



**NSW Police Force**  
www.police.nsw.gov.au

Ms Merrin Thompson  
Principal Council Officer  
Legislative Council Committees  
Parliament House  
SYDNEY NSW 2000

**DEPUTY COMMISSIONER**  
**FIELD OPERATIONS**  
D) 2012/34718

Dear Ms Thompson,

I refer to a recent inquiry by the *Standing Committee on Social Issues into Domestic Violence Trends and Issues in NSW* (the Committee). Following evidence given to a hearing of the Committee in Forbes on 28 February 2012, The Hon. Niall Blair MLC asked that NSW Police Force provide the following material:

- Documentation on the *Lachlan Local Area Command (LAC) Domestic Violence Intervention Pilot Project*;
- Data presented at the hearing about offending patterns for those individuals who had completed the Pilot project;
- The number of police officers in the LAC who had completed training in the investigation of Domestic Violence.

Material on the *Lachlan LAC Domestic Violence Intervention Pilot Project* is attached, along with statistical data.

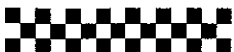
Eleven officers at the Lachlan LAC have completed the *Investigation of Domestic Violence* training course, whilst a further 19 officers have completed the *Investigation of Family and Domestic Violence* training course. It is predominantly General Duties officers who respond to and investigate Domestic & Family Violence matters, these figures represent 53% of General Duties officer at the LAC.

Thank you for the opportunity to provide this material and information to the Committee.

Yours sincerely,

**N Kaldas APM**  
**Deputy Commissioner**  
**Field Operations**

20/4/12



# **Lachlan LAC Joint Agency Protocol**

**Lachlan Domestic Violence Intervention  
Pilot Project.**

**Joint Agency Protocol**

# Table of Contents

Definitions .....	3
Stakeholders.....	4
Background.....	5
Integrated Case Management Structure.....	7
Scheduled case management meetings.....	7
Non Compliance/Attendance.....	8
Offender.....	8
Victim.....	8
Key Legislation/Policy .....	9
Conflict/Complaints Management.....	10
Project Review.....	11
Key agency role and responsibilities.....	12
NSW Police Force Lachlan LAC .....	13
Community Services (Community Services) .....	15
Probation and Parole.....	16
Forbes Women’s Refuge .....	17
Department of Justice & Attorney General .....	19
Annexure 1 .....	21
Annexure 2 .....	22

# Definitions

## **Domestic Violence Offence**

For the purpose of this project the definition of a domestic violence offence has been taken from section 3 of the *Crimes (Domestic and Personal Violence) Act 2007*. Section 11 defines a domestic violence offence as follows:

**Domestic violence offence** means a personal violence offence committed by a person against another person with whom the person who commits the offence has or has had a domestic relationship.”

## **Repeat Victim**

A repeat domestic violence victim as a person with same or linked CNI who is recorded on COPS as a victim on three or more occasions within a six month period in any domestic violence related matter.

## **Repeat Offender**

A repeat domestic violence offender as a person with same or linked CNI who is recorded on COPS as a person of interest or person named on three or more occasions within a six month period in any domestic violence related matter.

1

## **Project Stakeholder**

A Government or non-government organisation which is involved as a joint agency in the Lachlan Lac Domestic Violence Intervention Pilot Project.

## **Steering Committee**

The Lachlan LAC Domestic Violence Intervention Pilot Project steering committee is compiled of a representative from each government or non-government organisation involved as a joint agency in the project. The steering committee is also responsible for quarterly project review meetings.

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<sup>1</sup> NSW Police Force The investigation and management of domestic and family violence Standard Operating Procedures 2008.

## **Stakeholders**

<b>Organisation</b>	<b>Representative</b>	<b>Contact phone number</b>
NSW Police Force	Lachlan LAC Crime Manager	(02)68629910
	Lachlan LAC DVLO	(02)68629940
Human Services, Community Services	Manager, Casework Child Protection	(02) 6861 2100
Forbes Women's Refuge	Manager	(02) 68511400
Community Offender Services (Probation and Parole)	District Manager, Probation and Parole, Forbes	(02) 68522699
Department of Justice & Attorney General	Registrar, Forbes and Parkes Local Courts	(02) 6862 1944

# Lachlan Domestic Violence Intervention Pilot Project.

## Joint Agency Protocol

### Background

The concept for this project was raised by Inspector F.P.Jones, Crime Manager, Lachlan Local Area Command (LAC) who had noted a significant number of domestic violence incidents attended by police involved the same offender and/or the same victim. The Lachlan LAC encompasses the three Local Government Areas (LGAs) of Parkes, Forbes and Lachlan Shires.

