

The background of the cover features a boomerang in the upper left, partially obscured by a large, semi-transparent yellow circle. Below the boomerang, there are several sets of footprints in sand, with the most prominent ones in the lower right. The sand is a mix of dark brown and reddish-orange hues.

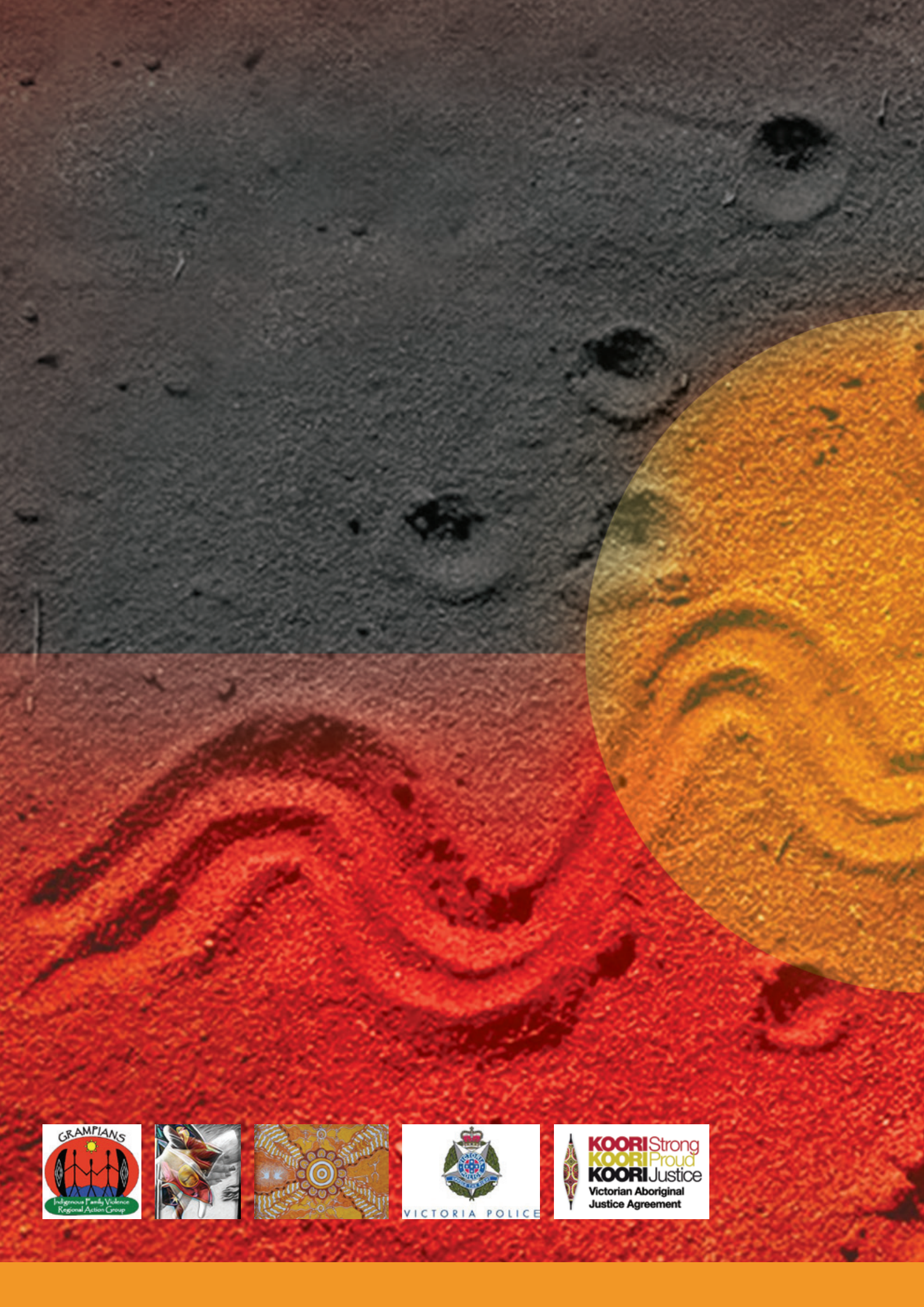
# **WIMMERA**

# **Koori Family Violence**

# **POLICE PROTOCOLS**

A partnership project between Victoria Police,  
Department of Justice & Regulation, and  
the Aboriginal Family Violence Prevention  
Legal Service Victoria.



