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# AN EVALUATION OF THE NSW DOMESTIC VIOLENCE INTERVENTION COURT MODEL

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NSW Bureau of Crime Statistics and Research

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# CONTENTS

- ACKNOWLEDGEMENTS ..... iii
- EXECUTIVE SUMMARY ..... vii
- 1. INTRODUCTION ..... 1
  - 1.1 Background to the development of the NSW Domestic Violence Intervention Court Model (DVICM)..... 2
  - 1.2 The NSW Domestic Violence Intervention Court Model..... 3
  - 1.3 Evaluation of the NSW Domestic Violence Intervention Court Model ..... 5
- 2. METHOD..... 7
  - 2.1 Police and Local Court data..... 7
  - 2.2 Victim survey ..... 9
  - 2.3 Key stakeholder interviews ..... 11
- 3. RESULTS ..... 12
  - 3.1 Number of domestic violence-related reports to police ..... 12
  - 3.2 Proportion of alleged domestic violence offenders brought before the courts..... 21
  - 3.3 Outcomes for DV-related matters brought before Local Court ..... 23
  - 3.4 Impact of the DVICM on time taken to finalise matters..... 30
  - 3.5 Victim survey results ..... 37
  - 3.6 Key stakeholder interviews ..... 57
- 4. SUMMARY..... 65
  - 4.1 Recorded crime outcomes ..... 65
  - 4.2 Local Court outcomes..... 66
  - 4.3 Victim survey ..... 67
  - 4.4 Key stakeholder interviews ..... 69
  - 4.5 Limitations of research ..... 69
- REFERENCES ..... 70
- NOTES ..... 71
- APPENDIX A - Local Court Practice Note..... 73
- APPENDIX B - Detailed methodology for data analyses..... 74
- APPENDIX C - Victim survey..... 79
- APPENDIX D - Key stakeholder agencies ..... 96
- APPENDIX E - Key stakeholder interview template..... 97



## EXECUTIVE SUMMARY

The NSW Domestic Violence Intervention Court Model (DVICM) was developed to improve the criminal justice system response to domestic violence by:

- improving safety for victims of domestic violence in contact with the criminal justice system, and;
- ensuring perpetrators who are charged with domestic violence offences are held to account for their actions.

The DVICM was piloted in Campbelltown and Wagga Wagga Local Courts and involved Campbelltown, Macquarie Fields and Wagga Wagga Local Area Commands (LACs) within the NSW Police Force. The DVICM pilot was intended to run for two years in each site, and was officially implemented in Campbelltown on 12 September 2005 and in Wagga Wagga on 10 October 2005.

The NSW Bureau of Crime Statistics and Research was commissioned by the NSW Government to undertake an evaluation of the DVICM. This evaluation addresses the following questions:

1. Was there any change in the number of domestic violence-related incidents recorded by police?
2. Was there an increase in the number of alleged domestic violence offenders brought before the courts?
3. Has there been any change in court outcomes and any associated penalties for domestic violence-related offences?
4. Have domestic violence matters been dealt with more expeditiously in the DVICM courts?
5. Were victims satisfied and did they feel safe?
6. Did key stakeholders think the DVICM was a success?

### POLICE AND LOCAL COURT OUTCOMES

There were mixed results observed with the police and Local Court outcomes. The number of domestic violence reports to the police did not display a consistent upward or downward trend.

The proportion of alleged domestic violence offenders charged by Campbelltown and Macquarie Fields LACs showed an increase after the DVICM commenced, however the increase in Campbelltown appeared to reflect a trend that began prior to the DVICM. Wagga Wagga LAC had high charge rates prior to the DVICM and these remained high throughout the DVICM period. The increase in charge rates observed in Campbelltown and Macquarie Fields, however, was not restricted to these DVICM sites. The 'rest of NSW' control group also demonstrated an increase in charge rates.

There was limited evidence of the success of the DVICM in Campbelltown and Wagga Wagga Local Courts. The percentage of matters finalised by guilty plea did not shift in Campbelltown, and in Wagga Wagga actually decreased after the DVICM was introduced. The proportion of matters withdrawn by the prosecution or dismissed by the court remained stable in both Local Courts.

In Campbelltown Local Court, the proportion of good behaviour (Section 9) bonds with supervision handed down for the principal domestic violence offence increased after the commencement of the DVICM. The proportion of non-conviction (Section 10) bonds also increased. The results relating to the Section 9 bonds with supervision, however, were based on a pre-DVICM period that contained unusually low proportions of this penalty. There were no observed changes in Wagga Wagga Local Court relating to penalties.

Court duration for matters that proceeded to hearing improved in Campbelltown Local Court after the DVICM but remained stable in Wagga Wagga Local Court.

### **VICTIM SATISFACTION**

Overall, victims reported that they were very satisfied with the police response in both Campbelltown/Macquarie Fields and Wagga Wagga LACs.

Victims also reported that they were very satisfied with the support they received from the Victims' Advocate in Campbelltown and Client Advocate in Wagga Wagga.

Most victims reported they felt safe at the time of the interview, with around four in five reporting they did feel safe. The majority of victims said they would report a similar incident to the police in the future.

### **KEY STAKEHOLDER SATISFACTION**

Key stakeholders' satisfaction with the implementation and operation of the DVICM was measured through a face-to-face or phone interview. The majority of stakeholders who were members of DVICM reference groups were invited to participate in the key stakeholder interviews.

The majority of key stakeholders believed the DVICM was a successful pilot and that the model should be continued in Campbelltown and Wagga Wagga and also be considered for implementation in other locations, with a controlled and staged approach taken to any rollout of the model.



# 1. INTRODUCTION

Domestic violence is known to be an under-reported crime. The *Women's Safety Australia Survey* (ABS 1996) reported that women were more likely to report an assault by a man if it was perpetrated by a stranger than if by somebody they knew. Of the women surveyed for the *Women's Safety Australia Survey*, only five per cent of those who were assaulted by their current partner within the 12 month period prior to the survey reported it to the police (ABS 1996). The rate of reporting by women who were assaulted by a previous partner, boyfriend or other known man was higher, but still low, at only 25 per cent. In the ABS *Personal Safety Survey* (2006), the proportion of women who reported a physical assault perpetrated by their current partner was 18 per cent. This is a promising increase in reporting rates, but they remain low compared with reporting rates for assaults on women by a stranger (46.3%) or by a previous partner (35.7%) (ABS 2006).

Domestic violence continues to account for a large number of reported assaults in New South Wales (NSW). In 2005, the NSW Police Force recorded 26,320 domestic violence-related assault incidents across NSW, which represented 36.7 per cent of total recorded assault incidents over the year (Moffat, Goh & Poynton 2006). Domestic violence-related assaults represent around half of the total number of domestic violence-related incidents recorded by police.

Domestic violence covers a broad range of behaviours, including physical and sexual abuse, damage to property, verbal attacks, social isolation (e.g. preventing contact with friends and family) and other controlling behaviours, including withholding access to income (Office for Women 2004). Traditionally, domestic violence has been considered to take place between people in intimate relationships, with the male being the likely offender. The actual definition of domestic violence (see section 4 Crimes Act 1900) covers an offence committed against a person who:

- is, or has been married, in a de facto relationship, or in an intimate relationship with the offender;
- is living, or has lived with the offender;
- is, or has cared for the offender in a paid or unpaid capacity, or is, or has been under the care of the offender;
- is, or has been a relative of the person who commits the offence.

In 2004, 62 per cent of reported incidents of domestic violence-related assault involved an offender who was a current or former intimate partner of the victim, while 10 per cent involved offenders in a parental role, including step/foster parents. Other family members (including siblings, aunts/uncles and cousins) were the offenders in 20 per cent of domestic violence-related assaults, with other victim-offender relationship categories accounting for the remaining 8 per cent of incidents (People 2005).

## **1.1 BACKGROUND TO THE DEVELOPMENT OF THE NSW DOMESTIC VIOLENCE INTERVENTION COURT MODEL (DVICM)**

Efforts to improve the criminal justice system's response to domestic violence began with the Duluth Model, developed in Minnesota in 1981. The key objectives of this model were to "make communities safer for victims and hold offenders more accountable". The main features of the model were a proactive arrest and prosecution policy of offenders and increased support for victims (Minnesota Program Development Inc. n.d.).

A number of international and Australian locations have since implemented similar programs. The more established international projects include Manitoba (Canada) and Hamilton (New Zealand). In Australia, one of the more established projects is the ACT's Family Violence Intervention Program, which began as a pilot in May 1998 (Keys Young 2000).

Some of the key issues that the programs aimed to address included:

- low charge and conviction rates for domestic violence incidents;
- reliance on the victims' wishes to proceed with and/or drop associated charges rather than focusing on evidence that a crime has been committed; and
- insufficient levels of focus on victim support and safety throughout the process.

### **ACT'S FAMILY VIOLENCE INTERVENTION PROGRAM (FVIP)**

The pilot of the FVIP commenced in May 1998. There was a two-phased approach to the pilot and evaluation, with the first two years being focused on setting up the program and "developing a policy and procedural framework and an operational infrastructure for the program" (Urbis Keys Young 2001, p. i). In Phase II, from May 2000 the program used the Phase I evaluation to further develop the program. The introduction of equipment such as digital cameras to photograph victim injury and capture evidence from crime scenes (to Woden Patrol only) was one of the core strategies in Phase II (Urbis Keys Young 2001).

The objectives of the FVIP included (Urbis Keys Young 2001, p. 1):

- "encouraging the collection of evidence and the active pursuit of charges where prima facie evidence exists;
- providing victim support throughout the criminal justice system;
- ensuring appropriate charges are prosecuted with appropriate regard for the wishes of the victim;
- active case-tracking of criminal family violence matters;
- conducting hearings in a specialised court list to 'fast-track' family violence cases; and
- introducing a new sentencing program for certain sorts of offenders."

The FVIP evaluation presented outcome data in Phase II, which compared 1999-2000 data with 1998-99 benchmark data that were compiled during Phase I. These data do not make a distinction between Woden Patrol, where some of the more targeted strategies (such as the use of digital cameras) were trialled, and the other ACT patrols. Findings include (Urbis Keys Young 2001):

- an increase in the number of defendants charged with a family violence offence (168 defendants to 181 defendants);

- an increase in the number of defendants convicted of one or more family violence charges (68 defendants to 114 defendants);
- an increase in the percentage of family violence charges resulting in a conviction from 34% to 48%; and
- an increase in the number of family violence charges finalised by way of an early guilty plea<sup>1</sup> (24% to 40%).

Urbis Keys Young (2001) also conducted a survey with 39 victims who were involved in cases that were finalised during the FVIP Phase II pilot timeframes. These victims were recruited from all ACT patrols.

The survey revealed mixed results: the majority of victims were either very satisfied or fairly satisfied with the police handling of their complaint and provided favourable comments on the attitude of the police, information and feedback given and the speed and efficiency of the response. Those who were not satisfied with the police response cited the attitude of the police, the lack of information provided and the lack of proper investigation or decisive action as problems. One in five victims said they had no contact with any support services. When asked how safe they felt since the matter was finalised, two out of five said they felt not very safe, or not at all safe (Urbis Keys Young 2001).

Urbis Keys Young (2001) made a number of recommendations, based on their victim survey findings. These included encouraging police follow up of victims, providing victims with more information about the court matter and ensuring all prosecutors have a consistent approach when dealing with family violence matters.

## **1.2 THE NSW DOMESTIC VIOLENCE INTERVENTION COURT MODEL**

### **OVERVIEW**

The pilot of the NSW Domestic Violence Intervention Court Model (DVICM) was developed following a NSW Government election commitment in 2003 to run a trial of the model in two courts, with one being a regional court. The pilot received further support in recommendations from 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, Recommendation 9.34).

The courts selected for the pilot were Wagga Wagga (regional) and Campbelltown. The relevant NSW Police Force Local Area Commands (LACs) were Wagga Wagga, Campbelltown and Macquarie Fields.

The DVICM was developed as an interagency model, with a Memorandum of Understanding between the NSW Attorney General's Department (AGD), the NSW Police Force, the Department of Community Services (DoCS), the Department of Corrective Services (DCS), the Legal Aid Commission of NSW and the NSW Department of Housing.

The DVICM pilot was intended to run for two years in each site and was officially implemented in Campbelltown on 12 September 2005 and in Wagga Wagga on 10 October 2005.

## PROJECT OBJECTIVES

The DVICM Project Management plan (unpublished, Attorney General's Department NSW) states that the primary aim of the DVICM was to improve the criminal justice system response to domestic violence in Wagga Wagga and Campbelltown by:

- improving safety for victims of domestic violence in contact with the criminal justice system; and
- ensuring perpetrators who are charged with domestic violence offences are held to account for their actions.

The primary means by which the DVICM aimed to achieve these improvements was through improved policing practices, more efficient court practices, greater victim support and improved management of offenders involved in domestic violence-related crimes. The specific initiatives employed by the DVICM are discussed in more detail below.

## KEY DVICM INITIATIVES

While the DVICM was a multi-faceted approach to managing domestic violence incidents, the key initiatives were:

### *(a) Domestic violence (DV) evidence collection kits*

To assist the police with improved evidence collection, a number of DV kits were distributed, each containing a digital camera and additional resources including a video camera and victim support packs. The police were instructed to take photographs of any visible injuries the victim received as well as photographing any damage to property.

### *(b) Victims' Advocate<sup>2</sup>*

To increase the support for victims through the duration of the court process and to assist with any matters associated with the victims' safety, Victims' Advocate services were established in Campbelltown and Wagga Wagga. The Victims' Advocate services also received brokerage funds to provide victims with additional support in various ways, such as additional security.

To ensure all victims had the opportunity to access the Victims' Advocate services, the DVICM implemented an automatic police referral process, where victims' contact details were faxed through to the Victims' Advocates following the charging of the perpetrator.

### *(c) Local Court Practice Note*

In order to increase court efficiency, a DVICM specific Local Court Practice Note was issued by the Chief Magistrate on 31st August 2006<sup>3</sup>, instructing the prosecution to serve a copy of the main parts of the brief of evidence on the defence no later than the first mention date in court. This brief includes the alleged facts, a copy of the victim's statement and any relevant photographs. It is sometimes referred to as the 'mini-brief'. A copy of the Local Court Practice Note is provided in Appendix A.

With the efficiencies expected from the procedures set out in the Local Court Practice Note, the DVICM aimed to finalise all matters within 12 weeks of the offender's first appearance in court.

***(d) Domestic Violence Perpetrator Program***

As part of the sentence, if deemed appropriate by the Magistrate, the offender was placed on a perpetrator program run by Probation and Parole in Wagga Wagga and Campbelltown.

***(e) Regular meetings at local and senior levels***

To assist with implementation and ongoing interagency relationship development, Regional Reference Groups (RRGs) were established. Local level representatives from agencies involved in the DVICM met monthly to discuss relevant operational and strategic issues.

In addition to the RRG, a Senior Officers Group (SOG) was established that included senior representatives of the key agencies involved in the DVICM. The SOG met centrally at the NSW Attorney General's Department Sydney office every two or three months, depending on the needs of the pilot.

To increase information sharing between the Victims' Advocates, NSW Police Force, NSW Department of Corrective Services and Department of Community Services, case-tracking meetings were established and held once a week. These meetings involved a run-through of upcoming and current matters at court and updating of key details relating to the victims and perpetrators.

### **1.3 EVALUATION OF THE NSW DOMESTIC VIOLENCE INTERVENTION COURT MODEL**

This report will address the following questions to determine the success of the DVICM:

***1. Was there any change in the number of domestic violence-related incidents recorded by police?***

While it was anticipated that the number of domestic violence-related incidents reported would increase as a result of victims becoming more confident that the police would take action against a perpetrator of domestic violence, there were also concerns that the number of reports may decrease as a result of victims being concerned about the consequences the perpetrator may face for his or her actions.

***2. Was there an increase in the number of alleged domestic violence offenders brought before the courts?***

One of the aims of the DVICM was to implement a proactive arrest policy, which requires the offender to be charged if sufficient evidence exists, regardless of the wishes of the victim. It was expected that the number of alleged DV offenders charged and brought before the courts would increase in each of the DVICM LACs.

***3. Has there been any change in court outcomes of charges and any associated penalties for domestic violence-related offences?***

Four important questions were addressed under this heading:

- Has there been a change in the proportion of domestic violence-related charges withdrawn by the prosecution or dismissed by the courts since the commencement of the DVICM?
- Has there been an increase in conviction rates in the DVICM period?

- Has there been an increase in the proportion of domestic violence-related offences for which a guilty plea was entered by the defendant since the commencement of the DVICM?
- Has there been a change in the types of penalties issued?

With the increased focus on evidence collection (particularly the use of digital cameras) and the prosecution process, it was expected that the proportion of charges withdrawn/dismitted would decrease, while the conviction rates and proportion of guilty pleas would increase in the pilot sites after the commencement of the DVICM.

As the perpetrator program requires supervision from the Probation and Parole Service, it was expected that there would be an increase in the proportion of supervised bonds imposed with supervision.

#### ***4. Have domestic violence matters been dealt with more expeditiously in the DVICM courts?***

One of the objectives of the DVICM was to ensure that all matters were finalised within 12 weeks (84 days) from first appearance to finalisation. It was expected that court delays would decrease after the commencement of the DVICM.

The DVICM was also expected to encourage earlier guilty pleas. This has been explored by looking at the proportion of matters that were finalised following a guilty plea within 21 days. It was expected the proportion of matters finalised within this time frame would increase after the implementation of the DVICM.

#### ***5. Were victims satisfied and did they feel safe?***

Specific questions addressed included:

- a) how satisfied victims were with the way their matter was handled by agencies involved
- b) how safe victims felt at the time of the interview, and
- c) how willing victims were to report another domestic violence-related incident to the police in the future.

#### ***6. Did key stakeholders think the DVICM was a success?***

Feedback from key stakeholders was sought to gauge their level of satisfaction with the DVICM and to gain an idea of which elements were effective and which needed further development. The issue of whether the pilot should continue and/or be rolled out was also addressed.

To address these issues, three different studies were undertaken: an analysis of police and court data, a survey of victims from the pilot sites and interviews with key stakeholders.

## 2. METHOD

### 2.1 POLICE AND LOCAL COURT DATA

Data were extracted from two separate databases: NSW Police Force's Computerised Operational Policing System (COPS) and court outcome data from the Local Court database managed by the NSW Bureau of Crime Statistics and Research. Records from these databases were linked using a unique charge number (referred to as an H number) that is recorded on both systems. This linking was necessary because domestic violence-related offences are not defined separately in legislation and are therefore not identifiable from court records alone.

When a criminal incident<sup>4</sup> or a group of criminal incidents is reported to or detected by police, an event is created on the COPS database. For each incident, the recording officer is prompted to nominate whether domestic violence was a factor associated with the incident. All domestic violence-related incidents that were reported to police between January 2003 and June 2007 were extracted from the COPS database. These incidents served as the starting point for all subsequent analyses.

#### TIME PERIODS USED FOR ANALYSES

For most of the analyses, four pre-DVICM periods and three post-DVICM periods were used. Each of these time periods was six months in duration. Because the DVICM commenced in Campbelltown/Macquarie Fields a month prior to commencing in Wagga Wagga the time frames in the two locations differ. Table 1 presents the time periods for each site.

**Table 1: Time periods for analyses**

<i>Time period label</i>	<i>Campbelltown/rest of NSW</i>	<i>Wagga Wagga</i>
Pre1	Oct03-Mar04	Nov03-Apr04
Pre2	Apr04-Sep04	May04-Oct04
Pre3	Oct04-Mar05	Nov04-Apr05
Pre4	Apr05-Sep05	May05-Oct05
Post1	Oct05-Mar06	Nov05-Apr06
Post2	Apr06-Sep06	May06-Oct06
Post3	Oct06-Mar07	Nov06-Apr07

For all analyses, the date the event was reported to the police determined the time period a record was allocated to.

Five pair-wise tests were conducted comparing time periods. Pre1 v Pre3 and Pre2 v Pre4 tests were conducted to identify whether there were any pre-existing trends prior to the commencement of the DVICM. To identify whether there had been any change since the commencement of the DVICM, Pre3 v Post1 and Pre4 v Post2 tests were conducted. Finally, a Post1 v Post3 test was conducted to identify whether there had been any

change within the period following the commencement of the DVICM. Each of these comparisons involved the same six-month period of the year to account for any seasonal differences in the data. Pair-wise tests were considered to be statistically significant if the p-value was less than 0.05.

In evaluating the success of the DVICM, the following approach was adopted:

1. If the pre-DVICM comparisons were found to be stable and the pre-post comparisons were statistically significant, the DVICM was assessed to have had a direct effect.
2. If only the Post1 v Post3 comparison was statistically significant, the DVICM was assessed to have had a direct, but delayed, effect.
3. If the pre-DVICM comparisons were found to display an increasing or decreasing trend and the pre-post comparisons were also statistically significant, the findings were regarded as inconclusive.
4. If there were no statistically significant changes for either the pre, pre-post or post DVICM comparisons it was assumed the DVICM had no significant effect.

This assessment was made with reference to the 'rest of NSW' control group, in that if a similar trend was found within this group, then it was noted that the findings might be a reflection of a statewide trend rather than a direct effect of the DVICM.

## **ANALYSIS**

### ***Recorded crime data***

The recorded crime data were grouped into the three DVICM LACs: Campbelltown, Macquarie Fields and Wagga Wagga. The remaining LACs were grouped into a 'rest of NSW' control group.

The number of events involving one or more incidents flagged as domestic violence-related were analysed first, to gain an overall picture of trends in domestic violence-related offences in the DVICM LACs. Trends in specific types of domestic violence (DV) related incidents were then analysed. The specific types of DV-related incidents examined were: 'assault'; 'harassment, threatening behaviour and private nuisance'; 'malicious damage'; and 'crimes against justice procedures' (e.g. breach Apprehended Domestic Violence Order).

Recorded crime data were also examined to determine whether there was any change in the proportion of Persons of Interest (POIs) proceeded against to court following the start of the DVICM pilot. The proportion of POIs who were charged in connection with at least one DV-related incident within an event prior to the DVICM were compared to the proportion charged after the DVICM pilot began.

### ***Local Court data***

The H numbers for each incident recorded in the COPS data file were matched with the corresponding records on the Local Court database. A number of COPS records had no corresponding court outcome record, particularly during the Post3 period. This was primarily because a number of matters heard during the Post3 period had not been finalised in the Local Court at the time the data were extracted. For this reason we did not use the Post3 data period in most analyses for Local Court outcomes.



Local Court data were retrieved up to the end of July 2007 to match the maximum available number of records across the recorded crime and Local Court datasets. This was necessary given the lag between the police recording of the event and the finalisation of the matter in court. Data were analysed for the two DVICM Local Courts: Campbelltown and Wagga Wagga. Data for the remaining NSW Local Courts were used as a control.

Local Court data were used to identify the outcome of each matter where a person appeared for a domestic violence-related offence. Rather than looking at the outcome for each offence, the grouped outcome was used in this analysis. The grouped outcome represents the collective outcome for all offences dealt with in the same court appearance. For example, if a defendant's matter proceeded to hearing and he/she was found guilty of at least one offence during this hearing, the grouped outcome would be 'defended hearing, guilty of at least one charge'. These outcomes were compared across the time periods for each Local Court.

The principal offence for each matter was also identified from the Local Court database. The principal offence is defined as the offence that received the most serious penalty. For this study, the domestic violence-related offence with the most serious penalty was used as the principal offence for each defendant.

The Local Court data file was used to look at the time elapsed from first court appearance to finalisation for matters. Average and median times for all outcomes, matters that proceeded to hearing and matters where a guilty plea was entered were calculated.

The matters that were finalised within 21 days of first court appearance were identified and the proportion of all matters sentenced after a guilty plea was calculated. The 21 day time period was deemed an appropriate measure for 'early guilty plea'.

Although the benchmark relating to the efficiency of court matters was set at 12 weeks from first appearance to finalisation, given the high percentage of matters not finalised in the Post3 period, an additional approach was taken to determine whether there were any changes in the efficiency of matters. For this approach, the same time period of 84 days (12 weeks) was set from the date the event was reported to the police (rather than the first appearance in court) to the finalisation date in Local Court. The proportion of matters finalised within this period was measured for each time period using the original LAC groups.

Appendix B provides a detailed account of the methodology associated with the police and Local Court data analyses.

## **2.2 VICTIM SURVEY**

A sample of victims from both Campbelltown and Wagga Wagga were interviewed by the primary author following the finalisation of their matter in the Local Court<sup>5</sup>.

The initial approach was to recruit participants by sending out a request to participate along with the closing letters that are routinely sent out by the Campbelltown Victims' Advocate and Wagga Wagga Client Advocate upon the finalisation of the matter and/or closing of the victim's file. The letter indicated that if the victim wished to participate they could fill out the attached consent form and send it back to the NSW Bureau of Crime Statistics and Research, or call the researcher to organise an interview time. No responses were received through this approach.

