I of the FVIP program and the SPECSS+ Project (Humphreys et al., 2000:11). However, evidence collection improved in Phase II of the FVIP, in line with greater police beliefs that this would result in higher numbers of convictions (Lines, 2003). It is clear that there must be systemic changes across police, other agencies and courts to ensure sustained change.

Victim and Suspect Profiles

Table 5.4:
Gender of Victim Compared to Type of Relationship with Suspect

	ALL CASES	INTIMATE OR SPOUSAL RELATIONSHIP	OTHER FAMILY RELATIONSHIP
Female	433	384	48
Female %	83.9%	85.5%	71.6%
Male	83	65	19
Male %	16.1%	14.5%	28.4%
Missing	5	0	0

N =521

Table 5.5:
Gender of Suspect Compared to Type of Relationship with Victim

	ALL CASES	INTIMATE OR SPOUSAL RELATIONSHIP	OTHER FAMILY RELATIONSHIP
Female	76	66	8
Female %	15.3%	15.3%	12.1%
Male	420	366	58
Male %	84.7%	84.7%	87.9%
Missing	5	17	1

N=521

**Graph 5.10:
Male and Female Perpetrators**



(ABS, Personal Safety Survey, August 2006)
N= male 7,478,100; female 7,693,100

Tables 5.4 and 5.5 show that overwhelmingly there are more female victims than male. Intimate and spousal relationships have a higher percentage of females compared to other family relationships. This is reversed looking at suspects, with a majority of suspects being male. This is consistent across all types of relationships. These results are also consistent with recent research by the Australian Bureau of Statistics study on personal safety. The ABS statistics in Graph 5.10 show that the majority of perpetrators of domestic violence of both male and female victims are male. This study shows the strong gendered dimension of domestic violence. This means that a gendered approach to domestic violence is consistent across all forms of violence but especially for intimate or spousal relationships.

**Table 5.6:
Victim Profiles**

		Height of Victim	Weight of Victim	Victim's Age
N	Valid	291	253	493
	Missing	202	240	0
Mean		166.8 cm	66.66 kg	35.75

**Table 5.7:
Suspect Profiles**

		Height of suspect	Weight of suspect	Suspect's Age
N	Valid	296	225	462
	Missing	225	296	59
Mean		176.26 cm	82.64 kg	36.02

**Table 5.8:
Victim's Age Compared to Injuries Recorded**

Age Groups	1-29	30-49	50 & over	Pearson's Chi-Square	Total Valid Number
Complaining of Pain *	28.9%	21.8%	19.3%	Not sig.	384
Bruise/s	29.6%	21.6%	16.1%	Not sig.	375
Redness/swelling	34.7%	30.6%	12.5%	0.0009	396
Abrasion/s	15.1%	10.9%	12.3%	Not sig.	378
Minor cuts	12.2%	9.4%	13.8%	Not sig.	375

* % within Victim's age group of "yes" to this injury; the total number is of "yes" & "no" values.

**Table 5.9:
Suspect's Age Compared to Injuries Recorded**

Age Groups	1-29	30-49	50 & over	Pearson's Chi-Square	Total Valid Number
Complaining of Pain *	9.1%	4.5%	11.1%	0.034	279
Bruise/s	8.0%	4.5%	6.7%	0.063	276
Redness/swelling	8.0%	2.0%	6.8%	0.014	272
Abrasion/s	10.5%	3.2%	6.7%	0.013	276
Laceration/s	14.1%%	2.6%	6.8%	0.001	276

* % within Suspect's age group of "yes" to this injury; the total number is of "yes" & "no" or "suspect not present/decamped" values.

There are a number of tendencies that can be seen looking at the age and genders of victims and suspects. In regards to injuries, the younger age group (1-29) shows the following trends in regards to both suspects and victims:

- more complaints of pain
- more bruise/s
- more abrasions
- more redness/swelling

There are more minor cut/s in the older age group (50 & over) of victims and more laceration/s in this group of suspects. These tendencies are reflected in measures of overall counts of injuries. This implies that both younger victims and younger suspects have more serious injuries.

**Table 5.10:
Victim's Age Compared to Emotional States Recorded**

Age Groups	1-29	30-49	50 & over	Pearson's Chi-Square	Total Valid Number
Angry	16.2%	16.8%	19.6%	Not sig.	323
Apologetic	10.6%	6.5%	2.0%	Not sig.	311
Calm	39.4%	29.3%	40.0%	Not sig.	340
Crying	51.8%	47.6%	28.0%	0.016	347
Fearful	49.1%	49.5%	35.1%	Not sig.	353
Upset	65.6%	59.5%	45.8%	0.038	384
Nervous	31.1%	31.8%	28.6%	Not sig.	335
Shaking	22.8%	28.3%	15.7%	Not sig.	325

* % within Victim's age group of "yes" to this emotional state; the total number is of "yes" & "no" values.

**Table 5.11:
Suspect's Age Compared to Emotional States Recorded**

Age Groups	1-29	30-49	50 & over	Pearson's Chi-Square	Total Valid Number
Angry	27.1%	32.3%	32.4%	Not sig.	226
Apologetic	13.8%	4.3%	5.7%	0.019	210
Calm	32.3%	24.2%	25.7%	Not sig.	217
Crying	7.1%	12.4%	5.4%	0.04	214
Upset	15.5%	14.2%	21.1%	Not sig.	216
Intoxicated on Alcohol	25.5%	38.4%	51.4%	0.013	217

* % within Suspect's age group of "yes" to this emotional state; the total number is of "yes" & "no" or "suspect not present/decamped" values.

In regards to emotional states, suspects in the older age group (over 50) show the following trends:

- more angry
- more calm
- less apologetic
- less crying
- less fearful
- less upset
- less nervous
- less shaking

Victims in the younger age group (1-29) show the following trends:

- less angry
- more apologetic
- more calm

Older victims (over 50) showed less crying, but were more upset and more intoxicated on alcohol. While we can see that younger suspects seem more emotionally affected than older ones, the case of victims is more complex.

**Table 5.12:
Suspect's Age and Gender Compared to Police Action**

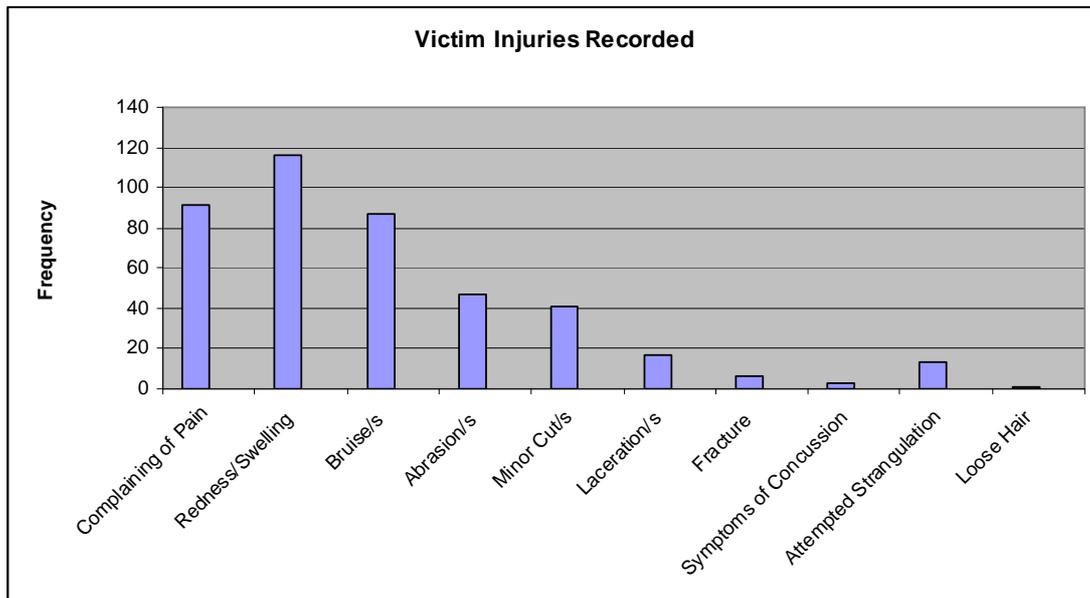
	Civil Action	Criminal Action	Civil & Criminal Action	No Action	Pearson's Chi Square	Total Valid No
1-29	53.9%	16.5%	9.6%	20.0%	0.003	405
30-49	54.4%	20.0%	8.8%	16.7%	0.003	405
50 & over	48.0%	12.0%	1.3%	38.7%	0.003	405
Male	51.5%	18.4%	8.4%	21.7%	Not sig.	390
Female	62.1%	12.1%	5.2%	20.7%	Not sig.	390

When the age of suspects is compared, those aged 50 and above were less likely to be charged with civil or criminal action compared to lower age groups. Female suspects were more likely to have a civil response, with male suspects more likely to be charged with criminal action.

**Table 5.13:
Victim Injuries Recorded by Police**

Victim Injury	Frequency	Valid Percent	Missing	Total
Complaining of Pain	91	23.7%	137	384
Redness/Swelling	116	29.3%	125	396
Bruise/s	87	23.2%	146	375
Abrasion/s	47	12.4%	143	378
Minor Cut/s	41	10.9%	146	375
Laceration/s	17	4.6%	155	366
Fracture	6	1.7%	162	359
Symptoms of Concussion	3	0.8%	163	358
Attempted Strangulation	13	3.6%	156	365
Loose Hair	1	0.3%	162	359

Graph 5.11



It can be seen from Table 5.13 and Graph 5.11 that victims' injuries that were most frequently reported were:

- Redness/ Swelling
- Pain
- Bruise/s

**Table 5.14:
Gender of Victim Compared to Count of Injuries**

Count of Injuries	Female	Male	Total
0	263	46	309
% within Gender	60.7%	55.4%	
1	74	22	96
% within Gender	17.1%	26.5%	
2	38	9	47
% within Gender	8.8%	10.8%	
3	38	4	42
% within Gender	8.8%	4.8%	
4	10	1	11
% within Gender	2.3%	1.2%	
5	6	0	6
% within Gender	1.4%	0.0%	
6	4	0	4
% within Gender	0.9%	0.0%	
8	0	1	1
% within Gender	0.0%	1.2%	
Total	433	83	516

Valid =516

Missing=5

When the gender of the victim is compared with the victim injuries, some similarities can be observed. The total number of injuries 1-8 for females is 170, which is 39.26% of the total females; the total number of injuries for males is 37, which is 44.57% of the total males. This means that male and female victims are reporting injuries at similar rates. However, as Table 5.15 and 5.16 show, there are some gender differences that are important to note.

**Table 5.15:
Victim Injury Compared to Gender of Victim – Statistically Significant Relationships**

Victim Injury	Female Victims – Yes	%	Female Victims – No	%	Male Victims – Yes	%	Male Victims – No	%	Total Count
1) Complaining of Pain	77	25.5	225	74.5	4	10.0	36	90	342
2) Bruises	77	26.1	218	73.9	2	5.1	37	94.9	334
3) Abrasions	27	9.2	268	90.8	14	33.3	28	66.7	337
4) Minor cuts	23	7.8	270	92.2	15	34.9	28	65.1	336
5) Attempted Strangulation*	13	4.5	276	95.5	0	0.0	38	100.0	327

Pearson's Chi-Square: 1) 0.30*

2). 0.004

3) 0.000

4) 0.000

5) 0.182*

* This is not statistically significant.

