



Premier of Western Australia

Our ref: D1605624

Ms Kirsten Robinson
Clerk of the Legislative Assembly
Parliament House
PERTH WA 6000

Dear Ms Robinson

**GOVERNMENT RESPONSE TO REPORT NO. 10 OF THE COMMUNITY
DEVELOPMENT AND JUSTICE STANDING COMMITTEE *A MEASURE OF TRUST:
HOW WA POLICE EVALUATES THE EFFECTIVENESS OF ITS RESPONSE TO
FAMILY AND DOMESTIC VIOLENCE***

I refer to Report No. 10 of the Community Development and Justice Standing Committee titled *A Measure of Trust: How WA Police Evaluates the Effectiveness of its Response to Family and Domestic Violence* which was tabled in the Legislative Assembly on 22 October 2015.

In accordance with Standing Order 277(1) of the Standing Orders of the Legislative Assembly, I report to the Assembly the Government's response to the recommendations of the Committee.

Yours sincerely

Colin Barnett MLA
PREMIER

15 MAR 2016

**RESPONSE TO RECOMMENDATIONS OF THE LEGISLATIVE ASSEMBLY
COMMUNITY DEVELOPMENT AND JUSTICE STANDING COMMITTEE REPORT
NO. 10 A MEASURE OF TRUST: HOW WA POLICE EVALUATES THE
EFFECTIVENESS OF ITS RESPONSE TO FAMILY AND DOMESTIC VIOLENCE**

Recommendation 1

That WA Police adopts all elements of Recommendation 11 (pertaining to training) set out in the 2014 Law Reform Commission of Western Australia report Enhancing Family and Domestic Violence Laws, as well as the following:

- *That face-to-face training is prioritised over computer-based training wherever possible.*
- *That training is provided to ensure that the correct policy and procedures are being used, to ensure a consistent response.*

Noted.

WA Police provide face-to-face training for all recruit training programs. In service training is performed via e-learning and in house as required and where appropriate.

WA Police provide extensive training to recruits in relation to theory and practical aspects of responding to family violence incidents. Recruits undertake theory based foundation learning including legislation, policy, multi-agency responses and risk identification. That foundation learning is then practically demonstrated in a scenario based training environment using actors in realistic settings.

Recruits also take part in an immersive training environment (known as Hydra) where they respond to an evolving family violence incident in a simulated desktop environment. WA Police incorporates sessions with trainers with relevant experience in all the various subject matters WA Police encounter, including family and domestic violence. The family and domestic violence training contains sessions with non-government agencies and government partners.

Furthermore, recruits receive information and awareness sessions with external stakeholders including women's refuge representatives, men's support program representatives, government partners and victims of family violence who share their experiences.

At present awareness raising and refresher training for legislative and policy development are managed via an e-learning theory and video based methodology.

WA Police will investigate the practicality of the delivery of family violence training programs in a face to face setting in place of the current practice of e-learning for in service training.

The introduction of a new division in the WA Police Workforce Portfolio, the Training, Education, Design and Development division is in the stage of implementation. The design of all training courses for WA Police will be subject to a training needs analysis. Evaluation of the effectiveness of this training to the service delivery of the organisation will be built into the design of the training and reviewed periodically.

Recommendation 2

That progress on family and domestic violence training be reported on in the WA Police annual report.

Noted.

WA Police provide an extensive range of training to its members to provide them with the skills and abilities to perform their roles. The WA Police Annual Report already includes commentary on the training provided and it is not considered necessary to make reporting of family and domestic violence training mandatory in that document.

Recommendation 3

That the Attorney General expedites the initiation of amendments to sentencing laws and the introduction of the necessary laws to enable GPS tracking of serious domestic violence offenders.

Noted.

A package of sentencing reforms stemming from the Statutory Review of the *Sentencing Act 1995* (WA) is nearing completion and is intended to be introduced into Parliament in 2016. This will contain provisions for a court to declare certain offences as domestic violence offences and for these declared offences to be regarded as “serious violence offences”. Upon conviction and sentence the offender who has committed these “serious violence offences” could be subject to an extra two years supervision which includes the use of GPS tracking.

Recommendation 4

In the event that GPS tracking is introduced, that WA Police ensures that it implements an evaluation plan to assess its effectiveness.