Following this, two different recruitment methods were adopted. In Campbelltown, the primary author (interviewer) attended the main DV hearing day (Monday) and the AVO list day (Tuesday) in most weeks during the period of November 2006 to February 2007. Following the finalisation of a matter, staff from the Victims' Advocate, Macarthur Women's Domestic Violence Court Assistance Scheme (WDVCAS) or the Domestic Violence Liaison Officer from the NSW Police Force introduced the victim to the interviewer if there was an opportunity to do so. The interviewer then explained the research and asked if the victim would like to participate. Each victim was advised that:

- the interviewer was seeking feedback from people on the response from the police, how they viewed the court process and the support given to them;
- the survey would take about 20-25 minutes;
- the survey was completely voluntary;
- the survey could be conducted immediately within the court complex or an appropriate time could be arranged for it to be conducted over the phone; and
- a \$25 Coles Myer voucher would be given to recognise the time taken to conduct the interview.

If the victim was willing to participate in the survey immediately, the interview was conducted in a private interview room located in the court complex. If the victim preferred to participate at a later stage, the interviewer asked for the victim's details, including their name, contact number and best time to be contacted. The primary author then contacted the victim by phone from the NSW Bureau of Crime Statistics and Research office.

No victims under the age of 18 were approached to participate in the study. Some victims were not approached directly at court, however they may have been referred to the interviewer by the Victims' Advocate or WDVCAS for a phone interview at a later date.

Because of its remoteness, a different process was adopted for interviews in Wagga Wagga. Rather than visit regularly, the interviewer attended on a number of separate occasions to conduct blocks of interviews across two or three days. The Wagga Wagga Client Advocate organised the interviews by telephoning a sample of their current and past clients, providing them with details on the study and inviting them to participate. If the clients wished to take part in the survey, they were invited to attend the Client Advocate's office on a particular day and time to meet with the interviewer. Those that were not able to attend on the day were asked if they wished to do the interview over the phone. A small number of interviews were also conducted at the Wagga Wagga courthouse in a similar manner to those conducted in Campbelltown.

## **RESPONSE RATE**

In total, 76 victims were invited to participate in the survey and 50 interviews were conducted, giving an overall response rate of 65.8 per cent. The most common reason for non-response was a lack of interest, however, as can be seen in Table 2, a number of participants agreed to take part but either couldn't be contacted or didn't show up for the interview.

**Table 2: Outcomes of invitation to participate in survey**

<i>Survey response</i>	<i>Campbelltown</i>	<i>Wagga Wagga</i>	<i>Total</i>
	<i>N</i>	<i>N</i>	<i>N</i>
Conducted	24	26	50
Not interested	4	9	13
Agreed - Didn't show up for interview	-	6	6
Agreed - Couldn't contact over phone	5	2	7
<b>Total invited</b>	<b>33</b>	<b>43</b>	<b>76</b>

## SURVEY INSTRUMENT

Data were collected using a structured questionnaire that included both closed and open-ended questions.

The questions addressed the victims' experiences with various aspects of the court process and their experience with the agencies involved with the DVICM pilot, as well as information about the incident itself.

The main sections of the survey focused on:

- experiences with the police and feelings towards the defendant being charged;
- ADVO applications and reporting of any ADVO breaches;
- levels of support received from the Victims'/Client Advocate service;
- experience with the court process, including level of victim satisfaction with outcomes; and
- the overall experience - including how safe victims felt from the defendant at the time of the interview and how likely they would be to report any future domestic violence incidents.

The participants were asked to provide the following demographic information about themselves: their age, whether they identified as being of Aboriginal or Torres Strait Islander descent, country of birth, their parents' countries of birth, languages spoken at home and whether they had any special needs at the courthouse because of any disabilities. A copy of the survey instrument is provided in Appendix C.

## 2.3 KEY STAKEHOLDER INTERVIEWS

Representatives from the Campbelltown and Wagga Wagga Regional Reference Groups as well as members of the Senior Officers Group were invited to participate in the key stakeholder component of the evaluation. A total of 41 individuals were interviewed. A list of the agencies involved in the interviews is provided in Appendix D.

The interviews were semi-structured and consisted of eight questions aimed to broadly address the different issues related to the DVICM. A copy of the questionnaire is provided in Appendix E. Key stakeholders were either interviewed face-to-face or over the phone by the primary author. The interviewer scribed the interview verbatim. The interview time ranged from 15 minutes to just over an hour.

A content analysis was conducted on the interviews, where the interviews were transcribed into an Excel spreadsheet by the primary author and systematically examined to identify the main themes within the stakeholder responses.

### 3. RESULTS

#### 3.1 NUMBER OF DOMESTIC VIOLENCE-RELATED REPORTS TO POLICE

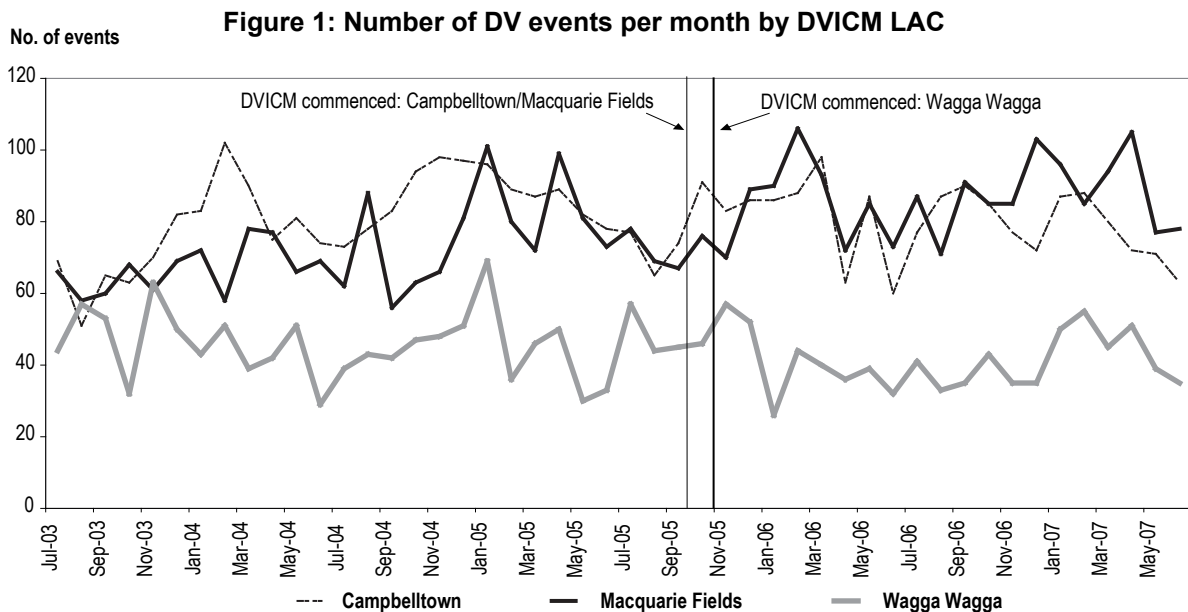
The DVICM aimed to increase the level of police response to, and investigation of, domestic violence-related incidents. It was not clear what effect this would have on the number of domestic violence reports made to the police. The numbers could either increase as a result of victims’ increased confidence in the police response, or decrease as a result of reduced occurrences of domestic violence or a reluctance to report because of perceived consequences for the perpetrator. This evaluation looks at two related aspects of recorded crime data:

- Has the number of DV-related events recorded by the DVICM LACs changed since the commencement of the DVICM?
- Has the number of DV-related incidents changed since the commencement of the DVICM?

#### NUMBER OF EVENTS RECORDED BY THE DVICM LACs

As an event is a collection of criminal incidents that have come to police attention at one time, events are used in this evaluation as a proxy for the number of domestic violence-related reports made to the police.

Figure 1 presents the number of domestic violence-related events per month recorded at each of the DVICM LACs from July 2003 to the end of June 2007. As the figure shows, there were two different commencement dates for the Campbelltown/Macquarie Fields LACs and Wagga Wagga LAC, with Wagga Wagga LAC associated with the later commencement date. The trends in DV events for each LAC were quite variable, but overall there does not appear to be any change in the number of DV events recorded after the DVICM started.



### *Campbelltown LAC*

Table 3 presents the average number of DV-related events per month for Campbelltown LAC and total number of DV-related events within each 6-month time period. There was no significant change in the number of events recorded after the DVICM was introduced.

**Table 3: Average number of DV-related events per month and totals for periods of interest for Campbelltown LAC**

<i>Time period</i>	<i>Average events per month</i>	<i>Total number of events</i>
Pre1: Oct03-Mar04	81.7	490
Pre2: Apr04-Sep04	77.3	464
Pre3: Oct04-Mar05	93.5	561
Pre4: Apr05-Sep05	77.5	465
Post1: Oct05-Mar06	88.7	532
Post2: Apr06-Sep06	77.3	464
Post3: Oct06-Mar07	81.5	489

### *Macquarie Fields LAC*

Table 4 presents the average number of DV-related events per month and total number of DV-related events recorded by Macquarie Fields LAC within each 6-month time period. Although there has been an apparent increase in the average number of events per month since the commencement of the DVICM, with the highest average appearing in the Post3 time period (91.3 events per month), there were no statistically significant differences detected between the periods of interest. As the table indicates, there has been a gradual increase in the number of DV-related events recorded over time.

**Table 4: Average number of DV-related events per month and totals for periods of interest for Macquarie Fields LAC**

<i>Time period</i>	<i>Average events per month</i>	<i>Total number of events</i>
Pre1: Oct03-Mar04	67.7	406
Pre2: Apr04-Sep04	69.7	418
Pre3: Oct04-Mar05	77.2	463
Pre4: Apr05-Sep05	77.8	467
Post1: Oct05-Mar06	87.3	524
Post2: Apr06-Sep06	79.8	479
Post3: Oct06-Mar07	91.3	548

### *Wagga Wagga LAC*

Table 5 presents the average number of DV-related events per month and total number of DV-related events recorded by Wagga Wagga LAC within each 6-month time period. The average number of DV-related events per month has remained relatively stable across all pre- and post-DVICM time periods.

**Table 5: Average number of DV-related events per month and totals for periods of interest for Wagga Wagga LAC**

<i>Time period</i>	<i>Average events per month</i>	<i>Total number of events</i>
Pre1: Nov03-Apr04	48.0	288
Pre2: May04-Oct04	41.8	251
Pre3: Nov04-Apr05	50.0	300
Pre4: May05-Oct05	42.5	255
Post1: Nov05-Apr06	42.5	255
Post2: May06-Oct06	37.2	223
Post3: Nov06-Apr07	45.2	271

### *Rest of NSW LACs*

Table 6 presents the average number of DV-related events per month and total number of DV-related events within each 6-month time period for the rest of NSW LACs. There was no statistically significant change in the number of DV-related events recorded by police in the rest of NSW across these time periods.

**Table 6: Average number of DV-related events per month and totals for periods of interest for rest of NSW LACs**

<i>Time period</i>	<i>Average events per month</i>	<i>Total number of events</i>
Pre1: Oct03-Mar04	3296.8	19781
Pre2: Apr04-Sep04	2888.3	17330
Pre3: Oct04-Mar05	3398.7	20392
Pre4: Apr05-Sep05	2975.3	17852
Post1: Oct05-Mar06	3516.8	21101
Post2: Apr06-Sep06	3019.5	18117
Post3: Oct06-Mar07	3614.8	21689

## NUMBER OF INCIDENTS OF DOMESTIC VIOLENCE RECORDED BY POLICE

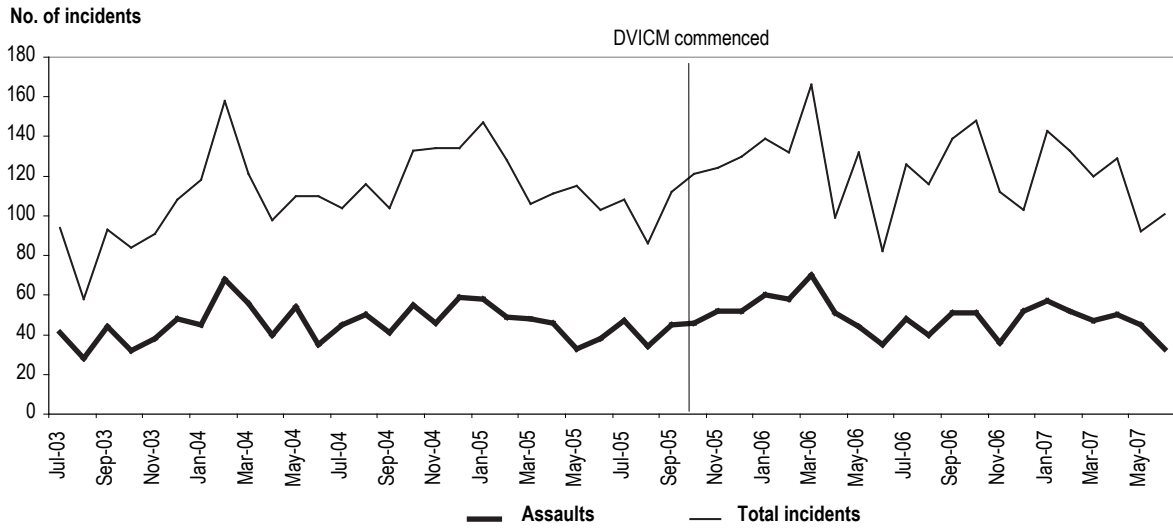
### *Campbelltown LAC*

Figure 2 presents the number of DV-related ‘assault’ and ‘total DV’-related incidents per month recorded by Campbelltown LAC between July 2003 and June 2007. This figure indicates that the number of DV-related assaults and total DV-related incidents have remained at similar levels since the commencement of the DVICM. Figure 3 shows the number of incidents per month recorded by Campbelltown LAC that fall under other DV categories including: ‘harassment, threatening behaviour and private nuisance’ (referred to as ‘Harassment’ in the figure and table); ‘malicious damage’; and ‘against justice procedures’ (e.g. breaches of ADVO, breaches of bail, and breaches of good behaviour bonds). As can be seen in Figure 3, the harassment incidents spiked a couple of times since the DVICM commenced, however they did not display a consistently upward trend. There was no significant change in the number of incidents recorded following the start of the DVICM. These numbers are presented in Table 7.

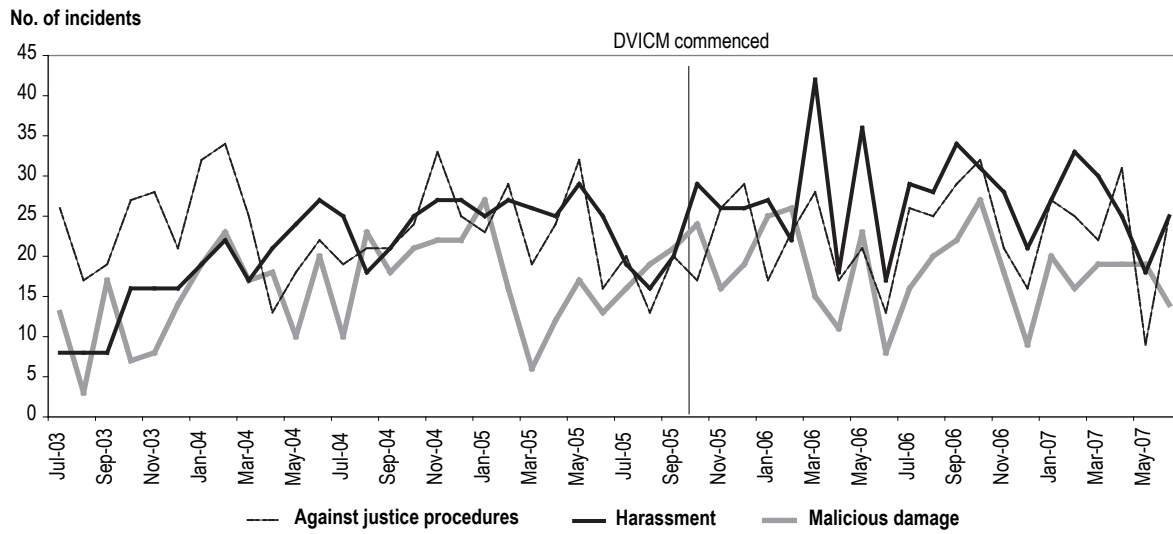
**Table 7: Monthly averages and totals for DV-related incidents recorded by Campbelltown LAC**

<i>Time period</i>	<i>All DV-related incidents</i>		<i>Assaults</i>		<i>Against justice procedures</i>		<i>Harassment</i>		<i>Malicious damage</i>	
	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>
Pre1: Oct03-Mar04	113.3	680	47.8	287	27.8	167	17.7	106	14.7	88
Pre2: Apr04-Sep04	107.0	642	44.2	265	19.0	114	22.7	136	16.5	99
Pre3: Oct04-Mar05	130.3	782	52.5	315	25.5	153	26.2	157	19.0	114
Pre4: Apr05-Sep05	105.8	635	40.5	243	20.8	125	22.3	134	16.3	98
Post1: Oct05-Mar06	135.3	812	56.3	338	23.3	140	28.7	172	20.8	125
Post2: Apr06-Sep06	115.7	694	44.8	269	21.8	131	27.0	162	16.7	100
Post3: Oct06-Mar07	126.5	759	49.2	295	23.8	143	28.3	170	18.2	109

**Figure 2: Campbelltown LAC - Number of DV-related assault and total DV-related incidents recorded per month**



**Figure 3: Campbelltown LAC - Number of incidents per month for other DV-related incident categories**





### *Macquarie Fields LAC*

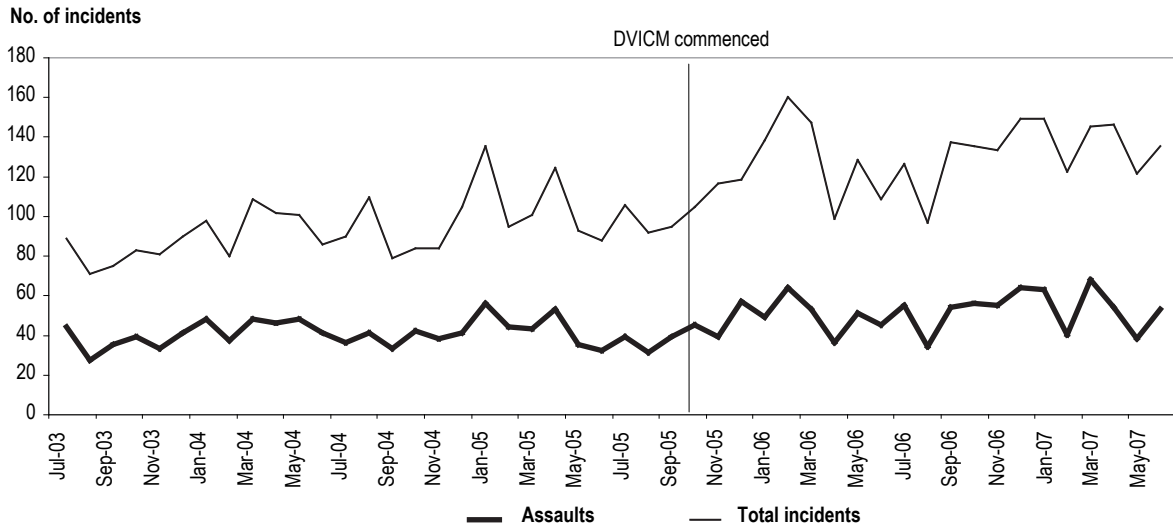
Figure 4 presents the number of DV-related assault and total DV-related incidents per month recorded by Macquarie Fields LAC across the period July 2003 to June 2007. The monthly average of total DV-related incidents recorded by Macquarie Fields LAC appears to increase following the introduction of the DVICM. This is supported by the figures in Table 8, with a statistically significant increase in the Post1 period compared to the Pre3 period. There was no significant change in the number of DV-related assault incidents.

Figure 5 shows the number of incidents per month recorded by Macquarie Fields LAC that fall under other DV-related incident categories, including: harassment, threatening behaviour and private nuisance; malicious damage; and against justice procedures. Table 8 presents the monthly averages and totals for these categories. The average number of against justice procedures incidents has not changed significantly across the time periods. There was no significant increase in malicious damage incidents since the commencement of the DVICM. However, the average number of harassment incidents increased significantly in the Post1 period compared to the Pre3 period, with an average of 19.8 harassment incidents recorded per month in Post1 compared to 10.5 in the Pre3 period. This increase can be seen in Figure 5.

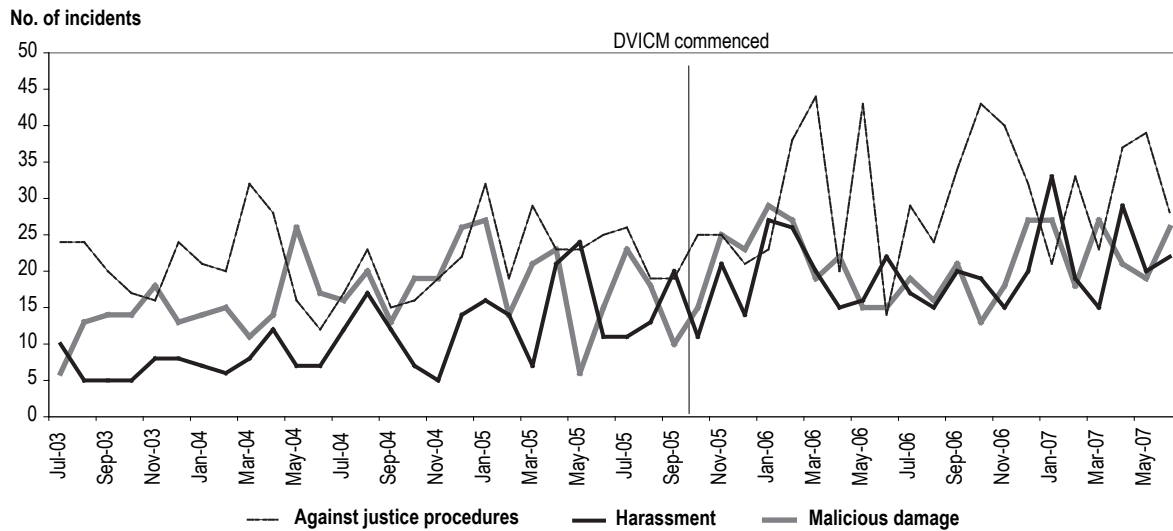
**Table 8: Monthly averages and totals for DV-related incidents recorded by Macquarie Fields LAC**

<i>Time period</i>	<i>All DV-related incidents</i>		<i>Assaults</i>		<i>Against justice procedures</i>		<i>Harassment</i>		<i>Malicious damage</i>	
	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>
	Pre1: Oct03-Mar04	91.2	547	42.0	252	21.7	130	7.0	42	14.2
Pre2: Apr04-Sep04	95.7	574	41.8	251	18.5	111	11.2	67	17.7	106
Pre3: Oct04-Mar05	101.8	611	45.0	270	22.8	137	10.5	63	21.0	126
Pre4: Apr05-Sep05	100.8	605	39.2	235	22.5	135	16.7	100	15.8	95
Post1: Oct05-Mar06	132.5	795	52.2	313	29.3	176	19.8	119	23.0	138
Post2: Apr06-Sep06	117.5	705	46.8	281	27.3	164	17.5	105	18.0	108
Post3: Oct06-Mar07	140.8	845	58.7	352	32.0	192	20.2	121	21.7	130

**Figure 4: Macquarie Fields LAC - Number of DV-related assault and total DV-related incidents recorded per month**



**Figure 5: Macquarie Fields LAC - Number of incidents per month for other DV-related incident categories**



### *Wagga Wagga LAC*

Figure 6 shows the total number of DV-related incidents and DV-related assault incidents recorded by Wagga Wagga LAC. The figure shows an initial downward trend in the total number of DV-related incidents following the commencement of the DVICM. Table 9 presents the monthly averages of these for each of the time periods. The apparent decrease in the total number of incidents recorded by Wagga Wagga LAC was not statistically significant. Similarly, DV-related assault incidents have not changed significantly over this time period.

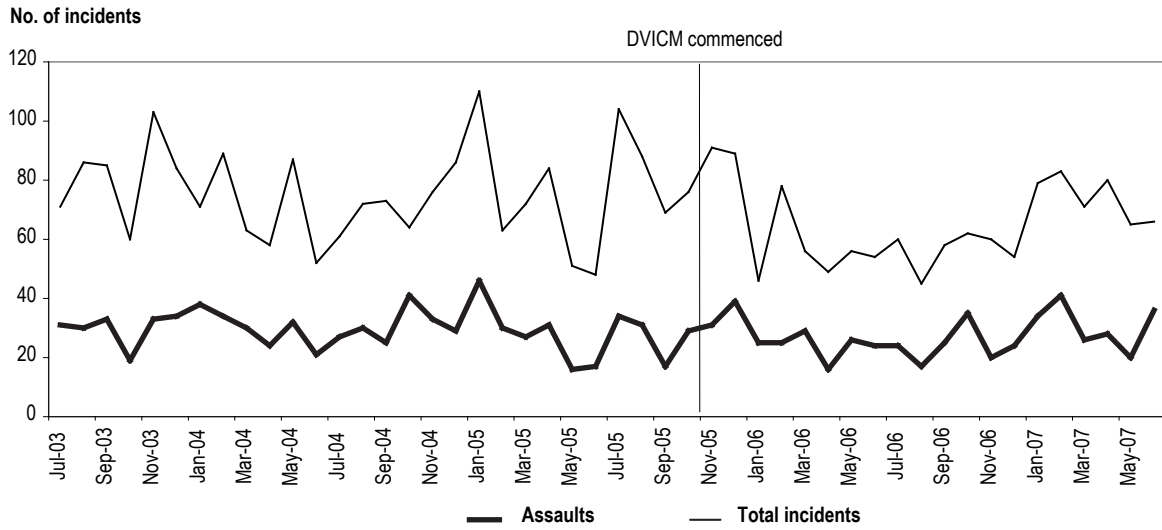
Figure 7 presents the number of incidents recorded by Wagga Wagga LAC per month for the other main DV-related incident types. There does not appear to have been a change in the number of recorded incidents for any incident categories except against justice procedures.

