

# The Domestic Violence Intervention Court Model: A follow-up study

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**Aim:** *The primary aim of the current study is to examine whether domestic violence police and court outcomes have changed since the commencement of the Domestic Violence Intervention Court Model (DVICM).*

**Method:** *Logistic and Poisson regression models were used to determine whether the DVICM resulted in the following: an increase in the proportion of persons of interest charged with a domestic violence offence; an increase in the proportion of domestic violence matters finalised on a plea of guilty; a decrease in the proportion of matters finalised on a dismissal; an increase in the proportion of penalties of bonds with supervision; an increase in the proportion of penalties of imprisonment; a decrease in the time from first court appearance to finalisation in court; an increase in the proportion of matters finalised with a plea of guilty within three weeks of first court appearance; and an increase in the proportion of matters finalised within 12 weeks of the police event date. The test sites were Campbelltown, Macquarie Fields, and Wagga Wagga Local Area Commands. The rest of NSW was used as the control group.*

**Results:** *The DVICM increased the proportion of persons of interest charged in Macquarie Fields but not in Campbelltown or Wagga Wagga Local Area Commands. It reduced the time taken to finalise domestic violence matters in Campbelltown and Wagga Wagga Local Courts. The DVICM did not affect the proportion of matters finalised on a plea of guilty; the proportion of matters finalised on a dismissal; the proportion of penalties of bonds with supervision; nor the proportion of penalties of imprisonment.*

**Conclusion:** *The DVICM was successful in achieving some but not all of its aims.*

**Keywords:** *domestic violence, domestic abuse, spousal abuse, family violence, program evaluation, local area command, local court, NSW, Australia*

## INTRODUCTION

Domestic violence is recognised as a major public health problem which can result in injuries, and have other short and long term consequences to health (Ramsay et al., 2002). According to Section 4(1) of the *NSW Crimes Act 1900*, domestic violence is defined as an offence committed against a person who is or was:

- Married, or in an intimate relationship with the offender
- Living with the offender
- Caring for the offender (in a paid or unpaid capacity), or under the care of the offender
- Related to the offender

Domestic violence can occur in many kinds of relationships. For instance, of all physical assaults in Australia, victim/offender

domestic relationships include a current/previous partner (9.5%); current/ex boyfriend or girlfriend, or date (2.1%); and other family members (8.9%) (Australian Bureau of Statistics, 2011). The majority of domestic violence occurs between persons presently/formerly in an intimate relationship and typically with women as victims (Grech & Burgess, 2011). While men are also victims of domestic violence they generally experience assault by a current or former intimate partner less often than women. For example, in NSW, 69 percent of domestic assault victims reported to police are female and 31 percent male (Grech & Burgess, 2011).

Domestic violence incorporates a wide range of behaviours which include physical and sexual abuse, malicious damage to property, verbal attacks, social isolation (e.g., preventing contact with family and friends), and controlling behaviour (e.g., withholding access to income) (Richardson et al., 2002).

Domestic violence is one of the most common causes of non-fatal injury for women (Kyriacou et al., 1999) and can also result in effects less apparent than physical injuries such as mental illness and complications of pregnancy (Ramsay et al., 2002). Only some aspects of domestic violence are crimes and can be addressed by criminal justice involvement.

The effectiveness of the criminal justice system in preventing domestic violence is constrained by the fact that a large proportion of domestic violence is not reported. There are many factors which influence whether a victim of domestic violence will report the offence to police. Victims of domestic violence are less likely to report the offence if they are young (18-24 years); if only one perpetrator is involved; or if the incident does not involve physical violence and/or did not cause injury (Coumarelos & Allen, 1999). Reluctance to report an incident of domestic violence is often due to fear of retaliation by the perpetrator and/or a belief that police cannot help (Coumarelos & Allen, 1999).

The criminal justice system can contribute to the coordinated interagency response to domestic violence by proactive policing, such as improving evidence collection (which reduces reliance on victim testimony), reducing court delays, employing specialist personnel, linking victims to advocacy services, and giving sanctions that hold offenders accountable. The Domestic Violence Intervention Court Model (DVICM), introduced in September 2005, was designed to achieve these aims. In the next section of this report we describe the model in detail and then summarise the results of the NSW Bureau of Crime Statistics and Research's initial evaluation of selected aspects of the program.

### THE NSW DOMESTIC VIOLENCE INTERVENTION COURT MODEL

The DVICM was first introduced as an interagency program involving the then NSW Attorney General's Department, the NSW Department of Community Services, the NSW Department of Corrective Services, the Legal Aid Commission of NSW, and the NSW Department of Housing. The pilot of the model was advocated in the Evaluation of the NSW Pilot Program for Perpetrators of Domestic Violence (Urbis Keys Young, 2004) and the 2003 Alcohol Summit (NSW Office of Drug and Alcohol Policy, 2004).

The program was initiated in two pilot local courts:

- Campbelltown Local Court, incorporating Campbelltown and Macquarie Fields Local Area Commands (LACs)
- Wagga Wagga Local Court, encompassing Wagga Wagga LAC

The objective of the DVICM was to improve the response of the criminal justice system to domestic violence. This response

has many aspects and involves multiple agencies. The DVICM sought to achieve these objectives by:

1. Improving police evidence gathering in relation to domestic violence
2. Improving the efficiency of the court response to matters of domestic violence
3. Providing greater support to victims of domestic violence
4. Improving the management of domestic violence offenders

To improve police evidence gathering, police were provided with equipment such as a digital and video cameras to enable documentation of injuries to victims and damage of property. To improve the efficiency of the court response in the Campbelltown and Wagga Wagga Local Courts, in 2006, the Chief Magistrate of the Local Court formally issued a Practice Note; this was designed to expedite the processing of domestic violence matters. In addition to a Victims' Advocate to provide greater support to victims, a perpetrators' program was established to improve the management of domestic violence offenders. Further details on these initiatives can be found in Rodwell and Smith (2008).

### THE 2008 EVALUATION OF THE DOMESTIC VIOLENCE INTERVENTION COURT MODEL

Rodwell and Smith (2008) evaluated the influence of the DVICM on police incidents and court matters relating to domestic violence in two pilot Local Courts (Campbelltown and Wagga). The 2008 evaluation investigated domestic violence events and incidents (i.e., assault, malicious damage, harassment, and offences against justice procedures). Victims' satisfaction with the police response and the support they received from victim services; their feelings of safety at the time of the interview; and whether they would report a similar incident to the police in the future were recorded. Key stakeholders' satisfaction with the implementation and operation of the DVICM was also recorded.

The 2008 evaluation addressed the following questions in relation to police and court outcomes:

- Whether there was any change in the proportion of alleged domestic violence offenders brought before the courts?
- Whether there was any change in court outcomes and penalties for domestic violence matters?
- Whether domestic violence matters were being dealt with more expeditiously, in particular:
  - ♦ Whether more domestic violence matters were finalised after a plea of guilty within three weeks of first court appearance?
  - ♦ Whether all domestic violence matters were being finalised within 12 weeks (84 days) of first court appearance (this was a performance standard set by the program managers)?

From the commencement of the DVICM, the follow up period examined was 18 months for police outcomes and 12 months for court outcomes. The 2008 evaluation revealed limited evidence of success of the DVICM in terms of police and local court outcomes. The only clear changes that could be correlated with the introduction of the DVICM were:

- An increase in the number of persons of interest (POIs) charged with a domestic violence offence in Campbelltown and Macquarie Fields LACs
- A decrease in the proportion of domestic violence matters finalised on a plea of guilty in Wagga Wagga Local Court
- An increase in the proportion of principal penalties for domestic violence matters that were bonds with supervision in Campbelltown Local Court
- A decrease in court delay for domestic violence matters after a defended hearing in Campbelltown Local Court
- An increase in the proportion of domestic violence matters processed within 12 weeks of police event date in Macquarie Fields LACs

There was no change in:

- The proportion of POIs charged in Wagga Wagga LAC
- The proportion of domestic violence matters finalised on a plea of guilty in Campbelltown Local Court
- The proportion of domestic violence matters finalised on a dismissal in Campbelltown and Wagga Wagga Local Courts
- The proportion of principal penalties for domestic violence matters that were bonds with supervision in Wagga Wagga Local Court
- Court delay for all domestic violence matters and domestic violence matters after a plea of guilty in Campbelltown and Wagga Wagga Local Courts
- Court delay for domestic violence matters after a defended hearing in Wagga Wagga Local Court
- The proportion of domestic violence matters finalised with a plea of guilty within three weeks of first court appearance in Campbelltown and Wagga Wagga Local Courts
- The proportion of domestic violence matters processed within 12 weeks from police event date in Campbelltown and Wagga Wagga LACs

Additionally, overall victims were very satisfied with the DVICM in terms of police response and the support they received from the Victims' Advocate; the majority of victims stated they felt safe at the time of the interview. Overall, the majority of key stakeholders thought that the DVICM was successful, and that it should be continued and possibly rolled out to additional LACs (for further details, see Rodwell and Smith, (2008)). Finally, the number of domestic violence police events or incidents did not display a consistent upward or downward trend.