**Table 5.16:
Suspect Injury Compared to Gender of Suspect – Statistically Significant Relationships**

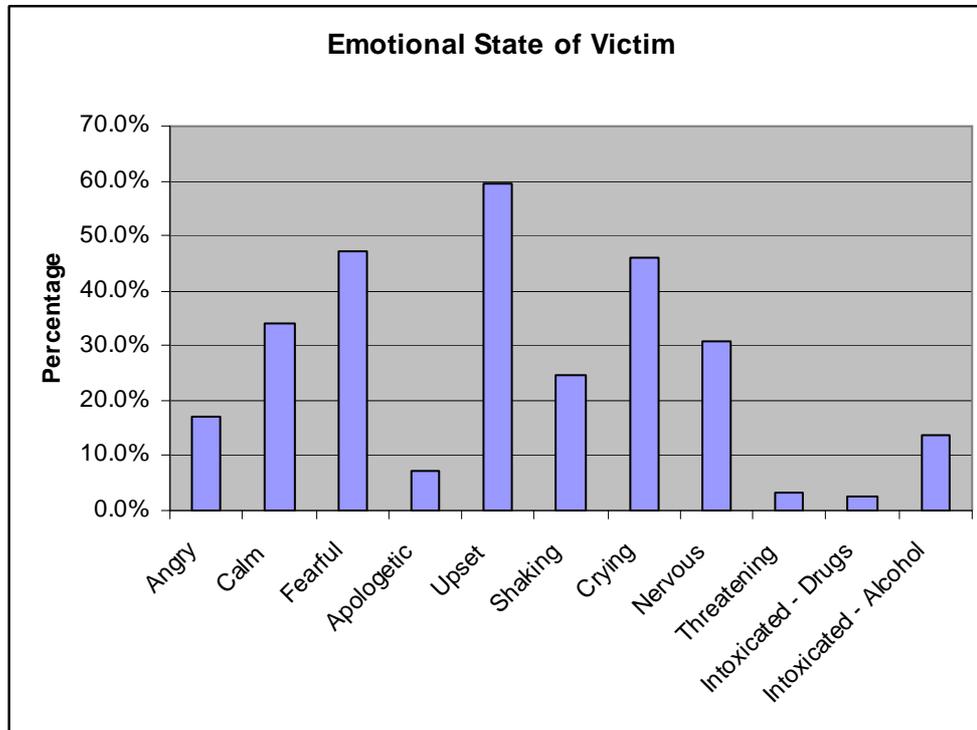
Suspect Injury	Female Suspect – Yes	%	Female Suspects – No	%	Male Suspects – Yes	%	Male Suspects – No	%	Total Count
1) Complaining Pain	6	16.2	27	73.0	9	4.2	171	80.7	249
2) Bruise/s	5	14.7	27	79.4	7	3.3	176	83.4	245
3) Redness/ Swelling	4	12.1	27	81.8	6	2.9	175	83.7	242
4) Fracture	2	6.3	28	87.5	0	0.0	181	86.6	241

Pearson's Chi-Square: 1) 0.017 2). 0.010 3) 0.028 4) 0.001

Injuries such as abrasions and minor cuts are reported at a higher rate by men as victims. More women report internal injuries, such as strangulation, bruising and pain that may necessitate a higher level of medical intervention than is evident with the men. To support this assertion, it is evident that more women who are identified as suspects report similarly serious injuries than that of men, in some cases up to 6 times the rate of men. This may indicate some inconsistency in appropriately identifying the predominant aggressor in cross-applications, as suspect injuries such as bruising and fracture are indicative of assault and defence injuries. Furthermore, males when they are the suspects are less likely to report injuries and this may be complicated by the fact that many of the male suspects had decamped at the time of police intervention. Nevertheless, this clearly adds to the importance of taking a gendered approach to violence, given the significance of these differences. In regards to cross-applications, higher male rates of injuries recorded as victims and higher female injuries as suspects indicate that there is evidence of reciprocal violence and the possible mis-identification of the predominant aggressor.

Fear and Gender

Graph 5.12:
Emotional State of Victim



The emotional state of the victim as reported by police indicates the fear and upset which is common following the experience of a violent incident. Unlike physical injuries adverse emotions were reported by police in the majority of victims. There was also less “emotional states” reported when the victim was male. Whilst drugs and alcohol are often implicated in domestic violence, the proportion of victims intoxicated is relatively small, totalling 16.4% (N=72).

Table 5.17:
Gender of Victim Compared to Count of Emotional States

Count of Emotional States	Female	Male	Total
0	88	15	103
% within Gender	20.3%	18.1%	
1	85	29	114
% within Gender	19.6%	34.9%	
2	82	24	106
% within Gender	18.9%	28.9%	
3	89	10	99
% within Gender	20.6%	12.0%	
4	45	4	49
% within Gender	10.4%	4.8%	
5	27	1	28
% within Gender	6.2%	1.2%	
6	15	0	15
% within Gender	3.5%	0.0%	
8	2	0	2
% within Gender	0.5%	0.0%	
Total	433	83	516

N=516
 Missing=5
 Pearson's Chi Square=0.002

Table 5.18:
Emotional State of Victim Compared to Gender of Victim – Statistically Significant Relationships

VICTIM INJURY	FEMALE VICTIMS – YES	%	FEMALE VICTIM – NO	%	MALE VICTIM – YES	%	MALE VICTIMS – NO	%	TOTAL COUNT
1)Victim was Calm	79	28.3	200	71.7	37	60.7	24	39.3	340
2)Victim was Crying	158	52.8	141	47.2	2	4.2	46	95.8	347
3)Victim was Fearful	155	54.0	149	49.0	11	22.4	38	77.6	353
4)Victim was Upset	204	62.2	124	37.8	24	42.9	32	57.1	384
5)Victim was Intoxicated on Alcohol	52	19.2	219	80.8	20	40.8	29	59.2	320
6)Victim was Nervous	99	34.6	187	65.4	5	10.2	44	89.8	335
7)Victim was Shaking	75	27.1	202	72.9	5	10.4	43	89.6	325

Pearson's Chi-Square: 1) 0.000 2). 0.000 3) 0.000 4) 0.006
 5) 0.001 6) 0.001 7) 0.013

Table 5.19:
Gender of Victim Compared to "Are you Fearful of him/her"

		Are You Fearful of him/her?					Total
		No Never	Yes This Incident	Yes in Past	Yes This Incident & Yes in Past	Refused to Answer	
Gender of Victim	Female	Count 44	91	43	195	7	380
		% within Gender 11.6%	23.9%	11.3%	51.3%	1.8%	100%
	Male	Count 30	17	8	10	1	66
		% within Gender 45.5%	25.8%	12.1%	15.2%	1.5%	100%
Total		Count 74	108	51	205	8	446
		% of Total 16.6%	24.2%	11.4%	46.0%	1.8%	100.0%

N=446
 Missing=75
 Pearson's Chi Square=0.000

Graph 5.13:
Police Observations of Fear

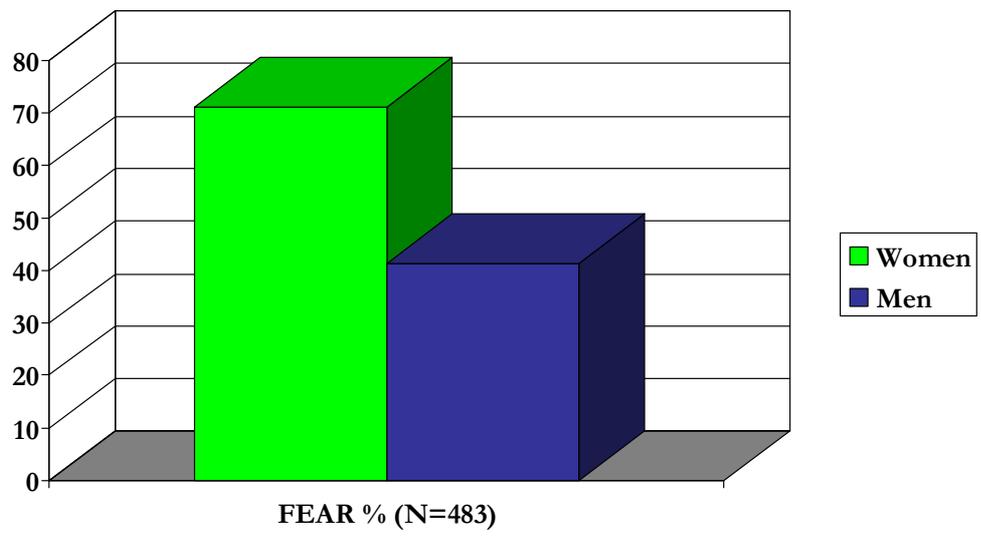


Table 5.18 shows some important statistically significant results which reinforce the gendered nature of domestic violence. In emotional states such as crying, upset, fear, nervousness and shaking women were significantly more likely to display such effects. Whereas where the victim was male they were more likely to be reported as calm, but also be intoxicated. These results show that there may be less adverse emotional effects where the victim is male.

In this evaluation, male victims of domestic violence represented 13.9% of the total, which is a similar rate to that identified in previous studies. Table 5.19 compares the reporting according to the gender of the victim, which shows a distinct gender difference about the effects of domestic violence – 51% of women reported being fearful compared to 22.5% of male victims. Other gender differences highlighted by the records were that 19.2% of female victims were intoxicated by alcohol at the time of call-out compared to 40.8% of all male victims. In terms of the impact of domestic violence, there is a notable gender difference also with only 28.3% of women considered by police to be calm at the time of call-out compared to 60.7% of male victims (Table 5.18).

Risk Assessment

These results show that there is an overall trend showing that women have a higher emotional reaction to domestic violence related incidents than men. Consistent with research on domestic violence, Table 5.20 shows that intoxication is an exacerbating factor and that it is gendered (People, 2005:5-6), with more men as victims intoxicated than women. An interesting point is that 59.3% of female suspects are intoxicated on alcohol compared to 46.5% of males (see Table 5.21; this is not statistically significant). This could indicate that reciprocal violence is more likely to occur when both parties are drinking. Approximately 60.65% of men were seen as “calm” compared to 28.32% of women victims. Consistent with the reports of fear, this shows that where the victim is male, they are much more likely to be calm and thus less fearful and immediately affected by the violence.

Further evidence for women as victims’ greater level of fear in domestic violence incidents is seen in the Risk Assessment. Women victims were fearful of the abuser in a total of 86.58% compared to men victims who were fearful in 53.1% of current or past cases. Moreover, police observations confirm this. Graph 5.13 shows that police observed fear in 71.1% of women victims 41.3% of men victims. It is important for police to be aware of this disparity when attending domestic violence incidents. This confirms police observations and victim’s statements, that women are more fearful than men. This is statistically significant in all possible measures. Thus fear should remain an important measure for police to assess in both investigation and risk assessment.