In the case of against justice procedures there was a statistically significant decrease following the start of the DVICM. The average monthly incidents decreased from 24.7 in the Pre3 period to 16.5 in the Post1 period, and from 21.8 to 10.0 incidents between the Pre4 and Post2 periods. This does not appear to be a continuation of a pre-existing downward trend because none of the pre-DVICM comparisons were statistically significant. This decrease could either be a reflection of a decrease in the true rate of DV-related against justice procedures incidents occurring in Wagga Wagga, or a reduction in the actual reporting of these incidents by victims.

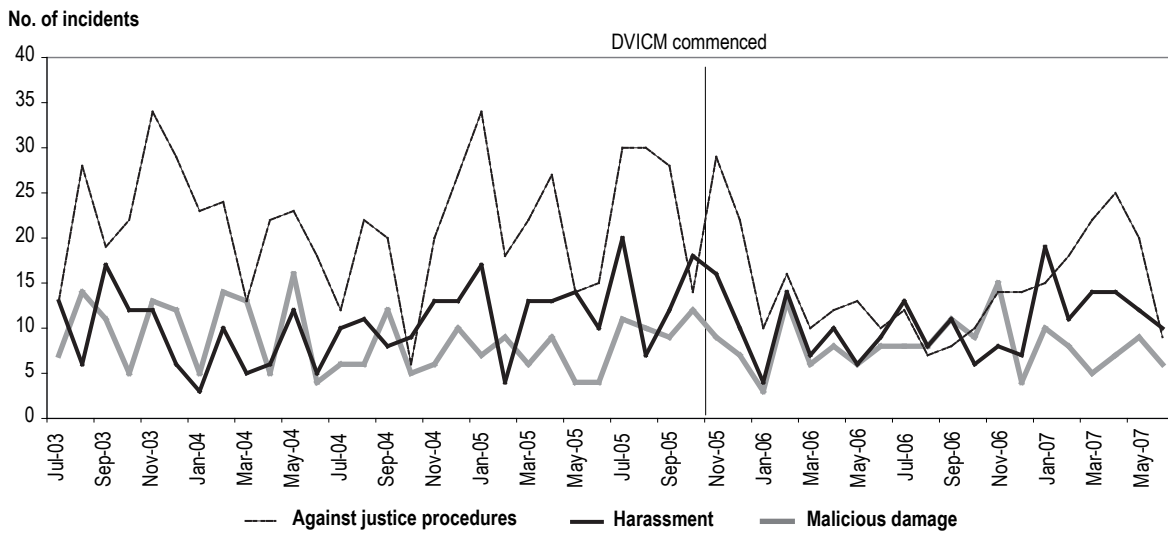
**Table 9: Monthly averages and totals for DV-related incidents recorded by Wagga Wagga LAC**

<i>Time period</i>	<i>All DV-related incidents</i>		<i>Assaults</i>		<i>Against justice procedures</i>		<i>Harassment</i>		<i>Malicious damage</i>	
	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>
Pre1: Nov03-Apr04	78.0	468	32.2	193	24.2	145	7.0	42	10.3	62
Pre2: May04-Oct04	68.2	409	29.3	176	16.8	101	9.2	55	8.2	49
Pre3: Nov04-Apr05	81.8	491	32.7	196	24.7	148	12.2	73	7.8	47
Pre4: May05-Oct05	72.7	436	24.0	144	21.8	131	13.5	81	8.3	50
Post1: Nov05-Apr06	68.2	409	27.5	165	16.5	99	10.2	61	7.7	46
Post2: May06-Oct06	55.8	335	25.2	151	10.0	60	8.8	53	8.3	50
Post3: Nov06-Apr07	71.2	427	28.8	173	18.0	108	12.2	73	8.2	49

**Figure 6: Wagga Wagga LAC - Number of DV-related assault and total DV-related incidents recorded per month**



**Figure 7: Wagga Wagga LAC - Number of incidents per month for other DV-related incident categories**



### *Rest of NSW LACs*

Table 10 presents the monthly averages for DV-related incidents in the rest of NSW. The average number of harassment incidents has shown a significant increase across all of the time period comparisons. Malicious damage incidents in the rest of NSW increased significantly, from an average of 558.8 incidents per month in the Pre3 period to 609.5 in the Post1 period.

There were no further statistically significant changes for any of the incident types or the total number of incidents in the rest of NSW.

**Table 10: Monthly averages and totals for DV-related incidents in the rest of NSW**

<i>Time period</i>	<i>All DV-related incidents</i>		<i>Assaults</i>		<i>Against justice procedures</i>		<i>Harassment</i>		<i>Malicious damage</i>	
	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>	<i>Monthly average</i>	<i>Total</i>
Pre1: Oct03-Mar04	4347.8	26087	2206.2	13237	1005.0	6030	339.0	2034	530.2	3181
Pre2: Apr04-Sep04	3836.2	23017	1897.7	11386	901.3	5408	335.0	2010	478.8	2873
Pre3: Oct04-Mar05	4510.5	27063	2249.0	13494	997.2	5983	436.3	2618	558.8	3353
Pre4: Apr05-Sep05	3937.2	23623	1909.5	11457	887.8	5327	407.2	2443	496.7	2980
Post1: Oct05-Mar06	4686.8	28121	2289.0	13734	996.2	5977	507.3	3044	609.5	3657
Post2: Apr06-Sep06	4030.5	24183	1929.8	11579	864.3	5186	469.5	2817	514.3	3086
Post3: Oct06-Mar07	4908.7	29452	2366.0	14196	1015.0	6090	590.0	3540	624.2	3745

### **SUMMARY OF RESULTS RELATING TO THE NUMBER OF DOMESTIC VIOLENCE-RELATED REPORTS TO POLICE**

- There was no change in Campbelltown LAC in the number of events or incidents.
- The number of all DV-related and DV-related harassment incidents recorded by Macquarie Fields LAC increased after the commencement of the DVICM.
- In Wagga Wagga LAC, there was a decrease in DV-related against justice procedures incidents.

### **3.2 PROPORTION OF ALLEGED DOMESTIC VIOLENCE OFFENDERS BROUGHT BEFORE THE COURTS**

Because the DVICM involves a proactive charge policy, it was expected that the proportion of alleged offenders brought before the courts for domestic violence-related offences would increase.

To measure whether there was any change in charge rates, the proportions of Persons of Interest (POIs) for whom at least one charge was recorded within a given DV-related event were compared between the timeframes. These results are presented in Table 11. As there can be more than one POI associated with an event and events can contain one or more incidents, the total number of POIs does not correspond exactly with the number of incidents or events reported in the previous section.

**Table 11: Indication of whether a POI was charged for at least one DV-related offence for a given event**

<i>Time period</i>	<i>POI charged</i>		<i>POI not charged</i>		<i>Total</i>
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>
<b>Campbelltown LAC</b>					
Pre1: Oct03-Mar04	192	38.4	308	61.6	500
Pre2: Apr04-Sep04	202	41.9	280	58.1	482
Pre3: Oct04-Mar05	243	42.9	323	57.1	566
Pre4: Apr05-Sep05	227	47.9	247	52.1	474
Post1: Oct05-Mar06	269	50.0	269	50.0	538
Post2: Apr06-Sep06	251	52.4	228	47.6	479
Post3: Oct06-Mar07	280	54.8	231	45.2	511
<b>Macquarie Fields LAC</b>					
Pre1: Oct03-Mar04	170	41.1	244	58.9	414
Pre2: Apr04-Sep04	162	37.0	276	63.0	438
Pre3: Oct04-Mar05	177	36.1	313	63.9	490
Pre4: Apr05-Sep05	176	37.1	298	62.9	474
Post1: Oct05-Mar06	256	48.2	275	51.8	531
Post2: Apr06-Sep06	244	47.8	267	52.3	511
Post3: Oct06-Mar07	305	52.5	276	47.5	581
<b>Wagga Wagga LAC</b>					
Pre1: Nov03-Apr04	212	73.1	78	26.9	290
Pre2: May04-Oct04	182	68.2	85	31.8	267
Pre3: Nov04-Apr05	223	69.3	99	30.8	322
Pre4: May05-Oct05	178	65.9	92	34.1	270
Post1: Nov05-Apr06	180	68.4	83	31.6	263
Post2: May06-Oct06	155	66.2	79	33.8	234
Post3: Nov06-Apr07	190	68.4	88	31.7	278
<b>Rest of NSW</b>					
Pre1: Oct03-Mar04	9497	45.9	11179	54.1	20676
Pre2: Apr04-Sep04	8208	45.3	9916	54.7	18124
Pre3: Oct04-Mar05	9654	45.0	11781	55.0	21435
Pre4: Apr05-Sep05	8772	47.2	9796	52.8	18568
Post1: Oct05-Mar06	10592	47.8	11579	52.2	22171
Post2: Apr06-Sep06	9059	47.8	9906	52.2	18965
Post3: Oct06-Mar07	11176	49.0	11631	51.0	22807

In Campbelltown LAC, the proportion of POIs charged with at least one offence within a DV-related event increased significantly, from just below 43 per cent in the Pre3 period to 50 per cent in the Post1 period. While this provides prima facie evidence that the DVICM has increased charge rates in Campbelltown LAC, the comparison between the Pre2 and Pre4 periods approached significance, with charge rates increasing from 41.9 per cent to 47.9 per cent ( $p=0.063$ ). This indicates that there may have been an increasing trend present prior to the DVICM.

In Macquarie Fields LAC, the charge rate has increased significantly across both of the Pre-Post DVICM comparisons. The charge rate increased from 36.1 per cent in Pre3 to 48.2 per cent in Post 1, and from 37.1 per cent in Pre4 to 47.8 per cent in Post2. The pre-DVICM comparisons were stable.

In Wagga Wagga LAC, charge rates have been consistently high across the identified time periods, with between 66 and 73 per cent of all POIs charged for at least one DV-related offence for a given event within each of the time periods.

Although Campbelltown and Macquarie Fields LACs have presented a significant increase in their charge rates since the DVICM commenced, the rest of NSW LACs control group has also demonstrated a significant increase in charge rates for the Pre3 v Post1, Pre4 v Post2 and Post1 v Post3 comparisons. This suggests that there is a more general trend towards increasing charge rates for DV-related offences across NSW as a whole. The details of these increases are presented in Table 11.

## **SUMMARY OF FINDINGS ON THE PROPORTION OF ALLEGED DV OFFENDERS CHARGED AND BROUGHT BEFORE THE COURTS**

- In Campbelltown LAC, the charge rates increased following the introduction of the DVICM, however there was also some indication of a pre-DVICM increase in charge rates.
- In Macquarie Fields LAC there was an increase in charge rates following the introduction of the DVICM. No pre-DVICM trend was detected.
- There was no change in the charge rate in Wagga Wagga LAC, which remained high both before and after the introduction of the DVICM.
- There was a small but significant increase in charge rates for DV-related offences across the rest of NSW LACs.

### **3.3 OUTCOMES FOR DV-RELATED MATTERS BROUGHT BEFORE LOCAL COURT**

By looking at the outcomes for DV-related matters brought before Local Court, four important questions were addressed:

- Has there been a change in the proportion of domestic violence-related charges withdrawn by the prosecution or dismissed by the courts since the commencement of the DVICM?
- Has there been an increase in the conviction rates in the DVICM period?
- Has there been an increase in the proportion of guilty pleas entered by defendants since the commencement of the DVICM?
- Has there been a change in the types of principal penalties issued?

It was expected the proportion of domestic violence charges withdrawn/dismissed would decrease. It was expected the conviction rates and guilty pleas would increase and that there would be an increase in bonds with supervision.

## CAMPBELLTOWN LOCAL COURT

Table 12 presents the outcomes for finalised DV-related matters heard at Campbelltown Local Court. These matters comprise those that proceeded to Campbelltown Local Court via either Campbelltown or Macquarie Fields LACs.

Neither of the two pre-post comparisons (i.e. Pre3 v Post1 and Pre4 v Post2) was significant. As Table 12 indicates, the percentages for these outcomes remained fairly stable across these comparisons with the exception of 'sentenced after guilty plea'.

While there was an apparent increase in the percentage of offenders sentenced after a guilty plea after the commencement of the DVICM, particularly in the Pre 3 v Post 1 comparison (51.4 per cent to 56.4 per cent), this comparison was not statistically significant.

**Table 12: Outcome for DV-related matters heard at Campbelltown Local Court by the date of the event**

<i>Outcome</i>		<i>Time Period</i>					
		<i>Pre1: Oct03- Mar04</i>	<i>Pre2: Apr04- Sep04</i>	<i>Pre3: Oct04- Mar05</i>	<i>Pre4: Apr05- Sep05</i>	<i>Post1: Oct05- Mar06</i>	<i>Post2: Apr06- Sep06</i>
Sentenced after guilty plea	N	184	155	186	196	253	257
	%	58.8	50.7	51.4	57.3	56.4	61.3
Defended hearing, guilty of at least one charge	N	55	43	52	60	66	51
	%	17.6	14.1	14.4	17.5	14.7	12.2
Defended hearing, all charges dismissed	N	23	45	41	24	41	39
	%	7.4	14.7	11.3	7.0	9.1	9.3
All charges dismissed without hearing	N	33	37	50	32	56	27
	%	10.5	12.1	13.8	9.4	12.5	6.4
Convicted ex parte/ arrest warrant issued	N	13	19	21	22	25	30
	%	4.2	6.2	5.8	6.4	5.6	7.2
Other	N	5	7	12	8	8	15
	%	1.6	2.3	3.3	2.3	1.8	3.6
<b>Total</b>	<b>N</b>	<b>313</b>	<b>306</b>	<b>362</b>	<b>342</b>	<b>449</b>	<b>419</b>



Table 13 presents the associated principal penalties for all DV-related matters finalised at Campbelltown Local Court. There was a significant difference observed across the penalties in the Pre4 v Post2 comparison. The proportion of ‘section 10’ non-conviction penalties<sup>6</sup> increased from 17 per cent to around 25 per cent of all penalties imposed for DV-related matters. The percentage of ‘section 9 bonds with supervision’<sup>7</sup> also increased, from just over 6 per cent in the Pre4 time period to just under 16 per cent in the Post2 period. The percentage of matters where a fine was the principal penalty decreased between these time periods, as did the proportion receiving a ‘section 9 bond without supervision’.

There was, however, a significant difference observed in the distribution of penalties between the Pre2 v Pre4 time periods. As Table 13 indicates, there was a slight increase in the percentage of fines imposed, as well as in the percentage of section 9 bonds without supervision. Both the section 9 bond with supervision and ‘section 12 suspended sentence’<sup>8</sup> categories decreased slightly between the Pre4 time period compared to the Pre2 period. The Pre4 period has unusually high rates of section 9 bonds without supervision and low section 9 bonds with supervision compared to the other time periods. It is possible that this six month period was atypical.

**Table 13: Principal penalties for DV-related matters finalised at Campbelltown Local Court**

<i>Penalty</i>		<i>Time Period</i>					
		<i>Pre1: Oct03- Mar04</i>	<i>Pre2: Apr04- Sep04</i>	<i>Pre3: Oct04- Mar05</i>	<i>Pre4: Apr05- Sep05</i>	<i>Post1: Oct05- Mar06</i>	<i>Post2: Apr06- Sep06</i>
Section 10	N	28	34	31	42	61	73
	%	13.5	18.1	12.6	17.1	19.9	24.8
Fine	N	23	32	32	50	47	39
	%	11.1	17.0	13.0	20.4	15.4	13.2
Section 9 bond without supervision	N	61	55	75	98	91	84
	%	29.5	29.3	30.5	40.0	29.7	28.5
Section 9 bond with supervision	N	35	29	40	16	31	46
	%	16.9	15.4	16.3	6.5	10.1	15.6
Section 12 suspended sentence	N	17	17	25	10	25	21
	%	8.2	9.0	10.2	4.1	8.2	7.1
Imprisonment	N	26	13	27	21	38	25
	%	12.6	6.9	11.0	8.6	12.4	8.5
Other	N	17	8	16	8	13	7
	%	8.2	4.3	6.5	3.3	4.3	2.4
<b>Total</b>	<b>N</b>	<b>207</b>	<b>188</b>	<b>246</b>	<b>245</b>	<b>306</b>	<b>295</b>

## WAGGA WAGGA LOCAL COURT

Table 14 presents the outcomes for matters finalised at Wagga Wagga Local Court.

There was a significant difference in the Pre3 v Post1 comparison. Table 14 indicates there has been a decrease in the percentage of offenders sentenced after a guilty plea, with 56 per cent of matters falling into this category for the Pre 3 period, compared to 44 per cent for the Post1 period. There has been a corresponding increase in the proportion of matters that proceeded to 'defended hearing', with the defendant either being found guilty of at least one charge or where all charges were dismissed.

No other comparisons were found to be significantly different across the outcomes in Wagga Wagga Local Court.

**Table 14: Outcome for DV-related matters heard at Wagga Wagga Local Court by the date of the event**

<i>Outcome</i>		<i>Time Period</i>					
		<i>Pre1: Nov03- Apr04</i>	<i>Pre2: May04- Oct04</i>	<i>Pre3: Nov04- Apr05</i>	<i>Pre4: May05- Oct05</i>	<i>Post1: Nov05- Apr06</i>	<i>Post2: May06- Oct06</i>
Sentenced after guilty plea	N	92	68	99	71	64	62
	%	56.1	48.2	55.9	51.8	43.5	50.0
Defended hearing, guilty of at least one charge	N	27	31	40	32	41	26
	%	16.5	22.0	22.6	23.4	27.9	21.0
Defended hearing, all charges dismissed	N	9	6	5	8	10	7
	%	5.5	4.3	2.8	5.8	6.8	5.7
All charges dismissed without hearing	N	23	18	22	14	19	17
	%	14.0	12.8	12.4	10.2	12.9	13.7
Convicted ex parte/arrest warrant issued	N	10	15	11	6	8	11
	%	6.1	10.6	6.2	4.4	5.4	8.9
Other	N	3	3	-	6	5	1
	%	1.8	2.1	-	4.4	3.4	0.8
<b>Total</b>	<b>N</b>	<b>164</b>	<b>141</b>	<b>177</b>	<b>137</b>	<b>147</b>	<b>124</b>

Table 15 presents the principal penalties associated with each matter finalised at Wagga Wagga Local Court. There were no significant differences across penalty type for any of the comparisons.

**Table 15: Principal penalties for all DV-related matters finalised at Wagga Wagga Local Court**

<i>Penalty</i>		<i>Time Period</i>					
		<i>Pre1: Nov03- Apr04</i>	<i>Pre2: May04- Oct04</i>	<i>Pre3: Nov04- Apr05</i>	<i>Pre4: May05- Oct05</i>	<i>Post1: Nov05- Apr06</i>	<i>Post2: May06- Oct06</i>
Section 10	N	12	6	20	14	13	15
	%	10.2	6.5	15.3	15.7	13.1	16.1
Fine	N	25	17	21	11	13	12
	%	21.2	18.3	16.0	12.4	13.1	12.9
Section 9 bond without supervision	N	34	16	21	21	27	21
	%	28.8	17.2	16.0	23.6	27.3	22.6
Section 9 bond with supervision	N	17	24	24	18	19	25
	%	14.4	25.8	18.3	20.2	19.2	26.9
Section 12 suspended sentence	N	9	9	12	8	9	10
	%	7.6	9.7	9.2	9.0	9.1	10.8
Imprisonment	N	15	13	15	13	15	5
	%	12.7	14.0	11.5	14.6	15.2	5.4
Other	N	6	8	18	4	3	5
	%	5.1	8.6	13.7	4.5	3.0	5.4
<b>Total</b>	<b>N</b>	<b>118</b>	<b>93</b>	<b>131</b>	<b>89</b>	<b>99</b>	<b>93</b>

## REST OF NSW LOCAL COURTS

Analyses on the outcomes for the rest of NSW Local Courts were conducted. The numbers and percentages for the different outcome types against the time periods equivalent to Campbelltown Local Court are presented in Table 16.

The pre-post comparisons for the rest of NSW were not statistically significant.

**Table 16: Outcome for DV-related matters heard at rest of NSW Local Courts by the date of event**

<i>Outcome</i>		<i>Time Period</i>					
		<i>Pre1: Oct03- Mar04</i>	<i>Pre2: Apr04- Sep04</i>	<i>Pre3: Oct04- Mar05</i>	<i>Pre4: Apr05- Sep05</i>	<i>Post1: Oct05- Mar06</i>	<i>Post2: Apr06- Sep06</i>
Sentenced after guilty plea	N	4594	4124	4761	4351	5279	4463
	%	53.9	55.7	54.7	55.4	55.5	56.5
Defended hearing, guilty of at least one charge	N	1292	1052	1212	1062	1286	1046
	%	15.2	14.2	13.9	13.5	13.5	13.3
Defended hearing, all charges dismissed	N	862	681	906	843	1030	801
	%	10.1	9.2	10.4	10.7	10.8	10.2
All charges dismissed without hearing	N	978	842	1060	919	1059	895
	%	11.5	11.4	12.2	11.7	11.1	11.3
Convicted ex parte/ arrest warrant issued	N	498	429	432	394	502	399
	%	5.9	5.8	5.0	5.0	5.3	5.1
Other	N	293	283	339	283	350	291
	%	3.4	3.8	3.9	3.6	3.7	3.7
<b>Total</b>	<b>N</b>	<b>8517</b>	<b>7411</b>	<b>8710</b>	<b>7852</b>	<b>9506</b>	<b>7895</b>

Table 17 presents trends in principal penalties in the rest of NSW for matters finalised across the time period.

There were no significant differences between the pre-post comparisons.

**Table 17: Principal penalties for all DV-related matters finalised in rest of NSW Local Courts**

<i>Penalty</i>		<i>Time Period</i>					
		<i>Pre1: Nov03- Apr04</i>	<i>Pre2: May04- Oct04</i>	<i>Pre3: Nov04- Apr05</i>	<i>Pre4: May05- Oct05</i>	<i>Post1: Nov05- Apr06</i>	<i>Post2: May06- Oct06</i>
Section 10	N	973	803	883	894	1048	912
	%	16.9	16.0	15.2	16.8	16.3	17.1
Fine	N	1155	995	1078	1006	1171	924
	%	20.1	19.8	18.5	18.9	18.3	17.4
Section 9 bond without supervision	N	1199	1108	1348	1177	1498	1176
	%	20.9	22.0	23.2	22.2	23.3	22.1
Section 9 bond with supervision	N	842	758	892	849	1019	866
	%	14.7	15.1	15.3	16.0	15.9	16.3
Section 12 suspended sentence	N	547	463	514	437	519	480
	%	9.5	9.2	8.8	8.2	8.1	9.0
Imprisonment	N	659	572	691	596	755	651
	%	11.5	11.4	11.9	11.2	11.8	12.2
Other	N	368	332	412	354	407	318
	%	6.4	6.6	7.1	6.7	6.3	6.0
<b>Total</b>	<b>N</b>	<b>5743</b>	<b>5031</b>	<b>5818</b>	<b>5313</b>	<b>6417</b>	<b>5327</b>

## SUMMARY OF FINDINGS RELATING TO LOCAL COURT OUTCOMES

- There was no reduction in the proportion of domestic violence-related charges withdrawn or dismissed in either DVICM Local Court.
- In Campbelltown Local Court, the proportion of matters finalised by guilty plea did not increase after the introduction of the DVICM.
- In Wagga Wagga Local Court, the proportion of matters finalised by guilty plea decreased after the commencement of the DVICM.
- The proportion of matters where the principal penalty was a section 10 penalty increased in Campbelltown after the introduction of the DVICM, with the proportion of matters where a fine was the principal penalty decreasing.
- The proportion of matters with a section 9 bond with supervision increased in Campbelltown Local Court after the DVICM. There was an opposite trend present prior to the DVICM. These results are based on the Pre4 time period, which appeared to have an abnormally low proportion of bonds with supervision.
- There was no change in the distribution of penalties imposed in Wagga Wagga Local Court.
- There was no change in the rest of NSW group since the DVICM commenced for either Local Court outcome or type of penalty.