## THE CURRENT EVALUATION OF THE DVICM

In this evaluation of the DVICM, key aspects of police and court outcomes were investigated. Other initiatives, such as victims' support, offender intervention, and the interagency practice elements of the DVICM were not investigated. The evaluation by Rodwell and Smith (2008), as noted earlier, was limited to follow up periods from the commencement of the DVICM of 18 months for police outcomes and 12 months for court outcomes. Complex programs sometimes take time to be fully implemented and to operate at peak efficiency. The present evaluation builds on the methodology of the initial 2008 evaluation (Rodwell & Smith, 2008). The length of the follow up period is extended by three years to a total follow up period of four years and six-months (54 months) from the commencement of the DVICM. In the current study, only responses related to police and court outcomes were evaluated; research questions related to charge rates, penalties, court outcomes, and court delay are examined. Factors investigated in Rodwell and Smith's (2008) original DVICM evaluation of domestic violence events and incidents (i.e., assault, malicious damage, harassment, and offences against justice procedures) were not re-analysed herein. Key stakeholder interviews and victim surveys were also not repeated.

## RESEARCH AIMS

The primary aim of this study is to examine whether domestic violence police and court outcomes have changed since the commencement of the DVICM using a longer follow up period than the 2008 DVICM evaluation (Rodwell & Smith, 2008). Regarding domestic violence matters, the introduction of the DVICM is expected to result in:

1. An increase in the proportion of POIs charged with a domestic violence offence
2. A change in the distribution of court outcomes, specifically:
  - a) An increase in the proportion of domestic violence matters finalised on a plea of guilty
  - b) A decrease in the proportion of domestic violence matters finalised on a dismissal
3. A change in the distribution of principal penalties for domestic violence matters, specifically:
  - c) An increase in the proportion of penalties of bonds with supervision
  - d) An increase in the proportion of penalties of imprisonment
4. A decrease in the time taken to finalise domestic violence matters, specifically:
  - a) A decrease in the time from first appearance to court finalisation
  - b) An increase in the proportion of matters finalised after a plea of guilty within three weeks of first court appearance
  - c) An increase in the proportion of matters finalised within 12 weeks of the police event date

Additionally, the DVICM Local Court Practice Note was rolled out across the rest of NSW from March 2008. It is expected to decrease court delay and increase the efficiency of processing time in court for matters of domestic violence, from April 2008 in NSW.

## METHOD

### DATA

Data were sourced from the NSW Police Force's Computerised Operational Policing System (COPS) and linked to court outcome data from the Local Court database managed by the NSW Bureau of Crime Statistics and Research (for further details see Rodwell & Smith, 2008). A police event is recorded on COPS when a criminal incident or set of incidents is reported to, or detected by, police. Whether an incident is related to domestic violence is also recorded. Police incidents, with an event date between October 2003 and April 2010, that were flagged as being related to domestic violence on COPS were extracted. These incidents were linked to court records to determine whether the incident proceeded to court and, if so, the details of the court matter.

### TREATMENT AND CONTROL GROUPS

For police outcomes, the three DVICM treatment Local Area Commands (LACs) were Campbelltown, Macquarie Fields and Wagga Wagga. The LACs in the rest of NSW, which were not subject to the DVICM, served as the control group for analyses. For court outcomes, the two DVICM treatment Local Courts were Campbelltown and Wagga Wagga. The local courts for the rest of NSW served as the control group.<sup>1</sup>

### TIME PERIODS

The DVICM pilot officially commenced in Campbelltown on 12 September 2005 and in Wagga Wagga on 10 October 2005. For analyses, domestic violence matters were grouped into six-month time periods based on the date the event was reported to the police (Table 1).<sup>2</sup> There were four time periods prior to the commencement of the DVICM, referred to as 'pre periods', and nine time periods following the commencement of the DVICM referred to as 'post commencement periods'.

Three variables based on these time periods were used in the analysis:

- **Pre/post:** Whether the police event date was in the pre or the post DVICM commencement period
- **Season:** Whether the police event date was in season one (October to March) or season two (April to September).<sup>3</sup> This six-month season flag was included to account for any seasonal variation

**Table 1. Six-month time periods for analyses of the treatment sites, Campbelltown (incorporating Macquarie Fields LAC) and Wagga Wagga Local Courts, and the control group (the rest of NSW)**

Time period	Campbelltown/ Control	Wagga Wagga
<b>Pre period</b>		
Pre 1	Oct 03-Mar 04	Nov 03-Apr 04
Pre 2	Apr 04-Sep 04	May 04-Oct 04
Pre 3	Oct 04-Mar 05	Nov 04-Apr 05
Pre 4	Apr 05-Sep 05	May 05-Oct 05
<b>Post commencement period</b>		
Post 1 (start of DVICM)	Oct 05-Mar 06	Nov 05-Apr 06
Post 2	Apr 06-Sep 06	May 06-Oct 06
Post 3	Oct 06-Mar 07	Nov 06-Apr 07
Post 4	Apr 07-Sep 07	May 07-Oct 07
Post 5	Oct 07-Mar 08	Nov 07-Apr 08
Post 6	Apr 08-Sep 08	May 08-Oct 08
Post 7	Oct 08-Mar 09	Nov 08-Apr 09
Post 8	Apr 09-Sep 09	May 09-Oct 09
Post 9	Oct 09-Mar 10	Nov 09-Apr 10

- **Time period:** A numeric variable representing a six-month time period. Values ranged from 1 (Pre 1) to 13 (Post 9)

### POLICE AND COURT OUTCOMES

Police and court outcomes were analysed to investigate the following aspects of domestic violence after the commencement of the DVICM<sup>4</sup>:

- **POIs charged:** Whether a POI was charged with at least one domestic violence offence within a police event
- **Sentenced after a plea of guilty:** Whether the collective outcome for a domestic violence matter was a sentence after a plea of guilty<sup>5</sup>
- **Defended hearing with all charges dismissed:** Whether the collective outcome for a domestic violence matter was a defended hearing with all charges dismissed
- **All charges dismissed without hearing:** Whether the collective outcome for a domestic violence matter was all charges dismissed without a hearing
- **Bond with supervision:** Whether the principal penalty (i.e., the most serious penalty issued) for a domestic violence matter was bond with supervision
- **Imprisonment:** Whether the principal penalty for a domestic violence matter was imprisonment

- **Court delay:** The number of days from first appearance to finalisation in court for all domestic violence matters, domestic violence matters finalised after a plea of guilty and domestic violence matters finalised after a defended hearing
- **Finalised within three weeks of a plea of guilty:** Whether a domestic violence matter, where the collective outcome was a sentence after a plea of guilty, was finalised within three weeks of the first appearance
- **Finalised within 12 weeks of the police event date:** Whether a domestic violence matter was finalised in court within 12 weeks of the police event date

## STATISTICAL ANALYSIS

Regression was used to determine whether there were differences between the treatment and control groups in terms of changes in police and court outcomes from the pre to the post DVICM commencement periods. For the binary (yes/no) police and court outcomes, logistic regression was used. For court delay, Poisson regression was used. Separate models were developed to compare each treatment site with the control group for each outcome. Model terms included the binary variables pre/post, group and season; the numeric variable time period; and the two and three way interactions between pre/post, group and time period.