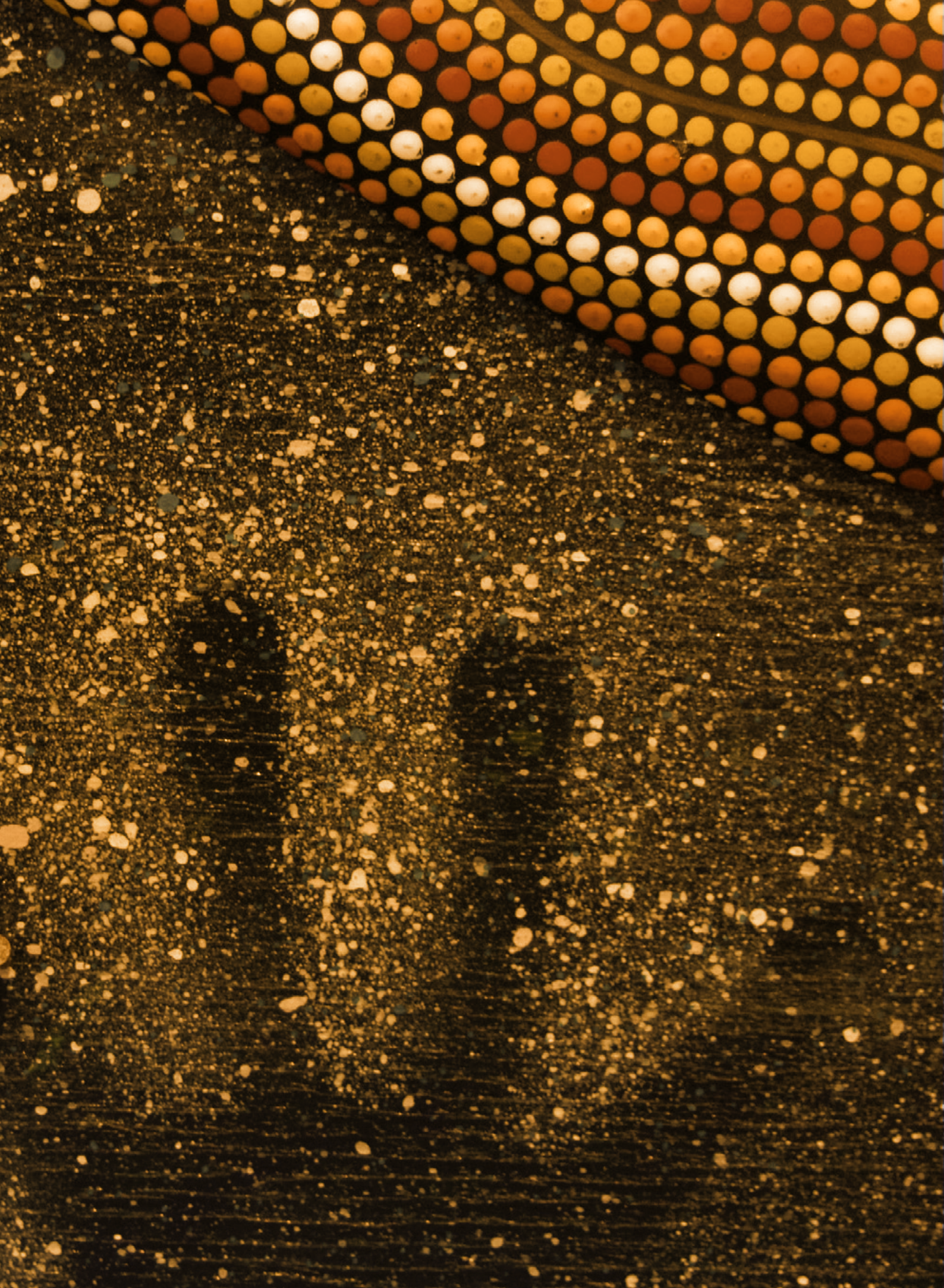




# TABLE OF CONTENTS

Introduction	3
Policy Context	3
Terms used in the protocols	5
Guiding Principles	5
Purpose and scope of the Protocols	6
Key elements and key successes of this project	6
Police response to Koori Family Violence in the Wimmera	7
Business Hours Response Support for women	8
After Hours Support Response for women	8
Accommodation for women and children	9
After-hours accommodation for male perpetrators	9
Children	9
Responding to and investigating Koori Family Violence	9
Keeping the AFM Informed	9
Intervention Orders	10
Aboriginal Person Held in Custody	10
Role of the Police Aboriginal Liaison Officer (PALO)	10
Aboriginal Cultural Awareness Training	10
Division 4 (Wimmera) - Police roles and responsibilities	11
KFVPP Governance	12
State-wide Steering Group	12
Local Reference Group	13
LRG Composition	13
LRG Meetings	13
LRG Chairperson	13
Secretariat	13
Meeting Procedures	13
Code of Conduct for LRG Members	13
Dispute Resolution within the LRG	14
Reporting and Evaluation	14
Monitoring & Evaluation Framework	15
1. Monitoring & Evaluation Introduction	15
1.1 MONITORING	15
1.2 EVALUATION	15
1.3 WHAT IS THE PURPOSE OF THE KFVPP EVALUATION?	15
1.4 WHO IS THE KEY AUDIENCE OF THE EVALUATION DOCUMENT?	15
1.5 EVALUATION QUESTIONS:	16
1.6 WHO WOULD BE REQUIRED TO PARTICIPATE?	16
1.7 WHEN WILL AN EVALUATION BE REQUIRED, AND HOW LONG WILL THE EVALUATION TAKE?	16
2. KFVPP Monitoring (Methodology)	17
3. KFVPP Program Logic Model	20







# INTRODUCTION

The Koori Family Violence Police Protocols Project was first funded in 2008 by the Victorian Government Department of Justice and Regulation to strengthen the Police response to incidents of Aboriginal family violence, the rate of which has increased from 41.8 to 59.1 per 1,000 population, compared to 6.5 to 8.0 per 1,000 in mainstream community during 2011 to 2016. (Victoria Police LEAP FV data, October 2016). The protocols aim to offer an holistic, improved response to all parties including affected family members (AFM), a clear focus to children AFMs and supporting perpetrators to change their behavior. The need for improvements to the Police response had been identified in a number of forums and prioritised in several key government documents including the Victorian Aboriginal Affairs Framework, the Victorian Aboriginal Justice Agreement and Strong Culture, Strong Peoples, Strong Families -Towards a Safer Future for Indigenous families and communities - 10 year plan, 2008. The Koori Family Violence Police Protocols initiative (KFVPP project) is supported by one of the key objectives of the Victorian Aboriginal Justice Agreement Phase3 - to improve the safety of Koori families and communities, tackle disadvantage and inequity, reduce Aboriginal contact with the criminal justice system and improve the justice process for Aboriginal Victorians.

## POLICY CONTEXT

Over the past decade, the Victorian Government has responded to a number of consistently damning reports into the poor quality of life of Aboriginal people, by asserting their commitment to addressing Aboriginal disadvantage. This commitment has evolved following multiple government and non-government inquiries over the last 20 years, which have raised public awareness and concern about the significant levels of disadvantage and inequality being experienced by Aboriginal people across all key indicators of quality of life – life expectancy, health, education, employment, experiences with the justice system. Governments in all jurisdictions paid particular attention to the final report of the Royal Commission into Aboriginal Deaths in Custody (1991). Since then, several key Victorian Government policies and platforms have been developed, incorporating specific goals, objectives and strategies, and committing to annual reports against indicators and timelines. These initiatives have been developed in partnership with Victorian Aboriginal communities and supported by funding allocations.

As part of the Victorian Government's commitment to Royal Commission into Family Violence: Report and Recommendations 2016 Victorian Government, (Volume V Recommendation 151 p. 55) a number of significant policy and practice documents have been developed during recent years. Several of these key documents have informed the development of the Koori Family Violence Police Protocols:

1. Strong Culture, Strong Peoples, Strong Families: Towards a safer future for Indigenous families and communities 10 year plan (Aboriginal Affairs Victoria DPCD 2008)

[http://www.women.vic.gov.au/web7/rwpgslib.nsf/GraphicFiles/10+pdf/\\$file/Final+10+Year+Plan+Oct08+2nd+Edition.pdf](http://www.women.vic.gov.au/web7/rwpgslib.nsf/GraphicFiles/10+pdf/$file/Final+10+Year+Plan+Oct08+2nd+Edition.pdf)

2. Victoria Police Code of Practice for the Investigation of Family Violence: 3rd Edition

[http://www.police.vic.gov.au/content.asp?Document\\_ID=288](http://www.police.vic.gov.au/content.asp?Document_ID=288)

DHHS and Victoria Police Family Violence Referral Pathways 2012 -2014 Protocol

<http://www.DHHS.vic.gov.au/about-the-department/documents-and-resources/policies,-guidelines-and-legislation/family-violence-referral-protocol-between-dhs-and-victoria-police>

3. Family Violence Risk Assessment and Risk Management Framework 2011, Department of Health and Human Services (DHHS)
4. The Victims' Charter (Victims' Charter Act 2006)
5. Living Free From Violence, Upholding the Right: Victoria Police Strategy to Reduce Violence Against Women and their Children, 2009-2014.

[http://www.police.vic.gov.au/content.asp?Document\\_ID=288](http://www.police.vic.gov.au/content.asp?Document_ID=288)

6. Future Directions for Victim-Centric Policing 2015
7. Equality is not the Same – Year 3 Report 2016 (Victoria Police)
8. Ending Family Violence: Victoria's Plan for Change  
[http://www.vic.gov.au/system/user\\_files/Documents/fv/160803.10%2010%20Year%20Plan%20Booklet%20\(Online\).pdf](http://www.vic.gov.au/system/user_files/Documents/fv/160803.10%2010%20Year%20Plan%20Booklet%20(Online).pdf)

In the context of the Protocols, the following strategies provide a platform for continuing reform and are discussed further in this section:

1. The Victorian Aboriginal Affairs Framework 2013-2018, Building for the future: a plan for 'Closing the Gap' in Victoria by 2031
  - a. The Victorian Aboriginal Justice Agreement Phase 3 (AJA3) 2013-2018
2. Strong Culture, Strong Peoples, Strong Families - Towards a safer future for Indigenous families and communities - 10 year plan, 2008



Each of these important policy documents identifies family violence in Aboriginal communities as a high priority issue to be addressed, and all three target improvements to the justice system and Police response as crucial to success in tackling family violence. The following section identifies the relevant strategies from these three documents.