### 3.4 IMPACT OF THE DVICM ON TIME TAKEN TO FINALISE MATTERS

It was expected the median court delay would decrease after the commencement of the DVICM. Specifically, it was expected that the timing of matters from first appearance to finalisation would be around 12 weeks. With an increased focus on early guilty pleas, it was also expected the proportion of matters finalised within 21 days of first appearance would increase.

The proportion of cases finalised within 84 days from the date of the DV-related event was also measured. This figure was expected to increase after the commencement of the DVICM.

#### CAMPBELLTOWN LOCAL COURT

Table 18 presents the average and median number of days from the first appearance at court to finalisation of the matter for all court outcomes. This analysis is presented separately for matters that proceeded to a defended hearing and for matters finalised following a guilty plea.

For all outcomes, the median number of days from first appearance to finalisation decreased between the Pre2 v Pre4 and the Pre4 v Post2 comparison periods. In the Pre2 period, half of all matters were finalised in 120 days or less, with this decreasing to 91 days or less in the Pre4 period and then decreasing further to 56 days or less in the Post2 period. Neither of the other two comparisons was significant.

For matters that were finalised in Campbelltown Local Court after a defended hearing, there was a significant decrease in the median number of days taken to finalise the matter in the Pre4 v Post2 comparison where the median decreased from 160 days (22.9 weeks) to 118 days (16.9 weeks). There were no statistically significant pre-DVICM trends.

For matters that were finalised following a guilty plea, the median delay decreased across all time periods. The Pre1 v Pre3 comparison was statistically significant, decreasing from 69 days to 42 days. A further two comparisons approached significance, with the Pre4 median (37.5 days) being lower than the Pre2 (56 days) and the Post2 median (21 days) being lower than Pre4 (37.5 days).

**Table 18: Time from first appearance to finalisation in Campbelltown Local Court**

	<i>Time period</i>					
	<i>Pre1: Oct03- Mar04</i>	<i>Pre2: Apr04- Sep04</i>	<i>Pre3: Oct04- Mar05</i>	<i>Pre4: Apr05- Sep05</i>	<i>Post1: Oct05- Mar06</i>	<i>Post2: Apr06- Sep06</i>
<b>All outcomes</b>						
N	313	306	362	342	449	419
Mean	130.6	141.2	122.6	117.4	110.6	86.3
Median	101	120	105	91	91	56
<b>Defended hearing</b>						
N	83	95	102	90	115	103
Mean	166.2	194.7	175.7	176.0	168.7	123.5
Median	142	170	159.5	160	154	118
<b>Guilty plea</b>						
N	184	155	186	196	253	257
Mean	113.5	107.9	88.3	91.1	85.0	69.6
Median	69	56	42	37.5	35	21

Table 19 presents the proportion of matters that were finalised within 21 days following a guilty plea. While there was a general increase (with the exception of the Post1 period), there were no significant differences between any of the time periods in the comparisons of interest.

**Table 19: Matters finalised through a guilty plea within 21 days or less at Campbelltown Local Court**

	<i>Time period</i>					
	<i>Pre1: Oct03- Mar04</i>	<i>Pre2: Apr04- Sep04</i>	<i>Pre3: Oct04- Mar05</i>	<i>Pre4: Apr05- Sep05</i>	<i>Post1: Oct05- Mar06</i>	<i>Post2: Apr06- Sep06</i>
N guilty plea	184	155	186	196	253	257
N finalised <= 21 days	57	55	75	88	102	134
% finalised <= 21 days	31.0	35.5	40.3	44.9	40.3	52.1

Table 20 presents the proportion of events recorded by Campbelltown LAC that were finalised in Campbelltown Local Court within 84 days of the event date. There was a significant increase in the proportion finalised within 84 days between the Post1 and Post3 time periods, with an increase from 39.2 per cent in Post1 to 54.3 per cent in Post3. There was also a significant increase between the Pre2 and Pre4 proportions (from 33.3 per cent to 45.2 per cent). This suggests that there was a pre-existing trend toward improvements in delay at Campbelltown LAC.

**Table 20: Proportion of DV-related events recorded by Campbelltown LAC finalised at Local Court within 84 days of the police event date**

<i>Time period</i>	<i>Time to finalisation</i>				<i>Total N</i>
	<i>84 or less</i>		<i>Over 84</i>		
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	
Pre1: Oct03-Mar04	69	37.7	114	62.3	183
Pre2: Apr04-Sep04	64	33.3	128	66.7	192
Pre3: Oct04-Mar05	92	39.7	140	60.3	232
Pre4: Apr05-Sep05	98	45.2	119	54.8	217
Post1: Oct05-Mar06	102	39.2	158	60.8	260
Post2: Apr06-Sep06	113	45.9	133	54.1	246
Post3: Oct06-Mar07	146	54.3	123	45.7	269

Table 21 presents the proportion of events recorded by Macquarie Fields LAC that were finalised in Campbelltown Local Court within 84 days of the event date. There was a significant increase in the proportion finalised in 84 days or less between the Pre4 and Post2 time periods (38.9 per cent in Pre4 to 52.9 per cent in Post2). There was also a significant increase between the Post1 and Post3 proportions, with Post3 indicating 62.4 per cent were finalised compared to 45.9 per cent in Post1. There were no significant differences identified in the pre-DVICM periods, which suggests that these improvements may have been caused by the DVICM rather than reflecting a pre-existing trend.

**Table 21: Proportion of DV-related events recorded by Macquarie Fields LAC finalised at Local Court within 84 days of the police event date**

<i>Time period</i>	<i>Time to finalisation</i>				<i>Total N</i>
	<i>84 or less</i>		<i>Over 84</i>		
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	
Pre1: Oct03-Mar04	60	35.1	111	64.9	171
Pre2: Apr04-Sep04	63	40.7	92	59.4	155
Pre3: Oct04-Mar05	69	39.7	105	60.3	174
Pre4: Apr05-Sep05	65	38.9	102	61.1	167
Post1: Oct05-Mar06	113	45.9	133	54.1	246
Post2: Apr06-Sep06	118	52.9	105	47.1	223
Post3: Oct06-Mar07	179	62.4	108	37.6	287



## WAGGA WAGGA LOCAL COURT

Table 22 presents the average number of days from the first court appearance to finalisation for all matters, as well as the breakdown of those finalised after hearing and after a plea of guilty in Wagga Wagga Local Court.

There were no significant differences observed across the time periods for the medians associated with all outcomes.

For matters finalised after a defended hearing and following a guilty plea there was no evidence to suggest that the median number of days has changed significantly following the introduction of the DVICM.

**Table 22: Time from first appearance to finalisation in Wagga Wagga Local Court**

	<i>Time period</i>					
	<i>Pre1: Nov03- Apr04</i>	<i>Pre2: May04- Oct04</i>	<i>Pre3: Nov04- Apr05</i>	<i>Pre4: May05- Oct05</i>	<i>Post1: Nov05- Apr06</i>	<i>Post2: May06- Oct06</i>
<b>All outcomes</b>						
N	164	141	177	137	147	124
Mean	111.1	138.3	142.4	135.5	111.7	101.7
Median	83.5	90	97	124	101	81
<b>Defended hearing</b>						
N	37	38	45	43	53	34
Mean	146.4	230.3	258.9	218.6	142.9	133.7
Median	111	113	182	173	125	121.5
<b>Guilty plea</b>						
N	92	68	99	71	64	62
Mean	108.0	110.6	98.5	92.2	92.3	97.3
Median	42	72	58	58	60.5	78.5

Table 23 presents the proportions of matters that were finalised within 21 days following a guilty plea. The proportion of matters finalised within 21 days did not change significantly following the introduction of the DVICM.

**Table 23: Matters finalised through a guilty plea within 21 days at Wagga Wagga Local Court**

	<i>Time period</i>					
	<i>Pre1: Nov03- Apr04</i>	<i>Pre2: May04- Oct04</i>	<i>Pre3: Nov04- Apr05</i>	<i>Pre4: May05- Oct05</i>	<i>Post1: Nov05- Apr06</i>	<i>Post2: May06- Oct06</i>
N guilty plea	92	68	99	71	64	62
N finalised <= 21 days	33	15	34	25	20	14
% finalised <= 21 days	35.9	22.1	34.3	35.2	31.3	22.6

Table 24 presents the proportion of events recorded by Wagga Wagga LAC that were finalised in Wagga Wagga Local Court within 84 days from the event date. The proportions remained stable across all pre- and post-DVICM time periods.

**Table 24: Proportion of DV-related events recorded by Wagga Wagga LAC finalised at Local Court within 84 days of the police event date**

<i>Time period</i>	<i>Time to finalisation</i>				
	<i>84 or less</i>		<i>Over 84</i>		<i>Total N</i>
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	
Pre1: Nov03-Apr04	75	37.5	125	62.5	200
Pre2: May04-Oct04	73	41.0	105	59.0	178
Pre3: Nov04-Apr05	82	39.4	126	60.6	208
Pre4: May05-Oct05	68	40.7	99	59.3	167
Post1: Nov05-Apr06	63	36.6	109	63.4	172
Post2: May06-Oct06	60	40.5	88	59.5	148
Post3: Nov06-Apr07	74	42.3	101	57.7	175

## REST OF NSW LOCAL COURTS

The equivalent analyses were conducted on the rest of NSW Local Courts. These results are presented in Table 25.

The timing for all matters between the other periods remained fairly stable between the pre- and post-DVICM periods.

For matters finalised following a defended hearing, there was a significant increase in the median number of days to finalisation between the Pre1 and Pre3 periods, from 122 days to 131 days. There was also a small but significant decrease between the Pre2 and Pre4 periods. Further, there was a significant decrease between the Pre4 and Post2 periods, with the median number of days decreasing from 125 to 120 days.

The median number of days taken for matters finalised following a guilty plea remained stable.

**Table 25: Rest of NSW Local Court times from first appearance to finalisation**

	<i>Time period</i>					
	<i>Pre1: Oct03- Mar04</i>	<i>Pre2: Apr04- Sep04</i>	<i>Pre3: Oct04- Mar05</i>	<i>Pre4: Apr05- Sep05</i>	<i>Post1: Oct05- Mar06</i>	<i>Post2: Apr06- Sep06</i>
<b>All outcomes</b>						
N	8517	7411	8710	7852	9506	7895
Mean	102.1	103.5	108.4	101.4	102.8	97.5
Median	79	78	88	78	85	78
<b>Defended hearing</b>						
N	2302	1910	2339	2080	2553	2015
Mean	143.3	147.2	155.0	147.6	149.1	137.8
Median	122	127.5	131	125	129	120
<b>Guilty plea</b>						
N	4594	4124	4761	4351	5279	4463
Mean	79.3	80.8	83.0	76.8	79.7	76.2
Median	42	42	43	42	44	42

Table 26 presents the proportions of matters finalised within 21 days following a guilty plea for the rest of NSW group. There was no significant change across any of the time periods.

**Table 26: Matters finalised through a guilty plea within 21 days in rest of NSW Local Courts**

	<i>Time period</i>					
	<i>Pre1: Oct03- Mar04</i>	<i>Pre2: Apr04- Sep04</i>	<i>Pre3: Oct04- Mar05</i>	<i>Pre4: Apr05- Sep05</i>	<i>Post1: Oct05- Mar06</i>	<i>Post2: Apr06- Sep06</i>
N guilty plea	4593	4124	4761	4351	5279	4463
N finalised <= 21 days	1874	1698	1929	1771	2116	1805
% finalised <= 21 days	40.8	41.2	40.5	40.7	40.1	40.4

Table 27 presents the proportion of events recorded by the rest of NSW LACs that were finalised in the Local Court within 84 days from the event date. No pre-post DVICM time period comparisons were significant.

**Table 27: Proportion of DV-related events recorded by rest of NSW LACs finalised at Local Court within 84 days from police event date**

<i>Time period</i>	<i>Time to finalisation</i>				
	<i>84 or less</i>		<i>Over 84</i>		<i>Total N</i>
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	
Pre1: Oct03-Mar04	3718	41.0	5362	59.1	9080
Pre2: Apr04-Sep04	3344	42.4	4536	57.6	7880
Pre3: Oct04-Mar05	3637	39.3	5628	60.7	9265
Pre4: Apr05-Sep05	3590	43.0	4768	57.1	8358
Post1: Oct05-Mar06	4078	40.2	6068	59.8	10146
Post2: Apr06-Sep06	3632	42.3	4954	57.7	8586
Post3: Oct06-Mar07	4327	40.6	6322	59.4	10649

## SUMMARY OF THE IMPACT OF THE DVICM ON TIME TAKEN TO FINALISE MATTERS

- The time period for all matters in Campbelltown Local Court decreased after the DVICM, however there was also evidence of a pre-existing trend toward decreases in court delay in this court.

- In Campbelltown Local Court, there was a decrease observed in the median time to finalise matters that proceeded to hearing. There was no pre-existing trend observed.
- The median time for matters finalised following a guilty plea in Campbelltown Local Court did not significantly decrease after the DVICM.
- There was no difference in court delay between the pre- and post-DVICM timeframes at Wagga Wagga Local Court.
- The proportion of matters finalised after a guilty plea within 21 days did not change significantly in either DVICM site.
- The proportion of events recorded by Campbelltown LAC that were finalised in Campbelltown Local Court within 84 days increased significantly between the Post1 and Post3 periods, however there was also a significant increase in the Pre2 v Pre4 comparison, indicating there may have been a pre-existing trend present.
- The proportion of events recorded by Macquarie Fields LAC that were finalised in Campbelltown Local Court within 84 days increased following the commencement of the DVICM. No pre-existing trends were evident.
- The proportion of events recorded by Wagga Wagga LAC that were finalised in Wagga Wagga Local Court within 84 days remained stable.

### 3.5 VICTIM SURVEY RESULTS

It will be recalled that the aim of the victim survey was to identify whether the objectives of improved victim safety and support were met by the DVICM.

#### RESPONDENT CHARACTERISTICS

Fifty victims of domestic violence were interviewed; 24 from Campbelltown and 26 from Wagga Wagga. The majority of the respondents were female, representing 96 per cent of the total sample. The two males that were interviewed were both from the Campbelltown region.

**Table 28: Age of respondents by region**

Age (years)	Campbelltown		Wagga Wagga		Total	
	N	%	N	%	N	%
19-22	2	8.3	7	29.2	9	18.8
23-26	2	8.3	2	8.3	4	8.3
27-30	3	12.5	-	-	3	6.3
31-34	6	25.0	2	8.3	8	16.7
35-38	3	12.5	4	16.7	7	14.6
39-42	3	12.5	4	16.7	7	14.6
43-46	2	8.3	2	8.3	4	8.3
47+	3	12.5	3	12.5	6	12.5
<b>Total</b>	<b>24</b>	<b>100.0</b>	<b>24</b>	<b>100.0</b>	<b>48</b>	<b>100.0</b>

*Note: Two respondents had missing age values; one requested to finish the interview early and the other interview was a unique situation where a mother was providing feedback on her children's experiences.*

Table 28 presents the age groups of the respondents within the two regions. The regions had slightly different age distributions, with more young (19-22 years) victims participating in Wagga Wagga. Overall, most respondents were within the 31-42 year age ranges.

Table 29 identifies the countries of birth nominated by the respondents. The majority were born in Australia (85.7%). The 'other' category included Former Yugoslavia, India and Fiji.

**Table 29: Country of birth of participants**

<i>Country of birth</i>	<i>Campbelltown</i>		<i>Wagga Wagga</i>		<i>Total</i>	
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>
Australia	18	75.0	24	96.0	42	85.7
United Kingdom	1	4.2	1	4.0	2	4.1
New Zealand	1	4.2	-	-	1	2.0
Other	4	16.7	-	-	4	8.2
<b>Total</b>	<b>24</b>	<b>100.0</b>	<b>25</b>	<b>100.0</b>	<b>49</b>	<b>100.0</b>

*Note: One participant did not respond to this question.*

Table 30 presents the number and proportion of respondents who identified themselves as Aboriginal or Torres Strait Islander. About 18 per cent of the respondents identified themselves as Aboriginal or Torres Strait Islander. These numbers were similar within Campbelltown and Wagga Wagga.

**Table 30: Respondent identification as Aboriginal or Torres Strait Islander**

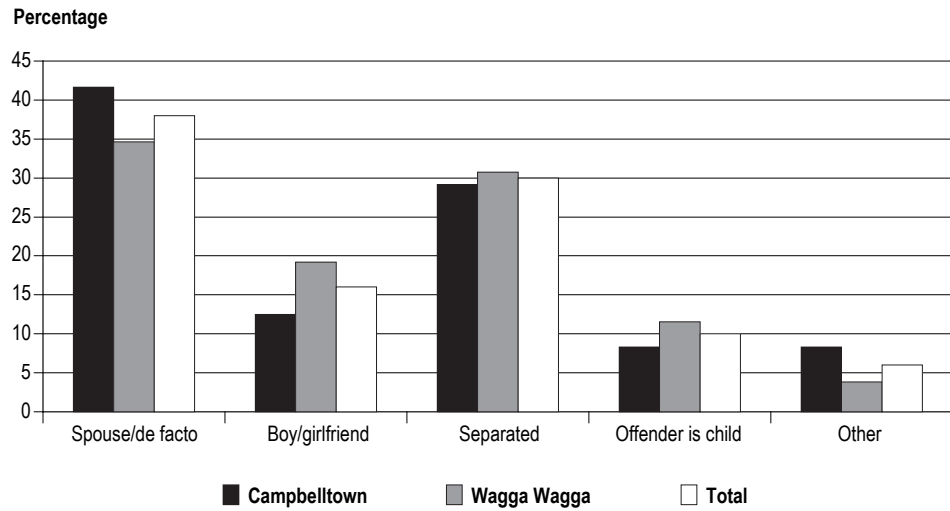
	<i>Campbelltown</i>		<i>Wagga Wagga</i>		<i>Total</i>	
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>
ATSI	4	16.7	5	20.0	9	18.4
Non-ATSI	20	83.3	20	80.0	40	81.6
<b>Total</b>	<b>24</b>	<b>100.0</b>	<b>25</b>	<b>100.0</b>	<b>49</b>	<b>100.0</b>

*Note: One participant did not respond to this question.*

## NATURE OF RELATIONSHIP TO OFFENDER

Respondents were asked about the nature of their relationship to the offender at the time of the incident (Figure 8). The largest proportion of incidents involved a spouse or de facto as the offender, with 38 per cent of respondents indicating they were in this type of relationship with the offender at the time of the incident. The next largest category of offenders was a former partner (separated), with 30 per cent of respondents saying they were separated from the offender at the time of the incident.

**Figure 8: Nature of victim's relationship to the offender at time of incident**



When asked whether there was any current contact with the offender at the time of the interview, 56 per cent of respondents indicated that there was still some form of contact. Table 31 compares the nature of the current contact between the respondent and offender with the relationship at the time of the incident. Of those who were married or in a de facto relationship at the time of the incident, just over 60 per cent were no longer living with the offender, but some were still in contact regarding children or separation matters. In total, 28 per cent of victims were still living with the offender at the time of the interview.

**Table 31: Nature of victim's relationship with the offender at the time of the interview compared to relationship at time of incident**

Nature of relationship at time of interview	Relationship at time of incident											
	Spouse/de facto		Boy/girlfriend		Separated		Offender is child		Other		Total	
	N	%	N	%	N	%	N	%	N	%	N	%
Living together – relationship	6	31.6	1	12.5	-	-	-	-	-	-	7	14.0
Living together – family	1	5.3	1	12.5	-	-	4	80.0	-	-	6	12.0
Living together – other	-	-	-	-	1	6.7	-	-	-	-	1	2.0
Matters involving children	5	26.3	1	12.5	5	33.3	-	-	-	-	11	22.0
Matters involving separation/divorce	1	5.3	-	-	-	-	-	-	-	-	1	2.0
Other	-	-	1	12.5	-	-	1	20.0	-	-	2	4.0
No contact	6	31.6	4	50.0	9	60.0	-	-	3	100.0	22	44.0
<b>Total</b>	<b>19</b>	<b>100.0</b>	<b>8</b>	<b>100.0</b>	<b>15</b>	<b>100.0</b>	<b>5</b>	<b>100.0</b>	<b>3</b>	<b>100.0</b>	<b>50</b>	<b>100.0</b>

## **POLICE RESPONSE TO THE INCIDENT**

Respondents were asked a series of questions regarding the police response to the incident. Some of these questions were directed at what the police did when they attended the incident, while the other questions aimed to measure the victims' satisfaction with various aspects of the police response.

Please note: Respondents were not asked which Local Area Command they had contact with. In this section, 'Campbelltown' refers to the general DVICM site and represents both Campbelltown and Macquarie Fields LACs.

## **PHOTOGRAPHS**

One of the aims of the DVICM was to ensure police are provided with appropriate resources to assist with evidence collection. In Campbelltown and Wagga Wagga, kits containing a digital camera were provided to assist police in collecting photographic evidence, such as any visible bruising or injuries the victim sustained as well as any damage to property.

Each respondent in the survey was asked whether, if relevant, the police took any photos of their injuries. In Campbelltown, seven of the eight respondents who said they were injured confirmed the police took photos of their injuries. In Wagga Wagga, nine of the 16 respondents who said they were injured indicated that the police took photos. It is not known what percentage of injuries sustained by the victims resulted in visible bruising or similar evidence that an assault took place. In Wagga Wagga one victim's injuries involved concussion and no visible bruising. Another took her own photos and concealed the injuries from the police when they attended.

Respondents were also asked whether the police took photos of any damage to property. Of the 49 respondents who answered this question, just under one third (32.7%) confirmed that the police took photos of damage to property. Just under 43 per cent indicated that the question was 'not relevant' as there was no property damage.

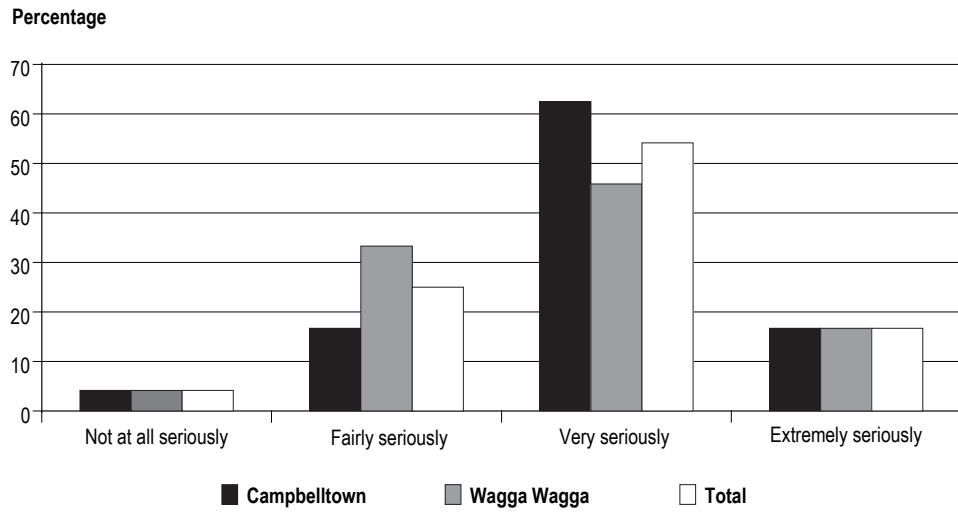
## **FEELINGS TOWARDS ASPECTS OF THE POLICE RESPONSE**

Each respondent was asked a series of questions where they were given a number of possible responses on a Likert scale and were asked to choose the one that best suited their views. Some respondents provided an open response rather than a rating. The adjusted response numbers will be given where appropriate.

Figure 9 presents the respondents' ratings on how seriously they thought the police treated the matter. All respondents from Campbelltown provided a response to this question, with most (79.2%) indicating that they felt the police treated the matter either 'very seriously' or 'extremely seriously'. In Wagga Wagga, 24 respondents provided a rating, with 62.5 per cent of these respondents saying they felt the police treated the matter either 'very seriously' or 'extremely seriously'.