Aspects of the models that were of primary interest in addressing the research questions were whether the outcome was increasing or decreasing significantly ( $p < .05$ ):

- Across the post period for the treatment group
- Across the post period for the treatment group relative to pre period for the treatment group
- Across the post period for the treatment group relative to post period for the control group (only conducted if a difference across the post period for the treatment group relative to pre period for the treatment group was found)

Fluctuations in the observed police and court outcomes for each six-month period may make the longer term trends across the pre and post commencement periods difficult to decipher graphically. To more clearly demonstrate the rate of increase or decrease across the whole of the pre or post commencement periods both the predicted and observed police and court outcomes were presented in the figures. The predicted police and court outcomes for each six-month time period were estimated from the regression models.<sup>6</sup>

The number of records analysed varied across police and court outcomes. For example, analyses of whether a grouped outcome was 'sentenced after a plea of guilty' included all domestic violence matters that proceeded to court. On the other hand, analyses of whether a principal penalty was a 'bond with supervision' included only domestic violence matters that

resulted in a conviction and were able to receive a penalty. Therefore, fewer records were analysed in relation to penalties than for grouped outcomes. The minimum and maximum number of records across the six-month time periods for each police and court outcome by local court and LAC are presented in Appendix Table A1.

The impact of the roll-out of the DVICM Local Court Practice Note across the whole of NSW in 2008 (commenced March 2008) was also investigated. In NSW, the change in court delay over time was analysed. The period post March 2008 (time periods Post 6 to Post 9) was compared to the period prior March 2008 (time periods Pre1 to Pre 4 and Post 1 to Post 5).

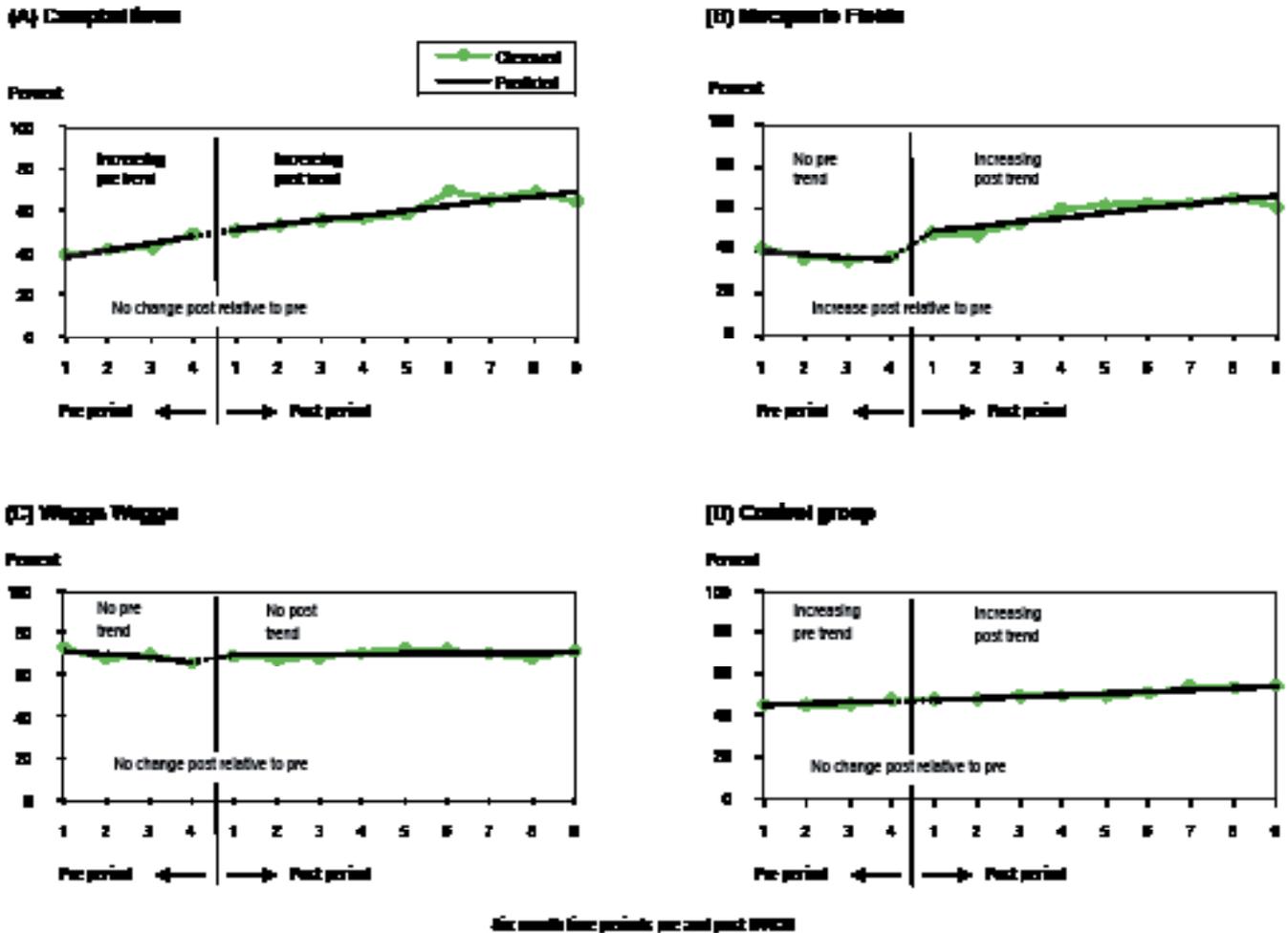
## RESULTS

### DID THE PROPORTION OF PERSONS OF INTEREST CHARGED WITH DOMESTIC VIOLENCE OFFENCES INCREASE?

Figure 1 presents the observed and predicted proportion of persons of interest (POIs) charged with domestic violence offences for the six-month time periods across the pre and post commencement periods. The questions of interest were whether the proportion of charged POIs for each treatment LAC increased across the post commencement period relative to the pre period and, if so, whether the increase across the post commencement period for the treatment group was greater than any increase for the control group.

In Campbelltown LAC, the proportion of POIs charged increased across the post DVICM commencement period ( $p < .05$ , denoted 'increasing post trend' in Figure 1A). However, there was an increase across the pre period that was similar to the increase across the post commencement period. Overall, there was no significant change pre- to post-DVICM in the Campbelltown LAC (denoted 'no change post relative to pre' in Figure 1A). This suggests that the increase in the post period is nothing more than a continuation of a pre-existing trend. In Macquarie Fields, however, there was an increase across the post commencement period relative to the pre period ( $p < .05$ , denoted 'increase post relative to pre' in Figure 1B). Wagga Wagga showed no overall change in the proportion of POIs charged across the post commencement period (non-significant, denoted 'no post trend' in Figure 1C). An increase across the post commencement period also occurred in the control group, the rest of NSW, (Figure 1D). However, when tested, the increase across the post commencement period was larger in Macquarie Fields than in the control group ( $p < .001$ ).

Figure 1. Proportion of persons of interest (POIs) charged with a domestic violence offence in (A) Campbelltown, (B) Macquarie Fields, (C) Wagga Wagga and (D) the control group local area commands



Note: 'Increasing pre/post trend' denotes a significant ( $p < .05$ ) increase across the pre/post period. 'Decrease pre/post trend' denotes a significant ( $p < .05$ ) decrease across the pre/post period. 'No pre/post trend' denotes no significant ( $p > .05$ ) change across the pre/post period. 'Increase post relative to pre' denotes a significant ( $p < .05$ ) increase across the post period relative to the pre period. 'Decrease post relative to pre' denotes a significant ( $p < .05$ ) decrease across the post period relative to the pre period. 'No change post relative to pre' denotes no significant ( $p > .05$ ) change across the post period relative to the pre period.