### **VICTORIAN ABORIGINAL AFFAIRS FRAMEWORK 2013 - 2018**

The Victorian Aboriginal Affairs Framework 2013-18 (the VAAF) is the over-arching Aboriginal policy framework for the Victorian Government. The VAAF's Strategic Area for Action 5 (SAA5) is focused on 'safe families and communities and equitable justice outcomes'. Strategic Area for Action 5 is underpinned by two key strategies: the Victorian Aboriginal Justice Agreement, and Strong Culture, Strong Peoples, Strong Families: towards a safer future for Indigenous families and communities, Victoria's 10 year plan to address family violence.

### **VICTORIAN ABORIGINAL JUSTICE AGREEMENT**

The Victorian Aboriginal Justice Agreement (AJA) is a partnership between the Victorian Government and the Aboriginal community, to achieve improved Aboriginal justice outcomes. In accordance with the principles underlying the final report of the Royal Commission into Aboriginal Deaths in Custody (1991), the AJA aims to minimize Aboriginal over-representation in the criminal justice system by improving accessibility, utilisation and effectiveness of justice-related programs and services in partnership with the Aboriginal community. Phase 3 of the AJA is now in place, with AJA 4 to be launched in 2018.

In line with the Aboriginal Justice Forum's (AJF) emergent priorities, Government's justice policies and the Council of Australian Governments (COAG) Closing the Gap Building Block on Community Safety, AJA3 has an increased focus on improving the safety of Koori families and communities through:

- reducing conflict, violence and victimisation and improving support for victims
- preventing and reducing the further progression of young Koories into the criminal justice system, and
- reduce reoffending

### **STRONG CULTURE, STRONG PEOPLES, STRONG FAMILIES**

#### **- TOWARDS A SAFER FUTURE FOR INDIGENOUS FAMILIES AND COMMUNITIES - 10 YEAR PLAN, 2008**

Developed by the Indigenous Family Violence Partnership Forum, The Ten Year Plan is the policy platform of the Victorian government and Aboriginal communities to address family violence in Aboriginal communities.

Objective 4 of The Plan focuses on safety for victims:

*Increase the safety of Indigenous families and individuals, especially women and children*

*Strategy 4.1 Improve access to and response of the service system for Indigenous victims of family violence*

*Action 4.1.1 Improve access of Indigenous victims of family violence to a range of services including emergency accommodation and outreach services, 24 hours support and appropriate case management provided by Indigenous and mainstream services as part of the crisis response*

*Strategy 4.2 Strengthen the justice system to respond to Indigenous victims of family violence*

*Action 4.2.1 Improve cultural awareness and competency of Police and court responses to Indigenous victims of family violence*

In regards to the response to perpetrators, Objective 5 of The Plan outlines the following:

*Increase the accountability of perpetrators of family violence within Indigenous communities*

*Strategy 5.2: Promote coordinated responses to Indigenous men, women and youth who use violence*

*Action 5.2.1: Provide assistance to Indigenous perpetrators of family violence to access appropriate services including housing, behavior change programs, alcohol and other drug services, gambling services, healing and time out services and support to attend court*

Objective 7 of The Plan focuses on service capability:

*Increase the cultural competency and capacity of the service system to improve responses to Indigenous family violence*

*Strategy 7.3 Provide tools to Police to ensure provision of culturally competent responses to Indigenous victims and perpetrators of family violence*

*Action 7.3.1 Develop protocols between Victoria Police and Indigenous communities to increase cultural competency of Police staff and assist Indigenous communities in addressing family violence*

## TERMS USED IN THE PROTOCOLS

AFM – Affected Family Member: defined in S. 4 of the Family Violence Protection Act and means the family member whose person or property is the subject of an application for an order. For the purpose of this protocol, it is an interchangeable word with ‘victim’ as a family violence intervention order may not always be sought or granted, and includes children who witness violence.

Respondent – defined in S. 4 of the Family Violence Protection Act and means the person against whom an application for an intervention order has been made, an intervention order has been made against or a family violence safety notice has been issued. For the purpose of this protocol, it is an interchangeable word with ‘Perpetrator’.

The Indigenous Family Violence Task Force has a wide-reaching definition of family violence:

- An issue focused around a wide range of physical, emotional, sexual, social, spiritual, cultural, psychological and economic abuses that occur within families, intimate relationships, extended families, kinship networks and communities. It extends to one on one fighting, abuse of Aboriginal community workers as well as self-harm, injury and suicide.

The definition of ‘family’ is broader for Aboriginal people. Because this is so important to understand, Victoria’s Family Violence Protection Act 2008 was specifically designed to take account of the broader family patterns in Aboriginal families (and settings where any other people define family more broadly).

It specifies that the Act applies to

- A current or former spouse or domestic partner
- A person (as well as a child of that person) who has or has had an intimate personal relationship (not necessarily sexual) with the relevant person
- A relative or former relative (defined in s10), including a person who is a relative under Aboriginal or Torres Strait Islander tradition or contemporary social practice;
- A child who normally or regularly resides or resided with the relevant person; or
- A person whom the relevant person regards or regarded as being ‘like a family member’ if that is reasonable having regard to the circumstances of the relationship (a ‘family-like relationship’)

It is not necessary to live or have lived in the same home to meet these criteria and the people that are in the close kinship network are chosen by the family themselves.

The wider extended family may be spread across several households and the care and support of children may be shared by the extended family. Some people or children may be unofficially ‘adopted’ as family members and are given the same respect as other family members. This is why the Act has a broad definition of family.