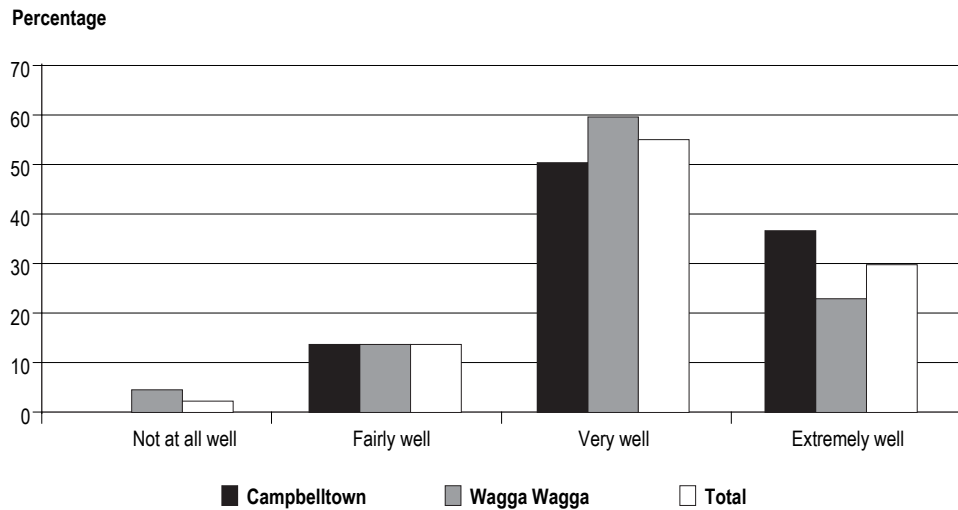


**Figure 9: How seriously did the police treat the matter?**



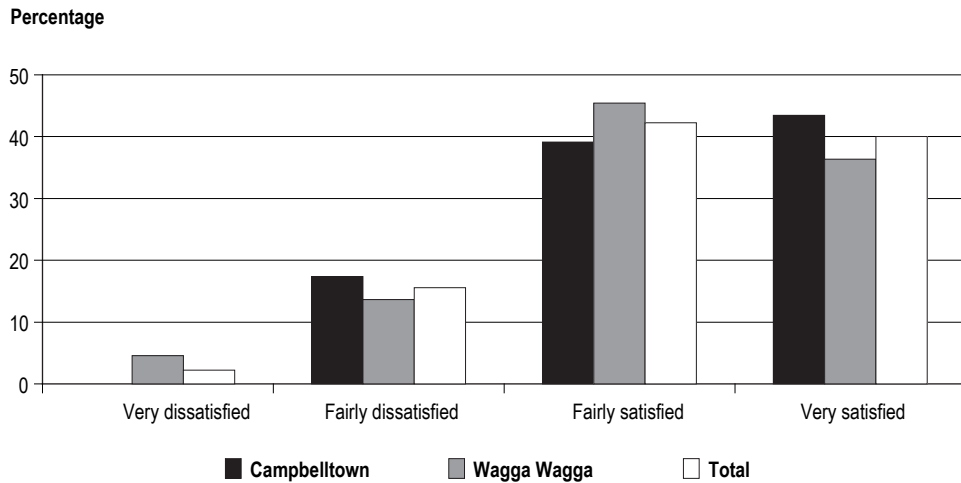
Respondents were asked how well they felt police ensured their safety when they attended the incident (Figure 10). Overall, 84.1 per cent of the 44 respondents who gave a rating on this question felt that the police ensured their safety 'very well' or 'extremely well'.

**Figure 10: How well did the police ensure the victims' safety?**



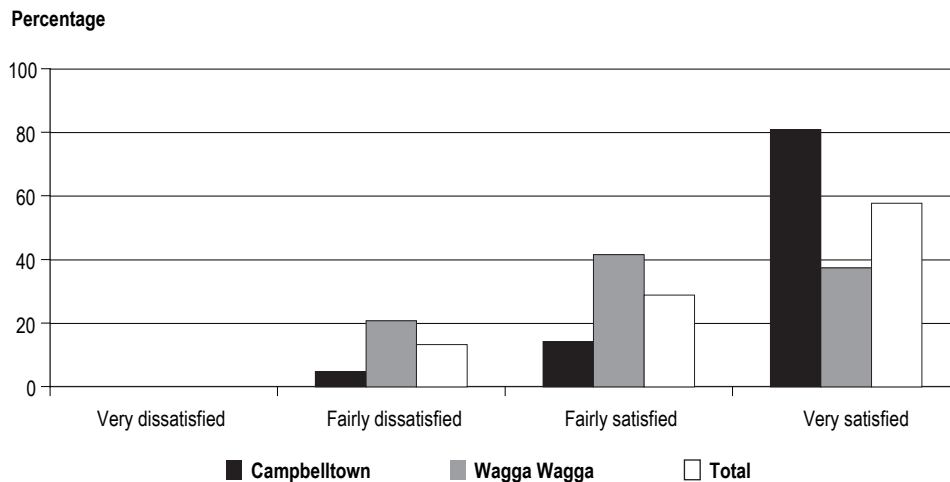
In terms of their satisfaction with the amount of information the police provided to them, most (82%) of the 44 respondents who answered this question were either 'fairly satisfied' or 'very satisfied' with how much they were told (Figure 11).

**Figure 11: How satisfied was the victim with the amount of information given by the police?**



The final question regarding the police response was how satisfied respondents were with the overall police response. This is presented in Figure 12. No respondents indicated that they were 'very dissatisfied' with the police response. In Campbelltown, 21 respondents provided a response, with 81 per cent saying they were 'very satisfied' with the police response. In Wagga Wagga, just under 80 per cent of the 24 respondents

**Figure 12: How satisfied was the victim with the overall police response?**



who provided a rating indicated they were either 'fairly satisfied' or 'very satisfied' with the police response.

In addition to asking the respondents to rate the police in response to the questions, the opportunity was also provided for them to voice their views on specific matters and to provide more detailed feedback on the response by the police.

Some positive comments were provided regarding the way the police responded to the incident:

- The police were really good – she was wonderful. All these years I've been wondering if someone would believe me.
- I was treated like a person. They removed and arrested him. They gave me support and didn't leave until they knew I was ok.
- They put an AVO on him straight away because they were worried about his guns. The male police officer took it seriously he said "no man should hit his wife or any female, it's against the law".
- When they came they made sure I was alright and checked the place out. Went through everything with me and explained everything. Didn't make me wait around. They rang back to tell me what had happened. Just really good.

Overall, respondents rated the police response well, however some feedback indicated that inconsistencies remain in relation to police attitudes as well as the level of information provided to victims:

- They dropped him off at the same suburb where we went with the kids – we had to call [the police] back because he came to us.
- Some are very arrogant or unhelpful. Make you feel like you shouldn't have bothered. Last time they took him away and said, "I don't believe you" to me.
- I didn't get any information on what was going on...only heard from the police the day before court...wasn't even sure whether he had been charged.
- I wasn't provided information on the AVO – I didn't know what the boundaries were. Especially when he messaged and smashed the phone I felt like they thought I made it up, they didn't take me seriously.

Some comments made by the respondents highlight some of the difficulties and frustrations the police may face when implementing a pro-arrest strategy:

- They took the matter too seriously, he was charged with intimidation – they have a zero tolerance stance...I would never have given a statement if I had known it would go against [us].
- I used to call and then say it didn't happen. They told me "if you don't charge him we'll charge you". Think they get sick of me...I protected him – didn't want to send him to jail.
- I was told if I kept calling and don't charge I'd be charged with public nuisance.

## FEELINGS TOWARDS CHARGES

The survey canvassed the views of the respondents on whether they thought that what the offender did was a crime, whether they had wanted the offender charged, and if not, how they felt about the fact that the charges were made regardless of their wishes.

Forty respondents answered the first question. Those that did not select any of the options given to them were: generally either unsure how to respond; indicated that the offender “just took his anger out”; or felt that the offender was influenced by other factors, such as going off the methadone program, or having depression or psychosis. Of those who answered, 62.5 per cent considered the behaviour of the offender to be a crime, 15.0 per cent considered it ‘wrong but not a crime’ and 22.5 per cent considered it ‘something that just happened’.

Responses to the question on whether the victim wanted the offender charged are presented in Table 32. The percentage of respondents who wanted the offender charged was the same in Wagga Wagga and Campbelltown, with 58.3 per cent wanting the police to proceed with charges. Overall, one in four respondents did not want the offender charged at the time of the incident.

**Table 32: Did the victim want the offender charged at the time of the incident?**

<i>Want charges?</i>	<i>Campbelltown</i>		<i>Wagga Wagga</i>		<i>Total</i>	
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>
Yes	14	58.3	14	58.3	28	58.3
No	7	29.2	5	20.8	12	25.0
Not sure	3	12.5	5	20.8	8	16.7
<b>Total</b>	<b>24</b>	<b>100.0</b>	<b>24</b>	<b>100.0</b>	<b>48</b>	<b>100.0</b>

*Note: Two participants did not provide a response to this question.*

Respondents were asked how much say they felt they had in the decision to charge the offender. Responses to this question are presented in Table 33. Most respondents said the police made the decision to charge the offender, with some victims indicating they weren’t consulted before this decision was made.

**Table 33: Respondents’ determination of how much say they had in the decision to charge the offender**

<i>How much say in the decision to charge?</i>	<i>Campbelltown</i>		<i>Wagga Wagga</i>		<i>Total</i>	
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>
None, the police did not discuss this with me	9	37.5	6	24.0	15	30.6
The police spoke to me about it but they made the decision in the end	7	29.2	12	48.0	19	38.8
The police spoke to me and followed my wishes	8	33.3	5	20.0	13	26.5
The police left the decision completely up to me	-	-	2	8.0	2	4.1
<b>Total</b>	<b>24</b>	<b>100.0</b>	<b>25</b>	<b>100.0</b>	<b>49</b>	<b>100.0</b>

*Note: One respondent did not provide a response to this question.*

In addition to those 25 per cent of the respondents who did not want the offender charged at the time of the incident, there were five respondents who wanted to drop the charges after the incident. Around 50 per cent of respondents who either did not want the charges to go ahead at the time of the incident, or who wanted the charges dropped afterwards, told the police they wanted the charges dropped. No charges were dropped as a result of their request. The following are some of the comments made by the respondents who requested the charges to be dropped:

- I called up about wanting the charges dropped and the officer said to write a letter – I went down and they said they couldn't do anything. Why tell me one thing and then do another...it's all a bloody mess – caused more troubles than anything.
- I wrote a letter to the LAC asking them to withdraw. They said they had a zero tolerance policy...the trauma it's caused was so not worth it.
- He did it – pleaded guilty so whatever he got was his fault. He needed to face up to the responsibility for what he does. I'm really glad they didn't drop the charges [this respondent initially made a request to the police to drop the charges].
- Might sound funny – I didn't want [him to be charged] then I was surprised that someone could get away with it at court. First they said they weren't going to charge him and after they said they were. Makes things 10 times worse.

## **APPREHENDED DOMESTIC VIOLENCE ORDER (ADVO) APPLICATIONS AND REPORTING OF BREACHES**

Respondents were asked a series of questions regarding ADVOs and any breaches that may have occurred since the ADVO was put in place. One of the primary objectives of these questions was to determine the extent to which respondents may be willing to report any further incidents to the police and any reasons for not reporting breaches. The extent to which the ADVO increases the perceived safety of the victims was also measured.

The majority of respondents at the time of the interview either had an ADVO in place against the offender as a result of the most recent incident or already had one in place from a previous occasion<sup>9</sup>.

Each respondent was asked to recall what conditions were included on the ADVO. Forty-six respondents recalled at least one ADVO condition. In addition to the condition of 'not to stalk, intimidate, assault, molest, harass or otherwise interfere with the protected person' (victim), the next most commonly recalled condition was the order to 'not approach while affected by drugs or alcohol', with 43.5 per cent of respondents indicating this was included on the order. Other conditions included:

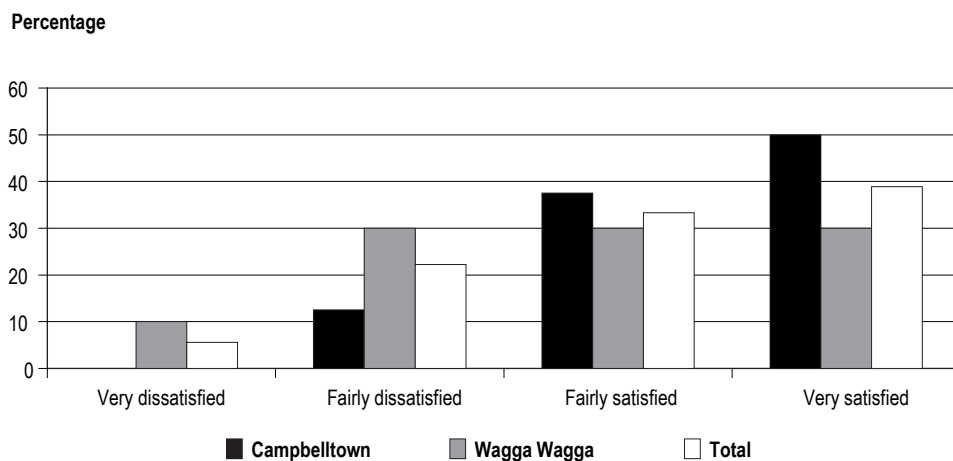
- not to go within a certain distance of where the protected person lives (26.1%);
- not to destroy or deliberately damage or interfere with any of the protected person's property (15.2%);
- not to approach, contact or telephone the protected person except for the purpose of organising access to children as agreed (13%);
- not to make contact by any means including through a third person (13%);
- not to enter the premises of the protected person (13%);
- not to live at the premises of the protected person (exclusion order) (13%).

It is important to note that these conditions were reliant on the respondents' accurate recall of what was included on the orders. Some were not able to recall all of their conditions, while others had the ADVO with them and were able to accurately report on the conditions.

Respondents were asked whether the offender had breached any of the ADVO conditions. Of the 46 respondents who answered this question, 46.7 per cent indicated there was some form of breach. Of the 20 who indicated that there was a breach, 85 per cent reported at least one breach to the police.

Figure 13 presents the respondents' levels of satisfaction with the police response to a reported breach. In Campbelltown, most of the eight respondents who provided a rating on this question were either 'fairly satisfied' or 'very satisfied'. The ten respondents in Wagga Wagga who answered this question were more evenly distributed across 'fairly dissatisfied' and 'fairly satisfied' and 'very satisfied'.

**Figure 13: Satisfaction levels of victims who reported a breach**



Those who were satisfied with the police response to the breach/es provided the following comments:

- There were so many breaches before and I had people laugh at me when I called 000. Things have changed since then. The last couple of years have been different.
- They were there before I even knew it. Truthfully I didn't want to be in court again... I called and was going to back out.

Those who didn't get the response they were expecting were asked why they were disappointed:

- They couldn't do anything – because [the harassment] was borderline it was too hard to prove. I didn't get the answer I wanted from [the police].
- I tried to get him out of my house and dragged him towards the door – even though he breached by assaulting and harassing me what I did was technically assault so I was told I would have to be arrested as well.
- [I received] text messages – they said if there were more than 20 they would read them.

- [It gets] minimalised so often that you get sick of reporting it. Not [the police's] fault, everything has to be air-tight. People know how far they can go before it's a breach.

Although most victims reported a breach, 75 per cent of those who indicated there had been a breach did not report at least one breach to the police<sup>10</sup>. When asked why they didn't report it, some of the participants responded that they had some form of control over the situation:

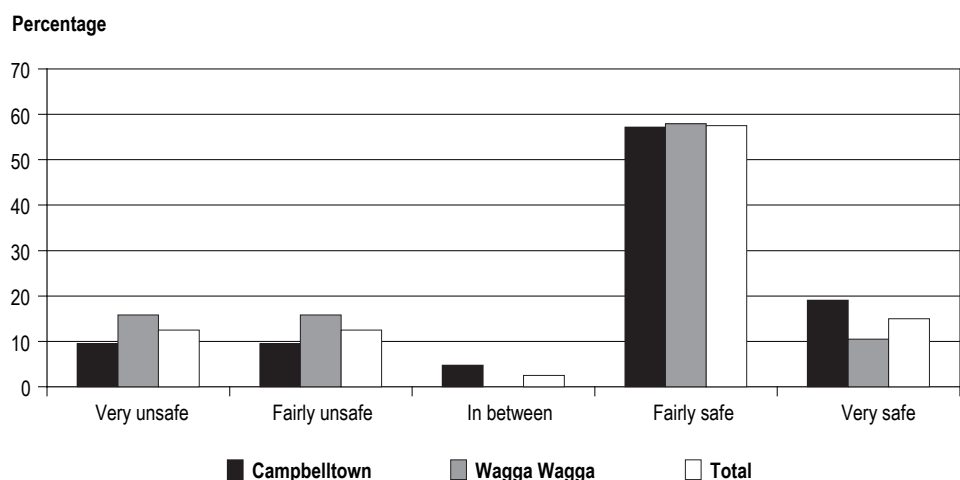
- No need, got myself out of the situation.
- Didn't consider calling the police it was quicker and easier to get in my car and leave. I still have some sympathy for him.
- They weren't threatening [text messages], thought it best to ignore.
- He's turned up at my door after the AVO twice. If he turns up again I said I'd call the police.

Other respondents gave an indication that they felt there would be no action or consequences, or they would be wasting the time of the police so they felt it was not worth reporting:

- It's a waste of the courts and police time. They're at my house because he can't keep away. They could be doing something else.
- I didn't want the police to say 'here she comes again'. Heaps he's done – knife to the throat, threatened life and I haven't reported. If I did we'd be in court all the time. I don't want to live [in court].
- Verbal harassment. They'd only put him in jail and that's not the solution either.
- A lot of things I didn't report. They saw it as my fault – I was too scared to report, [wondering] what he would do to me.
- Just wasting [the police's] time, they can't do anything anyway. Police do all the work then the Magistrate lets him get away.

The final question related to the ADVO was how safe the victim felt with the ADVO in place. Forty respondents provided a rating on this question. Figure 14 presents the ratings. The category of 'fairly safe' received the most responses, with 57.5 per cent of respondents selecting this option.

**Figure 14: How safe does having the ADVO in place make the victim feel?**



A number of respondents indicated they felt that if the offender wanted to breach, the ADVO wouldn't stop them:

- Only a piece of paper – not as if I could hold it up and say “don't hit me”.
- It just makes him more reactive especially when alcohol involved. [I'm] often concerned when he's going to have too much and turn.
- He doesn't care about the papers. If he wanted to hit me then he'll get me.
- He got away with what he did to me – what's a bit of paper going to do.

Others felt the ADVO gave them the protection they needed:

- It's now up to him to make sure he doesn't breach. The AVO and the sentence are good because it's up to him.
- He knows the consequences.
- Felt safer – if she started anything they'd come and get her. [The AVO has] quietened things down considerably.
- Gives me power over him – I do feel safer.

## EXPERIENCE WITH THE COURTS

Survey respondents were asked about their experiences with the court, including whether they attended court and how they felt giving evidence, if relevant. Respondents were also asked about the outcome of the matter and how satisfied they were with the decision.

All respondents attended court at some stage following the incident, with most on the first appearance/AVO application day.

One of the aims of the DVICM was to ensure that victims feel safe at court and are provided with a safe waiting room away from the other people at court, including the offender. Both Campbelltown and Wagga Wagga Local Courts have safe room facilities available. Table 34 presents information on where the respondents waited while at court. In Campbelltown, 56.5 per cent made use of the safe room, while in Wagga Wagga more respondents indicated they waited with the rest of the people at court (47.8%) than used the safe room (34.8%).

When asked how safe they felt at court, 80 per cent of respondents who waited in the safe room indicated they felt 'fairly safe' or 'very safe' at court. Of those who waited in the public area with the rest of the people at court, 95 per cent indicated they felt 'fairly safe' or 'very safe' at court.

**Table 34: Information on where the respondents waited at court**

<i>Where did the victim wait?</i>	<i>Campbelltown</i>		<i>Wagga Wagga</i>		<i>Total</i>	
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>
Safe room	13	56.5	8	34.8	21	45.7
With rest of people at court	10	43.5	11	47.8	21	45.7
Other	-	-	4	17.4	4	8.7
<b>Total</b>	<b>23</b>	<b>100.0</b>	<b>23</b>	<b>100.0</b>	<b>46</b>	<b>100.0</b>

*Note: Three respondents did not answer this question and this was not relevant for one respondent.*



## GIVING EVIDENCE AT COURT

Thirteen respondents indicated that they had been subpoenaed to give evidence at court. Eleven actually had to give evidence at some stage during the court matter. The number of respondents required to give evidence was smaller than those subpoenaed, as some offenders pleaded guilty on the day of the hearing.

In Wagga Wagga, four respondents gave evidence. When asked how prepared they felt they were to give evidence, all indicated they felt 'very unprepared' or 'fairly unprepared'. In Campbelltown, seven respondents gave evidence, with two respondents indicating they felt 'fairly unprepared'.

Reasons for the respondents feeling unprepared to give evidence included:

- [I] would have liked to know a bit more about the questions that were going to be asked. I didn't get to say what I would have liked to say. They made a bigger deal over it than what it was.
- [I] only got a copy of [my] statement on [the hearing day].
- [I] had to stand up in front of everyone and try to get them to believe my story...would have been easier if [the offender] wasn't in the room.
- Was called that afternoon to go in for the hearing. Needed a bit more time. No chance to read over the statement.

The respondents from Campbelltown who felt prepared mentioned that they either had all their information organised or had sufficient time to read over their statement.

## COURT OUTCOMES

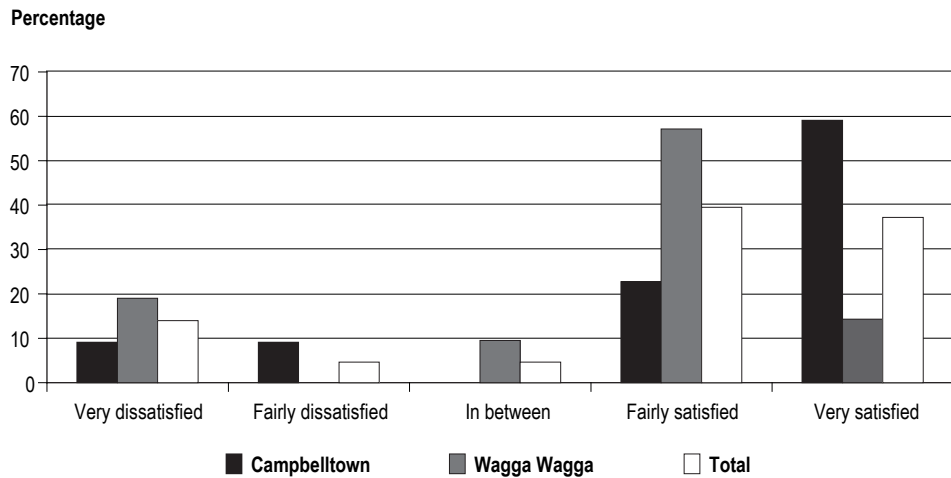
Respondents were asked to recall what sentence the offender received. Forty-four respondents provided information on this (23 in Campbelltown and 21 in Wagga Wagga).

In Campbelltown, victims reported that around half of the offenders received a section 9 bond. A further 13 per cent of respondents indicated the offender received a bond, however were unable to specify whether it was a section 9 bond or section 10 penalty. No offenders associated with the respondents in Campbelltown were given an imprisonment sentence, although 17 per cent were given a suspended prison sentence. Fewer than 10 per cent of respondents said there was an ADVO only, due to the charges not being proven.

One third of respondents in Wagga Wagga identified some form of bond was given to the offender. The remaining sentence categories were evenly distributed, with section 10 penalties, suspended sentences, imprisonment and 'ADVO only' each being identified by three respondents (14.3 per cent) as the outcome of the court matter.

Respondents were asked about their satisfaction with the outcome of the matter. Forty-three respondents answered this question. These responses are presented in Figure 15. Overall, 76.7 per cent of respondents said they were either 'fairly satisfied' or 'very satisfied' with the outcome. This satisfaction differed across the two sites. In Wagga Wagga, around one in five respondents said they were 'very dissatisfied' with the outcome. Respondents in Campbelltown were more likely to be 'very satisfied' with the court outcome.

**Figure 15: Satisfaction with outcome of the matter**



Respondents who were satisfied with the outcome indicated:

- I believe it’s a good outcome – it instigated change in his behaviour by going to rehab. He’s recognised he has a problem. Even though [the matter] is ongoing and caused drama I feel personally empowered.
- The outcome [of him getting help] was what I wanted but it’s not how I wanted it to come about.
- Glad he at least got seven months [gaol]...I never wanted to put anyone in gaol but he needed to be made responsible for his behaviour.

Those dissatisfied with the outcome mentioned various reasons. Only one indicated they felt the sentence was too harsh:

- I wish he hadn’t got anything. I knew with a two year AVO that would have been the end [of the relationship]. I’m trying to win him back.

Others felt the offender either got away with the offence or the sentencing was inappropriate:

- It’s like he got away with it. Only a slap on the hand. He needed to be sent to gaol, he brags about it.
- He should have got in more trouble for not turning up [to court]. I had to sit at court all day and he didn’t turn up. He should have been dealt with more harshly than a fine.
- He got nothing – you just go and beat someone and get a good behaviour bond. No wonder so many people are going through court.
- Would have liked him sentenced to drug and alcohol counselling or anger management. Doesn’t seem to be any opportunities to do that. Wasn’t suggested.
- I don’t think he learnt. It scares me men can do all this stuff and get away with it. [You] get courage to stand up for yourself and he gets away with it. Worried what will happen after [suspended] sentence over.
- He assaulted me after it another 20 times – what’s the point. I don’t have another six months to go through court.

## SUPPORT SERVICES

One of the main aims of the DVICM is to increase the level of support provided to victims of domestic violence as they go through the associated court processes. In the two pilot sites, a Victims' Advocate service was introduced for this purpose.