**Table 5.20:
Risk Assessment Compared to Gender of Victims – Statistically Significant Relationships**

Female Victims – Yes	%	Female Victims – No	%	Male Victims – Yes	%	Male Victims – No	%	Total Count
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Has he/she ever made threats to kill you, your children or themselves?*

176	53.5%	153	46.5%	20	40.0%	30	60.0%	379
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Pearson's Chi Square=0.075

This is not statistically significant, but shows a trend which relates to the next question.

Do you believe he/she is capable of carrying out the threat?

150	50.8%	145	49.2%	12	26.7%	33	73.3%	340
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Pearson's Chi Square=0.002

Has he/she ever held you against your will?

132	40.4%	195	59.6%	8	16.0%	42	84.0%	377
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Pearson's Chi Square=0.001

Does he/she have a history of criminal activity?

163	51.6%	153	48.4%	11	22.0%	39	78.0%	366
-----	-------	-----	-------	----	-------	----	-------	-----

Pearson's Chi Square=0.000

Does he/she abuse drugs or alcohol?

222	68.1%	104	31.9%	24	49.0%	25	51.0%	375
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Pearson's Chi Square=0.009

Has he/she ever forced you to have sex without consent?

64	19.7%	261	80.3%	2	4.2%	46	95.8%	373
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Pearson's Chi Square=0.009

The analysis of the data in the risk assessment by gender of the victim shows some interesting relationships (Table 5.20). While a similar number of males and female victims had been threatened (themselves, their children or the suspect), a much higher proportion of women believed that the suspect was capable of carrying the threat out (50.8% of women and 26.7% of men). This risk factor has a strong predictive element. Moreover predictions from victims combined with a risk assessment tool is seen as a comprehensive way of assessing the likelihood of re-offence (Weisz & Tolman et al, 2000:87) According to a study on risk factors for intimate partner homicide, some indications of high risk included threats to kill, attempted strangulation, severe jealousy and forced sexual activity (Campbell & Webster et al, 2003:16). This matches with the believable threats to kill and forced sexual activity; while strangulation would be included as a form of being held against a victim's will. The significance of these factors, particularly for female victims, is important for police officers to note, because they incorporate key information about who is the predominant aggressor and also areas for further investigation.

**Table 5.21:
Emotional State of Suspect Compared to Gender of Suspect –
Statistically Significant Relationships**

Emotional State of Suspect	Female Suspects– Yes	%	Female Suspect – No	%	Male Suspects – Yes	%	Male Suspects – No	%	Total Count
1)Suspect was Crying	14	45.2	17	54.8 %	5	3.6	132	96.4	168
2)Suspect was Fearful	3	11.5	23	88.5 %	3	2.2	136	97.8	165
3)Suspect was Upset	12	40.0	18	60.0 %	19	13.7	120	86.3	169

Pearson's Chi-Square: 1) 0.000 2). 0.019 3) 0.001

Female suspects show a higher overall emotional response to domestic violence than do male suspects. Furthermore, they show rates of distress – crying, fearful and upset – at rates from approximately 3 to 10 times higher than male suspects. Again this contributes to the argument that many of the cases in which women are suspects are cross-applications with reciprocal violence that have an immediate effect on women.

Chapter 6

Overall Comparisons of Project SAFER Data

In this chapter, the data collected in the SAFER period about the type of police action in domestic violence incidents is compared to that of stations that are similar demographically but did not use the SAFER instrument (control groups). Also, the police stations are analysed over different time periods to look for broad trends that may reflect changes because of Project SAFER.

Table 6.1:
SAFER Period – Southport Compared to Broadbeach

STATION NAME	BREACH%	SUMMONS%	DETENTION%	NO DV%	NO ACTION%
SOUTHPORT	28	21	24	13	13
BROADBEACH (similar to Southport)	20	27	21	12	21

Graph 6.1

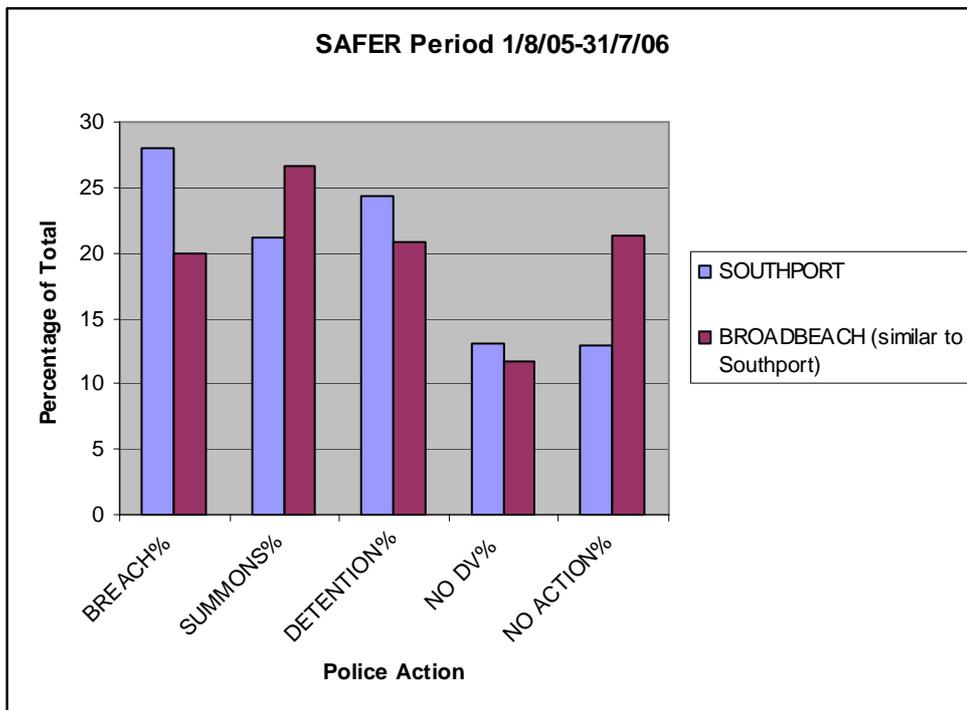
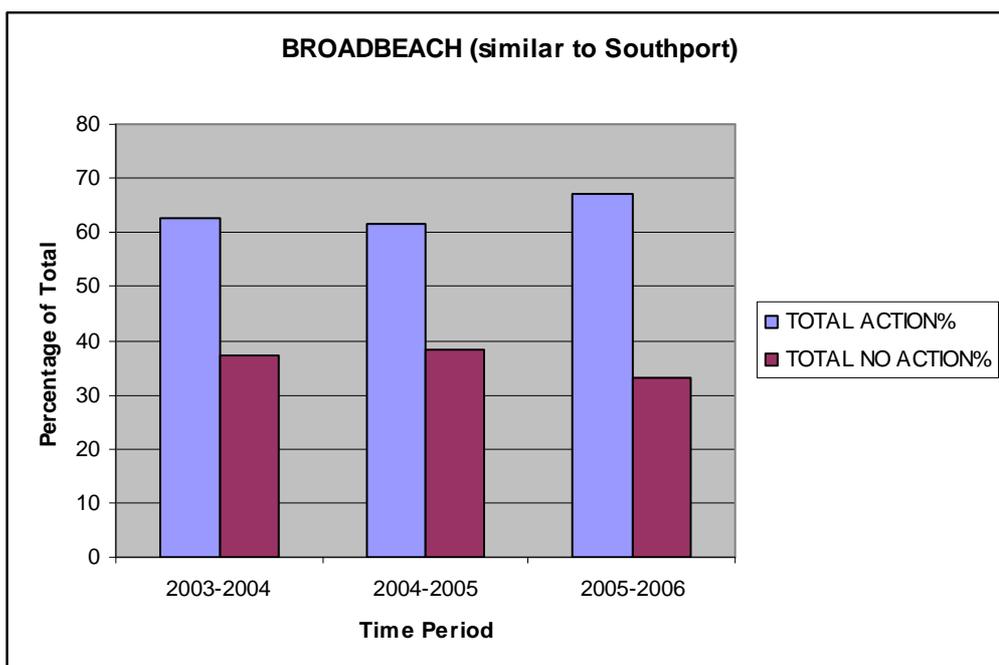
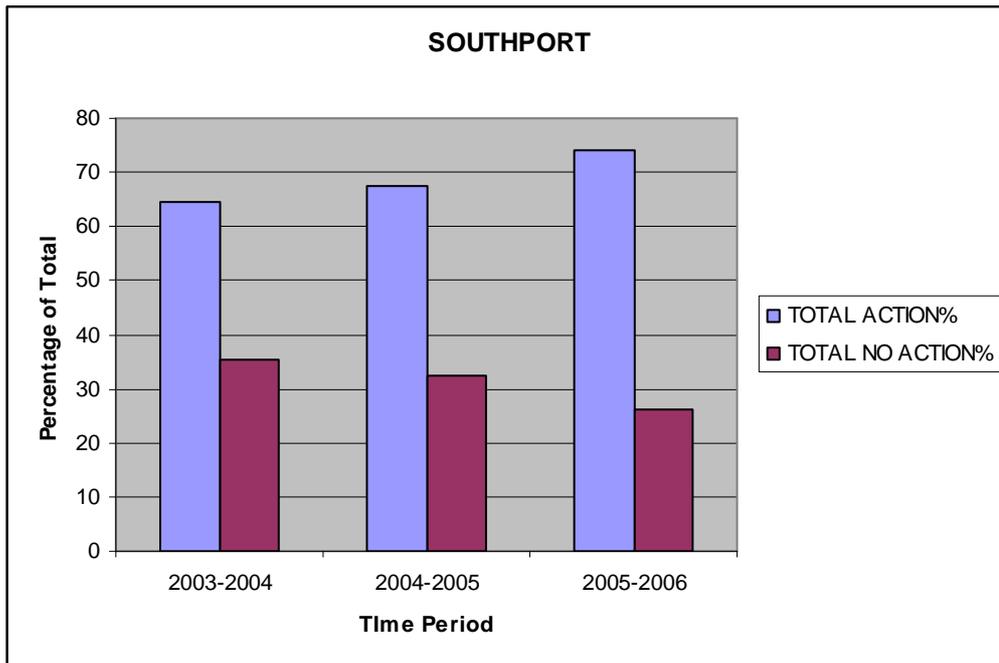


Table 6.1 shows that Southport had a higher level of action towards domestic violence incidents overall than Broadbeach, a readily comparable station. Action at Southport totalled 73.5%, with 67.4% at Broadbeach. The greatest differences related to breaches, with Southport 8% higher and detention,

3.6% higher. Thus it was higher on both civil and some types of criminal actions. Another noteworthy figure was that Southport had an 8.39% lower level of “no action” than Broadbeach, which could result from a greater level of surveillance under Project SAFER. This concurs with statements by police supervisors in the focus groups, that under SAFER, officers were less likely to dismiss an incident without sufficient justification.