In 2008, police in the Lachlan LAC attended **1,160** Domestic violence related incidents. Of these recorded incidents, **231** were domestic violence related assaults, of which **32%** of the recorded domestic related assaults involved repeat offenders and **26%** involved repeat victims.<sup>2</sup>

### Purpose

To formalise collaboration between NSW Police Force, Community Services (CS), Department of Justice & Attorney General, Probation & Parole and the Forbes Women's Refuge to:

- Identify repeat victims/offenders.
- Provide individual case management.
- Educate victims to identify the abuse cycle, gain knowledge on the criminal justice and social support systems which are available.
- Provide victims with the appropriate services to break the barriers associated with the cycle of violence and prevent reoccurring incidents.
- Educate offenders to identify the abuse cycle and the effects on the immediate family and children.
- Bring about a reduction in domestic violence involving repeat victims and offenders.
- A reduction in the number of children exposed to the domestic violence cycle.
- Provide options to the Judiciary for dealing with domestic violence offenders.

This project also links with the **State Plan** Priorities

**R1:** Reducing Rates of crime, particularly violent crime.

**R2:** Reducing re-offending and

**F7:** Reducing child abuse and neglect.

Together assisting with meeting the goal of '**Keeping people safe**'.

This project also links with the NSW Governments recently released five year plan, **Keep Them Safe** – A Shared Approach to Child Wellbeing, to improve the safety and

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<sup>2</sup> NSW Police Force Enterprise Data Warehouse (EDW)

well being of children and young people. This is in addition to other policies including the NSW Police Aboriginal Strategic Direction.

The Lachlan Domestic Violence Intervention Pilot Project will run for a period of three years to allow appropriate formalised development and review opportunities of the intervention project.

## **Project Principles**

- Domestic violence is widespread and complex and impacts on the physical, emotional, social and financial wellbeing and safety of individuals in families.
- Domestic violence is an abuse of power perpetrated mainly (but not only) by men against women (and their children) both during a relationship and after separation.
- The safety and wellbeing of those subjected to domestic violence must be the first priority of any response.
- Protecting and safeguarding the welfare of children and young people who are exposed to domestic violence and recognising domestic and family violence as a child protection issue to ensure their safety is paramount.
- All individuals have the right to be free from violence.
- Those who use violence should take responsibility for their behaviour and have access to programs to assist them to change their behaviour to increase the safety of their family through reducing the risk of re-offending.
- All forms of domestic violence are unacceptable in any group, culture and creed.
- Agencies and support services have a responsibility to work towards the prevention of domestic violence through implementing evidence based best practice strategies.
- Agencies acknowledge that failure to adopt best practice results in an increased demand for services and missed opportunities to minimise harm from domestic violence.
- A commitment to empowering those affected by domestic violence.
- Respect for each agencies expertise, practices and priorities.
- Understanding and recognition that communities are diverse in indigenous, cultural, religious, gender, language, social, sexuality, ability and age differences when responding to victims of domestic violence, perpetrators of this crime and the families affected.

## **Integrated Case Management Structure**

A joint agency response to any problem requires structured collaboration to effectively and efficiently reach the desired outcome.

The Lachlan Domestic Violence Intervention Pilot Project is no different. The following project management structure is provided to ensure and maintain the flow of information within the legal boundaries of each agency to facilitate the joint agency response towards the desired outcome of reducing the number of repeat domestic violence victims and offenders within the Lachlan Local Area Command.

