



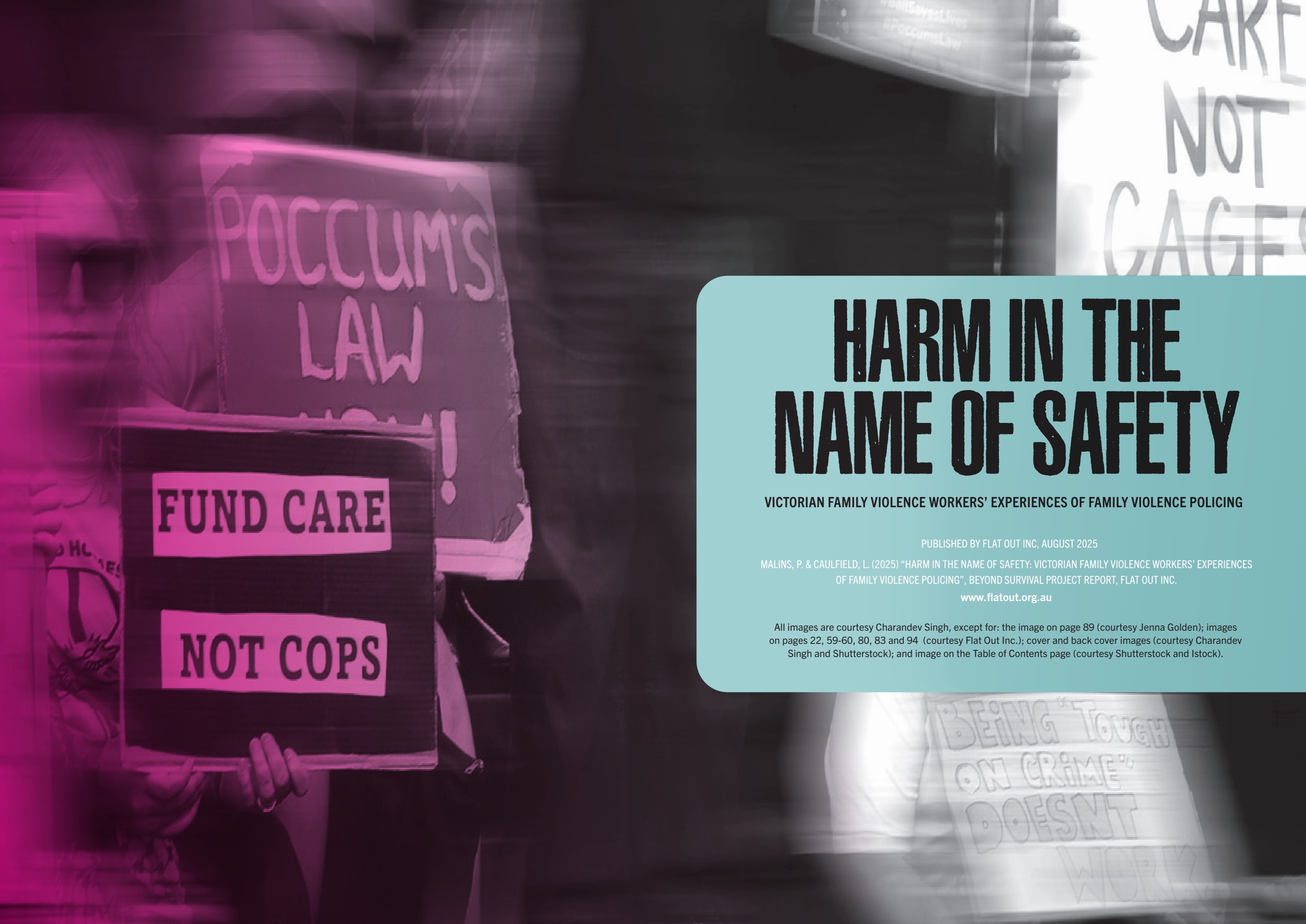
HARM IN THE NAME OF SAFETY

VICTORIAN FAMILY VIOLENCE WORKERS' EXPERIENCES OF FAMILY VIOLENCE POLICING

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SURVIVAL



 **RMIT**
UNIVERSITY



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Executive summary

This report details the findings of the 'Policing and Family Violence' survey of frontline family violence workers in Victoria, which asked for practice-based observations of Victoria Police responses to family violence.

This survey was undertaken during 2020-21 to gather evidence related to how family violence is policed in Victoria. It explored the experiences and observations workers have of police responses to family violence, including: how these responses supported or impacted survivors; what actions they took when police responses were harmful; whether they observed key policing issues or trends; what gaps and barriers they identified to effectively support people harmed by police; and if they had any recommendations for change.

Victoria Police has been made central to the family violence service system in Victoria in recent decades, but in the absence of public reporting about issues and harms related to family violence policing, including significant issues like police 'misidentification' of the predominant aggressor and police-perpetrated family violence, the data concerning harms enacted by police in the context of family violence is often arduous to obtain.

Survivors and family violence support workers have significant lived and work experience

that provides valuable anecdotal and practice-based evidence of issues and harms, as well as gaps in pathways and support services. However, the consolidation of a sector-wide evidence base outlining the nature and scale of police harms has been hindered by capacity challenges in the high-pressure context of family violence response work. There are also important privacy and confidentiality considerations that make data-sharing across services difficult. Given the special expertise of family violence practitioners, community lawyers and other frontline workers, the number of people they assist and the complexity of this work, they are an important yet often overlooked part of the evidence-base for evaluating the efficacy of family violence responses (Breckenridge & Hamer 2014).

225 frontline family violence workers, including specialist family violence workers, community lawyers and other community and support workers from a wide range of agencies across Victoria completed our survey, giving comprehensive responses and permission to publish their practice-based evidence. To our knowledge, this survey of family violence workers on the issue of police responses to family violence is the largest of its kind undertaken in Australia. Most qualitative studies of family violence policing, including Ombudsman reports, either focus exclusively on police or victim-survivor

perspectives, or draw on the perspectives of a comparatively small number of workers (generally fewer than 40).

The vast majority of the 225 survey participants identified a wide range of issues and concerns with police responses to family violence in Victoria, and with the harmful impacts of family violence policing generally. Their detailed responses offer damning testimony about the nature of harmful and ineffective police responses to family violence, and the limited pathways for people impacted by this policing to seek satisfactory recourse.

The key intersecting trends in police harms identified by practitioners include:

- 1. police minimising or downplaying the violence and harm done to victim-survivors and increasing the risks of further harm**
- 2. police extending the violence through collusion with people using violence, enabling of systems abuse, and the criminalisation and punishment of victim-survivors**
- 3. police targeting and discriminating against Aboriginal and Torres Strait Islander people, migrant and other racialised communities, LGBTIQ+ communities, disabled people, sex workers, drug users and those who have been previously criminalised**
- 4. police ‘misidentifying’, or wrongfully identifying, victim-survivors as perpetrators**
- 5. police perpetrating family violence and institutionally protecting officers who abuse**
- 6. police resisting feedback, avoiding accountability, and preventing access to justice and remedies for victim-survivors who are harmed by police.**

Many workers also shared their visions for reimagining frontline responses to family violence - which ranged from suggestions for mitigating the harms of policing or improving police responses, through to decentring police from family violence responses, and extending the suite of options available to people experiencing family violence to include community-based and non-police alternatives.

The findings show that in many cases, rather than helping victim-survivors, police responses to family violence significantly disempower or sideline survivors’ own risk assessments and autonomy, replicating the very power and control dynamics that underpin family violence, and increasing risk, harm and trauma. Ineffective, problematic and harmful police responses to family violence are not isolated events but are a regular feature of interactions police have with victim-survivors.

The findings build and expand upon existing research literature that documents extensive problems in family violence policing and in policing practices and police institutional cultures more broadly. When taken together, this research and the findings in this report show that there are deep, foundational, systemic and structural problems with police as an institution, including with police workplace culture and the ways that this culture manifests and is displayed in police responses to family violence.

These are problems, therefore, that cannot be remedied through limited reforms, such as better education or training, but instead demand a much more significant rethink of the existing reliance on police in responses to family violence.

This report shows that victim-survivors urgently need alternative safety and support options outside of policing: pathways that do not

replicate dynamics of control and domination but are instead survivor-led and community-led mechanisms that centre autonomy, safety and wellbeing.

SUMMARY OF KEY FINDINGS

1. POLICE MINIMISING OR DOWNPLAYING THE VIOLENCE AND HARM DONE TO VICTIM-SURVIVORS AND INCREASING THE RISKS OF FURTHER HARM

Frontline family violence workers documented many examples of Victoria Police responses to family violence that effectively downplay or minimise the violence and harm victim-survivors are experiencing and, in doing so, not only fail to offer effective support, but also increase the risks of further harm.

Many described extensive failures by Victoria Police to take family violence seriously, particularly men’s family violence against women. This includes examples of police: taking too long to respond to incidents; not doing welfare checks when needed; taking insufficient interest in investigating cases; not taking statements; failing to impose intervention orders when needed; not following up on intervention order breaches; losing evidence; not communicating effectively with victim-survivors about matters directly affecting safety; using minimising or dismissive language; engaging in victim-blaming and shaming; invalidating victim-survivor experiences; failing to do adequate risk assessments; failing to refer victim-survivors to support services; inadequately considering the needs of children and young people; and failing to take effective actions to keep victim-survivors safe.

Many also describe Victoria Police as displaying a widespread lack of understanding of family violence, particularly of the gendered drivers of violence, the nature of coercive control, the ways victim-survivors respond to and resist violence, and the increased risks faced when trying to seek help or leave. This includes police: dismissing or ignoring non-physical or coercive forms of violence; failing to take into account the histories and contexts of violence; and failing to recognise when DARVO (Deny, Attack and Reverse Victim and Offender) tactics are being mobilised by people who are using violence.

The detail and specificity of the examples quoted in the report point to core issues with family violence policing, where police responses display a lack of nuanced understanding of family violence and coercive control, and are ineffective and/or harmful. Practitioners detail how police minimisation of family violence significantly increase risks for victim-survivors, who not only face the psychological harm of having experiences of violence invalidated but are also left without material interventions and practical supports to improve safety.

It is also clear from worker responses that police family violence response failures are significant, prevalent and patterned. For example, more than two-thirds (69%, 156) of surveyed workers agreed they had witnessed “duty failures or substandard response from police”, and when given a range of examples of police duties under the code of practice and asked how often police responses had been appropriate or adequate, generally only one quarter to one third of participants selected ‘mostly’, with the vast majority of participants selecting ‘sometimes’, ‘rarely’ or ‘never’.

This data indicates widespread differences between policy and practice, along with foundational problems in understanding and response,

that manifest in every-day practice failures and contribute to multiple harms. Given the level of risk facing those who are experiencing family violence, these failures are extremely dangerous and can be best described as what Charandev Singh (Carrick, 2012) calls potentially “lethal indifference” and inaction on the part of police.

2. POLICE EXTENDING THE VIOLENCE THROUGH COLLUSION WITH PERPETRATORS, ENABLING OF SYSTEMS ABUSE, AND THE CRIMINALISATION AND PUNISHMENT OF VICTIM-SURVIVORS

Family violence workers in Victoria are also concerned about the ways in which police responses serve to actively extend the abuse and victimisation of people experiencing family violence.

Without prompting, nearly two thirds (65%, 143) of participants reported having witnessed police practices which in some way operate to extend the abuse of, or harm to, victim-survivors, including by: criminalising victim-survivors (32%, 71); colluding with or extending the tactics of the person using violence (including police processes weaponised as systems abuse) (12%, 28); or otherwise increasing victim-survivor experiences of harm or risk (48%, 109). This included examples, given without prompting, of police criminalising victim-survivors by deploying existing warrants or issuing new charges (3%, 6); wrongfully identifying victim-survivors as perpetrators of family violence (31%, 69); taking the side of the person using violence because they seemed more calm or more charming (8%, 19); and enabling police processes or responses to be weaponised by people using violence in the abuse of victim-survivors (3%, 7).

Worker narratives make clear that police collusion with people using violence, and the weaponisation of police powers against people experiencing violence, have significant

violent and cascading impacts, including on victim-survivor movements, access to housing, and capacity to care for children effectively, including the ability to make effective custody claims. They demonstrate how police family violence responses are – in many cases - not merely ineffective, but function to actively exacerbate and extend the violence and cause further harm to victim-survivors. This significantly problematises the central role police have been allocated in the family violence response system, and the increased integration of family violence services with police.

3. TARGETED, BIASED AND DISCRIMINATORY POLICING

The frontline workers in this study detail widespread and routine police discrimination toward women, and a range of targeted and marginalised groups including Aboriginal and Torres Strait Islander people, People of Colour, LGBTIQ+ communities, young people, people from marginalised culturally and linguistically diverse communities; people with mental illness/es, neurodivergence and other disabilities; people using drugs; sex workers; and people who have been previously criminalised.

Many participants (22%, 49) proactively identified police discrimination toward targeted and marginalised communities as a key problem they have observed. When later prompted regarding specific forms of police discrimination or bias they may have encountered, nearly all participants (90%, 202) selected at least one form of discrimination, indicating that police targeting, discrimination and bias are regular and widespread occurrences in family violence policing.

The shocking examples of bias detailed in the report by participants indicate that police are engaging in sexist and misogynistic comments, attitudes and behaviours and using

racist, sexist, ableist, homophobic, and ageist assumptions in deciding who they will respond to, take seriously and trust, and who they will ignore, arrest or criminalise. Many workers detailed specific concerns relating to police not using interpreters where needed, describing the significant negative implications of this for victim-survivors. Others raised concerns about police biases against young people in family violence cases, where they take the side of parents/carers who are abusing young people and misidentify young people as perpetrators.

The distressing examples given throughout the report have clear negative implications for the well-being of already marginalised victim-survivors, for whom police responses frequently occasion further discrimination and the compounding of harm, rather than supportive interventions to reduce risk and build safety.

4. ‘MISIDENTIFICATION’: POLICE WRONGFULLY IDENTIFYING VICTIM-SURVIVORS AS PERPETRATORS

The patterned problem of police wrongfully identifying victim-survivors of family violence as perpetrators is an issue of significant concern to frontline family violence workers in Victoria, who detail widespread, regular and repeated cases of police incorrectly and inaccurately assessing the victim-survivor as the predominant aggressor in family violence cases.

Wrongful identification was the most common issue raised spontaneously by participants, with nearly one third (31%, 69) of participants mentioning ‘misidentification’ or wrongful identification as a key issue in family violence policing.

When later directly prompted, a massive 83% (186) of participants agreed they had encountered situations where the person experiencing family violence has been wrongly identified by police as the perpetrator, while

just 15% (33) disagreed. And of the 83% who had encountered it, approximately two thirds (64%, 120; or 53% of all survey participants) said they had seen it happen five or more times over the last five years, and more than half of those (64; and 28% of all survey participants) said they had seen it happen more than ten times in the past five years.

These extraordinary statistics, alongside detailed worker narratives illustrating the prevalence of wrongful identification, the commonality of its patterns and biases, and the reluctance of police to change course, seriously undermine the proposition that ‘misidentification’ is in fact a police ‘mistake’. The accounts given by workers suggest that wrongful identification by Victoria police is instead a product of deep cultural, structural, institutional biases against women – particularly Aboriginal women and migrant or CALD women – and other marginalised and targeted groups: the very people also most targeted by family violence.

Worker narratives provide a picture of a policing response that seems determined to rationalise men’s violence, support people using violence who are men, and criminalise women, while being intransigently disinclined to fix incorrect assessments, no matter what the evidence before them suggests. The examples given by workers demonstrate a pattern of misogyny and gender-bias in police responses to family violence, linked to a wilful disregard of the gendered power dynamics that underpin family violence. They also show how many of the policing problems earlier documented in this study all play a role in wrongful identification, including: failure to take statements from women; failure to take separate statements from each person; failure to provide an interpreter; failure to investigate the histories and contexts of the violence; failure to take non-physical forms of violence



seriously; and failure to take young people seriously as potential victims of family violence. Concerningly, many participants in this study also gave accounts of police being reluctant to change course, or investigate further, after being notified of likely misidentification, even when presented with substantial evidence.

The pervasiveness, persistence and intransigence of police wrongful identification detailed by workers in Victoria is particularly concerning, considering the many varied and often cascading and compounding negative consequences for people experiencing violence. This includes criminalisation, employment impacts, consequences for family law and other related matters, access to or removal of children, children being left or placed with inappropriate or dangerous people, and loss of housing, as well as trauma and significant mental health impacts, including suicidal ideation caused by the distress. It also impacts access to much-needed support services, and severely diminishes the capacity for victim-survivors to keep themselves safe.

The scale of wrongful identification by police documented by family violence workers, the specific cohorts of victim-survivors being ‘misidentified’, and the reluctance of police to change course in the face of evidence, indicates that rather than a policing ‘mistake’, this practice is driven by, and in turn makes visible, systemic bias, discrimination and racial profiling by Victoria police. It is clear then that addressing the problem of wrongful identification requires far more fundamental change than increased police education and training or other policing reforms.

5. POLICE-PERPETRATED FAMILY VIOLENCE AND INSTITUTIONAL PROTECTION OF OFFICERS WHO ABUSE

The direct perpetration of family violence by police was also identified by many workers as a significant issue of concern in family violence responses in Victoria. When prompted, more than half (51%, 114) of the workers in this study said that they had encountered situations where the person using violence was a police officer, with more than three quarters of those participants (76%, 88; or 39% of all survey participants) having encountered it more than once, and almost one quarter of those (23%, 26; or 12% of all participants) having encountered it five or more times.

Victorian frontline workers note that the family violence used by police officers tends to be more coercive, manipulative, covert and nuanced because police perpetrators know the system and how to get away with violence effectively, and that there are increased risks for victim-survivors because police perpetrators can, and do, use their work role, including their capacity to criminalise the people they target, as well as their access to surveillance equipment, databases and weapons, to threaten and enact additional violence.

Workers raised specific concerns about: police perpetrators enlisting other police to perpetrate or extend the violence; police collusion with and protection of officers who abuse; police disbelieving or discrediting victim-survivors of police-perpetrated family violence or treating survivors as liars; a lack of independent support options for victim-survivors when the perpetrator is a police officer or employee; and the fact that police perpetrators of family violence are still working in the police force, including in roles policing family violence.

Many participants (39%, 44 or 20% of all participants) reported cases where fear of this collusion was negatively affecting: victim-survivors' willingness to report abuse, pursue an FVIO or report FVIO breaches; the likelihood of victim-survivors being forced to travel long distances to report the abuse to a far-away station or to move far away and/or change identity to escape the violence; victim-survivor distrust of other agencies that work with, or cooperate closely with, police; and victim-survivor experiences of fear, hopelessness, isolation and exhaustion.

The extent and impact of the police-perpetrated family violence described by workers in this report directly challenges the notion of police representing safety in the context of family violence, and demands an urgent re-consideration of the powers, resources and social licence extended to police as family violence first responders and across their role in investigations and the Family Violence Intervention Order system.

6. POLICE RESISTANCE TO FEEDBACK AND AVOIDANCE OF ACCOUNTABILITY

Many family violence workers in Victoria raised concerns about police feedback and accountability processes, and the difficulties workers face when seeking to address policing issues, improve practices or to hold police accountable. Half of the survey participants (50%, 113) noted having attempted to take some action previously, and the overwhelming majority of those that had tried (80%, 90) expressed some sort of frustration with these efforts. When asked specifically if workers have identified gaps in support for victim-survivors who experience issues with family violence policing, three quarters (75%, 168) of participants answered "yes", with only 11% (24) selecting "no".

Police feedback and accountability problems described by workers include: a lack of clarity around processes for raising concerns; the lack of appropriate processes; a lack of consistency in police responses; police responding defensively or putting up resistance to feedback; a lack of long-term changes or improvements; a lack of sector capacity to provide support with complaints; the large power imbalances between police and complainants (including between police and service providers); the added barriers to lodging a complaint faced by marginalised victim-survivors (including Aboriginal and Torres Strait Islander, CALD, LGBTIQ+, neurodivergent people, people with mental health issues, and disabled people more generally); the lack of victim-survivor awareness around rights and possible mechanisms for complaint; the added trauma faced by victim-survivors when police ignore complaints; clients being reluctant to make complaints due to exhaustion, trauma, fear of retaliation or lack of support in future; examples of police actually making things worse for clients after complaints were made; and the need to maintain good working relationships with police for the benefit of their clients.

Some workers noted that due to the power imbalance and a fear of police retaliation or poor support in the future, many clients do not consent to a complaint being made, while others said that they have given up all together on raising issues with police due to a sense that it is a waste of time, disempowering, time consuming inherently biased, futile, and/or too risky. Many also raised concerns about the lack of alternative police accountability mechanisms and the limited family violence support options outside of policing that are made available to people experiencing issues with family violence police responses in Victoria.

7. REIMAGINING FAMILY VIOLENCE RESPONSES: A CALL FOR CHANGE

In addition to their clear identification of systemic problems associated with Victorian family violence policing, many family violence workers shared a range of practical ideas geared towards both prevention of, and better response to, the family violence policing issues they have encountered in their work. These ideas ranged from reforming and improving policing practices, to building and investing in alternatives outside of policing.

Suggestions for reforming and improving policing practices, including ideas for enhanced training, improved police processes, and overhauling police culture, were proposed by around half of the participants (54%, 122). Given that police reforms have so far been the dominant response of governments and policing agencies whenever policing practice issues are brought to light, it is not surprising so many workers highlight police reforms as part of the answer. However, the extent and scale of deeply entrenched problems documented in this report raise serious questions about the ability of such reforms to solve any of these problems.

It is for this reason that many workers (18%, 40) called instead for investments that enhance or build alternatives to policing in response to family violence. These suggestions include: decentring and divesting from police in family violence responses and investing in alternative services and approaches; establishing and/or adequately resourcing independent and community-controlled specialist safety and crisis support options that de-centre police; creating independent police complaints and accountability processes; training family violence workers on how to best raise complaints and advocate for clients; training lawyers and court staff on how to identify and manage common police errors and biases; and funding specialised legal

representation to assist workers and clients in resolving problems or making complaints.

Many noted the inherently problematic power dynamics related to police involvement in family violence responses, the need to manage risk and safety plan outside and around police responses, and the work already taking place outside of policing to support those experiencing family violence. Some also pointed to the need to move away from an event-specific, binary victim/perpetrator approach to family violence responses, to instead develop a wholistic 'all of family' approach to responding to violence, that addresses the safety, housing and other primary support needs of all who are involved, maximises survivor agency, and focuses on developing effective long term strategies that reduce risk and harm for everyone. Many articulated a need to radically rethink how family violence is responded to in Victoria, including by de-centring police both as frontline responders and within broader family violence support system responses, and investing in community-based services and supports grounded in principles of transformative justice, safety and accountability.

CONCLUSION: THE NEED TO CONSTRAIN POLICE HARMS AND BUILD AND STRENGTHEN ALTERNATIVE SURVIVOR-LED AND COMMUNITY-BASED FAMILY VIOLENCE RESPONSES

Fundamentally, the findings of this report show that rather than supporting victim-survivors and enhancing safety and autonomy, too often the policing of family violence significantly increases risk, harm and trauma. Ineffective, problematic and harmful police responses to family violence are not isolated events but are occurring in many interactions police have with victim-survivors. Overall, the vast majority of family violence workers in this study gave accounts of, or raised concerns about,

police responses in some way criminalising, harming or otherwise adding to the risk to and disempowerment of victim-survivors. The widespread harms enacted through the centring of policing in family violence responses, and the ways that these harms replicate the very power and control dynamics of abuse, form another layer of risk and violence that is being perpetrated against both survivors and workers. Worker accounts make plain that the policing of family violence often entails harm enacted in the name of ‘safety’, where the very power and control dynamics and dominator cultures that drive family violence are not challenged, but instead frequently replicated and extended, to the detriment of victim-survivors.

The evidence in this survey report therefore fundamentally challenges the notion that police can or should be considered a site of safety for people experiencing family violence, and provides clear insight into the fundamental dissonance in positing policing as a solution or response to family violence. Our findings, particularly when read alongside the existing evidence and literature base, show that there are deep foundational, cultural and structural problems with police as an institution. These are not problems that can be remedied simply through better education or training, or increased service sector collaboration with police. A much more substantial move away from the centring of, and reliance upon, police in responding to family violence is required.

Practice examples of effective community-led interventions to violence that do not rely on police are already in operation. On this continent, where intersecting interpersonal and state-based gender violence continues to target Aboriginal and Torres Strait Islander People and Communities, there are numerous First Nations-led examples of non-carceral community-based response to family violence. Alternative pathways for reporting violence, which

have already been found useful in supporting a sense of self-determination and autonomy for victim-survivors of sexual assault, could also play a role in family violence responses. Overseas models, including community first responder programs, also offer salient lessons in building community-based response to violence. These international examples of successful community-led first response systems that involve mobile teams skilled in de-escalation and crisis response, offer important practice approaches for consideration and application here in Victoria. These initiatives, whether operating outside of state funding models, or in jurisdictions that have more formally redirected resources from policing to community-based responses and/or invested in alternative first responder programs (The Marshall Project, 2024), provide vital practice examples of responses to violence that are not reliant on policing. They demonstrate that alternative, non-police first responder models, often called-for by impacted communities and grassroots activists, are indeed very possible.

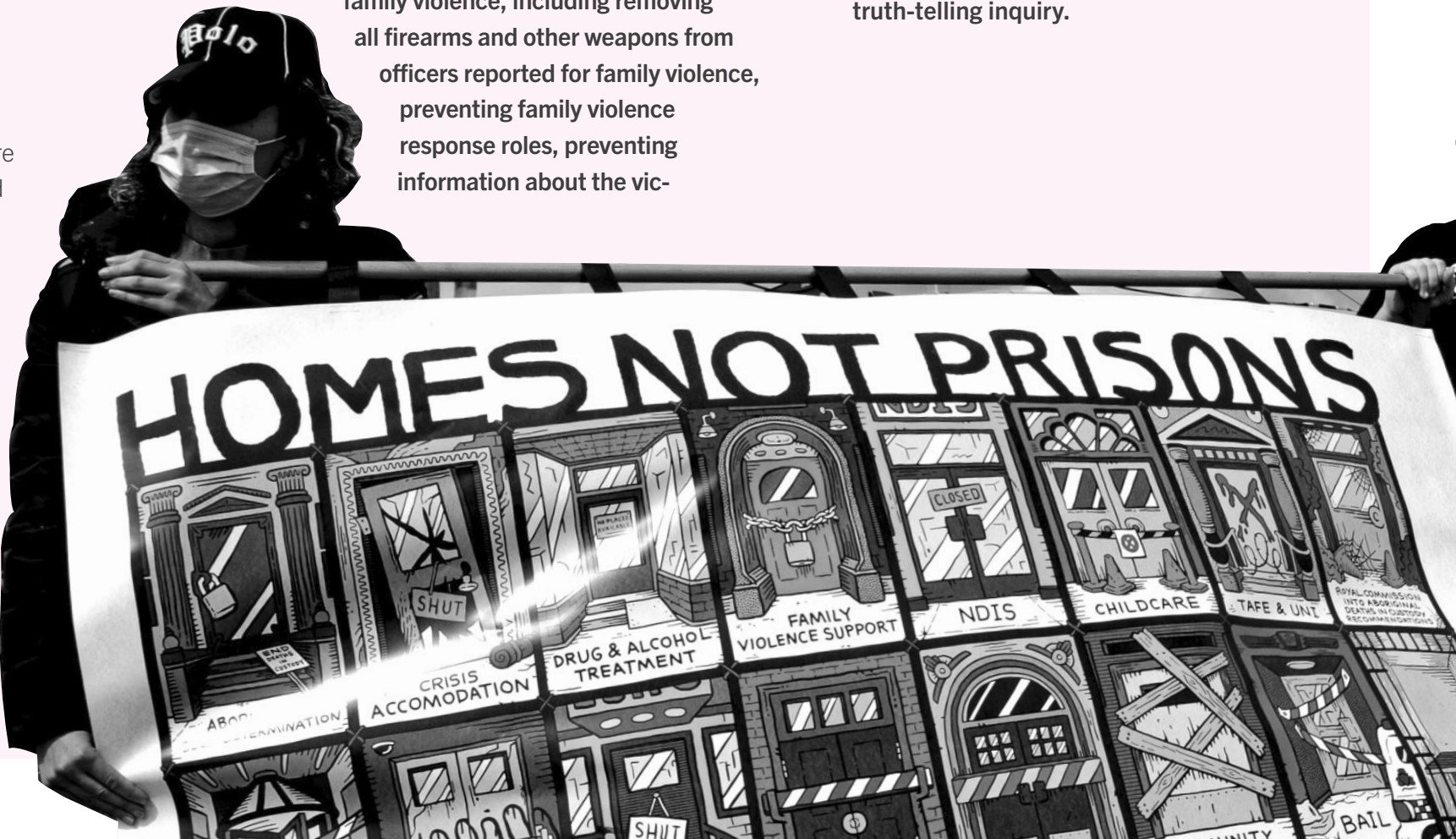
Understanding how different community-based first responder models and other interventions respond to intimate partner or family violence, including their principles, practice approaches and potential applications, must form part of the crucial re-imagining of responses to violence here in Victoria. This will help guide the important and much-needed work of building community-led pathways that address and constrain the harms of policing, while developing alternative options to better support people experiencing violence. As the National Justice Project’s (2025) recent position paper on alternative first responders suggests, implementing and supporting such initiatives here will be a vital mechanism for intervening into violence and crisis, and supporting people towards safety without police intervention.