**Graph 6.2:
2003-2006 – Southport Compared to Broadbeach**

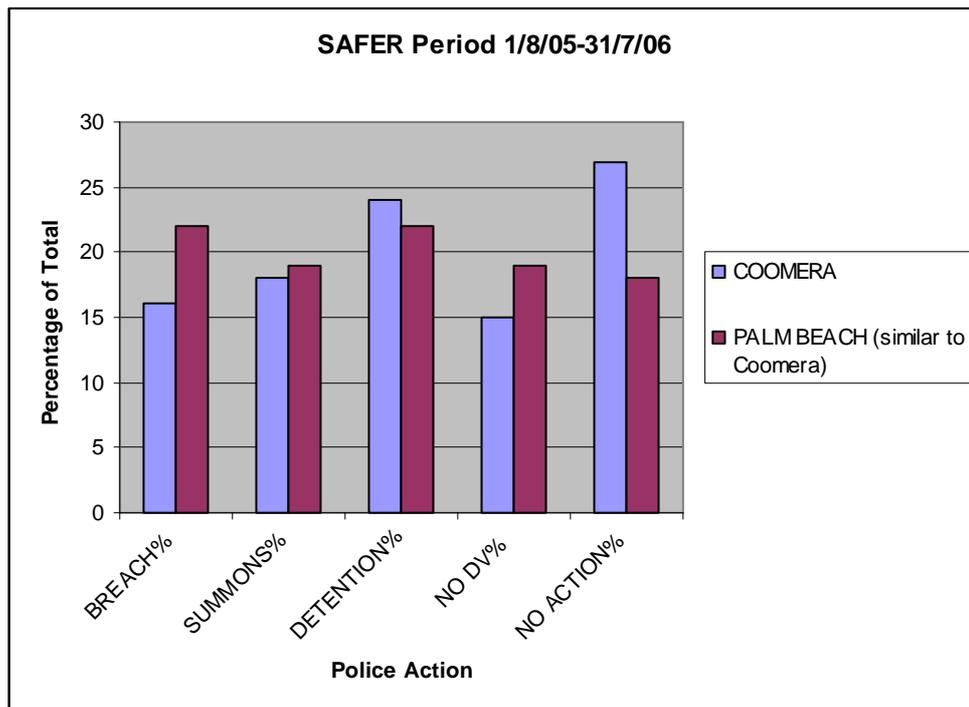


These two graphs show that over time the total level of action at Southport was rising consistently and the level of “no action” was correspondingly falling. At Southport this trend may have started because of the Pilot SAFER in 2003, reinforced by SAFER 2 in 2005-2006. The change from 64.7% of action at Southport in 2003 rose by 9.3% to 74% in 2005. In contrast, in Broadbeach there was little overall change to action or no action over the same 3 year period, with only a 4.3% increase overall (62.7-67%).

**Table 6.2:
SAFER Period – Coomera Compared to Palm Beach**

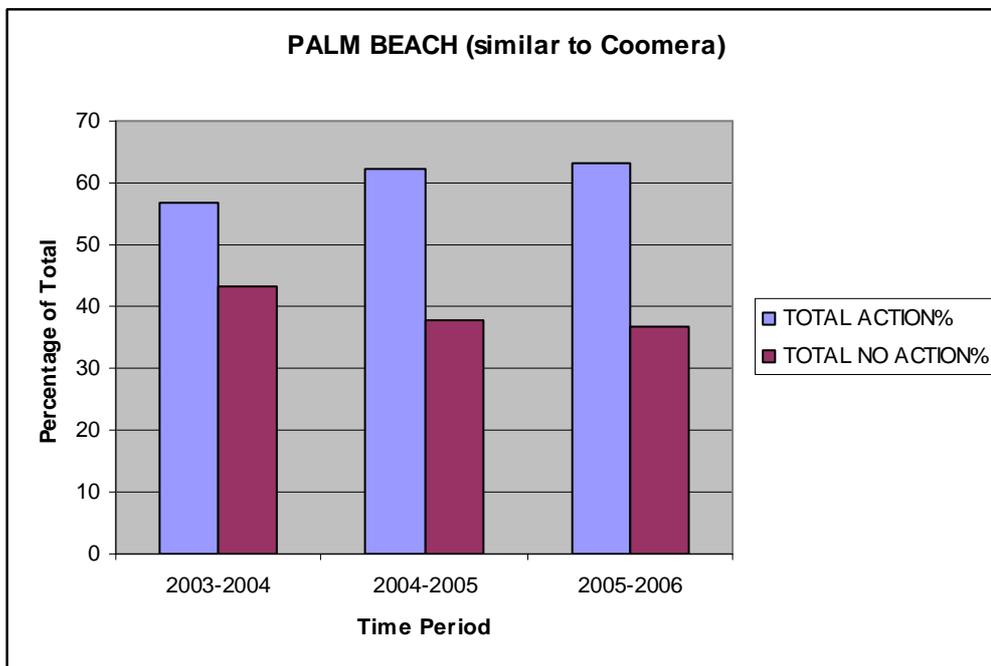
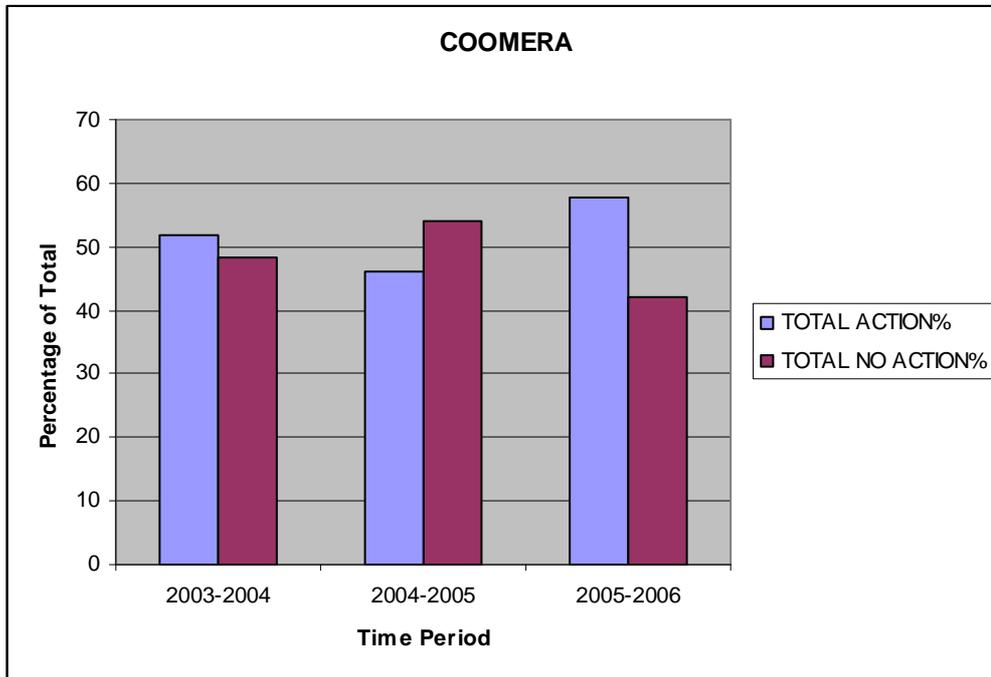
STATION NAME	BREACH%	SUMMONS%	DETENTION%	NO DV%	NO ACTION%
COOMERA	16	18	24	15	27
PALM BEACH (similar to Coomera)	22	19	22	19	18

Graph 6.3:



In contrast, Coomera overall has lower levels of police action than a similar station, Palm Beach – 58% to 63% respectively. Another contrast is that Coomera has a much higher level of no action than Palm Beach, a difference of 9%. However, Coomera and Palm Beach have very close levels of summons and Coomera has a 2% higher rate of detention, showing that there is less difference between the two stations on criminal action.

**Graph 6.4:
2003-2006 – Coomera Compared to Palm Beach**



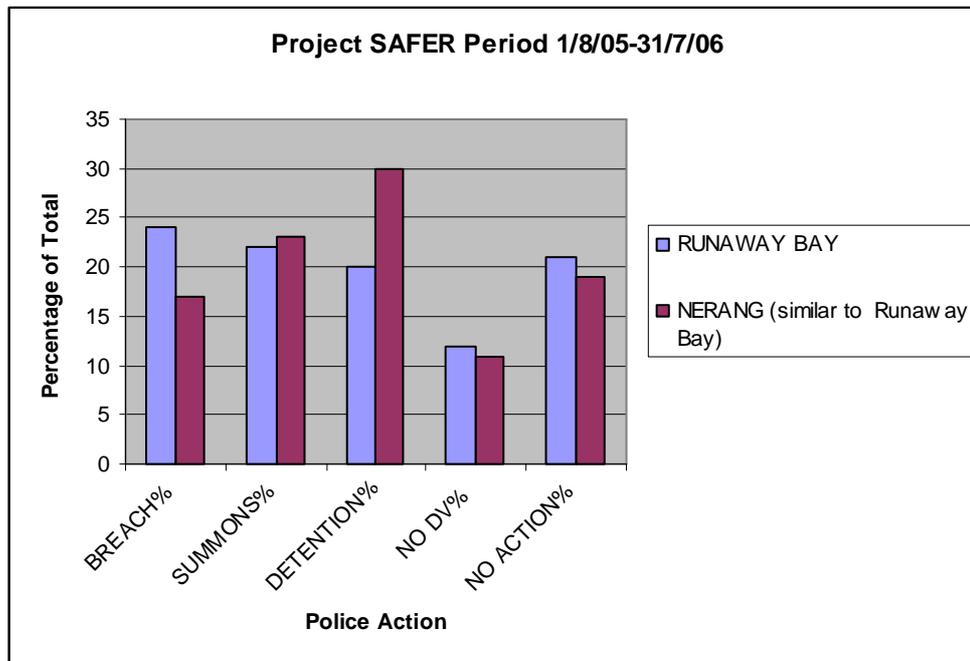
While Palm Beach has a higher level of action compared to no action than Coomera, Coomera showed a more dramatic change in the SAFER Period. Action on domestic violence incidents at Palm Beach rose by 1% from 04/05 (62.1%) to 05/06 (63.1%). However, at Coomera, action rose by a dramatic 11.6% jump after the implementation of Project SAFER (from 46.2% in 04/05

to 57.8% in 05/06). This shows a trend in the direction desired by the aims of the project. It also shows that the performance of Palm Beach is consistently better than Coomera over the period analysed. This indicates that other issues such as strong leadership and better station culture in relation to policing domestic violence may account in part for better performance.