### **Scheduled case management meetings**

A scheduled case management meeting between joint agencies would be held the second week of each month. This meeting is to be convened and chaired by the Lachlan LAC Domestic Violence Liaison Officer (DVLO), or other nominated officer. The purpose of this meeting is to facilitate the flow of information between agencies to develop and implement strategies on a case by case basis to coordinate the best possible case management plan to reach the desired outcome. This meeting would also be used by agencies to advise on the progress of individual participants in both the Domestic Violence Education and Support Program and the Domestic Abuse Program. Extraordinary Case meetings can be called between scheduled meetings in cases of urgency identified by any of the partners.

Community Services will chair case management meetings where the case has been allocated for assessment and facilitate the participation of key stakeholder's in developing an agreed case plan that will promote the child's safety and well-being.



## **Non Compliance/Attendance**

Non attendance by the victim or non compliance of the offender will require a further joint agency response.

### **Offender**

Non compliance by an offender in the Domestic Abuse Program will be reported by Probation and Parole to the DVLO and Local Court Magistrate.

If the offender has the Domestic Abuse Program listed as a condition of their court order/parole and they fail to attend then the order may be revoked.

**It must be noted that attendance and completion of the Domestic Abuse Program is NOT to be considered as a means of securing a reduced sentence at court.**

### **Victim**

Where children are involved and the victim has entered into a Parental Agreement with Community Services, the Domestic Violence Education and Support Program may be included as part of the child's case plan.

The Forbes Women's Refuge are to advise the DVLO and Community Services (where children are involved) of non attendance by the victim. Failure to attend the Domestic Violence Education and Support Program will constitute a breach of the Case Plan. The Forbes women's refuge will inform Community Services and the DVLO of the failed attendance. Community Services may consider taking further action, including initiating Children's Court proceedings to ensure the safety, welfare and well-being of the child.

This strategy is designed to ensure that the victim is provided appropriate domestic violence education and support to assist them in breaking the domestic violence cycle for their own safety and wellbeing and that of their children.

## **Key Legislation/Policy & Procedures/Strategic Directions\***

### **Children and Young Persons (Care & Protection) Act 1998**

Section 23, Child or young person at risk of harm

Section 27, Mandatory reporting

Section 34, Taking of action by Director-General

Section 38A, Parental responsibility contracts

Section 248 Provision and exchange of information

### **Young offenders Act 1997**

Section 8 Offences covered by Act

### **NSW Police Force handbook**

Domestic violence

### **NSW Police Force**

The Investigation and Management of Domestic and Family Violence Standard Operating Procedures 2008.

NSW Police Aboriginal Strategic Direction

### **NSW Department of Corrective Services**

COS Policy and Procedure Manual

Corrective Services Aboriginal Strategic Plan

### **Children Legislation Amendment (Wood Inquiry Recommendations) Act 2009**

**\* Please note: A number of legislative, policy and procedural and Departmental alignment changes are under consideration by the NSW Government that may have a significant impact on the operation of this project. The Joint Agency Protocols will be amended accordingly to reflect any changes as they occur.**

## **Conflict/Complaints Management**

The conflict/complaints handling system has the following objectives:

- A clear procedure for clients or partners to raise complaints grievances or matters of concern for investigating, mediation and reconciling.
- A system for keeping the complainant informed of what is happening
- Appropriate action where there is substance to the complaint.
- Scope for recommendations to be made to the steering committee for consideration in project review meetings. To implement change in practices and/or procedures to prevent a recurrence of the identified issue.

### **Complaints from partner agencies**

The Domestic Violence Pilot Project Partners Steering Committee is the forum for resolving any disagreements between participating agencies over any matter related to the procedures covered by this Joint Agency Protocol or arising from the implementation of the Project. If the Steering Committee is unable to resolve the issue, then the matter will be referred to the Lachlan LAC Crime Manager or Commander whose determination of the issue will be accepted by the participating service providers.

### **Complaints from Clients**

Complaints from clients regarding individual partner agencies will be the responsibility of the respective agency and investigated according to the individual agencies complaints management policies and procedures.

Complaints or feedback regarding the project procedures and/or implementation are to be referred to the Domestic Violence Pilot Project Partners Steering Committee. Complaints are to be dealt with promptly, confidentially and without retribution. Complaints are recorded, monitored and acted upon to achieve a satisfactory resolution. Complaints and/or feedback is therefore able to provide the Project Steering Committee with the opportunity to review and improve the project.

