

*Police Association of New South Wales  
(Submission 63)  
SUPPLEMENTARY QUESTIONS*

**Priorities and challenges**

**1. From your perspective, what are the key challenges for police in preventing and responding to domestic violence?**

Domestic violence is an issue that permeates all levels of society. It is difficult to accurately estimate the true incidence of domestic violence in society as a lot of incidents are not reported to police. The police have an important role in preventing and responding to domestic violence incidents and this adds to the difficulties faced regarding domestic violent incidents. For many police, responding to domestic violence incidents is a major part of their job. They attend inherently volatile situations, facing unknown risks and unpredictable outcomes. Responding to these situations presents police with significant challenges. Domestic violence incidents are often complex and time-consuming, and police officers express a variety of frustrations. Some feel hopeless and powerless to effect real change to the lives of domestic violence victims, and are often disappointed when victims fail to provide a statement or attend court, making it difficult or impossible to prove an assault or breach of an Apprehended Violence Order. Police also find the administrative and legislative requirements associated with responding to domestic violence onerous.

With indications that the volume of recorded violence and the complexity of family violence matters have increased, , police face many challenges in responding in an effective and timely manner to reported incidents. While police play a pivotal role in ensuring the safety of victims they cannot combat and prevent family violence alone – a collaborative, coordinated, integrated interagency approach to addressing family and domestic violence is best practice. This has to be across all government and non-government agencies which assist victims experiencing domestic violence in any way.

Of significance also is the recommendation proposed by the Police Association in our 2008 submission and our Pre-election submission which stated;

***Recommendation 38***

*Introduce legislative reform to enable police to detain a person for the purpose of application and service of an AVO and give police the power to issue AVOs.*

One area operational members consistently voice concerns about is domestic violence and the procedures for issuing Apprehended Violence Orders (AVO). The current system, while recently overhauled, is unnecessarily legalistic, complex, bureaucratic, time consuming and costly while not providing victims the protection they deserve. There can be a considerable reluctance by victims to report domestic violence and more importantly for police to enforce their rights due to difficulties with service of AVOs. The Association has researched this issue and has proposed a system that is designed to overcome the identified problems and significantly reduce court time but still maintain the legal rights of victims and alleged offenders. Senior Police should have the capacity to issue Police AVOs with a right for the alleged offender to have this reviewed by the courts if they wish to contest an order. Currently court attendance is compulsory even if both parties are satisfied with the orders and wish to consent to them. This system would provide victims with immediate protection significantly reduce the burden on courts and encourage more victims to report domestic violence. This proposal was previously presented to the former Government as a part of the 2007 pre-election submission and also as part of our savings plan during the 2009 Award negotiations. A committee comprising the NSW Police Force, Police Association and Attorney General's representatives was established in late 2009 to examine the issues but lapsed due to the reluctance of the Attorney General's department to provide sensible and much needed legislative reform to enable police to detain a person for the purpose of application and service of an AVO. Implementing this change would allow police officers to complete the administrative functions involved in dealing with domestic violence matters quickly and efficiently, leaving them more time to target locations or people who later become involved in the cycle of violence. Further, implementing a system which removed the automatic requirement for both parties to attend court would free up a large amount of time each week for the Local Area Command's (LAC) domestic violence

liaison officer (DVLO). Having DVLOs freed from performing court duty would mean they could actively target recidivist offenders and victims as well as locations where domestic violence matters are known to originate e.g. licensed premises. This intervention would inevitably reduce the incidence of domestic violence matter.

### **Integration and coordination**

#### **2. The recent NSW Audit Office report highlighted the need for a more coordinated and integrated approach to domestic violence across government and non-government agencies in NSW. What are your views on the Office's conclusions and recommendations, particularly in relation to their implications for the work of police and outcomes for victims?**

The Police Association of NSW recognises that no one agency in isolation can provide an effective response to domestic and family violence. A multi-service approach is needed to provide the most effective support to victims. The NSW Police Force has a commitment to meeting the needs of victims of domestic violence and encourages Local Area Commands to develop strong links within their communities to identify local needs that will further enhance the way in which the NSW Police Force responds. Referral to the appropriate support service can assist victims to break the cycle of violence and obtain advice and support to assist them in the future if violence reoccurs. A list of referral services are found at the end of the Code of Practice. The police response to, and investigation of, domestic and family violence is governed by the operational procedures, legislative requirements, the NSW Police Handbook, the Code of Practice and the Domestic and Family Violence Policy. The Code of Practice is one of many resources under the NSW Police Force Corporate Plan that creates opportunities for the NSW Police Force to work together with the community and interagency partners to reduce crime. The Domestic and Family Violence program is one of the Corporate Plan's key strategies.

