

**“Problems associated with the preparation and service of domestic violence documents by members of the Queensland Police Service”**

**Seeking Solutions: Domestic Violence & Sexual Assault Conference**

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## **Introduction**

Domestic violence is a significant issue that impacts on the lives of many Queenslanders each year. The Queensland Police Service (QPS) plays an important role and expends a significant amount of resources in response to, and in the prevention of, domestic violence incidents in Queensland.

In the presenter's capacity as the State Domestic Violence Coordinator of the QPS, he has travelled extensively throughout Queensland networking, liaising and consulting with police and other government and non-government persons involved in the domestic violence sector. During these visits, the concerns of police and community in relation to issues associated with the enforcement and compliance with the provisions of the *Domestic Violence (Family Protection) Act 1989* and Service policy and procedures have been canvassed. A concern that has been raised repeatedly by police in all areas across the state has been the ongoing problems experienced when having to prepare applications for domestic violence orders on behalf of aggrieved spouses and in the service of documents issued under the *Domestic Violence (Family Protection) Act 1989* on respondent spouses. The general consensus from police has been that the problems they experience reduce the effectiveness of the *Domestic Violence (Family Protection) Act 1989* and inhibit the ability of police to maximise the safety of the aggrieved spouse and their family.

In order to identify the 'cause' (as apposed to the 'symptoms') of the problems police experience, a research project was developed and conducted by the presenter in 2000. The purpose of the research was to identify the problems associated with the preparation of applications for domestic violence orders on behalf of aggrieved spouses; service of applications for domestic violence orders; and service of domestic violence orders on respondent spouses by members of the Queensland Police Service under the provisions of the *Domestic Violence (Family Protection) Act 1989*. This paper describes the findings of the research.

A literature review established only one research project which encompassed two of the issues being addressed in this research has been previously conducted in Queensland. As a result, the researcher utilised exploratory, descriptive and explanatory methods of research throughout the project. Quantitative data gathering techniques were utilised during the research and three instruments (Police Survey, Magistrates Court Survey and Existing Statistics) were used in order to collect data.

## **Police Survey**

The questionnaire consisted of twenty-one questions in five sections.

1. Preparation of applications for domestic violence orders
2. Service of applications for domestic violence orders and domestic violence orders on respondent spouses
3. Impact on time for police
4. General opinion – possible improvement(s) to current system
5. Background information

The first and second sections consisted of a number of statements (five and eight respectively) containing a suggested problem relevant to the section. For each statement, survey respondents were asked to rate the frequency they have experienced the problem suggested in the statement on a 5-point likert scale, ranging from 'always' to 'never'.

In order to determine the survey respondents experience in relation to each section and to negate the influence of recently introduced legislation, such as the *Police Powers and Responsibilities Act 1997*, respondents were asked to indicate whether they had at anytime in the past 3 years been required to complete the duty relevant to each section.

The third section listed twelve duties that are completed by police when preparing an application for a domestic violence order on behalf of an aggrieved spouse and in the service of an application for domestic violence order and/or domestic violence order on a respondent spouse. For each duty, respondents were asked to indicate either the average time, number of visits or days they spent or took in relation to each duty.

The fourth section listed seven statements which suggested possible solutions to the problems experienced by police in the preparation of applications for domestic violence orders on behalf of aggrieved spouses and in the service of application for domestic violence orders and/or domestic violence orders on respondent spouses. For each statement, respondents were asked to indicate their degree of agreement or disagreement on a 5-point likert scale, ranging from 'strongly agree' to 'strongly disagree'. The option of 'don't know' was also included in the scale.

The final section of the survey consisted of seven questions to determine the background information and characteristics of the respondents who completed the survey.

The survey was distributed to 440 police officers across the state, from which 257 (58%) were completed and returned. For the research project, the 'target population' was defined as being police officers of Sergeant, Senior Constable and Constable rank who perform 'general duties' in all eight police regions. The definition of the 'target population' was formed on the basis that the duties being addressed in this research project are primarily performed in the QPS by 'general duty' police of Sergeant, Senior Constable and Constable rank in the eight police regions.

## **Magistrates Court Survey**

A letter consisting of three questions was distributed to the Clerk of the Court of each Magistrates Court in Queensland who during the 12 month period, 1 January to 31 December 1999 had a private application for a domestic violence order lodged in their court; and/or had a domestic violence order (temporary protection order and/or protection order) in their court.

The letter listed the number of private applications for domestic violence orders that were lodged in their court and/or the number of domestic violence orders issued in their court during this period. Each Clerk of the Court was requested to provide a numerical figure that would accurately reflect the percentage of private applications for domestic violence orders and/or domestic violence orders that were forwarded from their court to the QPS for service on the respondent spouse. Of the ninety-nine letters distributed, sixty-eight (69%) were completed and returned .

## **Existing Statistics**

Statistics collated by Families, Youth and Community Care Queensland were also used during the research project. These statistics related to the number of applications for domestic violence orders (police and private) lodged and domestic violence orders issued in Queensland Magistrate Courts during the 12 month period, 1 January to 31 December 1999.

After collating and entering the returned data onto computer the data was analysed by way of

## Findings

This section presents the findings (data) from the research project. The presenters interpretation of the findings are detailed in the Discussion section of this paper.

The findings are presented under the headings ‘Police Survey’ and ‘Magistrates Court Survey’.