### **Project Steering Committee will undertake the following procedure**

Complaint (written or verbal) is registered as being received and kept on file to identify issues or trends which require action. Responsibility for this will be with the Police DVLO as the convener of the Project Steering Committee. Partner agencies will be responsible for ensuring a complaint and/or feedback is provided to the DVLO in a timely manner. Where a response will be delayed pending investigation or tabling at a steering committee meeting, a letter of acknowledgement of receipt of the complaint is to be sent to the complainant within 7 working days by the agency receiving the complaint.

## **Conflicts/Complaints involving steering committee chairperson**

As the chair of the steering committee any conflicts/complaints which involve the DVLO are to be directed by the complainant or other agency to the Lachlan LAC Crime Manager or LAC Commander.

## **Mediation**

The following complaints and dispute procedure can be applied where a face to face resolution process is preferred. At any time during this procedure, participants may choose to have another person present to provide support or advocacy.

Step 1 - If a complaint or dispute arises those people involved should meet to discuss and resolve the problem.

Step 2 - If resolution is not achieved then the Chair of the Steering Committee will meet with the participant(s), or other workers concerned, if appropriate, to resolve the problem. A written agreement of the resolution is made.

Step 3 – If no resolution can be reached the Steering Committee will then make a decision which will be written and distributed to the client(s), and/or partner agency(s).

## **Project Review**

Ongoing quarterly reviews of the project structure will be conducted for the duration of the project. This will allow agencies to develop the project or change aspects of the project which require modifying from their current format to address identified systemic issues.

- Project review meetings will be chaired by the Lachlan LAC DVLO or nominated officer.
- Review meetings will occur once every three months, following the scheduled case management meeting.
- Attendance is required by a representative of each agency involved in the Lachlan Domestic Violence Intervention Pilot Project.
- Submissions to change the project must be in writing and received by the Lachlan LAC DVLO or nominated officer two weeks prior to the date set for the project review meeting.
- Submissions to change the project are to form part of the agenda for the project review meeting which are to be forwarded by the Lachlan DVLO to each joint agencies representative one week prior to the project review meeting.
- Future or additional stakeholders will need to demonstrate that they can meet Pilot Project standards prior to inclusion.

## **Key agency role and responsibilities**

The following responsibilities are overall responsibilities which apply to all joint agencies participating in the Lachlan LAC Domestic Violence Intervention Pilot Project.

- Agencies agree to support this project because of their role in the delivery of services to victims of domestic and family violence and criminal justice responses to victims and perpetrators of domestic violence.
- In agreeing to be part of the Lachlan LAC Domestic Violence Intervention Pilot Project agencies are responsible for promoting, supporting and monitoring of the Lachlan LAC Domestic Violence Intervention Pilot Project. This includes that officers/staff within organisations are well informed about the initiative and support its implementation.
- All agencies will contribute to the development and implementation of stakeholder benchmarks which will provide the basis of an evaluation framework for monitoring, reporting and project evaluation.
- Agencies agree to deal with and maintain the confidentiality of the personal information and to comply with current NSW Privacy legislation in respect of any information received, used or exchanged.
- Agencies agree not to disclose or exchange the personal information for any other purpose other than the purpose the information was provided
- Agencies agree to either destroy originals and all copies, or return originals and all copies to the providing agency/service, if the organisation is unable to agree to the above two conditions.
- Each agency has specific roles and responsibilities in the development, implementation and evaluation of the Lachlan LAC Domestic Violence Intervention Pilot Project. These include but are not limited to the following.

## NSW Police Force Lachlan LAC

### Role:

To investigate complaints of domestic violence, apprehend perpetrators of assault, instigate proceedings where appropriate, ensure appropriate bail conditions for perpetrators, and ensure the safety of the complainant and apply for an apprehended Domestic Violence Order (ADVO) or Telephone Interim Order (TIO) on behalf of the victim. Identify repeat offenders/victims and initiate appropriate referral.