Table 6.3:
SAFER Period – Runaway Bay Compared to Nerang

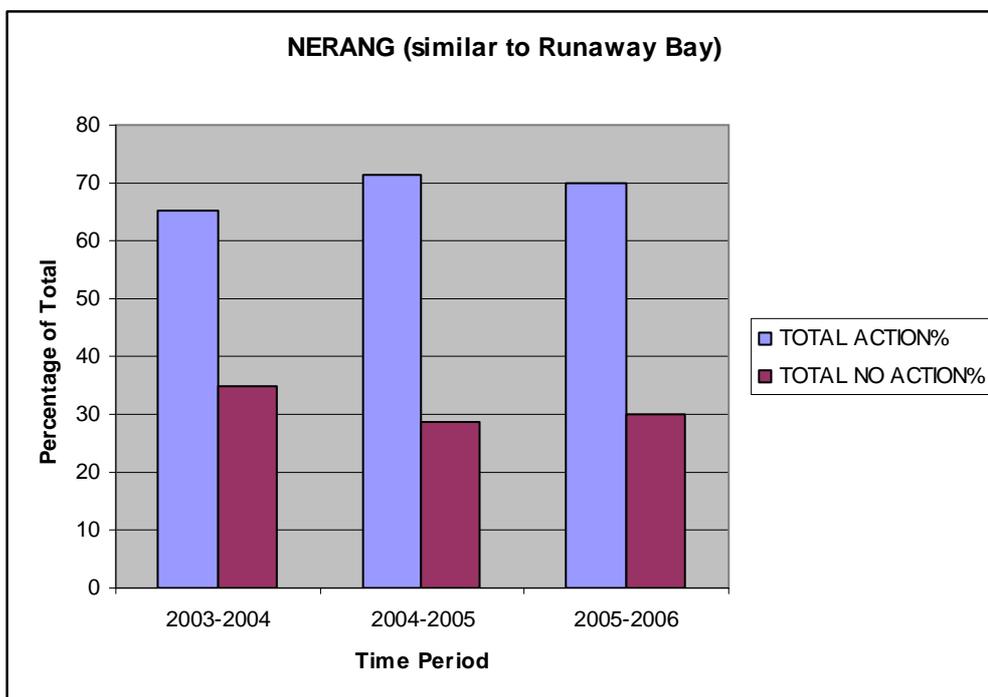
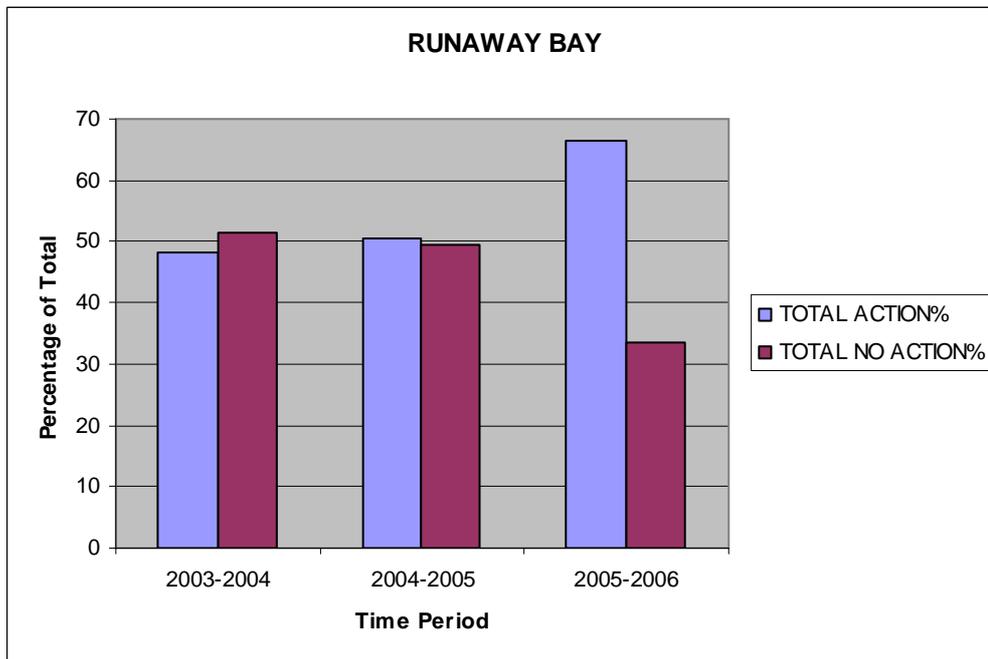
STATION NAME	BREACH%	SUMMONS%	DETENTION%	NO DV%	NO ACTION%
RUNAWAY BAY	24	22	20	12	21
NERANG (similar to Runaway Bay)	17	23	30	11	19

Graph 6.5:



Again, Runaway Bay has a lower level of police action overall (66%) compared to a similar non-SAFER station, Nerang (70%). The biggest differences relate to breaches, with Runaway Bay 7% higher than Nerang and detention, where it is 10% lower. This shows a greater tendency towards civil action at Runaway Bay, compared to criminal action at Nerang.

**Graph 6.6:
2003-2006 – Runaway Bay Compared to Nerang**

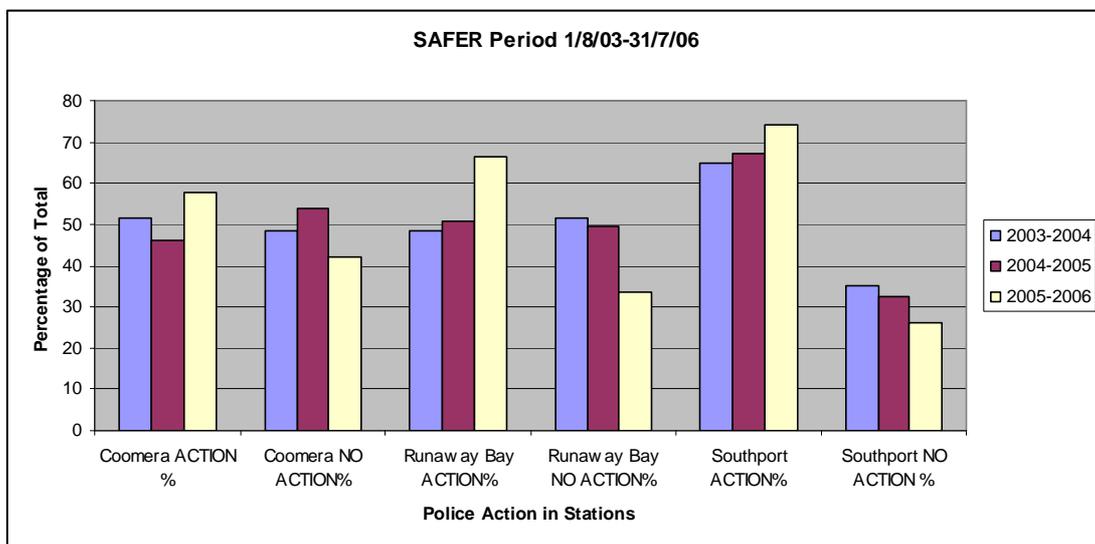


The year-by-year comparison between Runaway Bay and Nerang shows a similar trend to that of Coomera and Palm Beach, with a big rise in action in the SAFER station and a flat consistent action:no action ratio in the non-SAFER station. While in Nerang the rate of police action on domestic violence

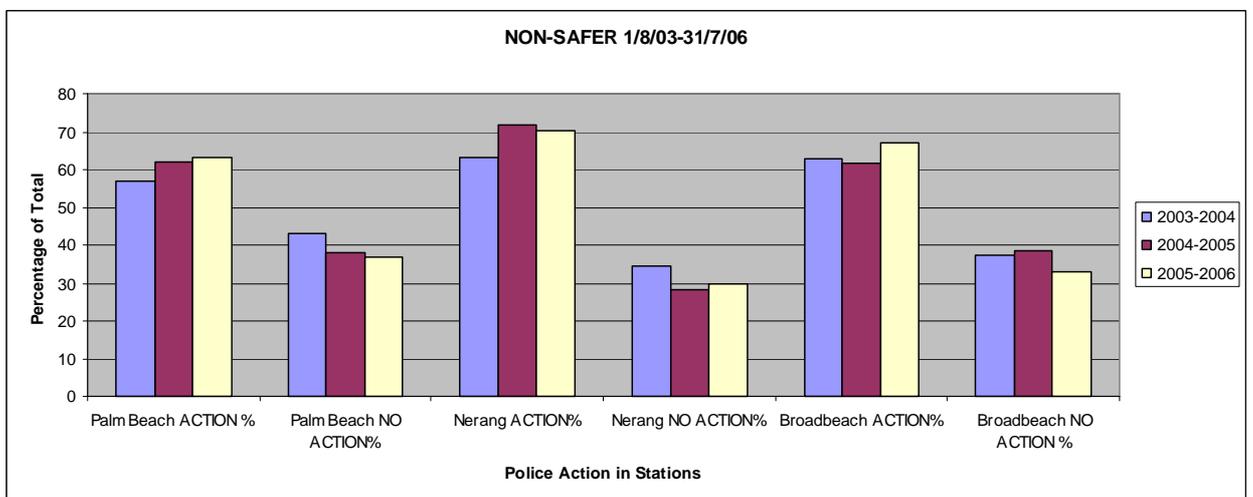
dropped by 1.4% from 04/05 (71.5%) to 05/06 (70.1%), at Runaway Bay it rose by a significant 15.9% in the SAFER period (from 50.6% in 04/05 to 66.5% in 05/06). While Nerang had a better rate of action originally, Project SAFER made a dramatic change to police action on domestic violence incidents at Runaway Bay.

It would be interesting to see if these trends in Coomera and Runaway Bay continued if Project SAFER was implemented for a longer period, with the rate of action perhaps equalling that of Southport or their comparison stations over time. These overall trends are demonstrated clearly in the following graphs:

**Graph 6.7:
2003-2006 – SAFER Stations**



**Graph 6.8:
2003-2006 – Non-SAFER Stations**



Conclusion

The results in comparing the Project SAFER stations over time with similar stations that were not part of the project are quite complex. Southport showed the highest rate of action on domestic violence compared to Broadbeach, with higher rates of civil and criminal action. In comparison, both Coomera and Runaway Bay had lower rates of action compared to Palm Beach and Nerang, respectively. However, if the three SAFER stations are compared with each other, rates of detention are similar – 24.4% at Southport, 24% at Coomera and 20% at Runaway Bay (2005-06), which shows some movement towards a more criminal than civil response. This is compared to lower levels at Broadbeach and Palm Beach (20.8% and 22%), but a high rate of 30% at Nerang.

Over time, some encouraging trends are revealed. While all three non-SAFER stations showed steady rates of action: no action from 2004 to 2006, Southport's rate of total action compared to no action rose steadily from the Pilot Project to SAFER 2. With the implementation of Project SAFER in 2005-06, the rate of police action in both Coomera and Runaway Bay rose dramatically (by 11.6% and 15.9%). Within the bounds of this study, it is impossible to gauge the reasons for the already existing high rates of action in the non-SAFER stations. Possible factors influencing this could be differences in training, leadership, station culture, monitoring, and so on. The higher rate of action at Southport could result from the fact that the Pilot Study was implemented there, meaning that police had more familiarity with and understanding of the instrument by the time of SAFER 2. If use of the SAFER instrument continued, rates of action: no action at Coomera and Runaway Bay would probably continue to rise. Overall, the reasonable rates of arrest and trends towards greater action in the chosen stations in 2005-06 are positive developments as a result of Project SAFER.

In conclusion, these statistics support the implementation of Project SAFER having the desired effect of increasing police action. However, the results also show that numerous other variables are likely to account for an integrated system to deal effectively with domestic violence. As such, initiatives such as SAFER need to be closely analysed and implementation needs to be considered as part of a broad strategy to address police response to domestic violence.