## Police Survey

### *Characteristics of Survey Respondents*

Table 1 shows the following information:

- the number of police districts in the eight police regions of the QPS;
- the total number of police officers (population) in each region;
- the number of police officers of Sergeant, Senior Constable and Constable rank performing ‘general duties’ (target population) in each region;
- the number of districts in each region the police survey was distributed in;
- the number of police officers in each region who were forwarded the survey to complete (respondents);
- the number and percentage of returned surveys compared to the number distributed relevant to each region; and
- the percentage rate of returned surveys compared to the ‘target population’ of each region (sample ratio).

**Table 1 - QPS Regions/District Population & Target Population. Survey Distribution and Return (Number & Percentage Rate)**

Location		Police Officers (N)		Survey Distribution/Return (n)			Percentage	
Region	(N) Districts #	Total	General Duties (GD) *	Districts surveys distributed in	Surveys distributed	Surveys returned	Surveys returned	GD police who completed survey
Metropolitan North	8	933	443	5	100	53	53.0%	12.0%
Metropolitan South	3	788	362	2	40	22	55.0%	6.1%
Southern	6	703	429	2	40	26	65.0%	6.1%
South Eastern	2	938	516	2	40	16	40.0%	3.1%
Northern	2	489	326	2	40	26	65.0%	8.0%
North Coast	5	859	487	4	80	46	57.5%	9.4%
Central	4	566	337	4	80	38	47.5%	11.3%
Far Northern	3	504	308	1	20	10	50.0%	3.2%
Total	33	5780	3208	22	440	20	Missing Cases	
						257	58.4%	8.0%

# = The term ‘Division’ is used in Metropolitan North Region.

\* = General Duty Police Officers of Sergeant/Senior Constable/Constable rank.

Sources: QPS Annual Report 1998-99 & AURION (HRM Database) 1-4-00

Table 1 shows that the combined ‘population’ and ‘target population’ of the eight police regions was 5,780 and 3,208 respectively. It can be seen that the largest number of surveys were distributed in the Metropolitan North region (100) in five divisions and the least in Far Northern region (20) in one district. The highest percentage return rate of surveys equally occurred in Southern and Northern regions (65.0%) and the lowest in South Eastern region (16%). Of the total number of total number of surveys (440) distributed 247 (58.4%) were completed and returned. The

by 'target population' 3208 multiplied by 100). It can be seen that 20 (7.8%) respondents did not list the name of the region they worked in on their completed survey.

Table 2 shows a cross-tabulation of the gender of survey respondents compared with their rank. Results are displayed by both number and percentage.

**Table 2 - GENDER of Survey Respondents by RANK (Sergeant / Senior Constable / Constable)**

Gender	Constable		Senior Constable		Sergeant		Total	
	(n)	Per cent	(n)	Per cent	(n)	Per cent	(n)	Per cent
Male	60	34.1%	80	45.5%	36	20.5%	176	73.3%
Female	42	65.6%	17	26.5%	5	7.8%	64	26.7%
Total	102	42.5%	97	40.4%	41	17.1%	240	100.0%
Missing Cases = 17								

It can be seen that 176 (73.3%) respondents were male and 64 (26.7%) were female. Police officers of Constable rank comprised the largest group of respondents (42.5%) with Sergeants being the lowest (17.1%).

Table 3 shows the number and percentage of male and female police officers of Sergeant, Senior Constable and Constable rank in the QPS (target population) as at 30 June 1999.

**Table 3 - RANK (Sergeant / Senior Constable / Constable) Distribution in QPS by GENDER**

Rank	Male		Female	
	(N)	Per cent	(N)	Per cent
Sergeant	1558	94.1%	97	5.9%
Senior Constable	1897	86.0%	310	14.0%
Constable	1801	70.9%	739	29.1%
Total	5256	82.1%	1146	17.9%

Source: QPS Annual Report 1998-99

When comparing the data in Table 2 with Table 3, it can be seen that the percentage of females in the survey sample was 8.8% above the state-wide average (population).

Figure 1 shows the geographical location of survey respondents workplace. It can be seen that respondents were located relatively even across all four locations with the range between 18.3% (Metropolitan) and 29.6% (Rural).

**FIGURE 1 – Geographical location of survey respondents (n = 257)**

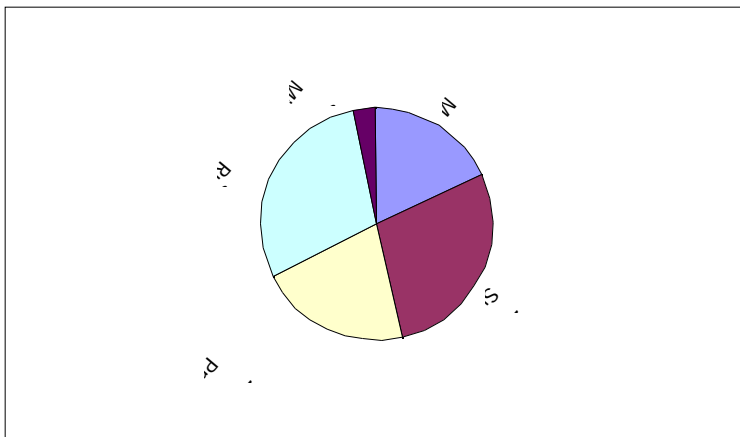


Table 4 shows the frequency of response, mean and range of survey respondents years of service in the QPS. The data displayed in the table was originally collated in ratio measure format and analysed by way of descriptive statistical analysis where the mean and range was ascertained. The ratio measure data was then grouped and converted into ordinal measure format in order for frequency of response analysis to occur.