### Responsibilities:

- Investigate domestic violence incidents as per Police Standard Operating Procedures.
- Police will explain Domestic Violence Yellow card with view of victim signing Yellow card for release/referral of their details to other support networks including Forbes Women's Refuge.
- Mandatory Police notification to Community Services for all domestic violence incidents involving children that have been assessed as meeting the statutory threshold of risk of significant harm. If the victim is identified as a repeat victim the Community Services notification is to include victims needs to be prioritised for participating in the Domestic Violence Education and Support Program.
- Police notifications to Community Services must occur within the requirements of the Child and Young Persons (Care & Protection) Act 1998 and the new provisions of the Children Legislation Amendment (Wood Inquiry Recommendations) Act 2009,
- Police notifications to the Forbes Women's Refuge can only occur with the written consent of the victim and must be forwarded to the Forbes Women's Refuge as soon as possible and within 72 hours.
- Provide assistance to joint agencies with development of case management plan when necessary.
- Charge offenders with the criminal matter and bailed to appear in Court.
- Apply for and serve offender with an ADVO or TIO with relevant conditions.
- Upon offender pleading guilty in Court Police Prosecutor may request that the offender be considered for assessment by Probation & Parole for suitability for the Domestic Abuse Program in a pre-sentence report format.

### DVLO Responsibilities:

- Develop and maintain a MOU with the Forbes Women's Refuge outlining referral process's
- Process all Yellow card referrals **as soon as possible**, including notification to Forbes Women's Refuge.
- Notify Police Officer in charge when informed by Probation and Parole of an offender's failure to attend the Domestic Abuse Program.
- Engage victims at court who may not have originally consented to referral by attending police for inclusion in Domestic Violence Education and Support Program.
- Chair monthly joint agency case management meetings.
- Provide an agenda one week prior for quarterly review meetings to joint agencies including any submissions to change the project structure.
- Provide quarterly statistical data for monitoring and quarterly project reviews.

- Maintain statistical data from all joint agencies on the Lachlan LAC Domestic Violence Intervention Pilot Project.
- Attend or provide a representative to attend monthly joint agency case management meetings.
- Organise and chair quarterly project review meetings.
- Monitor victim and offender after completion of respective programs for further domestic violence incidents.
- Provide stakeholders statistical data on domestic violence incidents and those involving repeat offenders and victims.
- Maintain a register on conflicts/complaints
- Project complaints are to form part of the agenda for quarterly project review meetings.
- Maintain minutes and all documentation pertaining to the project.

## **Community Services (CS)**

### **Role:**

Includes child protection, receiving and investigating reports of child abuse (Living in domestic violence situations are classified as child abuse), provisions of out of home care when necessary, and crisis support for victims of domestic violence when necessary.

### **Responsibilities:**

- Receive and assess all reports of alleged child abuse/neglect.
- Allocate a Caseworker to the children or repeat victims/offenders where possible.
- Provide the lead role in development of a case management plan for domestic violence incidents where children are present.
- Engage victims in developing case plans to address safety concerns for children that may include them attending the Domestic Violence Education & Support Program.
- Provide written notification to the Forbes Women's Refuge once a victim has agreed to enter into a Case Plan with the Domestic Violence Education and Support Program listed on the agreement. The notification needs to set out the victim's name and contact details, children involved and a copy of the Case Plan.
- When notification is received from the Forbes Women's Refuge that a victim has failed to attend the Domestic Violence Education and Support Program as agreed to in the child's case plan, Community Services may consider taking further action to ensure the child's safety including initiating care proceedings in the Children's Court.
- Provide support and advice to the victim and children in domestic violence matters where children are present.
- Provide quarterly non-identifying statistical data to the Lachlan DVLO for monitoring and quarterly project reviews.
- Provide a representative to attend monthly joint agency case management meetings.
- Provide a representative to attend quarterly project review meetings.



## **Community Offender Services**

### **(Probation and Parole)**

#### **Role:**

As an arm of the criminal justice system Probation and Paroles core business is divided into two areas – providing advice to the courts and releasing authorities and management of offenders within the community. The mission of the service is to reduce the impact of crime on the community by effectively managing offenders and by decisively influencing sentencing and releasing decisions.