Integrated responses offer clear benefits for service delivery to victims, including improving the experience of victims involved in multiple proceedings across different legal frameworks. For example, co-location of services facilitates victims' access to a range of options and referrals. Another benefit is that such responses enable networks to be formed across services and government departments at a local level, fostering collaboration and communication between key players in different legal frameworks, and providing ongoing improvements to practice and understanding. An integrated system-wide response to violence prevention should encompass the criminal law, the provision of accommodation; counselling programs for perpetrators and victims; education and violence prevention programs for children and young people; continuing education for police, lawyers and judicial officers, particularly regarding domestic violence, free legal advice and financial assistance.

A number of Australian jurisdictions have either implemented, or are in the process of implementing, various forms of integrated responses. Some of these are quite comprehensive, while others are smaller in scale, including for example, liaison arrangements between police and victim support services. Features of an integrated response may include:

- common policies and objectives;
- inter-agency collaboration and information sharing, including possibly: coordinated leadership across services and resources; sharing of resources and protocols; and inter-agency tracking and management of family violence incidents;
- involvement of, and recognition of the need for, victim support;
- commitment to ongoing training and education;
- ongoing data collection and evaluation, with a view to system review and process improvements; and
- specialised family violence courts, lists, and offender programs for those who engage in family violence.

The Family Law Council's May 2008 report in regarding practical strategies available for improving the coordination between the family law and the State and Territory family violence systems had particular emphasis on court related services. The report's findings are worth noting particularly the indirect links it makes to (domestic violence) police and the portrayal of the significance of integrated and coordinated approaches. The report's findings state that the division of powers in the Constitution in relation to family law has resulted in a complex system of courts that provide various remedies for families experiencing family violence or abuse. As a result many families are involved in proceedings in more than one jurisdiction. This increases the possibility of

inconsistent orders being made and of putting family members at risk of further violence and abuse and exacerbating an already strained situation. The jurisdictional divide has also perpetuated a culture of separation between States and Territories as administrators of public aspects of family law and the Federal Family Court as adjudicators of public disputes. There is inadequate communication, coordination or information sharing between courts and authorities despite significant overlap. In a recent review of the Tasmanian "Safe At Home" initiative a number of stakeholders highlighted these concerns. They noted that jurisdictional cross-over's can potentially compromise the safety of those affected by violence. This is particularly evident in cases where a protection order is in place and where federal family court proceedings are pending or there are orders in place.

### **Apprehended Domestic Violence Orders (ADVOs)**

- 3. A number of witnesses highlighted inconsistency in police responses to breaches of ADVOs, for example whether breaches reported by victims are actually recorded and responded to, the choice of charges that are laid and the fact sheets prepared for prosecutors. We are advised that significant progress has been made here, and that there are issues in relation to evidence, but that poor practices still exist. What is the Association's response to these concerns?**

Dealing with breaches of AVOs can often be complex investigations requiring costly interrogation of telecommunication records or other complex investigation techniques. In other cases it can be a matter of 'she said' versus 'he said' with no other supporting evidence, either inculcator or exculpatory. Often a victim, otherwise known as the person named in the order, may take some time to report the alleged breach to police. This causes difficulties if the order to which it relates has since expired or the matter is approaching the statute of limitations. These along with a range of other issues can affect the practices involved in the investigation. Our members are often working in an environment where they are short of staff able to complete a domestic violence investigation, as policy dictates that Probationary Constables' are not to be the investigating officer for domestic violence matters. In areas where there is a significant number of these junior members this can cause difficulties when allocating the investigations. Police perform their duties to the best of their ability but when struggling to simply maintain a response to the community via calls broadcast via police radio, it is difficult for them to find time to complete their allocated investigations. A proper allocation of staff to LACs as well as a move away from 'boom/bust' recruiting would significantly assist police to allow time to properly investigate matters of domestic violence along with all other investigations.