SUMMARY OF KEY RECOMMENDATIONS:

- 1. Build alternative family violence first responder initiatives, including allocating funding for research and establishing a pilot program.**
- 2. Invest in community-based family violence responses, including strengthening existing community-led services, funding new community-led services, and investing in affordable housing.**
- 3. Build and strengthen community-based and non-carceral violence prevention, early intervention and accountability initiatives, including community-based violence prevention and education programs, early intervention programs, non-carceral accountability pathways, behaviour change programs, peer-led support groups and culturally specific healing and support programs.**
- 4. Take immediate action to restrain and address the harms of police-perpetrated family violence, including removing all firearms and other weapons from officers reported for family violence, preventing family violence response roles, preventing information about the vic-**

tim-survivor or family members being shared, implementing independent family violence risk assessment, implementing rigorous background checks, suspending paid administrative leave, and establishing an independent system to track police-perpetrated family violence.

- 5. Abolish self-investigative police complaints processes.**
- 6. Mandate public reporting of data on family violence policing harms, including data on police-perpetrated family violence, data on wrongful identification (‘misidentification’), data on complaints about family violence policing and their outcomes, and data on Victoria Police costs related to defending and/or settling legal claims related to family violence policing harms.**
- 7. Adequately resource services addressing police harms.**
- 8. Establish a community-led truth-telling inquiry.**





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1. Introduction

FAMILY VIOLENCE IN AUSTRALIA

Despite increased media and policy attention over the last two decades, family violence remains a significant issue in Australia. Evidence shows that family violence is very gendered, with most people who perpetrate intimate partner violence being cisgender men, while victim-survivors are overwhelmingly women and people of marginalised genders (Our Watch, 2021; Victorian Government 2025).

Approximately 1 in 4 women have experienced violence from an intimate partner since the age of 15, compared to 1 in 14 men (Australian Institute of Health and Welfare, 2024). Family violence against women and children causes significant physical, psychological and other harm, and can be lethal (Our Watch, 2021; Alisic et al., 2023). On average, one woman is killed every nine days by a current or former partner (Bricknell, 2023), although during 2024 family violence homicides roughly doubled this rate, with at least 78 women killed by men's violence, or an average of one every 4.7 days (Counting Dead Women Australia, 2024). Most people who experience family violence do not report to police (Our Watch, 2021), so the scale of violence is significantly underrepresented by statistics.

Family violence is also very clearly not targeted or experienced equally across the community. Experiences of family violence - including emotional, physical and sexual abuse has been found to be disproportionately high for transgender, gender diverse and intersex people (University of NSW, 2014).

Aboriginal and Torres Strait Islander women are also significantly and disproportionately targeted by family violence, and experience high rates of physical, emotional and sexual abuse (Our Watch 2018). Nationally, Aboriginal and Torres Strait Islander women are 34 times more likely to be hospitalised due to family violence than non-Indigenous women and 11 times more likely to be killed due to assault (First Nations Advocates Against Family Violence, 2024). In Victoria, Aboriginal women are 45 times more likely to experience family violence than non-Aboriginal women, and this violence is mostly perpetrated by non-Aboriginal men (Djirra, 2024).

Higher rates of family violence are also perpetrated against migrant and refugee women in Australia (Segrave, et al., 2021), as well as women and girls with disabilities (Our Watch & Women with Disabilities Victoria, 2022), LGBTQA+ people (Amos et al., 2023), neurodivergent people (Gibbs & Pellicano, 2023), and other women targeted and impacted by intersectional discrimination and marginalisation (Mitra-Kahn et al., 2016).

While these disproportionate rates of violence are often described in research and policy in terms of ‘vulnerability’ to violence or ‘vulnerable groups’, a more robust and helpful analysis focuses on the dynamics of the violence itself and who is targeted.

This understanding of family violence – as a violence that capitalises on and compounds existing structural biases, discriminations and inequalities – enables an analysis of such violence as not only gendered, but also racialised and discriminatory, and where the targeting and tactics used are intended to increase power and control at the nexus of different systems of oppression (Crenshaw & Phillips, 1998; Collins, 2017). First Nations women’s experiences of family violence, for example, cannot be understood as separate to the ongoing impacts of settler-colonial occupation and violence (Buxton-Namisnyk, 2021). This intersectional and structural understanding of the way intimate partner and family violence is used and who is targeted is essential to examining the relationship between individual gender-based violence, and forms of state-sanctioned violence – including the harms of policing – and how these violences intersect and compound one another.

DISCRIMINATORY AND VIOLENT POLICING

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From this intersectional understanding of family violence, it is no coincidence that the same groups most targeted by family violence in Australia are also those most targeted by policing surveillance and violence (Sisters Inside & ICRR, 2022). Institutional racism and misogyny are core to the foundations and fabric of policing in this country, and the impacts of this are

made evident – historically and currently – in who policing targets and harms, for whom policing represents violence rather than safety, and to whom the burden of the work for truth-telling about this violence falls (see for example: Gorrie 2022; Gorrie 2024; Porter, 2024).

THE TARGETING OF FIRST NATIONS PEOPLE AND COMMUNITIES

Targeted and violent policing enacted against Aboriginal and Torres Strait Islander people and communities has been a constant feature of settler-colonialism in Australia. It includes direct police involvement in massacres, assaults and forced displacements, intensive surveillance and harassment, the removal of children from families, the assaults and deaths (killings) of Aboriginal people in custody - the rates of which currently surpass the levels at the time of the 1991 Royal Commission into Aboriginal Deaths in Custody – and the notable lack of concern police hold for the high numbers of ‘missing’ (disappeared and/or murdered) Aboriginal women and children (Porter & Cunneen 2021; National Justice Coalition 2015; McQuire 2024). As Sisters Inside and the Institute for Collaborative Race Research (ICRR) wrote in their joint submission to the Commission of Inquiry into Queensland Police Force Service responses to domestic and Family violence: “In the settler-colonial state, police have historically been the mechanism used to control, dispossess and harm Aboriginal and Torres Strait Islander peoples” (Sisters Inside & ICRR, 2022, p4).

The contemporary practices and harms of policing in the Australian colony must therefore be understood as inherently part of the intention and function of policing in the arc of the colonial project (Porter & Cunneen, 2021). It is within this context of colonialism, white supremacy and racism that contemporary policing here was established, and it is this context within

which current practices and harms of policing occur, and that in turn form so-called ‘barriers to change’ and defeat attempts at accountability.

Writing on the realities and lived experience of racist police violence for Aboriginal people, Amangu Yamatji researcher Associate Professor Crystal McKinnon details ongoing racialised policing practices that target and enact state sanctioned violence upon Aboriginal communities (McKinnon, 2020). McKinnon documents practices of racial targeting that result in Aboriginal people being over-represented in the police-to-prison pipeline and in all aspects of the criminal legal system, including massive rates of over-incarceration.

While Victoria Police are not mandated to publicly release data about the officer-perceived ethnicity of the people stopped by police, or any racial disparities and disproportionality, data obtained from Victoria Police under Freedom of Information laws by the Centre Against Racial Profiling revealed that in 2023 police were 11 times more likely to search Aboriginal and Torres Strait Islander people, than those perceived by officers to be white (Centre Against Racial Profiling, 2024).

RACIALISED POLICING

Police racial profiling also targets migrant and settler People of Colour (POC) in Australia. Between 2020-2023, Victoria Police officers were found to be six times more likely to search someone perceived to be African, up to five times more likely to search someone of Middle-Eastern appearance, and four times more likely to search a person from a Pasifika background, than to search a White person (Centre Against Racial Profiling 2024; The Racial Profiling Data Monitoring Project 2025). This is despite the fact that, as part of a 2013 landmark Federal Court racial profiling case (Haile-Michael v

Konstantinidis 2013), Victoria Police admitted to targeting and harassing young people of African descent in the Flemington area, and then established the ‘Equality is Not the Same’ action plan to eradicate racial profiling and targeting, which included a commitment to review their “field contact” (stop and search) practices (FKCLC, 2010).

While some of the more public coverage, litigation and campaigns related to racial profiling in Victoria have highlighted the targeted street-based stops and harassment of young men of colour, there is also significant evidence of racialised policing and racial profiling of women. This specifically includes the racial targeting and discriminatory policing of Aboriginal women, such as investigated in the coronial inquests into the deaths in custody of Yorta Yorta woman Tanya Day, who died in police custody in a holding cell in Castlemaine in 2017 (HRLC, 2025), and the death of Gunditjmara, Dja Dja Wurrung, Wiradjuri and Yorta Yorta woman, Veronica Nelson who died in maximum security prison in Victoria in 2020 (Victorian Aboriginal Legal Service, 2024). It also includes the OC spraying by police of Australian Sudanese woman Rebecca Long and her children during a police raid concerning a stolen bag of chips (Milman, 2013).

SEXISM AND MISOGYNY

Widespread sexism and misogyny have also been shown to be rife in Australian settler-colonial policing culture and practice, as have homophobia and transphobia (Richards, 2022).

The Victorian Equal Opportunity and Human Rights Commission’s (VEOHRC) Independent review into sex discrimination and sexual harassment, including predatory behaviour in Victoria Police, Phase One Report was published in 2015. This collated responses

from almost 5,000 survey participants from within Victoria Police, finding a culture based on “normative constructions about masculinity” (VEOHRC, 2015, p9) to be pervasive within Victoria Police, and that sexual discrimination and sexual harassment were “widespread across the organisation” (p.13).

The 2015 review provides a detailed examination of the attitudes and culture within Victoria Police, highlighting significant issues related to gender dynamics and workplace behaviour including male-dominated cultures – with the culture described as ‘by men for men’ - which leads to a workplace where women face consistent intimidation, exclusion, and discrimination (VEOHRC, 2015). The report also detailed a culture of “masculine norms” (p288) within Victoria Police that reinforce traditional gender stereotypes and contribute to the marginalisation of women and those who don’t conform to these norms. The widespread workplace sexual harassment and discrimination detailed in

the report includes details of women frequently encountering inappropriate and harassing behaviour, and often avoiding reporting it, as well as hostility and harassment towards gay men.

VEOHRC’s findings go on to detail widespread cultural resistance to change within Victoria Police, noting that despite some efforts by individuals to challenge the status quo and promote diversity, entrenched attitudes and behaviours persist (VEOHRC, 2015). The VEOHRC survey findings also demonstrate that reporting harassment often results in significant personal and professional repercussions, and that attempts to challenge the culture can lead to ostracism and abuse. This entrenched cultural resistance to change has significant implications for the effectiveness of many of the calls for thinner reforms, such as training for police.

HOMOPHOBIA AND TRANSPHOBIA

Deeply entrenched hypermasculine, heteronormative, homophobic and transphobic cultures within Victoria Police were also identified by VEOHRC in their 2019 report into the experiences of LGBTI Victoria Police employees (VEOHRC, 2019). The report found that homophobic and transphobic discrimination – including discriminatory comments and jokes, aggressive language, threats of violence, and sexual harassment - remains rife throughout Victoria Police, despite decades of

training programs and other reforms. The report also found that Victoria Police’s hierarchical organisational structure, demonstrable failures to respond meaningfully to complaints, and widespread fears of victimisation and reprisals were enabling a police workplace culture that accepts and condones these behaviours, with significant implications not only for employees but also for the LGBTI people and communities they police.

Targeted police harassment of LGBTIQ+ people in Australia, particularly those who visibly transgress dominant gender norms, has been long documented (Race, 2014 & 2023; Russell, 2020; Sentas et al., 2024). This includes police verbal abuse, including the use of homophobic slurs, targeted sniffer-dog and strip searches, entrapment, physical violence and the discriminatory deployment of criminal charges. While this violence is experienced by queer communities in everyday encounters with police, queer nightlife spaces and events have long been sites of very visibly discriminatory policing. The police brutality enacted at Sydney’s inaugural Mardi Gras Parade in 1978, has been compounded by ongoing incidences of police violence against, and harassment of, attendees

at the annual event each year since (Sentas et al., 2024). While a great deal of this violence has gone unrecorded, community outrage spread in 2013 after a NSW police officer was filmed throwing a young gay attendee violently to the ground and standing on his head (Race, 2024), despite police having marched in the parade as supposed allies for many years by then. It is no surprise then that at least half of all gay, lesbian and bisexual people across Australia say they do not trust police (Hirst, 2021); a figure that does not even include many of the most targeted trans and gender diverse members of the queer community, who are likely to experience the most violence and distrust.

Also long documented has been a notable lack of police support and assistance when queers are subjected to homophobic violence in Australia (Race, 2014 & 2023; Russell, 2020). The failure of NSW police to properly investigate the disappearances and suspected murders of more than 80 gay men in the Bondi Beach area between 1970-1990, alongside evidence to suggest that off-duty police were



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likely involved in the assaults (Race, 2024), provides a useful case example of the ways homophobic police cultures manifest in both targeted violence as well as protection of those who perpetrating that violence.

The failure of the South Australian police to properly investigate the drowning of gay law lecturer George Duncan in 1972 brings similar parallels (Lang & Maher, 2024). Though never proven, suspicions were quickly raised about police involvement in the incident. There were anecdotes at the time of police practices of targeting gay men and throwing them into the Torrens River – a practice known pejoratively as ‘teaching the p***ters to swim’. When the original police investigation did not produce sufficient evidence to make any findings, Scotland Yard sent detectives over to complete an independent investigation, yet this investigation also failed to result in any charges being laid. When the case was re-investigated in 1986 however, three former police officers ended up being charged, although all were ultimately acquitted of Dr Duncan’s manslaughter (Lang & Maher, 2024).

Victoria Police have a similarly horrific history of homophobic violence against the LGBTIQ+ community, with the entrapment, intimidation and arrest of gay men at Black Rock beach in the 1970s, and the false imprisonment and brutal strip searching of the over 400 attendees – mostly gay men – at the Tasty Nightclub in 1994, being two of the most well-documented examples (Russell, 2020). It was resistance to homophobic policing and state repression in Victoria that led to Melbourne’s first annual Pride Parade in 1996. And it is a key reason the inclusion, since 2002, of a uniformed Victoria Police contingent in the parade, has always been controversial (Russell, 2020). Queer and trans activists have been long campaigning for the removal of Victoria

Police from Pride, drawing attention not only to their historical violence but also the ongoing abuse and discrimination they continue to inflict on queers, particularly trans people and other more marginalised queers who do not conform to assimilationist white, capitalist and ‘homonormative’ models of gay and lesbian subjectivity (Russell, 2020). The brutal assault by Victoria Police of queer - and mostly trans – people who disrupted their uniformed contingent at the 2024 Pride march – with footage showing armed police aggressively shoving the people protesting, throwing one person to the ground and putting another in a chokehold (Lorrigan, 2024; Bliszczyk, 2024) – evidences the persistence of transphobic and queerphobic violence by Victoria Police, and the disjuncture between performative allyship and genuine cultural change.

SEX WORKER DISCRIMINATION AND TARGETING

Gender and sexuality related police discrimination against sex workers in Australia is also well documented, with sex workers regularly experiencing police surveillance, harassment, entrapment and violence, as well as a lack of police support when in danger or when experiencing violence from clients or in the community (Stardust et al., 2021). Sex workers who are queer, trans, poor, or not white, unsurprisingly report experiencing the most police harassment and the least police support (Stardust et al. 2021). This ongoing targeting of sex workers can be understood as reflective not only of legacies of criminalisation and moralisation, but also deeply embedded police institutional cultures that seek to uphold patriarchal and colonial-capitalist forms of power regarding who has the right to whose bodies, and who has the power to exploit or be exploited (Stardust et al., 2021).

PREDATORY BEHAVIOUR, SEXUAL AND FAMILY VIOLENCE BY POLICE

These disturbing insights into the institutionally patriarchal and queerphobic culture of policing, and how this culture manifests in both workplace and community violence by individual police, is further elucidated in recent findings by the Independent Broad-based Anti-Corruption Commission (IBAC) in their 2023 thematic review of predatory behaviour by Victoria Police (IBAC, 2023). This review examined 27 Victoria Police investigations of reports of sexually predatory behaviour by police officers from 2018 to 2022 and found that “evidence of predatory behaviour within Victoria Police persists and that many cases went unreported” (IBAC, 2023). Alarming, the review found instances where this violence was carried out by officers in specialist roles, noting that, “concerningly, four subject officers in the cases reviewed were from units undertaking sensitive work involving close contact with very vulnerable members of the public, including children in the care of the state” (IBAC, 2023). The review further found that more than half of all cases examined by IBAC involved a pattern of behaviour by the predatory officers against more than one person; and that of the cases examined, over half “indicated some level of tolerance of inappropriate behaviour and/or inaction by supervisors and managers in response to allegations” (IBAC, 2023).

Over the last three decades, evidence of disproportionately high rates of family violence perpetrated by police officers and other personnel has emerged, with a range of international studies suggesting that police officers commit family violence at higher rates than the general population (Anderson, Farmer & Tyson, 2024; Roslin, 2016). While there is no comprehensive or comparative data regarding police-perpetrated family violence in Victoria or nationally, evidence that has been obtained

– largely as a result of Freedom of Information (FOI) requests by survivors, journalists and community groups – shows a troubling trend of violence by police officers against family members, marked by systemic failures in reporting, accountability, and consequences. For example, in 2020 there were 84 serving QPS officers named as alleged respondents to a domestic violence protection order (Smee, 2020), while data obtained by ABC journalists under FOI laws reveals that, in 2019, 82 Victoria Police officers were charged with family violence offences (Gleeson, 2020a; Marozzi 2020).

Data recently obtained from Victoria Police by Victorian news media, reported in January of this year revealed that 683 police officers and employees were investigated by the Sexual Offences and Family Violence Unit (SOFVU) for sexual violence and family violence offences in the period from January 2019 to June 2024 (AAP, 2025). This equates to more than 3% of Victoria Police officers and employees facing investigation for use of family and/or sexual violence while both on and off-duty. 269 were investigated for incidents related to predatory behaviour or sexual harassment, 185 of the investigations related to sexual offences, including rape, sexual assault and violence against children, and 90 of the investigations related to family violence (Price, 2025).

Currently, no police force in Australia publicly reports comprehensive data on officers who perpetrate family violence and how their cases are handled. Available data reveals substantial disparities between the treatment of police officers and the general public regarding accusations of family violence, and the consequences for those who are found to be perpetrators. Data obtained under FOI by ABC journalist Hayley Gleeson, for example, shows that between 2015 and 2019 in Victoria only 82 officers were charged with family violence



offences, only one was found guilty, and none had a conviction recorded (Gleeson, 2020b). This contrasts sharply with community figures where in a comparative period, 84% of family violence defendants going through Victoria's criminal courts were found guilty (Gleeson, 2020b).

Similar patterns are observed across Australia. For example, in NSW, police officers accused of family violence are charged at a much lower rate compared to the general population, and those who face charges are significantly less likely to be convicted (Gleeson, 2020b). A 2023 Law Enforcement Conduct Commission (LECC) Review of NSW Police complaint investigations found that NSW Police charged just 17 out of the 60 officers (28%) who were investigated for family violence (LECC, 2023). They also found that NSW Police had already previously investigated 11 of these 60 officers, and that some officers had previously been investigated more than once. In 77% of cases, officers from the same command had investigated the officers accused of family violence, and in most cases no information was given about the removal of either their service or personal firearms.

These low rates of charges and convictions for police officers who abuse indicates a persistent culture of impunity, and a lack of accountability that contributes to the ongoing risk faced by victim-survivors. The extensive evidence of colonial, racist, patriarchal and homophobic institutional police cultures documented above combined with these patterns and incidences of gender-based violence by officers and poor institutional responses to this violence, are deeply alarming. It produces a fundamental dissonance in any attempts to locate policing as an uncomplicated or safe response to, or intervention into family violence. Police are both directly perpetrating family violence and culturally replicating the same hierarchical

dominator cultures (Armatta, 2018) and deeply entrenched, racialised, patriarchal and ableist social norms, that have been shown to be the key drivers of family violence (see for example: Australian Government, 2022). Little wonder then that there is a growing body of evidence detailing extensive problems with – and harms emerging from – the centring of police in family violence responses.

FAMILY VIOLENCE POLICING

FAMILY VIOLENCE POLICING IN AUSTRALIA

While the formal criminalisation of family violence across different jurisdictions throughout Australia in the 1980s has undoubtedly resulted in more widespread awareness of its ubiquitousness and seriousness, there is no compelling evidence that the corresponding reliance on police forces as the central agencies responsible for addressing the issue has led to clear or consistent improvements in safety or justice for victim-survivors. At the same time, various state-based reviews and inquiries, along with academic research, investigative journalism and community advocacy work, have contributed a growing body of evidence detailing widespread and persistent problems with the policing of family violence, including evidence of policing practices which have significant negative implications for victim-survivor safety and justice.

The evidence of family violence policing problems catalogues a litany of failures by police. These include, but are not limited to: emergency response delays and failures (Shircore et al., 2017); inadequate investigations and risk assessments (Shircore et al., 2017; NSW Ombudsman, 2006); poor understandings of

family violence (LECC, 2023); failures to comply with the requirements of the NSW Police Standard Operating Procedures for Domestic and Family Violence (LECC, 2023; Cripps, 2023); poor record keeping (LECC, 2023); narrow incident-specific responses that ignore contexts and histories of violence and fail to recognise and respond adequately to coercive control (Nancarrow et al., 2020); applications of intervention orders against the wishes and interests of victim-survivors (Maturi, 2023); failures to apply for or enforce intervention orders on the wishes of victim-survivors (Shircore et al., 2017; Reeves, 2022; Cripps, 2023); a lack of trauma informed care (Reeves, 2022; Cripps, 2023); inadequate support and follow-up (NSW Ombudsman, 2006); failures to refer victim-survivors to other services (Shircore et al., 2017); discriminatory behaviours including racism (Human Rights and Equal Opportunity Commission, 1991; Richards, 2022; Gorrie, 2022; Gorrie, 2024) and misogyny (Richards, 2022); reliance on stereotypical assumptions about victim behaviour (Nancarrow et al., 2020); the deployment by police first responders of outstanding warrants or new unrelated charges against victim-survivors (as happened for example in the case of Ms Dhu, who died in custody following her arrest in Western Australia for an outstanding fine, after having been assaulted by her male partner; see Blagg & Anthony, 2019; see also Cripps, 2023); the misidentification of victim-survivors as perpetrators (Women’s Legal Service Victoria, 2018a; Cripps, 2023); failures to avoid being mobilised in systems abuse (Reeves, 2020); violent and traumatising arrests of misidentified victim-survivors (Reeves, 2021); police actions that result in the potential or actual separation of victim-survivors from children (Douglas, 2019; Reeves, 2021; Cripps, 2023); failures to protect children (LECC, 2023); poor understandings of adolescent family violence (Fitz-Gibbon et al., 2021); failures to adequately investigate

or sanction police accused of perpetrating family violence (as described in detail in the previous subsection; see also: Pausina 2024; LECC 2023; Markovska, 2024); falsification of records relating to police-perpetrated family violence (LECC, 2023); examples of dangerous breaches of victim-survivor confidentiality (Smee, 2019); poor response to complaints about police family violence responses (LECC, 2023); and victim-survivor reluctance to seek family violence support due to fear of problematic police practices and responses (Fiolet et. al., 2021; Safe + Equal, 2025).

All of these problems have negative safety and wellbeing implications for people experiencing violence, and many have been directly associated with victim fatalities (Cripps, 2023). Given research has shown that survivor agency is crucial to successful risk management, safety planning and recovery from family violence, and that survivor-led practices produce better outcomes (Goodman & Epstein, 2008; Salter, Western and Woodlock, 2023), it is especially concerning how many of these problematic police responses work to further traumatise and disempower victim-survivors. It is also concerning how many involve the direct criminalisation of victim-survivors. Given that 90% of women in prisons in Australia are survivors of family violence (Gleeson & Baird, 2018) it is surprising that, to date, there has been little serious academic engagement with the police-to-prison pipeline that is putting survivors of family violence there (Lawrie, 2003; Wilson et al., 2017).

A range of state-based inquiries have, however, shown just how disempowering and criminalising the policing of family violence can be for victim-survivors, with examples that point to the fundamental incompatibility of policing with the upholding of survivor agency. For example, a 2022 inquiry into Queensland Police responses to family violence found evidence

of police: holding negative and distrustful attitudes toward women; believing myths about family violence; holding dismissive attitudes toward women who do not fit an ‘ideal victim’ stereotype; discriminating against First Nations, LGBTQI+, culturally and linguistically diverse and disabled people; providing inadequate and dismissive responses; misidentifying victim-survivors as perpetrators; accessing police records inappropriately; and providing insufficient disciplinary and complaint mechanisms, especially with regards to officers who are themselves accused of family violence (Richards, 2022). The report noted that “not all victim-survivors have a negative experience of police responses to domestic and family violence but, for those that do, the impact can be significant. Negative experiences can leave victim-survivors and children unprotected and unlikely to seek police assistance again in the future, and leave people who use violence emboldened. The difficulty is that many do experience a negative response from police and that, overall, police responses continue to be inconsistent and, at times, inadequate” (Richards, 2022, p.14).

In their joint submission to that inquiry, Sisters Inside and the Institute for Collaborative Race Research (ICRR) write: “Aboriginal and Torres Strait Islander victims experience the QPS not as protector but perpetrator. The QPS routinely racially stereotypes these women as criminal and dysfunctional. Rather than being protected from existing violence, they are subjected to new forms of racial violence at the hands of the state – via police assault, charges, stereotyping, disregard, incarceration, and child removal” (Sisters Inside & ICRR, 2022, p7). They note that “It is not that police ‘misidentify’ victims or do not know where to look for signs of DFV (domestic and family violence) [instead it is that] the dehumanising racial stereotypes that police hold outweigh the physical reality of DFV harm they witness” (p.12).

The submission emphasises that this racism “is not the result of an unfortunate police culture or the individual ignorance of officers” but is “fundamental”: “not a bug”, but “a feature” of policing (p10).

A subsequent 2024 research study drawing on interviews with frontline Queensland family violence workers who support refugees, provided many similar examples of police interventions that added to the violence and harms being experienced by victim-survivors (Maturi, 2024). This included police taking out protection orders (DVPs) against the wishes of victim-survivors and without explaining to either party what the orders meant in practical terms, leading to little change in behaviours especially where emotional abuse or coercive behaviours were concerned, and sometimes resulting in victim-survivors experiencing increased violence from extended family and community (p. 331). Workers in the study also gave examples of police being “unable to discern who was the victim and who was the perpetrator” where “women’s presentation on arrival might be perceived as emotional or heightened while the man was quite passive and calm”. Police were described as “not using interpreters”, or “‘buddying up’ to the man”, and taking out protection orders “against women victims or both parties if there were also injuries on the man” (p.332). The authors noted that “the masculinity that underlies legal institutions continues to support perceptions of women as emotional, irrational, hysterical and crazy” and that perpetrators use these systemic biases to perpetrate further abuse and control, including in relation to using those protection orders to weaponise the threat of children being removed from the victim-survivor’s custody (p.333).