#### **Responsibilities:**

- Probation and Parole on request by the Local Court Magistrate are to conduct suitability screening for the Domestic Abuse Program.
- Probation and Parole to monitor all identified repeat domestic violence offenders who participate in the program once notified by the Local Court for a period of 12 months after sentence for recidivist activity.
- Probation and Parole are to notify NSW Police Force DVLO in writing if an offender enlisted in the Domestic Abuse Program fails to participate in the program.
- Probation and Parole are to supply the Local Court Magistrate a report documenting the offender's attendance and their co-operation/participation and attitude in relation to the program.
- Probation and Parole are to notify the Local Court Magistrate in writing when an offender enlisted in the Domestic Abuse Program fails to attend as required.
- Provide quarterly statistical data to the Lachlan LAC DVLO for monitoring and quarterly project review.
- Provide a representative to attend monthly joint agency case management meetings.
- Provide a representative to attend quarterly project review meetings.

## **Forbes Women's Refuge**

### **Role:**

Forbes Women's Refuge is a crisis accommodation and support service working with women with or without dependent children, who are escaping domestic violence, are homeless or at risk of becoming homeless.

### **Responsibilities:**

- Assess notifications received from Community Services and NSW Police Force for entry into the Domestic Violence Education and Support Program.
- Forbes Women's Refuge reserves the right to not accept a referral or notification based upon their internal risk assessment process.
- Make contact with the victim once notification/referral is received from Community Services or NSW Police Force to discuss the program content and assess the victim's needs for participation in the program.
- Provide appropriate referral to other support services required by the victim and their immediate family.
- Provide a safe supporting environment for women and children who are experiencing or likely to experience domestic or family violence.
- Provide emergency accommodation for women and children who are experiencing or likely to experience domestic or family violence, if required.
- Ensure staff delivering the Domestic Violence Education and Support Program are adequately skilled and qualified to provide the delivery of the program.
- Provide adequate facilities to deliver the program to the participants.
- Notify Community Services at monthly case management meetings of any participant in the Domestic Violence Education and Support Program who fails to adequately attend and engage in the program as required by a Case Plan.
- Notify the Lachlan LAC DVLO at fortnightly case management meetings of any participant in the Domestic Violence Education and Support Program who fails to adequately attend and engage in the program that are not required to attend under a Case Plan.
- Notify the Lachlan LAC DVLO at monthly case management meetings when a participant has completed the program including details of attendance and participation in the program.
- Provide quarterly statistical data to the Lachlan LAC DVLO for monitoring and quarterly project review.
- Provide a representative to attend monthly joint agency case management meetings.
- Provide a representative to attend quarterly project review meetings.
- Provide court support for the victim as needed.
- Develop and maintain MOU's with other relevant support services to ensure the needs of women and children are met through appropriate referral and support mechanisms.



## **Department of Justice & Attorney General**

### **Role:**

The Department of Justice & Attorney General assists the NSW Government, Judiciary, Parliament and the community to promote social harmony through programs that protect human rights and community standards, and reduce crime.

### **Responsibilities:**

- Give appropriate consideration for offender referral to Probation and Parole for the Domestic Abuse Program.
- Provide a representative to attend quarterly project review meetings.

Agency Name: Lachlan Local Area Command NSW Police Force

Agency Representative: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Agency Name: Human Services, Community Services

Agency Representative: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Agency Name: Forbes Women's Refuge

Agency Representative: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Agency Name: Forbes Community Offender Services, NSW Department of  
Corrective Services

Agency Representative: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Agency Name: Department of Justice & Attorney General