- 4. Have you any further recommendations for ways to reduce breaches and improve compliance with ADVO's?**

Greater penalties attached to the offence of breaching an AVO would act as a disincentive for those offenders that are at the lower end of the scale when considering breaches. It is widely acknowledged, particularly in domestic violence matters, that no penalty will stop an offender if they truly wish to carry out the act. As one police officer put it: *It is close to impossible to stop a person from breaching a domestic violence order if they are set on contacting or committing an offence against the victim. The only way an offender will stop breaching an ADVO is if the court imposes a harsher penalty instead of good behaviour bonds and section 10s. Offenders of ADVO have stated to police while being charged for breaches that they don't care as they will be walking out of court with a "slap on the wrist".* Ensuring that there are appropriate numbers of police within each LAC so that offenders would be forced to consider that they will be detected, investigated and, if need be, arrested, would also greatly assist.

### **Young People**

- 5. In their submission, Legal Aid NSW (p20) document a number of concerns about the increasing use of ADVOs to control the behaviour of young people, and argue that penalties for young people for breach of ADVOs should be different to those for adults. What are the Association's views on this?**

This question was not included in the Terms of Reference, but in a recent research report conducted by the Police Association regarding a review of the Young Offenders Act 1997 and the Children (Criminal Proceedings) Act 1987, the Association cites the Noetic Review and supports the idea that children and young people are different to adults and need to be considered separately in the justice debate. There is no doubt that detention is required for some offenders and offences. There is also little doubt that detention does not act as a deterrent and that it leads to poorer long term outcomes both for the individual and society in general. This complex issue requires careful consideration by Government. As with many complex issues, the causes of juvenile crime fall within the ambit of a range of agencies and addressing the issue is not a problem for Juvenile Justice and the Department of Human Services alone. The Review highlights the many interdependencies between agencies and the requirement for Whole of Government (and indeed Whole of Community) solutions to juvenile justice.

Operational members report that there is a real increase in the number of young person's engaging in intimidation and harassment of partners and former partners by electronic means. Recent cases that our members have commented on include threatening to publish electronic pornographic material of partners and former partners. The worst cases of this have seen young offenders using these forms of intimidation to demand and receive sexual favours. The cases raise two significant issues;

1 The young offender realises the acts are wrong because they intend to injure the victim- however the ready access to electronic means and the social norm of consistently commenting about other people makes it difficult for young offenders to grasp the severity of their offences, and

2 The anonymity afforded the young offender by the criminal justice system has already been lost by the victim by the very nature of the offence and therefore reduces the likelihood of the victim reporting the matter. School teachers, as mandatory reporters, are likely to have witnessed and reported the same increase.

Another area that our members are reporting is an increase in alcohol and drug abuse by young people, often resulting in violence within the home. While considered a young person and the recognised need for differential treatment in the criminal justice system, a 16 or 17 year old drunken or drug affected male can inflict significant harm on the home and pose a significant challenge for first response police.

### **Police prosecutors**

#### **6. What are your members who are police prosecutors telling you about how the system needs to be improved?**

The Commission makes a number of recommendations aimed at improving the exercise of prosecutorial discretion and decision making. These include education and training about: potential federal offences committed in a family violence context; the use of representative charges in family violence related criminal matters, where the charged conduct forms part of a course of conduct; and how the dynamics of family violence might affect the decisions of victims to negate the existence of family violence or to withdraw previous allegations. Importantly, the Commission has also recommended that any decisions to prosecute victims of family violence with any public justice offences—such as conspiracy or attempts to pervert the course of justice—where the conduct alleged to constitute such offences is essentially conduct engaged in by a victim to reduce or mitigate the culpability of an offender—should only be approved by directors of public prosecution. There was strong support for the role of specialised prosecutors as an essential feature of specialised family violence courts. The Commission agrees with the majority of submissions that specialised prosecutors—working in cooperation with magistrates, police and victim support workers—can play an important role in achieving consistent and quality outcomes for victims of family violence.

Our Prosecuting members state that direct access to real-time Federal Court records would assist in the prosecutions process.