FAMILY VIOLENCE POLICING IN VICTORIA

Although no equivalent review of family violence policing in Victoria has yet been conducted, evidence of many of the same problematic policing practices has emerged from the findings of narrower investigations into specific family violence practices, or from studies or policing practices more broadly. For example, the Independent Broad-based Anti-Corruption Commission 2023 review of predatory behaviour by Victoria Police documented examples of predatory behaviour by Victoria Police officers towards women who were victim-survivors of family violence, including those who had sought police assistance and then been targeted (IBAC, 2023).

A range of other studies have focussed on the problem of Victoria police misidentifying or wrongfully identifying victim-survivors as perpetrators. For example, a 2018 review by the Women’s Legal Service Victoria of duty lawyer client intake forms found that of the 312 women assisted in relation to intervention orders from Jan to May, 55 (17.6%) were identified as the aggressor and at least 32 (58%) of those had been misidentified (Women’s Legal Service Victoria, 2018a). They found that that misidentification was more common for their clients from non-English speaking backgrounds, as well as those with mental illness and those experiencing or at risk of homelessness (Women’s Legal Service Victoria, 2018a). Their report showed that the key drivers of misidentification for their clients was: police taking an “incident specific focus”; police seeing resistive violence as mutual and equal to the family violence used by the perpetrator, and ignoring the broader family violence context; police failing to interview both people separately; and police allowing aggressors to “game” the system, including where they are believed because they called police first, or because they portray the victim-survivor as “hysterical”, aggressive or unwell (Women’s Legal

Service Victoria, 2018b). They documented a raft of adverse consequences when women are misidentified, including potential criminalisation and criminal charges, separation from children and trauma to children, impacts on reputation, employment and housing, reduced access to crisis accommodation, risks to immigration status, economic costs including denial of VOCAT claims, increased risk of further violence, and loss of trust in police and justice systems.

A 2021 report by Victoria’s Family Violence Reform Implementation Monitor (FVRIM), also identified Victoria Police practices and processes as “contributing to the misidentification” of victim-survivors, with impacts including criminalisation, employment impacts, Child Protection involvement, homelessness and other cascading consequences (Family Violence Reform Implementation Monitor, 2021). This report detailed that ‘certain cohorts’ of people are being more pervasively and incorrectly labelled as the perpetrator of violence, and that these include, “Aboriginal women, migrant and refugee women, women with disabilities, criminalised women and LGBTIQ+ people.” The review went on to recount evidence from the InTouch Multicultural Centre Against Family Violence showing that half of the people they supported in a group of people who had been labelled ‘perpetrators’ had been misidentified, with others in the group reporting being disbelieved or treated as though they were “manipulative or lying”. This is in line with earlier research by InTouch that found immigrant women victim-survivors of family violence were regularly being incorrectly identified by police as perpetrators of the abuse (InTouch, 2022).

Evidence given to the FVRIM review by Djirra, a specialist Aboriginal family violence service in Victoria, estimated that where women they supported were listed as the respondent (person using violence) on Intervention Orders,

there had been “misidentification or some degree of unfairness in the response 90 per cent of the time” (Family Violence Reform Implementation Monitor, 2021). This evidence is echoed by Crime Statistics Agency data examined by the FVRIM, which showed that that almost 80 per cent of Aboriginal women who were identified by police as the respondent (person using violence) in family violence incidents had been recorded as a person experiencing violence in the past five years.

Such disturbing data about the rates at which police are incorrectly and wrongfully identifying Aboriginal and migrant women experiencing violence as perpetrators spotlights the bias and racialised practices that are driving, and in turn revealed by, such high rates of ‘misidentification’ by police. As noted in the FVRIM report, there is “no single source of data” that speaks to the prevalence of ‘misidentification’ (Family Violence Reform Implementation Monitor, 2021). This includes the absence of widely available data from Victoria Police on rates of misidentification and the racial and demographic data accompanying this. While police data is not freely available, the information from practice gathered by family violence services clearly highlights which cohorts of people experiencing violence are more likely to be identified by police as perpetrators – including the racialised nature of who is being targeted and misdescribed as perpetrator rather than victim – as well as how they are likely to be treated.

Given the high rates of predatory behaviour by police described earlier, including police-perpetrated family and gender-based violence, one of the more disturbing gaps in literature is that regarding the unique ways this predatory violence manifests for victim-survivors, the ways it shapes specific experiences of family violence-related support, and the ways it impacts on the policing of family violence more broadly.

Violence by police officers against intimate partners and family members is significantly under-researched and attempts to gather a picture of the scale of the harm are marred by challenges in obtaining accurate data from police departments. Although there has not yet been a broad, independent and comprehensive community inquiry into these issues in Victoria or nationally, there is growing evidence that police who perpetrate family violence use specific and high-risk tactics including things like the misuse of police intelligence databases, surveillance systems and weapons by officers in the course of perpetrating gender-based, sexual or domestic and family violence (Fitz-Gibbon et al., 2025a). There is also growing evidence that police perpetrators tend to be protected by their colleagues and that people experiencing family violence by police face huge obstacles to finding safety and support (Fitz-Gibbon et al., 2025b). As such, and in combination with the risks and barriers for victim-survivors in reporting, it is likely that any available data significantly underestimates the scale of harm occurring.

THE LIMITS OF REFORM

So often, both in Australia and internationally, any public exposure of different forms of violent, discriminatory or otherwise harmful policing is met with calls for internal police reforms and mechanisms aimed at improving practices or accountability processes (See for example: Kabe 2014). This includes calls for new policies, for increased investment in community policing, for diversity recruitment initiatives, for technological innovations such as body-worn cameras, and - most commonly of all – for increased training for police, whether it be organisational ‘cultural awareness’ training or ‘anti-bias training’ for individual officers (Cunneen, 2023). In practice,



many of these reforms simply end up channelling further funding to police departments (Kabe 2014), while doing little to address the inherent, systemic and cultural issues that actually drive the harms of policing (Lally, 2022), or the entrenched militarisation and accountability problems of policing as an institution (Banerjee et al., 2024). In other words, they fail to engage with the way that current and foundational models of policing intrinsically embody, reproduce, extend and reinforce systemic discrimination (Lally, 2022).

Pressure to focus on limited reforms is exacerbated by police responses in public coverage that frequently seek to minimise or to characterise harms as either individual incidents, one-offs or rarities of practice, or the result of a “very small few” “bad apples” (Victoria Police Chief Commissioner Shane Patton, cited in Juanola, 2023). This shifts the focus away from inherent, systemic and institutional issues. Similarly, framing police ‘misidentification’ as simply a mistake of police practice within the complexity of family violence call-outs (Family Violence Reform Implementation Monitor, 2021), including in police responses to public scrutiny of the impacts, functions to obscure the systemic biases and other drivers of this practice (Family Violence Reform Implementation Monitor, 2021). In this way, including in police responses to public scrutiny of the impacts, misidentification is then not characterised as a deeply concerning and harmful practice outcome of harmful police culture and targeted discriminatory treatment of certain people experiencing violence, where drivers of misidentification are made very clear in the demographics of who is being misidentified by police at alarming rates. Instead, it is mischaracterised as a mistake that will be remedied if either brought to police attention, or a practice error that can be simply addressed via additional training (Victoria Police, 2024).

Writing about the failures of reform to achieve meaningful change, and the lack of any empirical

evidence of significant improvement despite decades of reviews and recommendations, Chris Cunneen describes this as “a case of not learning from continual failure and instead doing more of the same over again” (Cunneen, 2023). Importantly, Cunneen also points to the way that such reformism in fact reinforces and reinvigorates the given centrality of policing as an institution, rather than challenging it. It is crucial then, that any examination of family violence policing practices grapples with embedded systemic issues and the institutional drivers of everyday practice issues, and engages with the importance of thinking beyond reform as the only imaginable response to the harms of policing.

SUMMARY

It is clear that there are already well documented significant problems and harms associated with the policing of family violence in Australia: problems which are deeply intertwined with the institutional and cultural problems identified with policing practices more broadly. There have been decades of police reforms in relation to family violence, including specialised training and education, recruitment and diversity policies, increased powers, and the funding of specialised units and liaison officers, but there is little to no evidence to suggest these problems are diminishing. Accordingly, many researchers, practitioners and people with lived experience are calling for an urgent reappraisal of family violence approaches that continue to centre police, and pointing to the urgent need to redirect funding and resources toward community-driven alternatives (see for example Maturi, 2023; Hobbins, 2024).

Despite this, the full impacts and harms of family violence policing in Victoria have not yet been the subject of detailed independent public evaluation, community inquiry or research study. Most of the evidence and the issues described above have emerged or been extracted from broader family violence reviews, inquiries and other forums that canvas practice-based evidence or research projects that focus on specific policing issues. As such, there is an urgent need for comprehensive and independent research into the thematic and systemic issues, failures or harms related to family violence policing in Victoria.

In addition, while most studies into family violence policing in Australia and Victoria focus on the perspectives of either police or victim-survivors, few engage with the perspectives and experiences of family violence workers. These practitioners generally operate at the frontline of the nexus between family violence and police responses, and are therefore in a unique position to be able to observe and reflect on the benefits or harms of policing. Inclusion of their experiences in Victoria has largely been confined to the parameters of specific government and agency consultations and submission processes. A great deal of important practice-based and frontline worker knowledge of family violence policing therefore exists solely as informally documented, anecdotal evidence held by victim-survivors, workers and services.

The practice-based evidence documented in this report provides the first detailed qualitative and quantitative mapping of Victorian family violence worker experiences and perceptions of family violence policing.

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2. Research methods

PROJECT CONTEXT AND AIMS

This research has been designed and undertaken by The Beyond Survival Project, in collaboration with RMIT University.

The Beyond Survival Project is a statewide partnership between Flat Out Inc. and the Police Accountability Project (Inner Melbourne Community Legal) in Victoria and is guided by a working group including the Law and Advocacy Centre for Women and by the direction of survivor advisors.

The project works at the intersection of intimate partner violence (IPV)/domestic and family violence (DFV) and state-based gender violence, where the harms of interpersonal gendered violence are compounded and exacerbated by harms enacted via policing. It provides integrated socio-legal support and co-advocacy to people experiencing these intersecting forms of violence, and to intervene into and prevent the criminalisation of victim-survivors.

Through wraparound legal and specialist family violence support work provided directly to people experiencing violence, strategic litigation, and the survivor-led systemic advocacy and training undertaken in the project, Beyond Survival has identified and increasingly focused on core thematic and structural issues in family violence policing. These include:

- **biased and discriminatory policing, including racialised policing/racial profiling**
- **the wrongful identification of victim-survivors as perpetrators ('misidentification') and the cascading impacts of this**
- **the criminalisation of people experiencing violence**
- **police-perpetrated family violence and the police collusion and impunity surrounding it.**

As a small community-based and statewide project, levels of need and demand for assistance to victim-survivors harmed in the course of family violence policing regularly outstrips capacity. As such, Beyond Survival uses a triaged intake criteria and frequently maintains a waitlist for assistance. This in turn provides a window into the scale of the harm.

Establishing a consolidated evidence base of issues and harms in family violence policing has however been an ongoing challenge. Alongside the understandable practical challenges of collating and sharing confidential data between often overstretched services and agencies, the project team has experienced obstruction and other difficulties when seeking to obtaining data directly from police or via Freedom of Information requests and other access processes. The practitioner survey was therefore established to gather practice-based evidence and practitioner observations of family violence policing in Victoria, to drive and guide systemic advocacy and identify priority legal and support needs.

SURVEY DESIGN AND DATA COLLECTION

Based on the key issues and harms noted from the socio-legal support work undertaken by Beyond Survival, the evidence shared by workers in project trainings and forums, and the identified gaps in comprehensive statewide data, the project identified gathering and collating evidence from family violence workers as a strategic and practice priority.

In collaboration with survivor advocates and advisors, and under the guidance of academics with expertise in researching gender-based violence and policing, the project team developed a series of questions designed to gather information including broader anecdotal and free text responses; as well as both qualitative and quantitative responses to prompts on key issues.

The survey was designed to firstly use open questions to see which issues were more salient for participants, and to avoid unduly prompting or influencing feedback. These were then followed by more specific prompted questions about thematic and structural issues already identified in practice, training and survivor-led advocacy.

Once the survey was finalised with the input above it was initially sent via direct link with email invitation to a smaller group of family violence workers in 2020 as a test run to determine its useability, clarity, feedback response rate, and the time taken for participants to complete the survey. Following the success of this trial, which showed that both response types and completion rates were good, the team proceeded to wider distribution. The project team then worked with volunteers to gather a list of services and agencies focusing on statewide, regional and specialist family violence services,

as well as other community and support services with family violence programs or high levels of family violence support work provision, including housing and community legal services.

The project team then published the survey online (see Appendix for a text copy of the survey) and distributed the link to identified services and workers across Victoria in August 2021 via an ‘e-mailout’ which included an invitation to contribute and some background information about the project. Email recipients were encouraged to pass the invitation and survey link to other family violence workers in their organisation, as well as to other family violence organisation. The survey remained open until 15 September 2021.

The initial target for the survey to gather meaningful data for analysis was 150 responses, based on input from researchers and advisors, and a desktop review of relevant practitioner surveys. We received 291 responses in total (29 in round one and 262 in round two): 141 above our target.

Raw data from both the first and second round of data collection was sent to RMIT University’s Criminology and Justice Studies Department for cleaning, collating and analysis.

DATA CLEANING AND ANALYSIS

The data was checked for consent and uniqueness. Seven participants in the second round did not consent to their responses being used for analysis, so all data were removed for these seven participants. Two responses were found to be an exact replica of each other (presumably due to a technical glitch) and so one of those was removed. 58 participants were found to have only answered demographic questions (Q1-8), and none of the substantive survey

questions, so data for all those participants were also removed. It is unclear exactly why this occurred but, given what we know about many in the sector being pressed for time, it is likely that these participants reached the first substantive open text question and then decided they did not have time to complete the survey or compose and provide comments in detail.

This left 225 participants whose unique data sets could be used for substantive analysis. The data from both rounds were merged into one spreadsheet for analysis, and each research participant was given a unique response participant (rp) identifying number for the purposes of analysis and reporting. Summative data was then generated for each of the pre-set multiple-choice and scaled survey questions, giving a good sense of the spread of responses across participants for each question. Open-ended text responses were thematically coded using an emergent and iterative approach, adding new thematic categories as they emerged from the data, and re-coding earlier responses as themes were added. Quantitative analysis was conducted across the themes to ascertain the frequency of themes while qualitative analysis was conducted to get a stronger sense of how each theme was being experienced and articulated by participants. Illustrative quotes were drawn out of the qualitative data to help paint a picture of the issues described in the quantitative data, in participants’ own words.

Combined, the quantitative and qualitative data paints a strong and detailed picture of thematic and patterned issues and wide-ranging practitioner concerns with family violence policing practices across the family violence service sector in Victoria.

PARTICIPANT DEMOGRAPHICS: ROLES AND EXPERIENCE

The 225 participants whose survey contributions inform this study identified themselves as being from a range of family violence roles, including: family violence support workers (38%; 85 participants); lawyers assisting people who experience family violence (18%; 41); community-based support people for someone experiencing family violence (12%; 26); alcohol and other drug workers (8%; 18); child protection workers (5%; 12); mental health workers (2%; 5); victim support workers (3%; 7); specialist family violence advisors (2%; 5); housing workers (2%, 5); social and community workers (2%, 4); paralegal and court staff (2%; 4); family service workers (1%, 3); financial counsellors (1%; 3); allied health workers (1%, 3); family mediators (1%; 2); people working with people using violence (1%; 2); family violence advocates (1%; 2); sexual assault workers (1%; 2); and a youth worker (1); an outreach worker (1); an emergency department worker (1); an expert witness (1); a public servant (1); and a risk assessment worker (1).

The largest proportion of participants identified themselves as working in the North West Metro region (encompassing Melbourne’s CBD, north-west metro suburbs and north-west regional areas of Victoria) (57%; 128). The next largest proportion identified themselves as in the Western region (encompassing western regional areas) (31%; 70), followed by the Eastern region (encompassing eastern metro suburbs and eastern regional areas) (30%; 68) and the Southern Metro Region (from Port Phillip Council area to the Mornington Peninsula) (23%, 51), with many participants working across more than one of these regions. The more specific suburbs or local council areas participants gave for their

work were able to be categorised as spread fairly evenly across inner urban (42%; 95), outer urban (60%; 134) and regional (44%; 98) areas.

Half of the participants (50%; 112) noted that they work specifically with marginalised groups in their family violence role, including with: children and young people (9%; 20); parents of children and adolescents (8%; 19); people experiencing substance use issues (9%; 20); LGBTIQ+ people (8%; 19); criminalised women and gender diverse people (8%; 17); Aboriginal and Torres Strait Islander People (6%; 13); people experiencing homelessness and housing instability (5%; 11); culturally and linguistically diverse (CALD) communities (5%; 11); people with mental health issues (4%; 9); disabled people (3%; 7); refugees and new migrants (2%; 5); and pregnant and birthing people (1%; 3).

Most participants have been working in the family violence space and observing family violence policing for more than two years (83%; 187); with 47% (105) working in family violence for more than 5 years and only 7% (16) for less than a year.

In their practice-based observations of police responses to family violence, participants reported having observed and interacted with police from a wide range of different capacities and roles including: Officers from a local police station (79%; 178); Family Violence Liaison Officers (70%; 157); Officers from Sexual Offences and Child Abuse Investigation Teams (SOCIT) (56%; 125); Sergeants and Senior Sergeants (52%; 116); Police Prosecutors (46%; 104); Officers in charge of the local police station (31%; 69); Officers on the divisional van (18%; 40); Family Violence Command (14%; 32); Family Violence Detectives and Investigation Teams (5%, 11); Professional Standards Command (2%; 5); Family Violence training coordinators (1%, 3); Remand Liaison (1) and IBAC (1).

One out of every eight participants in this study identified themselves as someone who has also personally experienced family violence and police responses to that violence (12%, 27).

TERMINOLOGY AND REPORTING CONVENTIONS

This report incorporates input from many different practitioners with different approaches to language and terminology. In the report, we often use the term ‘victim-survivor’ to refer to people who are experiencing or have experienced family violence, as this reflects the wording most used by survey participants. We also use the term ‘person experiencing violence’, which was also commonly used by participants and which offers a way of ensuring people are not defined solely by experiences of family violence.

We note the importance of terms such as ‘people responding to violence’ that honour the ways people actively respond to violence (rather than being passive subjects) and work to resist, manage risk, build safety and move towards liberation, and the skills and lived expertise this entails (Hyden et al., 2016; Richardson & Fast, 2018). However, to avoid confusion for the reader between people who are the targets of the family or state violence, and workers and first responders, this phrasing is not used here in this report.

Where deemed appropriate, we also refer to ‘women experiencing violence,’ and ‘women’, to reflect the gender-based nature of family violence. In some instances, where participants have used the terms, ‘victim’ or ‘survivor’, we also use these to reflect the language and reflections provided by practitioners. Often, survey participants also used the term, ‘affected family member’ (or ‘AFM’), which is the official term

used by police on incident reports and safety notices to denote the person they deem to be experiencing and needing protection from family violence. Where participants use these terms, we tend to use square brackets to clarify their intended meaning in the context of their quote.

In this report we consciously do not use the language of ‘vulnerability’ to violence or harm and instead use the term ‘targeted.’ This is to avoid the trap of describing specific individuals and communities as inherently more susceptible to violence, when they are

instead more likely to experience violence by virtue of systemic discrimination, as well as the individual tactics and institutional responses that extend and compound this.

Survey participants often used the terms ‘perpetrator’, ‘perp’, ‘predominant aggressor’, ‘person using violence’ or the abbreviated ‘PUV’ in their responses to refer to the person they understood to be the main person using family violence. In the report, we have preferred the term ‘person using family violence’, as it draws attention to the specific nature of family violence



(as distinct from resistive or other forms of violence), and to distinguish between the person and violence they have used, in a way that enables the possibility of accountability and change, and involves fewer identity conclusions than would a binary perpetrator/victim lens. It also disrupts the implication that people experiencing, responding to and resisting family violence might be ‘secondary’ aggressors. For the purposes of brevity, however, the more binary language of victim-survivor and perpetrator is used in most headings. And in recognition of the dynamics of authority, impunity, state and institutional power, and carceral force, where we refer to police officers or staff using family violence, the term ‘perpetrator’ is applied.

At times survey participants also used the term ‘respondent’ (or ‘RESP’), the official term police use in incident reports and safety notices to denote the person they deem to be using violence. Where participants use these terms, we tend to use brackets to clarify their intended meaning in the context of their quote.

In the survey report, some participants use the term ‘IVO’ (intervention order) in place of ‘FVIO’ (Family Violence Intervention Order), to refer to the FVIOs issued by courts in Victoria. All of these have been edited to FVIO (including within participant quotes), for consistency and clarity, with a definition in brackets afterwards. The acronym FVSN (Family Violence Safety Notice) also appears in the report (with a bracketed definition), referring to temporary notices issued by Victoria Police to the person they deem to be the predominant aggressor, prohibiting the further use of family violence against the victim-survivor, and which also act as a police application for a FVIO. Participants in the survey report often interchangeably use the terms ‘L17s’, ‘incident reports’ and ‘risk assessments’ to refer to Victoria Police’s Family Violence Risk Assessment and Risk Management Reports, and we have kept

all versions of these terms, supported by bracketed definitions.

In the report, participants also sometimes used the term ‘DARVO’ which stands for ‘Deny, Attack, Reverse Victim and Offender.’ This refers to a common violence tactic whereby those using violence will present themselves as the victim and will seek to misrepresent the person they are targeting as the person using violence. We have kept the term DARVO as it appears in the report, with a definition in brackets each time. Where participants use other acronyms like ‘CP’ (to refer to the Victorian Child Protection Services) or ‘CALD’ (to refer to people from culturally and linguistically diverse communities), we have added the definition in brackets afterwards.

To protect the confidentiality of the survey participants, only their unique participant number has been listed in brackets after they are quoted (i.e. rp1). Quotes have sometimes been edited

for spelling or punctuation errors. Any other alterations to the quotes to aid readability, explain terms, or to reduce the identifiability of information, have been included within square brackets [like this] to show they have been added later by the researchers (while any rounded brackets like this in quotes were provided by participants). Similarly, [...] has been used to indicate anywhere sections of participants contributions have been removed to aid readability or flow, link related themes, or to protect anonymity. In all cases, we have taken great care to retain the meaning or intent of chosen quotes.

RESEARCH ETHICS

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This research has been approved by RMIT University’s Human Research Ethics Committee (HREC).





3. Research findings

Family violence sector workers in this study report significant and wide-ranging concerns with the ways they see Victoria Police responding to family violence across the state.

The overwhelming majority of responses show that police family violence interventions are not only often falling short, but also often causing significant harm to people experiencing violence. Responses show that in many cases police actions and interventions are making things worse, rather than better for victim-survivors, including by exacerbating risk and harm, and increasing stress and distress. Responses also show that this is particularly (although certainly not exclusively) the case for victim-survivors in targeted and marginalised communities.

Without any prompting, participants identified many significant and patterned problems with family violence policing. In response to the first substantive question in the survey, which asked participants to very broadly describe “the main issues and/or trends you observe with/in police responses to family violence,” the vast majority of participants (89%, 201) took the opportunity to document some sort of problem or concern, with most (74%, 167) documenting multiple problems. These included observations and descriptions of Victoria Police:

- **failing in their duty of care, and breaching the Victoria Police Code of Practice for the Investigation of Family Violence (Victoria Police, 2022)**
- **discriminating against women and marginalised groups, including Aboriginal**

and Torres Strait Islander people, other People of Colour, LGBTIQ+ people, disabled people, people with mental health issues, people with substance use issues, criminalised people, young people

- **ignoring the histories and contexts of violence and control**
- **extending the abuse of, and harm to, victim-survivors through criminalisation, collusion with the person using violence, or the enabling of further systems abuse violence via policing**
- **wrongfully identifying victim-survivors as perpetrators**
- **colluding with or failing to take actions regarding perpetrators who are police officers**
- **refusing to take on board feedback or be accountable.**

In later parts of the survey, which did feature more specific prompting, it became clear that each of these family violence policing issues are not isolated concerns, but are observed by, and impacting, a significant proportion of workers across the state.

These issues are discussed in detail in the subsections below, along with the ideas that family violence workers shared for improving outcomes for people experiencing violence.

While the survey findings are grouped by theme, there is necessarily some overlap between sections, reflecting the ways in which participants made comments across issues, or gave examples that detailed multiple problems or harms.

3.1 POLICE MINIMISING OR DOWNPLAYING THE VIOLENCE AND HARM DONE TO VICTIM-SURVIVORS AND INCREASING THE RISKS OF FURTHER HARM

This research documents a range of concerns about the ways that Victoria Police are failing to adequately respond to family violence and, in doing so, are increasing risks for victim-survivors, as well as children.

Many of the participants' concerns relate to police responses to family violence incident call-outs, with a sense that the police response did not seem at all adequate to the seriousness and complexity of the situation. For example, in response to the first substantive, open survey question about any observed 'policing issues or trends', workers spontaneously raised concerns about police: not taking family violence matters seriously enough (12%, 27); taking insufficient interest in investigating or following up on cases (11%, 24); taking too long to respond or arrive when called out to incidents (5%, 11); failing or refusing to take statements (2%, 5); and failing to follow the Victoria Police Code of Practice for the Investigation of Family Violence (the 'Code of Practice') (1%, 3).

Many concerns also relate to poor or inadequate police follow-up responses. For example, participants, unprompted, described observing police: failing to follow up on, or delaying in following up on, FVIO breaches (16%, 36); failing to impose FVIOs when needed (8%, 18); producing poorly written L17 risk assessment reports (5%, 11); issuing FVIOs without exploring other options (3%, 7); failing to include children on FVIOs, FVSNs and L17s (2%, 5); failing to do welfare checks when needed or in response to threats of harm (2%, 4); failing to keep records of interactions with victim-survivors (1); and losing evidence (1).

Later examples given by workers help to illustrate many of these concerns. As one participant later commented:

“Often there is absolutely no police response at all in instances of reporting family violence, police are generally dismissive of any safety or child protection concerns raised by support staff, and it is almost impossible to chase up matters as they often do not respond to emails or return call-back requests.” [rp13]

Another participant noted:

“In some instances, the police have not contacted the AFM [person experiencing violence] to get a statement about the family violence, and then seek to withdraw on the basis of not having enough evidence.” [rp138]

One worker said that they had observed police failing to adequately investigate matters by:

“rushing to the point of serving family violence safety notices [FVIOs], as opposed to calmly working through the problem... doing anything they can to cover themselves, by serving safety notices and applying for intervention orders, in the absence of proper investigation... they aren’t actually doing the work to prevent violence or refer parties to services... they just focus on doing the bureaucratic paperwork side of things to cover themselves... [and] once they decide who they think the aggressor is, they proceed on that basis without changing their stance as the matter progresses.” [rp34]

Others gave examples of police ignoring or downplaying FVIO breaches, and thereby placing people experiencing violence at increased risk:

“Police often refer to [FVIO] breaches as “technical breaches”... [or make] comments to victims when they are reporting breaches asking if they know the consequences or effect on the Respondent [person using violence] if they proceed with their breach, or [other] generally inappropriate comments re the subject matter of the breach... [resulting in a] lack of pursuit of charges against [the] perpetrator despite evidence that they have breached.” [rp135]

“A few years back a perpetrator breached an order over 100 times and he was never breached by the police and continued to intimidate the family for months. The family was on edge and no safety plan could be developed to give this family some peace.” [rp96]

Many workers, in response to the first unprompted survey question, shared concerns regarding police responses showing a routine lack of care and respect for people experiencing violence. These included observations of police: engaging in victim-blaming and shaming (12%, 28); not communicating effectively with people experiencing violence including in matters directly affecting safety (13%, 30); invalidating the experiences of victim-survivors (12%, 26); responding in ways that are not trauma-informed (7%, 16); failing to adequately consider and protect the needs of children and young people (7%, 16); ignoring victim-survivors' wishes (6%, 14); failing to support victim-survivors with important processes, including those affecting safety (5%, 11); harassing, intimidating or being rude to people experiencing violence (4%, 10); failing to refer people experiencing violence to support services (3%, 7); being unwilling to offer any support when victim-survivors want ongoing contact with the person using violence (1%, 2); giving victim-survivors false or inaccurate promises (1%, 2); and failing to seek out or listen to the perspectives of children (1%, 2).