**Table 4 - Survey respondent yrs of service in QPS (frequency of response, mean and range)**

<b>Years of Service</b>	<b>(n)</b>	<b>%</b>
1-5 years	86	33.5%
6-9 years	39	15.2%
10-14 years	61	23.7%
15-19 years	25	9.7%
20+ years	34	13.2%
Missing Data	12	4.7%
<b>Total</b>	<b>257</b>	<b>100.0%</b>
<b>Mean</b>	<b>10.11 years</b>	
<b>Range (Minimum)</b>	<b>1 year</b>	
<b>Range (Maximum)</b>	<b>31 years</b>	

Table 4 shows that the highest number of respondents had 1-5 years service (33.5%), followed by 10-14 years service (23.7%). The mean (average) of the respondents was 10.11 years and the range 1 year to 31 years.

***Preparation of applications for domestic violence orders***

Survey respondent were asked to indicate with a ‘no’ or ‘yes’ answer if they had at anytime in the past 3 years been required to make an application for a domestic violence order on behalf of an aggrieved spouse. Figure 2 shows that 239 (93.0%) of the 257 survey respondents, 239 (93.0%) indicated ‘yes’.

**FIGURE 2 – Number Survey Respondents who have made an Application for a Domestic Violence Order during the past 3 years (n = 257)**

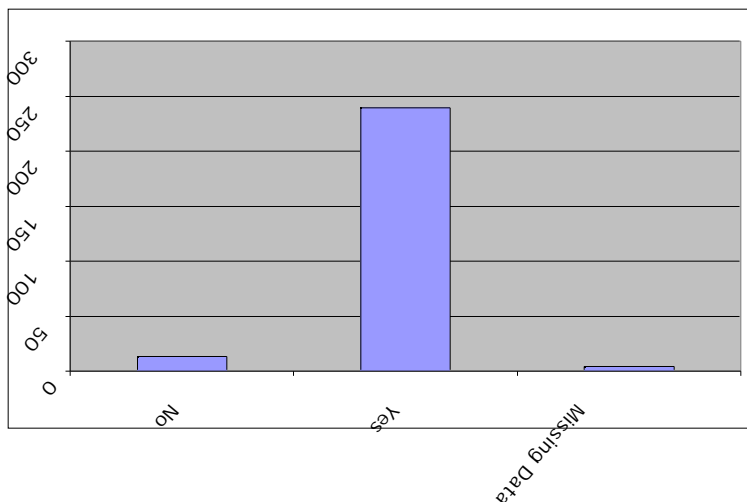


Table 5 shows the frequency of response, median and mode of survey respondents experiences in relation to five statements put to them suggesting problems experienced by police in the preparation of applications for domestic violence orders on behalf of aggrieved spouses. Respondents were asked to select the frequency, from a 5-point likert scale ranging from ‘always’ to ‘never’, that most accurately reflected their experiences of the issue raised in each statement.

**Table 5 - Suggested problems experienced by police in the preparation of applications for domestic violence orders on behalf of aggrieved spouses (frequency of response, median and mode)**

<i>Preparation of applications for domestic violence orders (n = 257)</i>									
Q.	<i>I have experienced problem(s) ...</i>	<i>Always</i>	<i>Often</i>	<i>Sometimes</i>	<i>Seldom</i>	<i>Never</i>	<i>NR</i>	<i>Median</i>	<i>Mode</i>
2a	in completing the six page DV1 due to its excessive length	4.3%	13.6%	28.4%	33.5%	17.9%	2.3%	Seldom	Seldom
2b	answering questions on the DV1 as the questions to not flow in logical order	7.4%	18.3%	23.3%	31.5%	17.1%	2.3%	Sometimes	Seldom
2c	answering questions on the DV1 due to insufficient space	35.4%	37.4%	15.6%	8.6%	1.6%	1.6%	Often	Often
2d	completing an affidavit with the DV1	5.4%	17.1%	21.8%	30.4%	20.2%	5.1%	Seldom	Seldom
2e	locating a Justice of the Peace to sign the summons and oath of service of the DV1	12.1%	31.5%	26.8%	19.1%	7.8%	2.7%	Sometimes	Often

**NR** = No Response

Table 5 indicates that 72.8% of respondents had either ‘always’ or ‘often’ experienced problems answering questions on the DV1 due to insufficient space (2c). The median and mode for this statement was ‘often’. The lowest response frequency for ‘always’ and ‘often’ was for the statement (2a) in relation to completing the six page DV1 due to its excessive length (17.9%).

Survey respondents were provided the opportunity to describe any other problem(s) they had experience in the preparation of applications for a domestic violence order on behalf of an aggrieved spouse. 154 (59.9%) of respondents described other problem(s) they had experienced.

***Service of applications for domestic violence orders and/or domestic violence orders on respondent spouses***

Survey respondent were asked to indicate with a ‘no’ or ‘yes’ answer if they had at anytime in the past 3 years been required to serve an application for a domestic violence order and/or a domestic violence order on a respondent spouse. Figure 3 shows that 248 (96.5%) of the 257 survey respondents indicated ‘yes’.