## The court system

**7. Various inquiry participants such as the Redfern Legal Centre, Law Society and Legal Aid have advocated the extension of domestic violence court lists within NSW local courts, as a means of building expertise across the state among those working at courts, and fostering more collaborative and effective systems. What are your views on this?**

Throughout the course of the ALRC Inquiry, the Commission heard about the problems that arise because of the gaps in information flow between the family law system, the family violence system and the child protection system. In many circumstances, important information is not being shared among courts and agencies and this is having a negative impact on victims, impeding the ‘seamlessness’ of the legal and service responses to family violence. There are many recommendations throughout the ALRC Report directed towards improving the flow of information, including: clarifying initiating application forms; amending legislation that regulates the disclosure of information in relation to parenting orders, family violence orders and child protection orders; providing state and territory courts with access to the Commonwealth Courts Portal and establishing information sharing protocols and MOUs between courts, agencies and organisations working in these areas.

The capacity for family violence protection orders to be enforced across jurisdictions is essential to the safety of victims, especially given that it is common for victims of family violence to seek to move to escape violent relationships. Currently, in most jurisdictions, a protection order that has been obtained in one state or territory is not automatically enforceable in another state or territory. Rather, the victim of family violence or some other person must register the ‘external protection order’ in the second jurisdiction.

The Australian Government has committed to the development of a national scheme for the registration and recognition of family violence protection orders. The Commission considers that this is an excellent development that should be supported as a constructive step towards improving the protection available for victims of family violence. It will allow victims of family violence to move seamlessly from one jurisdiction to another without the need to take action to register a family violence order in the second jurisdiction. It will also help to ensure that police in the second jurisdiction are aware of the existence of the order.

The Commission considers that a national register of this kind also provides an opportunity for a formalised exchange of information relevant to proceedings involving family violence more broadly. While the initial proposal is to include information about family violence protection orders, there is scope to extend the ambit of the register to include, for example, child protection orders made under state and territory child protection legislation, and information about parenting orders and family violence related injunctions made under the Family Law Act.

The Police Association supports the extension of Domestic Violence Court Lists as a positive step to increase expertise and collaboration. The Association believes this will enhance the continuity of service delivery and consistency of responses. The Association also believes that further investigation or trial of domestic violence specific courts is worth considering as a means of case managing domestic violence matters and reducing the incidents of reoffending.

## Trends

**8. Dr Don advised the Committee that while rates of domestic violence assault have been fairly stable, they have increased for the domestic violence-related offences of harassment, threatening behaviour and private nuisance. He also said it wasn’t clear whether this represents an increase in police reporting or in the actual incidence of those offences. Can you shed any light on this?**

As mentioned already, the difficulty in measuring the true extent of violence against women is exacerbated because most incidences of domestic violence and sexual assault go unreported. In 2005, the Australian bureau of

Statistics (ABS) Personal Safety Survey estimated that only 36% of female victims of physical assault and 19% of female victims of sexual assault in Australia reported the incident to police. In recent years there have been many other studies and surveys on violence against women both in Australia and internationally. For instance, nineteen out of the top 20 NSW Local Government Areas for domestic assault are in rural or regional NSW according to a new report on domestic assault released by the NSW Bureau of Crime Statistics and Research. The Bureau examined all incidents of domestic assault recorded by the NSW Police for the period 2001-2010. The top Local Government Area for domestic assault was Bourke, with a recorded rate of domestic assault of 3,702 per 100,000 populations. The only urban Local Government found in the top 20 in 2010 was Campbelltown which had a recorded rate of domestic assault of 680 per 100,000 of population. The majority (86%) of incidents of domestic assaults occurred on residential premises.

The peak days for domestic assault are Saturdays (17%) and Sundays (19%). The peak time is between 6pm and 9pm (15%). 41% of all incidents of domestic assault are alcohol related. This percentage varies, however, from a low of 35% in the Sydney Statistical Division to a high of 62% in the Far West Statistical Division. The over-representation of indigenous Australians as both victims and offenders of domestic assault has not changed over the last decade. The rate of recorded domestic assault for indigenous women is more than six times higher than for non-indigenous women. Although males make up the largest proportion of offenders (82%) a surprisingly large percent of offenders are female (18%). A surprising 20% of all victims of recorded domestic assault are aged 10-24 years. Less than half of all respondents who had been the victims of a domestic assault in the previous 12 months reported the incident to the police. Older victims, those who were married and victims of assaults that did not involve weapons or serious injury were less likely to report to police.

**9. In evidence to the Committee you talked about new trends in domestic violence including a greater prevalence of young women offenders and the use of social media such as Facebook as tools for intimidation and harassment (Mr Gooley, Evidence, 20 February 2012, pp54 and 61).  
What other emerging trends are your members seeing?**

Intimate personal violence is a crime with a number of unique elements. Regardless of whether the victim and the perpetrator are separated there are usually complex and continuing emotional, financial and legal ties between them and continuing complex power dynamics.