## GUIDING PRINCIPLES

In its 10 year plan, Strong Culture, Strong Peoples, Strong Families, the Indigenous Family Violence Partnership Forum identified nine guiding principles for developing and implementing policies and programs to address family violence in Indigenous communities. These principles support the Koori Family Violence Police Protocols:

1. Family violence is not part of Aboriginal culture
2. Complex nature of family violence within Aboriginal communities
3. Aboriginal culture
4. Partnership transparency and accountability
5. Adequate resources
6. Empowering Aboriginal communities
7. Local solutions to local problems
8. Holistic healing approach to family violence in Aboriginal communities
9. Early intervention, prevention and education



## PURPOSE AND SCOPE OF THE PROTOCOLS

The Police protocols:

- complement the existing Family Violence Code of Practice to guide Police officers when responding to Aboriginal family violence across Western Region, Division 4 (Wimmera)
- outline key steps to be taken by Police when responding to an incident of family violence in the Aboriginal community
- emphasizing the three main functions of Police in family violence, as specified in the Code of Practice:
- provide safety and support to those involved
- identify and investigate incidents of family violence and prosecute persons accused of criminal offences arising from family violence
- assist in the prevention and deterrence of family violence in the community by responding to family violence appropriately
- promote adherence to the principles of the Victims' Charter
- provide local contact details for referral to support services for victim, offender and children. (Family Violence Safety out-of-hours Service: 03 5331 3558)
- reinforce the importance of Police identifying whether a person is Aboriginal and/or Torres Strait Islander, by recording Aboriginal status on the relevant Victoria Police reports such as the Family Violence Risk Assessment and Risk Management Form (L17), LEAP and on any other documentation such as a referral form
- emphasizing the importance of:
  - respect and sensitivity
  - demonstrating cultural respect in working with Aboriginal individuals, families & communities, including:
  - establishing relationships based on mutual respect and trust
  - using culturally appropriate language and communication skills
- support the implementation of locally developed and agreed referral pathways between Police, DHHS and service providers

## KEY ELEMENTS AND KEY SUCCESSES OF THIS PROJECT

The protocols will have local credibility following their development in partnership with local Police and Aboriginal community.

Key elements of this project and the process of developing protocols include:

- Working with existing networks and building on existing relationships and initiatives at the local level
- Strengthening working partnerships between all stakeholders
- Consulting with local Aboriginal communities to hear their views and to identify problems, issues, challenges and sharing examples of good practice
- Develop processes for stakeholders to identify problems, challenges, indicators of success and successful initiatives.

Critical to the success of this project will be the following elements:

- Strong working partnerships between local Aboriginal communities, Police, mainstream and Aboriginal family violence networks and services
- High quality crisis response, including the initial Police response and the response of support services
- Consistent implementation of agreed protocols and codes
- A collaborative local service system capable of providing professional and culturally sensitive support to Aboriginal affected family members and perpetrators.
- Improved understanding within the Aboriginal community in relation to:
  - o family violence laws
  - o victims' rights
  - o human rights
  - o complaint processes
  - o role and responsibilities of Police, courts and support services
- Improved cultural awareness of Police and stronger working relationships between Police and the local Aboriginal community



# POLICE RESPONSE TO KOORI FAMILY VIOLENCE IN THE WIMMERA

Police will respond to and take action on any family violence incident reported to them, regardless of who made the report and how it was made. The action taken is based on the Victoria Police Family Violence Code of Practice. In meeting this action based policy, Police will:

1. Investigate all family violence incidents coming to their notice and gather background information and physical evidence, as per the Code of Practice for the Investigation of Family Violence
2. Take immediate action to protect and support Affected Family Members (AFM)
3. Be aware and sensitive to the individual circumstances of each incident
4. Undertake a Family Violence Risk Assessment and Risk Management plan which incorporates but is not limited to the background and identification of the recent pattern of violence, recognition of risk and vulnerability factors and the victim's own assessment of their level of fear
5. Use professional knowledge and resources to assess the future risk to determine the most appropriate risk management strategy
6. Show respect and sensitivity: In undertaking the risk assessment and risk management, be aware that individuals in Aboriginal families have a range of vulnerability factors, additional issues, or extenuating circumstances, including:
  - a. anxiety about identifying as an Aboriginal and/or Torres Strait Islander
  - b. fear that the Respondent may be at risk of self harm or suicide if arrested or placed in a Police cell
  - c. that the AFM may fear condemnation by family members or community for reporting family violence
  - d. that the family and or AFM may have previously requested assistance from the Koori community for the family violence incident(s).
  - e. fear that reporting family violence may lead to children being removed from the family
  - f. concern that Police or previous legal matters will be brought up and used against the family in the course of investigating any family violence incident
  - g. possible concern or anxiety about being referred to a mainstream service
  - h. possible concern or objection to being referred to an Aboriginal service
  - i. history of poor past experiences when reporting family violence

- j. family violence between extended family members (eg. other than intimate partners)
- k. mental health or drug and alcohol issues in the family
- l. family violence in a same sex relationship
- m. the special needs of an elderly person or a person with a disability

## STANDARD INDIGENOUS QUESTION

To establish Aboriginal and/or Torres Strait Islander status, ask and document the following answers:

- a. In all cases of family violence, ask the question of all people, including children present

“Are you Aboriginal and/or Torres Strait Islander?”

Considerations for Police:

- you may attend an incident of family violence that may include children who are Aboriginal and/ Torres Strait Islander,
  - Asking a guardian of any children present if the children are Aboriginal and/or Torres Strait Islander.
  - Asking children, if old enough, independently of the guardian if they are Aboriginal and/or Torres Strait Islander – confirm what age is deemed old enough
- b. Document and record on all relevant paperwork including the Family Violence Risk Assessment and Risk Management Form (also known as an L17) as well as the Family Violence Safety Notice for adults and the L8 where there are more than 5 children present.
  - c. If the AFM, Respondent or children identify as Aboriginal and/or Torres Strait Islander ensure that this information is included in any formal referral to a support service (s)
  7. Making perpetrators accountable by pursuing criminal and/or civil options where there is sufficient evidence to do so and regardless of whether an arrest has been made and/or whether the affected family member is reluctant, with consideration to vulnerability factors listed in this document
  8. Comply with obligations pursuant to Victims' Charter
  10. Refer all parties involved to appropriate services, emphasising any of the risk and vulnerability factors and particular needs to the support service





## BUSINESS HOURS RESPONSE SUPPORT FOR AFFECTED FAMILY MEMBER

- a. As soon as practicable, the Police will discuss with the AFM the referral and support services available including:
  - i. Afterhours enhanced referral pathways
  - ii. Police Aboriginal Liaison Officer
  - iii. Wimmera Police Family Violence Team
  - iv. Divisional Family Violence Advisor
  - v. Family Violence Services and Aboriginal Services
  - vi. 24 hour referral services
- b. Police are to advise the AFM that a formal referral (and any accompanying children) will be made to Grampians Community Health via the Victoria Police eReferral (VPeR) process.
- c. In instances where the AFM wants immediate face to face support or accommodation, Police are to consider a referral to Wimmera Uniting Care during business hours on Horsham (03) 5362 1200 or Stawell (03) 5358 7400
- d. Police are to contact Grampians Community Health while with the AFM to facilitate the initial contact.
- e. Police are to provide the AFM with the Life Without Family Violence contact card.
- f. Family Violence Referrals to DHS are achieved through the Family Violence (L17) reporting in LEAP.

## AFTER HOURS SUPPORT FOR THE AFM

- a. Where Police determine that either a Family Violence Safety Notice, Application and Warrant, or Interim Intervention Order is needed, or the AFM needs immediate emotional support/information, Police are to offer the AFM afterhours support (Family Violence Safety out-of-hours Service: 03 5331 3558, (known as SOS)
- b. In instances where the AFM consents to Police contacting the after hours response, Police are to contact FV SOS direct on 03 5331 3558, while at the scene with the AFM.
- c. Police are to advise the SOS on call worker of the family violence situation, their risk assessment as well as possible requirements of the AFM e.g. dates for court, accommodation, transport and other needs. The SOS worker will then speak directly with the AFM and make arrangements as needed while also offering any phone support or clarification required as well as reiterate the outcomes of the situation e.g. Family Violence Safety Notice and its implications.