Chapter 7

Key Findings and Recommendations for Project SAFER

This evaluation report has outlined key trends both nationally and internationally, which show evidence supporting the aims of Project SAFER. This was examined with insights from police officers about their involvement in the project. Data collected with the Project SAFER instrument was analysed. Finally, statistics were collected about types of police responses to domestic violence incidents across SAFER and non-SAFER stations on the Gold Coast, over time, to provide some broad comparisons. We can conclude that many of the aims of Project SAFER have been realised to some degree. However, the insights of this large-scale program, outlined in the recommendations below, will be useful to enhance future responses.

Moves within Australia have shown that improving responses to domestic violence is a priority for governments, legal services, police forces and social service agencies. An integrated response across these areas is recommended. Local and overseas models show that this is particularly effective if it is backed up by legislative change and court action. Also, training about each other's ways of working and values, plus clear paths of communication are vital for agencies to work together effectively. While Project SAFER showed an increased number of referrals to the DVPC, more communication is necessary to ensure a true collaboration. Police were positive about having a clear referral process, yet they seemed to mistrust the DVPC, as another form of surveillance of their actions. Also, there was strong evidence that many police saw the majority of domestic violence incidents as "not police business", relating to provision of social services, not law enforcement. To some degree, these beliefs hindered the effectiveness of giving an integrated response and effectively enacting the relevant legal apparatus to deal with offenders.

Risk Assessments

A number of risk assessment models have been discussed in this report. The Project SAFER instrument was developed carefully by adapting models such as the DAS. Risk assessment is vital to properly evaluate one incident in the context of a history of domestic violence. Moreover, it can act as a predictive tool, highlighting cases where action should be taken to prevent further violence. In Project SAFER, police responses towards risk assessments have been largely negative. Many officers saw the risk assessment process in Project SAFER as dismissing their own judgement. In practice, risk assessments are complex not a simple case of "adding up" risks and police experience should add to, not detract from the process. Seeing questions about history as "redundant" or a waste of time displays a misunderstanding of the purpose of assessing risk in this way. Also, police have shown some discomfort around these questions, particularly if they are highly personal (for instance concerning sex) or raise possibilities about previous indictable offences. Some police officers reacted against the broader definition of "domestic violence" in recent legislation in Queensland, which they sometimes

saw as outside their role. These points were indicative of a general negative attitude towards the tool, which reduced the effectiveness of its implementation.

Evidence Collection

International research has shown that criminal responses to domestic violence can act as a disincentive, discouraging recidivism and reducing repeat call-outs. In the US, UK and some Australian states, police forces are moving towards greater evidence collection, to allow for prosecution without the victim's participation. While the US mandatory arrest models may not be appropriate in Australia, it is important for police to consider criminal responses in conjunction with civil ones. If domestic violence cases are considered in a similar manner to "stranger" assaults, procedures such as taking statements from witnesses, collecting forensic evidence, photographs, DNA or other evidence should be standard. Thus this report advocates for a mandatory investigation type model where there are reports of injuries or other significant offences.

Project SAFER was designed to increase evidence collection, to allow for criminal charges or civil actions where appropriate. However, evidence is not consistently collected and is incongruent with observations of incidents. In most cases, statements were not taken by witnesses, including children. Medical evidence or photographs were often not taken, although injuries were recorded. There were inconsistencies between the number of injuries and action taken, with civil action preferred despite a high number of injuries and no action taken in a significant number of cases with 2 or more injuries.

Civil and Criminal Responses

Project SAFER has increased overall police action in domestic violence. However, this has remained primarily civil, in the form of protection orders. Criminal charges are rare in the first instance. While it is encouraging that police action has increased overall and there have been some moves towards a criminal response, more action in this trend needs to be taken. This type of response can be explained in part by looking at police decision-making. Situational, organisational, demographic and attitudinal factors are involved. For instance, police are reluctant to press charges if they believe the victim will not support this in court. Police should investigate cases regardless of beliefs like this. In some cases, police officers displayed judgemental attitudes towards victims of domestic violence, doubting their testimonies or the reasons for their claims. For instance if children were involved police sometimes saw women as making false allegations to get custody of women through the Family Court, which should be outside their mandate. There was a slight reduction of the total number of repeat call-outs on domestic violence; however in focus groups police did not perceive this, not reducing their high level of frustration about the lack of consequences for offenders.

Station Comparisons

Responses were different in the three different SAFER stations and contrasted to comparable non-SAFER stations. In particular, Southport showed a higher rate of action on domestic violence compared to non-action, with both civil and criminal responses. This may be because of a longer time for implementation and more training as the Pilot Program took place there in 2003. Overall, Coomera and Runaway Bay had lower rates of action compared to Palm Beach and Nerang. However all three SAFER stations showed significant improvements in the rate of action on domestic violence incidents during the SAFER period. The SAFER stations also had similar rates of arrest, showing a trend in the desired direction. At this stage, the reasons for high rates of action in the non-SAFER stations are unknown. Other factors, such as leadership, accountability and training may influence action in stations. A broader study across a greater number of stations, looking into leadership, station culture, training and so on would make an interesting subject for further study.

Police Attitudes to the Instrument

There was a mixed level of animosity and satisfaction with the instrument. There were some positive responses by police to the Project SAFER instrument. It was seen as a “memory prompt”, which provided a consistent and logical response. Aspects of the tool were highlighted as useful; particularly the domestic violence information page and fax-back to the DVPC, injury diagrams and statements, plus the feature of combining these items in the one document. While it was seen as useful for new recruits to reduce supervision or training, more experienced officers showed greater resistance to the Project SAFER instrument.

There was a low level of compliance with completing the instrument thoroughly, which hindered the study. Although the instrument was designed to be applied across the board, data in many sections was inconsistently filled out or missing. In focus groups, some police indicated that it was not necessary to fill out the form in “no domestic violence” cases. However their definitions of “no domestic violence”, including threats, verbal disagreements or the first occurrence, showed that this term was applied loosely and at times inaccurately and that further investigation using the instrument would have been more constructive. Some questions were not seen as relevant to police business.

One of the most commonly reported reason for frustration with the Project SAFER instrument was that it was time-consuming, in a highly pressured work environment. The duplication of paperwork was also a common complaint. A key reason for is that the SAFER instrument is not admissible as court evidence for civil or criminal actions, unlike police notebooks, meaning that officers may have to enter the same information in a number of places. This legitimate criticism should be negotiated with courts in the future so that the SAFER tool or a similar instrument can be used more effectively. In some cases prior methods, such as using a notebook were preferred. However there was a general feeling that returning to previous methods was not a

worthwhile solution. Many officers indicated that they would continue to use the SAFER instrument.

Trends in the Data

Data analysed from Project SAFER showed a number of interesting trends:

- Call-outs for domestic violence incidents peak from 6pm until 3am, with the majority taking place on weekends. This demonstrates evidence of the need for there to be specialist expertise at peak times.
- The average time taken per call-out was approximately 3 hours.
- Over 40% of incidents were repeat call-outs.
- Police were called to incidents by victims in about 2/3 of cases. This indicates that the community needs to increase its response to the issue of domestic violence.

A Gendered Analysis

- Overwhelmingly, there are more female victims than male. The majority of suspects are male, consistent across all types of relationship.
- While men and women reported injuries at a similar rate, there were differences in the type of injury recorded, with women's injuries generally requiring a higher level of medical assistance.
- Women as suspects reported serious injuries at a rate up to 6 times as high as men as suspects. This is evidence of a level of reciprocal violence or mis-identification of the predominant aggressor.
- Women have a higher overall emotional reaction to domestic violence. The strongest trends are that women as victims feel fear at a much higher level than men as victims. In all measures of fear either self-reported or observed by police, women were significantly more likely to be fearful of the offender. Men as victims are more likely to be calm. Also, male victims are intoxicated at a higher rate than females.
- Threats to kill were recorded at similar rates by male and female victims. However a higher proportion of women believed the male suspects were capable of carrying out the threats. This is important as a possible predictive factor for further offences.

Recommendations

SAFER is at a critical stage of development. Results are in the desired direction but the specific action and orientation needs refining as part of the overall integrated community response to domestic violence. This needs to be conceptualised not only within police responses, but also current social policy and service responses to both victims and offenders. The following recommendations are a starting point for advancing the important and successful initiative of Project SAFER.

1. There should be gendered considerations for both victims and suspects, including:
 - Analysis of cross-orders

- Assessment of predominant aggressor and reciprocal violence
 - Referral for victims and suspects
 - Distinguishing between family violence and domestic violence
2. For police to work effectively with domestic violence agencies, a common purpose should be reiterated and clearly stated, as well as a shared understanding of the dynamics of domestic violence and how different agencies can work together to reduce its incidence. Regular conferences and clear lines of communication would help make the relationships between agencies closer. Conferences and forums could also be an opportunity of increasing input from other community groups, members or agencies. Whilst the integrated initiative on the Gold Coast already has these common principles, these need to be disseminated to police in the field more proactively.
 3. There needs to be ongoing training at attitudinal and compliance levels for any future initiatives. This should include training on the use of the instrument and the purpose of Risk Assessments, which is vital for these tools to be utilised effectively. This should form a large part of training programs for current and future workers. There should be clear guidelines for officers about how to act on information that is revealed, for instance investigating past offences further.
 4. In conjunction with training on the project, there is clearly a need for regular professional education on domestic violence, including:
 - the criminality of domestic violence and possible criminal charges
 - evidence collection
 - the behavioural patterns of domestic violence victims and perpetrators, including denial and minimisation
 - the effects of domestic violence on victims and children
 - dynamics of abuse and violence, including the cyclical nature of domestic violence
 - the importance of a gendered analysis
 - referral options for victims, suspects and children, especially if there is risk of suicide
 5. As a supplement to training, the police could have a website with Frequently Asked Questions about the instrument, for easy reference for officers. Training material containing details about the purpose of the project and procedures could be listed here. This could also become a forum for feedback by police officers on the instrument and the project. Email and phone contacts would be provided for officers to follow up any queries.
 6. There should be some form of accountability to ensure compliance with the instrument by officers. Some parts of the Project SAFER instrument or future tools could be marked as mandatory to fill out. This would allow for more consistent responses to domestic violence incidents, easier auditing of police actions and more reliable analysis of data.

7. A pro-investigation and evidence collection stance is recommended. There needs to be further investigation about whether some aspects of the collection of evidence should be standard operational practice, for instance taking statements from any witnesses present and taking photographs. Follow up actions to obtain statements from witnesses are also an option. Taking statements from children should be considered, in the context of a risk assessment of the children's safety. Police should be encouraged to use their full investigative powers where appropriate and be able to justify their decisions, for example, if they record extensive injuries but do not take any medical evidence.
8. Follow-up is also important for evidence collection in regards to medical evidence. Injuries such as complaints of pain, attempted strangulation and bruising may take a significant amount of time to be visually apparent. This highlights the need for follow up and referral of victims within 12 to 24 hours of the incident, including appropriate forensic medical support.
9. Negotiation with courts about use of the SAFER instrument or future tools as court evidence should be a priority. The aim is to make the instrument an acceptable form of evidence documentation in its own right for both protection orders and criminal charges. This would reduce duplication and police frustration substantially.
10. Domestic violence specialists should be rostered on at the peak times of call-outs between 6pm and 3am, especially on weekends. Also a sufficient number of officers should be working at these times to ensure that incidents are treated thoroughly in the first instance, further reducing the need for repeat call-outs.
11. There should be sufficient resource allocations for staffing, training and implementation of the project.
12. Lessons from Project SAFER should form part of the context of broader initiatives on interagency collaboration and reforms on domestic violence.
13. It is essential that future initiatives arising from Project SAFER be evaluated in a similar but better resourced model to this evaluation.
14. To initiate further advancement of Project SAFER there should be the establishment of a review committee made up of relevant agencies and expertise to ensure the review of these recommendations and future directions. This will ensure that the initiative is dynamic and responds to the changing needs of the police, other agencies and the community.