Some parties will not separate until years after the violence first began or not at all and separated parties may reunite. Financial responsibilities and visiting rights to children often continue post-separation. Violence also often continues despite separation and indeed often becomes heightened after separation. Despite such continuing connections, victims of domestic violence tend to be excluded from the criminal justice process. Only rarely do victims become involved when called upon by either prosecutors or defendants to assist with the determination of penalty or the level of criminal responsibility. The criminal process often ignores or fails to accommodate the complications and individual characteristics of the parties and the relationships that exist in domestic violence cases. Of particular concern is the fact that faced with the possibility of criminal charges some women may choose not to call on the police for assistance and protection.

In Australia there is research available that shows that indigenous women in some communities may be particularly reluctant to call on police to protect them from violence where arrest and prosecution focused strategies are in place. However there is also research that suggests that indigenous communities are under-policed and that there is a lack of police support for those women who do call on their assistance. Despite this domestic violence should be understood as criminal assault not just a private or civil matter and will both improve victim's safety and secure community denunciation. In practice domestic violence continues to be mainly dealt with as a civil matter through domestic violence protection order legislation.

The development of protection order legislation grew to some extent out of frustration with the failure of the criminal justice system. As mentioned already protection orders aim to stop the violence but also provide a public statement to the respondent that certain behaviour will not be tolerated. They also put the perpetrator 'on notice' to the police. The effectiveness of a protection order in stopping the unwanted behaviour often relies at least in part on the threat of the consequences for breach. A number of studies have shown that there is a higher

rate of successful criminal prosecution when police are mandated to arrest, charge and prosecute domestic violence matters and where mandatory reporting by service providers is required. However, more recent research suggests that there is an inclination towards 'preferred arrest' policy rather than mandatory arrest due to some of the problems associated with it such as dual arrests and retaliatory arrests (when the perpetrator has his or her partner wrongfully arrested).

There have been very cautious moves towards 'pro-arrest' approaches in two of the eight Australian jurisdictions. Breach offences are usually dealt with in the Magistrates' Courts and are therefore not reported in the law reports. There has been limited research in this area. State Government data collection from the Magistrates' Courts in Queensland is very limited and not contextual. Nevertheless, many victims of domestic violence are ambivalent about the benefits of supporting or pursuing criminal prosecution. There are a number of reasons, for this, for example women from non-English speaking backgrounds may experience linguistic and cultural issues in their dealings with police. Uncertain immigration status may also impact on a victim's willingness to involve police. Victims may fear increased violence or they may perceive that assisting to prosecute may break up the family unit. Sometimes victims feel that they are, in various ways, responsible for the violence and feel guilty. Victims often decide not to assist the prosecution because they assume that their involvement with police and the court process will be stressful and traumatic and that the sentencing regime is, in any event, ineffective, overly lenient and inconsistent.

These reasons too are voiced by frustrated police officers investigating domestic violence cases. Both individual judges and research have recognized that the cyclical and complicated nature of domestic violence relationships often leads victims to seem to withdraw charges or understate the harm of particular conduct during periods of calm in the relationship. Research and case law has recognized that many men engage in blame shifting in relation to domestic violence matters. In a number of cases examined in the Douglas study defendants attempted to shift the blame for the breach from themselves to some other matters or source. This blame shifting included claims of provocation, intoxication, that the defendant was 'just visiting the children' or 'worried about the children's welfare' or that the order was not properly explained. According to sentencing data gathered in this study, penalties are often inappropriate and generally very low for breach matters. Generally the approach to sentencing breaches reflects a trivializing or minimizing view by magistrates. The majority of matters resulted in lower order fines and many matters resulted in no conviction being recorded.

It is reasonable to say that any assessment of public behaviour has seen an increase in anti-social and violent behaviour by females. This is seen by all operational police. It is not clear whether this is a reflection of growing gender equality, recorded increases in alcohol consumption by females or merely a generational change. In any event the observed increases in this type of behaviour are likely to flow into an increase in family violence, as witnessed by Police. The availability of electronic means to harass and intimidate allows impulsive behaviour, and reduced self control brought on by alcohol and other drugs, to make offending easier and easier. This may take the form of a substantive offence, or result in repeated breaches of an existing AVO. For example the ability to compose a text message and send it over and over again without having to get out of the seat you are sitting in, makes offending and reoffending very easy.