**FIGURE 3 – Number Survey Respondents who have been required to serve an Application for a DVO and/or a DVO on a respondent spouse during the past 3 years (n = 257)**

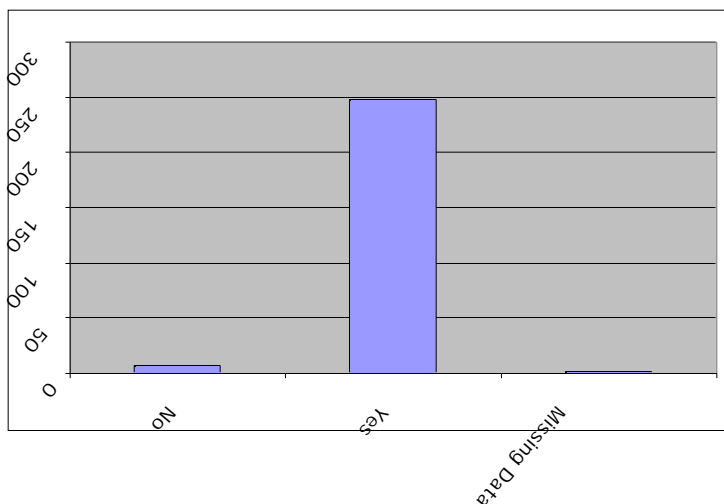


Table 6 shows the frequency of response, median and mode of survey respondents experiences in relation to eight statements put to them suggesting problems experienced by police in the service of applications for domestic violence orders and/or domestic violence orders on respondent spouses. Respondents were asked to select the frequency, from a 5-point likert scale ranging from ‘always’ to ‘never’, that most accurately reflected their experiences of the issue raised in each statement.

**Table 6 - Suggested problems experienced by police in the service of applications for domestic violence orders and domestic violence orders on respondent spouses (frequency of response, median and mode)**

<i>Service of applications for domestic violence orders and domestic violence orders on respondent spouses (n = 257)</i>									
<b>Q.</b>	<b><i>I have experienced problem(s) ...</i></b>	<b><i>Always</i></b>	<b><i>Often</i></b>	<b><i>Sometimes</i></b>	<b><i>Seldom</i></b>	<b><i>Never</i></b>	<b><i>NR</i></b>	<b><i>Median</i></b>	<b><i>Mode</i></b>
5a	locating the respondent spouse due to insufficient address details on the document(s)	1.6%	27.6%	40.5%	23.0%	5.1%	2.3%	Sometimes	Sometimes
5b	locating the respondent spouse when their place of current employment is unknown	1.6%	21.4%	44.7%	21.0%	8.9%	2.3%	Sometimes	Sometimes
5c	locating the respondent spouse when the name(s) of their relatives/associates are unknown	3.1%	15.6%	33.9%	28.8%	16.0%	2.7%	Sometimes	Sometimes
5d	locating the respondent spouse when the places they frequent are unknown	4.3%	18.7%	33.5%	25.7%	14.8%	3.1%	Sometimes	Sometimes
5e	locating the respondent spouse when they appear to deliberately avoid service of the document(s)	9.3%	30.7%	35.8%	14.4%	7.0%	2.7%	Sometimes	Sometimes
5f	when there has been a delay in receiving the document(s) from Magistrate Courts for 'service'	4.7%	19.1%	37.4%	23.7%	12.8%	2.3%	Sometimes	Sometimes
5g	when repeat attendance's at the respondent spouses residence and/or workplace have been necessary to effect 'service'	5.1%	38.9%	35.0%	13.2%	5.1%	2.7%	Sometimes	Often
5h	when the relevant entry on the Domestic Violence Index has not been maintained with up-to-date information	5.8%	28.0%	42.8%	17.1%	3.9%	2.3%	Sometimes	Sometimes

**NR** = No Response

Table 6 indicates that 44.0% of respondents had either ‘always’ or ‘often’ experienced problems when repeat attendance’s at the respondent spouses residence and/or workplace have been necessary to effect ‘service’ of domestic violence documents (5g). The median for this statement was ‘sometimes’ and the mode ‘often’. The lowest response frequency for ‘always’ and ‘often’ was for the statement (5c) in relation to locating the respondent spouse when the name(s) of their relatives/associates are unknown (18.7%).

Survey respondent were provided the opportunity to describe any other problem(s) they had experience in the service of applications for domestic violence orders and domestic violence orders on respondent spouses. 83 (32.3%) of survey respondents described other problem(s) they had experienced.

### ***Impact on time for police***

The data displayed in Tables 7 to 10 was originally collated in ratio measure format and analysed by way of descriptive statistical analysis where the mean and range was ascertained. The ratio measure data was then grouped and converted into ordinal measure format in order for frequency of response and cross-tabulation analysis to occur.

Table 7 shows the frequency of response, mean and range of survey respondents experiences in relation the average time it takes them to complete six duties associated with the making of an application for a domestic violence order on behalf of an aggrieved spouse. Respondents were asked to indicate how much time they spent on average to complete each duty. Respondents were asked to indicate time spent as '0' for those duties they did not complete.

**Table 7 –Time spent on average by police when attending to duties associated with the making of an application for a domestic violence order on behalf of an aggrieved spouse (frequency of response, mean and range)**

Please indicate how much time you spend on average to complete the following duties (n = 257)									Displayed in Time (hh:mm:ss)			
Q.	Duty	DNC	1-29 mins.	30-59 mins.	60-89 mins.	90-119 mins.	120+ mins.	NR	Mean	Min.	Max.	(n)
7a	Application for DVO (DV1)	2.3%	7.8%	36.6%	35.8%	9.3%	7.0%	1.2%	0:55:49	0:10:00	3:00:00	248
7b	Affidavit (Police Officer)	16.7%	19.5%	32.3%	22.2%	2.3%	1.2%	5.8%	0:40:07	0:05:00	3:00:00	199
7c	Affidavit (Aggrieved Spouse)	12.8%	5.4%	23.3%	33.5%	12.1%	9.3%	3.5%	1:03:51	0:05:00	5:00:00	215
7d	Locate JP to sign summons (before service)	4.3%	35.4%	43.6%	10.1%	2.3%	1.6%	2.7%	0:33:31	0:05:00	12:00:00	239
7e	Locate JP to witness 'Oath of Service' (after service)	2.7%	51.4%	36.6%	5.4%	0.8%	0.8%	2.3%	0:23:32	0:01:00	2:00:00	244
7f	Complete Domestic Violence Index entry	0.8%	87.9%	8.9%	0.8%	-	0.8%	0.8%	0:14:38	0:02:00	2:00:00	253

DVO = Domestic Violence Order JP = Justice of the Peace DNC = Do Not Complete NR = No Response

Table 7 shows that 72.4% of respondents took on average 30-89 minutes to complete a DV1 (7a). The average (mean) was 55:49 minutes and the range varied from 10 minutes to 3 hours.