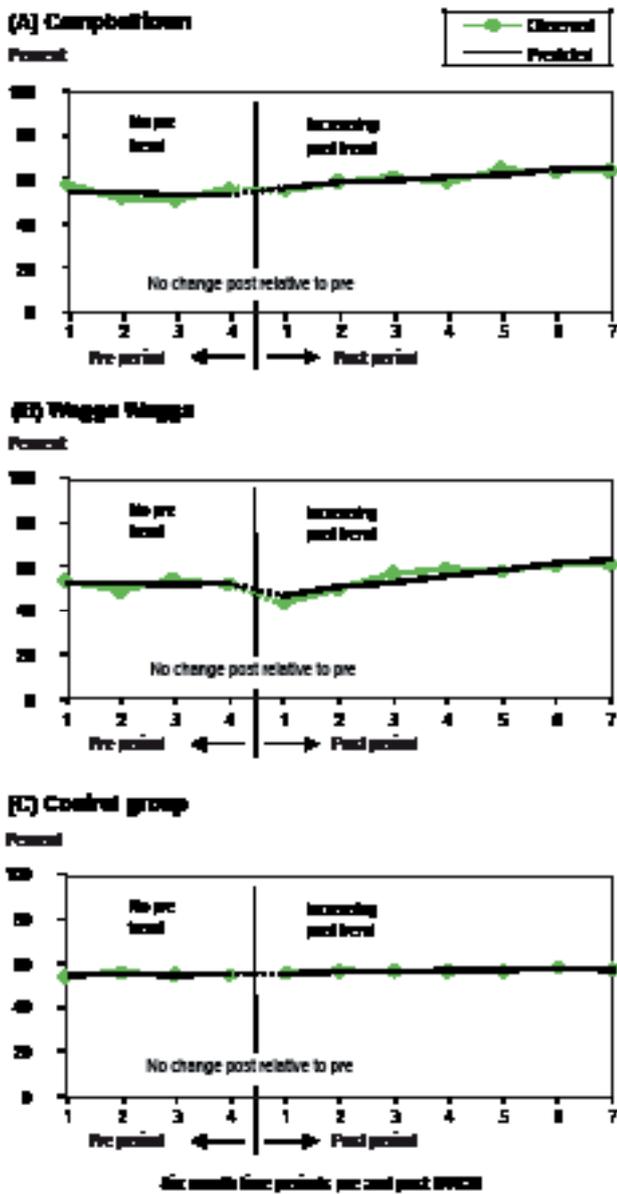
### WAS THERE AN INCREASE IN THE PROPORTION OF DOMESTIC VIOLENCE MATTERS FINALISED ON A PLEA OF GUILTY?

Campbelltown (Figure 2A), Wagga Wagga (Figure 2B) and the rest of NSW (Figure 2C) local courts demonstrated an increase in the proportion of domestic violence matters finalised on a plea of guilty over the post commencement period. However, for Campbelltown, Wagga Wagga, and the control group local courts, the increase across the post commencement period was not significantly different to the non significant trend across the pre period.

### WAS THERE A REDUCTION IN THE PROPORTION OF MATTERS FINALISED WITH A DISMISSAL?

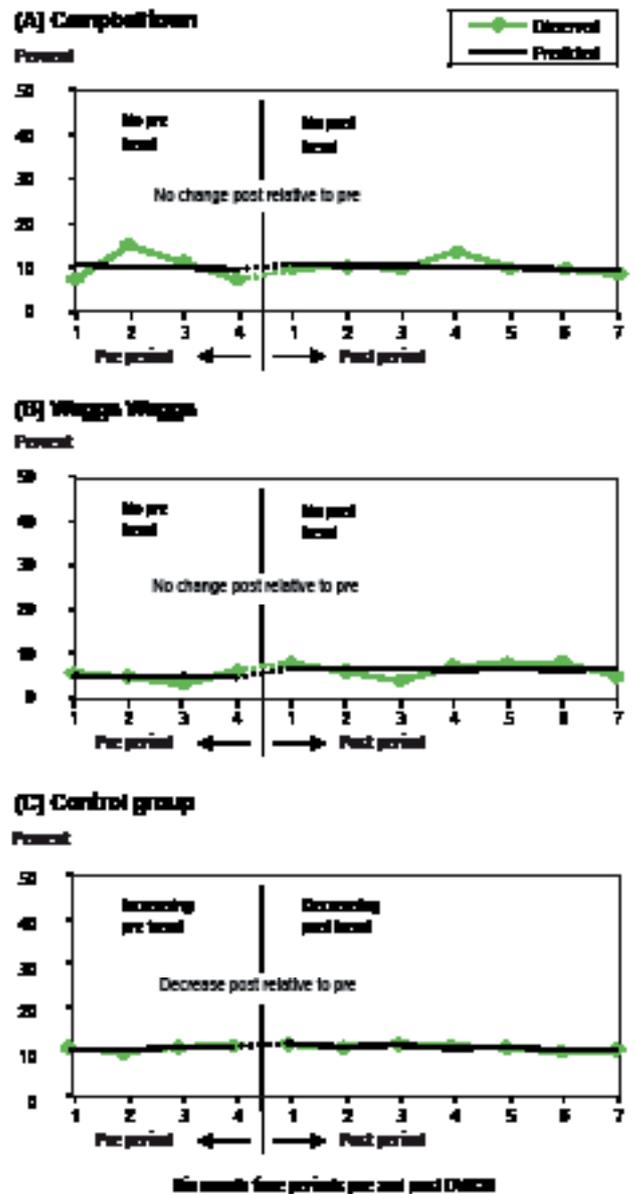
Campbelltown and Wagga Wagga Local Courts demonstrated no overall change from the pre to the post commencement periods in the proportion of domestic violence matters finalised with defended hearings where all charges were dismissed (Figures 3A and 3B). Conversely, the rest of NSW showed a decrease across the post commencement period (Figure 3C). However, when tested, the decrease across the post commencement period for the control group was not different to the non significant trend across the post period for Campbelltown ( $p = .879$ ) and Wagga Wagga ( $p = .784$ ).

**Figure 2. Proportion of domestic violence matters finalised on a plea of guilty in (A) Campbelltown, (B) Wagga Wagga and (C) control group local courts**



Note: Please see Note of Figure 1.

**Figure 3. Proportion of domestic violence matters finalised on a dismissal after a defended hearing in (A) Campbelltown, (B) Wagga Wagga and (C) control group local courts**



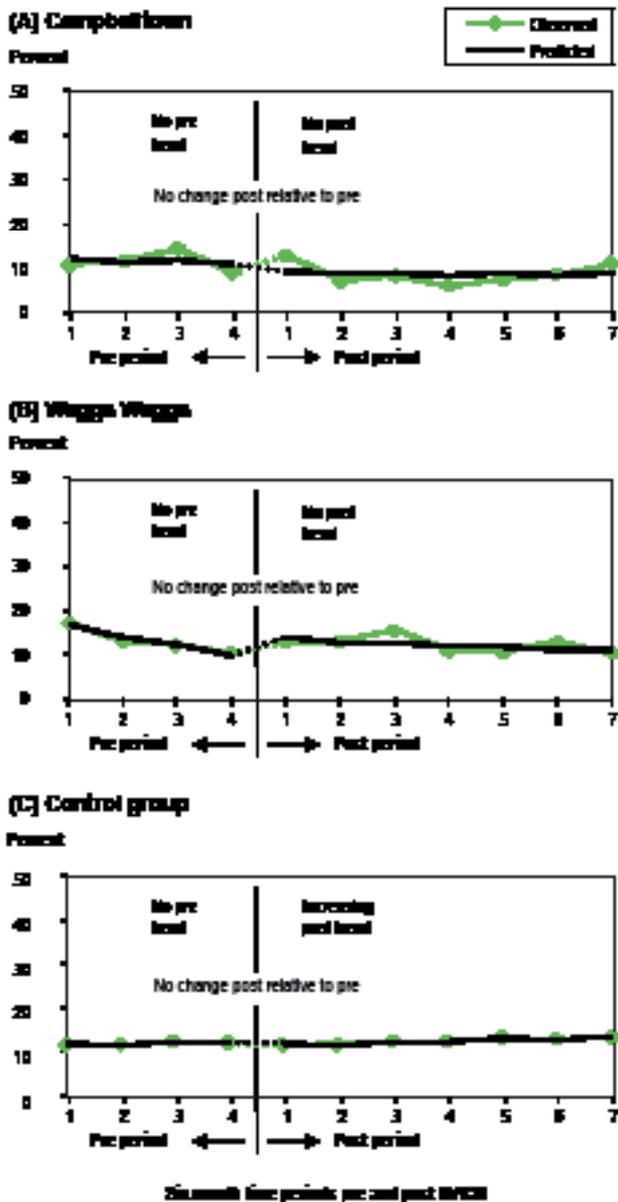
Note: Please see Note of Figure 1.

Likewise, there was no overall change from the pre to the post commencement periods in the proportion of domestic violence matters finalised with all charges dismissed without a hearing in Campbelltown and Wagga Wagga Local Courts (Figures 4A and 4B). During the post commencement period the rest of NSW showed an increase, but this increase was not different to the non significant trend across the pre period (Figure 4C). Further, when tested, the increase across the post commencement period for the control group was not different to the non significant trend across the post period for Campbelltown ( $p = .210$ ) and Wagga Wagga ( $p = .151$ ).