“Often there is absolutely no police response at all in instances of reporting family violence, police are generally dismissive of any safety or child protection concerns raised by support staff, and it is almost impossible to chase up matters as they often do not respond to emails or return call-back requests.” [rp13]

“[I] have had clients report the perpetrator to police, then [be] told conflicting things from different police officers at the same station. They were left feeling really confused, unsafe/unprotected and unsure about the next steps.” [rp201]

This lack of respect for the experiences and perspectives of people experiencing violence, and a lack of trauma informed care, were highlighted by a participant who described an incident where:

“police commented ‘why even bother’ when the frightened victim-survivor [who had just been hospitalised from the violence they experienced] was hesitant to provide the perpetrator’s details.” [rp18]

Another worker highlighted the relationships between a lack of trauma informed care, the exacerbation of victim-survivor distress, and police victim-blaming and dismissing people experiencing violence for being ‘too emotional’:

“I find that when clients are very emotionally distressed due to a family violence incident, some officers can respond to this in a way that further distresses the client. Or they describe the client as too emotional and therefore may not believe them, or blames them.” [rp173]

Another detailed a case where police displayed very poor consideration for the wellbeing of a child impacted by family violence, explaining they had seen:

“an example of police attending an address where the AFM [person experiencing violence] didn’t speak English. Police used the 11 year-old child to interpret, traumatising the child in the process.” [rp34]

Workers also described cases of police giving victim-survivors misleading, confusing and unhelpful advice:

“There are... clients who have related disturbing and worrying interactions at a station level with police. These range from individual police or multiple officers in a station giving incorrect, misleading, and unprotective advice in regards to ways clients can respond to family violence. Of particular concern are the times clients have been told that there is nothing police can do, or nothing they themselves can do to protect themselves or their children from violence.” [rp189].

“[I] have had clients report the perpetrator to police, then [be] told conflicting things from different police officers at the same station. They were left feeling

really confused, unsafe/unprotected and unsure about the next steps.” [rp201]

Other participants gave examples of police engaging in victim-blaming, noting that:

“sometimes police reports will use victim-blaming language” [rp132] or use: “language that implies blame on the AFM [person experiencing violence] ... describing the AFM as ‘hysterical’ and the RESP [person using violence] as calm.” [rp56]

One worker described police as:

“failing to understand the victim-survivor and respect that they are the experts of their own experience; to listen and support safely.” [rp188]

Another gave an example of police dismissing a victim-survivor as unreliable by pathologising her as mentally unwell, and not only failing taking her reports of violence seriously, but also failing to provide her with adequate medical care:

“[A] client attended [the] police station after an assault, bleeding and upset. She had also been drugged by the perp [perpetrator]. Officer told her she was mentally unwell but would arrange an ambulance for her... [but] called a taxi to take her to hospital instead.” [rp120]

Another participant showed how a lack of respect for people experiencing violence can also result in a reluctance to report FVIO breaches:

“Some police view a failed attempt to report a breach (i.e. behaviour which isn’t able to be charged) as a reason to doubt [the] victim’s general veracity, whereas best practice advises that victims SHOULD report believed breaches and it is up to police to determine whether sufficient evidence to charge. This discourages

breach reporting, risks adverse outcomes at contest, and makes victims reluctant to engage with police in the future.” [rp121]

A failure to respect and take seriously the experiences and wishes of victim-survivors, combined with inadequate consideration of the contexts and patterns of violence, can also result in inadequate safety supports being put in place, as one worker illustrates here:

“Victim-survivor was asking for a full exclusionary FVIO, was fearful for their and their children’s life/safety/wellbeing, fully believing they would be killed. However, only a limited FVIO was applied [by Police], advising [that] previous FVIOs have expired already and previous significant family violence [events] were not important in this decision, also that this recent incident did not warrant a full FVIO.” [rp3]

Concerns like this, regarding police responses not displaying an adequate consideration of the history, context and nature of family violence, were also raised by many participants unprompted in response to the early survey question about issues and trends. Workers noted, for example, that they had observed police: displaying a poor understanding of the dynamics of family violence (13%, 30); dismissing or ignoring non-physical or coercive forms of family violence (8%, 18); failing to take into account the histories and contexts of violence (4%, 8); failing to do adequate risk assessments (3%, 7); demonstrating a lack of understanding of the complexities of family violence between young people and parents/carers (3%, 6); failing to recognise DARVO (Deny, Attack and Reverse Victim and Offender) tactics (2%, 5); jumping to conclusions too fast (2%, 5); being unwilling to change approach as new information is provided (2%, 5); failing to properly record both sides of conflicts (including not separating

people when collecting information) (1%, 3); and inflaming or escalating conflicts (1%, 2).

Participants gave many examples of police responses that demonstrate a lack of understanding of dynamics of family violence. Several spoke of the way that police who attend call-outs often seem to only focus on the incident in isolation, rather than seeing it in a wider context and possible history of violence and control and, in so doing, treat victim-survivor resistive violence as equivalent to or worse than the perpetrator's violence:

“Often [Police take] an incident-based event focus rather than considering the ongoing coercive control pattern... Where a victim-survivor has also used violence (either as an act of resistance or other forms of force or violence), there may be a mutualisation of the violence [by police] ... a ‘they are as bad as each other’ type response, that often overlooks the AFM [as the person experiencing violence].” [rp32]

The mutualisation of violence by police described here has clear implications for the level of support police will offer to people experiencing violence, as well as the extent to which they might hold people using violence accountable. These concerns were echoed by another worker, who raised the issue of police using passive and neutralising language in their risk assessment reports:

“[Police use] mutualising language which fails to hold the Respondent [person using violence] accountable, e.g. ‘history of family violence’ and ‘verbal conflict’, rather than [more active language like] ‘RESP [person using violence] has perpetrated family violence against AFM [person experiencing violence] for many years, including verbal abuse’.” [rp44]

Another spoke of witnessing police engaging with people using family violence in a way that downplays their accountability for the violence, and fails to hold them accountable:

“[I have seen] male police officers engaging with male perpetrators in a “blokey/mate” manner and not providing clear directions and consequences.” [rp134]

Other participants also drew attention to the problem of police treating resistive violence as family violence, noting cases where cross-FVIOs are being served by police against both the person using violence and the person experiencing violence, rather than police doing the work to investigate whether – as is usually the case – a person using violence has been maintaining patterns of violence and control over a longer period of time, while the person experiencing violence has been primarily using violence in self-defence or retaliation. It seems clear that, as these participants suggest, police are often not seeing beyond surface-level presentations and displaying the nuanced thinking about family violence that is needed:

“[The] perpetrator was very litigious and very well spoken. They presented themselves extremely well to services such as Police. They constantly breached the full FVIO. The victim-survivor would retaliate in response to those breaches due to fear and anger, and so there would be cross FVIOs... this was a situation that required more nuanced thinking about who is actually the one controlling the situation (the perpetrator who presented themselves very well).” [rp3]

“Police often do not look at the perpetrator’s history and pattern of violence and will believe them [the perpetrator] because they come across as clear and controlled compared to the victim-survivor who is terrified and may be acting erratically” [rp6]

“Police often do not look at the perpetrator’s history and pattern of violence and will believe them [the perpetrator] because they come across as clear and controlled compared to the victim-survivor who is terrified and may be acting erratically.” [rp6]

It is clear too that these failures are not limited to duty officers but include even those police most trained and educated in family violence. Another participant noted, for example, that there are:

FVIU [Family Violence Investigation Unit] members lacking understanding of family violence cycles, [and, for example] showing [negative] bias towards AFMs [people experiencing violence] when they have contact with a perpetrator.” [rp129]

Overall, many participants pointed to police responding in ways that imply:

“a lack of understanding in regards to gaslighting, coercive controlling behaviour.” [rp220]

Participants also noted that communication and collaboration failures by police are negatively impacting the appropriateness of family violence responses. As one participant noted:

“some police don’t want to hear from support workers who are on the scene and aware of a pattern of violence.” [rp18]

Inadequate and ineffective communication and collaboration by police, both with family violence workers and with other police, is a significant concern to participants, raised by many in the initial open survey question about issues and trends. Police are observed: not providing updates and documents in a timely and user-friendly way (8%, 23); having poor internal consistency and information sharing between

stations and units (8%, 22); failing to communicate and cooperate with Child Protection teams (2%, 4); and failing to take advice from, or collaborate with, services and workers (1%, 3).

Participants note that a lack of timely communication with people experiencing violence regarding matters that affect safety can impact negatively on both safety and stress:

“[There have been] delays in [police] speaking to and/or serving FVIOs on Respondents and failing to notify victim-survivors when this occurs, which has negative impacts on their capacity to safety plan.” [rp44]

“[Police] providing the victim with updates on such things as charges, criminal justice stage and obtaining Victim Impact [statement]s are often not regular... for victims it is their case and... it is directly impacting on their life... and the information can decrease the stress.” [rp279]

Importantly, poor and inadequate police responses, and the minimisation and downplaying of family violence by police, are not isolated occurrences, as the responses participants gave to later, prompted survey questions about policing issues demonstrate.

For example, more than two-thirds (69%, 156) of participants had witnessed “duty failures or substandard response from police”. Many also agreed that they had seen a “lack of communication [by police] with survivors on matters critical to their safety” (69%; 156); a “lack of

collaboration between police and other agencies around safety concerns” (62%, 139); a “failure to follow Victoria Police Policy Manuals and Code of Practice rules and guidelines (e.g. failure to investigate, failure to enforce breaches of intervention orders, failure to separate the parties for interviews)” (57%; 128); a “failure to serve intervention orders in a timely manner” (49%, 110); a “failure to ensure medical attention is provided where needed” (16%, 37); and “police acting outside of their powers under the Family Violence Protection Act” (14%, 31).

When given a list of six key requirements that police must follow under the Victoria Police Code of Practice for Investigation of Family Violence, and asked to indicate whether in their experience and observations police “Always”, “Mostly”, “Sometimes”, “Rarely” or “Never” follow those requirements, the majority of participants who responded selected “Sometimes”, “Rarely” or “Never” for nearly all of the requirements listed.

When asked if police “have adequately considered the particular ‘interests and vulnerabilities’ of persons involved including children, those with disabilities, and cultural or community needs where necessary?”, a large majority (71%, 153) of respondents chose either “Sometimes” (47%, 102), “Rarely” (20%, 43) or “Never” (4%, 8). Just 1% (3) of respondents to this question selected “Always”, and less than one third (29%, 63) selected “Mostly.”

Similarly, when asked if police “have appropriately and adequately conducted initial investigations, including gathering background information and physical evidence”, more than three quarters of participants (78%, 155) chose either “Sometimes” (50%, 109), “Rarely” (19%, 40) or “Never” (3%, 6); while only 3% (6) selected “Always” and only one quarter (25%, 55) selected “Mostly.”

When asked if police “have appropriately determined the likelihood of future family violence occurring and act appropriately in accordance with such findings?”, three quarters of participants (75%, 164) said either “Sometimes” (49%, 107), “Rarely” (23%, 50) or “Never” (3%, 7). Only one person selected “Always”, and less than one quarter (24%, 53) selected “Mostly.”

When asked if police “have appropriately pursued a criminal, civil and/or referral option for risk management?”, more than two thirds of participants (68%, 147) answered either “Sometimes” (45%, 98), “Rarely” (18%, 39) or “Never” (5%, 10); while just 4% (8) selected “Always”, and less than one third (29%, 62) selected “Mostly.”

When asked if “appropriate referrals been made to ensure advocacy and support for the victim and accountability for the perpetrator?”, again two thirds (66%, 144) answered either “Sometimes” (34%, 74), “Rarely” (25%, 55) or “Never” (7%, 15); and only 3% (7) selected “Always”, and less than one third (30%, 66) selected “Mostly.”

Only when asked if “there has been an appropriate application for a FVIO or FVSN wherever safety, welfare or property is endangered?”, did “Mostly” come up as the most commonly selected response (44%, 97), however with only 5% (11) selecting “Always”, it was still the case that more than half (51%, 110) of participants still selected either “Sometimes” (39%, 84), “Rarely” (10%, 22) or “Never” (2%, 4).

Later, when prompted to select whether they had observed in their work a “lack of consistency in individual police officers’ knowledge of/ training on family violence”, eight out of ten participants (80%, 179) of participants agreed.

These quantitative data, along with the qualitative responses offered by participants, suggests

that despite decades of training reforms and revised policies, police practice is neither attuned to, nor effectively addressing, the power and control dynamics and tactics of family violence, nor the associated risks. Given the importance of effective risk assessment, intervention and response that accounts for the patterns, tactics and dynamics of violence over time, these failures represent significant safety issues for people experiencing violence.

Police failures to investigate, account for and respond in relation to patterns of controlling behaviour have clear negative implications for those experiencing such violence, not only in terms of missing out on much needed support and protection, but also in terms of being potentially criminalised or punished themselves. These implications were discussed by many participants in this study and are explored in detail in Sections 3.2 and 3.4.

Given the importance, too, of victim-survivors’ own assessment of risk, determination of safety strategies (Multi-Agency Risk Assessment Model) in any response to violence, and agency and control over response decisions, it is also very troubling that so many workers have observed policing invalidating and undermining victim-survivors. This includes by failing to listen to the experiences, needs and wishes of victim-survivors, failing to care for the immediate and long-term safety needs of victim-survivors, and failing to communicate with victim-survivors on matters crucial to safety. Given the level of risk facing those who are experiencing family violence, these failures can be best described as what Charandev Singh (Carrick, 2012) calls potentially ‘lethal indifference’ and inaction on the part of police.

The detail and specificity of participant responses in this area point to core issues with family violence policing, where police responses display a lack of nuanced understanding of family violence and coercive control, and are ineffective and/or harmful. The data obtained demonstrates significant, prevalent and patterned failures that indicate widespread differences between policy and practice, that speak to foundational problems in understanding and response, that manifest in every-day practice failures, and that contribute to multiple harms.

“[I have seen] male police officers engaging with male perpetrators in a “blokey/ mate” manner and not providing clear directions and consequences.” [rp134]



3.2 POLICE EXTENDING THE VIOLENCE THROUGH COLLUSION WITH PERPETRATORS, ENABLING OF SYSTEMS ABUSE, AND THE CRIMINALISATION AND PUNISHMENT OF VICTIM-SURVIVORS

In addition to their concerns about police practices failing to adequately account for and address the violence and risks victim-survivors are experiencing, many family violence workers in Victoria are also concerned about the ways in which police responses serve to extend the abuse and victimisation of people experiencing family violence.

In response to the initial open (i.e. unprompted) question about general issues and trends, nearly two thirds (65%, 143) of participants reported having witnessed police practices which in some way operate to extend the abuse of, or harm to, people experiencing violence, including by: criminalising victim-survivors (32%, 71); colluding with or extending the tactics of the person using violence (including police processes weaponised as systems abuse) (12%, 28); or otherwise increasing victim-survivor experiences of harm or risk (48%, 109).

Without any prompting, workers said they had observed police criminalising victim-survivors by deploying existing warrants or issuing new charges (3%, 6) as well as by wrongfully identifying people experiencing violence as the perpetrators of family violence (31%, 69): an issue which will be covered in greater detail in Section 3.4 of the report, given the even higher proportion of workers in the study (83%, 186) who said they had observed this issue when prompted directly.

Unprompted examples were also given of police: re-victimising people experiencing violence by requiring repeated disclosure of distressing details in front of others (2%, 5); removing or threatening to remove children from victim-survivors (1%, 3), and doing other things which directly increase risk for people experiencing violence (such as listing new addresses on FVIOs) (1%, 2).

Workers also spontaneously mentioned having witnessed police actively colluding with people who are using violence (12%, 28), whether knowingly or not. This included police: taking the side of

*“I have witnessed police take women victims away on minor outstanding warrants and ignore the reason they were asked to attend in the first place.”
[rp18]*

Without prompting, **65%** of participants reported having witnessed police practices which extend the abuse of, or harm to, people experiencing violence.

the person using violence because they seemed more calm or more charming (8%, 19); enabling police processes or responses to be weaponised by people using violence in the abuse of victim-survivors (3%, 7); failing to recognise or resist DARVO tactics (2%, 5); and evicting or threatening to evict the person experiencing violence rather than the person using violence (1%, 3).

Many of the observations detailed by participants help to illustrate the varied ways in which police extend or add to the abuse and harm victim-survivors are experiencing. For example, as the following participants noted, police who attend family violence call-outs are often not only minimising and/or failing to address the family violence itself, but also criminalising people experiencing violence by choosing to action outstanding warrants or issue charges for new offenses:

“I have witnessed police take women victims away on minor outstanding warrants and ignore the reason they were asked to attend in the first place.” [rp18]

“[I have observed a case of] a family violence officer taking a statement of a young victim-survivor (aged 17), who in her trauma response kicked the perpetrator’s car and dented it, file a property damage report on her and did not take her reports of family violence and sexual assaults seriously.” [rp76]

“I have supported victim-survivors who are at risk of being killed by the perpetrator and [... police have] colluded with the perpetrator and charged the victim-survivor for things she did not do. This is extremely dangerous.” [rp6]

“Where there is no obvious physical [injury on the victim-survivor], violence often gets minimised and safety notices are not initiated [...] On one occasion, where a woman had called for help after an incident involving non-fatal

strangulation, no FVIO was initiated, however an outstanding warrant for an unrelated matter was pursued, resulting in the woman being arrested and remanded on the matter.” [rp33]

These examples of police actively criminalising instead of helping people experiencing violence have significant implications for access to safety; both in terms of a future willingness to report incidences of family violence, and in terms of a capacity to secure safe housing, employment and other crucial supports.

The inclination toward punishing victim-survivors rather than addressing family violence is also indicated in the following shocking examples given by participants of police justifying the incarceration of people experiencing violence as a way of reducing risk:

“Police officers stating in court that an AFM [person experiencing violence] would be ‘safer to stay in custody than be released’.” [rp83]

“We had a police prosecutor state that a woman should have her parole refused and further held in [a maximum-security prison] as she was at such high risk of family violence and that prison was safer for her.” [rp123]

Alongside these examples of police punishing victim-survivors in the name of ‘safety’, workers also documented examples of police actively prioritising the safety and wellbeing needs of people using violence:

“[The] attending officer [was] unwilling to charge perpetrator for breach of order because he was known to [the] officer and would “lose business” by closing his shop for the day.” [rp79]

“Police [were] called out to an incident where the father of the family was abusive

to the mother. Police told the mother to leave, and she subsequently became homeless and cut off parenting payments. A lot of work and support had to be provided to have him leave the property and have her reunited with the children.” [rp140]

Responses like these demonstrate how police responses to family violence are at times negatively impacting victim-survivor access to housing, welfare payments, and children. As one worker showed, police responses are also impacting on victim-survivor employment:

“Because of the way the victim presents when police arrive after being assaulted (e.g. the victim may be screaming, or loudly describing the family violence) and the perpetrator is ‘calm’ and ‘rational’, the police have then reported the victims are unfit to work to their applicable licensing body and then victim is unable to continue working until they have an assessment done to prove they’re fit to work. Employment is a protective factor, and this may be the reason why someone stays or leaves. It also increased risk where the abuse would continue as victim [becomes] unable to give perpetrator money or household bills [are] not being paid.” [rp136]

“I have supported victim-survivors who are at risk of being killed by the perpetrator and [... police have] colluded with the perpetrator and charged the victim-survivor for things she did not do. This is extremely dangerous.” [rp6]



This sort of active, punitive reporting of people experiencing violence as unfit to work, based on officer assessments of victim-survivor presentation directly after experiencing violence, can be understood as a clear example of police responses extending the violence and harm already perpetrated.

Many workers raised concerns about the ways that police responses like this are weaponised by people using violence to engage in various forms of systems abuse, where policing and criminal legal systems are used to extend and continue family violence:

“[I have witnessed] male perpetrators using the law to abuse the victims even more and leave them very vulnerable and struggling to protect themselves and their children.” [rp98]

“[I have seen] police being weaponised by abusive men; women being controlled through threats to call police or child protection; police colluding with abusive men to perpetuate systemic harm; police responding to the incident directly confronting them (i.e. distressed woman, man calm, rational, saying his wife is crazy, violent) [...] with] no further investigations done after first responding.” [rp80]

“Police colluded with perp [the perpetrator] when he called them to report his wife was ‘crazy’ and was going to harm herself. The police attended the property, kicked in the bedroom door, handcuffed the victim survivor and pushed her onto a chair in the corner of the room. They failed to engage/communicate with her. Bundled her into the car and took her to hospital for the CAAT (mental health Crisis Assessment and Treatment) team to assess. CAAT team assessed victim survivor to be well and referred her to Safe Steps [family violence crisis response service] for refuge.” [rp117]

“[I have had a case of] police showing up to a victim-survivor’s home with the perpetrator, on the first morning she and children had returned after police removed the perpetrator via [an] exclusion FVIO, demanding he be allowed into the home to get his belongings. [...] When the woman asked for police to reschedule at a later time, police threatened her that ‘that’s fine, we can inform the magistrate that you are being obstructive’. They assisted the perpetrator to take whatever he liked - and when the victim survivor objected, they named her the perpetrator, and then carried her belongings out to help load them into the perpetrator’s car. The police file notes were later subpoenaed... and she saw how he had gone to police with false allegations that he was the victim of her abuse, and she had threatened to take the children away from him. The police naming her as the perpetrator in this instance was used against her in Family Court.” [rp162]

“[I am aware of a case where a] woman [was] bashed by her brother, whilst [her] father watched on. Police [were] called (not sure by whom), brother and father colluded and [an] FVIO and criminal charges [were] placed on the woman. [...] Whilst incarcerated, the brother wrangled her inheritance (half the house) from her, rendering her homeless, [and] she can’t negotiate with the brother due to the FVIO. She says: ‘he’s sitting in my house, I’m homeless or in jail.’” [rp91]

It is clear that police responses that involve collusion with people using violence and the weaponisation of police powers against victim-survivors – through the laying of criminal charges, arrests, imposition of FVIOs, or other punitive acts – have significant, violent and cascading impacts for people experiencing violence. These responses negatively affect victim-survivors’ movements, access to housing,

and capacity to care for children effectively, including the ability to make effective custody claims.

Police lack of foundational understanding of family violence, alongside everyday police practices that minimise and fail to address the risk and harm of family violence, including instances of collusion with abusers and the targeting and punishment of victim-survivors via police responses, demonstrate how many police responses are not just ineffective interventions to risk and violence, but function to actively exacerbate and extend the violence and cause further harm to victim-survivors. This is even more alarming, given the central role police have been allocated in the family violence response system, and the increased integration of family violence services with police.

“Police colluded with perp [the perpetrator] when he called them to report his wife was ‘crazy’ and was going to harm herself. The police attended the property, kicked in the bedroom door, handcuffed the victim-survivor and pushed her onto a chair in the corner of the room. They failed to engage/communicate with her. Bundled her into the car and took her to hospital for the CAAT (mental health Crisis Assessment and Treatment) team to assess. CAAT team assessed victim survivor to be well and referred her to Safe Steps [family violence crisis response service] for refuge.” [rp117]



3.3 TARGETED, BIASED AND DISCRIMINATORY POLICING

The frontline workers in this study detail routine police discrimination toward women, Aboriginal and Torres Strait Islander people, People of Colour, LGBTIQ+ communities and other marginalised groups.

Many participants, in response to the initial question about general issues and trends, proactively identified police discrimination toward targeted and marginalised communities as a key problem they have observed (22%, 49). This included witnessing police discrimination against queer (LGBTIQ+) communities (5%, 11), Aboriginal and Torres Strait Islander people (3%, 6), and other racialised groups (11%, 24). Witnessing discrimination toward victim-survivors who present with a criminal history (2%, 5), AOD issues (3%, 7), or a mental health issue or other illness or disability (3%, 6) was also reported.

Workers, again unprompted, explicitly detailed concerns relating to police engaging in sexist and misogynistic comments, attitudes and behaviours (5%, 11), while others (3%, 6) raised the issue of police biases against young people in family violence cases, where they take the side of parents/carers who are abusing young people and misidentify young people as perpetrators.

A massive 71% (160) of workers confirmed they had witnessed “discrimination or bias from attending officers” when later specifically prompted. When prompted regarding specific forms of police discrimination or bias they may have encountered, nearly all participants (90%, 202) selected at least one form of discrimination.

A range of different types of police discrimination were identified by workers, including: nearly two thirds nominating mental health issues discrimination (63% of all participants, 141); a

clear majority (60%, 135) nominating discrimination in relation to alcohol or other drug use; more than half (54%, 122) nominating gender discrimination; nearly half (46%, 103) nominating discrimination on grounds of race, ethnicity or cultural heritage; and 40% (89) of participants noting police discrimination in relation to histories of criminalisation or incarceration.

Participants also reported encounters with police discrimination in the following ways: nearly a quarter of participants had witnessed discrimination either on grounds of victim-survivors’ literacy/language competency (24%, 53) or sexuality (23%, 53); 16% of workers (36) reported witnessing age discrimination, while 9% (21) reported discrimination on grounds of victim-survivors’ occupation; and a further 7% (16) reported witnessing religious discrimination.

As one participant said in a follow-up comment:

“Discrimination is very real and I have heard terrible things from all of the above-mentioned communities.” [rp145]

Another reported that in their experience police are:

“pro arrest, pro remand for children, women, homeless people, Aboriginal people, people with mental illness and other issues... and victims of family violence themselves.” [rp36]

Given most family violence is targeted toward women, the widespread police sexism, misogyny and other forms of gender discrimination discussed by workers in this study is alarming.

