

8 April 2022

## Performance Audit of NSW Police response to domestic and family violence recommends important changes

Women's Legal Service NSW welcomes the tabling of the [Performance Audit of NSW Police responses to domestic and family violence](#) in NSW Parliament on 4 April.

Women's Legal Service NSW has actively engaged in this review over the past 12 months with many of the issues highlighted in the report raised in [our submission](#).

The Auditor-General makes 8 recommendations with the NSW Police Force required to implement the recommendations by January 2023. The NSW Police Force has accepted the recommendations.

### Structure, resourcing and compliance with domestic violence policies and procedures

The NSW Auditor General's report found that while the NSW Police Force has almost doubled domestic and family violence positions within police in the past 5 years "*The NSW Police Force has not dedicated the same level of resources or organisational authority to domestic violence policing as other Australian jurisdictions.*"

Unlike Victoria and Queensland, the NSW Police Force does not currently have a stand-alone Domestic Violence Command. The NSW Police Force has less than two-thirds of the number of specialist domestic and family violence staff compared to Victoria Police and a small, centralised team that "*is not sufficiently resourced to monitor domestic violence practices or ensure state-wide initiatives are implemented consistently across the State.*"

The Auditor-General observes "*there is insufficient analysis of workforce data to understand whether domestic violence specialists are appropriate in numbers and locations to meet workload demands*" and "*an overarching strategy to guide [police] workforce development*" has not been implemented.

The Auditor-General notes Aboriginal Community Liaison Officers and Multicultural Community Liaison Officers are not available in all police local commands and distribution of positions is based on historical allocation rather than need. The Auditor-General observes that not all Aboriginal Community Liaison Officer positions are filled for a variety of reasons including poor pay, complexity of the work and challenges in "*negotiating the family and relational aspects of domestic violence policing.*"



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The Auditor-General acknowledges First Nations stakeholders concerns about barriers to community members contacting police about domestic and family violence and abuse, finding “*The NSW Police Force is not consistently engaging with Aboriginal organisations to support and monitor community safety.*” The important role of Police Aboriginal Consultative Committees is acknowledged but they “*operate in some, but not all local commands.*”

“To be most effective in the role of Aboriginal Community Liaison Officer in a domestic and family violence context it is vital these officers have a thorough understanding of sexual, domestic and family violence and abuse and trauma informed practice,” says Dixie Link-Gordon, Senior Community Access Officer, Women's Legal Service NSW. “Aboriginal Community Liaison Officers must be able to access regular and ongoing training in sexual, domestic and family violence and abuse and trauma informed practice which is developed and delivered by experts in the field,” says Ms Link-Gordon. “They also need to be supported by being able to work as part of a team of Aboriginal Community Liaison Officers rather than on their own,” says Ms Link-Gordon.

These same supports should be provided to Multicultural Community Liaison Officers.

“Police also need to commit to engaging with First Nations people at the local level. It is not enough that Police Aboriginal Consultative Committees only operate in some local commands,” says Ms Link-Gordon.

The report finds that compliance with domestic and family violence and abuse policies and procedures, including the Domestic Violence Standard Operating Procedures is inconsistently reviewed across the state with “*a lack of system level policy or oversight to guide this activity.*”

“*A lack of workforce and workload monitoring at the system level*” limits the ability to assess whether there are workload risks for police, and “*to see risks to service quality.*” The Auditor-General observes “*A consequence of an overloaded Domestic Violence Specialist, for example, is the likelihood that they will do fewer quality assurance checks of domestic violence events.*”

The report also outlines how an old database system makes it difficult for police to do their work efficiently and effectively. While work is underway on a new database system it is of great concern that increasing functionality of the system in responding to domestic and family violence and abuse will not be implemented until 2025. Women's Legal Service NSW is of the view that this is an unacceptable timeframe and a failure to prioritise the implementation of such a system puts the lives of women and children at grave risk.

### **Report recommendations**

The Auditor-General recommends the NSW Police Force

1. *improve workforce and workload data collections, analysis and reporting*
2. *structure and resource the domestic and family violence strategic policy function to a level that is commensurate with the workload volumes and risks associated with domestic violence policing*
3. *commence work on the domestic and family violence component of the Integrating Policing Operational System (IPOS) with a focus on improving functionality for streamlining event recording processes and automated alerts to identify related prior events or individuals*

### Regular feedback from service users

The report also found *“The NSW Police does not have regular or consistent methods for seeking feedback from service users. As a result, it has a limited understanding of its service quality from the perspective of victim-survivors of domestic and family violence.”*

Police complaints data cannot currently be separated by crime type and the Performance Audit acknowledges significant barriers to domestic and family violence and abuse victim-survivors making police complaints. Women's Legal Service NSW has consistently raised concerns about this.

### Report recommendation

The Auditor-General recommends that police, in collaboration with stakeholders, *“design a procedure to collect, collate and analyse service user and stakeholder feedback about police responses to domestic and family violence and ensure service improvements are made to areas of identified risk.”*

“Women's Legal Service NSW welcomes greater transparency and accountability of police responses to domestic and family violence and abuse,” says Liz Snell, Law Reform and Policy Co-ordinator, Women's Legal Service NSW. “There must be mechanisms for feedback that do not rely solely on individual complaints,” says Ms Snell.