Noted.

A working group which currently exists as part of the governance structure for family and domestic violence oversight in WA (the Family and Domestic Violence Senior Officers Group) has discussed a proposal for GPS tracking of offenders on bail for family and domestic violence offences. The agencies involved will work together to do a feasibility study on the effectiveness of GPS tracking to manage this cohort, which would require legislative amendments.

Any evaluation should be comprehensive, a whole of government assessment of the value and effectiveness of the GPS tracking using a range of performance indicators including primary and secondary intervention measures, success of behaviour change program initiatives, and recidivism in terms of court outcomes.

Recommendation 5

That WA Police commits to establishing a set of intermediate performance indicators for evaluating the effectiveness of family and domestic violence policing by June 2016.

Noted.

WA Police note this recommendation, and support the consideration of intermediate performance measures. Technical adjustments to existing IT systems may preclude the implementation of any additional measures by the proposed date.

In July 2014 WA Police introduced reporting against a key performance indicator (KPI) in family violence incidents:

“Percentage of family and domestic related incidents where an offender was processed for an offence against the person within 7 days.”

The stretch target for this KPI is 75% of all incidents.

WA Police will consider performance measures currently utilised by other Policing jurisdictions such as:

- increase of charges laid for family violence;
- increase of referrals from police to family violence services;
- repeat victimisation of 13% or less in family violence incidents;
- target of x% of family violence offences reported to police result in charges being preferred;
- repeat victimisation of family violence victims where y% or less have suffered more than one offence within a twelve month time period; and
- increase in number of successful prosecutions.

Recommendation 6

In keeping with practices in other Australian states, WA Police should take a leading role in combatting family and domestic violence by ensuring it has a strategy with objectives specific to police.

Noted.

WA Police believe it does provide a leading role in responding to family violence in Western Australia.

WA Police believe the primary policing role in family violence incidents is providing an effective first response with an immediate intervention applied including: arrest, summons or some other criminal sanction; the issue of a police order (up to 72 hours); and/or a referral to the civil courts or to the Family and Domestic Violence Response Team (FDVRT) for assistance in relation to obtaining a violence restraining order (VRO).

WA Police are then active participants in the FDVRT process, a multi-agency post incident risk assessment and risk management triage of the incident, where WA Police apply policing methodologies to improve victim safety.

WA Police previously produced a range of policing strategy documents including a strategy framework for family and domestic violence. WA Police now focus on *Frontline Policing Priorities* which enable police to take a lead role in responding to all forms of crime and keeping the community safe.

Violence is one of the six societal issues which affect WA Police core roles of tackling crime and keeping the community safe. WA Police seek to influence this societal issue by apprehending perpetrators and keeping victims safe, including violence occurring in family settings.

WA Police commit to protecting victims and children subject to violence through a quality first response, timely commencement of an investigation, harm minimisation through referral to support agencies and the prosecution of offenders.

The increasing diversity of our community, the challenges of providing of services in remote areas as well as the complexity of the issue means violence and violent offending cannot be solved by any one agency working in isolation.

WA Police support the CPFS *Freedom from Fear* Strategy.

Recommendation 7

That demographic data related to family and domestic violence offences is collected and made publicly available by the relevant agencies.

Noted.

This recommendation is, however, directed towards a range of organisations that WA Police cannot mandate to collect or disseminate the data as suggested.

It is noted that under *Western Australia's Family and Domestic Violence Prevention Strategy to 2022* annual achievement reports will be released over the duration of the Prevention Strategy, providing key examples of work undertaken. Biennial reports will include data collected against performance indicators.

Recommendation 8

That WA Police introduces formal performance measures related to its response to family and domestic violence, giving consideration to the following measures:

- ***Reduction in repeat victimisation***
- ***Accurate recording and identification of incidents***
- ***Breaches of Violence Restraining Orders***
- ***Attending officers adequately informed about previous attendance and violence***
- ***Victim satisfaction with response***
- ***Willingness of victims to call police***
- ***Response time for domestic violence incidents***
- ***Progress of training in domestic violence policing***
- ***Level of workforce diversity (including targets)***

Noted.

WA Police will consider implementing additional performance measures consistent with the comments in relation to Recommendation 5.