Conclusion

Project SAFER has demonstrated that the implementation of specialist instruments for police work with domestic violence can improve the overall outcome for victims. Improvement evident in the operation of project SAFER can be seen in a general increase in police action against perpetrators of domestic violence and a more informative referral process for victims. However, with the creation of a more sophisticated and targeted response to domestic violence has allowed a more critical assessment of ways that police responses can be improved. The most pertinent need is for a greater consistency in how civil and criminal action is determined in the face of evidence observed at the scene. There is a recurrent theme in the analysis of data that indicates that police compliance in correctly completing the instrument was poor and the action recorded seemed inconsistent with the description of the situation. For example, victims were observed to have a physical injury or there had been property damage yet no evidence to support this observation was collected. Police difficulties in adequately supplying information requested in the SAFER instrument can be attributed to a range of factors. The most significant issue adversely affecting police to complete the instrument is time and workload constraints. These problems are exacerbated by the fact that the introduction of the project required a cultural change in not only police practices but also commonly held beliefs regarding domestic violence. The fact that these issues have arisen in the course of Project SAFER is good development signalling a need for change at a number of levels. Nevertheless the issue of workload and allocation of resources to domestic violence cases is a real and urgent issue requiring attention in any further development of the SAFER initiative.

Appendix 1

List of Questions for Police Officers Participating in Focus Groups

The questions that follow are designed to assist you in making an assessment about the usefulness of the 'Domestic Violence Related Incident Worksheet and Fax-back Form'. The promotion of women's safety and men's responsibility for abuse and violence are the central organising principles against which the effectiveness of the Form is measured and assessed.

1. To what degree does the form enable you to document important information about the Aggrieved? (Please circle one)

High Medium Low Very low

2. To what degree does the form enable you to document important information about the Respondent? (Please circle one)

High Medium Low Very low

3. To what degree does the form enable you to document important details about the domestic violence related incident? (Please circle one)

High Medium Low Very low

4. To what degree does the form enable you to document important information about the children involved in the domestic violence related incident? (Please circle one)

High Medium Low Very low

5. How useful is the form in assisting you to:

- a) Collect evidence for charges and for orders? (Please circle one)

Very useful Moderately useful Slightly useful Not useful

- b) Develop a standardised approach for domestic violence incidents and the steps to be taken?

Very useful Moderately useful Slightly useful Not useful

6. How helpful is the form in assisting you to make an adequate assessment about the safety of the Aggrieved? (Please circle one)

Very helpful Moderately helpful Slightly helpful Not helpful

7. How helpful is the form in assisting you to make an adequate assessment about the safety of children involved with the Aggrieved? (Please circle one)

Very helpful Moderately helpful Slightly helpful Not helpful

8. How helpful is the form in assisting you to identify and keep track of itinerant Respondents or Respondents who have been involved in previous domestic violence related incidents where the Aggrieved is a different person? (Please circle one)

Very helpful Moderately helpful Slightly helpful Not helpful

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Appendix 2

Project SAFER Focus Group Responses

Responses to Questions for Police Officers Participating in Focus Groups

The questions that follow are designed to assist you in making an assessment about the usefulness of the 'Domestic Violence Related Incident Worksheet and Fax-back Form'. The promotion of women's safety and men's responsibility for abuse and violence are the central organising principles against which the effectiveness of the Form is measured and assessed.

1. To what degree does the form enable you to document important information about the Aggrieved? (Please circle one)

High – 8 Medium – 4 Low – 0 Very low – 0

2. To what degree does the form enable you to document important information about the Respondent? (Please circle one)

High – 6 Medium – 6 Low – 0 Very low – 0

3. To what degree does the form enable you to document important details about the domestic violence related incident? (Please circle one)

High – 7 Medium – 5 Low – 0 Very low – 0

4. To what degree does the form enable you to document important information about the children involved in the domestic violence related incident? (Please circle one)

High – 7 Medium – 4 Low – 2 Very low – 0

5. How useful is the form in assisting you to:

- a) Collect evidence for charges and for orders? (Please circle one)

**Very useful – 6 Moderately useful – 4 Slightly useful – 3
Not useful – 0**

- b) Develop a standardised approach for domestic violence incidents and the steps to be taken?

**Very useful – 4 Moderately useful – 9 Slightly useful – 1
Not useful – 0**

6. How helpful is the form in assisting you to make an adequate assessment about the safety of the Aggrieved? (Please circle one)

**Very helpful – 3 Moderately helpful – 6 Slightly helpful – 5
Not helpful – 0**

7. How helpful is the form in assisting you to make an adequate assessment about the safety of children involved with the Aggrieved? (please circle one)

Very helpful – 3
Not helpful – 1

Moderately helpful – 2

Slightly helpful – 7

8. How helpful is the form in assisting you to identify and keep track of itinerant Respondents or Respondents who have been involved in previous domestic violence related incidents where the Aggrieved is a different person?

Very helpful – 0
Not helpful – 8

Moderately helpful – 1

Slightly helpful – 2

Written Feedback for Focus Groups with Police Officers

1) What is the response of women and men when you have used this tool?

Women:

- Acceptance that it will be completed.
- Some women are too upset or distraught.
- Some are confused as to the reasons for completing the book and may be impatient.
- It may not benefit them.

Men:

- Non-committal or uninterested.
- Mostly control of aggrieved spouse.
- Some are reluctant or unwilling to fill it out.
- Some are aggressive, particularly if respondents.
- Unsure about the procedure.

Both:

- Depends on demeanour and circumstance.
- Confuses the DV [domestic violence] process with recording of the incident.
- Time taken to fill out.
- Don't always want to answer questions.

2) What are the main weaknesses of the tool?

- Time consuming.
- Everything in the book has to be re-entered into other systems, so it extends the job.
- Too long with some unnecessary pages & superfluous questions, e.g.: fears, history, yes/no questions
- Leading questions.
- Depends on the violence of respondent – it is difficult to gather information whilst at a volatile situation.

- Depends on the availability/location of respondent.
- Can't quickly refer to notes.
- Handwritten statements can be difficult, e.g.: if the person is intoxicated.
- Need to wait for victim statement.
- Hasn't made any change to assessment.
- Lack of information on breach statements.
- Doesn't always clearly identify action taken – rear cover could have an improved design.

3) What are the main strengths of the tool?

- Covers a lot of information on the aggrieved.
- The aggrieved can write her own story.
- Gets both parties involved.
- It acts as a memory prompt for evidence.
- Consistent & logical.
- DV Information page with contact numbers & fax-back is good.
- The injury diagrams are handy.
- Obtain full details of children and both parties.
- Good to make the aggrieved fill out a statement at the time.
- Useful having the information all in one document.

4) What improvements can be made to the tool? (E.g. ease of use, pursuing criminal charges).

- Remove leading questions & tick questions.
- Time factor – it is too long, with too large layout.
- Can't take it to court for criminal matters.
- Using the form as an application for an order.
- Notice for respondent to attend court, including extra conditions, will require legislative changes.
- This may depend on the victim.

Summary of Feedback from Police Focus Groups

Written Responses

- It enables documenting important information to a high level about: the aggrieved; the respondent; the domestic violence related incident and children.
- It is very useful for collecting evidence for charges and orders & moderately useful in developing a standardised approach for DV incidents.
- It is moderately helpful in making an adequate assessment about the safety of the aggrieved, slightly helpful about the safety of children and not helpful in assisting police to keep track of itinerant respondents or repeat offenders.

Response of Women and Men

- Some women are too upset or distraught to complete the form. Some are confused as to why it's important.
- Some men are reluctant to fill it out or aggressive; while some are non-committal.

Procedures

- The form is only as good as the information it contains. Its quality depends on the officer's thoroughness.

Focus on the incident alone

- Statements taken on that night are the best. Police only can and will take action on what has happened at this incident only – this is all they are interested in.
- Procedure for assault:
 - Find out if criminal complaint is forthcoming.
 - If not, don't proceed, i.e.: "I don't wish to make a complaint."
 - Then take out an application.
 - If forthcoming, must start the investigation again (e.g.: check for weapons).

Need for follow up

- Police don't take a complaint if parties are intoxicated or high on drugs. This is followed up later. Also, if there is a high level of violence, officers need to detain the perpetrator first and go back to collect additional information.
- Counter enquiries are all done on the computer so you don't have to fill out the whole book. It isn't necessary as you have access to everything you need.

Positives

Useful features

- Good to make the aggrieved fill out a statement at the time and that she can write her own story.
- DV Information page with contact numbers & fax-back is good and the injury diagrams are handy.
- It allows officers to obtain full details of children and both parties. The information on children is useful & good for CRISP Reports.
- It is useful having the information, including the medical, statement & fax-back/referrals all in one document.
- The Evidence Collection page is useful to remind the officers what they did and for supervisors to check this. The booklet is good as the main reference point for auditing. However, some thought it is not useful for auditing – all the details are on the job logs, index or incident records.

A Memory Prompt

- It acts as a memory prompt for evidence and to check through the steps taken.
- It promotes consistency & is logical.
- 1st year constables can complete a domestic with this form – it takes the responsibility off the person training them.
- Some thought the Risk Assessment was helpful – it provided the basis for application and helped jog the memory of the aggrieved.

Negatives

Length and Duplication

- It is time consuming – time management is a big issue. Half of the information is superfluous – e.g.: fears, history, yes/no questions. It takes an extra 30-40minutes and there is pressure from the Commissioner to get to the next job.
- There is too much duplication - everything in the book has to be re-entered into other systems, so it extends the job.
- The booklet is not useful & shouldn't be completed for "no DV" cases, i.e.: if there are no threats; it's a disagreement with raised voices; it's a domestic relationship; it's a "one-off"; threats alone (depending on the level of threat); it's a Family Court Dispute. Police can be pulled up for taking out an order when there are no threats.

Risk Assessment

- Some questions were seen as too personal, e.g.: forced to have sex. Officers have to be careful about asking about sexual assault. It should be removed as it is a leading question. If the woman says she was raped, this has legal implications, which makes them unsure whether to follow it up.
- 80% of what is in the booklet the police would do anyway. The Risk Assessment doesn't change officers' perceptions of what has happened. It gives unreal expectations – all the police can do is apply for basic conditions on an application for an order. If they apply for extra conditions they are often breached, then parties want the conditions removed.
- Staff thought the personal particulars were useful but didn't see the Risk Assessment as necessary. It is subjective, by relying on a party's honesty and the different interpretations of the aggrieved. The Risk Assessment is history – it doesn't matter to the police. Some of the questions are embarrassing to ask, e.g.: about forced sex. Also, the issues of separation & Family Court could confuse the issue.
- Staff think they are doing a lot more work and blame the book for it, particularly the risk assessment. They are confusing QPS DV requirements with the tool. Overall staff are negative, with older staff less happy with the booklet because of their experience; about 70%of officers were not happy, 30% happy.