### **The policy/social construction of domestic violence**

**10. Some submissions suggest that domestic violence has been constructed as a 'women's issue' such that men experiencing domestic violence and women in same-sex relationships find it difficult to seek out and identify support (for example One in Three Campaign, Submission 40 and Inner City Legal Centre, Submission 26, p4). What are your views on this?**

Research on men as victims of domestic violence is still limited. A useful Clearinghouse paper on this issue, 'Men as victims of Domestic Violence' looks at available data about men's experiences as victims of domestic violence and the implications for service providers. The paper acknowledges the tension often expressed around the issue, that "some argue that there has been a reluctance to address and acknowledge men's victimization for fear that it may take away from the acknowledgement of the seriousness of violence and abuse experienced by women." This often goes hand-in-hand with concerns that acknowledging men as victims will direct funds away from the stretched resources currently available to women and children who experience domestic violence. The paper asserts that men's experiences as victims of domestic violence, either in heterosexual or gay relationships, are quite different from the experiences of women. Analysis needs to focus on the experiences of men in their own right and to not fall into the trap of asserting that men are just as likely to experience violence and abuse as women. The paper lists the following issues for consideration;

### **Data collection**

Improvements are required regarding the collection of data about men's and women's experiences of domestic violence. Often police data and crime survey statistics are unable to distinguish the exact nature of the relationship between the 'victim' and 'assailant'. There is also a marked variation in prevalence rates depending on how domestic violence is defined. What other forms of violence beyond just physical abuse should be included in definitions to describe men's and women's experiences? Gathering data that adequately represents the context and dynamics from which violence is initiated will provide transparency in discussions concerning women who use violence against a partner.

### **Research methods**

Research methods that employ tools recognising the context in which violence occurs are necessary if there is to be a more constructive debate and comparison between men's and women's violence. Atmore (2001, p. 49) suggests that Hegarty's (1998) multi-dimensional partner abuse measure, the Composite Abuse Scale, could be a useful starting point. The scale so far has only been applied to women's experiences of violence. Further qualitative studies that build upon the work undertaken by Bagshaw et al. (2000a) would also be useful in providing a richer picture of men's understandings and experiences of violence against them.

### **Theoretical basis for analysing partner violence**

Criticism has been levelled at feminist and other critiques of violence as being unable to adequately explain men's victimisation at the hands of a female partner. Sarantakos (2002, p. 14) has gone further and questions whether feminist impressions of gender relations and patriarchy are realistic. Retaining a feminist analysis of violence against women is entirely appropriate, as violence occurs in the context of perceived entitlement and institutionalised power that is the domain of men. Dobash et al. (1992) argues that those who claim wives and husbands are equally violent have offered no conceptual framework for understanding why women and men should think and act alike. They suggest that 'family violence research might usefully begin by examining the consonant and discordant desires, expectations, grievances, perceived entitlements, and preoccupations of husbands and wives, and by investigating theoretically derived hypotheses about circumstantial, ecological, contextual, and demographic correlates of such conflict' (1992, p. 84). Further conceptual frameworks are required that broaden knowledge about men and women's violence. Otherwise, how is it possible to evaluate men and women's violence when we are comparing very different dynamics and tactics to describe their respective experiences?

### **Implications for service providers**

Support agencies rarely publicise possible services for men as victims of domestic violence. It raises issues about how men access support services in general, particularly their awareness of what is available to address their immediate needs. Authors such as Connell (1987) remind us that men are not a homogenous group and that understanding notions of masculinity will inform the field about men's help seeking behaviours. Men have pressure placed on them by societal values and norms to maintain a high level of invulnerability. Historically, men have been indoctrinated that being a man means being strong, that they do not discuss feelings, or seek help for individual problems, especially those with an intimate partner. Accordingly, men do not access support services and delay in doing so, unless there is absolute necessity.



There are many questions about access and service provision requiring discussion. For example:

- Is there a need for the provision of information that directly targets men as victims?
- Are men's help lines that service both men as victims and men as perpetrators appropriate?
- What resources (e.g. counselling guidelines) are necessary to ensure that men receive responses that meet their immediate needs?
- Are these services or resources able to meet the needs of gay men or would these be better provided by specific services or programmes that target gay men who are victims of partner violence?