The Australian Institute of Criminology report referred to by the Community Development and Justice Standing Committee (CDJSC)¹ is a 2008 publication² that makes reference to the 2008 Australasian Police Strategy for the Prevention and Reduction of Family Violence. That strategy is currently under review by all Australasian policing jurisdictions with assistance from Australian - New Zealand Policing Advisory Agency (ANZPAA).

The following comments are provided on the proposed performance measures:

Reduction in repeat victimisation

WA Police consider this performance measure could be implemented in Western Australia.

Accurate identification and recording of incidents

WA Police do not support this performance measure. WA Police have supervision and quality assurance mechanisms in place to maintain an accurate identification and recording of incidents. The volume and complexity of family violence incidents preclude WA Police from completing a 100% audit of service delivery, and currently indicative assessments and audits are undertaken.

¹ See page 79 of the CDJSC report – “How WA Police evaluates the effectiveness of its response to family and domestic violence.”

² See http://www.aic.gov.au/media_library/publications/tandi_pdf/tandi367.pdf

Breaches of Violence Restraining Orders (VRO)

WA Police assume this performance measure is in relation to sanction rates of breaches of VROs, not the counting of recorded breaches of VROs.

The average sanction rate for Breach of VRO for the last three financial years is 68%. WA Police consider this performance measure might be more relevant once the specific Family Violence Restraining Order is available, as this sanction currently includes breaches that are not family and domestic violence related.

Attending officers adequately informed about previous attendance and violence

WA Police do not support this performance measure. This is an aspirational performance indicator and will prove difficult to provide meaningful measurements.

A significant improvement of supervision has been introduced via the District Control Centre of the new operating model, where a Detective Sergeant intrusively reviews and provides advice regarding application of legislative and policy provisions to officers while at the scene. Historical information can also be provided in real time from existing holdings to ensure the best decision-making and outcome occurs.

Victim satisfaction with police response

WA Police currently utilise the National Survey of Community Satisfaction with Policing (NSCSP) which measures community perception of satisfaction with policing, as well as feelings of safety, perception of neighbourhood problems, concern about becoming a victim of crime, police professional standards and confidence in the police, and driver behaviour. There is no specific survey with victim satisfaction, whether family violence or otherwise. WA Police consider this performance measure might prove inconsistent and problematic in a family violence setting, as sometimes victims are not satisfied with police applying a lawful intervention despite their wishes. For example a police order may be issued, against the victim's wishes, where the police officers consider a police order is necessary to increase safety and reduce the potential for further violence. A satisfaction survey with this victim will provide skewed data in terms of satisfaction with policing services.

The NSCSP includes a question relating to concern about becoming a victim of domestic or family violence. The percentage of people in WA who were "very concerned" or "somewhat concerned" has decreased from 6.4% in the 12 months ending June 2012 to 3.8% in the 12 months ending June 2015.

Willingness of victims to call police

WA Police do not support this performance measure and consider it problematic to set targets, manage and measure.

There has been a 29.5% increase in reporting of all family violence incidents to police from 2009/10 to 2014/15, which demonstrates increased willingness for victims to report to police, but WA Police accept that family violence continues to be under reported.

Response time for domestic violence incidents

WA Police do not support this performance measure. WA Police currently report on response times by Priority rating, that is, Priority One, Two and Three response times. This applies to all types of incidents attended by WA Police in the metropolitan area. Due to technical capacity and remoteness, response times are not measured in regional WA.

Progress of training in domestic violence policing

As per recommendation 2 – WA Police do not support this performance measure.

Level of workforce diversity (including targets)

WA Police do not support this performance measure in relation to family violence incidents.

The only targets set by WA Police and from the Public Sector Commission for the key equity indicators relate to indigenous Australians. The Council of Australian Governments (COAG) National Partnership Agreement on Indigenous Economic Participation is committed to increasing indigenous employment across the public sector to 2.6% by 2015 in order to reflect the national indigenous working age population. As a result of the Partnership Agreement, the WA Public Sector Commission (PSC) set a 3.2% Aboriginal employment target by 2015, across State Government agencies. WA Police is tracking at 1.4% indigenous employees. However, there is no mandatory reporting on ethnicity or cultural backgrounds so the 1.4% is based on voluntary information from the workforce and might not accurately reflect the employment rate of Aboriginals by WA Police.