## ACCOMMODATION FOR AFM AND CHILDREN

- a. If the AFM does not wish to remain at the location and has an alternative accommodation option, Police must facilitate transport for the AFM and children to an alternative location.
- b. If the AFM has no alternate accommodation option, Police are to contact FV SOS direct on 03 5331 3558. Police are to assist with facilitating accommodation and transport for the AFM and any children.

## AFTER-HOURS ACCOMMODATION FOR MALE PERPETRATORS

An overnight crisis accommodation voucher system can be activated by Police for male perpetrators who are unable to remain at home due to the conditions of an intervention order. The service is funded through Child and Family Services (CAFS), Ballarat. Voucher books and instructions are held at Horsham, Stawell and Ararat Police Stations.

## OTHER REFERRAL OPTIONS

Police are to provide contact details for referral to support services for victim, offender and children. (There is one 24 hour telephone number for each of these groups)

- Safe Steps: 24/7 state-wide women's service for family violence (refuge/referral/telephone support) is 1800 015 188. Can refer to a local service, assess whether crisis accommodation is available
- Men's Referral Service 1800 065 973

## CHILDREN

- a. Police are to ensure the details of all children present at a family violence incident are recorded on the Family Violence and Risk report (L17). The L17 report activates the referral notification to DHHS from Victoria Police.
- b. When Police make a formal referral the L17 will be sent to the DHHS mainstream provider. If the child is identified as Aboriginal, the parent will be involved in the decision to refer to an Aboriginal service provider or remaining in the mainstream service.
- c. Police must make a report to Child Protection as soon as practicable after forming a belief that a child has suffered or is likely to suffer significant harm as a result of physical injury or sexual abuse. Police will also make an immediate notification to SOCIT.
- d. Police must make an assessment of every child's emotional well-being, including referral to the Child First service provider (Wimmera Uniting Care 03 5362 4000).
- e. Police are encouraged to provide children, young people and/or guardians with contact details for KidsHelpline telephone 1800 551 800 or [www.kidshelpline.com.au](http://www.kidshelpline.com.au). This is deemed an informal referral.

**NOTE:** Kids Helpline is a free telephone counselling service for Australian children and young people aged between 5 and 25 years.

## RESPONDING TO AND INVESTIGATING KOORI FAMILY VIOLENCE

- a) Police who respond to Koori Family Violence are required to undertake investigations in accordance with the Family Violence Code of Practice
- b) Police are to ensure that if there is a disclosure or evidence of a sexual assault then the local Sex Offence and Child Abuse Investigation Team (SOCIT) is to be notified and lead the investigation.

## KEEPING THE AFM INFORMED

- a. The investigating Police officer must keep the victim and witnesses advised of the procedures and all relevant information in relation to their case. This includes updates on the progress of the Police investigation, in particular where there are significant developments such as outcomes of a court hearing, adjournments, and/or outcomes of an investigation (Future directions for Victim-Centric Policing)



## SERVICE OF INTERVENTION ORDERS

### WHAT POLICE DO WHEN THEY SERVE THE INTERVENTION ORDER

Police must record each action taken and update LEAP as required. Sometimes they need to plan service of the order, for example where:

- An interpreter is required to explain the conditions of the order
- The respondent is an involuntary patient at a mental health service or subject of a community treatment order under the Mental Health Act 1986 and the court of issue is to be advised
- After serving the order, Police must:
  - o Complete the affidavit of service and return it to the court of issue on the same day as service
  - o Notify Central Data Entry Bureau (CDEB)
- Notify the AFM.

### WHAT POLICE DO IF THEY CANNOT SERVE THE INTERVENTION ORDER

If Police cannot serve the FVIO, they forward to the court of issue:

- Interim intervention orders (at least two days before the return date)
- Final intervention orders (after five days from the date of issue) along with:
  - o A Certificate of Inability to Serve
  - o Action Advice Cover Sheet
  - o Any application for substituted service.

If Police believe there is a means by which the documents to be served could be brought to the attention of the person to be served without personal service, they should make an application for substituted service. In some cases substituted service will be affected by Police.

Police must notify the AFM and discuss alternate safety strategies, and assist if the AFM wants to make application for an interim intervention order. Police may make a further referral to enable support of the AFM through this process.

(Victoria Police: Code of Practice for the Investigation of Family Violence 2014)

## ABORIGINAL PERSON HELD IN CUSTODY

- a. Victorian Aboriginal Legal Service (VALS) is automatically notified by Victoria Police IT systems when an Aboriginal or Torres Strait Islander person is in custody at a Police Station and entered onto the Victoria Police Attendance Module

### ROLE OF THE ABORIGINAL COMMUNITY JUSTICE PANELS (ACJP)

- a. To assist Police in assuring the safety of Aboriginal persons in Police custody
- b. To assist Aboriginal people in the post custodial stage
- c. To increase awareness in the Aboriginal community of the criminal justice system and sensitise criminal justice agencies to Aboriginal cultural issues

### ROLE OF THE POLICE ABORIGINAL LIAISON OFFICER (PALO)

- a. The PALO should have management support to attend cultural awareness training when delivered
- b. The PALO seeks opportunities to engage with the Koori community, to generate local relationships and build community confidence and trust in the role of the local Police
- c. The PALO may be able to offer support or advice to the AFM and their families

## ABORIGINAL CULTURAL AWARENESS TRAINING

- a. Opportunity will be made available to Police members to undertake Aboriginal Cultural Awareness Training at protocol sites.
- b. Aboriginal Cultural Awareness Training will contain components specific to the Aboriginal communities across the Wimmera Division as well as the local history which will contribute to developing Police officers' understanding of the community's strengths in the region as well as barriers Aboriginal people may have in engaging with Police
- c. The training is to contain a detailed component that relates to family violence in Aboriginal communities.



# DIVISION 4 (WIMMERA) - POLICE ROLES AND RESPONSIBILITIES

Activity	Responsible person
All Police & All community	Looking for opportunities to participate and be safer together.
Develop strong positive relations with the Wimmera Aboriginal communities	All Police members attached to Division 4 (Wimmera)
Actively lead and participate in the Grampians Regional Aboriginal Justice Advisory Committee (RAJAC)	Wimmera Division Commander
Actively lead and participate in the Horsham Local Aboriginal Justice Action Committee (LAJAC)	Inspector - Horsham PSA Officer in Charge Police Stations Police Aboriginal Liaison Officers Youth Resource Officers
Co-chair the Wimmera Family Violence Risk Assessment Management Panel (RAMP)	Inspector – Wimmera Division I&R D/S/Sgt Crime Advisor (deputy role) S/Sgt Wimmera Division T&C (deputy role)
Actively lead and participate in the Multi-Agency Information Sharing Meetings (MAISM)	Sergeant – Wimmera Community Engagement Unit
Actively collaborate with the Police Family Violence Adviser for WD4	All Police members attached to Division 4 (Wimmera)
Provide updates to the Western Region Family Violence Inspector of trends identified through the analysis of intelligence	Inspector – Wimmera Division I&R
Actively participate in Koori Cultural Awareness Training and self-manage skills and knowledge maintenance	All Police members attached to Division 4 (Wimmera)
Actively intervene and respond in support of the Wimmera Indigenous Family Violence Police Protocols	All Police members attached to Division 4 (Wimmera)
Facilitate participation by WD4 Police members in Koori Cultural Awareness Training	Officers in Charge of Police Stations and Unit Supervisors/Managers
Ask the indigenous identity question and provide accurate recording of information into Victoria Police IT systems	All Police members attached to Division 4 (Wimmera) responding to family violence.