16.7% of respondents were not required to complete a police officer affidavit (7b) and 32.3% took on average 30-59 minutes to complete such document. The mean was 40:07 minutes and the range varied from 5 minutes to 3 hours. In relation to the aggrieved spouse affidavit (7c), it took respondents 23:44 minutes on average longer to complete this document (mean 63:51 minutes) compared to the police officer affidavit. 21.4% of respondents took on average in excess of 90 minutes to complete an aggrieved spouse affidavit with 12.8% not required to complete such document. From the data, 77.5% of respondents were required to complete a police officer affidavit and 83.7% required to complete a aggrieved spouse affidavit.

43.6% of survey respondents took on average 30-59 minutes to locate a Justice of the Peace (JP) to sign an application summons before service on the respondent spouse (7d). The mean was 33:31 minutes. When having to locate a JP to witness a 'oath of service' after service (7e), the mean was 23:32 minutes, some 9:59 minutes less than for locating a JP before service. 36.6% of respondents took on average 30-59 minutes to locate a JP after service with the majority of respondents (51.4%) taking on average 1-29 minutes to locate a JP. The range varied from 1 minute to 2 hours, compared to 5 minutes to 12 hours for locating JP before service (7d).

87.9% of respondents took on average 1-29 minutes to complete a domestic violence entry (7f). The mean was 14:38 minutes and the range varied from 2 minutes to 2 hours.

Table 8 shows the frequency of response, mean and range of survey respondents experiences in relation the average number of visits it takes them to serve an application for a domestic violence order and/or domestic violence order on a respondent spouse. Respondents were asked in indicate how many visits on average it took them to serve each document. Respondents were asked to indicate time spent as '0' for those documents they did not serve.

**Table 8 –Number of visits on average police take to serve an application for a domestic violence order and/or domestic violence order on a respondent spouse (frequency of response, mean and range)**

<i>Please indicate how many 'visits' you make on average to serve DV1/DVO</i>														
<i>(n = 257)</i>												<i>Range</i>		
<i>Q.</i>		<i>DNC</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7+</i>	<i>NR</i>	<i>Mean</i>	<i>Min.</i>	<i>Max.</i>	<i>(n)</i>
8a	Application for DVO (DV1) on respondent spouse	3.9%	20.6%	40.9%	22.6%	3.9%	3.5%	1.9%	8.9%	2.3%	2.27	1.00	7.50	241
8b	DVO on respondent spouse	5.4%	15.2%	38.9%	26.1%	5.8%	3.5%	1.6%	0.8%	2.7%	2.43	1.00	7.50	236

**DVO** = Domestic Violence Order **DNC** = Do Not Complete **NR** = No Response

Table 8 shows respondents took on average 2 visits each to serve a DV1 (40.9%) and a DVO (38.9%) on a respondent spouse, however the means were 2.27 visits and 2.43 visits respectively. 73.2% took more than one visit to effect service of a DV1 on a respondent spouse. This percentage increased to 76.7% when required to serve a DVO. The range varied from 1 visit to 8 visits for each document.

Table 9 shows the frequency of response, mean and range of survey respondents experiences in relation the average time spent during each visit when serving an application for a domestic violence order and/or domestic violence order on a respondent spouse. Respondents were asked in indicate how much time they spent on average during each visit. Respondents were asked to indicate time spent as '0' for those documents they did not serve.

**Table 9 - Time spent on average during each visit by police when serving an application for a domestic violence order and/or domestic violence order on a respondent spouse (frequency of response, mean and range)**

<i>Please indicate how much time you spend on average during each 'visit' to serve DV1/DVO</i>												<i>Displayed in Time (hh:mm:ss)</i>		
<i>(n = 257)</i>											<i>Range</i>			
<i>Q.</i>		<i>DNC</i>	<i>1-29 mins.</i>	<i>30-59 mins</i>	<i>60-89 mins</i>	<i>90-119 mins</i>	<i>120+ mins</i>	<i>NR</i>	<i>Mean</i>	<i>Min.</i>	<i>Max.</i>	<i>(n)</i>		
9a	Application for DVO (DV1) on respondent spouse	3.9%	72.8%	16.7%	2.3%	0.4%	2.7%	1.2%	0:20:34	0:02:00	3:00:00	244		
9b	DVO on respondent spouse	5.1%	72.0%	15.6%	2.7%	0.4%	2.3%	1.9%	0:20:24	0:02:00	2:00:00	239		

**DVO** = Domestic Violence Order **DNC** = Do Not Complete **NR** = No Response

Table 9 shows that 72.8% of respondents took on average 1-29 minutes during each visit when serving a DV1 on a respondent spouse (9a). The mean was 20:34 minutes and the range varied from 2 minutes to 3 hours. An almost similar percentage rate was obtained in relation to service of a DVO, however the maximum range reduced by one hour to 2 hours.

Table 10 shows the frequency of response, mean and range of survey respondents experiences in relation the number of days on average it took to serve an application for a domestic violence order and/or domestic violence order on a respondent spouse after being issued. Respondents were asked in indicate how many days on average it took to serve each document after being issued. Respondents were asked to indicate time spent as '0' for those documents they did not serve.