For example, one worker commented that there is a:

“rampant culture of sexism and misogyny in the police force; [with] women still not being believed; [and] women and their children’s lives being endangered by police neglect and inaction.” [rp80]

Another noted having seen:

“gender discrimination by male police officers towards both staff and clients in terms of communication, disrespectful behaviour towards women.” [rp111]

Some even documented examples of outright sexual violence and harassment of women by police in the course of their responses:

“Victims [are] being ‘hit on’ by male investigating officers who are investigating sexual assault report by the victim.” [rp205]

“Another police officer from a different police station told my client’s teenage daughter to ‘stop soaking’ and asked if she had a boyfriend. The teenage girl said ‘no’. The police officer told the teenage girl ‘you need to fix that’.” [rp109]

Workers also noted a tendency for police to place much more weight on any injuries sustained by men through women’s resistance or retaliation to his violence, than her experiences of his violence. For example, one participant noted they had observed:

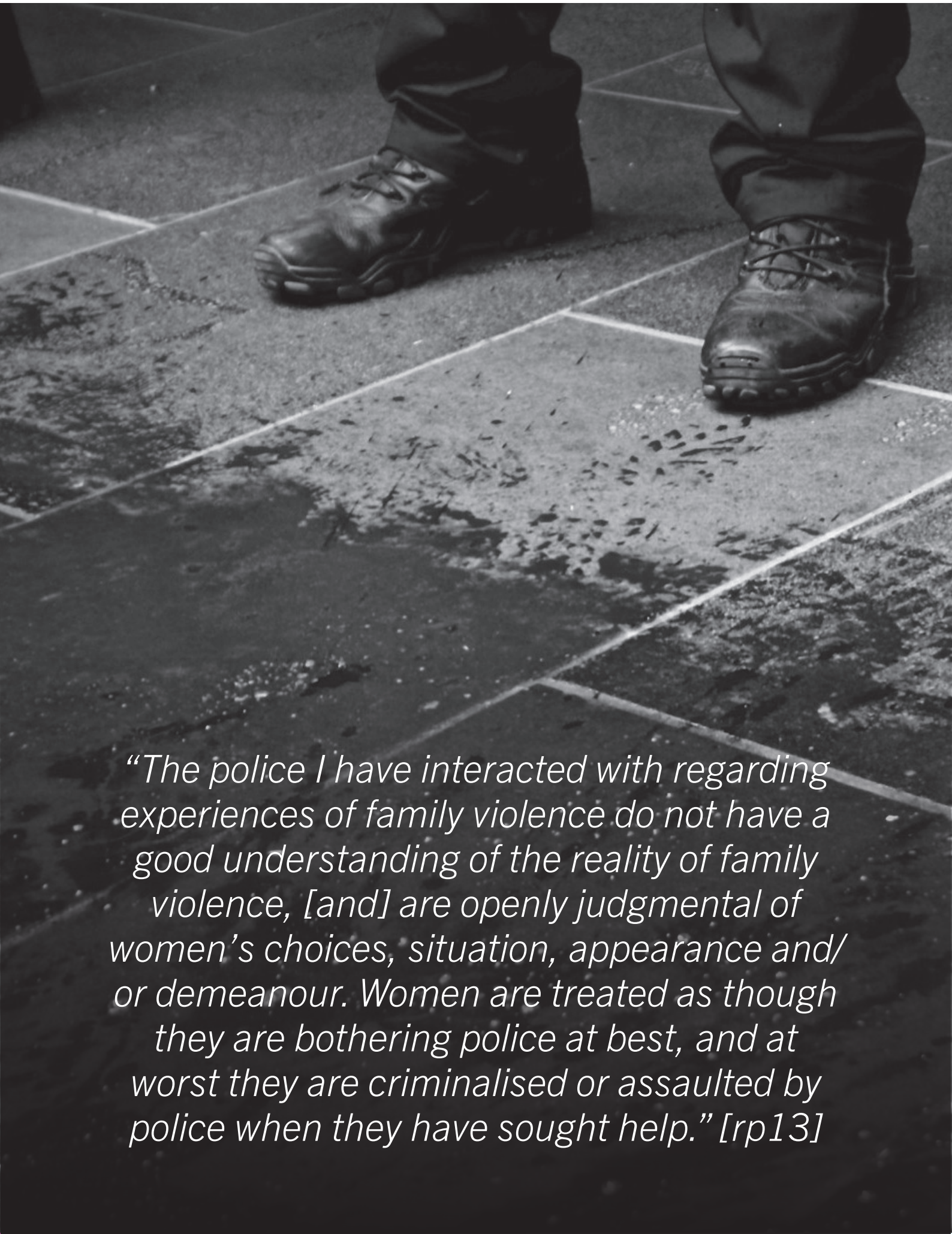
“L17s [Victoria Police family violence risk assessment reports] repeatedly advising the impact of the women’s behaviour, whilst ignoring the impact of family violence perpetrated by men, especially from a coercive control perspective.” [rp185]

Another participant said:

“The police I have interacted with regarding experiences of family violence do not have a good understanding of the reality of family violence, [and] are openly judgmental of women’s choices, situation, appearance and/or demeanour. Women are treated as though they are both-ering police at best, and at worst they are criminalised or assaulted by police when they have sought help.” [rp13]

“rampant culture of sexism and misogyny in the police force; [with] women still not being believed; [and] women and their children’s lives being endangered by police neglect and inaction.” [rp80]

90%
of participants
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encountered
some sort of police
discrimination
or bias.



“The police I have interacted with regarding experiences of family violence do not have a good understanding of the reality of family violence, [and] are openly judgmental of women’s choices, situation, appearance and/or demeanour. Women are treated as though they are bothering police at best, and at worst they are criminalised or assaulted by police when they have sought help.” [rp13]

Workers have also witnessed police withholding services from women they deemed untrustworthy:

“There’s also been a couple of cases where the officer involved has behaved as though they believe the woman is alienating the abuser from the children and not provided the whole tranche of services to her [which is] highly dangerous.” [rp90]

This suggests those officers both prioritise access to children for men who use violence, more highly than women’s rights to safety, and believe that mothers’ attempts to protect children must be inherently manipulative or retaliatory. Although the gender of those using violence and those experiencing violence was not specified in many of the other examples of problematic policing practices detailed throughout this research report, given the established evidence base shows most family violence is perpetrated by cisgender men against women and victim-survivors of marginalised genders, many of these comments can also be implicitly read as likely examples of gender bias, sexism or misogyny.

Racist policing and discrimination against Aboriginal and Torres Strait Islander victim-survivors was another issue highlighted by a number of workers in this study. This includes examples of police treating Aboriginal women experiencing violence as untrustworthy:

“Police were called to a scene by an Aboriginal service. AFM [person experiencing violence] had her CM [case manager] on the phone. CM heard police saying to the AFM “You have to prove to me that you didn’t start this” [and] “I don’t believe you”. Police forced AFM to give the perpetrator her phone as the perpetrator stated it belonged to him. The phone had been provided to her by Safe Steps. Police listed the victim-survivor as the RESP [person

using violence] on the L17 [Victoria Police family violence Risk Assessment and Risk Management report]. I intervened and spoke to the police officer’s sergeant and was told the officer had been working for 20yrs on the force and he has a good assessment of risk [and] if she is listed at the RESP it’s for good reason. [All this] despite the Aboriginal service calling 000 on her behalf [and] the RESP [person using violence] having a criminal history involving sexual assault and family violence charges.” [rp93]

Participants also report police denying Aboriginal women access to culturally appropriate supports:

“In an interview, [a young Aboriginal woman] was asked about her rights, but the police officer (male) did not explain the questions well. The support worker intervened and explained things in a less complicated way, after the client had gone silent and was embarrassed about not understanding. This set the tone for the entire interview. The client was not offered the ACJP [Aboriginal Community Justice Panels] for support and the Koori Police Protocols were not adhered to. The client was shamed during that interview.” [rp218]

The failure of police to provide appropriate cultural supports or interpreters was also documented in relation to a range of other culturally and linguistically diverse (CALD) victim-survivors:

“On one occasion I was speaking with a victim-survivor on the phone with an interpreter, the v/s [victim-survivor] received a call from police on another phone, I could hear the conversation with the officer and the v/s was not offered an interpreter, when she asked to be supported by an interpreter, I could hear the officer saying, “what if I speak more slowly?” rather than offer an interpreter.” [rp112]

“A Vietnamese female victim-survivor attended... and reported sexual assault from her ex-husband. She was spoken to without an interpreter, statement was never recorded.” [rp160]

The implications of police not using an interpreter when one is needed are significant, with inevitable impacts on the ways police understand and respond to family violence, and the capacity for people experiencing violence to have risk and safety needs addressed:

“For a client who needed an interpreter, two L17s [Victoria Police family violence risk assessment reports] came through... The [first] L17 stated that it was “unclear who was chasing who and who held the knife” but the second one [with interpreter use] clearly outlined the incident where the husband chased my client and three children.” [rp114]

Workers in this study also pointed to other examples of police discrimination against culturally and linguistically diverse and migrant groups, including observations of police being more likely to distrust victim-survivors, less likely to issue interventions orders or provide other help when needed, and more likely to wrongfully identify people experiencing violence as perpetrators (‘misidentification’):

“[I] recently had a CALD client who called police due to physical assault, but resp/perp [the person using violence] told them that she was “just trying to get permanent residency” and was lying to them; police believed perpetrator.” [rp74]

“A woman I was working with who was experiencing family violence and feared for her life was told by a police officer that it was quicker for her to go directly to the NJC [Neighbourhood Justice Centre] to get an FVIO. She was Vietnamese and was not provided

an interpreter. Her son came and interpreted for her. It took more than a week to get the FVIO after the matter was referred back to the police station and discussed directly with an officer about this matter.” [rp169]

“Women who speak with us needing interpreters are often also reporting that the police won’t issue intervention orders, won’t record breaches, or [the women] are named on intervention orders as the perpetrator when we have identified them as victim-survivors. This happens at a much higher rate for these women than for women who do not require interpreters. The same pattern can be observed for migrant women.” [rp209]

Police discrimination against disabled victim-survivors was also reported by many workers in this study, with observations of police not providing necessary supports, not taking the violence being experienced as seriously, making referrals to the NDIS (National Disability Insurance Service) instead of family violence services, and even asking disability support ‘carers’ who are perpetrating violence for advice on disabled victim-survivors’ support needs:

“Usually when I have spoken to disabled people, they are experiencing high levels of control (lack of access to medication, trapped at home, isolated from friends and family, extensive financial abuse etc) but the violence they experience seems to be considered less severe and the police don’t make intervention orders even though the impact of the violence is extensive (unable to end a relationship, get help, escape in any way).” [rp209]

“Divisional police who create narratives for FVIOs and/or attend a family violence incident where a victim-survivor has a disability are not identifying the disability and supports required such as augmented communication. They are

often defaulting to carers (who are the perpetrators) to discuss behaviour and supports required.” [rp33]

“People who experience cognitive limitations tend to be arrested quite often as they cannot articulate to police the circumstances in which it had led to police intervention. the other person tends to be able to fabricate the narrative in a coherent fashion leaving vulnerable people at a disadvantage.” [rp72]

“For a number of my clients with disabilities police have defaulted to asking the perpetrator (who has also been the carer) for advice around the woman’s needs. The have in one instance referred the matter back to the NDIS [National Disability Insurance Scheme] care coordinator. On another instance took at face value the perpetrators story of the client having MND [Motor Neurone Disease] and early onset dementia.” [rp33]

These shocking examples indicate that police are using ableist assumptions and beliefs to decide who they will respond to, take seriously and trust, and who they will ignore, arrest or criminalise.

Many workers in this study also raised concerns about similarly discriminatory actions against queer/LLGBTIQ+ communities, with observations of police taking family violence against LGBTIQ+ people less seriously, being less likely to offer needed supports, referrals and FVIOs, and police being less concerned for victim-survivor safety:

“Women in non cis-het relationships are rarely supported appropriately. They are often not offered intervention orders or appropriate referrals, and the experience of the violence is undermined. One woman we supported had remained in the relationship for many years before again trying to seek support partly because of this inadequate response by police.” [rp209]

“In a case of same-sex family violence, the matter was not taken seriously and dismissed as a lover’s tiff.” [rp215]

“[I] recently had a CALD client who called police due to physical assault, but resp/perp [the person using violence] told them that she was “just trying to get permanent residency” and was lying to them; police believed perpetrator.” [rp74]

“A Vietnamese female victim-survivor attended... and reported sexual assault from her ex-husband. She was spoken to without an interpreter, statement was never recorded.” [rp160]

“[Police have shown] bias towards victims, particularly to victims who use substance or present as heightened, using words such as “she was asking for it.” [rp30]

“There was no follow up with female identified same-sex intimate partner violence to provide victim-survivor safety... No adequate response for male identified same sex intimate partner violence for FVIO breach... Some police were not supportive of LGBTIQ victim-survivors’ safety.” [rp164]

Discrimination against sex workers was also an issue raised by many participants, with one worker noting:

“Occupation [as a basis for discrimination] most relevant when client is a sex worker.” [rp79]

And another showing the ways in which police biases against LGBTQI+ communities and sex workers can intersect:

“Male victim [wrongfully identified as the perpetrator] of same-sex intimate partner violence was continuously physically and sexually assaulted by [their] male partner and [yet] police believed [the] perpetrator, as [the] victim was also a sex worker.” [rp164]

Police discrimination against victim-survivors who use drugs or alcohol was also documented by participants, including examples of police engaging in victim-blaming, dismissing people as less deserving of support, and using drug and alcohol use as a way of explaining, excusing or mutualising the violence:

“[Police have shown] bias towards victims, particularly to victims who use substance or present as heightened, using words such as “she was asking for it.” [rp30]

“L17 [Victoria Police family violence risk assessment report] summaries suggest sometimes alcohol or drugs explains the violence, maybe they should say “both parties appeared intoxicated, but RESP [person using violence] has offended violently previously” or something like that as the pattern of behaviour, not the AOD [Alcohol and Other Drugs] pattern.” [rp104]

As one worker observed, victim-survivors who have been previously criminalised in some way are also, similarly, positioned by police as less deserving of support:

“When [the] client has [an] FVIO against her, or has other non-family violence police charges against her, or has been imprisoned herself, some police are less willing to support her in family violence matters, e.g.: “she’s just a druggie”. So [the] client will not turn to police for support, will not ring 000 if in danger.” [rp27]

These distressing examples have clear negative implications for the well-being of already marginalised or criminalised survivors of family violence, for whom police responses frequently occasion further discrimination and the compounding of harm, rather than supportive interventions to reduce risk and build safety.

3.4 ‘MISIDENTIFICATION’: POLICE WRONGFULLY IDENTIFYING VICTIM-SURVIVORS AS PERPETRATORS

While this section is dedicated to the topic of ‘misidentification’, the issue of wrongful identification appears in all previous categories. As mentioned in Section 3.2, the patterned problem of police wrongfully identifying people experiencing family violence as perpetrators is an issue of significant concern to many participants in this study.

In fact, this the most common issue raised spontaneously by participants when asked about issues and trends they have observed: nearly one third (31%,69) of participants mentioned ‘misidentification’ or wrongful identification without prompting.

When later directly prompted with the question “Have you encountered situations where the person experiencing family violence has been wrongly identified by police as the perpetrator (often referred to as mis-identification)?”, a massive 83% (186) of participants responded ‘yes.’ Just 15% (33) said ‘no’ (with 2%, 6, leaving the question unanswered).

Of the 83% of survey participants who reported having witnessed police make a wrongful identification, approximately two thirds (64%, 120; or 53% of all survey participants) said they had seen it happen five or more times over the last five years. More than half of this (64; and 28% of all survey participants), said they had seen it happen more than ten times in the past five years.

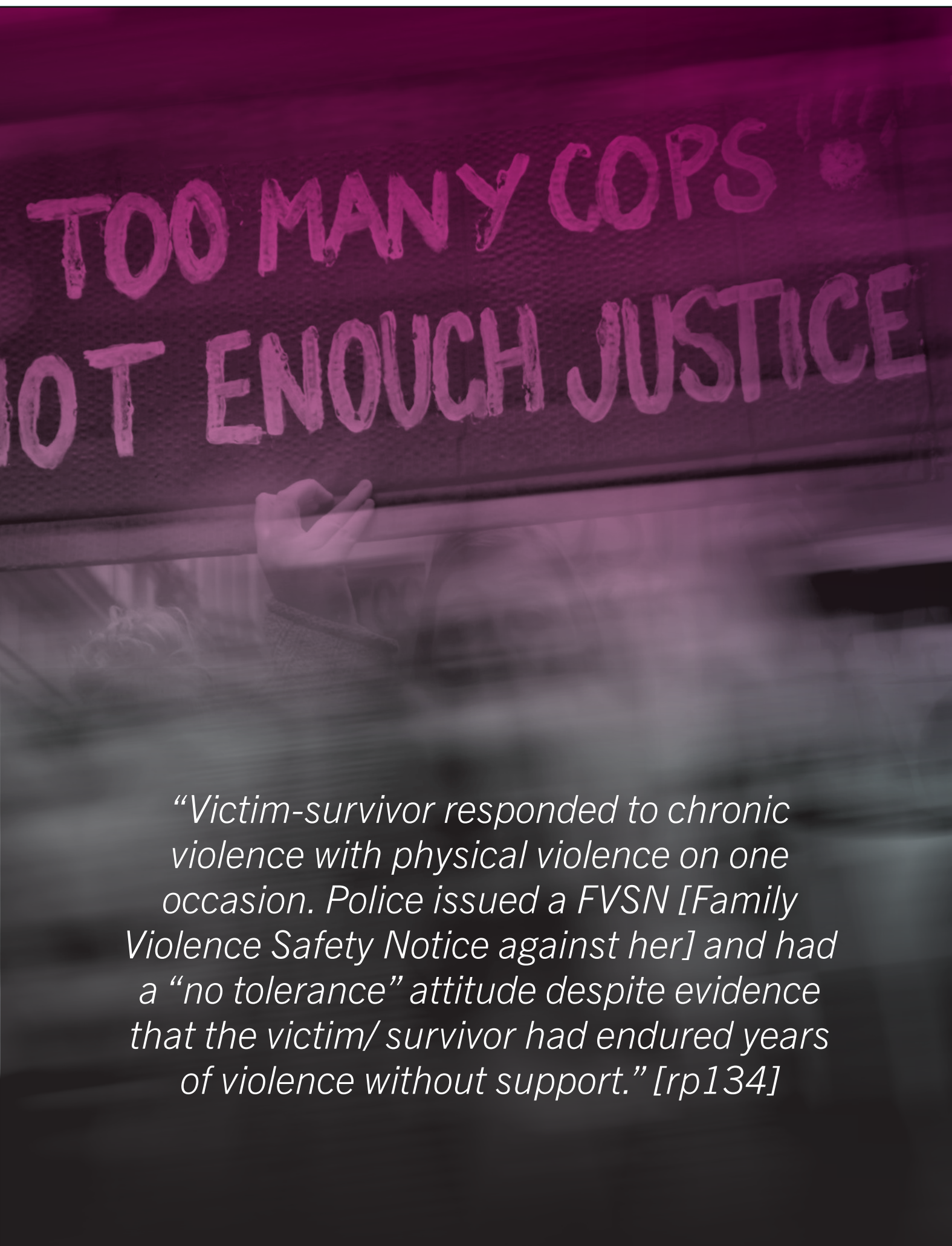
These extraordinary statistics, alongside the worker narratives detailed below that illustrate the prevalence of wrongful identification, the commonality of its patterns and biases, and

the reluctance of police to change course, seriously undermine the proposition that ‘misidentification’ is in fact a police ‘mistake’.

THE PATTERNS, REGULARITY, AND BIASES OF WRONGFUL IDENTIFICATION

While a few participants in this study referred specifically to instances where male victim-survivors of women’s violence were wrongfully identified by police, and several other participants pointed to victim-survivors in queer or same-sex relationships being frequently subjected to wrongful identification, the vast majority of cases described by family violence workers involve instances of women, particularly marginalised women, being targeted and abused by men, but finding themselves charged by police as the perpetrators of violence. This despite sometimes extensive evidence of prior experiences of abuse, and despite, in some cases, physical evidence of abuse when police attend.

83%
of participants had witnessed police wrongfully identify the victim-survivor as the perpetrator, and two thirds of those had seen it happen five or more times.



“Victim-survivor responded to chronic violence with physical violence on one occasion. Police issued a FVSN [Family Violence Safety Notice against her] and had a “no tolerance” attitude despite evidence that the victim/ survivor had endured years of violence without support.” [rp134]

“This [wrongful identification] has happened on multiple occasions. Situations where the police have not interviewed both parties, have not viewed the injuries of the other party, have not viewed the behaviour within the context that it occurred (i.e., self-defence or long-term abuse).” [rp193]

In their free-text comments, participants highlighted the fact that wrongful identifications happen often, and that they particularly affect women, due to the ways that police treat resistance to family violence, or respond to trauma-related responses or presentations:

“This [misidentification] happens often - there are too many situations to give a description of one incident.” [rp46]

“This [wrongful identification] happens on a regular basis. The police are trained to make FVIO applications for single incidents of family violence without considering whole context of abuse. This especially affects women because women are more likely to commit incidents of property damage than physically assault their partners.” [rp22]

“I have too many examples [of wrongful identification] to write down. But most often, AFM [person experiencing violence] will be acting in self-defence which may result in a scratch or the like to a respondent [person using violence] and because the respondent is the one with the apparent injury the actual AFM is slapped with an FVIO and sometimes charges.” [rp17]

“[Police] have a tendency to take women’s violence (regardless of what it is, whether it be resistance or retaliation) much more seriously than men’s violence. [They] will often misidentify the predominant aggressor and predominant victim-survivor... [and] often apply for an FVIO on behalf of a misidentified “AFM” (who is [labelled as the person experiencing violence despite being] the male predominant aggressor in a hetero relationship) even if they recognise in the narrative that the male “AFM” is not in fear, or VicPol [Victoria Police] do not fear for his ‘safety’.” [rp118]

“Resistive violence was used against the victim survivor to misidentify her as the perpetrator despite obvious physical evidence of abuse by the perpetrator.” [rp209]

Workers gave many examples, of police focusing on immediate incident of resistive violence, failing to consider the histories and patterns and contexts of power and violence it has occurred within, and thereby failing to accurately assess and respond to the risk:

“This [wrongful identification] has happened on multiple occasions. Situations where the police have not interviewed both parties, have not viewed the injuries of the

other party, have not viewed the behaviour within the context that it occurred (i.e., self-defence or long-term abuse).” [rp193]

“Victim-survivor responded to chronic violence with physical violence on one occasion. Police issued a FVSN [Family Violence Safety Notice against her] and had a “no tolerance” attitude despite evidence that the victim/ survivor had endured years of violence without support.” [rp134]

“Police focus on the isolated incident they are attending. Often the male perpetrator is misidentified as the AFM [person experiencing violence], particularly if he is the one contacting police.” [rp116]

“[The] young woman was arrested, charged and held in custody, obliged to go before magistrate to seek bail, due to alleged violence against her male partner; [despite the fact that] she had been subject to ongoing non-physical violence for many years.” [rp207]

“From time to time an L17 [Victoria Police family violence Risk Assessment and Risk Management report] arrives identifying the male as the AFM [person experiencing violence]. Usually this is in families where family violence [by the man] has already been responded to [by police previously]... previous visits to the family and previous L17s should be identified in the report to indicate the context within which the female RESPONDENT is behaving and if in fact she is the RESPONDENT or is behaving out of the trauma of the previous incidents where she is the AFM [...] it becomes difficult to keep the men accountable to their behaviour when they can claim an incident where they are the AFM, when in fact they are responsible for an environment of coercion, violence, and trauma.” [rp124]

Others highlighted the ways in which police seem more inclined to believe men’s versions of events over women’s:

“Mother (AFM [person experiencing violence]) makes a complaint to police having experienced a number of years of family violence... Father [person using violence] finds out about this and in response makes allegations of mother being abusive towards him... Police make statements in response to father’s complaint that they believe mother to be the true aggressor, despite the reports she made to police and subsequent disclosures of long-standing family violence including coercion, control, physical, emotional, financial and sexual abuse.” [rp166]

Many practitioners described a failure by police to assess the power, control and trauma dynamics of family violence, and their susceptibility to believing the accounts of those using violence, who are usually men:

“Misidentification of women as perpetrators of violence [is occurring], particularly in circumstances where police are too credulous of the perpetrator’s account and the perpetrator knows the right language to use to convince the police that he is the victim. One client was persistently misidentified as the perpetrator despite many years of documented police and child protection history of her ex-partner perpetrating violence.” [rp157]

“[I am] constantly getting referrals where it is obvious that the person being referred as the victim is actually the predominant aggressor. Police lack the ability to see the red flags associated with language use, blaming, coercive control and dominant masculinity.” [rp58]

This includes police incorrectly identifying victim-survivors based on who presents

as most calm, and perpetrators based on who is deemed ‘difficult’, ‘uncooperative’ or emotionally heightened:

“When police attend a scene of domestic disturbance, an FVIO may cite one individual as the respondent [person using violence] based on who the officers decide is most cooperative at the initial scene, rather than on who is most vulnerable or requiring of protection.” [rp189]

“When questioned, police attitude was that violence was mutual and they ‘had to pick someone to be the RESP [person using violence]’ based on who was being more ‘difficult’. In one case, victim-survivor was mis-identified as RESP because she ‘slammed the door’ on police.” [rp44]

“[The] victim-survivor had a mental health episode as a result of ongoing family violence. Police attended and excluded her from the home. [A] statement was only gathered from the perpetrator who gave a false statement that implicated the victim-survivor instead.” [rp160]

“VICPOL [Victoria Police] have attended an incident and the person using the violence is calm and grooms officers, AFM [person experiencing violence] is distressed or hysterical due to the family violence, and officers have identified her as RESP [person using violence].” [rp220]

“When the police arrived, my client was inconsolable and angry, where the perp presented as calm and well-mannered, so they identified her as the RESP [person using violence]. Police took a statement from perp and then put out a FVSN for him. We later challenged this police decision, however we were only able to take out an FVIO against him and not change the initial decision, as they felt it was too difficult to identify who the victim was (despite the client being physically injured).” [p133]

“I have seen this occur on a number of occasions when police have attended and the person using violence is ‘cooperative or calm’ and therefore their version of events is taken as the truth.” [rp199]

“The perpetrator at the time presented well to the police and woman presented as distressed and emotional, but

“When police attend a scene of domestic disturbance, an FVIO may cite one individual as the respondent [person using violence] based on who the officers decide is most cooperative at the initial scene, rather than on who is most vulnerable or requiring of protection.” [rp189]



what police failed to discover that the perpetrator had set the woman up to be emotionally distressed and therefore his statement was believed and woman was listed as the respondent [person using violence] in the incident.” [rp115]

“When police present at scene perpetrator pretends to not understand ‘her’ problem, she is emotional due to the events, police ask woman in front of perpetrator what’s happening but woman is unable to disclose. Perpetrator tells them she is ‘crazy’ and invents a story where the woman is violent. L17 [Victoria Police family violence risk assessment report] labels the woman as respondent [person using violence].” [rp66]

Workers note that wrongful identification often takes place in the context of systems abuse, where police allow people who are perpetrating violence to use them as a mechanism through which to further victimise, abuse, disempower, threaten and harm victim-survivors:

“[Wrongful identification happens like this]:

1. Resistance violence is reported to police OR a violent partner calls the police and makes a false report as a form of control. 2. Signs of emotional abuse, financial abuse and/or prior family violence instances are largely ignored by the informant [police officer] and/or informant fails to get both sides of the story and/or fails to separate parties and/or fails to get an interpreter on-site. 3. Informant [police officer] wrongly identifies the primary aggressor as the victim of the family violence and labels the other person the ‘perpetrator’. 4. [Police] Informant pushes for a strict FVIO and criminal charges. They rarely ever recommend a withdrawal even after concerns are raised. 5. Lawyer is forced to mount a strike-out application on the basis that the application for an FVIO is an abuse of process.” [rp156]

“A woman I was working with had previously been an AFM [person experiencing violence] with her partner. He contacted police and said that she had mental health issues and that she had hit him. They attended and did not ask her any questions. The perpetrator had been cheating on the AFM and she had confronted him. He had kicked her and knocked her to the ground then

“Indigenous women are [wrongfully] targeted [by police] as perpetrators.” [rp101]

continued to kick her until her brother in-law pulled him off. She hit him to get him off her and was trying to protect herself. This was done in front of her two young children. The woman was from a CALD community and was not asked what had occurred. They hand cuffed her and took her way in a divi van. I made had contact with police prosecution and advocated for the FVIO to be withdrawn.” [rp169]

“The misidentification occurred in this instance because the perpetrator was the one to call police. Despite severe assault being perpetrated against the victim-survivor, the police believed him because he made the call.” [rp203]

“[There are] too many incidences [of wrongful identification] to recall- it happens a lot where systems abuse is being utilised by perps- e.g., where there are children or family law court proceedings, primary perps [perpetrators] will make unnecessary reports, or perpetrate emotional abuse to the point an AFM [person experiencing violence] has a reaction, and then call 000.” [rp56]

The volume of examples and the consistent themes they reflect, show how confident people using violence, especially men, can be that police will repeatedly seek out, prioritise, believe and support their version of events, even when, as the following worker notes, the person using violence is known to police as a perpetrator:

“My client has been misidentified over 14 times, because the PUV [person using violence] has contacted police first... [and] paints himself out to be the victim of violence from my client. PUV file is flagged on Vic Pol [systems] as serious family violence offender but my client will still be listed as [the] respondent [person using violence].” [rp84]

These examples demonstrate a pattern of misogyny and gender-bias in police responses to family violence, linked to a wilful disregard of the gendered power dynamics that underpin family violence.