## GOVERNANCE

### STATE-WIDE STEERING GROUP

The Protocols are governed by the State Steering Group (SSG). The SSG includes senior representatives from each stakeholder group including:

- Manager, Strategic Initiatives, Koori Justice Unit, Department of Justice & Regulation
- Detective Inspector, Family Violence Coordination Unit, Victoria Police
- Manager, Family Violence & Sexual Assault Unit, Department Health & Human Services
- Project Lead, Royal Commission In Family Violence, Department of Premier and Cabinet
- IFVRAG community representative
- RAJAC community representative
- Others as deemed appropriate by the Steering Committee

The role of the SSG is to:

- Guide, advise and make high level decisions regarding the project
- Select locations for the Protocols to be developed
- Continue the development of the Protocol documentation
- Ensure compliance with program aims and objectives
- Guide the evaluation of the Protocols
- Seek to secure ongoing funding
- Receive reports and analyze data from each location
- Report to the Aboriginal Justice Forum
- Report to the Indigenous Family Violence Partnership Forum

The following diagram maps the relationships between the different governance structures:





## LOCAL REFERENCE GROUP

### *Role and Function*

The role of the Local Reference Group (LRG) is to

- Share up-to-date information to support the continuous improvement of the AFVPP
- Develop or update strategies to maximize the effectiveness of the AFVPP
- Monitor the performance of the AFVPP

Initial meetings should develop Key Performance Indicators (KPI) or other indicators of performance/success that assist in understanding the effectiveness of the AFVPP.

The Local Reference Group should adopt a problem solving approach to the Protocols and seek to resolve issues locally as they arise and amend the Protocols to reflect improvements in practice and changes in the community.

### COMPOSITION

Membership must include, as a minimum, representatives from each stakeholder group:

- Victoria Police
- Indigenous Family Violence Regional Action Group (IFVRAG)
- Indigenous Family Violence Regional Coordinator (DHHS)
- Regional Aboriginal Justice Advisory Committee (RAJAC)
- Executive Officer (RAJAC)
- IFVRAG Coordinator
- Department of Health and Human Services (Local Representative)
- Service Providers (i.e. Department of Health and Human Services funded services, Aboriginal Community Controlled Organizations)

### MEETINGS

Meetings of the LRG should be independent of, and distinct from, meetings of associated structures i.e. not an add-on to agendas of the IFVRAG and RAJAC meetings. The LRG must have independence and broad stakeholder representation.

The LRG should meet quarterly to ensure regular, robust monitoring and accountability.

### CHAIRPERSON

The LRG will be Co-chaired by the Victoria Police representative and a Co- Chairperson as nominated by the LRG.

## SECRETARIAT

The secretariat function for the LRG will be provided by Victoria Police or as determined by the LRG.

### MEETING PROCEDURES

The Co-Chairpersons will be responsible for attending and chairing meetings of the LRG. In the absence of either or both of these members, another member may be nominated to Chair/Co-Chair by the majority of members present.

Every LRG meeting agenda will include at a minimum:

- Acknowledgement of Country
- Acceptance of previous minutes
- Actions arising from previous minutes
- Data report from Victoria Police
- Data report from Service Providers
- What's working, what's not working
- Other business

Minutes of Local Reference Groups will be provided to the State-wide Steering Committee, through the Secretariat at Victoria Police, Sexual and Family Violence Coordination Unit within two weeks of each meeting.

### CODE OF CONDUCT FOR LRG MEMBERS

It is required that all members:

- be treated fairly, with respect and be provided with a safe, encouraging and supportive meeting environment;
- act in a diligent, impartial and responsive way, to the best of the member's ability;
- act with integrity, avoiding real or apparent conflicts of interest;
- maintain confidentiality of all information provided by, and to them in the meeting;
- observe all relevant occupational health and safety requirements including those that relate to the misuse of alcohol drugs or other substances when engaged in LRG related activities;
- adhere to the principles of equal opportunity and anti-discrimination policies (Discrimination, harassment or bullying will not be accepted); and
- must have a clear understanding of the requirements of the Code of Conduct for their respective LRG or, in the case of a Victorian Public Servant, the VPS Code of Conduct.



## DISPUTE RESOLUTION WITHIN THE LRG

In the event of a grievance/dispute within the LRG, members are encouraged to raise any issues with the LRG Chairperson(s) which they perceive are unfair, unreasonable or inequitable.

In the first instance, an attempt should be made to resolve the matter within the LRG.

Where it is deemed that a satisfactory resolution cannot be achieved, assistance may be sought from the SSG.

Contact can be made with the SSG through the Secretariat at Victoria Police via email at [janet.mitchell@police.vic.gov.au](mailto:janet.mitchell@police.vic.gov.au) or by phone on (03) 9865 2115.

## REPORTING AND EVALUATION

Reports and minutes of each LRG will be provided to the SSG within two weeks of each meeting to inform planning and evaluation of the program.

Reporting templates are attached to inform the LRG to oversee the progress and effectiveness of the AFVPP.

The state-wide evaluation of the AFVPP will seek to ascertain:

- The extent to which Police follow the processes for referrals of AFMs and perpetrators (for instance, as measured by the number of referrals to services – Aboriginal and non Aboriginal).
- The time from referral being made to receipt and action at the support service
- A reduction in the proportion of missing/not stated/unknown status in response to the Aboriginal identifier question by victim and perpetrator



# MONITORING & EVALUATION FRAMEWORK

## MONITORING & EVALUATION FRAMEWORK

### 1. Monitoring & Evaluation Introduction

Monitoring and evaluation are two distinct processes. The monitoring process may influence the direction and the focus that the evaluation takes, but ultimately they are separately designed and executed processes. The questions posed in the evaluation are likely to be different to those that form the monitoring template.

Monitoring of the Koori Family Violence Police Protocols (KFVPP) will happen on a regular basis, every three months, over a long period of time, possibly even ongoing. There will be a fixed monitoring template for participants, such as Police and DHHS funded support agencies. They will be required to complete and submit this to their respective agencies to fulfill their obligations in the monitoring of the project. Monitoring enables ongoing reflection and can contribute to continuous change of the protocols in an attempt to improve the outcomes.

#### 1.1 MONITORING

##### Monitoring involves:

- Establishing indicators of efficiency, effectiveness and impact;
- Setting up systems to collect information relating to these indicators;
- Collecting and recording the information;
- Analysing the information;
- Using the information to inform day-to-day management.

A monitoring template is attached as appendix two. It requires Police as well as DHHS funded agencies that receive AFM or Respondent L17s from the Police to participate in the monitoring. These services will be required to complete a template and submit it to the receiving body – presently identified as the local LAJAC/RAJAC. How the Koori communities feed into the monitoring has yet to be determined due the difficulty in establishing a clear method across a diverse communities. One option is that the Koori community is encouraged to contribute feedback via LAJACs, IFVRAGs or local services who then report to the RAJACs.