One service that has developed a service delivery response to address men's needs has been the ACT Domestic Violence Crisis Service (DVCS). They have found that prior to the commencement of MensLine in December 1998, contact from men measured between 2 and 5 per cent of all contacts. Contact from men has increased to 10 to 15 per cent as a result of MensLine. However, men who identify as having been subjected to violence or abuse in their relationships still remain at between 2 and 5 per cent of all calls. This particular percentage has remained consistent since the inception of DVCS in 1988 and has not changed in any significant way since the commencement of MensLine. The DVCS has thought carefully about how to attract and advertise services exclusively for men experiencing or using violence. Consequently, they used the language 'men who are troubled by the use of violence and/or abuse in their relationships and its effects on themselves and those that they love'. Clearly, the language avoids imposing blame and encourages men either as victims or abusers to contact the service.

A further issue requiring consideration is that concerning the options available to women who are abusive. Is it appropriate to send women to perpetrator programmes when such programmes are usually based around men's privilege, deconstructing notions of masculinity and its relationship to causes of violence? Research suggests that there are lower rates of service utilisation recorded for women batterers, particularly those from minority backgrounds (Abel 2001, p. 414). Further work is required to ascertain the pathways to services that this group of women may access.

### **Programs for police dealing with domestic violence**

#### **11. Your submission recommends that the NSW Police Force provide programs for police to prevent the vicarious trauma that domestic violence can cause for police officers. Could you tell us more about what you envisage?**

Due to the gravity and intensity of hearing victims' stories of abuse, police are at risk themselves for secondary or vicarious trauma (VT) which causes the responder to experience vicarious trauma symptoms similar to the original victim's after hearing about the victim's experiences with abuse. Research has demonstrated that professionals who experience vicarious trauma show signs of exaggerated startle response, hyper vigilance, nightmares, and intrusive thoughts although they have not experienced a trauma personally and do not qualify for a clinical diagnosis of PTSD.

Researchers concluded that although clinicians have professional training and are equipped with the necessary clinical skills to assist victims in domestic violence, they may still be personally affected by the emotional impact of hearing about a victim's traumatic experiences. Iliffe et al. found that there are several common ways to help the client, taking personal responsibility for ensuring the client's safety, and remaining supportive of the client's autonomy if they make their decision to return to their perpetrator. It has also been shown that clinicians who work with a large number of victims may alter their former perceptions of the world, and begin to doubt the basic goodness of others. Iliffe et al. found that clinicians who work with victims tend to feel less secure in the world, become "acutely aware" of power and control issues both in society and in their own personal relationships, have difficulty trusting others and experiencing an increased awareness of gender-based power differences in society.

In a paper authored by Zoe Morrison, police officers have been found to have significantly higher symptoms of psychological distress (including anxiety, depression, disassociation and sleep problems) and PTSD symptoms than

mental health professionals. No research has been found that explores how experiencing vicarious traumatisation affects the ways police deal with victim/survivors and perpetrators of sexual assault in the course of their work. Given that the level of exposure trauma is a predictor of vicarious traumatisation levels, the number of cases a worker sees within a given time period needs to be appropriate. Effective supervision is also said to be an essential component of the prevention and healing of vicarious traumatisation. Debriefing and peer support were identified in the study as most important strategy for dealing with the after-effects of a difficult session. Police dealing with trauma need to have access to regular debriefing. The paper also mentions social support within the organization.

In the words of (2) interviewed police members: *I put some thought into the problem and also into what could be done in order to achieve the goals of general duties police which is pretty simple. We want to go to fewer Domestic. Domestic Violence incidents is one of those areas of policing that can be extremely rewarding if you can have an impact but it is also quite soul destroying because we show up at the same addresses for the same problem time and time again and feel like we are wasting our time.*

*Over many years the increased intervention by police into the domestic environment has changed the face of policing and the impact on police - policing DV (its outcomes) and the impact on police need to be examined. Low staffing in high DV areas is a significant issue and is impacting on police. I'd suggest policing DV over a lengthy period causes anxiety due to the heightened levels of tension and aggression - anecdotally I'd suggest this is more of a problem than PTSD and is impacting on D&D. Pro-active welfare management and respite from DV will have beneficial outcomes for all involved.*