Compounding these gender biases, are patterns of racial bias and targeting that lead to the wrongful identification of Aboriginal and Torres Strait Islander, immigrant and CALD (culturally and linguistically diverse) women and other victim-survivors:

“Indigenous women are [wrongfully] targeted [by police] as perpetrators.” [rp101]

“Victim-survivors, particularly CALD, [are] being misidentified as perpetrators. [There is an] absence of proper assessments, as well as failure to consider previous reports/events that would have properly informed an appropriate response. [There is also a] failure to use interpreters, relying on actual perpetrator’s version of events, as their English was better.” [rp37]

“My client (female Aboriginal mother) was identified as the perpetrator. Perp (ex-partner) got an FVIO out on her asap. My client tried to get an FVIO on perp with police and there was zero outcome. Actions I took was a separate referral to a culturally appropriate legal service to get an FVIO out on perp [and] it was approved within a fortnight.” [rp87]

“Police attended an address where both the male (white) and female (woman of colour) partner had called 000. Police attended and on body worn camera footage decided it would be the female who would be the respondent [person using violence] and the male would be the AFM [person experiencing violence]. Police officer on duty actually knew the male

[...] Police arrested female respondent and accused her of using violence, charged her and served her [...] Took a number of months to get the prosecution to drop the charges.” [rp34]

“My client was not an English native speaker [...] she was misidentified as a perpetrator [...] As she could not fluently express her thoughts to police and they did not arrange an interpreter to assist their communication, police believed her ex-partner’s stories and applied for FVIO to protect him instead of my client. Support letter was provided to Court for misidentification and FVIO revocation advocacy.” [rp5]

“AFM [person experiencing violence] was CALD, new to country, did not speak English... RESP [person using violence] was able to manipulate the situation due to AFM high level of distress and level of understanding Australian laws, to have the AFM seen as the primary aggressor. Police did not investigate the family violence history or speak with AFM regarding history of violence.” [rp45]

“The victim was a non-English speaker and retaliated after a decade of significant torture and family violence by the perpetrator. The perpetrator called the police who incarcerated the victim. She could not advocate for herself due to the language barrier.” [rp75]

Workers also noted routine wrongful identification by police in cases of family violence in queer/LGBTIQ+ relationships:

“[Misidentification] happens all the time, especially in LGBTIQ relationships.” [rp24]

“Police often misidentify the perpetrator of violence when called to an incident in an LGBTQIA+ relationship.” [rp194]

“I’ve seen this [misidentification] happen mostly in situations where the couple are part of the LGBTIQ+ community (e.g., Two gay men), or where the AFM [person experiencing violence]/victim survivor has attempted to ‘fight back’.” [rp74]

Participants also raised concerns about young people and adolescents being wrongfully identified as perpetrators, with examples of police ignoring the inherent power imbalance to take the word of abusive parents and carers over their children:

“This [misidentification] happens all the time in cases involving young people... [with police not] correctly identifying primary aggressors in AVITH [adolescent violence in the home] matters... [police] not listening to young people in their own right and... assisting parents in perpetrating family violence and control over young people by the intervention order process.” [rp53]

“When I was working in youth homelessness, this [misidentification] was a really common issue, where the child may have responded to ongoing family violence often perpetrated by a parent and then been excluded from the home and identified as the perpetrator.” [rp201]

“[A] son was assaulted by his father resulting in a badly dislocated shoulder. Police assured us it would be looked in to and an intervention order would be served [...]. The next day an intervention [order] was served on [the] son and the police officer was extremely rude when we tried to explain it was meant to be served on his dad. Four police stations were involved and wouldn’t communicate with each other. We had to go to court twice for the right outcome and it was very distressing.” [rp99]

“The victim was a non-English speaker and retaliated after a decade of significant torture and family violence by the perpetrator. The perpetrator called the police who incarcerated the victim. She could not advocate for herself due to the language barrier.” [rp75]

Workers have also observed police commonly misidentifying victim-survivors with substance use and/or mental health issues, including to make biased assumptions and be less likely to trust the accounts of violence being given:

“[I have seen] bias from officers when incorrectly assuming that women who are substance affected are the likely perpetrator of the violence.” [rp64]

“Females that are substance effected, that are either protecting their children or defending themselves, are commonly misidentified.” [rp145]

“This [misidentification] is a regular occurrence. Particularly when mental health or AOD use is involved.” [rp88]

“Where the woman has been traumatised and may be behaving in response to the trauma she’s just experienced, or is AOD affected, the officer has wrongly identified her as the primary aggressor.” [rp90]

“[Misidentification happens] particularly when the AFM [person experiencing violence] has a major mental illness and the person using violence does not. This is the ideal space for collusion. It sets the scene that “she is not to be believed” and her illness is the focus of the problem, [and] distracts from the perpetrator’s actions.” [rp32]

BARRIERS TO CHALLENGING ‘MISIDENTIFICATION’

Concerningly, many participants in this study also gave accounts of police being reluctant to change course, or investigate further, after being notified of likely misidentification, even when presented with substantial evidence. This includes workers advocating with police immediately following wrongful identification, trying to rectify it through the court processes, or seeking to correct it via police complaints processes:

“This [wrongful identification] happens all the time. I have tried to follow up with police but received little in the way of an appropriate response.” [rp128]

“I see this once or twice a month in the intervention order list at MMC. Usually, police persist with the intervention order and often criminal charges as well, even in the face of being advised that it is a likely mis-ID.” [rp10]

“Too many examples [of misidentification] to recount. Extremely challenging to rectify.” [rp79]

“I work as a duty lawyer in the intervention order lists and this occurs frequently and the court system including police are reluctant to rectify.” [rp11]

“Once an application is made, I have found it very difficult to get the police to withdraw.” [rp17]

“Person who has been misidentified still has to attend court. Matters are very rarely investigated or dismissed [by police]. Limited response when this is raised.” [rp43]

“Very difficult to negotiate [correction of wrongful identification] safely due to lack of processes within Vic Pol to raise this issue and for it to be investigated.” [rp53]

“I enquired with Snr Sergeants at the station to rectify the mistake and was told they back the uniform police’s decisions [...] it was a sense of hopelessness for myself and the client.” [rp93]

“[Fixing it] is always met with resistance. Even with Police Prosecution. However sometimes you will get someone who gets it, but its luck of the draw really.” [p21]

“Case: woman assaulted, she is crying, screaming, not following police demand to calm down. Perp [perpetrator] is calm, telling cops that she is crazy, and FVIO is taken out on both. No action taken, woman says what’s the point of complaining, the cops will just take it out on her. I always take these issues to management who report it to higher up police, but nothing seems to change. I yell out loud at every opportunity.” [rp18]

Practitioners also detailed inconsistency in police practice, and described that success related to remedying incorrect police identifications relied heavily on relationships with specific police, or interventions later in the legal process:

“[Getting police to correct decisions] has been completely dependent upon our relationships with the police. We could effect immediate changes with the Family Violence Police Liaison but that was only because she was a senior constable and had an enormous respect from police in region, so she could effect change quickly and had an extremely

nuanced understanding of family violence and misidentification matters.” [rp24]

“Once brought to the attention of a magistrate (who also knows what misidentified resp means) then they are generally adjourned and then withdrawn at the next court occasion.” [rp40]

“Client presented in heightened state at the time of the incident and was consequently charged. Only after looking at the bodycam [body camera] footage and properly addressing the evidence were the charges dropped some 18 months after the fact and the client almost having to go to contested hearing.” [rp141]

“Sometimes the applications are eventually struck out, but not before the woman is put through the stress and anxiety of several hearings. Some women will consent without admissions to an Intervention Order [FVIO] being made against them if they cannot cope with the contested process.” [rp165]

Alongside concerns about misidentified victim-survivors consenting to FVIOs against them, several workers noted that sometimes, where police or the courts refuse overturn charges against them, workers resort to instead requesting diversions – a program where a person charged with particular offences admits responsibility, and is then placed on a diversion order with conditions, often including things like community work, counselling or education courses, and sometimes a letter of apology, and avoids a criminal conviction. This is a strategy which can be made difficult where police prosecutors are not supportive, and even if successful can in turn have negative implications for future employment and support access:

“I assisted the client who had been a victim of significant family violence by the perpetrator, and then was misidentified

as the perpetrator. She sent emails to him and was charged with persistent breach despite years of abuse (mostly documented and provable on her phone). [Police] Prosecution refused to withdraw, despite my multiple attempts and I obtained diversion for her which was difficult and opposed by prosecution.” [rp39]

“I feel disappointed that lawyers are requesting Diversions for victim-survivors who are misidentified as perpetrators because, although they are not supposed to be used against the victim-survivor, they are increasingly having to report on this (NDIS workers, social workers, teachers and nurses have all had to have further conversations with their employers about this).” [rp6]

THE IMPLICATIONS AND CASCADING CONSEQUENCES OF WRONGFUL IDENTIFICATION

Accounts from other practitioners provide further insight into the many varied and often cascading negative consequences for victim-survivors wrongfully identified and listed as perpetrators by police. These consequences include criminalisation, employment impacts, implications for family law and other related matters, access to or removal of children, children being left or placed with inappropriate or dangerous people, loss of housing, and trauma and significant mental health impacts, including suicidal ideation caused by the distress:

“Misidentification [has] led to women losing their children, their jobs, property and assets, affected their mental health, lead to suicidal thoughts and attempts, drugs and alcohol use, wrong presentment and losing all their legal rights, friend and families and community.” [rp98]

“This [misidentification] would happen in my previous job - providing emergency accommodation. Sometimes the victim would be removed from the shared home. In these cases, I would advocate directly with police as they would call us to provide emergency accommodation for the person removed from the home.” [rp186]

“The police were called because the father had cornered her [the mother] in a bathroom yelling at her, she slid down

“Misidentification [has] led to women losing their children, their jobs, property and assets, affected their mental health, lead to suicidal thoughts and attempts, drugs and alcohol use, wrong presentment and losing all their legal rights, friend and families and community.” [rp98]

the wall and banged her elbows into the wall on her way down and caused a hole in the wall. The police responded relating to property damage and named her as the respondent [person using violence] in the family violence incident. She then had to apply through CP [Child Protection Services] to have her child returned to her. We supported the mother by corresponding with CP and providing history and pattern of coercive control. We responded by assisting the mother to contact SafeSteps [a family violence crisis response service] and be housed, because he refused to leave the property, stalked the house and contacted her friends and family.” [rp48]

“A victim was incorrectly identified as the perpetrator. This allowed the actual perpetrator to successfully apply for an FVIO and have the child removed from the victim.” [rp95]

“Police [are] not addressing significant suicide risk of individuals incorrectly labelled as the respondent/perpetrator, when attending a property for reported family violence.” [rp64]

“A woman that I was working with had been arrested by a Melbourne station as the respondent [person using violence] (misidentified) and put in the back of the divi van. She begged them to let her go to the bathroom. They would not allow this to happen. They told her she would have to do what she would have to do. She explained that she would wet her pants. They did not allow her to go to the bathroom. She wet her pants and had to throw away her slippers

and was terribly embarrassed. Sadly, she has suffered great trauma as a result. She is too nervous to contact police when the resp breaches his order. [Prior to her arrest] there had been 2 years of police involvement with her named as the AFM [person experiencing violence] [and] this was not taken into consideration.” [rp169]

“The perpetrator had kicked the woman (mother of three kids) out of the house [and] threatened to take the children. She went to a mental health service in severe distress and was admitted as a private patient. During this time the perpetrator filed a FVIO stating she was violent and threatening and had threatened to kill herself. All three children were on the order. Children continued to contact her and she met the children at school. The perpetrator saw this and breached her. She was able to enlist a specialist family violence report to detail the history of family violence and charges were dismissed and FVIO varied, [however, the] Family Court awarded perpetrator majority custody.” [rp33]

“[The] victim had protected herself, and/or angry and/or intoxicated, police arrive and make an assessment that she is the perpetrator. Lack of investigation, lack of review of history of the people involved, children placed with inappropriate people, FVIO’s taken out, police refusing to withdraw/backdown.” [rp12]

“Misidentification had severe consequences with Child Protection intervention and subsequent litigation to have an infant returned to misidentified mother.” [rp37]

‘MISIDENTIFICATION’ AS THE OUTCOME OF SYSTEMIC BIAS AND DISCRIMINATION

As participant responses show, family violence workers in Victoria consider police wrongful identification – or misidentification – of victim-survivors as perpetrators to be a significant and pervasive issue. Taken together, these narratives provide a picture of a policing response that seems determined to rationalise men’s violence, support perpetrators who are men, and criminalise women, while being intransigently disinclined to fix incorrect assessments, no matter what the evidence before them suggests. They also show how many of the policing problems earlier documented in this study all play a role in wrongful identification, including: failure to take statements from women; failure to take separate statements from each person; failure to provide an interpreter; failure to investigate the histories and contexts of the violence; failure to take non-physical forms of violence seriously; and failure to take young people seriously as potential victims of family violence.

In addition, police biases against victim-survivors who are Aboriginal and Torres Strait

Islander, migrant or otherwise racialised, queer, substance using or have mental health issues – the very people often most targeted by family violence – also clearly form part of the wrongful identification picture.

The evidence outlined in this survey repudiates the explanation often offered by police that wrongful identification is the result of mistakes made within the complexity of call-outs to family violence incidents, and that such errors will be corrected if brought to police attention.

This is particularly concerning, considering the significant cascading and compounding negative impacts of wrongful identification on people experiencing violence: impacts which extend beyond criminalisation to affect access to housing, to children, and to much needed support services, and severely diminish the capacity of victim-survivors to keep safe from violence.

The accounts that workers have offered here suggest that wrongful identification by Victoria police is not only an extremely common and consequential problem, but one that is a product of deep cultural, structural, institutional biases against women – particularly Aboriginal women and migrant or CALD women – and other marginalised and targeted groups. It is clear then that addressing this problem requires far more fundamental change than increased police education and training or other policing reforms.



51% of participants said they had encountered police-perpetrated family violence, and almost a quarter of those had encountered it five or more times.

3.5 POLICE-PERPETRATED FAMILY VIOLENCE AND INSTITUTIONAL PROTECTION OF OFFICERS WHO ABUSE

In addition to the incidences of biased and discriminatory policing and other harmful practices detailed above, workers also identify the direct perpetration of family violence by police as a significant issue in family violence responses in Victoria. When prompted about whether they had encountered situations where the person using violence was a police officer, more than half (51%, 114) of the workers in this study said that they had. Of this cohort, more than three quarters (76%, 88; or 39% of all survey participants) said they had encountered it more than once, with almost one quarter of those (23%, 26; or 12% of all participants) specifying they had encountered situations where the person using violence was a police officer five or more times.

Issues related to police-perpetrated family violence that participants then mentioned unprompted included:

- **the lack of independent safety and support options for victim-survivors when the perpetrator is a police officer or employee**
- **police perpetrators enlisting other police to perpetrate or extend the violence**
- **collusion with and protection of officers who abuse**
- **police disbelieving or discrediting people experiencing police-perpetrated family violence or treating survivors as liars**
- **the fact that police perpetrators of family violence are still working in the police force, including in roles policing family violence.**

Of those who had observed situations in which the person using violence was a police officer, many noted that the family violence used by police officers tends to be more coercive, manipulative, covert and nuanced because police perpetrators know the system

“This [police-perpetrated family violence] often increases the safety risk/danger to the victim-survivor, because the perpetrator has access to, and knows how to navigate, services to get information about the victim-survivor. The victim-survivor has been too terrified to report the violence or come forward, due to the power that the perpetrator has.” [rp15]

and how to get away with violence effectively (17%; 19, or 8% of all participants). Many also noted the increased risks for victim-survivors because police perpetrators can, and do, use their work role, including their capacity to criminalise the people they target, as well as their access to surveillance equipment, databases and weapons, to threaten and enact additional violence (37%, 42, or 19% of all participants).

Many noted that victim-survivors were more likely to experience sub-standard responses to disclosures of violence when the perpetrator is a police officer, describing cases of police minimising the violence and/or not believing the victim-survivor (24%, 27, or 12% of all participants), as well as cases of colleagues colluding with the perpetrators, including by breaching victim-survivor confidentiality (17%, 19, or 8% of all participants), or using intimidation in court (3%, 3 or 1% of all participants).

More than one third of participants (39%, 44 or 20% of all participants) also reported cases where fear of this collusion was affecting victim-survivors’ willingness to report abuse, pursue an FVIO or report FVIO breaches. This dynamic also affected the likelihood of people experiencing violence being forced to travel long distances to report the abuse to a far-away station (4%, 5, or 2% of all participants) or to move far away and/or change identity to escape the violence (4%, 4, or 2% of all participants). Workers shared that people experiencing police perpetrated family violence were also often distrusting of, and unwilling to get support from, other agencies that work with, or cooperate closely with, police (12%, 14, or 6% of all participants). They noted that many victim-survivors are acutely aware of the massive power imbalance in such cases, and that many tend to experience and display increased fear, hopelessness, isolation and exhaustion (28%, 32, or 14% of all participants).

INCREASED RISK: TACTICS AND TYPES OF VIOLENCE WHEN THE PERPETRATOR IS A POLICE OFFICER

Practice-based observations directly from workers provide specialist insight into the particular tactics used by police perpetrators, and the increased risk these pose to victim-survivors due to the power police wield, their knowledge of systems, their systems access, and their authority. This includes police perpetrators using their access to police

training, systems, weapons and role-specific tools of abuse to increase their power and control over the person they are targeting:

“This [police-perpetrated family violence] often increases the safety risk/danger to the victim-survivor, because the perpetrator has access to, and knows how to navigate, services to get information about the victim-survivor. The victim-survivor has been too terrified to report the violence or come forward, due to the power that the perpetrator has.” [rp15]

“The [police] perpetrator was using their connections to police officers to get access to the police database [...] the victim-survivor could not ‘get away’ from the perpetrator as they would move addresses, and the database would record that.” [rp21]

“[The] victim-survivor was terrified to report. He [police perpetrator] would regularly surveil her during the relationship, using his ‘van duty’ as a reason to check in to the house.” [rp33]

“On the occasions I have supported women in this situation [of police-perpetrated family violence], the tactics are generally more controlled: gaslighting, threats to harm, controlling the home/whereabouts, use of police time to watch [the] woman, attending the home wearing weapons to gain/keep control [and make] threats to use [them].” [rp154]

“Implied threats are also common [in police-perpetrated family violence], bringing a weapon home, etc. [The victim-survivor in such cases has] much more difficulty escaping, often feeling very trapped, heightened awareness of the risk [...] There are] limited options available [...], especially when they know the perpetrator could access information through police databases or other services.” [rp209]

“They [the police perpetrator] had a weapon they could reference to instil additional fear in [the] family. They deterred reporting by the victim, advising that they would not be believed, [...] they were] more easily able to discredit the victim to police colleagues as had their ear and credibility in the eyes of colleagues. No one wants to believe their mate is abusive, so believe the perpetrators/their mate’s version. [It] created immense distrust in the legal system. Further compounded by inadequate sentencing/conviction and [the] judge referring to perp as a “good bloke” [rp142]

“[People experiencing police-perpetrated family violence have increased] concerns about being believed, especially when the officer is considered a “good guy” in the community or has close relationships with other services [...] the victim-survivor] is unlikely to go to police or take out an intervention order because of worries about information being given to the perpetrator or the FVIO impacting the perpetrator’s career, especially where this might impact children.” [rp209]

“One police officer [perpetrator] was very skilled in placing recording devices in the home and was skilled at getting police to collude with his abuse. The AFM [person experiencing violence] was misidentified by police as the perpetrator. Neither AFM [this one and one in another police-perpetrator case] felt safe accessing an FVIO or relying on police for an immediate safety response. Both AFMs were taken less seriously by police due to the high regard the perpetrator was held in.” [rp6]

As workers here note, the reputational concern and protected status offered to police officers by their police colleagues and other legal professionals helps them to avoid accountability and to maintain the risk of harm to the victim-survivor. Examples were also given of police



“I have represented several women whose partners have been police officers and all have threatened their partner with their status as a police officer to gaslight their partners and convince them that no one would believe her and if she did report it he would ensure the police would retaliate against her [...] one client had her house raided with six police officers, all friends of her partner.” [rp22]

perpetrators deliberately and manipulatively using their role and position of authority to intimidate the people they are targeting, including to deter victim-survivors from reporting or taking other actions:

“[With police-perpetrated family violence I have seen:] Intimidation - Making the AFM [person experiencing violence] believe no one would believe her or help her if she reported [...] Police using their knowledge of the system to perpetrate systems abuse [...] Manipulation of the AFM with guilt to drop an FVIO as it affects his job.” [rp45]

“Often the [police-perpetrated] violence was through threats, especially concerning the use of police powers or the perpetrator being protected. Or the officer’s experience with family violence was used: “I go to family violence call-outs all the time and this isn’t abuse”, or that they know how to get away with it.” [rp209]

“I have represented several women whose partners have been police officers and all have threatened their partner with their status as a police officer to gaslight their partners and convince them that no one would believe her and if she did report it he would ensure the police would retaliate against her [...] one client had her house raided with six police officers, all friends of her partner.” [rp22]

A CULTURE OF IMPUNITY THAT INCREASES RISK TO VICTIM-SURVIVORS: WHEN POLICE COLLUDE WITH AND PROTECT OFFICERS WHO ABUSE

Examples of police collusion like this, with other police helping to extend the violence or working to otherwise protect officers who are perpetrating family violence, were reported by many workers in the survey. Their accounts show that such collusion severely compounds risk for people experiencing violence. In some cases, this included active participation in carrying out additional abuse, or targeting the victim-survivor, or threats to do so, via the weaponisation of police processes, including traffic stops:

“Victim-survivors [of police-perpetrated family violence have] experienced increased policing in their lives, from driving offences, vehicle defects, various unsubstantiated reports (of growing weed, distributing drugs and prostitution). They [have] also experienced frequent ‘welfare checks,’ and higher bias during family court proceedings.” [rp33]

“He [the police perpetrator] told his colleagues she [the person experiencing his violence] had mental health issues and often asked them to check in on her when he couldn’t. When she would get upset, he would dismiss this as mental health.” [rp33]

“[The] police member [perpetrator] called 000, having his colleagues attend the family violence incident who intimidated AFM [person experiencing violence] and minimised her fear. Police made an application for an FVIO on [the] police member’s behalf.” [rp45]

“[In a case of police-perpetrated family violence] police and child protection did not act... [there were] threats of intimidations from other officers, [victim-survivor was] told to attend other police stations, and [had a] fear of officers tracking her.” [rp190]

“[With police-perpetrated family violence] there has been systems abuse of LEAP [the Victoria Police Service’s highly sensitive internal database], abuse of knowledge of the system, court abuse, half the station showing up in court to support the perpetrator, the perpetrator’s mates doing ‘drive-by’s and facilitating tech and systems abuse, police backgrounding services against victims [...] this meant victims lost trust in police and services and meant victims had to be self-reliant and not trust others, limiting options for safety and Justice.” [rp108]

At other times it involved police breaching victim-survivor confidentiality and severely compromising their safety:

“all the police officers who were in contact with the [police] perpetrator refused to help the victim and breached the confidentiality and reported to the perpetrator. Which increased the risk on her and the children and made it harder to leave [...] It limits her options, limits referrals to other services needed. The imbalanced power in her situation may lead to serious risks on her and the children.” [rp98]

Workers noted that police collusion often manifests in forms of inaction and instances in which police disregard, downplay, cover up or minimise the abuse victim-survivors of police perpetrated family violence are experiencing:

“The woman [victim-survivor of police-perpetrated family violence] found no support from the police of the station he was at and was too afraid to take any action.” [rp90]

“[With police-perpetrated family violence] there was a downplaying of the abuse and a failure to investigate breaches. There was also greater threat to victim-survivor’s safety.” [rp92]

“[The police perpetrator] was a close friend of a senior sergeant and she [the victim-survivor] had found reporting was useless. It never made it to an official record.” [rp146]

“We reported significant indictable offending [by the police perpetrator...] Police didn’t act and the officer wrote in his notes that we had not disclosed family violence.” [rp108]

“[Perpetrators who are] police members have many contacts within the police force, associated organisations and local community that enable his behaviour.” [rp116]

“When the mother [experiencing police-perpetrated family violence] reported, the staff at the station did not take her statement seriously and minimised what was happening to her.” [rp180]

“[The police-perpetrator] husband was a high-ranking local police officer. She chose not to pursue FVIO or charges due to fear of local police [...] she] felt she had no recourse, local police were personal friends and colleagues of her husband, police had been called to the address a number of times and no follow up or action had occurred.” [rp213]

“For victim-survivors [of police-perpetrated family violence] to report successfully, they would have to pick a police station that was well out of the local area. Even still, it seemed that when it was known that the perpetrator was VicPol [Victoria Police], they would ring that station and check in with the perpetrator or sergeant of that station.” [rp33]

“If [police-perpetrated family violence is] reported, it will be dismissed, [with victim-survivors] being told they won’t be believed. It’s a ‘boy club’ and they will look after their own [so the] woman feels isolated and powerless.” [rp154]

‘WHERE AM I MEANT TO GO?’ PRACTICE INSIGHTS INTO HOW VICTIM-SURVIVORS OF POLICE-PERPETRATED FAMILY VIOLENCE ARE ISOLATED AND HAVE OPTIONS LIMITED BY POLICE PERPETRATORS

The sense of isolation and powerlessness experienced by victim-survivors was reiterated by many practitioners in the survey, lending insights into the impacts for survivors of this weaponisation of police processes, and the protection of and systemic collusion with officers who are perpetrating family violence. This includes a suite of material and emotional impacts ranging from fear, hopelessness and isolation, through to victim-survivors being forced to relocate:

“[Victim-survivors of police-perpetrated family violence have felt] more isolated, fearful and less likely to speak up [...] most feel it’s a known fact the police look after their own.” [rp46]

“I was acting for a client where her ex-partner (an ex-police officer) routinely used violence but knew how to navigate the system so only she would be held accountable [...] The person experiencing violence from the police officer partner felt extremely disempowered and ‘gave up’, knowing that the police officer would always have the upper hand, would always have the institution of the police to support him, and would never be held accountable.” [rp34]

“[With police-perpetrated family violence] options and responses such as FVIO or other police intervention were limited, service responses were often limited, support options that are tied to police reporting such as VOCAT support were not accessible.” [rp97]

“A rural woman [was] escaping [police-perpetrated] family violence. I referred her to her local family violence service to safety plan an escape. She felt laughed at by the local police.” [rp174]

“Generally, clients [who have experienced police-perpetrated family violence] relocate to another part of state or go inter-state because of lack of trust that police will respond appropriately.” [rp94]

Accounts from practitioners detail the barriers and challenges for survivors and workers in devising effective family violence responses, including in the context of the collusion, information breaches, and increased risk when the family violence is perpetrated by police:

“We had a number of clients with perpetrators in the police force; we/the clients had to be careful when reporting any incidents to the police, and we also had phone calls from other

officers attempting to find out [...] it] often meant being unable to report incidents to any stations, and not being able to information share with other agencies [...] and] that extra precautions need to be taken regarding stalking/tracking of AFM / victim-survivor, due to police knowledge on these things (e.g. installing apps on AFM’s phone, putting a tracker in the car).” [rp74]

As one worker noted:

“The impact for the victims [in police perpetrator cases] is, and always will be, higher, as the very people who are to protect and serve and to support are perpetrating violence, [which] means the victims have no options when it comes to the justice system, the system colludes and perpetuates further harm. There is no safe response and the fight seems impossible.” [rp145]

Both the quantitative data and the narratives provided by family violence workers show that police-perpetrated family violence, and police collusion with, and protection of, the officers who are perpetrating it are significant issues in Victoria. This research shows how people experiencing police-perpetrated family violence face intensified forms of violence and control that includes police perpetrators weaponising their role, their social standing and their access to weapons and systems in their tactics of abuse. It also shows how people experiencing police-perpetrated family violence face increased risks, barriers and consequences in relation to seeking support and safety.

This research surfaces chilling accounts of the prevalence of police directly perpetrating family violence, the tactics used in this violence, the institutional responses that fail to address risk and harm and often instead exacerbate it, and the massive barriers for both victim-survivors and workers when the perpetrator is a police officer. The extent and impact of the police-perpetrated family violence described here directly challenges the notion of police representing safety in the context of family violence, and demands an urgent re-consideration of the powers, resources and social licence extended to police as family violence first responders and across their role in investigations and the Family Violence Intervention Order system.