Survey respondents were asked the name of the support service they received support through, if relevant. Table 35 presents the support service the respondents nominated. In Campbelltown the Victims' Advocate provided support to 58.3 per cent of respondents, with the Macarthur Women's Domestic Violence Court Assistance Scheme (WDVCAS) providing support to 29.2 per cent of respondents.

**Table 35: Support services provided to respondents**

<i>Support service</i>	<i>Campbelltown</i>		<i>Wagga Wagga</i>		<i>Total</i>	
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>
Victims' Advocate	14	58.3	23	92.0	37	75.5
WDVCAS	7	29.2	-	-	7	14.3
Other	1	4.2	1	4.0	2	4.1
No support	2	8.3	1	4.0	3	6.1
<b>Total</b>	<b>24</b>	<b>100.0</b>	<b>25</b>	<b>100.0</b>	<b>49</b>	<b>100.0</b>

*Note: One respondent did not answer this question.*

In Wagga Wagga, the majority of respondents received support through the Victims' Advocate (referred to as the Client Advocate), with 92.0 per cent indicating they received support through this service. The main reason for Wagga Wagga having a higher percentage of respondents who received support through the Client Advocate service is that all respondents were introduced to the survey through this service. In Campbelltown, the primary author was introduced to the victims at court, so there was more of an opportunity to speak with victims who received support from other service providers, such as the WDVCAS.

Table 36 presents the respondents' indication of how initial contact was made with the support service. In Campbelltown, 42.9 per cent of respondents indicated that they first met the support service worker at court. This was slightly higher than the percentage

**Table 36: Indication of how support service made initial contact was made with respondent**

<i>How initial contact was made</i>	<i>Campbelltown</i>		<i>Wagga Wagga</i>		<i>Total</i>	
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>
Received a call or letter	8	38.1	16	72.7	24	55.8
Called them	1	4.8	1	4.5	2	4.7
Already a client	3	14.3	-	-	3	7.0
Met at court	9	42.9	3	13.6	12	27.9
Other	-	-	2	9.1	2	4.7
<b>Total</b>	<b>21</b>	<b>100.0</b>	<b>22</b>	<b>100.0</b>	<b>43</b>	<b>100.0</b>

*Note: Seven respondents did not provide an answer to this question.*

of those who received a letter or call from the support service (38.1%). It is important to note that those who indicated they first met the support service worker at court may have received a letter prior to attending court or may have been in an incident that occurred as recently as a few days before the first appearance at court. In these cases, the support service may not have had a chance to contact the victim.

In Wagga Wagga, 72.7 per cent of respondents said they either received a letter or call from the Client Advocate. Respondents were asked how soon after the incident they were contacted by the support service. Of the 32 respondents that provided an answer to this question, 68.7 per cent indicated they were contacted within a week, or less.

Respondents reported a wide range of types of assistance they received from the support services. These included:

- Court support
- Information on victim compensation and payment for attending court
- Information leaflets on various topics
- Referrals to counselling services for victims and their children, if required
- Assistance to find alternative housing
- Home visits
- Home security – changing locks and installation of duress alarms
- Buying groceries

As this was an open-ended question, it is not known how many respondents received each form of assistance, however court support was the most frequently mentioned form of assistance.

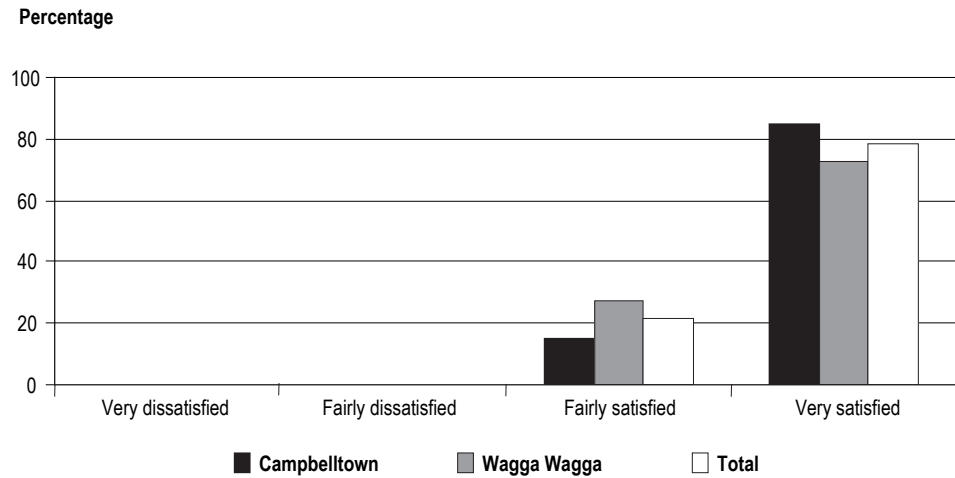
To further assess the services provided by the Victims' Advocates, respondents were asked whether there was anything they needed or wanted to get that they didn't get from the Advocate. The majority of respondents (89.7%) indicated there wasn't anything more that they needed from the service. Those who mentioned they wanted more brought up issues related to other agencies.

Finally, respondents were asked to provide a rating of their overall level of satisfaction with the amount of support they received (Figure 16). No respondents indicated they were dissatisfied with the support, with 78.6 per cent saying they were 'very satisfied' with the amount of support they received.

Comments respondents made in relation to the Victims' Advocates included:

- The support on the day of court was good- I wasn't alone at court.
- The Victims' Advocate explained the process well and what things meant, like charges.
- Never been to court before so [they] made it easier – I knew where I needed to go and who to see.
- They brought up things that I haven't thought about yet, like housing and counselling and what to do next. I would have backed out if they had not been there. He's getting support from legal aid so it's good that I'm getting support too.
- If you didn't have it a lot of women wouldn't go to court, they'd pull out. Nothing's too big [for them] to do.
- Very helpful and friendly.
- Very sympathetic and helpful, not judgemental...give you options to take if you like.

**Figure 16: Level of satisfaction with support services**



**VICTIMS’ ASSESSMENT OF SAFETY**

Respondents were asked how safe they felt from the defendant at the time of the interview. Figure 17 presents the respondents’ ratings. Of the 50 respondents interviewed, 46 provided a rating on this question. Overall, 73.9 per cent of respondents felt ‘fairly safe’ or ‘very safe’, however, around one in five reported that they did not feel safe. These proportions were similar in both regions.

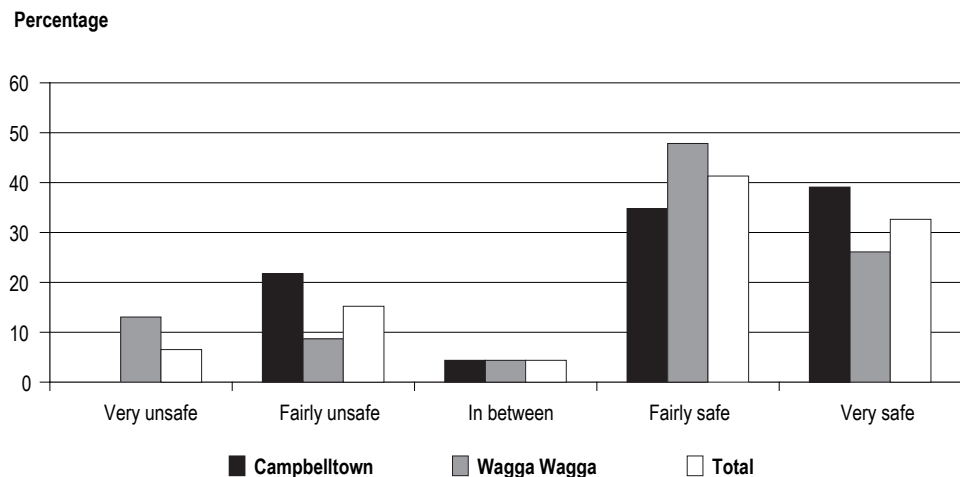
Those who felt safe provided the following comments:

- Feel safe because of AVO – otherwise would be concerned.
- A lot safer – only need to mention that his behaviour is not appropriate.
- He’s realised that one foot out of line he’ll be in trouble.

Respondents who said they didn’t feel safe were asked why this was the case. Responses included:

- I still check my house because he’s broken in many times. I don’t live in fear like I did but I’m still cautious.
- He’s unpredictable – while he’s not around [I feel] safe, while he’s there, unsafe.

**Figure 17: How safe does the victim feel now?**



- I feel safe with him but when he starts drinking I start getting tense. Waiting for the day when he drinks too much.
- Can't say you're extremely safe. If they want to get you they can.
- Still constantly looking over my shoulder. I'm concerned about what will happen when the suspended sentence is over.
- Don't feel safe – we just go day by day hoping nothing's going to happen and he won't go off...having an AVO won't stop that.

**LIKELIHOOD OF REPORTING ANOTHER INCIDENT TO THE POLICE**

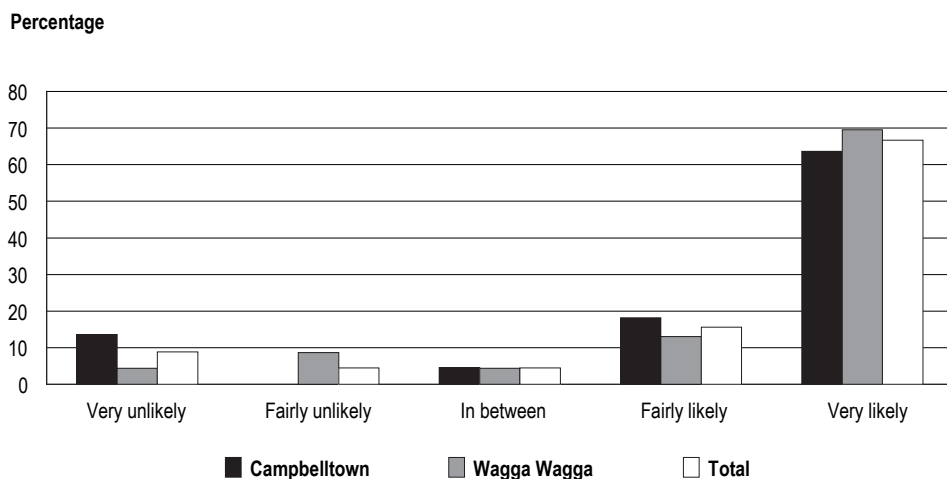
Figure 18 presents the respondents' assessment of whether they would report a similar incident to the police in the future. Two-thirds of the 45 respondents who answered this question said that it was very likely they would report again:

- Absolutely, no doubt. I know better, you can't let your guard down around him. He goes for your head.
- Straight away, without a doubt. It only gets worse.
- Now I realise I have to take a stance on it. Think I've got him [by reporting] but you don't.
- You can't let people get away with violence. Of course you would.

Those who were unsure about whether they would report another incident, and those who indicated it would be unlikely gave a number of reasons for why they made this decision:

- Depends on circumstance. An incident did happen and I didn't report it. I felt if I hadn't started a conversation with him it wouldn't have happened. If he had started it I would have reported it.
- If it was something bad I would definitely call the police. If minor (and he didn't hurt me) I wouldn't...I don't want him to have a record.
- Would be embarrassed to report, more so if it was against him – people will wonder why I didn't leave him after the first time.
- I would just leave – wouldn't put myself through that again.
- Depends on how severe it is.
- More trouble than it was worth.

**Figure 18: How likely is it that the victim would report again?**



## OVERALL COMMENTS BY RESPONDENTS

To gain an overall impression of the key issues, each respondent was asked to consider overall what they liked and disliked about how the matter was handled. Respondents were also offered the opportunity to provide any further comments.

### *What was done well?*

In terms of what respondents liked about how the matter was handled, or what they felt was done well, a number of areas were mentioned.

The most commonly mentioned aspect was the support received from the Victims'/Client Advocate in both Campbelltown and Wagga Wagga:

- Court support was fantastic.
- The Victims' Advocates were amazing with the support and follow up. They were genuinely concerned.
- We had the help we really needed...[they] treat you really friendly.
- The Client Advocate service was great. I've never had any communications with anyone before, nice to have someone pay attention.
- Client Advocate were a godsend – couldn't have made it through without them.

A number of respondents praised the response by the police and the follow-up support they received:

- Police responded well and kept in touch.
- Good how police supported [me] – they always followed up and checked if [the offender] had been in touch.
- When the police turned up it was comforting and reassuring. A male officer told me "mate, this is really bad, look at your hand." They didn't care how much time was taken up.
- The police officer was really good at the station. I was treated like a person.
- Police were really good with the arrest – removed him quickly...they attended promptly each time. I feel my safety has been paramount.
- Police were polite and professional.
- The DVLO [Domestic Violence Liaison Officer] in court was comforting.

Some respondents noted the court process and overall outcome of the matter as things they thought were done well:

- The judge gave direct advice to [the offender] about alcohol.
- How efficiently it was done – good because there's normally time to back out.
- Court process was quicker than I thought.
- Magistrate's decision and courses [the offender was placed on]. Whole outcome was good. I wasn't aware they could do something like that.

Comments that were generally positive about the process included:

- Everything was good. It's one of those things you didn't want to have happen. Good to get it out of the way. At court was good, not what I thought it would be (in a good way). Didn't really want him charged but knew that was how it worked.
- It was really good to have people [at court] that understand you. Sitting in the [safe room] was good.
- Happy and pleased with the outcome. Want to say thanks.
- Everyone conducted themselves well. Very happy with process.

### ***What was not handled well?***

Respondents raised a number of issues when they were asked to consider what they disliked about how the matter was handled.

Some respondents highlighted the court process as an issue. In particular, the time they had to wait at court was mentioned:

- Not being able to hear [the offender's] version or have his statements.
- I can understand why people don't want to go through with it because they have to wait. I got there at 9.30 and had to wait till 3.30.
- Don't like waiting around all day at court – but there's not much you can do about it.
- Offender sitting there while you give evidence is wrong. They don't consider you, they're putting the criminals through and you're made to wait. I never know what I need to be at court for until I get there and ask...you're there all day and then they tell you it's adjourned.

Another aspect that respondents raised as an issue was the lack of information they said they received from the police and courts in relation to their matter. Stated concerns included lack of information about charging the offender, the ADVO and the court process:

- The lack of information, I wasn't even sure the police officer was even charging him. I only rang for assistance.
- What I expected didn't happen – you see someone and they answer your questions but they don't tell you what you need to know.
- There was no information between when I left the station and court day. The police put the AVO under the door thinking [the offender] wasn't there and he screwed it up. I didn't know what the conditions were.
- I would like to find out more and be more prepared beforehand rather than on the day. Preparation mentally and physically.

One of the strongest themes in comments made by respondents in relation to what was not handled well was their disappointment with the outcomes at court:

- The programs – he needed [an] alcohol [program]. It took too long starting him on a program.
- I was so disappointed in the court system. That is where we got let down.
- Outcome, I wish there was some way to make them face up to what they'd done and get the help needed. I would have liked him to go to a counsellor...you just feel powerless.
- It's not the police, it's not their fault. I feel sorry for them. They take them to court. It's the courts, they don't deal with [the offenders] severely enough. Not enough counselling like AA [Alcoholics Anonymous] or relationship counselling.
- I feel sorry for victims of violence. Such a drawn out process, the criminals have a lot of say in what happens to them.
- It's a joke when they put all those ads on TV saying you don't have to put up with [domestic violence]. They get away with it – guess you do have to put up with it.
- Court system should take violence more seriously. I know a lot of guys that get away with it.



Some respondents mentioned their frustrations with the police charging the offender regardless of their wishes:

- Police not dropping charges.
- Zero tolerance and [the police officer's] attitude.
- Not letting me get him off the charges. I didn't understand it...one cop told me he wasn't to be charged and then charged him.

Another important concern that was raised by an individual respondent was the problem with trying to prove the offender breached the AVO, such as when the offender calls.

### **SUMMARY OF FINDINGS FROM THE VICTIM SURVEY**

- Overall, victims were very satisfied with the police response in Campbelltown, Macquarie Fields and Wagga Wagga.
- Victims were also strongly satisfied with the support they received from the Victims' Advocate in Campbelltown and Client Advocate in Wagga Wagga.
- Most victims felt safe at the time of the interview.
- The majority of victims indicated they would report a similar incident to the police in the future.
- Some concerns raised by the victims included the court delay, the lack of information they received from the police and courts, the inappropriate outcomes at court and frustrations relating to the police decision to charge the offender.

## **3.6 KEY STAKEHOLDER INTERVIEWS**

This section presents the feedback provided by stakeholders regarding various aspects of the DVICM. Representatives from Campbelltown, Wagga Wagga and/or the Senior Officer level within each agency were consulted.

### **IMPACT OF THE DVICM ON THE STAKEHOLDERS AND THEIR ORGANISATIONS**

Stakeholders were asked what impact the DVICM had on their individual role or agency. The majority of stakeholders indicated the DVICM had increased their overall workload and/or the time they dedicate to DV-related work. Most respondents viewed this as a necessary and positive impact, particularly when the work was related directly to the offender or victim.

Some stakeholders also viewed the increase in workload as a reflection of the success of the DVICM, as they felt there were more offenders being brought before the courts and being placed on supervised bonds for the Probation and Parole service to manage.

The main increase in demand on resources was noticed immediately after the implementation of the DVICM, with considerable time dedicated to developing relationships across agencies, training staff and developing processes. This development time did reduce once relationships and processes were set in place.

Senior members of some agencies were also involved in the development stage and felt that their time was well spent, particularly where they were able to signal the commitment of their agency to the DVICM and to addressing domestic violence.

One area of increased workload highlighted by key stakeholders was the increased number of administrative tasks related to the DVICM. These included:

- Information collection for case tracking meetings
- Database development and maintenance to meet monthly reporting requirements
  - ♦ Both Victims' Advocate services needed to develop their own database to record and manage their case data
  - ♦ Other agencies found their database did not provide the capacity to automatically report on required information
- Attendance at, and preparation for, case tracking and Regional Reference Group meetings. Although these were mostly viewed as effective meetings, it was acknowledged that they take time away from other work and could be made to work more efficiently.

It was noted by a number of stakeholders that the DVICM (and domestic violence in general) is just one of many projects and focuses. With some agencies covering the DVICM workload with existing resources, there was, and in some cases still is, a strain on resources. A number of respondents claimed that members of staff were burning out and that the current levels of work demands (both operational and administrative) were not sustainable.

## **ASPECTS OF THE DVICM VIEWED TO BE EFFECTIVE**

### ***Increased and effective inter-agency collaboration and communication***

The positive aspect of the DVICM most frequently cited was increased inter-agency collaboration and communication, in relation to both DVICM-specific processes and the general working relationships between agencies. For example, a number of stakeholders indicated their relationship with the police had improved as a result of the DVICM.

The Regional Reference Group, which meets in both sites regularly and involves local representatives from each agency, was one of the forums mentioned in which issues could be raised and openly dealt with between the representatives. It was also acknowledged that the inter-agency model had increased the accountability of agencies, as well as the understanding of the role each agency played in the DVICM.

One of the formal communication structures in the DVICM was the case tracking process, in which a number of key agencies in each site met weekly to discuss current and upcoming court matters and related details. While this was identified as a time consuming process, it was seen to be an effective process for information sharing.

### ***Victim support services***

Another positively mentioned aspect of the DVICM was the introduction of the Victims' Advocate (known as the Client Advocate in Wagga Wagga). The objective of the Victims' Advocate was to provide support to victims during the court process as well as to provide additional assistance related to their situation. Representatives from agencies in both sites (but particularly the police) recognised the impact the Victims'

Advocate had in relation to meeting victims' needs at court and in other related areas. Police prosecutors and Domestic Violence Liaison Officers (DVLOs) mentioned that the Victims' Advocate supported their work by building a rapport with the victim, assisting the police with gathering information related to orders sought for the ADVO applications, and encouraging and supporting victims to appear at court and give evidence.

### ***Police response and attitude***

A number of stakeholders recognised the improvement in police response to, and investigation and prosecution of, domestic violence incidents. There were a number of examples provided of this:

- There has been a change in police culture regarding domestic violence, in particular, police are taking action against offenders in situations where they may not have in the past.
- The use of the DV kits, which include the digital cameras to gather evidence related to the DV incident.

### ***Local Court***

Some key stakeholders believed the Local Court process was an effective component of the DVICM, and there was a widely held view that matters were resolved quickly. Respondents felt that this was particularly aided by the introduction of the Local Court Practice Note and the associated 'mini briefs'.

### ***Specialised roles***

The specialisation of roles related to the DVICM was also mentioned as an effective aspect of the DVICM. In particular, it was felt by some stakeholders that having dedicated Magistrates and prosecutors for the AVO list days and DV hearings was a great strength of the model.

## **ASPECTS OF THE DVICM VIEWED TO BE NOT SO EFFECTIVE**

### ***Insufficient consultation with agencies prior to implementation***

One concern that was raised by a number of stakeholders was the lack of consultation during the development of the DVICM with agencies directly involved with the DVICM and with pre-existing domestic violence services. The adverse effects of this were most acutely felt in the early stages of the pilot, with agencies finding they needed to dedicate a lot of time to developing formal processes and relationships within and across agencies.

There was a particular concern among several stakeholders that those involved in the Women's Domestic Violence Court Assistance Scheme (WDVCAS) were not consulted during the set up of the DVICM, even though this scheme operated in the two courts prior to the introduction of the DVICM pilot. This resulted in a high level of uncertainty for WDVCAS with regard to their role in the DVICM.

### ***Need for role definition and clarification relating to agency expectations***

A related concern raised by some stakeholders was the initial lack of clarity around the role of the Victims' Advocate. This was raised in the context of the perceived overlap of

the service with the WDV CAS. Some key stakeholders believed that WDV CAS should have been consulted in relation to the set up and role of the Victims' Advocate services in both sites. This may have reduced the perceived overlap between the two services. Additionally, it was felt that there would be a benefit in communicating the differences between the two services' philosophies and practices to the other agencies.

While it was noted that the increased transparency and accountability of agencies was a positive aspect of the DVICM, some agencies felt that their decisions relating to operational or process matters were misunderstood or unfairly challenged at times. For example, some members of the NSW Police Force mentioned that their decision not to proceed with a charge was challenged at times by the Victims' Advocate, sometimes because the Victims' Advocate service had more complete information from the victim than had been provided to the police. While this was a concern during the early stages of the pilot, this situation has since been addressed by delegating a contact officer within the police who can be contacted directly regarding any enquiries related to an investigation. This is in contrast to the usual procedure of contacting the Officer-in-Charge of the investigation.

Representatives from the Department of Corrective Services (DCS) mentioned they needed to manage the expectations of DVICM partners in relation to placing perpetrators on DV programs. It was felt by DCS representatives that some DVICM partner agencies assumed every perpetrator would be automatically placed on a DV perpetrator program. In contrast, Probation and Parole officers indicated that they needed to assess the suitability of the program for the individual and consider other issues, such as substance abuse, before putting offenders on a DV perpetrator program.

### ***Resource/staffing issues and associated time pressures***

Most respondents indicated the DVICM had an impact on their workload, and some felt that the workload was unmanageable within the current resource levels. Although an increase in demand on agencies was anticipated before the DVICM was implemented, the actual demand was said to be a lot higher than anticipated, particularly in the Campbelltown region.

Another concern raised by stakeholders with regard to staffing considerations was the skill shortage identified for some of the key DVICM roles. DCS noted that the perpetrator program is demanding on facilitators and could result in burnout of staff. Key informants felt that the program should have a pool of facilitators available, although it was noted that it is difficult to recruit appropriate staff members. This was particularly pertinent for Wagga Wagga, where the pool of suitable applicants for such a role is believed to be small.

Another consideration regarding time and resources that was raised was the impact that the perceived improvement in Local Court delay has had on the preparation of briefs. Some police felt that there had been a decrease in time between first appearance of the defendant and the hearing day and that this has placed time pressures on the preparation of the brief. Some informants commented that there was a balancing act between reducing the time to ensure witnesses remain engaged with the process and ensuring the time is manageable by agencies that need to produce materials for the hearings.

### ***Limited community marketing***

An area that some respondents felt needed a higher focus was community engagement and marketing within the two sites. Respondents from Campbelltown who mentioned this issue identified a need to better educate schools and the community about domestic violence. They maintain that the increase in workload is the main reason they haven't been able to do as much community engagement as they would have liked. Wagga Wagga stakeholders have been able to develop some community engagement plans and have conducted school programs and media stories, however they felt that many in the community still see domestic violence as a private issue rather than a public one.

### ***Police training on and use of new technologies***

The DV kits provided to the police in Campbelltown, Macquarie Fields and Wagga Wagga LACs contain digital cameras and video cameras that can be used to collect evidence pertaining to a DV offence.

While there were some initial problems relating to the use of digital cameras that have since been resolved, there remain some concerns relating to the use of video cameras in collecting evidence. Wagga Wagga LAC reported some success with collection of evidence, including victim statements on video camera and subsequent presentation of this evidence in court. Campbelltown and Macquarie Fields LACs, however, have reported a reluctance to use the video cameras, due to the "lack of confidence and confusion of police" with the use of this technology. The concerns raised by police in relation to the use of video cameras included: resource limitations (such as where to store the evidence), the need to train police in video interviewing techniques, the need for clarification on whether the video could be used as admissible evidence in court, and the fact the video wasn't able to be viewed immediately by the defence and Magistrate when making decisions regarding pleas and sentencing. For these reasons, the police indicated they preferred the use of digital photography.