**WAS THERE AN INCREASE IN THE PROPORTION OF PENALTIES OF BONDS WITH SUPERVISION?**

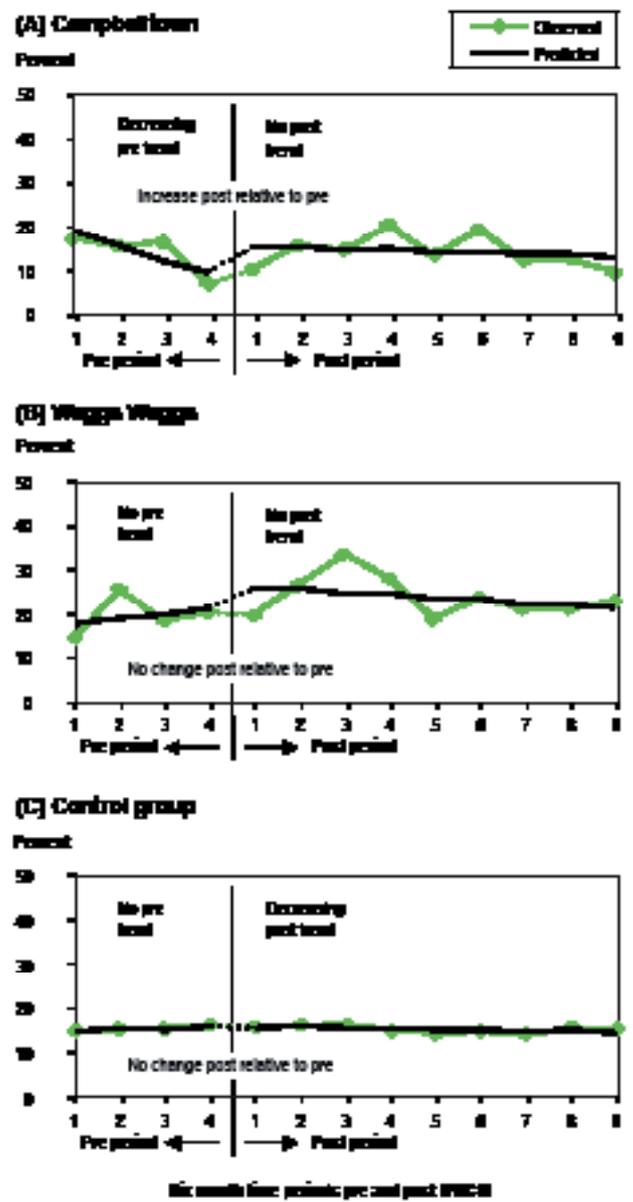
In Campbelltown Local Court there was no change across the post commencement period in the proportion of penalties that were bonds with supervision. However, the proportion of penalties of bonds with supervision was surprisingly low in the period just prior to the commencement of the intervention (Pre 4) and this resulted in a significant relative increase from the pre to the post commencement periods (Figure 5A). Wagga Wagga showed no change across the pre and post commencement periods (Figure 5B). During the post commencement period, the

**Figure 4. Proportion of domestic violence matters finalised on a dismissal without a hearing in (A) Campbelltown, (B) Wagga Wagga and (C) control group local courts**



Note: Please see Note of Figure 1.

**Figure 5. Proportion of domestic violence penalties of bonds with supervision in (A) Campbelltown, (B) Wagga Wagga and (C) control group local courts**



Note: Please see Note of Figure 1.

rest of NSW showed a decrease in the proportion of penalties of bonds with supervision, though this was not different to the non significant trend across the pre period (Figure 5C).

**WAS THERE AN INCREASE IN THE PROPORTION OF PENALTIES OF IMPRISONMENT?**

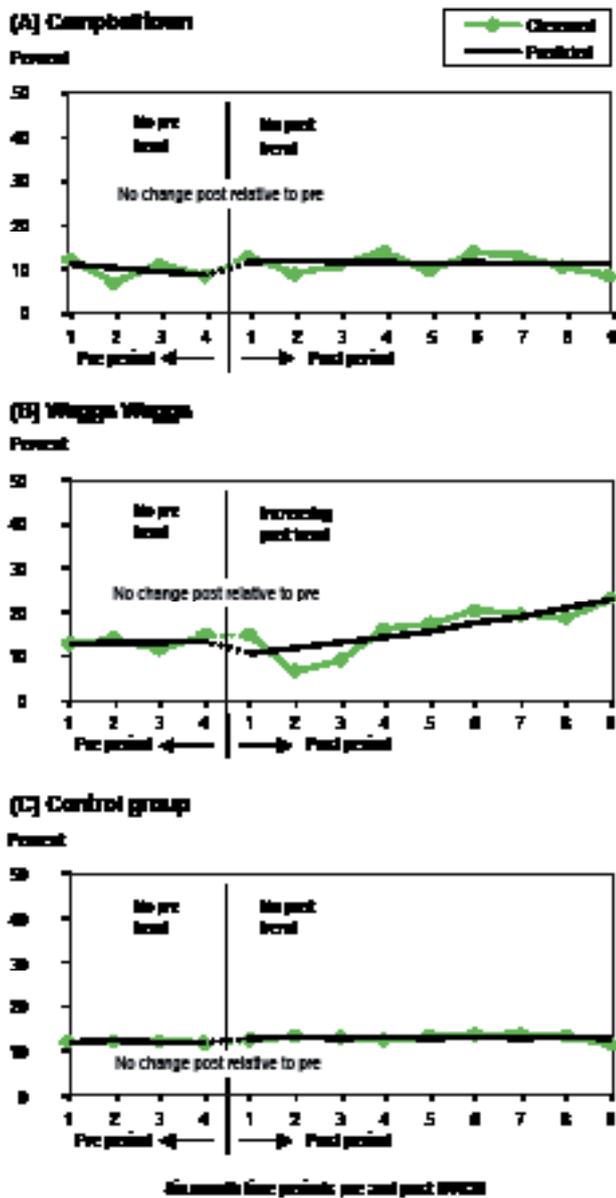
Campbelltown Local Court showed no change in the proportion of penalties of imprisonment (Figure 6A). Wagga Wagga demonstrated an increase across the post commencement period, however this was not significantly different to the non significant trend across the pre period (Figure 6B). The

proportion of penalties that were imprisonment did not change across the pre or post commencement periods in the rest of NSW (Figure 6C).

**WAS THERE A DECREASE IN THE OVERALL COURT DELAY?**

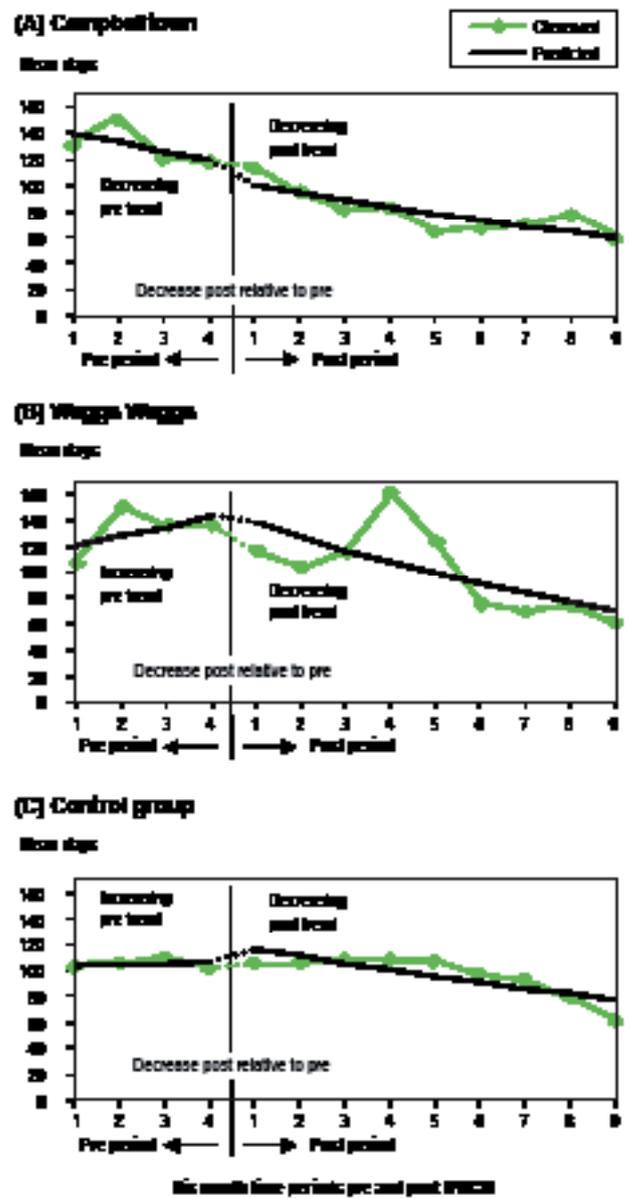
In Campbelltown Local Court there was a decrease across the post commencement period relative to the pre period in court delay, the time from first appearance to finalisation in court, for all domestic violence matters (Figure 7A). Wagga Wagga Local Court demonstrated an increase across the pre period

**Figure 6. Proportion of domestic violence penalties of imprisonment in (A) Campbelltown, (B) Wagga Wagga and (C) control group local courts**



Note: Please see Note of Figure 1.