“If [police-perpetrated family violence is] reported, it will be dismissed, [with victim-survivors] being told they won’t be believed. It’s a ‘boy[s]’ club and they will look after their own [so the] woman feels isolated and powerless.” [rp154]

3.6 POLICE RESISTANCE TO FEEDBACK AND AVOIDANCE OF ACCOUNTABILITY

Many participants raised concerns about police feedback and accountability processes, and the difficulties workers face when seeking to address policing issues, improve practices or to hold police accountable. Half of the survey participants (50%, 113) noted having attempted to take some action previously and the overwhelming majority of those that had tried (80%, 90) expressed some sort of frustration with these efforts.

When asked how they had responded to instances of problematic family violence policing, workers detailed a range of actions, including: following up directly with the specific police or police stations handling the case (47%, 105); advocating with a family violence specialist officer or station command (43%, 96); referring clients to legal centres or specialist projects for support in taking action (44%, 99); making a safety plan with clients that addressed police-related risks or which de-centred police (42%, 94); negotiating with police prosecutors (28%, 62); making a complaint to Professional Standards Command (PSC) (7%, 15); and making a complaint to the Independent Broad-based Anti-corruption Commission (IBAC) (4%, 9).

When asked about whether their actions had been useful or effective, of the 113 who responded: nearly half (44%, 50) said that their attempts had either been mostly or completely ineffective; more than one third (36%, 41) said their attempts were only sometimes useful or effective; and less than one fifth (19%, 22) said that their attempts had overall been effective or useful.

Participants detailed a range of specific problems or frustrations with police feedback and accountability processes, including: a lack of consistency in police responses (36%, 41); response quality

being dependent on having a good working relationship with individual police (5%, 6); clients being reluctant to make complaints due to exhaustion, trauma, fear of retaliation or lack of support in future (5%, 6); police responding defensively or putting up resistance to feedback (4%, 4); a lack of clarity around processes for raising concerns (3%, 3); initial responses to feedback not leading to long-term changes or improvements (3%, 3); workers finding it hard to make complaints due to the need to maintain good working relationships with police for the benefit of their clients (3%, 3); as well as examples of police actually making things worse for clients after complaints were made (2%, 2). Some noted that due to the power imbalance and a fear of police retaliation or poor support in the future, many clients don't consent to a complaint being made. Others said that they have given up all together on raising issues with police due to a sense that it is a waste of time, and/or that it is risky for staff and clients.

When asked specifically if workers have identified gaps in support for victim-survivors who experience issues with family violence policing, three quarters (75%, 168) of participants answered "yes", with only 11% (24) selecting "no". Of those who said yes, many took the opportunity here to offer examples of issues with police accountability and complaints mechanisms, including the lack of appropriate processes (18%, 30); a lack of sector capacity to provide support with complaints (10%, 17); the large power imbalances between police and complainants (including between police and service providers) (5%, 8); the added trauma faced by people experiencing violence when police ignore complaints (4%, 7); the added barriers to lodging a complaint faced by marginalised victim-survivors (including Aboriginal

and Torres Strait Islander, CALD, LGBTIQ+, neurodivergent people, people with mental health issues, and disabled people more generally) (4%, 7); the lack of alternative police accountability mechanisms (4%, 6); and the lack of victim-survivor awareness around rights and possible mechanisms for complaint (2%, 4). Participants also drew attention to the limited family violence support options outside of policing that are made available to people experiencing issues with family violence police responses in Victoria.

Of the few who felt they had experienced success in their follow up actions, some noted that this was the result of either escalating matters to more senior officers (chain-of-command advocacy), or via relationships with individual police:

"Making a complaint straight to their Sergeant worked for me. I got a handwritten response and my client received an apology. Officer had to attend mandatory training that the client and I suggested." [rp61]

"I have been privy to systems accountability when I have reported unethical practice. For example, the Sergeant in charge I speak with will make contact with his counterpart at the relevant station and request there is follow-up with the Vicpol [Victoria Police] member that has not followed their Code of Practice. They take an educational approach rather than a punitive one." [rp68]

Most practitioners, however, detailed their frustrations with existing police

complaints processes and gave examples of the ways they found them to be ineffective:

"I made a formal complaint once and never received a reply so it seems an ineffective use of time and resources. Safety planning overrides this [as a priority]." [rp214]

"We do not believe there is adequate support in place for people who have experienced issues with family violence policing. Identified gaps include: lack of police accountability and reporting mechanisms, lack of access to reparations for harm caused, lack of access to appropriate, trauma-informed services." [rp170]

"No information [is] given to them [clients] on where to go if they feel the policing was inadequate." [rp180]



“[There seems to be] no way to get justice if the police are inadequate or harmful, difficult to report breaches without the police, limited alternatives if a police station is not supporting a victim survivor.” [rp209]

“I felt completely disempowered within the scope of my role.” [rp185]

“We never find out what has happened, or receive an update regarding the complaint and/or follow up.” [rp76]

Participants in the survey also describe situations where complaints might result in short-term or immediate promises or change, but little-to-no follow through or long-term change, overarching issues that keep repeating, and inconsistent complaint outcomes and communication practices:

“I was told by a station sergeant that he would ‘speak to’ a constable due to their inappropriate response to family violence victim, however I did not hear anything further.” [rp96]

“Sometimes advocacy can improve response or responsiveness, but often when we hear about the issue (unhelpful responses during reporting, lack of response to breach of intervention order) the harm has already been done, so we can only provide feedback and hope things go better next time.” [rp188]

Workers also describe responses to, and outcomes from police complaints as frequently dependant on relationships with individual police:

“[Police responses to issues raised is] very much dependent on having working relationship with station command [or] having a contact within the station to escalate to.” [rp9]

“I have built a trusting relationship where I am able to raise my concerns with the Sergeants I deal with regularly. Unfortunately, the good outcomes

are dependent on the relationships rather than a system that is led by a consistent response.” [rp68]

POWER DYNAMICS AND THE PRESSURE ON WORKERS TO MAINTAIN RELATIONSHIPS WITH POLICE AND AVOID COMPLAINING

Reflections from practitioners indicate workers are under pressure to maintain relationships with police, including to get them to fix mistakes or address policing issues impacting the people they support. Their responses detail the way this translates into power dynamics that make it difficult to complain or provide accurate feedback on police responses, as workers do not want to impact safety or police responses by damaging relationships with police:

“It feels quite futile. Police appear to have very little consequences, even when they are shown to have engaged in misconduct on body worn camera footage. When you are acting for an accused person, you are often in a difficult position, where you just want the charges withdrawn, and you know police are the only gateway to that so you have to ‘suck up’ to them or play their game. It makes it difficult to make complaints or hold them accountable because you don’t want to get the police prosecutors offside. Working at one particular court daily, you don’t want to damage your reputation with police.” [rp34]

Others drew attention to the negative and disempowering impacts that difficult, lengthy and ineffective complaints processes have on those experiencing violence:

“I have found it very difficult to get clients to pursue civil complaints due to how exhausting and lengthy the criminal process is to start with, and then to continue on with a civil proceeding that is lengthy. If you try to contest a criminal matter, on the basis of a policing issue, it is lengthy, difficult and will face strong opposition, and police withdraw charges on the last minute.” [rp43]

“Often when trying to be connected with a family violence specialist officer police will advise that there isn’t one, or refuse to provide contact details and say they will get them to call you back, though I have never received a call-back in these instances. Often it becomes too much for women in crisis to manage or they are discouraged after receiving such poor responses, making them less likely to want to pursue the matter.” [rp13]

“Clients often give up as they can’t be bothered following up or making complaints after their ordeal.” [rp114]

“More often than not clients are reluctant to allow any further action. Instead, I will refer clients to other family violence-specific services.” [p189]

“Often we don’t get the instructions to act due to feelings of disempowerment. The system pushes one towards resolving [family violence] matters, and not following up on [response related] issues. The process for civil complaints is lengthy and discouraging.” [rp41]

“It’s extremely disheartening to see how family violence issues are dealt with, and how the system continues to disempower and marginalise victims through the process.” [rp41]

Given how important survivor agency is to managing risk and recovering from family violence, and evidence that survivor-led interventions produce better outcomes, the disempowering nature of these accountability processes are particularly damning.

Several workers deemed it more important to focus on actions that re-empowered survivors and maximised safety, than to attempt to challenge police:

“I didn’t try to challenge or report any of these cases, as my clients rejected the idea. I worked more on protecting their confidentiality, keeping their details unknown in the system and empowering them to make informed choices and recover from the impact of family violence on them.” [rp98]

“It feels quite futile. Police appear to have very little consequences, even when they are shown to have engaged in misconduct on body worn camera footage. When you are acting for an accused person, you are often in a difficult position, where you just want the charges withdrawn, and you know police are the only gateway to that so you have to ‘suck up’ to them or play their game. It makes it difficult to make complaints or hold them accountable because you don’t want to get the police prosecutors offside. Working at one particular court daily, you don’t want to damage your reputation with police.” [rp34]

“[I] have not bothered with Professional Standards or IBAC. Focus has been on resolution of the [client’s immediate] legal issues and to ensure safety.” [rp157]

RISK AND FEAR: THE SELF-INVESTIGATIVE COMPLAINTS SYSTEM AS A BARRIER AND RISK FACTOR IN THE CONTEXT OF FAMILY VIOLENCE

In the specific context of family violence, given the risks that people experiencing violence must navigate, and with police currently located as first responders to this violence, it is unsurprising that workers describe victim-survivors as very often reluctant to make complaints about police responses, assessing that it will be too dangerous or risky to do so:

“There is a hesitancy to make formal complaints to PSC, often driven by the victim-survivor’s fear of retaliation.” [rp90]

“[Clients are] reluctant to take up complaint options due to well-known problems around the police complaints system.” [rp11]

“Managing from a civilian point of view [safety plans without police] is probably most effective. Challenging police can often result in worse outcomes.” [rp65]

“Mostly victims fear retribution and refuse consent [to complain to police].” [rp148]

“I think the main gap is that clients already feel powerless, so to contend with the existing family violence and then issues with police on top of that is really overwhelming and increases their risk even more.” [rp201]

“Not only policing but also with Magistrates and Courts. When victims are reliant on these systems for safety the ability to make a complaint is diminished. They will often stay silent for fear of repercussions on their case. After

a case has been closed they are recovering from the added trauma of the court system. Reporting involves further trauma.” [rp33]

Practitioners have observed actively punitive or retaliatory responses by police against victim-survivors who complained about police responses:

“Issues that our local FVCLOs [family violence court liaison officers] deal with are usually taken well and resolved practically, [however] there has been the odd occasion where I felt my advocacy has potentially had made things worse for the AFM/my client [person experiencing violence] - what I would explain to be the police member not liking being told if they have done something wrong. I recall one situation being a misidentification and my client was charged with breaking a window - even though the other party had also broken a window and majority of the time the police don’t follow up charges for anything, including major assaults - but they did for a broken window.” [rp46]

“On the contrary, it [complaining] has made it worse for the woman.” [rp163]

CULTURE OF DEFENSIVENESS AND ‘PROTECTING THEIR OWN’: THE CODE OF SILENCE

Participants detailed their observations of police complaints being met with defensiveness and ‘doubling down’, and described a culture that lacks accountability and instead prioritises the active protection of officers, over investigation or remedies for any wrongdoing:

“[Complaint attempts are] often ineffective, as it is difficult to change entire cultures within the police force and to change the way various officers police. I have often experienced officers being very defensive when issues are raised.” [rp18]

“Managing from a civilian point of view [safety plans without police] is probably most effective. Challenging police can often result in worse outcomes.” [rp65]

“In a recent experience where I raised concerns, the police response indicated a sense of martyrdom whereby the police members pointed out their years of dedication to the service, their postponement of retirement and foregoing holidays so they could support the Aboriginal community and other victim survivors. Missed the point altogether, and centred themselves in their response rather than acknowledging the fundamental issues at hand.” [rp85]

“I do not use the police complaints system as it is almost completely ineffective. Complaints are referred to the officer in charge who very rarely determines that there has been any wrongdoing.” [rp208]

“Complaints to [police] stations have little impact. Very strong sense of police protecting their own.” [rp50]

“Complaining or speaking directly to a police station (e.g. speaking to their CO) doesn’t seem to make a difference, as the police will ‘protect their own’ rather than listen to complaints from workers.” [rp76]

“I have found it to be exhausting. Police will protect their own and rarely, if ever, identify they have made a mistake.” [rp94]

“In the case of failure to take action on reports of family violence or prosecutions - often they just solidify their position and support the decision made by their colleagues.” [rp166]

Some workers expressed an overall frustration with the processes:

“[There is a] lack of transparency and accountability on part of police. No one has any faith that a formal complaint will be acted upon.” [rp207]

“It’s like screaming underwater or running against a brick wall. The fight is real.” [rp146]

Some participants also took the opportunity to call for an end to self-investigative complaints systems, where police ‘police themselves’:

“I do not believe that police should be investigating police complaints. The system has already set up a professional bias against the community it is meant to keep safe.” [rp36]

“I have never found it to be useful to try and address any policing issues, within VicPol [Victoria Police]. [And] this is not just the case for family violence issues.” [rp134]

Participants were asked specifically about gaps in support for victim-survivors who have experienced issues with family violence policing, and what sorts of things might make it easier for workers to support them. Workers articulated a broad range of improvements they would like to see, from improved feedback and accountability processes, through to preventative measures that might avoid issues arising in the first place. These suggestions are examined in more detail in the following section of this report.



“It would be useful to have alternatives to the police so we can direct people who are experiencing violence to services capable of supporting them in appropriate ways.”
[rp170]

3.7 REIMAGINING FAMILY VIOLENCE RESPONSES: A CALL FOR CHANGE

In addition to their clear identification of systemic problems associated with Victorian family violence policing as outlined above, many family violence workers shared a range of practical ideas geared towards both prevention of, and better response to, the family violence policing issues they have encountered in their work. These ideas ranged from reforming and improving policing practices, to building and investing in alternatives outside of policing.

Reform-oriented suggestions were proposed by around half of the participants (54%, 122), and include: improving internal police feedback and complaints processes (21%, 48); providing enhanced family violence training for police (16%, 37); finding ways to ensure police collaborate better with, and listen to, family violence workers (12%, 27); developing a clear and efficient pathway for resolving and supporting cases of wrongful identification (6%, 14); increasing the number of specialist family violence teams or officers (6%, 13); increasing the number of family violence liaison officers associated with marginalised communities (3%, 7); increasing the number of female (or non cis-male) family violence specialist officers (1%, 2); and working to completely overhaul police culture (1).

Given that police reforms have so far been the dominant response of governments and policing agencies whenever policing practice issues are brought to light, it is not surprising so many workers highlight police reforms as part of the answer. However, the extent and scale of deeply entrenched problems documented in this report raise serious questions about the ability of such reforms to solve any of these problems.

It is for this reason that many workers (18%, 40) also – or alternatively – called for investments that enhance or build alternatives to policing in response to family violence. These suggestions include: creating independent police complaints and accountability processes (9%, 20); decen- tring police in family violence responses and investing in alternative services and approaches (5%, 12); training family violence workers on how to best raise complaints and advocate for clients (4%, 9); training lawyers and court staff on how to identify and manage common police errors and biases (1%, 2); and funding specialised legal representation to assist workers and clients in resolving problems or making complaints (1%, 2).

IDEAS FOR REFORMING POLICING

Within the qualitative responses oriented to reforming the policing of family violence, some participants pointed to improving family violence education and training for police so they can better understand the gendered drivers of violence, the dynamics of coercive control, the laws relating to family violence, the risks facing victim-survivors, the value of trauma-informed care and the importance of listening to, believing and validating those who are experiencing violence:

“Police need better training and understanding of family violence. I would doubt many officers would even be able to give the main driver of family violence.” [rp31]

“[Police need training in] understanding the intricacies of coercive control and how dangerous that is for women, children and family animals.” [rp223]

“[We need] training for police officers to recognise Family violence, the impacts of trauma on victim survivors, cultural sensitivity training, etc.” [rp138]

“Police who actually understand the law and trauma-informed care would be the best starting point.” [rp212]

“For police to be educated and understand that domestic and family violence isn’t a “one size fits all” response. That coercive control plays a huge part of the violence. It’s not purely physical or sexual assaults that need a response.” [rp116]

“[There needs to be] better police training so that they understand (& believe): that gender inequality is a major driver of family violence; how to respond to family violence victims, so police realise that words of support - and to know that they are believed by police - are crucial to victims’ resilience and recovery; [and] that perpetrators of the family violence are responsible and need to be made accountable for their behaviours.” [rp94]

“[We need] more police training - not just at the academy level. Unfortunately, it is often the older and more experienced officers that are the most inadequate.” [rp135]

Some practitioner feedback called for an increase in specialist family violence teams within Victoria Police, or for increased police collaboration with, and respect for, workers:

“[There should be an] expansion of specialist family violence unit within VicPol [Victoria Police]. Experience and client feedback regarding this unit has been positive.” [rp137]

“Family violence units within police stations - it would be great if they were in every police station.” [rp94]

“[Reforms could include] having police officers partner more effectively with specialist family violence services and recognise our ability to assess risk.” [rp6]

“I think we should have a coordinated response to develop rigorous relationships with police to explore issues of misidentification and how to prevent FVIOs being issued against victim-survivors, and to have relationships where we can advocate to have applications withdrawn when not appropriate.” [rp22]

“Police respecting specialist family violence workers as exactly that – specialist – and taking on board our assessments.” [rp189]

Other workers suggested a need for policing reforms that include broader or deeper institutional and cultural changes, including to address issues of racialised policing and child removal:

“[There needs to be] better sharing of information from police and between different areas of policing. More officers who are not cisgendered men. Overhaul of VicPol [Victoria Police] culture.” [rp79]

“Police need... general training that breaks down homophobia, transphobia and racism, questioning why these are such deeply held prejudices.” [rp192]

“Apart from being a responsive service, policing must also be flexible and culturally competent (sensitive) in its response.” [p35]

“Better and more training is needed I believe, and also maybe retire out the police officers who still believe that it is ok for men to hit their wives and girlfriends.” [rp100]

“Preventative training within police force to screen out attitudinal problems. More well-supported Aboriginal staff in the family

violence and other units. If police would, where possible, conduct secondary consults with Aboriginal orgs before/ rather than contacting Child Protection as first reaction. This would reduce the number of Aboriginal children being removed unnecessarily, or at least being placed with family in a less traumatic manner, with more community ownership (self-determination). This should be best practice.” [rp83]

CALLS FOR CHANGE: REMEDIES FOR HARM AND PATHWAYS OUTSIDE OF POLICING

Beyond ideas for the reform of policing family violence, many participants raised the need for alternative pathways for victim-survivors harmed by police to access remedy and repair. Their suggestions include: the centring of survivor voices, an end to a self-investigative police complaints system, and a move to external and independent channels for people experiencing family violence related policing harms:

“It would be great if there would be an accessible option between making an official complaint and not providing feedback at all. Many victim-survivors do not have capacity to lodge a formal complaint when they are dealing with police proceedings. I think all victim survivors who receive a police response should be provided the opportunity to fill out an online survey, similar to this one.” [rp186]

“Engage victim survivors to tell their stories, hold police accountable” [rp215]

“[We need] apologies to victims [from police when they cause harm]; [the] right for victims to have their situation addressed and for the officer/station to have an opportunity to learn from the errors made; compensation for victims; [... mechanisms] for victims to feel their voice is heard and that changes will occur.” [rp50]

“[We need] a process where a complaint does not come back to the local police to investigate.” [rp222]

“[There needs to be] an independent body overseeing investigations into poor police practice or police malpractice.” [rp207]

“Independent police accountability measures where inadequate and harmful police responses could be reported,

“[We need] a process where a complaint does not come back to the local police to investigate.” [rp222]

“[We need] apologies to victims [from police when they cause harm]; [the] right for victims to have their situation addressed and for the officer/station to have an opportunity to learn from the errors made; compensation for victims; [... mechanisms] for victims to feel their voice is heard and that changes will occur.” [rp50]

investigated and responded to (disciplinary action, organisational change, damages paid to victims etc). Clear information about responsibilities of police [and police] processes to support people who have been misidentified and to minimise and respond to misidentification.” [rp209]

“As well as resourcing the [independent complaints] system, they need to also provide resources for organisations that are supporting victims.” [rp165]

BUILDING AND STRENGTHENING ALTERNATIVES TO CARCERAL OR POLICE-CENTRIC FAMILY VIOLENCE RESPONSES

A substantial proportion of the feedback and recommendations from practitioners emphasised the need for the need for a decentring of policing from family violence responses, and an investment in family violence responses outside of, and as an alternative to, police. Responses include: foundational critiques of the power dynamics related to police involvement in family violence responses and the harms related to police involvement; the strong need for safety and support options that de-centre police; reflections on the work already taking place to support survivors, manage risk and safety plan outside and around police responses (including because these police responses have been undesired, ineffective, or sites of risk); calls to redirect funding away from policing; and calls to adequately fund and resource independent and community-controlled specialist services, so that people experiencing family violence are not pressured or funnelled into (default) police responses:

“Due to the responses of police, many victims of family violence don’t feel safe going to police to report breaches or to contact them when in danger.” [rp1]

“[There are, for clients,] gaps in being able to keep themselves safe from harm when they don’t have confidence that the police will support them.” [rp20]

“Most times I hear about victim’s experiences after the fact, I don’t provide support during the event. However, I did call the family violence line for someone when police weren’t helpful, and the family violence line referred me back to the police... their intervention was very limited and there was no other solution available to address the safety issue.” [rp63]

“I find that police hold the power in these situations and – at their discretion – determine the outcome of the case for each client. There aren’t many alternative avenues available for people seeking support and safety. The most effective avenue is referring to a specialist family violence service so the worker can support the client with safety needs outside of police intervention.” [rp201]

“[I] excluded police on safety planning to reduce trauma triggers otherwise victim-survivor would not agree to safety planning and at times, other professionals have noticed a disengagement with services when ‘forced’ to put police as part of a safety plan.” [p190]

“It would be useful to have alternatives to the police so we can direct people who are experiencing violence to services capable of supporting them inappropriate ways.” [rp170]

“[Developing a legal centre referral and safety plan that decentred police] allowed the person experiencing abuse to feel empowered to continue supporting themselves despite the challenges that they faced due to policing issues.” [rp209]

Others made specific suggestions for how alternatives to police-centred responses to family violence could be provided, including the provision of safe spaces, housing, legal supports, youth-specific services and sector training, and resources to support workers:

“Having a women-only safe space just to chill if feeling at risk would be

helpful. Somewhere to wait for a few hours until danger is gone or until another solution is provided. Such place should exist in every, or at least most, suburbs and towns.” [rp63]

“A major issue still appears to be housing for users of violence, so they are less likely to return to their ex-partner’s home, difficultly in housing Indigenous/CALD women and others who do not want to move out of the local area, finding secure housing in the local area for single women without children who need secure housing to reduce the likelihood of them returning to their ex-partners home, [there needs to be an] ‘all of family’ response.” [rp147]

“[We need] more services to work with young people to provide alternate options to manage risk that young people feel safe to access.” [rp54]

“[There needs to be] an independent team of family violence specialists such as social workers who respond directly/consult on matters where a police response is inappropriate/inadequate.” [rp112]

“[We need] Better resources on police-decentred safety planning and on evidence gathering for victims.” [rp108]

“[We need] more training on how to create safety plans which de-centre police... [and] more information on legal rights and options to support victim survivors to give feedback or make a complaint.” [rp102]

Some pointed to the challenges and pushback encountered in attempts to decentre police and avoid carceral family violence responses:

“Reforms have steered us to a place that a Victoria Police response [to family violence] is considered the main and ideal response, also the expected response from the service system. If a victim-survivor does not want to resort to this, they receive an inferior response from the entire system. For example, Child Protection will label the victim-survivor as being a non-protective parent because the victim-survivor does not want to involve VicPol [Victoria Police]. Specialist family violence services can’t offer the full suite of security measures. VicPol will excuse themselves of responsibility as they can’t collect evidence, the victim-survivor appears unreliable or not committed because ‘why wouldn’t you want help from the police?’. I would really like to see support in the sector to develop skills around this for the workforce, because at the stage we have new workers coming in who will only know how to practice with centring VicPol as part of the safety plan.” [rp67]

“Due to the responses of police, many victims of family violence don’t feel safe going to police to report breaches or to contact them when in danger.” [rp1]

“It would be useful to have alternatives to the police so we can direct people who are experiencing violence to services capable of supporting them inappropriate ways.” [rp170]

“[We need] an alternative to police response: transformative justice, a community response.” [rp145]

“Many other services dislike seeing safety plans that don’t involve police.” [rp114]

“Ideally family violence practice can move towards dismantling the binary of victim/perpetrator and [its] dependency on policing. Clearly this is complex [though] as many survivors see justice through this lens.” [rp4]

Several workers specifically mentioned ‘defunding’ police as an important measure along with the need to redirect that funding toward already existing alternative organisations and community-based services:

“Defund the police, fund programs organisations and community groups that are getting this right. There is no justice in our current system.” [rp145]

“We [at our service] do not believe policing is the appropriate response to family violence. We believe in... place-based community projects capable of addressing the root causes of harm. We advocate for family violence response to be led by and for community, so victim-survivors and perpetrators can access the support services and resources required to repair harm and deliver trauma-informed, survivor-centred accountability and reparation.” [rp170]

FINAL REFLECTIONS AND CALLS FOR CHANGE

In their final reflections, many workers pointed to the widespread harms enacted through the centring of policing in family violence responses. Workers detail the ways that these harms replicate the very power and control dynamics of abuse, and in turn form another layer of risk and violence that is being perpetrated against both survivors and workers:

“Working alongside police is the most challenging aspect of my role.” [rp79]

“Police do not understand the root causes of violence; Police do not understand the structural, systemic nature of violence and their role in upholding and perpetuating it; Policing is gendered and racialised; Police are not aware of available community support services and alternative justice pathways; Police are perpetrators, both in uniform and in their private lives; Police are interested in maintaining the status quo.” [rp170]

“Police are not held accountable, and as clinicians, support workers, and survivors, we feel powerless when those we are taught to run to for protection become the very abusers we are running to escape.” [rp162]

“Overwhelmingly, women feel they are at more risk reporting acts of family violence than they are staying quiet.” [rp50]

“Our women and children should not be further traumatised by an inappropriate response from VicPol [Victoria Police].” [rp116]

“Overall, it would be good to see police responses decentred in family violence practice generally and accountability measures [for those using violence] that are not necessarily about sentencing/FVIOs etc.” [rp4]

“[Maybe we need] a systemic overhaul of a broken [family violence response] system???” [rp85]

“[We need an] independent, non-gendered family violence specialist dept., not based on [the] Duluth model [which calls for expanded, albeit women-centred, policing].” [rp216]

“[We need] an alternative to police response: transformative justice, a community response.” [rp145]



“We [at our service] do not believe policing is the appropriate response to family violence. We believe in... place-based community projects capable of addressing the root causes of harm. We advocate for family violence response to be led by and for community, so victim-survivors and perpetrators can access the support services and resources required to repair harm and deliver trauma-informed, survivor-centred accountability and reparation.” [rp170]



4. Conclusion

THE SCALE OF THE HARM

The practice-based observations from frontline family violence workers gathered here detail sweeping concerns regarding police responses to family violence and make plain that this policing often entails harm enacted in the name of ‘safety’.

Overall, the vast majority of family violence workers in this study gave accounts of, or raised concerns about, police responses in some way criminalising, harming or otherwise adding to the risk to and disempowerment of people experiencing family violence rather than providing effective support. Their accounts identify disturbing patterns of police minimisation of violence, collusion with perpetrators, biased and discriminatory practice, wrongful identification of victims as aggressors, and many instances of sexual and/or family violence perpetrated directly by officers and police staff, who in turn receive institutional protection and insulation from accountability measures. Fundamentally, the findings show that rather than helping people experiencing family violence, police responses very often undermine safety and autonomy and significantly increase risk, harm, trauma and feelings of powerlessness.