### ***Reliance on key individuals/inconsistency***

Another key concern raised by stakeholders was the reliance on key individuals who play critical roles in the model. It was suggested by some stakeholders that changes in the Magistrate or police prosecutor sometimes affected the efficacy of the DVICM, particularly when the replacement Magistrate or prosecutor had limited knowledge of the DVICM objectives and procedures.

## **HAS THE DVICM ACHIEVED ITS PRIMARY OBJECTIVES?**

### ***Victim safety***

Most stakeholders felt victim safety had improved, at least to some extent. Some respondents, however, believed that the judgements about victim safety should be based on actual long-term outcomes rather than on short-term perceptions of safety.

The key features of the DVICM that were believed to contribute to increased victim safety were the Victims' Advocate services, the referral process and the use of brokerage funds, which were allocated to the Victims' Advocate services to assist victims with provisions to increase safety (e.g. changing locks).

Some stakeholders expressed concern that the DVICM provided support to victims where charges had been laid against the offender, but not where there was only an ADVO. Those respondents felt that expanding the focus to those in need of protection, regardless of whether there were accompanying charges, could assist in the prevention of future domestic violence incidents.

### *Perpetrator accountability*

Stakeholders indicated that assessing whether the DVICM had achieved the objective of increased perpetrator accountability wasn't as straightforward as assessing changes in victim safety. The question of what 'perpetrator accountability' actually means was frequently raised as an issue. There were two differing views on this issue: (1) the perpetrator admits his or her guilt and demonstrates an intention to change behaviour or (2) the police and courts are making perpetrators accountable by increasing charge and conviction rates related to domestic violence.

Regardless of the definition of perpetrator accountability, most stakeholders felt this area needed some work and that the true effect of the DVICM in relation to perpetrators could not be judged until re-offending rates could be measured. A positive observation made by stakeholders in relation to perpetrator accountability was that police appear to be charging more perpetrators for incidents where they would normally have taken no action.

There were a number of issues raised in relation to the perpetrator program. The main concern was whether there were appropriate resources to deliver programs. There was a general perception among stakeholders that there was an insufficient number of programs running in Campbelltown and Wagga Wagga. Key stakeholders suggested that a number of convicted perpetrators were on waiting lists for the program. It was generally felt that the programs were not running as effectively as hoped, although staff at both sites were doing the best they could with the limited resources available.

Some stakeholders felt that perpetrators were not being made accountable by the courts, particularly where the consequences for a perpetrator breaching a bond or ADVO were not as severe as some would expect. Others, however, commented on situations where they had seen appropriate penalties being placed on perpetrators.

## **STAKEHOLDER RECOMMENDATIONS FOR THE CONTINUATION OF THE PILOT IN WAGGA WAGGA AND CAMPBELLTOWN/MACQUARIE FIELDS**

At the time of the stakeholder interviews the NSW Government had committed to continuing the DVICM in both pilot sites for four years. This gave the stakeholders the opportunity to comment on their recommendations regarding any changes or improvements to the model without any concerns about the future of the model.

### *Community engagement*

In response to one of the weaknesses of the model addressed previously, a number of stakeholders in both sites indicated that they felt there was an opportunity to increase the focus on community engagement. This would require sufficient resources to enable a more proactive approach within the DVICM.

### ***Resources/funding***

At least one representative from most agencies recommended an increase in resources, and particularly staff was important for the successful continuation of the model.

### ***Legislative and process focuses***

There was a strong focus on legislative and process change to increase victim safety and to encourage witnesses to give evidence at the hearing. One recommendation made by a number of stakeholders was to increase the opportunities for victims to provide evidence in court via CCTV.

The need to establish legislation and processes around the use of video cameras to collect and present evidence was also raised by stakeholders. In particular, procedures relating to police interviewing of witnesses on video, where to store the video evidence and the manner in which the video evidence could be presented at court were mentioned as areas that required consideration.

## **STAKEHOLDER VIEWS AND RECOMMENDATIONS REGARDING ANY FUTURE EXPANSION OF THE DVICM TO OTHER LOCATIONS**

The majority of stakeholders felt that the DVICM should be expanded to other locations.

### ***Planning, consultation and a staged approach***

The main recommendation made in relation to the rollout of the DVICM was the importance of careful planning and consultation. Most respondents favoured a staged approach. Some considerations made in relation to this included:

- Identifying sites that could sustain the DVICM, in terms of resources and the availability of individuals within the community with the necessary skill sets. A number of stakeholders mentioned that certain positions, such as the perpetrator program facilitator, required specialist skills and may be difficult to recruit for in certain areas, particularly in regional areas.
- New sites for the DVICM need to be selected with careful regard to the current rates of domestic violence, police charge rates and the number of defendants appearing at court for domestic violence matters.
- Areas need to ensure that key personnel, such as Magistrates, Local Area Commanders and police prosecutors, are dedicated to the DVICM. While it was felt ideal to formalise relationships and processes to reduce the reliance on particular individuals, the importance of having the key personnel on side was strongly emphasised.

## **SUMMARY OF FINDINGS FROM THE KEY STAKEHOLDER INTERVIEWS**

- The majority of stakeholders felt the DVICM was a successful pilot and should continue in the current sites and be expanded to future locations.
- Stakeholders reported that the greatest impact on them and their agencies was the time and resources needed to ensure the success of the DVICM.
- Effective aspects that were identified included interagency communications, victim support services, police response, Local Court improvements and the specialisation of roles.
- Aspects that were identified as not so effective included: inadequate consultation processes, poorly defined roles and expectations, time pressures, limited marketing, inadequate police training (particularly regarding the use of new technologies) and an over-dependence on key individuals.



## 4. SUMMARY

### 4.1 RECORDED CRIME OUTCOMES

#### **WAS THERE ANY CHANGE IN THE NUMBER OF DOMESTIC VIOLENCE-RELATED EVENTS AND INCIDENTS RECORDED BY POLICE?**

With the increased focus by the DVICM Local Area Commands on the response to, and investigation practices associated with domestic violence incidents, it was important to identify whether there had been any impact on the number of events and incidents recorded by the police since the commencement of the DVICM.

There was no evidence to suggest that the DVICM had a uniform impact on DV-related incidents reported to the NSW Police Force. While the number of incidents recorded by Macquarie Fields LAC increased after the DVICM started, there was no similar trend in either Campbelltown or Wagga Wagga.

In Wagga Wagga LAC, there was a statistically significant decrease in the 'against justice procedures' incidents, which is the incident type breaches of ADVO incidents are recorded under. This decrease was only seen with the pre-post DVICM comparisons. It is not possible to determine whether this decrease reflects a true decrease in offences within this incident category or whether this offence is being reported less to the Wagga Wagga police.

#### **WAS THERE AN INCREASE IN THE PROPORTION OF ALLEGED DOMESTIC VIOLENCE OFFENDERS BROUGHT BEFORE THE COURTS?**

One of the key aims of the DVICM was to encourage a proactive charge policy. Given this, the proportion of alleged offenders brought before the court was expected to increase with the commencement of the DVICM.

In Campbelltown LAC, the charge rates increased following the implementation of the DVICM, however, there was some evidence of a pre-existing upward trend in charge rates. It is unclear whether the DVICM produced an increase in charge rates over and above this pre-existing increasing trend.

An increase in charge rates was observed in Macquarie Fields LAC following the commencement of the DVICM. However, the 'rest of NSW' control group also demonstrated increases in charge rates. This makes it difficult to attribute the change in the DVICM LACs to the DVICM alone. It is worth noting, however, that the increase observed at Macquarie Fields LAC appears to be larger than that observed across the state. It is also worth noting that it is sometimes difficult to prevent the spread of new policing strategies outside the areas where they are being trialled. The DVICM itself reflects a growing awareness among police of the need for a more targeted response to the problem of domestic violence.

In Wagga Wagga, the proportion of offenders brought before the courts was high prior to the commencement of the DVICM and remained at a similar level after the implementation. The lack of any change in the rate of prosecution at Wagga Wagga LAC could be due to the fact that it already had a high prosecution rate.

## **4.2 LOCAL COURT OUTCOMES**

A number of questions relating to Local Court outcomes were addressed to assess the objectives of the DVICM in relation to increased perpetrator accountability, and the more efficient processing of court matters.

### **WAS THERE A REDUCTION IN THE PROPORTION OF DOMESTIC VIOLENCE CHARGES WITHDRAWN BY THE PROSECUTION OR DISMISSED BY THE COURTS?**

There was no reduction in the proportion of domestic violence charges withdrawn or dismissed in either Campbelltown or Wagga Wagga Local Courts.

### **HAS THERE BEEN AN INCREASE IN THE PROPORTION OF GUILTY PLEAS ENTERED BY DEFENDANTS AND CONVICTION RATES?**

While the proportion of offenders sentenced after a guilty plea increased in Campbelltown since the DVICM commenced, the increase was not statistically significant. The proportions relating to the other court outcomes remained fairly stable.

In Wagga Wagga, the proportion of matters where the offender was sentenced after a guilty plea were seen to decrease in the first DVICM period compared to the equivalent pre-DVICM period. There was a corresponding increase in this period in the proportion of matters that proceeded to defended hearing, with the defendant either being found guilty of at least one charge or where all charges were dismissed. No other comparisons were significant.

### **HAS THERE BEEN A CHANGE IN THE SERIOUSNESS OF PENALTIES ISSUED?**

In Campbelltown Local Court, since the commencement of the DVICM, the percentage of section 9 bonds with supervision and section 10 (non-conviction) penalties has increased, while the proportion of matters where a fine was the principal penalty decreased. This change in the section 9 bonds with supervision, however, may have been because the use of this sentencing option was abnormally low in the Pre4 period.

There were no changes observed in the distribution of principal penalty at Wagga Wagga Local Court.

### **HAVE MATTERS BEEN DEALT WITH MORE EXPEDITIOUSLY?**

Another key objective of the DVICM was to set a benchmark of 12 weeks from the first appearance of the offender in the Local Court to the finalisation of the matter.

In Campbelltown Local Court, the time taken for all matters appeared to decrease after the commencement of the DVICM. However, there was also a decreasing trend in court delay prior to the DVICM. The time frame for just those matters that proceeded to a defended hearing decreased after the commencement of the DVICM. No pre-existing trend was observed in this category.

The timing of matters that were finalised following a guilty plea in Campbelltown Local Court did not significantly decrease after the DVICM.

There was no difference between the pre- and post-DVICM time periods for court delay at Wagga Wagga Local Court.

The proportion of matters finalised after a guilty plea within 21 days at Campbelltown and Wagga Wagga Local Courts did not change significantly following the commencement of the DVICM.

Because of the difficulty in measuring court delay in the most recent post DVICM period (due to missing data), we looked at the proportion of cases where the matter was finalised within an 84-day period from the event date. Both Campbelltown and Macquarie Fields LACs showed an increase in this proportion, however, Campbelltown also showed a pre-existing trend. There were no changes in these proportions for Wagga Wagga.

### **4.3 VICTIM SURVEY**

One of the key objectives within the DVICM was to ensure victims were safe and adequately supported after they had reported a domestic violence-related matter to the police. Overall, the results indicated the victims were satisfied with the various aspects of the process. In particular, they found the support provided by the Victims' Advocates valuable and critical to their ability to handle and understand the court process.

#### **POLICE RESPONSE TO THE INCIDENT**

A positive interaction between the police and the victim is critical during the police response, as well as throughout the court process. Most victims indicated that they felt the police treated the matter seriously, ensured their safety and provided them with useful information. They were also satisfied with the police response overall. Positive aspects of the police response that were discussed included: the police officer's attitude and support towards the victim and the actions taken to ensure the victim was safe, such as putting an interim AVO in place and following up on the incident after the initial response. Although the victims generally gave favourable impressions of the response from the police, some of the comments made suggested there might still be some inconsistency in the police response to domestic violence incidents.

The survey data show that the police sometimes made the decision to charge the offender without consultation with the victim and sometimes made it following discussions with the victim on the preferred outcome. It is important to note, however, that all of the victims surveyed were involved in incidents where the offender was charged. No individual who reported a DV incident to the police where charges were not laid was consulted in this study. These people may have given a different perspective on the extent to which they were involved in the decision not to charge the offender.

Victims who did not want the charges to go ahead generally provided mixed responses to how they felt about the fact that the police proceeded with the charges. Some were frustrated that when they made inquiries into getting the charges dropped they were initially told this could be done, and then were later told that it was not possible. Others were glad that the police did not allow the charges to be dropped, even though they initially requested this to occur.

## **ADVOs AND RELATED BREACHES**

Most victims received a final ADVO during the processing of the charge matter in court. Those who reported breaches to the police were generally satisfied with the police response. Some, however, felt the police response was not sufficient, particularly where there was not sufficient evidence to prove a breach had occurred.

Most victims felt that the ADVO made them feel safe, however some victims felt that if an offender wanted to act against them, the ADVO would not actually stop this.

## **EXPERIENCE WITH THE COURTS**

Victims generally felt safe while attending court for the matters related to the domestic violence incidents, regardless of whether they were waiting in the safe room or the general court area.

## **SUPPORT SERVICES**

Most victims said they were very satisfied with the support they received from the support service. Some said they wouldn't have been able to continue through the process without the support they received. This is an important outcome for the DVICM. Others felt they received important information regarding the court process through the Victims' Advocate.

The services provided to the victims matched their needs, with the majority indicating there was nothing in the way of support they wanted or needed but didn't get.

## **VICTIMS' ASSESSMENT OF SAFETY**

One of the key objectives of the DVICM was to ensure victims felt safer as a result of the initiatives implemented. While this is difficult to objectively measure, victims who participated in the survey were asked how safe they felt at the time of the survey. Most victims said they felt safe, with some adding they had received appropriate protection with the ADVO and sentence the offender received.

## **LIKELIHOOD OF REPORTING ANOTHER INCIDENT TO THE POLICE**

The majority of victims said it was very likely they would report a similar incident to the police in the future.

## **OVERALL IMPRESSIONS**

Aspects of the DVICM that some victims indicated were positive included:

- The support they received through the Victims' Advocate and WDVCS (where relevant);
- The police response and follow up support;
- The court process and outcome in general; and
- The overall response and process.

Aspects of the DVICM that some victims felt were not handled well included:

- The court process, in particular the requirements for them to wait at court for a long period of time;
- The lack of information they received regarding charges, ADVO and court procedures;

- Court outcomes, particularly where the victim felt the sentence was not harsh enough or did not match the severity of the crime; and
- The decision to charge the offender.

#### **4.4 KEY STAKEHOLDER INTERVIEWS**

Generally, stakeholders responded positively to the DVICM and most thought it should continue in the two DVICM pilot sites and be rolled out to other locations, with careful planning.

DVICM stakeholders were mostly concerned about the time required to deal with DV-related matters under the DVICM program.

Aspects viewed as effective included:

- Increased interagency collaboration and communication;
- Victim support services;
- Improvement in police response and attitude;
- Improvements in the Local Court; and
- Effectiveness of specialised roles.

Aspects viewed as not so effective included:

- Insufficient consultation with agencies prior to implementation;
- Need for further definition of roles and associated expectations;
- Time pressures due to limited resources/staff;
- Limited community marketing;
- Police training on and use of new technologies; and
- Reliance on key individuals and inconsistency.

Most stakeholders felt the DVICM had met the objective of ensuring victim safety, however, they were not so positive about perpetrator accountability. In particular, some stakeholders were concerned about the inadequate resourcing and management of the perpetrator programs.

Recommendations by stakeholders relating to the future of the DVICM in the pilot sites as well as in other locations focused around the need to ensure adequate resources and to ensure the future of the DVICM is carefully planned and approached in a staged manner. Other considerations included legislative change and further community marketing to ensure the message is reaching the communities.

#### **4.5 LIMITATIONS OF RESEARCH**

It is important to recognise that within each of the components of the evaluation, there wasn't an appropriate control group available to directly compare with the DVICM sites.

The main threat to study power was the volatility of key trends.

Although all measures were put in place to ensure the lag in court data was accounted for in the analyses, there was still a reasonably high percentage of missing court outcomes in the most recent post-DVICM data. This means that a number of the analyses related to court outcome could not include this time period.

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## NOTES

1. Early guilty plea was defined as a plea of guilty entered without the full brief of evidence required, or a finalisation in the Mention Lists.
2. The Victims Advocate services in Campbelltown and Wagga Wagga changed their name to the 'Domestic and Family Violence Intervention Service' in November 2007.
3. Although this practice commenced in September 2006, the NSW Police Force prosecutors indicated that they were following this as an informal process prior to this date.
4. A criminal incident is defined as an activity detected by or reported to police that involved the same alleged offender, the same alleged victim, occurred at one location, occurred during an uninterrupted period of time, fell into one offence category and fell into one incident type (e.g. 'alleged', 'attempted' etc.).
5. A small number of victims were interviewed before finalisation.
6. A section 10 penalty is given when the offender has been found guilty of an offence but the Magistrate declines to record a conviction. This could occur where the offence is very minor, if the offender is of good character or if there are other extenuating circumstances. A section 10 penalty can be with or without a good behaviour bond imposed.
7. A section 9 bond relates to a situation where the offender has been convicted of an offence and the Magistrate directs the offender to enter into a good behaviour bond for a specified period, not exceeding five years. A Magistrate can direct a section 9 bond to be undertaken with or without supervision.
8. A section 12 suspended sentence is given where the offender has been convicted of an offence and received a sentence of imprisonment, however the Magistrate has suspended the execution of the sentence and released the offender on a good behaviour bond. If the bond is breached the Magistrate may cancel the suspended sentence and order the offender to serve the term of imprisonment originally set.
9. Four respondents did not have a final ADVO made; three of these gave information about the interim order conditions. One respondent requested to finish the interview early and did not reach this section.
10. Some respondents who reported a breach on one occasion indicated they had also not reported a breach on another separate occasion.





## APPENDIX A LOCAL COURT PRACTICE NOTE



### LOCAL COURT PRACTICE NOTE NO. 1 of 2006

ISSUED: 31 AUGUST 2006

#### **Procedures to be adopted for Domestic Violence Court Intervention Model at Cambelltown And Wagga Wagga Local Courts**

This practice note applies to all charges of Domestic Violence matters (as defined in s 4 Crimes Act 1900) listed for mention or hearing at Campbelltown and Wagga Wagga Local Courts.

The object of this practice note is to ensure that, where appropriate, pleas of guilty are entered at the first available opportunity and if a plea of not guilty is entered that a hearing occurs with expedition.

To achieve these objects, the following practice directions shall apply.

1. Where a person is charged with a domestic violence offence, the prosecution shall serve on the defendant at the first available opportunity, and not later than the first mention date in court a copy of the main parts of the brief of evidence upon which the prosecution relies. The main part of the brief is to include:
  - a) The alleged facts;
  - b) Copy of the victim's statement; and
  - c) Any photographs on which the prosecution will rely.
2. The court may require the defendant to enter a plea at the first time the matter is mentioned in court. If no plea can be entered at that time, the court will allow an adjournment of not more than 7 days for a plea to be entered.
3. Upon a plea of not guilty being entered, that matter shall be adjourned to a hearing date, with a direction that the balance of the brief be served not less than 14 days before the date fixed for hearing, in accordance with s 183 of the Criminal Procedure Act 1986.
4. Where the defendant is legally represented, within 7 days of the service of the balance of the brief, the prosecutor should be advised of which witnesses are required for cross examination and which if any witnesses statements can be tendered without the need to call them for cross-examination.

This practice note does not operate to make any written statement admissible if it is not otherwise admissible.

This Practice note commences for Wagga Wagga and Campbelltown on the 11th September 2006.

Graeme Henson  
CHIEF MAGISTRATE

## APPENDIX B DETAILED METHODOLOGY FOR DATA ANALYSES

### INCIDENTS

#### *Analysis*

For each six-month time period, LAC group and incident type, the total number of incidents was counted and the average number of incidents per month was calculated by dividing the total number of incidents in the six-month period by six.

A generalised linear model was used to test whether there was a change in the average number of incidents per six-month time period across time. Each month represented a case, the number of incidents for each month was the outcome variable, and the six-month time period was the explanatory variable. If the overall test of differences in the number of incidents across time periods was statistically significant ( $p < 0.05$ ) then pair-wise t-tests were conducted. Of the 21 possible pair-wise tests, only five were examined because they were deemed to be the most meaningful. In choosing the most meaningful pair-wise comparisons the first principal applied was to compare time periods at the same time of year. For example, Oct03-Mar04 was compared to Oct04-Mar05. The second principal applied was to compare sequential time periods only. For example, 2004 data was compared to 2005 data but not to 2006 data. The five pair-wise tests were: Pre1 v Pre3, Pre3 v Post1, Post1 v Post3, Pre2 v Pre4, and Pre4 v Post2. Pair-wise tests were considered to be statistically significant if the p-value was less than 0.05.

Incidents were also aggregated monthly to present in a time series graph.

### EVENTS

#### *Data*

A police event represents a collection of incidents (one or more) generally reported by the same person at the same time. For each unique event, a LAC needed to be allocated as initial tests of the data indicated there were events containing incidents which occurred in different LACs. If this occurred, two rules were implemented to resolve this issue and select the most representative LAC. First, the most recent incident was selected and the corresponding LAC allocated to the event – this is based on the presumption the LAC associated with the most recent incident is most likely to be the LAC where the collection of incidents was reported. The second rule was, within an event if the most recent incident date occurred for more than one LAC then the incident within the DVICM LACs were chosen over the other LACs where appropriate. For others falling into the rest of NSW, a record was selected randomly.

#### *Analysis*

Events were analysed using the same method as for incidents in the previous section.

## PERSON OF INTEREST (POI) DATA FOR CHARGE RATES

### *Data*

Cases for the POI data were defined as a unique event number and LAC for a unique CNI. If there were multiple event numbers or LACs for a POI then each different event number and LAC combination within a POI was counted as a separate case.

For each case (unique POI/event number/LAC), if any of the records/incidents had a police H number then the POI was classified as having been charged for that event.

### *Analysis*

The percent of cases (unique POI/event number/LAC) charged (i.e. having an H number) was compared across the seven time periods using chi-square tests of association. If the p-value of the chi-square test statistic for the overall test of the association between time period and being charged was less than 0.05 then further tests were conducted to determine which time periods differed on charge rates. In the same way as done for incidents and events, only 5 of the possible 21 pair-wise comparisons were made. The five pair-wise tests were: Pre1 v Pre3, Pre3 v Post1, Post1 v Post3, Pre2 v Pre4, and Pre4 v Post2. A pair-wise test was considered to be statistically significant if the p-value was less than 0.05.

## LOCAL COURT DATA

All POIs with age less than 18 at the event date were excluded from the Local Court analyses. The data were grouped by court: Campbelltown (excluding incidents that were from a LAC other than Campbelltown or Macquarie Fields but went to Campbelltown Local Court), Wagga Wagga (excluding incidents that were from a LAC other than Wagga Wagga but went to Wagga Wagga Local Court) and Other (excluding incidents that were from the DVICM pilot LACs, that is, Campbelltown, Macquarie Fields or Wagga Wagga, but did not go to a DVICM pilot court, that is Campbelltown or Wagga Wagga Local Courts).

For Local Court data, a case was defined as a unique police H number and event number. The court data file was generated using the original recorded crime data and merging this with the Local Court data through the use of the H number. A number of records with an H number at the time of the analyses were missing associated court outcome data. There were some cases (unique H number/event number) with all associated court data missing, some with partial information missing and some complete. The complete breakdown of these missing records is presented in Table A1. For each LAC, the percentage of missing court records in the Post3 period was quite high. This was determined to be a result of most of these matters not yet being finalised in the relevant Local Court. For this reason, it was not valid to continue to use the Post3 period in the Local Court analyses. This is primarily because the records that were available would be more likely to have been finalised more quickly and through a guilty plea.

There were multiple records for each unique event/police H number. For events where there was at least one offence record finalised (that is, court information was present) and where event date, court group, grouped outcome of offences and time from first court appearance to finalisation were the same, one record was selected. If, within an event there were multiple records, but with different information associated with the key variables mentioned, then a number of rules were applied to determine which event date, court group, grouped outcome and time to finalisation to assign.

There were two main reasons there appeared to be different information associated with a set of event/H number records. The first one is that when a POI does not appear at court the Magistrate may issue a bench warrant for the POIs arrest and relist the matter. This matter then ends up under the same event/H number but with a different serial number. When the POI does appear for the matter, the outcome and date of finalisation is different to the original listing. Another situation can occur when an offender is sentenced to a bond and breaches this bond. This can result in the offender being brought back to court and re-sentenced under the same event/H number record.

Considering these situations, the rules were: firstly, if there was at least one record within a case (event number/H number) that had a grouped outcome that was not convicted ex parte or arrest warrant issued then the record with the minimum time from finalisation to first appearance was chosen. This was to select the case when the POI was first sentenced for the actual offence. Secondly, for cases where all the grouped outcomes were either convicted ex parte or arrest warrant issued then the records with the maximum time to finalisation was chosen.