#### 1.2 EVALUATION

Evaluation of the KFVPP could be an investigation of project impacts and outcomes against the agreed strategic plans. It could look at what the project set out to do, at what the project accomplished, and how the project accomplished it. Funding permitting, an evaluation will occur after the project has been in operation for a period of at least 12 months.

##### Evaluation involves:

- Looking at what the KFVPP intended to achieve – what difference/impacts did it want to make?
- Assessing the KFVPPs progress towards what it wanted to achieve, its impact targets.
- Looking at the project strategy. Did it have a strategy? Was it effectively followed? Did the strategy work? If not, why not?
- Looking at how it worked. Was there an efficient use of resources? How sustainable is the way in which the project works? What are the implications for the various stakeholders in the way the project works?

#### 1.3 WHAT IS THE PURPOSE OF THE KFVPP EVALUATION?

- Is the evaluation to identify systemic improvements on a larger scale than those identified in the monitoring framework?
- Is it to provide information to the Koori Communities in each of these regions about the effectiveness of the protocols?
- Is it to demonstrate to Police the effectiveness and areas for improvement regarding the protocols.

#### 1.4 WHO IS THE KEY AUDIENCE OF THE EVALUATION DOCUMENT?

- The local or broader Koori community?
- Funding bodies?
- Police?
- All of the above? (if so, how is this done effectively and in a manner that does not result in an evaluation that is too broad)

The key audience will also impact on the type of evaluation document which will be produced and how that information in the document is disseminated back to its audience and other interested parties.



## 1.5 EVALUATION QUESTIONS:

Evaluation questions are often ‘To what extent’ questions. Such as, ‘To what extent has there been an improved Police enforcement of Koori Family Violence matters?’ or ‘To what extent has the Koori community’s confidence in Police increased?’ These examples both relate directly to the KVVPP’s program logic and at this stage are not part of the monitoring framework.

Evaluation questions are often not those addressed during monitoring. Generally an evaluation comprises of five or six questions. In determining what the evaluation questions will be, influencing factors need to be considered. This includes: can these questions actually be answered (too time intensive for money allocated or unable to access essential data), is this question directly related to the KVVPP or are the answers likely to be misleading due to compounding variables?

Some possible questions which may be used in an evaluation of the KVVPP are:

- To what extent is the KVVPP meeting its aims and objectives?
- To what extent has there been an improved Police enforcement of Koori Family Violence matters?
- To what extent has the Koori community’s confidence in Police increased?
- What components of the project (ie Police Cultural Awareness Training, Police community meetings etc) are having the largest impact on meeting project aims and objectives?
- To what extent do Police follow protocol (take criminal, civil and / or referral action)?
- How could the project be improved to increase its effectiveness?
- Has the project or its activities had any unintended impacts / consequences?
- What factors have contributed to (or prevented) the desired outcomes?
- How effective and important is the governance structure?
- To what extent has the relationships, links impacted on implementation of program
- What are the strengths and weaknesses of the program?

## 1.6 WHO WOULD BE REQUIRED TO PARTICIPATE?

Another part of the methodology would be to determine who was required to participate in the evaluation. This would primarily be driven by the evaluation questions. Examples of who would be required to participate are:

- Police (PALOs, ACLOs, FVAs etc)
- Steering Committee Members
- Koori Community Key stakeholders through LAJAC & RAJAC EOs; and IFRAGS
- DHHS referral agencies for AFMs and perpetrators

## 1.7 WHEN WILL AN EVALUATION BE REQUIRED, AND HOW LONG WILL THE EVALUATION TAKE?

It would be ineffective to evaluate the KVVPP within the first year of its implementation. The protocols need to be operating in full for a period of time before an evaluation could occur.

As an evaluation might focus on broad ranging impacts and possibly community perceptions, adequate time needs to have passed to enable perceptions and practices to change or be influenced. Hence an evaluation should not occur in the first year.

The timing of an evaluation will be determined in consultation with local community and feedback through the KVVPP governance structure. The duration of any evaluation or review will depend on factors such as evaluation methodology, cost and scope.



## 2. KVVPP Monitoring (Methodology)

MONITORING QUESTION	REASON FOR MONITORING QUESTION	DATA FIGURES REQUIRED	DATA SOURCE	CAVEATS/GAPS/ISSUES DATA LINKING CONSIDERATIONS
<b>Police REPORTING REQUIREMENTS</b>				
<ul style="list-style-type: none"> <li>What are the figures relating to ATSI identity at Family Violence incidents attended by Police</li> <li>Victim</li> <li>Perpetrator</li> </ul>	Will assist in identifying if Police are asking the question “are you or any children present Aboriginal or Torres Strait Islander?” and how willing ATSI identity information is disclosed	Number of AFMs that identify as ATSI (this quarter and base data) Number of perpetrators that identify as ATSI (this quarter and base data) Number of Children that identify as ATSI (this quarter and base data)	Police source - L17 data entered on LEAP	It is possible that Police continue to guess the cultural identity and do not ask the question; or that Aboriginal or Torres Strait Islanders decline to share that information
<ul style="list-style-type: none"> <li>What are the figures relating to ATSI identity of individuals on the Recidivist Police Attendance List</li> <li>Victim</li> <li>Perpetrator</li> </ul>	Demonstrates rates of attendance and any changes over time (de-identified data)	Number of AFMs that identify as ATSI (this quarter and base data) Number of perpetrators that identify as ATSI (this quarter and base data)	Police source – Police generated list	Must ensure that the list is generated in a similar format for each reporting period. Need to compare reporting methods for each of the three regions.
<ul style="list-style-type: none"> <li>How many Police have attended (an available) Koori Cultural Awareness session?</li> <li>New Officers to the Region</li> <li>Established Officers</li> </ul>	Demonstrates the rate that new Police Officers and established Police Officers are attending Koori Cultural Awareness sessions.	Number of New Police Officers to the region/station that have attended a Koori Cultural Awareness session in the past 12 months Number of New Police Officers to the region/station that have not attended a Koori Cultural Awareness session in the past 12 months Number of established Police Officers to the region/station that have attended a Koori Cultural Awareness session in the past 12 months Number of established Police Offices to the region/station that have not attended a Koori Cultural Awareness session	Police source – calculated at Koori Cultural Awareness Sessions.	Must ensure that Police are only reporting Koori Cultural Awareness sessions that are linked with the KVVPP
<ul style="list-style-type: none"> <li>What are the rates of referrals</li> <li>Number of L17s provided to ACLO</li> <li>Formal referrals arising from Aboriginal family violence incidents</li> </ul>	Demonstrates the extent to which formal referrals for Aboriginal AFMs and Respondents occur to both the ACLO and the DHHS funded FV agency, and shows referral changes over time.	Number of L17s provided to ACLO where one of the parties has identified as ATSI for this reporting quarter Number of L17s Police forwarded to DHHS designated FV support services where the party identified as ATSI for the previous reporting quarter Number of L17s Police forwarded to DHHS designated FV support services where the party identified as ATSI for this quarter last year (base data)	ACLO source – ACLO to manually count the number of referrals provided by Police in the reporting period	
<ul style="list-style-type: none"> <li>What community family violence meetings and events are attended by Police?</li> </ul>	Identifies the meetings and events attended by Police, shows frequency and identifies gaps.	Police are to advise what meetings they have attended, the date and which person attended meetings. Meetings can include LAJACs, RAJAC, FV networks etc	Police source – information to be manually collected by Police	