Importantly, the practice-based evidence gathered here indicates that these ineffective, problematic and harmful police responses are not isolated events, but rather, are routinely occurring in many interactions between police and people experiencing family violence. These findings speak to a deeply troubling culture and operating environment within Victoria Police that fundamentally challenges the notion that police can or should be considered

a site of safety for people experiencing family violence or resourced as such.

Existing research highlights the ways in which policing institutions culturally embody the very drivers of family and gender-based and family violence. The evidence documented in this study details how this practically manifests in the course of family violence policing, with: police responses that disempower victim-survivors and exacerbate risks; biased and discriminatory policing that misidentifies, targets and often criminalises people experiencing family violence; the direct perpetration of family violence by police officers; and a remarkable level of institutional impunity surrounding that violence. With police-centred responses to family violence, the very power and control dynamics and dominator cultures that drive family violence are not challenged, but instead frequently replicated and extended, to the detriment of victim-survivors.

The evidence in this survey report provides clear insight into the fundamental dissonance in positing policing as a solution or response to family violence. Our findings, particularly when read alongside the existing evidence and literature base, show that there are deep, foundational, structural and cultural problems with police as an institution. These are not problems that can be remedied simply through better education or training, or increased service sector collaboration with police. As the National Justice Project’s recent position paper makes clear, “even with extra training, research demonstrates that police are still not the best fit for responding to situations that need care and de-escalation” (National Justice Project, 2025,

p.5). It is clear that a much more substantive move away from the centring of police in responding to family violence is required.

THE CHALLENGE AND NECESSITY OF MOVING BEYOND THIN REFORMS

It can, however, often be very difficult to think beyond existing response frameworks for responding to family violence. Police are increasingly embedded in the service system and upheld as a ‘solution’ to violence; where the role of police is positioned as a crucial or immovable feature of family violence responses, and where this is reflected in funding and practice arrangements. When encountering the harms of police responses, workers are often under significant pressure to respond by identifying individual practice tweaks or reforms that do not fundamentally challenge the narrative about the core function of police. Many participants in this research noted that responding to police harms involves workers navigating a complex relational landscape where they fear any critique of police may impact outcomes for victim-survivors, damage police-worker/service relationships, or compromising funding and other service arrangements. In this context, where immediate concerns for people experiencing violence must generally take precedence, it is not surprising many workers in this study made suggestions for reform within the scope of existing mechanisms, for example: suggesting better police training, more specialist units, or more collaboration between services and police.

This dynamic has also been documented elsewhere. For example, a study of frontline family violence workers in QLD, found that while workers could often see that “refugee and migrant communities are at risk of over-policing and state violence”, and documented many examples of harmful policing practices, they

nonetheless generally supported increased criminal-legal interventions due to a lack of available alternatives, and framed these interventions as being useful in an education and referral sense (Maturi, 2024, p.335). The authors noted this as a “conceptual vacuum” amongst workers enabled by “one-dimensional risk frameworks” (p.335), and observed that, “faced with limited resources, smaller migrant services might need to seek legitimacy by adhering to dominant norms in order to compete with other organisations for funding, ensuring their survival and their capacity to support women” (p.335). They found that “front-line workers express the desire to do more but do not have the tools or resources to conceptualise alternative interventions” (p.335).

Despite this, many frontline workers contributing to this survey did nonetheless identify deeply embedded cultural and systemic issues with policing, and note the inability for reforms and training to solve these problems. They suggest a re-imagining of family violence responses that genuinely addresses and constrains the harms of and resources to policing, in favour of community-based interventions. These responses echo and build on longstanding calls - by people with lived experience, practitioners and academics - for an urgent paradigm shift in family violence responses: emphasising the need to divert funding and resources away from police and the associated state-based, punitive carceral responses, and toward local community-led programs focussed on healing, accountability and behaviour change (see for example: Langton, 1992; Blagg & Valuri, 2004; Blagg & Anthony, 2019; Allison 2022).

THE VITAL RE-IMAGINATION OF RESPONSES TO INTIMATE PARTNER AND FAMILY VIOLENCE: RESOURCING, SUPPORTING AND BUILDING ON EXISTING PRACTICE

Practice examples of effective community-led interventions to violence that do not rely on police are already in operation. On this continent, where intersecting interpersonal and state-based gender violence continues to target Aboriginal and Torres Strait Islander People and Communities, there are numerous First Nations-led examples of non-carceral community-based response to family violence. These include Aboriginal-led healing centres such as Waminda in the South Coast of NSW, that provides practical support to women and children experiencing violence through a holistic, strengths-based framework incorporating cultural, spiritual and family contexts and needs. At Waminda, a range of integrated, culturally safe services offer support with: health, mental health, employment, education, rehabilitation, crisis accommodation, accessing longer-term housing, keeping children and families together, keeping safe from violence without having to leave home, and navigating interactions with police and the criminal-legal system where necessary (Waminda, 2025). Similar services include the Marninwarntikura Women’s Centre in Fitzroy Crossing (Marninwarntikura, 2025) and Mudgin-Gal: Women’s Place in Sydney (Mudgin-Gal, 2025).

Another example of community-led safety responses that are relatively autonomous to police, albeit not family violence specific, are the Aboriginal Night Patrols that operate in at least 130 urban, rural and remote locations around Australia (Porter & Cunneen, 2021; Porter, 2016). These patrols focus on keeping young people safe and reducing contact with police and the criminal legal system, by keeping an eye out for young people at risk of police intervention, homelessness, or experiencing

violence, and offering culturally appropriate and locally specific forms of advice, transportation, mentoring, and both immediate and longer term support relating to housing, education, mental health and other needs (Porter, 2016). While so far most are not currently equipped to respond to instances of violent crime, it is not hard to imagine these or other similar patrols being able to be resourced to respond wholistically to such violence, including family violence, both in a crisis response and violence de-escalation capacity, as well as in a longer-term, wrap-around safety planning, counselling and behaviour change capacity.

Alternative pathways for reporting violence, which have already been found useful in supporting a sense of self-determination and autonomy for victim-survivors of sexual assault, could also play a role in family violence responses. An extensive research study funded by Australian Institute of Criminology (Heydon et al., 2023) found victim-survivors of sexual violence often prefer an option to make a report to a non-police agency, such as a specialist sexual violence support service. Similar community-led alternative family violence reporting mechanisms, where police are not called without victim-survivor request or consent, could provide an option for people experiencing family violence to make a record of the violence, access clear and comprehensive information about the services and options available and determine any next steps.

Overseas models, including community first responder programs, also offer salient lessons in building community-based response to violence. On Turtle Island (USA), as a result of mass community mobilisations in the aftermath of police killings and the death of George Floyd, communities have been re-imagining first response and ‘public safety’ models, including shifting towards and

investing in programs where trained community members and health workers operate as first responders (Council of State Governments Justice Centre, 2021). While these initiatives have gathered momentum and engagement in recent years, approaches that centre community work to address crisis, provide support and build safety have been operating on Turtle Island for

decades (Council of State Governments Justice Centre, 2021). For example, the grassroots Freedom House Ambulance Service was established in 1967 by Black community in Pittsburgh because the police, who were at the time officially tasked with hospital transportation,

were not safely serving their community (Daley, 2025). Freedom House was so successful at providing effective and efficient hospital transport that it led to a wider decentring of police in that role and the establishment and expansion of the ambulance services that exists on Turtle Island today (Daley, 2025).

Also set up on Turtle Island by a community group in the 1960s is the White Bird Socio-medical Aid Station (now White Bird Clinic), which – in response to growing homelessness and a lack of appropriate support services – set about gathering volunteers, renting a house, ran medical drop-in clinics, offering legal advice, offering drug harm reduction services, and training people in crisis intervention (White Bird Clinic, 2025). A key innovative service offered by the White Bird Clinic is C.A.H.O.O.T.S. (Crisis Assistance Helping Out On The Streets), in which two-person teams (a crisis worker and a trained medic) responds to 911 crisis call-outs relating to with drug and alcohol use, mental illness, emotional crises, and family disputes that pose a small risk of violence (White Bird Clinic, 2025).

These international examples of successful community-led first response systems, involving mobile teams skilled in de-escalation and crisis response, offer important

practice approaches for consideration and application here in Victoria. They demonstrate that alternative first responder models, whether operating outside of state funding models, or in jurisdictions that have more formally redirected resources from policing to community-based responses and/or invested in alternative first responder programs (The Marshall Project, 2024), are indeed very possible. Understanding how different community-based first responder models and other interventions respond to intimate partner or family violence, including their principles, practice approaches and potential applications, must form part of the crucial re-imagining of responses to violence here in Victoria. This will help guide the important and much-needed work of building community-led pathways that address and constrain the harms of policing, while developing alternative options to better support people experiencing violence.

As the National Justice Project's (2025) position paper on alternative first responders suggests, such initiatives are being urgently called-for by many impacted communities, workers and grassroots activists around Australia. Implementing and supporting such initiatives will be a vital mechanism for intervening into violence and crisis, and supporting people towards safety without police intervention.

5. Recommendations

The workers' perspectives of family violence policing in Victoria outlined in this research underscore the urgent need for a comprehensive re-evaluation of how family violence is addressed. This includes immediate moves to engage with and constrain police harms in the context of family violence; a shift away from reliance on police as primary responders; and investing in community-based alternatives that prioritise survivor-led responses grounded in principles of community accountability. As such we make the following eight recommendations:

1. BUILD ALTERNATIVE FAMILY VIOLENCE FIRST RESPONDER INITIATIVES

Effective and safe responses to family violence must involve the decentring of police as first responders, and the development of alternative first-responder models and initiatives.

We therefore echo the recent call from the National Justice Project (2025) for urgent action to shift focus and resourcing away from police in family violence responses and invest in alternative community-based crisis response initiatives. Specifically, we call for the establishment of community-based first-responder family violence initiatives in Victoria by:



a. Funding targeted research into non-police first responder models

Allocate sufficient funding to conduct extensive qualitative research into non-police family violence first responder models for Victoria. This research should:

- be conducted by a team of family violence specialists and survivors
- look beyond Victoria and Australia to examine successful models of alternative non-police community-based first-response models that respond to violence generally and family violence specifically
- focus on identifying the needs of Victorian victim-survivors, impacted communities and family violence workers – with a particular focus on Aboriginal and Torres Strait Islander survivors, communities and workers – eliciting feedback on the relevance and utility of overseas models for local contexts, and ideas and recommendations for alternative models.

b. Establishing a community-based family violence first responder pilot program in Victoria

We recommend the establishment of a community-based first responder pilot program in Victoria to create alternative support pathways for survivors of family violence. This initiative would offer an alternative to police intervention, ensuring that survivors – particularly those from Aboriginal, migrant, refugee, LGBTIQA+, disabled, and other targeted communities – can seek immediate assistance without fear and risk of criminalisation, child removal, or other additional harms.

The model should be based on the outcomes of the research described above, and:

- operate independently from police
- be staffed by a highly skilled, trauma-

informed, community response team, trained in crisis intervention, de-escalation, risk assessment, safety planning, emotional support and survivor-centred care

- provide immediate crisis intervention, safety and support without mandatory police reporting
- be available 24 hours a day, 7 days a week
- be easily, quickly and safely accessible via a dedicated hotline, secure app, live chat platform and/or direct referral from community services
- be designed, led or deeply guided by local family violence survivors and workers
- connect survivors to essential holistic short and longer-term supports, including safety planning, emergency and longer-term housing, legal support, mental health support and material aid
- collaborate with other family violence services and supports
- coordinate with broader health, housing, and legal support services
- reduce reliance on police and carceral responses
- be monitored and evaluated to determine options for long-term secure funding as well as for adapting, scaling and implementing in other locations.

2. INVEST IN COMMUNITY-BASED FAMILY VIOLENCE RESPONSES

An effective response to family violence must also involve the decentring of police from family violence responses. We therefore call for a significant transfer of family violence funding and resourcing away from policing and into community-based family violence responses

that prioritise safety and self-determination and operate autonomously from police, with additional significant and sustained investments in Aboriginal community-owned organisations and Aboriginal community-led interventions that offer culturally safe support.

These investments must include:

a. Strengthening and expanding existing community-led family violence services

Substantially increase funding for existing community-led family violence services and interventions, including Aboriginal community-led services and interventions, ensuring that:

- i. services have sufficient resources to expand their reach, work-force and infrastructure
- ii. services have access to long-term, secure funding, rather than short-term grants, to maximise their capacity to sustainably plan and grow.

b. Supporting and funding the development of new community-led family violence services

Allocate significant funding to supporting the development of new community led family violence services and interventions, including Aboriginal community-led services and interventions, that:

- i. operate autonomously from police
- ii. take guidance and direction from survivors
- iii. align with cultural, social, and healing-based justice and support frameworks, rather than carceral approaches.

c. Investing in affordable housing for survivors of family violence

Access to safe, stable, and affordable housing is one of the most critical factors in enabling survivors to escape family violence. To ensure genuine safety and long-term stability for survivors, we recommend urgent investment in emergency, transitional, long-term and permanent housing options. Housing options should be trauma-informed and culturally safe, with specific investment in housing options designed by and for Aboriginal and Torres Strait Islander Communities. Survivor access to public housing must be prioritised, as well as stronger tenant protections for survivors when breaking leases, and financial support to cover the costs of property damage resulting from family violence.

3. BUILD AND STRENGTHEN COMMUNITY-BASED AND NON-CARCERAL VIOLENCE PREVENTION, EARLY INTERVENTION AND ACCOUNTABILITY INITIATIVES

Crucial to effectively preventing, intervening into and reducing violence is building community-based violence prevention, early intervention and response pathways. This includes investment in: community education work; alternative non-carceral accountability and healing processes, including restorative justice and other initiatives that seek to provide accountability for harm and remedial processes outside of police and court systems; behaviour change programs; and other interventions directed at transforming harm and reducing violence.

We therefore call for significant investment in community-based violence-prevention, safety and justice mechanisms, including:

- i. Community-based violence prevention and education programs
- ii. Early intervention programs that use a whole-of-family approach, and/or work with schools and community networks to provide support and prevent violence before it escalates

- iii. Non-carceral accountability pathways, including restorative justice and transformative justice approaches
- iv. Behaviour change programs
- v. Peer-led support groups
- vi. Culturally-specific healing and support programs.

4. TAKE IMMEDIATE ACTION TO RESTRAIN AND ADDRESS THE HARMS OF POLICE-PERPETRATED FAMILY VIOLENCE

Police-perpetrated family violence is causing significant harm to victim-survivors, including in situations where the violence has been reported to police. We call for urgent and immediate action to limit the risk and harm of police-perpetrated family violence, by:

a. Disarming police reported for family violence

Firearms and other weapons must be immediately removed from, and all weapons access revoked for, all police officers subject to family violence reports and investigations and listed as respondents on Family Violence Intervention Orders, including interim orders.

b. Preventing family violence response roles

Officers who have been reported for family violence must be removed from duties related to family violence response, including call-outs, investigations, Family Violence Intervention Order breaches and any related work.

c. Preventing any information about the victim-survivor or family members being shared with officers reported for family violence

This includes treating victim-survivor safety as paramount and information as crucial to safety, and preventing police welfare or other staff sharing any information related to location, safety-planning or other details without express written consent.

d. Implementing independent family violence risk assessment

Any risk assessment of police-perpetrated family violence must be conducted by or obtained from a family violence service operating independently from police.

e. Implementing rigorous background checks

Implement rigorous background checks to prevent the hiring of individuals with a history of sexual and/or family violence within police ranks, and to ensure individuals perpetrating family violence are not rehired, transferred or promoted within or between different state police forces.

f. Suspending paid administrative leave

Discontinue the practice of offering paid administrative leave for police officers who are under investigation for family violence allegations.

g. Establishing an independent system to track police-perpetrated family violence

Establish an independent system, outside of police, that tracks violence, abuse, predatory behaviour and coercive control by officers in specialist roles including specialist family violence and/or command roles, Professional Standards Command (PSC) and other complaints investigation roles, specialist units including the Sexual Offences and Family Violence Unit (SOFVU) and the Sexual Offences and Child Abuse Investigation Teams (SOCITs). The system must be capable of compelling information from police, and gathering and sharing intelligence:

- i. with people directly targeted by the violence and with support workers and services, including across state or national borders, to enable effective risk responses and safety planning
- ii. for the purpose of investigative, protective and remedial action.

5. ABOLISH SELF-INVESTIGATIVE POLICE COMPLAINTS PROCESSES

To mitigate inherent bias, conflict of interests and the significant risks posed to victim-survivors, self-investigative processes for police complaints must be abolished. Complaints must no longer be returned to police for internal investigation, nor should they be managed by external agencies that refer complaints back to police.

6. MANDATE PUBLIC REPORTING OF DATA ON FAMILY VIOLENCE POLICING HARMS

Accurately tracking issues and harms of family violence policing is made very difficult when police data is withheld from public scrutiny. We therefore call for mandated, regular public release of detailed police data on harms related to family violence policing, including:

a. Data on police-perpetrated family violence

Data on police-perpetrated family violence should include the number of reports of police-perpetrated family violence, types of violence and related offences, intervention orders issued, investigation outcomes, and any disciplinary actions taken against officers, including dismissals.

b. Data on ‘misidentification’

Data on police wrongful identification (‘misidentification’) should include: the number of police-initiated intervention orders that mischaracterise people experiencing violence as perpetrators of violence; the number and type of cross-intervention orders issued by police; corresponding gender and demographic information of misidentified respondents and affected family members, including officer-perceived ethnicity data;

details as to whether applicant or respondent were police officers/employees; and records of any concerns regarding ‘misidentification’ or wrongful identification raised by victim-survivors or family violence services.

c. Data on complaints about family violence police responses and their outcomes

Data on complaints about police responses to family violence should include data on both formal and informal complaints made to police, including via existing formal complaints mechanisms, by phone, in-person, by email and by other methods of communication. It should include details of how police responded to the complaint and any outcomes from the complaint. Reporting on this data should take into account the likely under-representation of this data due to reporting barriers faced by survivors and family violence workers.

d. Data on costs related to family violence policing harms

Victoria Police must report on costs incurred by the State of Victoria in litigating civil claims against it under the Victoria Police Act 2013 (Vic), where those claims relate to police-perpetrated family violence or other conduct related to family violence policing. This data should distinguish between legal costs incurred in defending claims and any settlement sums or awards of damages paid.

Victoria Police must report on the number of claims brought pursuant to the Victoria Police Act 2013 (Vic) that are settled by the State of Victoria, where those claims relate to police-perpetrated family violence or other conduct related to family violence policing.

7. ADEQUATELY RESOURCE SERVICES ADDRESSING POLICE HARMS

Crucial services supporting people harmed by family violence policing lack the resources required to meet the level of need for support and assistance. Given the scale of these harms, and to ensure survivors harmed by police receive vital advocacy assistance and have access to effective pathways for support, advice, accountability and remedial options, we call for dedicated funding to family violence services and community-led organisations to meet demand and adequately support victim-survivors harmed by police responses to family violence. This includes services providing tailored assistance to survivors impacted by police inaction, criminalisation, or re-traumatisation, and those working to challenge and address police harms at both individual and systemic levels.

8. ESTABLISH A COMMUNITY-LED TRUTH-TELLING INQUIRY

It is clear that survivors and workers hold vital lived experience and frontline insights into family violence policing, and want and need the opportunity to share important testimony and have their voices heard to direct change.

We call for the establishment of a community-led truth-telling inquiry to provide a platform for survivors, affected families and advocates to share their experiences, document systemic failures, and seek accountability. We recommend that this be undertaken through a combination of people’s hearings and truth

commission, where survivors and advocates can testify publicly or privately, with privacy and confidentiality safeguards.

The inquiry should:

- focus on documenting lived experience and systemic violence and harms, including identifying patterns of neglect, criminalisation, racial and gender biases
- centre survivor and community voices and solutions, working from these to identify applicable remedies and pathways for survivors harmed by policing and remedial action or reparations by institutions responsible for documented harms.





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Appendix: Survey

THE ONLINE SURVEY THAT PARTICIPANTS COMPLETED IS SET OUT BELOW IN TEXT FORMAT.

SURVEY: POLICING & FAMILY VIOLENCE

Thank you for taking the time to complete this survey on police responses to family violence - your insights and observations are greatly appreciated.

This survey is targeted at support workers, lawyers and other workers supporting people experiencing family violence and/or with observations of family violence policing in Victoria. We recognise that many workers also have personal experience, and we welcome input and knowledge across both work and lived experience.

This survey is part of the “Policing family violence: Changing the Story” project, a collaboration between Flat Out, the Police Accountability Project, The Law & Advocacy Centre for Women, Inner Melbourne Community Legal and St Kilda Legal Service.

Survey responses will remain de-identified, and will be used to guide the focus of the project, and contribute to casework, legal assistance, advocacy and training. Please feel free to forward this survey to your networks.

If you want to get in touch with us about the survey or anything related to the project, please email advocacy@flatout.org.au

With thanks,

The Policing Family Violence project

1. I give my consent for the ‘Policing Family Violence: Changing the Story’ project to use the information given in my survey response in a de-identified way for work related to policing and family violence, including to guide the project, identify trends in police accountability issues and as part of public advocacy work:

- ☐ Yes
- ☐ No

2. Please describe your role, work or relationship to/experience with the policing of family violence:

- ☐ Family violence support worker
- ☐ Lawyer assisting people who experience family violence
- ☐ Community-based support person for someone experiencing family violence
- ☐ I am also a person who has experienced family violence and police responses directly
- ☐ Other (e.g. housing, youth worker etc. Please specify):

3. Do you have a specialised focus, intersection or specific area of family violence work? For example, do you work with Aboriginal and Torres Strait Islander people experiencing violence? With older or younger people? With newly arrived migrants, or specific communities? With LGBTIQ+ people? With women who have been criminalised? Please provide detail in the comment box below:

4. How long have you had any engagement with or observation of family violence policing in Victoria?

- ☐ 12 months or less
- ☐ 1-2 years
- ☐ 2-5 years
- ☐ 5-10 years
- ☐ 10+ years

5. Which police region/s does your work cover? Please select the region/s your survey answers and observations from practice relate to. If you are not sure which police region covers your area, you can view the list of Local Government areas in each region here: <https://www.crimestatistics.vic.gov.au/about-the-data/classifications-and-victorian-map-boundaries/geographic-classification>:

- ☐ North West Metro (Melbourne, North West metro suburbs and the North West region)
- ☐ Eastern (Eastern metro suburbs and regional Vic)
- ☐ Southern Metro (Port Phillip to the Mornington Peninsula)
- ☐ Western (Western regional Vic)

6. Service provision area: Which suburbs or local council areas does your work cover? To find your local council area on an interactive map, please visit: <https://www.viccouncils.asn.au/find-your-council/council-map>:

7. When you have interaction with or observations of police family violence practice, which officers, specialist roles, units or rank are involved/are you dealing with? Please select all that apply.

- ☐ Officers at the local police station
- ☐ Officers on the divisional van
- ☐ Sergeants/Senior-Sergeants
- ☐ Officer in charge of the local police station
- ☐ Family Violence Liaison Officers
- ☐ Family Violence Command
- ☐ Officers from sexual offences and child abuse investigation teams (SOCIT)
- ☐ Professional Standards Command (PSC)
- ☐ Police Prosecutors
- ☐ I am not sure which police are/have been involved
- ☐ Other (please specify). Further comments welcome:

8. Are there particular police stations that you deal with regularly or that your survey answers relate to? If so, please list:

9. What are the main issues and/or trends you observe with/ in police responses to family violence? Please describe:

10. Have you observed any of the following in your experience of police responses?

- ☐ Discrimination or bias from attending officers
- ☐ Duty failures or substandard response from police
- ☐ Failure to ensure medical attention is provided where needed
- ☐ Failure to follow Victoria Police Policy Manuals and Code of Practice rules and guidelines (eg. failure to investigate, failure to enforce breaches of intervention orders, failure to separate the parties for interviews)
Please note that this section is explored in greater detail in the next question.
- ☐ Failure to serve intervention orders in a timely manner
- ☐ Failure to provide an interpreter if required
- ☐ Lack of consistency in police response between different police stations
- ☐ Lack of consistency in individual police officers knowledge of/training on family violence?
- ☐ Lack of collaboration between police and other agencies around safety concerns
- ☐ Lack of communication with survivors on matters critical to their safety
- ☐ Police acting outside of their powers under the Family Violence Protection Act
- ☐ Other (please specify)

11. Do you have specific examples, further details, comments or observations related to your answers in the previous question? If so, please provide those here:

12. The following are requirements under the Code of Practice for Investigation of Family Violence. For each of the areas, please indicate your observations of police responses according to the following options:

	Always	Mostly	Sometimes	Rarely	Never
Police have adequately considered the particular “interests and vulnerabilities” of persons involved including children, those with disabilities, and cultural or community needs where necessary					
Police have appropriately and adequately conducted initial investigations, including gathering background information and physical evidence?					
Police have appropriately determined the likelihood of future family violence occurring and act appropriately in accordance with such findings					
Police have appropriately pursued a criminal, civil and/or referral option for risk management					
There has been an appropriate application for a FVIO or FVSN wherever safety, welfare or property is endangered					
Appropriate referrals been made to ensure advocacy and support for the victim and accountability for the perpetrator					

Provide here any further detail, examples comments or observations from practice:

13. If you have encountered bias or discrimination in police responses to family violence, is/was this bias on the basis of:

- ☐ Race, ethnicity or cultural heritage
- ☐ Gender
- ☐ Sexuality
- ☐ Mental health issues
- ☐ Disabilities
- ☐ Age
- ☐ History of criminalisation or incarceration
- ☐ Alcohol or drug use
- ☐ Religion

- ☐ Literacy/language competency
- ☐ Occupation/type of employment
- ☐ Other (please specify) :

14. Have you encountered situations where the person experiencing family violence has been wrongly identified by police as the perpetrator (often referred to as mis-identification)?

- ☐ Yes
- ☐ No

15. If yes, please describe what happened (including what you know of what occurred following on from the point of mis-identification, and any actions you took):

16. How often have you seen this happen in the last 5 years?

- ☐ 1-5 occasions
- ☐ 5-10 occasions
- ☐ Upwards of 10 occasions

17. Have you encountered a situation/situations where the person using family violence is a police officer?

- ☐ Yes
- ☐ No

18. If yes, please provide brief details:

19. If you have encountered situations where the person using violence is a police officer, how often have you encountered this in the last 5 years?:

- ☐ On one occasion
- ☐ 1-5 occasions
- ☐ 5-10 occasions
- ☐ This is something that has repeatedly arisen in my experience

20. If you have encountered situations where the person using violence was a police officer, did this affect:

- a) the types and ways violence was used and/or experienced,
- b) the impacts on the person experiencing violence, and,
- c) options and responses available to the person experiencing violence?

If so, please describe how:

- 21. Have you noticed any specific issues related to family violence policing in the context of Covid-19? If so, please give details:**
- 22. When you have encountered issues with police responses to family violence, what action/s have you taken?:**
- ☐ Followed up directly with the police officers involved
 - ☐ Advocated with a family violence specialist officer or station command
 - ☐ Made a complaint to Professional Standards Command (PSC)
 - ☐ Made a complaint to IBAC (Independent Broad-based Anti-corruption Commission)
 - ☐ Liaised/negotiated with police prosecutors
 - ☐ Referred the person for support via a legal centre or specialist project
 - ☐ Made a safety plan that included/addressed risk related to police responses or that de-centred police
 - ☐ Unable to respond
 - ☐ Other action/s (please specify)

- 23. If you have taken action to address policing issues, have you found this to be useful/effective? Please describe:**
- 24. What would be useful to you as a worker to better support victims/survivors dealing with inadequate or harmful police responses?**
- 25. Are there gaps that you identify in support for victim-survivors who experience issues with family violence policing?**
- ☐ Yes
 - ☐ No

- 26. If so, what are they?**
- 27. Do you have any other comments?**

- 28. Thank you very much for your time and contributing your observations and experience to this survey.**
- To contact us directly about the project or to make a referral or support request, you can reach us at advocacy@flatout.org.au
- If you consent to us contacting you further about the survey, its findings and Policing Family Violence project work, please provide us your contact details below. Detail fields are optional:
- ☐ Name
 - ☐ Organisation (optional)
 - ☐ Email Address

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