## **GROUPED OUTCOME AND TIME FROM FIRST APPEARANCE TO FINALISATION**

### ***Data***

The grouped outcome variable identifies the outcome for all of the defendant's offences. For example the defendant may appear for three offences and plead guilty to all three, or only plead guilty to one and proceed to hearing for the others and be found not guilty. The time from first appearance to finalisation is the time from when the defendant first appears at court to when the matter has been finalised (either not proven or sentenced).

### ***Analysis***

For each court group (Campbelltown, Wagga Wagga, rest of NSW) the percent of cases for each grouped outcome was compared across time periods using chi-square tests as described in the POI analyses. If the overall test and the pair-wise test of association has p-values less than 0.05 then percentage differences of 5% or more were considered to be meaningful.

For analysis of time to finalisation three grouped outcome categories were examined. These were all grouped outcomes, defending hearing (including defended hearing guilty of at least one charge, all charges dismissed, and other outcome) and sentenced after guilty plea. For each court group, time period and grouped outcome category the mean and median time to finalisation was calculated.

To test whether there was a change in the median time to finalisation across the time periods (within a specific court group and grouped outcome category) the Kruskal-Wallis test was used. An overall test and five pair-wise tests were conducted in a similar way to incidents.

## **PRINCIPAL OFFENCE**

### ***Data***

For each group of offences under the same case (event number/H number) where at least one offence was proven, a principal penalty flag was allocated to the offence record that has the highest penalty attached. Each record containing this flag was selected from the Local Court file. In addition to this, there were cases where the principal penalty was not allocated – this is likely to be because the principal offence was not DV-related. For these cases, the offence with the highest penalty within each given group was selected.

Similar issues in relation to the multiple records due to bench warrants and/or breach bonds were observed. The same rules were applied to the principal penalty data as the grouped outcome/timing data.

### ***Analysis***

For analysis of principal penalty three grouped outcome categories were examined. These were all grouped outcomes, finalised after defended hearing (including defended hearing guilty of at least one charge, and other outcome) and sentenced after guilty plea.

For each court group (Campbelltown, Wagga Wagga, Rest of NSW) the percent of cases for each penalty type was compared across time periods using chi-square tests as described in POI analyses. If the overall test and the pair-wise test of association had p-values less than 0.05 then percentage differences of 5% or more were considered to be meaningful.

**Table A1: Missing court records by LAC and time periods**

	<i>Number of matching court records</i>						
	<i>All</i>		<i>Some</i>		<i>None</i>		<i>Total</i>
	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>	<i>%</i>	<i>N</i>
<b>Campbelltown LAC</b>							
Pre1: Oct03-Mar04	138	75.4	35	19.1	10	5.5	183
Pre2: Apr04-Sep04	161	83.9	25	13.0	6	3.1	192
Pre3: Oct04-Mar05	192	82.4	32	13.7	9	3.9	233
Pre4: Apr05-Sep05	186	85.3	24	11.0	8	3.7	218
Post1: Oct05-Mar06	210	80.8	36	13.9	14	5.4	260
Post2: Apr06-Sep06	187	76.0	43	17.5	16	6.5	246
Post3: Oct06-Mar07	208	77.0	33	12.2	29	10.7	270
<b>Macquarie Fields LAC</b>							
Pre1: Oct03-Mar04	141	82.9	26	15.3	3	1.8	170
Pre2: Apr04-Sep04	122	78.7	29	18.7	4	2.6	155
Pre3: Oct04-Mar05	127	73.8	36	20.9	9	5.2	172
Pre4: Apr05-Sep05	138	83.1	19	11.5	9	5.4	166
Post1: Oct05-Mar06	197	79.8	40	16.2	10	4.1	247
Post2: Apr06-Sep06	175	77.8	35	15.6	15	6.7	225
Post3: Oct06-Mar07	220	77.5	37	13.0	27	9.5	284
<b>Wagga Wagga LAC</b>							
Pre1: Nov03-Apr04	149	74.5	40	20.0	11	5.5	200
Pre2: May04-Oct04	131	73.6	39	21.9	8	4.5	178
Pre3: Nov04-Apr05	150	72.1	46	22.1	12	5.8	208
Pre4: May05-Oct05	122	73.1	34	20.4	11	6.6	167
Post1: Nov05-Apr06	132	77.2	31	18.1	8	4.7	171
Post2: May06-Oct06	123	83.1	22	14.9	3	2.0	148
Post3: Nov06-Apr07	94	53.7	30	17.1	51	29.1	175
<b>Rest of NSW</b>							
Pre1: Oct03-Mar04	7313	80.5	1246	13.7	522	5.8	9081
Pre2: Apr04-Sep04	6359	80.7	1083	13.7	438	5.6	7880
Pre3: Oct04-Mar05	7448	80.4	1308	14.1	510	5.5	9266
Pre4: Apr05-Sep05	6665	79.7	1220	14.6	473	5.7	8358
Post1: Oct05-Mar06	8051	79.4	1488	14.7	606	6.0	10145
Post2: Apr06-Sep06	6660	77.6	1273	14.8	652	7.6	8585
Post3: Oct06-Mar07	7005	65.8	1325	12.4	2321	21.8	10651

## APPENDIX C VICTIM SURVEY

### Brief introduction to survey

- Interested in views regarding different stages of the criminal justice system
- Your responses may assist the system in identifying where it needs to improve its response to domestic violence
- It will take 20-25 minutes
- BOCSAR – independent agency
- Completely confidential, responses will not be identifiable, no individual responses will be reported back to any of the agencies I will be asking you about
- If at any point you wish to not answer a particular question or you wish to stop the interview altogether please let me know.
- During this discussion I will be referring to the person who committed the domestic violence offence as the “defendant”
- The majority of these questions refer to the domestic violence incident that led to the defendant being charged by police and was recently finalised in court.

Campbelltown

Wagga Wagga

Date of interview:

/  /   
day month year

Date of finalisation at Local Court:

/  /   
day month year

Respondent code: \_\_\_\_\_

Respondent gender: \_\_\_\_\_

## SECTION 1A: BACKGROUND

TO PUT THINGS INTO CONTEXT, WOULD YOU FIRST TELL ME IF YOU CAN RECALL

1. On what date did the domestic violence incident occur?

<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>	/	<input type="text"/>	<input type="text"/>
day			month			year	

2. Did you report this incident to the police?

1. Yes go to Q4      2. No

3. If not, then who did?

- 01 Another member of the family/household (specify) .....
- 02 A neighbour
- 03 The defendant
- 88 Not sure
- Other (specify) .....

4. What was the nature of your relationship to the defendant at the time of the incident?

- 01 Spouse/defacto
- 02 Boy/girlfriend
- 03 Recently separated/ex-partner
- 04 Sibling
- 05 Defendant is parent
- 06 Defendant is child
- 07 Defendant is carer
- Other (specify).....

5. Gender of defendant: \_\_\_\_\_

6. Do you have any contact with the defendant now?

1. Yes      2. No      go to Q8

7. What is the nature of this contact?

- 01 Living together in relationship
- 02 Living together as family
- 03 Living together (other)
- 04 Matters involving children
- 05 Matters related to separation/divorce
- 06 Financial matters
- Other (specify).....

8. Have you made any domestic violence related reports to the police in the past?

1. Yes      2. No      go to next section



9. What was the outcome?

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## SECTION 1B: INCIDENT DETAILS

Thinking again about the most recent incident, I would like to ask you a few more questions about what happened

10. Where did the incident occur (open response)?

- 01 At home
- 02 At work
- 03 Outdoors
- 04 In the car
- 05 Licensed premises
- 06 Public Transport
- Other (specify).....

11. During the incident, did the defendant do any of the following (can be more than one):

- Physically hit or hurt you
- Use threatening language towards you
- Damage or break any property
- Use threatening language or hurt anyone else (specify) .....
- Breach an Apprehended Domestic Violence Order that was already in place
- Other behaviour (please specify) .....

12. Were you injured at all by the defendant during this incident?

- 1. Yes
- 2. No go to Q14

13. Could you tell me what these injuries involved?

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14. At the time of the incident, did you consider what the defendant did to be:

- A crime  
1
- Wrong but not a crime  
2
- Something that just happened  
3

**15. Do you have any children?**

1. Yes    2. No    go to Q17

**16. Did they see or hear the incident?**

1. Yes    2. No    3. Not sure

**17. Was the defendant under the influence of alcohol at the time of the incident?**

1. Yes    2. No    3. Not sure

**18. Was the defendant under the influence of drugs at the time of the incident?**

1. Yes    2. No    3. Not sure

**19. Was the defendant still at the scene when the police arrived?**

1. Yes    2. No

## SECTION 2: POLICE

I'D LIKE TO ASK YOU SOME QUESTIONS ABOUT WHAT HAPPENED WHEN THE POLICE ATTENDED THE INCIDENT

**20. After the police arrived did they do any of the following:**

		<i>Yes</i>	<i>No</i>	<i>Can't recall</i>	<i>Not relevant</i>
1	Take photographs of your injuries? (if relevant)				
1a	If yes, was the officer who took the photos male or female? 1. Male                  2. Female				
2	Organise for you to get any medical attention?				
3	Take photographs of any damage to property?				
4	Use a video camera to collect information?				
5	Check your children were ok?				
6	(If currently using interpreter) Organise for an interpreter to assist you at that time?				
7	Take a written statement that was signed by you?				
8	Take a statement from any other witnesses (e.g. neighbours)?				
9	Take a recorded statement from you?				
10	Provide you with information on Victim Support services?				
11	Inform you of the next steps following the incident?				
12	Contact you with any follow up information after the incident?				
12a	If yes, what was this information about?				

THE NEXT FEW QUESTIONS ARE ABOUT THE POLICE WHO CAME ON THE DAY OF THE INCIDENT: I WILL GIVE YOU A NUMBER OF POSSIBLE RESPONSES, PLEASE LET ME KNOW WHICH ONE BEST SUITS.

21. How seriously do you think the police treated the matter?

Not at all seriously	Fairly seriously	Very seriously	Extremely seriously
1	2	3	4

22. How impartial were the police in dealing with the matter (i.e. they did not take sides)?

Not at all impartial	Fairly impartial	Very impartial	Extremely impartial
1	2	3	4

23. How well did the police ensure your safety when they attended the incident?

Not at all well	Fairly well	Very well	Extremely well
1	2	3	4

24. How satisfied were you with the amount of information the police provided you with when they attended the incident?

Very dissatisfied	Fairly dissatisfied	Fairly satisfied	Very satisfied
1	2	3	4

25. Overall, how satisfied were you with the police response to the incident?

Very dissatisfied	Fairly dissatisfied	Fairly satisfied	Very satisfied
1	2	3	4

26. Why were you satisfied/dissatisfied?

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## SECTION 3: VICTIM'S FEELINGS TOWARDS THE DEFENDANT BEING CHARGED

27. At the time of the incident, did you want the defendant charged?

1. Yes    2. No    3. Not sure

28. How much say do you think you had in the decision to charge the defendant?

None, the police did not discuss this with me	The police spoke to me about it but they made the decision in the end	The police spoke to me about it and followed my wishes	The police left the decision completely up to me	Not sure
1	2	3	4	5

29. At any stage after the incident did you want the charges dropped?

1. Yes    2. No    go to next section

30. Did you tell the police that you wanted the charges dropped?

1. Yes    2. No    go to next section

31. Were any of the charges dropped?

1. Yes    2. No    3. Don't know go to next section

32. How do you now feel about those charges [being dropped/ not being dropped]?

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## SECTION 4: ADVO AND REPORTING OF ANY BREACHES

33. Was an Apprehended Domestic Violence Order application made?

1. Yes    go to Q35    2. No

34. Would you tell me why not [if one already in place go to next question, if one not taken out at all go to Section 4]

- 01 Already one in place  
02 Victim didn't think one was necessary  
03 Wasn't sure how to apply for an ADVO  
04 Made application but not accepted  
88 Not sure  
Other (specify) .....

35. Did the police apply for the ADVO on your behalf?

1. Yes    2. No

36. Was anyone else included on the order (such as children)?

1. Yes (specify) ..... 2. No    3. Not sure



**40. In what ways?**

	Breach of:	
A	Intimidate	
B	Stalk	
01	Assault, molest, harass, threaten or otherwise interfere with me	
02	Live at the premises where I live (exclusion order)	
03	Enter the premises where I live or work	
04	Go within a certain distance of where I live or work	
05	Approach, contact or telephone me except as agreed in writing for any purpose permitted by an order or directions under Family Law Act as to counselling, conciliation or mediation	
06	Approach, contact or telephone me except for the purpose of arranging or exercising access to children as agreed in writing or as otherwise by an order	
07	Contact me by any means including through a third person (except through their lawyer)	
08	Defendant must surrender firearms	
09	Not approach the school or other premises at which I may attend from time to time for the purposes of education or childcare, or other specified premises	
10	Not approach me while affected by alcohol or drugs	
11	Not destroy or deliberately damage or interfere with any of my property	
12	Additional people on order	
13	Other (specify) .....	
88	Not sure	

**41. Did you report any of these breaches to the police?**

1. Yes    2. No    go to Q44

**42. Overall, how satisfied were you with the police response to your reporting of the breach/es?**

Very dissatisfied      Fairly dissatisfied      Fairly satisfied      Very satisfied  
 1                                  2                                  3                                  4

**43. Why were you satisfied/dissatisfied with the police response?**

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**44. Were there any breaches you did not report?**

1. Yes    2. No    go to Q46

**45. Why was this?**

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**46. How safe did having the ADVO in place make you feel?**

Very unsafe      Fairly unsafe      Fairly safe      Very safe  
 1                                  2                                  3                                  4

47. Why did you feel very/fairly unsafe? *[If indicated]*

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## SECTION 5: SUPPORT SERVICES

I'M NOW GOING TO ASK YOU SOME QUESTIONS ABOUT THE SUPPORT SERVICE THAT PROVIDED YOU WITH ASSISTANCE DURING THE PROCESS.

48. Could you tell me the name of the support service *(was it the one that you received the information about this survey through)?*

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49. How did you first come into contact with the victim support service?

- 01 Police passed on my details
- 02 Victim/Client Advocate called me
- 03 I called the Victim/Client Advocate (details from police)
- 04 I called the Victim/Client Advocate (heard through other means)
- 05 Already a client
- 06 Met at court
- 07 Can't recall
- Other (specify) .....

50. How soon after the incident were [you contacted by/did you get in contact with] the support service? *(based on previous response)*

- 01 The same day of the incident
- 02 The day after the incident
- 03 Within a week
- 04 Longer than a week
- 05 Can't recall
- 06 Other (specify) .....

51. How easy was it to get access to the person you wished to speak with at this service?

- |                |                  |             |           |
|----------------|------------------|-------------|-----------|
| Very difficult | Fairly difficult | Fairly easy | Very easy |
| 1              | 2                | 3           | 4         |

52. What assistance did the support service give you?

*If hesitation provide following options as prompt – referral for counselling  
home visits  
court support and results  
housing*

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53. Were you referred to any other external services *[if yes, what type of services?]*

1. Yes    2. No    go to Q55

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54. How helpful were these external services? *[Separate rating for each service, mention type of service]*

Service 1 :

Very unhelpful 1	Fairly unhelpful 2	Fairly helpful 3	Very helpful 4
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Service 2:

Very unhelpful 1	Fairly unhelpful 2	Fairly helpful 3	Very helpful 4
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55. Was there anything you wanted or needed to get through the support services that you did not get? If yes, what was this?

1. Yes    2. No    go to Q57

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56. Why do you think you weren't able to get this?

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57. How satisfied were you with the amount of support you got?

Very dissatisfied 1	Fairly dissatisfied 2	Fairly satisfied 3	Very satisfied 4
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58. Why were you [satisfied/dissatisfied] with the amount of support you received?

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## SECTION 6: EXPERIENCE WITH THE COURTS

I'M GOING TO ASK YOU SOME QUESTIONS ABOUT THE COURT HEARING

59. What was the defendant's plea at court *(prompt if required)*

- 01 They pleaded guilty before a hearing started (usually the first or second time they appear)
- 02 They pleaded not guilty
- 03 They pleaded not guilty then changed during the hearing
- 04 Other (specify)
- 05 Not sure



60. **Could you tell me whether you attended court for the following**  
(Yes = 1 / No = 2 / Not sure = 3)

The AVO application day/first appearance

The day of the hearing

The final day when the outcome was determined (may be the same day as previous)

61. *[If no/not sure to all of above]* **Did you attend court at any time for this hearing?**

1. Yes 2. No go to Q74

62. **Did anyone else come to court with you at any time? If yes, who was this?**

*If children, who looked after them?*

1. Yes 2. No

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IF EARLY GUILTY PLEA GO TO Q71

63. **Were you subpoenaed to give evidence at the hearing?**

1. Yes 2. No go to Q65

64. **How long before the court hearing were you subpoenaed?**

01 One week

02 Two weeks

03 About a month

04 Not sure

65. **Did you give evidence at the hearing?**

1. Yes go to Q67 2. No

66. **Why didn't you give evidence?** *[go to Q71]*

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67. **Did you speak with the police prosecutor before giving evidence?**

1. Yes 2. No 3. Not sure

68. **How prepared did you think you were to give evidence?**

Very unprepared  
1

Fairly unprepared  
2

Fairly prepared  
3

Very prepared  
4

69. **What made you feel [prepared/unprepared]?**

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70. Were you given the option to give your evidence via CCTV (where you are not in the courtroom and can't see the defendant)?

- 1. Yes
- 2. No
- 3. Can't recall

If yes, did you do this?

- 1. Yes
- 2. No

71. Where did you wait most of the time while you were at court?

01 In a separate/safe room

02 With the rest of the people at court

Other (specify) .....

72. How safe did you feel while at court?

Very unsafe  
1

Fairly unsafe  
2

Fairly safe  
3

Very safe  
4

73. How satisfied were you with how you were treated at court by the following people:  
*[If dissatisfied, ask why]*

**The Magistrate?**

Very dissatisfied  
1

Fairly dissatisfied  
2

Fairly satisfied  
3

Very satisfied  
4

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**The police prosecutor?**

Very dissatisfied  
1

Fairly dissatisfied  
2

Fairly satisfied  
3

Very satisfied  
4

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**The [victim/client] advocate**

Very dissatisfied  
1

Fairly dissatisfied  
2

Fairly satisfied  
3

Very satisfied  
4

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**Other (Specify)? .....**

Very dissatisfied  
1

Fairly dissatisfied  
2

Fairly satisfied  
3

Very satisfied  
4

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74. To the best of your knowledge, what was the outcome of the matter and the sentence the defendant received? *[if not sure, go to next section]*

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75. How satisfied are you with the outcome of the matter?

Very dissatisfied      Fairly dissatisfied      Fairly satisfied      Very satisfied  
1                              2                              3                              4

76. Why are you [satisfied/dissatisfied] with the outcome?

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## SECTION 7: ASSOCIATED PROGRAMS

77. Have you received any formal information on the defendant since the court hearing [if some time after the hearing]?

1. Yes      2. No go to Q79

78. Who gave you this information?

01 Corrective services/probation and parole

02 Victim support/advocate

03 The police

Other (specify) .....

79. Has the defendant been placed on any programs following the court outcome/as part of the sentence?

1. Yes      2. No go to Q81      3. Not sure go to Q81

80. Could you tell me what these involve?

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81. Have you [and/or your children] been offered a chance to participate in any programs?

1. Yes, I have    2. Yes, my children have    3. Yes, we both have    4. No go to Q83

82. What have these involved?

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## SECTION 8: OVERALL EXPERIENCE

FOR THE NEXT TWO QUESTIONS I WOULD LIKE YOU TO THINK ABOUT THE TIME FROM WHEN THE POLICE ARRIVED TO RESPOND TO THE INCIDENT THROUGH TO THE END OF THE COURT PROCESS

83. Over that period, what three things do you like the most about how the matter was handled?

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84. Over that period, what three things do you like the least about how the matter was handled?

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85. Overall, how safe do you feel now from the defendant?

Very unsafe  
1

Fairly unsafe  
2

Fairly safe  
3

Very safe  
4

86. Why do you feel [very/fairly] unsafe?

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87. If a similar incident occurred in the future how likely is it that you would report it to the police?

Very unlikely  
1

Fairly unlikely  
2

Fairly likely  
3

Very likely  
4

88. Why is it [likely/unlikely] that you would report again?

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89. Would you like to make any other comments about the way the criminal justice system has handled your case or the services provided to you?

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## SECTION 9: DEMOGRAPHIC INFORMATION

I'D LIKE TO ASK YOU A FEW GENERAL QUESTIONS ABOUT YOURSELF

90. How old are you?

91. Are you of Aboriginal or Torres Strait Islander origin?

1. Yes    2. No

92. In which country were you born?

- 1 Australia
- 2 United Kingdom
- 3 New Zealand
- 4 Philippines
- 5 Italy
- 6 Greece
- 7 Pacific Islands
- 8 other    Please specify .....

93. In which country was your mother born?

- 1 Australia
- 2 United Kingdom
- 3 New Zealand
- 4 Philippines
- 5 Italy
- 6 Greece
- 7 Pacific Islands
- 8 other    Please specify .....

94. In which country was your father born?

- 1 Australia
- 2 United Kingdom
- 3 New Zealand
- 4 Philippines
- 5 Italy
- 6 Greece
- 7 Pacific Islands
- 8 other    Please specify .....

95. Do you speak a language other than English at home?

1. Yes    2. No    go to Q99

96. What language(s) other than English do you speak at home?

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97. Was a qualified interpreter provided for you during the court hearing/trial?

1. Yes, go to Q99    2. No    3. Sometimes

98. Why [not/only sometimes]?

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99. Did you have any special needs at the hearing because of any disabilities?

IF YES, ASK IF THIS WAS PROVIDED? (OPEN RESPONSE)

		<i>Required?</i>	<i>Provided?</i>
1	wheelchair access?		
2	a hearing loop?		
3	a personal carer?		
4	a disability taxi?		
5	an ASLAN interpreter?		
6	other (please specify)		
7	No special needs		

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100. I may need to collect some further information on dates of the incident and of the hearing as well as some specifics on the court outcomes. Do you give your permission for me to request this information from the agencies? I will not be discussing anything we just spoke about with them, but will need to provide your name to them.

1. Yes    2. No

THAT WAS THE LAST QUESTION.

THANK YOU VERY MUCH FOR YOUR TIME AND YOUR COMMENTS.

AS I SAID AT THE BEGINNING, WE HOPE THAT THE INFORMATION THAT WE GET FROM PEOPLE LIKE YOU WILL HELP TO IMPROVE HOW THE CRIMINAL JUSTICE SYSTEM RESPONDS TO DOMESTIC VIOLENCE.

TO COMPENSATE YOU FOR YOUR TIME IN TALKING TO ME, I WOULD LIKE TO GIVE YOU/SEND A \$25 COLES MYER VOUCHER OUT TO YOU.

To which address would you like this sent:

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It will take a few days for the voucher to reach you.

Voucher given/sent:

Thanks again for your time.

## APPENDIX D KEY STAKEHOLDER AGENCIES

Aboriginal Legal Services  
Attorney General's Department of NSW  
Benevolent Society  
Campbelltown Victims' Advocate  
Campbelltown Local Court  
Macarthur Legal Centre  
NSW Department of Community Services  
NSW Department of Corrective Services  
NSW Department of Housing  
NSW Judiciary  
NSW Legal Aid Commission  
NSW Police Force  
Wagga Wagga Client Advocate  
Wagga Wagga Local Court  
Wurringa Baiya  
Women's Domestic Violence Court Assistance Scheme



## APPENDIX E KEY STAKEHOLDER INTERVIEW TEMPLATE

- Will be asking general questions regarding the DVICM, you are invited to comment on aspects directly related to your agency and role as well as any other aspects.
  - No comments will be directly attributed to an individual, however, where the context may require it, general position or agency details may be identified.
  - To ensure you have an opportunity to recall and comment on all aspects of the DVICM, I am providing you with an overview of the DVICM.
1. Just to get some background, could you please briefly tell me about the role of your agency or unit and your individual role in the DVICM?
  2. What impact (either positive, negative or none) has the DVICM had on your role or agency?
  3. Considering all of the different aspects and initiatives of the DVICM, could you tell me what you think was effective? Why?
  4. Are there any aspects of the model you think weren't so effective? Why?
  5. There are two primary objectives of the DVICM
    - a) to increase victim safety
    - b) to increase perpetrator accountabilityDo you think that the DVICM has achieved these objectives? If yes, what contributed to this, if not, what needs to be done differently?
  6. Considering the NSW government has committed to the continuation of the DVICM in Campbelltown/Wagga Wagga what recommendations do you have regarding any future improvements, increased focuses or changes regarding the model in these sites?
  7. What recommendations do you have with regard to the rollout of the DVICM to any other locations, starting with should it happen? [Other prompts: Should it be identical to the way the current DVICM was set up?]
  8. Do you have any further comments you wish to make about the DVICM project overall?