**Table 10 - Number of days on average it takes to serve an application for a domestic violence order and/or domestic violence order on a respondent spouse after issue (frequency of response, mean and range)**

<i>Please indicate how many days on average it takes to serve DV1/DVO after the document has been issued</i>														
<i>(n = 257)</i>														
											<i>Range</i>			
<i>Q.</i>		<i>DNC</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7+</i>	<i>NR</i>	<i>Mean</i>	<i>Min.</i>	<i>Max.</i>	<i>(n)</i>
10a	Application for DVO (DV1) on respondent spouse	12.8%	23.0%	19.1%	14.0%	8.6%	5.4%	1.2%	8.9%	7.0%	2.98	0.50	14.00	206
10b	DVO on respondent spouse	13.2%	14.4%	15.2%	16.3%	7.8%	7.8%	1.6%	16.3%	7.4%	3.80	0.50	14.00	204

DVO = Domestic Violence Order DNC = Do Not Complete NR = No Response

23.0% of respondents answered that it took one day on average to serve a DV1 on a respondent spouse after it has been issued. The mean was 2.98 days and the range varied from 1 day to 14 days. When compared to the service of a DVO, 14.4% of respondents answered that took one day on average to serve with 16.2% of respondents each answering that it took 3 days and 7+ days on average to serve a DVO on a respondent spouse. The mean for service of a DVO was 3.80 days and the range varied from 1 day to 14 days.

Survey respondents were provided the opportunity to describe any other duties that are completed by police in the preparation and making of applications for a domestic violence order on behalf of aggrieved spouses and in the service of such applications and/or domestic violence orders on respondent spouses. Respondents were asked to indicate how much time they spent on average to compete each duty. 95 (37.0%) of survey respondents described other duties that are completed by police. Some of the duties included:

- Arrange counselling for aggrieved spouse and/or respondent spouse
- Arranging for attendance of Scenes of Crime
- Assist with finding alternative accommodation for aggrieved spouse
- Complete Domestic Violence Entry/Search register
- Complete 'Full Briefs of Evidence' - police applications
- Complete 'Full Briefs of Evidence' - private applications
- Complete station requirements eg. Fax-Back (Logan police district)
- Complete checklists for risk management
- Complete and serve of 'variation' applications
- Complete custody index
- Complete IMS log entry
- Complete occurrence sheet entry
- Complete patrol log
- Complete police notebook entry
- Computer checks - POLARIS, QPI and weapons index
- Lodge exhibits - weapons etc.
- Complete TAPES index
- Obtain copy of criminal histories
- Obtain crime report no.
- Obtain statements from witnesses, medical practitioners etc.
- Photocopy documents before service
- 'Keep the peace' at property retrievals
- Referral of aggrieved spouse and respondent spouse to support agencies
- Serve amended DVOs after variation/revocation hearings
- Serve amended applications

- Transport aggrieved spouse to women's shelter/refuge
- Transport aggrieved/respondent spouse to/from hospital or medical facility for treatment
- Transport aggrieved spouse/witnesses to/from station for statement
- Conduct welfare checks on children

**General opinion – possible improvement(s) to current system**

Table 11 shows the frequency of response, median and mode of survey respondents level of agreement/disagreement in relation to seven statements. The statements relate to whether or not there was a need to amend the *Domestic Violence (Family Protection) Act* and/or QPS policy and procedures in order reduce the problem(s) police experience in relation to the preparation of applications for domestic violence orders on behalf of aggrieved spouses and the service of such applications and domestic violence orders on respondent spouses. Respondents were asked to select, from a 5-point likert scale ranging from ‘strongly agree’ to ‘strongly disagree’ and including ‘don’t know’, the answer that most accurately reflected their degree of agreement/disagreement with each statement.

**Table 11 - Suggested Improvements to be made to the *Domestic Violence (Family Protection) Act 1989* and/or QPS policy and procedures (frequency of response, median and mode)**

General opinion - possible improvement(s) to current system									
(n = 257)									
Q.	Statement	SA	A	D	SD	DK	NR	MED	MOD
12a	Police should be given the legislative authority to issue a 'Notice to Appear' to a respondent spouse (RS) when making application for a domestic violence order (DVO) on behalf of an aggrieved spouse (AS)	40.9%	39.3%	11.3%	3.5%	4.7%	0.4%	A	SA
12b	When making an application for a DVO on behalf of an AS, the requirement to complete an affidavit contributes to the problem(s) experienced in the preparation of such applications and therefore, this requirement should be abolished	45.1%	33.1%	15.2%	2.7%	2.7%	1.2%	A	SA
12c	When making an application for a DVO on behalf of an AS, the requirement to have the summons signed by a Justice of the Peace before attempting service on the RS contributes to the problem(s) experienced in the service of such applications and therefore, this requirement should be abolished	55.6%	32.3%	8.2%	1.2%	2.3%	0.4%	SA	SA
12d	When a RS is summonsed with seven days notice to appear in court in relation to an application for a DVO against them, it should be mandatory for them to appear in court when the matter is heard	38.9%	31.1%	20.6%	6.6%	2.7%	-	A	SA
12e	In the event a RS fails to appear in court after being summonsed with seven days notice to appear in relation to an application for a DVO against them, the matter should be able to be determined in their absence. Such failure to appear will constitute an agreement by the RS as to any condition(s) set down by the court in their absence	69.6%	25.3%	2.3%	1.2%	0.8%	0.8%	SA	SA
12f	When a RS receives a summons to appear in court in relation to application for a DVO against them, the summons should constitute a temporary protection order until the time the application is determined by a court	64.6%	28.4%	4.3%	1.9%	0.4%	0.4%	SA	SA
12g	When a DVO is made against a RS in their absence, it should be the legislative responsibility of the court registrar to serve the DVO on the RS by registered post in accordance with s.56 of the Justices Act, instead of the present requirement of forwarding the DVO to the QPS for service	55.3%	22.6%	17.1%	4.3%	0.8%	-	SA	SA