MONITORING QUESTION	REASON FOR MONITORING QUESTION	DATA FIGURES REQUIRED	DATA SOURCE	CAVEATS/GAPS/ ISSUES DATA LINKING CONSIDERATIONS
<b>RESPONDENT AGENCY REPORTING REQUIREMENTS</b>				
Number of L17 referrals received by designated FV services for Respondents who identify as Aboriginal	Demonstrates the extent to which formal referrals are being received	Numbers of formal referral received for Aboriginal Respondents this quarter	Reported by DHHS FV funded service – manual or extractable?	Police or FV service may continue to guess the cultural identity and not ask the question; or Aboriginal or Torres Strait Islander persons may decline to share that information Staff may not accurately record cultural identity on data base
Number of ATSI Respondents who have engaged with the support service as a client following an L17 referral	Identifies the extent to which Aboriginal Respondents engage with support services following an L17 referral. Also compares two sequential reporting periods.	Numbers of Aboriginal Respondents who have engaged with the FV service this quarter	Reported by DHHS FV funded service – data base extractable?	Must ensure continuity with how 'engaged' is defined.
Number of ATSI Respondents who have received case management following an L17 referral	Identifies the extent to which Aboriginal Respondents enter into case management with support services following an L17 referral. Also compares two sequential reporting periods.	Numbers of Aboriginal Respondents who are case managed by the FV service this quarter	Reported by DHHS FV funded service – data base extractable?	Must ensure continuity with how 'case management' is defined.
List MOUs / agreements signed between your service and Aboriginal specific services	Outlines the extent that the reporting agency has documented MOU with Koori Services Respondents.	List of Koori services or Koori programs where MOUs have been entered into	Reported by DHHS FV funded service – manual reporting	MOUs may not truly reflect working partnership between two agencies



MONITORING QUESTION	REASON FOR MONITORING QUESTION	DATA FIGURES REQUIRED	DATA SOURCE	CAVEATS/GAPS/ ISSUES DATA LINKING CONSIDERATIONS
<b>AFM AGENCY REPORTING REQUIREMENTS</b>				
Number of L17 referrals received by designated support services for AFMs who identify as Aboriginal	Demonstrates the extent to which formal referrals are being received	Numbers of formal referral received for Aboriginal AFMs this quarter	Reported by DHHS FV funded service – manual or extractable?	Police or FV service may continue to guess the cultural identity and not ask the question or ATSI persons may decline to share that information Staff may not accurately record cultural identity on data base
Number of ATSI AFMs who have engaged with the FV service as a client following an L17 referral	Identifies the extent to which Aboriginal AFMs engage with support services following an L17 referral. Also compares two sequential reporting periods.	Numbers of Aboriginal AFMs who have engaged with the FV service this quarter	Reported by DHHS FV funded service – data base extractable?	Must ensure continuity with how 'engaged' is defined. Staff may not accurately record cultural identity on data base
		Numbers of Aboriginal AFMs who engaged with the FV service last quarter		
Number of ATSI AFMs who have received case management following an L17 referral	Identifies the extent to which Aboriginal AFMs enter into case management with support services following an L17 referral. Also compares two sequential reporting periods.	Numbers of Aboriginal AFMs who are case managed by the FV service this quarter	Reported by DHHS FV funded service – data base extractable?	Must ensure continuity with how 'case management' is defined. Staff may not accurately record cultural identity on data base Same AFMs case management period may cross over two reporting timeframes.
		Numbers of Aboriginal AFMs who are case managed by the FV service this quarter		
Number of ATSI AFMs who are referred to the after hours support provider	Reports on the extent to which ATSI AFMs are engaging with the afterhours support provider – indicating an immediate support response. Also compares two sequential reporting periods.	Number of ATSI women that engaged with the after hours provider this quarter	Reported by DHHS FV funded after hours service – data base extractable?	Staff may not accurately record cultural identity on data base
List of MOUs / agreements between your service and Aboriginal specific services	Outlines the extent that the reporting agency has documented MOU with Koori Services response to ATSI Respondents.	List of Koori services or Koori programs where MOUs have been entered into	Reported by DHHS FV funded service – manual reporting	MOUs may not truly reflect working partnership between two agencies



### 3. KJVPP Program Logic Model

#### ACTIVITIES

Police attendance at Koori Community meetings and activities

Opportunity will be made available to Police members to undertake Aboriginal Cultural Awareness Training at protocol sites

Increase Police awareness of KJVPP through Police training days

Training and Induction for new Police regarding Protocols and local processes

Clear formal Family Violence referral pathways and processes for Police

Development (and documentation/ staff training) of processes for managing received L17 forms, progressing referrals and provide feedback to Police

Reference groups in each location comprising: Victoria Police, service Providers and Koori Community

Development of MOUs between mainstreamed Koori support/ FV services

Community Information sessions regarding family violence delivered by Victoria Police

Development of Protocols

#### OUTPUTS

Meetings attended

Cultural Awareness sessions

Refresher training sessions

New recruit training sessions

Police Manual up to date and provided to officers

Process implemented

Reference group meetings

MOUs signed

Community information sessions

Protocols launched



## OUTCOMES

### SHORT TERM

Koori Community has increased understanding of Victoria Police roles and responsibilities in responding to Koori FV

Increased Police awareness of Koori culture and the community

Police aware of community expectations regarding FV response

Koori Community aware that Police have options and may take criminal, civil and/or referral action

Increase in organisations following agreed processes

Improved understanding of shared services and potential linkages

Improved understanding of FV and Police response

Increased FV calls to Police from Koori community members

Increase in FV incidents attended by Police where the AFM or Perpetrator identify or are identified as Koori

Improved data collection and awareness of extent of Koori FV

Increased Police response to Koori FV incidents and enforcement of related issues

Increased numbers of Koori clients utilising community support services

Increased Koori Community awareness to address FV

### MEDIUM TERM

Koori Community has increased confidence in Victoria Police

Increased instance of Koori status recorded on L17 forms

Increased response rate to Koori FV incidents

Increased Police enforcement of Koori FV matters

Increase in formal Police referrals to support services

Increased number of L17 forms received

Increased follow up and service delivery

Improved partnerships and relationships between services

Increased number of calls to Police for assistance from the Koori Community

Increased accountability for Police response to Koori FV incidents

Police providing a more culturally appropriate response to the Koori Community

### LONG TERM

Reduction in Police attendance at repeat FV incidents

Decreased incidence and severity of FV related crimes

**GOAL: Reduced number of Koori family violence incidents**



## WIMMERA KOORI FAMILY VIOLENCE POLICE PROTOCOLS

A partnership project between Victoria Police, Department of Justice & Regulation, and the Aboriginal Family Violence Prevention Legal Service Victoria.