“We commend the leadership and willingness of the NSW Police Force Corporate Sponsor – Domestic Violence and Domestic and Family Violence Team to meet regularly with us to discuss issues of concern. We acknowledge that there is significant work occurring within the NSW Police Force focused on accountability of policing of domestic and family violence and abuse. We seek to better understand this work. We believe this important work can and must be further strengthened through greater transparency of existing accountability mechanisms and through the development and introduction of further accountability mechanisms which will help build further confidence in the NSW Police Force response to domestic and family violence and abuse,” says Ms Snell.

“The Edwards Coronial Inquest recommended police implement an annual, comprehensive audit process of officer compliance with Domestic Violence Standard Operating Procedures which includes the results of dip sampling in each Police Area Command. Further, the Coroner recommended the annual audit results be published and include information about “any material variation or trends between Police Area Commands, and measures that will be taken to resolve any concerns.” In the Performance Audit the Auditor-General notes Police advise they are “undertaking a body of work to determine a potential new model for auditing compliance with domestic violence standard operating procedures,”” says Ms Snell.

“NSW Police must commit to increased transparency including publishing the results of annual audits as recommended by the Coroner, as well as publishing Domestic Violence Standard Operating Procedures,” says Ms Snell.

## Performance measures

The report notes that police performance measures are limited with most measures being activity based rather than outcome based.

### *Report recommendation*

The Auditor-General recommends reviewing existing measures and including “*police performance measures, service quality measures and outcome reporting.*”

## Training of police in domestic and family violence and abuse informed and trauma informed practice and cultural safety

The report found that the only mandated domestic and family violence and abuse training for police is undertaken as part of initial training at the Academy and through a structured training program for Probationary Constables. While other domestic and family violence and abuse training is available, including the Domestic Violence Fundamental course, this training is voluntary “*with no framework to describe intervals at which police should receive refresher training.*”

The Auditor-General observes that “*most domestic and family violence in-service training is now conducted online with limited face-to-face instruction or interaction with expert instructors.*” The Domestic Violence Fundamental course began as an in-person course and now includes online and in-person components. Several police interviewed during the performance audit emphasised the importance of in-person training, especially on the issue of responding to domestic and family violence and abuse.

“While online training may be more accessible for police in regional, rural and remote parts of NSW, Women’s Legal Service NSW strongly advocates all police and particularly police in specialist domestic violence positions must attend in-person training about responding to domestic and family violence and abuse,” says Ms Snell. “It is vital this training is developed and delivered with significant input from and co-facilitation by sexual, domestic and family violence and abuse experts including people with lived experience, cultural safety experts, disability experts, non-binary, trans and gender diverse experts and specialist legal services,” says Ms Snell. “Further, training of itself is insufficient. Training must be evaluated to determine its effectiveness,” says Ms Snell.

The Auditor-General acknowledges the benefits in mandating ongoing domestic and family violence and abuse training for all frontline police. The Auditor-General notes that ongoing domestic and family violence and abuse training could assist police to accurately identify the predominant aggressor – an issue that many, including [Women’s Legal Service NSW](#) raised during the review.

“While training is certainly important, much more needs to be done to help police accurately identify the person most in need of protection,” says Ms Snell. “There needs to be better guidance for police which looks at history of violence and the person most in need of protection as well as better understanding of risk assessment and risk management,” says Ms Snell.

### *Report recommendation*

The report recommends the NSW Police Force develop a framework to guide police training in responding to domestic and family violence and abuse which recognises the importance of ongoing and in-person training, the need for ongoing capacity building and protocols for integrating course evaluation and applying learnings for future training.

## Adequate supports to identify and respond to vicarious trauma

The report emphasises the need for proper supports for police responding to domestic and family violence and abuse.

### *Report recommendation*

The Auditor-General recommends an expert review of debriefing protocols and procedures available to police responding to domestic and family violence and abuse to help police to identify and act on compassion fatigue, burnout and vicarious trauma. It also recommends collecting data on when domestic and family violence and abuse may be a factor in workforce injury or leaving the job.

## Process for investigating allegations of domestic and family violence perpetrated by police employees

Women's Legal Service NSW advocates that the NSW Police Force develops clear and transparent policies and procedures to ensure safe reporting of alleged perpetration of sexual, domestic and family violence and abuse by a police employee and that those policies and procedures address conflict of interest issues and include independent oversight of such investigations.

### *Report recommendation*

The Auditor-General recommends police *“review the process for investigating allegations of domestic and family violence against current and former serving police personnel and implement procedures to ensure processes are independent of interested parties and mitigate conflicts of interest.”*

## Conclusion

The Performance Audit has shone a light on important areas for improvement in policing of domestic and family violence and abuse in NSW. These include:

- improving engagement with First Nations communities;
- accurately identifying the predominant aggressor and person most in need of protection;
- ensuring police are supported to effectively respond to domestic and family violence and abuse, including through proper resourcing of specialist domestic and family violence positions, a more efficient and functional database and support to identify and act on compassion fatigue, burnout and vicarious trauma;
- developing a framework for police training in responding to domestic and family violence and abuse which recognises the importance of ongoing and in-person training which is developed and delivered with significant input from and co-facilitation by relevant experts and incorporates learnings from ongoing evaluations of the effectiveness of such training; and
- improving transparency and accountability of police practice, including through regular engagement with service users, publishing of the results of annual audits of compliance with Domestic Violence Standard Operating Procedures, and clear and safe processes to report allegations of domestic and family violence and abuse perpetrated by police employees which address conflict of interest issues and include independent oversight.

It is important the Performance Audit recommendations are fully implemented.