**SA** = Strongly Agree    **A** = Agree    **SD** = Strongly Disagree    **D** = Disagree    **DK** = Don't Know    **NR** = No Response  
**MED** = Median    **MOD** = Mode

Table 11 indicates that the range of agreement (‘strongly agree’ and ‘agree’) with each statement ranged from 70.0% to 94.%, compared to disagreement (‘strongly disagree’ and ‘disagree’) 3.5% to 27.2%. The mode of each statement was ‘strongly agree’ and the median ‘strongly agree’ for four statements, and ‘agree’ for the remaining three statements.

Survey respondent were provided the opportunity to explain any other provision(s) of the *Domestic Violence (Family Protection) Act 1989* and/or QPS policy/procedures that need to be amended or introduced in order to reduce the problem(s) police experience in the preparation of applications for domestic violence orders on behalf of aggrieved spouse and service of such applications and/or domestic violence orders on respondent spouses. 87 (33.9%) of survey respondents contributed further information

The survey concluded by giving survey respondents the opportunity to make any further comments regarding any aspect of the research topic, or in relation to any issues not canvassed in the survey. 73 (28.4%) of survey respondents made further comments.

## Magistrates Court Survey

Table 12 shows statistics obtained from Families, Youth and Community Care Queensland indicating the number of police and private applications for domestic violence orders lodged and temporary domestic violence orders and domestic violence orders issued in Queensland Magistrates Courts from 1 January 1999 to 31 December 1999.

The table also shows summary information supplied by 68 Magistrate Courts indicating the mean percentage rate of applications and orders issued in their courts that were forwarded to the QPS for service during 1999. The mean percentage rates have then been applied to the total number of applications and orders issued during 1999 in order to estimate the total number that were forwarded to the QPS for service.

**Table 12 - Number of police and private applications for domestic violence orders, temporary domestic violence orders and domestic violence orders issued in 1999 and forwarded to the QPS for service (Magistrate Court surveys - distribution and return rate)**

Period 1 January 1999 to 31 December 1999	Magistrate Court Surveys		Domestic Violence Documents			
	(N)	Per Cent	Private Applications DVO *	Temporary Domestic Violence Orders	Domestic Violence Orders	Police Apps. DVO
Surveys Returned	68	68.69 %	5115	4877	6158	-
Surveys Not Returned	31	31.31 %	2150	2941	3295	-
Total Surveys Distributed (Queensland)	99	100 %	<b>7265 #</b>	<b>7818 #</b>	<b>9453 #</b>	-
<b>Data from Returned Surveys (68)</b>						
Forwarded to QPS for Service % (Mean)			98.12%	88.21%	75.32%	-
Forwarded to QPS for Service (N)			<b>5019</b>	<b>4302</b>	<b>4638</b>	-
<b>Returned Survey Data Percentages applied to Totals to determine estimate (N) forwarded to QPS for Service in 1999</b>						
			98.12% x 7265	88.21% x 7818	75.32% x 9453	
<b>Estimated Total Forwarded to QPS for Service (N)</b>			<b>7128</b>	<b>6896</b>	<b>7120</b>	<b>6326 #</b>

**DVO\*** = Domestic Violence Order    **# Data Source:** Family, Youth and Community Care Queensland (Statistical Services Branch) 2000

## Discussion

The findings (data) will now be discussed, analysed and interpreted with reference to the specific research questions of the project.

### Specific Research Questions

- What are the problems associated with the preparation of applications for domestic violence orders on behalf of aggrieved spouses; and service of applications for domestic violence orders and domestic violence orders on respondent spouses by members of the QPS?
- What is the average time taken to prepare applications for domestic violence orders for service on respondent spouses by members of the QPS?
- What is the average time taken to serve applications for domestic violence orders on respondent spouses by members of the QPS?
- What is the average time taken to serve domestic violence orders on respondent spouses by members of the QPS?
- How many applications for domestic violence orders are required to be served on respondent spouses annually by members of the QPS?

With reference to the data contained in Tables 1-3 and Figure 1, it can be seen that representative reliability has been achieved in the sample of police officers surveyed for the research project, in particular with reference to gender, location and years of service in the QPS of survey respondents. This representative reliability contributes to the reliability and validity of the findings of the research project and allows for detailed statistical analysis to occur by comparing different variables. For example, in relation to the specific research question 'a', are the problems experienced by police in 'rural' locations the same or different to those experienced by police in 'metropolitan' locations?

Figure 2 shows that 239 (93.0%) survey respondents had at sometime in the past 3 years made application for a domestic violence order on behalf of an aggrieved spouse. In addition, Figure 3 shows that 248 (96.5%) survey respondents had at sometime in the past 3 years been required to serve an application for a domestic violence order and/or domestic violence order on a respondent spouse. These high percentages contributes to the validity of the research findings as the data which make-up the findings has been provided by police officers with experience and knowledge of the issues being researched.

As the researcher has not been expected to do 'amazingly complex calculations' (QPS 2000f, p.72) for the project, the following discussion is based on simple statistical analysis techniques performed by the researcher of the findings. Each specific research question will be discussed individually.