**Figure 7. Time from first court appearance to finalisation in court for all domestic violence matters in (A) Campbelltown, (B) Wagga Wagga and (C) control group local courts**



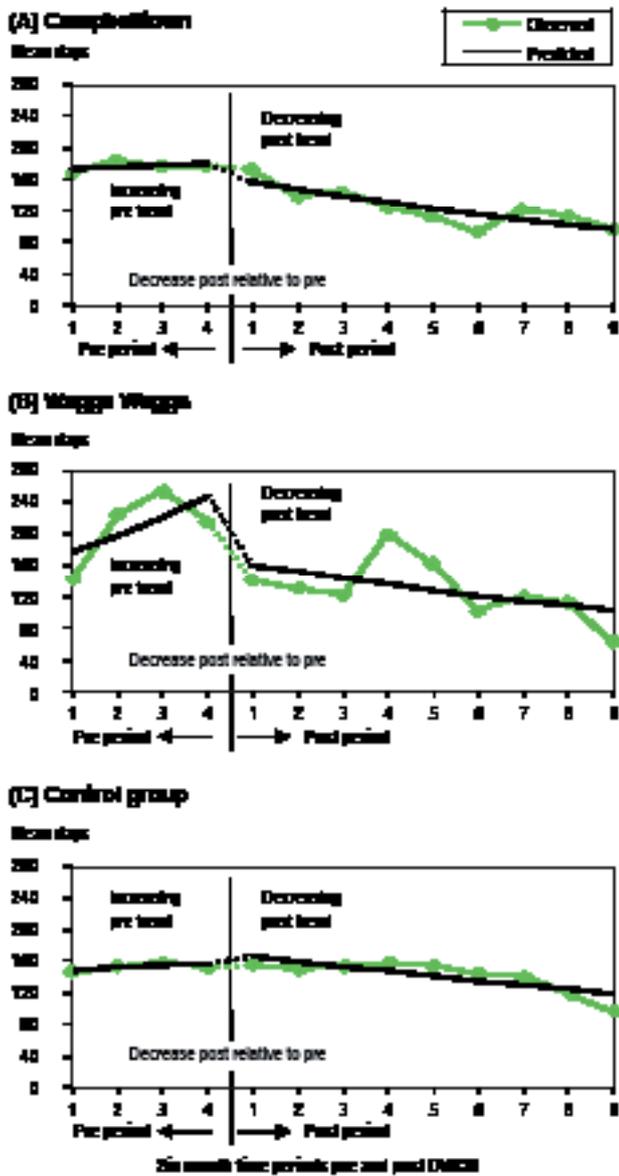
Note: Please see Note of Figure 1.

and a decrease across the post commencement period relative to the pre period in court delay (Figures 7B). The rest of NSW demonstrated an increase across the pre period and a decrease across the post commencement period relative to the pre period (Figure 7C). The DVICM Local Court Practice Note was introduced across all of NSW in 2008, however, when formally compared to the rest of the NSW, the decrease across the post commencement periods from October/November 2005 onwards was greater for Campbelltown ( $p < .001$ ) and Wagga Wagga ( $p < .001$ ). This suggests the commencement of the DVICM in late 2005 was influencing the processing time of court matters in Campbelltown and Wagga Wagga.

**WAS THERE A DECREASE IN COURT DELAY FOR DEFENDED HEARINGS?**

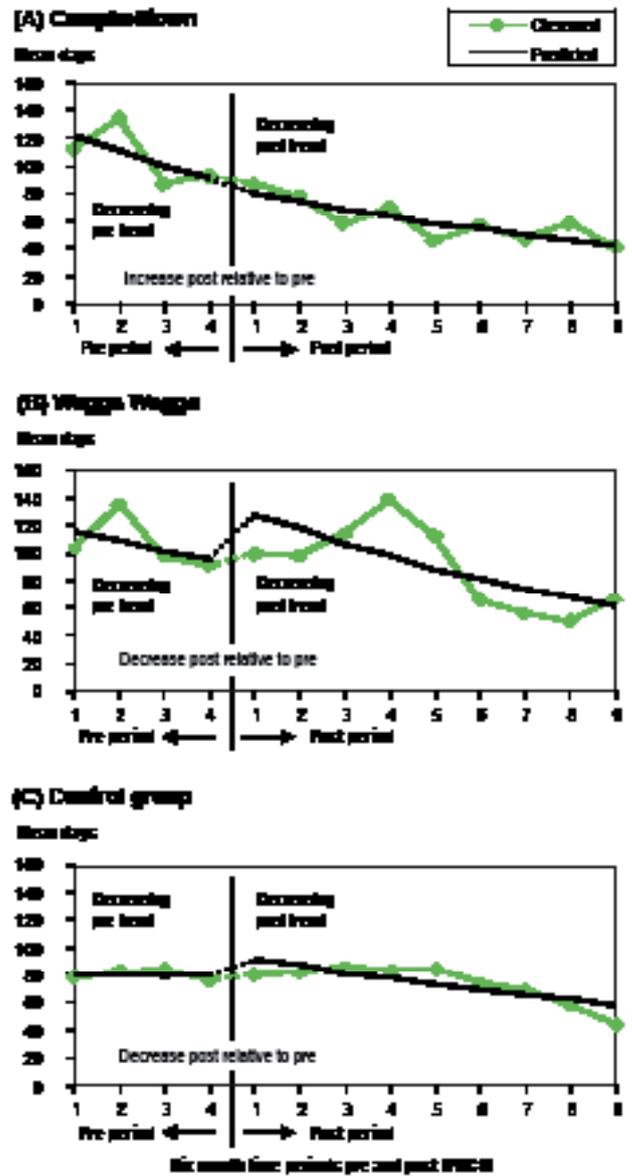
Campbelltown showed a decrease across the post commencement period relative to the pre period in court delay from the first appearance to finalisation for defended hearings (Figure 8A). For Wagga Wagga Local Court, there was also a decrease across the post commencement period relative to the pre period (Figure 8B). There was also a decrease across the post commencement period relative to the pre period in the rest of NSW (Figure 8C). The DVICM Local Court Practice Note was introduced across all of NSW in 2008, however, when formally

**Figure 8. Time from first court appearance to finalisation in court for domestic violence matters after a defended hearing in (A) Campbelltown, (B) Wagga Wagga and (C) control group local courts**



Note. Please see Note of Figure 1.

**Figure 9. Time from first court appearance to finalisation in court for domestic violence matters after a plea of guilty in (A) Campbelltown, (B) Wagga Wagga and (C) control group local courts**



Note. Please see Note of Figure 1.