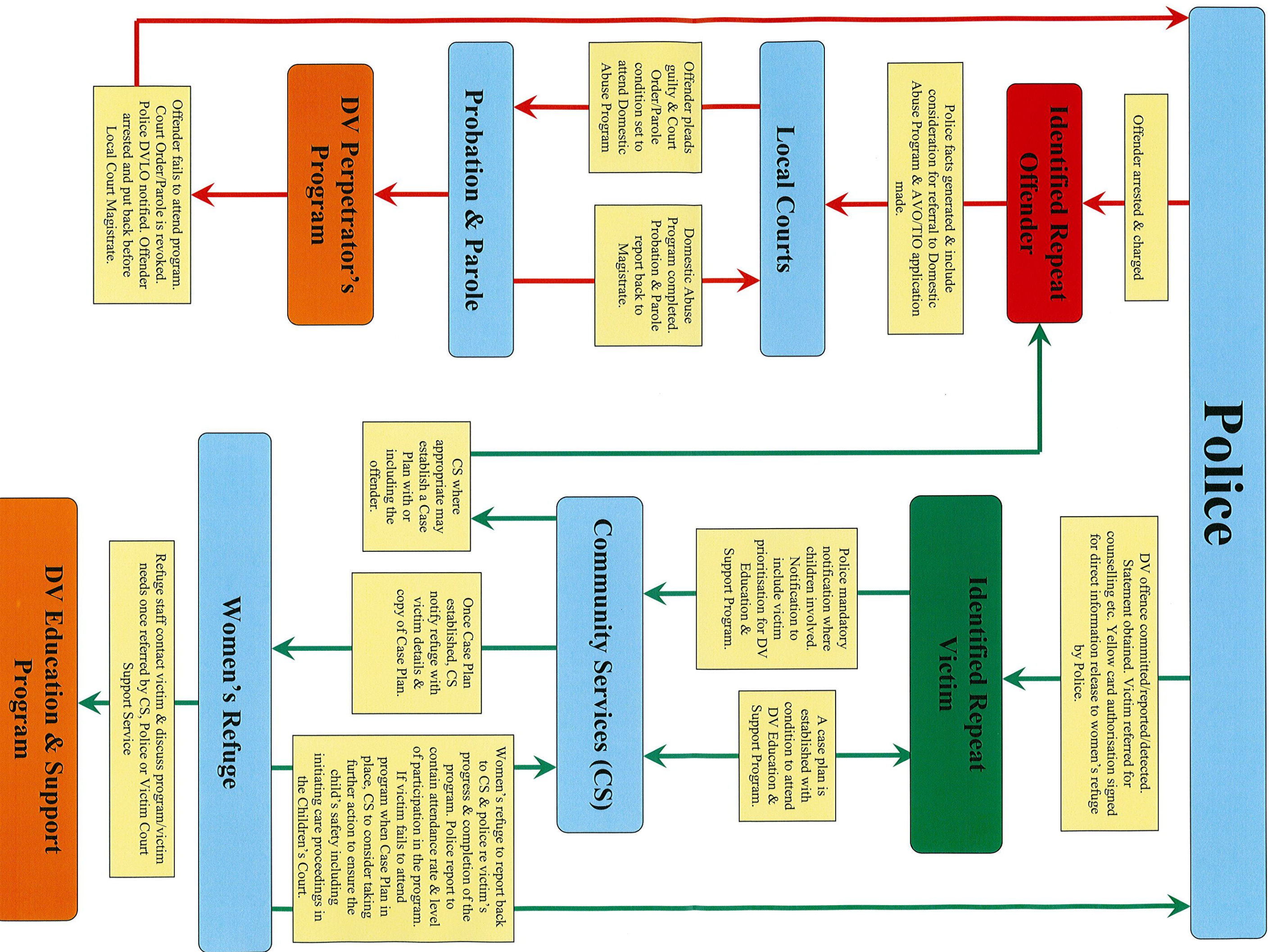
Agency Representative: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_


# Domestic Violence Intervention Project Overview

## Annexure 1



## Annexure 2

### NSW Police Force Domestic Violence Pro-Active Support Service (DVPASS) Yellow card

 Domestic Violence  
Pro-Active Support Service  
**CONSENT FORM FOR SUPPORT**

*Please tick one box:*  I give my permission  
 I do not give my permission

For my name and contact details to be given to the Domestic Violence Support Worker for follow up and support.

Name: .....

Address for support kit: .....

Are there children residing in the home?  YES  NO

Phone Number: .....

Mobile Number: .....

Preferred time to call: .....

Gender:  FEMALE  MALE  TRANSGENDER

Interpreter required:  YES  NO

Language spoken: .....

ATSI: .....

Signed: .....

Date: .....

29/10/08

Front

**POLICE USE ONLY**

AVO initiated:  YES  NO

Police OIC: .....