Training and Procedures

- There were some problems with the marketing of Project SAFER and training and inconsistencies over different stations. There was confusion about when to use forms and the knowledge of the program. One training problem was that police were told to fill the whole form out but this is not necessary for “No DV’s”.
- The book doesn’t work well for cross orders or multiple respondents. Cross application details don’t need to be in the book – it is covered elsewhere.
- Police are unsure where the instruments are stored.
- There has been no reduction of repeat calls.

Improvements

Possible Changes

- Need to reduce the size of the booklet – it is too long/ with too large layout and is daunting currently.
- Remove leading questions & tick questions.
- There could be options for “consider a notebook statement” or “collect statement back at the station”. It is fine for an application but not a breach – in this case the statement should be taken at the station, as statements for breach are hearsay.
- The Medical Release Consent forms and Victim statements should be kept. Also the information sheet/fax-back page, although this could be reduced to 1 page to make it easier to fax.

Court Use

- It is not clear how it can be used in court for criminal matters. There is a need for training on QPS Policy on what the book can be used for.
- If the book served as the application for an order this would save duplication. However, for courts to accept the booklet as legitimate evidence would require legislative change.

Conclusions

- There is no advantage in getting rid of SAFER, as staff are now used to it & DV is a growing population issue.
- Project SAFER has increased consistency – officers who once would have written a job off as “no action” now have to do something.
- There is a need for more consistent training and marketing.
- There are weaknesses in the current legislation. You need a JP [Justice of the Peace] to order an RO [Restraining Order], which can make it a toothless tiger.
- Feedback about Project SAFER reflects legislative problems and actual problems in QPS procedures.

Police Officers' Focus Group 1

Procedures

- Police don't take a complaint if parties are intoxicated or high on drugs. This is followed up later.
- If there is a high level of violence, officers need to detain the perpetrator first and go back to collect additional information.
- If parties present at the counter after the incident, they are sent to the Magistrate's Court for a private application.

Positives

- It is a good memory prompt.
- The medical release is good, as it helps police get medical records later.
- The information on children is useful & good for CRISP Reports.
- It is positive having the faxback and phone numbers page together.
- The Risk Assessment is the most useful.

Negatives

- The size of the booklet is overwhelming.
- The booklet is not useful & shouldn't be completed for "no DV" cases, i.e.: if there are no threats; it's a disagreement with raised voices; it's a domestic relationship; it's a "one-off"; threats alone (depending on the level of threat); it's a Family Court Dispute. Police can be pulled up for taking out an order when there are no threats.
- Officers have to be careful about asking about sexual assault. It should be removed as it is a leading question. If the woman says she was raped, this has legal implications, which makes them unsure whether to follow it up.
- The Risk Assessment process can be traumatic for the aggrieved.
- 80% of what is in the booklet the police would do anyway. They don't make decisions based on the booklet. The Risk Assessment isn't useful.
- There is more work for the police through the Risk Assessment.
- The Respondent Interview pages are not useful.
- It is not useful for auditing – all the details are on the job logs, index or incident records.
- Interviewing at the counter is easier – there is a high risk for police in private houses & higher emotions.
- The parties want the problem solved there & then but it is still a lengthy process.
- Police are unsure where the instruments are stored.
- There has been no reduction of repeat calls.

Improvements

- Statements: The aggrieved doesn't always want to tell you the story and then write it down – they are too upset. There could be options for "consider a notebook statement" or "collect statement back at the station". It is fine for an application but not a breach – in this case the

statement should be taken at the station as statements for breach are hearsay.

- The Person/Injury page is a waste – officers can mark any injuries themselves.
- It should be condensed down to just the Risk Assessment sections.

Police Officers' Focus Group 2

Procedures

- Statements taken on that night are the best. Police only can and will take action on what has happened at this incident only – this is all they are interested in.
- Procedure for assault:
 - Find out if criminal complaint is forthcoming.
 - If not, don't proceed, i.e.: "I don't wish to make a complaint."
 - Then take out an application.
 - If forthcoming, must start the investigation again (e.g.: check for weapons).
- Counter enquiries are all done on the computer so you don't have to fill out the whole book. It isn't necessary as you have access to everything you need.

Positives

- The Justice Act is great to have on the bottom [of the statement?]. Some statements have stood up in court.
- The "body map" is handy.
- It can act as a good memory prompt, to check through the steps taken.
- The children's section is handy – it makes it easier to do CRISP for children. It is good for doing emotional abuse on children.
- The Risk Assessment was helpful – it provided the basis for application and helped jog the memory of the aggrieved. It is particularly helpful to new officers with little experience.
- The Evidence Collection page was useful to remind the officers what they did.
- The Respondent's details/emotional page was useful.
- It is useful having the medical, statement & fax-back/referrals all in the one place.
- It's good for referral, regarding magistrates.
- There are different responses depending on the officer's own experiences.

Negatives

- Respondents & a lot of aggrieveds don't want to answer questions.
- Half of the information is superfluous – it can take up to half an hour.
- The police don't have time and resources to solve all the problems. There is a lot of pressure to get to the next job.
- The aggrieved only wants help on the night.

- The Risk Assessment doesn't change officers' perceptions of what has happened. It gives unreal expectations – all the police can do is apply for basic conditions on an application for an order. If they apply for extra conditions they are often breached, then they want the conditions removed.
- The Risk Assessment is history – it doesn't matter to the police. Some of the questions are embarrassing to ask, e.g.: about forced sex.
- There is too much duplication.
- The book doesn't work well for cross orders or multiple respondents. Cross application details don't need to be in the book – it is covered elsewhere. The Risk Assessment of both partners does not have much consideration for cross-applications.
- It takes an extra 30-40minutes and there is pressure from the Commissioner about time.

Improvements

- An officer thought the Risk Assessment should only match questions 19A, 19B, 19C of the application form.
- The Fax-back/referrals page is good - it should be retained. One officer did more faxes because it is there. However sometimes the victim does not want it.
- One officer preferred only 1 page send to DVS as the glue gets stuck in the fax machine ½ to give to the aggrieved & ½ fax-back.
- The Medical Release Consent forms and Victim statements should be kept.
- The Respondent's Interview Page – there are too many additional pages for notes.
- If the book served as the application this would save duplication.
- The children's statement (p.31) could be combined with the witness statement, just naming who made the statement.
- Charges can be put under Additional Notes (p.41).

Officers in Charge Focus Group

Procedures

- The form is only as good as the information it contains. Its quality depends on the officer's thoroughness.
- Information on the screen will corroborate the booklet.
- Police are only interested in:
 1. Has DV occurred?
 2. Will it occur again?
 In general, they are not interested in other questions.

Positives

- The form gives supervisors a good idea of what happened at the incident. The booklet is good as the main reference point for auditing.
- The fax-back to DVPC is useful.
- It promotes consistency.

- 1st year constables can complete a domestic with this form – it takes the responsibility off the person training them.

Negatives

- There is duplication with a number of different forms being used.
- It is time consuming – time management is a big issue.
- In Southport, the training was not as consistent as it should have been. Business practices are different across different police stations. Southport staff were more negative the 2nd time around. They think they are doing a lot more work and blame the book for it. Staff are confusing QPS DV requirements with the tool.
- Overall staff are negative, with older staff are less happy with the booklet because of their experience. There were some problems with the marketing of it and training and inconsistencies over different stations.
- One training problem was that police were told to fill the whole form out but this is not necessary for “No DV’s”.
- Originally staff were negative because of resistance to change but now staff are happier with it. There was a noticeable difference in attitude between the 2 stages. Overall, about 70% were not happy, 30% happy.
- Staff thought the personal particulars were useful but didn’t see the Risk Assessment as necessary. It is subjective, by relying on a party’s honesty and the different interpretations of the aggrieved. They gave different answers at the DVS a few days later. Police are concerned the aggrieved would make things up when asked Risk Assessment Questions. Also, the issues of separation & Family Court could confuse the issue.
- They thought women turned up at the counter to get DV orders because of immigration or claimed that their lawyers sent them.

Improvements

- Need to reduce the size of the booklet – it is daunting currently. The Risk Assessment hand-out should be streamlined.
- It is not clear how it can be used in court. There can be a breakdown in the process if the aggrieved has gone missing. There is a need for training on QPS Policy on what the book can be used for.

Conclusions

- Feedback about Project SAFER reflects legislative problems and actual problems in QPS procedures.
- There is no advantage in getting rid of SAFER, as staff are now used to it & DV is a growing population issue.
- Senior Police are interested in: how long jobs take - a DV callout takes about 4 hours: repeat callouts - early first response saves going back to the same address.
- Project SAFER has increased consistency – officers who once would have written a job off as “no action” now have to do something.

- Officers in Charge don't care who is named as an aggrieved/respondent in "no actions". They haven't noticed changes in numbers of female respondents.
- There is a need for more consistent training and marketing.
- There are weaknesses in the current legislation. You need a JP to order an RO, which can make it a toothless tiger.

Shift Supervisors' Focus Group

Procedures

- There were problems with police resourcing. Many police just went through the motions in filling it out.
- A DV officer takes the form and checks it over. This is time consuming when they were down several officers.
- If it's on the computer, it is not in the book.

Positives

- It enforces a uniform approach.
- It is useful to hand the aggrieved information.

Negatives

- It is time consuming.
- Some questions were seen as too personal, e.g.: forced to have sex. Some were leading questions.
- It isn't helpful for criminal charges. The officers were unsure about the impact for child protection.
- In legal cases, the defence could use the booklet.
- There was a training issue about the knowledge of the program & confusion about when to use forms.
- There was duplication and inconsistent use of forms.
- The majority of staff would prefer not to use the forms again, largely because of time.

Improvements

- For courts to accept the booklet as legitimate evidence would require legislative change.

Domestic Violence Prevention Centre Focus Group

Procedures

- The fax-back information is numbered, stamped, sorted into consents and non-consents and filed. The data is kept for a year.

Positives

- Information is very helpful. When she rings the aggrieved, the information about the incident, the relationship and personal details are already there. She can move quickly to DV safety plans, referral, etc.

- SAFER gives information about the relationship type, in line with changes to legislation, which makes it easier to engage with people.
- Getting all the data about the client is very useful.
- The victim response to calls from the DVPC – they were comfortable with no hostility.
- There was often follow up the next day.
- Back-up support is good.

Negatives

- The quality of fax-back information varies. Sometimes there is only 1 page. If there is no phone number, follow-up can take up to a week.
- Some of the form is open to interpretation.
- The compliance sheet isn't always faxed.

Feedback from Clients

- The Risk Assessment takes a long time. The whole process takes about 3 hours.
- In some cases the police didn't do anything after the call-out. There was some inconsistency with what women were told by police about whether charges could be laid.
- There are some incidents of women calling the DVPC who weren't referred by police.

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