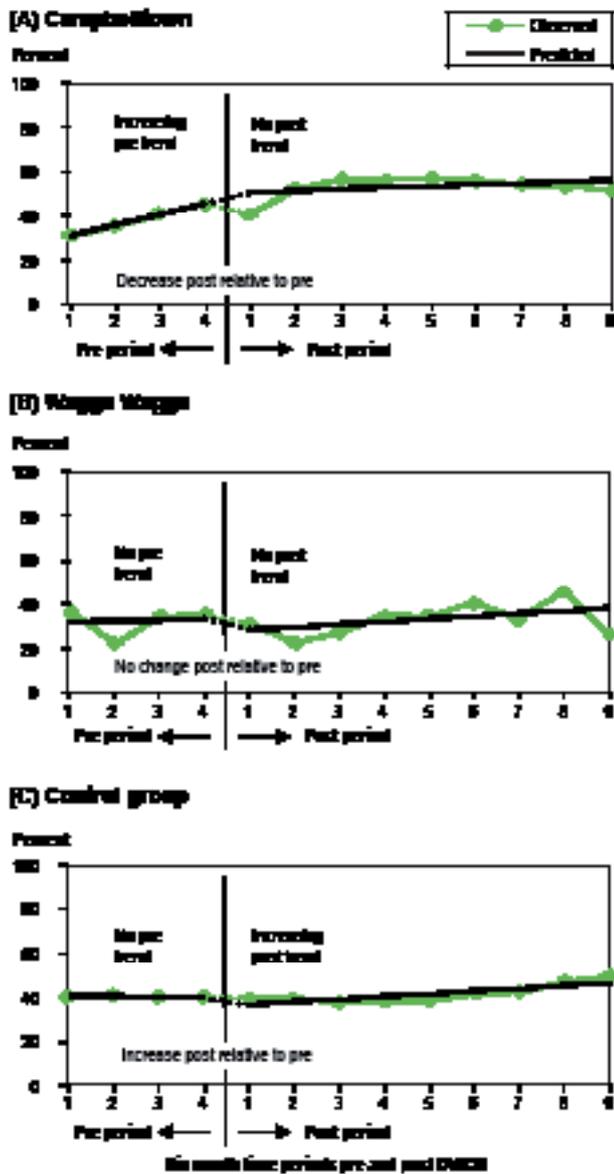
compared to the rest of the NSW, the decrease across the post commencement periods from October/November 2005 onwards was greater for Campbelltown ( $p < .001$ ) and Wagga Wagga ( $p < .001$ ). This suggests the commencement of the DVICM in late 2005 was influencing the processing time of court matters in Campbelltown and Wagga Wagga.

**WAS THERE A DECREASE IN COURT DELAY FOR MATTERS ENDING IN A PLEA OF GUILTY?**

Campbelltown demonstrated a decrease in the pre and post commencement periods in court delay from first appearance

to finalisation for pleas of guilty. However, the decrease across the post commencement period was significantly less than the decrease across the pre period resulting in a relative increase from the pre to the post commencement periods (Figure 9A). Wagga Wagga Local Court demonstrated a decrease across the pre and post commencement periods, with the decrease in the post period greater than the decrease in the pre period (Figure 9B). Additionally, there was a decrease across the post period relative to the pre period for the rest of NSW (Figure 9C). The DVICM Local Court Practice Note was introduced across all of NSW in 2008, however, when formally tested, the decrease

**Figure 10. Proportion of domestic violence matters finalised with a plea of guilty within three weeks of first court appearance in (A) Campbelltown, (B) Wagga Wagga and (C) control group local courts**



across the post commencement period from October/November 2005 onwards was greater for Wagga Wagga than for the rest of NSW ( $p < .001$ ). This suggests the commencement of the DVICM in late 2005 was influencing the processing time of court matters in Wagga Wagga.

**WAS THERE AN INCREASE IN THE PROPORTION OF DOMESTIC VIOLENCE MATTERS FINALISED WITH A PLEA OF GUILTY WITHIN THREE WEEKS?**

Campbelltown showed no change across the post commencement period in the proportion of domestic violence

matters with a plea of guilty which were finalised within three weeks (21 days) of first appearance, however an increase was seen in the pre period resulting in a decrease across the post period relative to the pre period (Figure 10A). Wagga Wagga showed no change across the post commencement period (Figure 10B). In the rest of NSW however, there was a significant increase in the post commencement period relative to the pre period (Figure 10C).

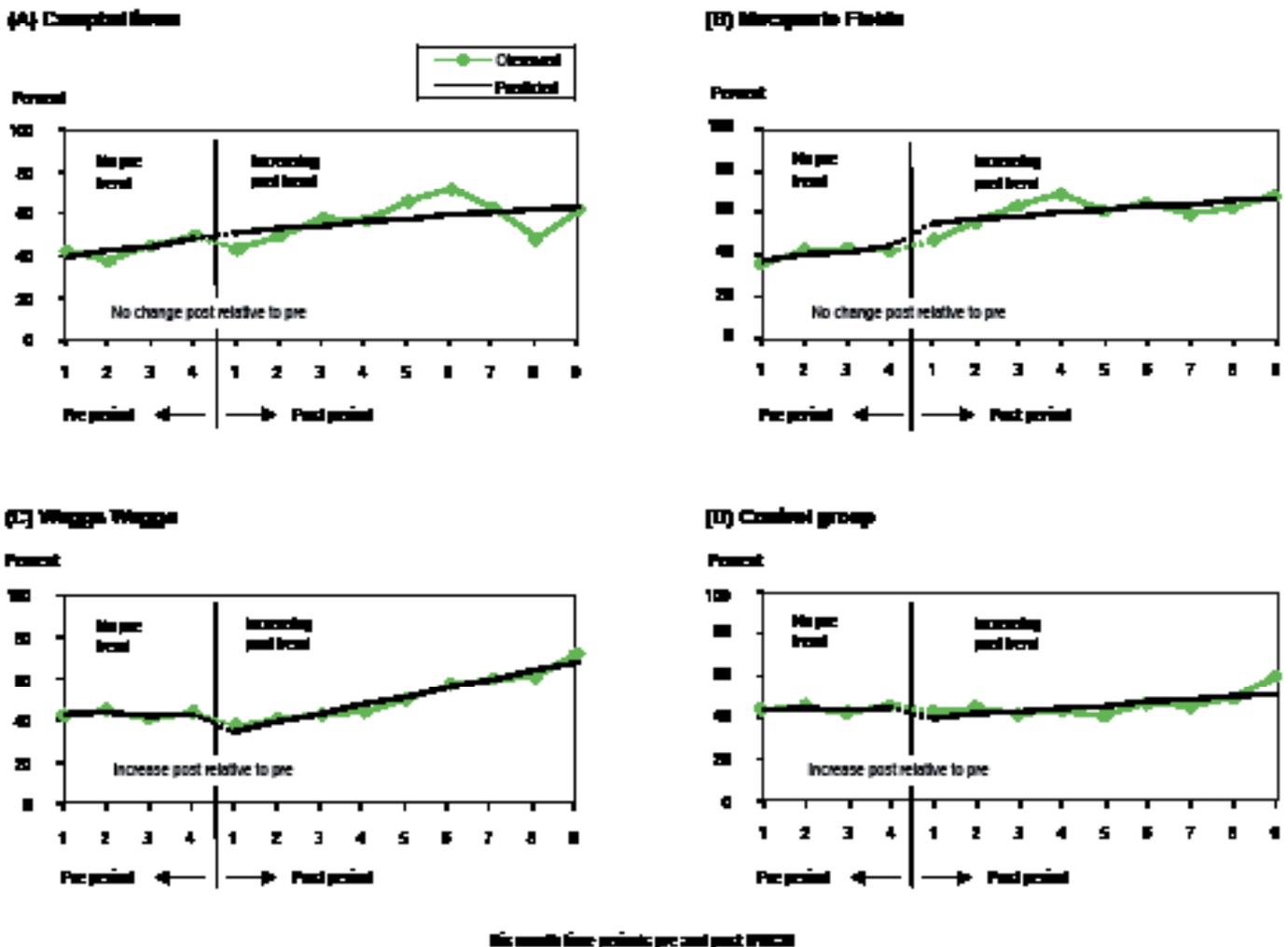
**WAS THERE AN INCREASE IN THE PROPORTION OF DOMESTIC VIOLENCE MATTERS FINALISED WITHIN 12 WEEKS OF THE POLICE EVENT DATE?**

Campbelltown LAC demonstrated an increase across the post commencement period in the proportion of domestic violence matters that were finalised within 12 weeks (84 days) of the police event date (Figure 11A). However, this increase was not different to the non significant trend across the pre period. Macquarie Fields LAC showed a similar pattern to Campbelltown, an increase post commencement which was not different to the non significant trend across the pre period (Figure 11B). Wagga Wagga LAC, on the other hand, did show a significant increase across the post commencement period that was greater than the non significant trend across the pre period (Figure 11C). Similarly, the control group for LACs demonstrated a significant increase across the post commencement period relative to the pre period (Figure 11D). The DVICM Local Court Practice Note was introduced across all of NSW in 2008, however, when tested, the increase across the post commencement period from October/November 2005 onwards was greater for Wagga Wagga than for the rest of NSW ( $p < .001$ ). This suggests the commencement of the DVICM in late 2005 was influencing the processing time of court matters in Wagga Wagga.