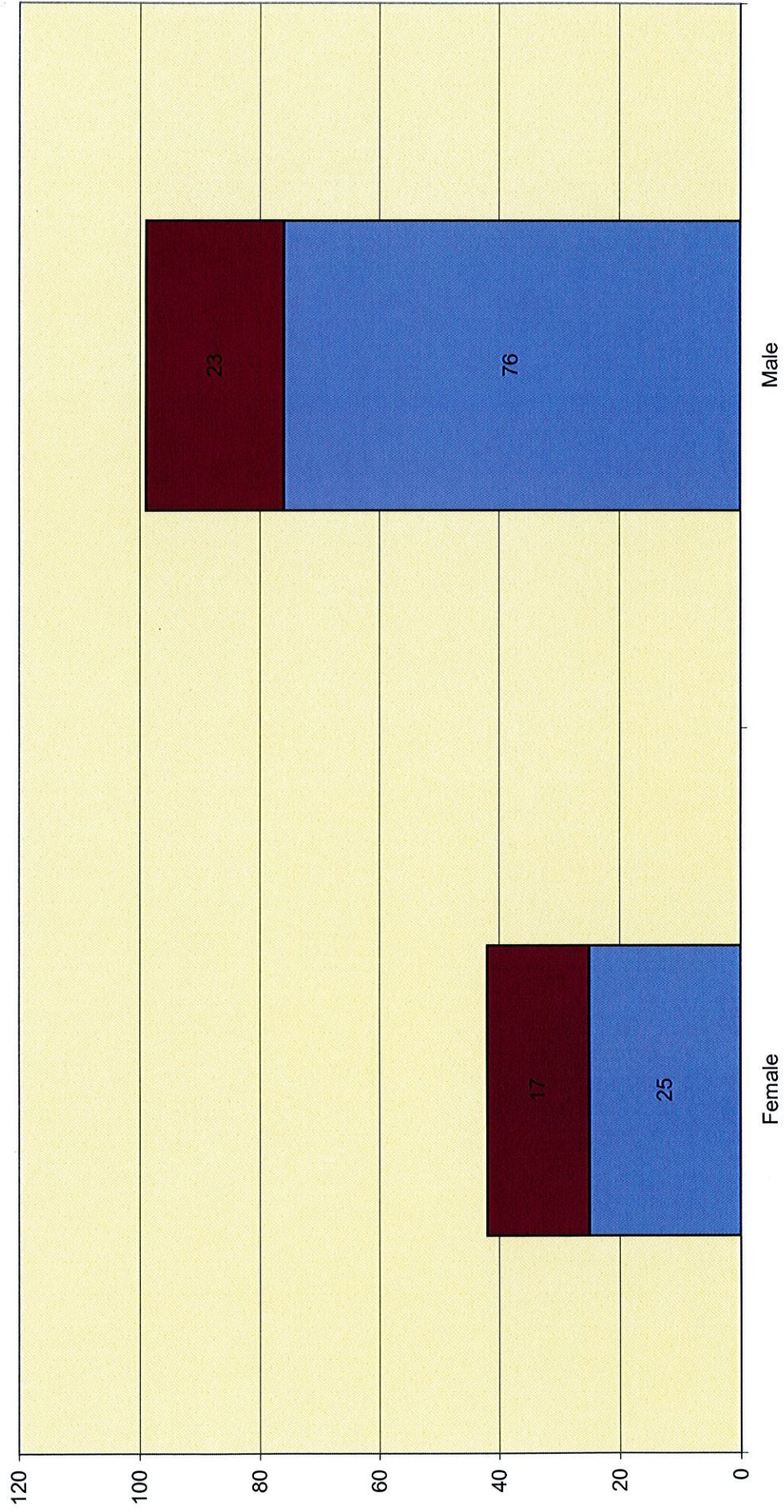
LAC: .....

**Prevent Domestic Violence Homicide** - investigate all reports or suspected reports of DV incidents thoroughly. Reluctance by victims or witnesses to provide information is not a reason to cease investigation. Assessment relating to risk should be ongoing throughout the investigation.

**RETURN TO DVLO AS SOON AS POSSIBLE**

Back

**Participants who have completed Lachlan DV Intervention Pilot Project**  
**No of incidents pre and post program completion**





**Program Participants: Total Incidents**