**INTRODUCTION OF LOCAL COURT PRACTICE NOTE ACROSS NSW IN 2008**

In the rest of NSW, there was a decrease in court delay from first appearance to finalisation in the period from April 2008 onwards relative to the period prior to March 2008 for all domestic violence matters ( $p < .001$ ), for domestic violence matters with a plea of guilty ( $p < .001$ ) and for domestic violence matters with a defended hearing ( $p < .001$ ). In the rest of NSW, there was an increase across the period from April 2008 onwards relative to the period prior to March 2008 in the proportion of domestic violence matters with a plea of guilty which were finalised within three weeks (21 days) of first appearance ( $p < .001$ ) and in the proportion of domestic violence matters that were finalised within 12 weeks (84 days) of the police event date ( $p < .001$ ).

Figure 11. Proportion of domestic violence matters finalised within 12 weeks of the police event date in (A) Campbelltown, (B) Macquarie Fields, (C) Wagga Wagga and (D) the control group local area commands



Note: Please see Note at Figure 1.

## SUMMARY AND CONCLUSION

Police and court outcomes were evaluated across a four and a half year period after the commencement of the Domestic Violence Intervention Court Model (DVICM). This work was a longer term investigation of the DVICM evaluation by Rodwell and Smith (2008) in relation to police and court outcomes. The current evaluation built on the methodology of the original evaluation (Rodwell & Smith, 2008). The primary aim was to determine whether there was a change in police and court outcomes for domestic violence matters following the commencement of the DVICM in two pilot Local Courts, Campbelltown and Wagga Wagga, in September and October 2005 respectively.

One of the key initiatives of the DVICM was to encourage a proactive charge policy in order for a greater proportion of persons of interest (POIs) to be brought before the court. Across the three Local Area Commands (LACs) there were mixed results. In Macquarie Fields, more POIs were charged with domestic violence offences following the start of the DVICM. While there was also an increase in the proportion of POIs charged during the post commencement period for Campbelltown, this appeared to be a continuation of an existing upward trend. In Wagga Wagga, similar proportions of POIs were charged across the pre and post commencement periods.

There is little evidence that the DVICM increased the proportion of domestic violence matters finalised on a plea of guilty;

reduced the proportion of domestic violence matters that were dismissed; increased the proportion of penalties of a supervised bond; or increased the proportion of penalties of imprisonment. There were increases in the proportion of domestic violence matters finalised with a plea of guilty in Campbelltown and Wagga Wagga following the introduction of the DVICM, however these increases appeared to be no more than a continuation of pre-existing trends. There was no change in Campbelltown and Wagga Wagga Local Courts in the proportion of domestic violence matters where all charges were dismissed after a defended hearing. Additionally, there was no change in the proportion of domestic violence matters where all charges were dismissed without a hearing.

In Campbelltown Local Court, the proportion of penalties of bonds with supervision in the post DVICM period was greater than in the pre period, however, this appeared to be because the proportion of bonds with supervision was unusually low at the end of the pre period and remained stable in the post period. The proportion of penalties that were bonds with supervision did not change in Wagga Wagga. In the post commencement period, Wagga Wagga Local Court demonstrated an increase in the proportion of penalties of imprisonment for domestic violence matters, however, this increase was not different to the pre period. In Campbelltown Local Court there was no change in the proportion of penalties of imprisonments in the pre or post commencement periods.

The most encouraging findings were those observed in relation to court delay. In Campbelltown and Wagga Wagga Local Courts, the court delay for all domestic violence matters was much reduced after the introduction of the DVICM in late 2005. A state-wide decrease in court delay also occurred, which may be attributed to the introduction of the Local Court Practice Note in NSW in 2008, however, this was not as large as the decrease observed in Campbelltown and Wagga Wagga. Additionally, as predicted, court delay for defended hearings in Campbelltown and Wagga Wagga, and for pleas of guilty in Wagga Wagga, were shorter after the commencement of the DVICM. There was no change in the proportion of matters involving pleas of guilty that were finalised within three weeks in Campbelltown and Wagga Wagga Local Courts after the commencement of the DVICM. In Wagga Wagga LAC, more domestic violence matters were finalised within 12 weeks of the police event date after the commencement of the DVICM. This result was not observed in Campbelltown and Macquarie Fields LACs.

One limitation of the current study was that the sample size (i.e., number of police records or court outcomes) for some comparisons was fairly small. For example, there were as few as 23 matters finalised within some of the six-month time periods observed in this study. Had the sample size been larger, we may have had more statistical power to detect relatively subtle

changes over time. Therefore, for some comparisons there may not have been enough power to detect small to moderate changes. Further, court and sentencing outcomes from a small number of courts, such as those examined in the current study, can be influenced by the judgments of only a few different magistrates specialising in domestic violence matters and it is possible that changes in these outcomes reflect changes in magistrates rather than policy.

While not a limitation of the current study, it should also be pointed out that this evaluation was selected in its scope of evaluating the DVICM. This study focussed on whether the influence of police and court initiatives of the DVICM correlated with changes in key police and court outcomes. This evaluation was not designed to provide information on the actual implementation or effectiveness of the initiatives employed for the DVICM. Future studies may wish to explore these issues in more depth. The evidence presented in this report suggests that the DVICM met some but not all of its intended aims in regards to police and court outcomes. This, to some extent, highlights the difficulties associated with achieving positive outcomes for victims of domestic violence.

In conclusion, the findings herein are broadly consistent with the results found in the 2008 DVICM evaluation (Rodwell & Smith, 2008). Furthermore, this investigation demonstrates clear improvements in court delay. These improvements coincide with the introduction of the Local Court Practice Note, formally in 2006 for Campbelltown and Wagga Wagga Local Courts, and then in 2008 for all local courts in NSW. As yet, there is no evidence from court outcomes that the DVICM initiatives to improve police evidence gathering has reduced the proportion of domestic violence matters dismissed or increased the proportion of defendants pleading guilty. The use of supervised bonds and prison sentences also appears to be unchanged.

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## NOTES

1. Incidents were excluded from analyses if they derived from a LAC not implementing the DVICM but were processed in a DVICM local court, or derived from a DVICM LAC but were processed in a local court not implementing the DVICM.

2. For analyses involving Wagga Wagga, the substantive results did not differ when the time periods of the control group were set to match the time periods for Wagga Wagga (November to April and May to October) or the time periods for Campbelltown (October to March and April to September). Hence, for consistency, the time periods for the control group were set to match those in Campbelltown.
3. For Wagga Wagga, season one was November to April and season two was May to October.
4. For further details on how the police and court outcomes were defined see Rodwell and Smith (2008).
5. Collective outcome data for Post 8 and Post 9 were not presented because a new outcome 'proven outcome - not further described' was introduced in 2009 and hence data from 2009 onwards was not directly comparable to earlier data.
6. For the binary outcomes, the predicted proportion of domestic violence matters was defined as the mean of the individual predicted probabilities from the regression models for the group and time period of interest. For court delay, the predicted number of days to finalisation was defined as the mean of the individual predicted number of days to finalisation from the regression models for the group and time period of interest. Predicted values presented for the control group were derived from the models for the Campbelltown comparisons (exact or similar results were found from models for the Macquarie Fields and Wagga Wagga comparisons).

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## APPENDIX

*Table A1. Minimum and maximum number of records across the six-month time periods for police and court outcomes by LAC and Local Court*

	Local Area Command			
	Campbelltown	Macquarie Fields	Wagga Wagga	Control group
Persons of interest (POIs) charged with a domestic violence offence	356 - 567	408 - 581	236 - 337	18,169 - 22,942
Domestic violence matters finalised within 12 weeks of the police event date	175 - 298	148 - 301	148 - 214	7,401 - 10,680
	Local Court			
	Campbelltown	Wagga Wagga	Control group	
Domestic violence matters finalised on a plea of guilty, dismissal after a defended hearing or dismissal without a hearing	299 - 532	123 - 187	7,367 - 10,599	
Domestic violence penalties of bonds with supervision or imprisonment	190 - 386	89 - 139	5,072 - 7,367	
Court delay for all domestic violence matters	299 - 532	123 - 187	7,367 - 10,599	
Court delay or finalisation within three weeks of first appearance for domestic violence matters after a plea of guilty	158 - 349	50 - 110	4,141 - 6,096	
Court delay for domestic violence matters after a defended hearing	83 - 140	23 - 56	1,906 - 2,613	

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