***What are the problems associated with the preparation of applications for domestic violence orders on behalf of aggrieved spouses; and service of applications for domestic violence orders and domestic violence orders on respondent spouses by members of the QPS?***

In relation to determining the problems associated with the preparation of applications for domestic violence orders on behalf of aggrieved spouses, it is of interest to note that survey respondents had experienced problems of varying frequency with respect to all five statements (Table 5). It can be seen that answering questions on the DV1 due to insufficient space (2c) cause the most problems for police with the median and mode 'often'. The next highest frequency for 'always' and 'often' (43.6%) related to locating a Justice of the Peace to sign the summons and oath of service of the DV1 (2e). The 'always' and 'often' frequency for the remaining three statements ranged from 17.9% (2a) to 25.7% (2b).

These findings are reflective of the additional comments made by survey respondents in relation to this segment of the research project. Some of the comments included:

*"I have experienced great difficulty in managing the text fields in this poorly developed DV1 form. These fields are not designed to return to the next line as this boxed field does. The outcome is often the presentation of an unprofessional document".*

*"The length of the document is the main problem. The area left for the description of the incidents is a joke. A couple of lines only".*

*"The most significant problem is having to locate JP's to sign the summons/oath of service on applications; it can take up to an extra hour to have to arrange this. Obviously, there is insufficient space to provide comprehensive answers to the most pertinent questions (questions 13-15 from memory). The amount of space available must be increased".*

*"The spaces available to write the history of the domestic violence is too small. The 'excel' document isn't worth using at all. The question do not flow and the document will not automatically return onto the next line. Quite frankly – the document used currently is not police friendly. An area for 'the facts' should be allowed so that the court can see the police investigations/observations at the scene etc".*

*"Insufficient space on the form is a major problem in completing the application. Although extra pages can be attached when required, it would be nice if enough space was on the form to start with. The form also found on the 'Forms Select' package is useless in that the boxes for typing do not justify themselves and 'self return'. Tabbing from cell to cell making sure that your words stay inside the provided box is very time consuming".*

Similar to these findings, respondents had also experienced problems of varying frequency in relation to all eight statements in relation to problems associated with the service of applications for domestic violence orders and domestic violence orders on respondent spouses by members of the QPS (Table 6).

From Table 6, it can be seen that police experience the most problems ('always' and 'often' 44.0%) in the service of domestic violence documents when repeat attendance's at the respondent spouses residence and/or workplace have been necessary to effect 'service' (5g). When the frequency 'sometimes' is included, the percentage rate increases to 79.0%. The next highest frequency for 'always' and 'often' (40.0%) related to locating the respondent spouse when they appear to deliberately avoid service of the documents (5e).

It is of interest to note that approximately a third of respondents (33.8%) answered 'always' or 'often' in relation to experiencing problems when the relevant entry on the Domestic Violence index has not been maintained with up-to-date information (5h). This result is important as QPS policy in relation to the responsibilities of officers in the entry and checking of data on the domestic violence index is contained in chapter 9.11 of the OPM. In addition, QPS risk management practices should identify and address issues such as these.

Exploring this result further, Table 13 shows a cross-tabulation of police regions with the frequency rate experienced by police in relation to this statement. The Table shows that in relation to the frequency 'always' and 'often', the highest response was recorded in Metropolitan South region (57.2%) followed by South Eastern region (50.1%). All respondents in Metropolitan South, North Coast, Central and Far Northern regions had experienced problems of varying frequency in relation to this statement.

**Table 13 – Problems experienced by police in relation to the service of domestic violence documents when the relevant entry on the domestic violence index has not been maintained with up-to-date information by REGIONS (Frequency of Response Percentage)**

<i>5h. I have experienced problem(s) when the relevant entry on the Domestic Violence Index has not been maintain with up-to-date information.</i>							
<i>Region</i>	<i>Always</i>	<i>Often</i>	<i>Sometimes</i>	<i>Seldom</i>	<i>Never</i>	<i>Total</i>	<i>(n)</i>
Metropolitan North	6.3%	25.0%	39.6%	20.8%	8.3%	100.0%	48
Metropolitan South	4.8%	52.4%	33.3%	9.5%	-	100.0%	21
Southern	7.7%	23.1%	53.8%	7.7%	7.7%	100.0%	26
South Eastern	6.3%	43.8%	43.8%	-	6.3%	100.2%	16
Northern	3.8%	26.9%	46.2%	15.4%	7.7%	100.0%	26
North Coast	8.7%	28.3%	41.3%	21.7%	-	100.0%	46
Central	5.3%	18.4%	52.6%	23.7%	-	100.0%	38
Far Northern	-	40.0%	30.0%	30.0%	-	100.0%	10
Total	6.1%	29.0%	43.7%	17.3%	3.9%	100.0%	231
<i>Missing Cases = 26</i>							

These findings are reflective of the additional comments made by survey respondents in relation to this segment of the research project. Some of the comments included:

*“In most cases there are not sufficient identification of the address of the respondent spouse that allows this person to be located and the document served on him. In some instance here they have come with the police divisions name and there are over 8,000 people in population”.*

*“Space should be made for a description of the respondent spouses address or diagram of his residence. Usually the respondent spouse has moved from the family residence and is residing with family or friends and*

“Incorrect information on the order requiring its return to the issuing authority and then returned to you for service. Service and copy being forward to the incorrect police division for service”

“Most trouble is when respondent spouse knows that order is coming and avoids police believing that if they don’t get it they will not receive a criminal history”.

“Having 2 different addresses on the order in 2 different cities, not knowing which one is the most current”.

“The biggest problem with service still remains in locating a respondent spouse prior to the return date if the respondent spouse wishes to avoid service. If they are unable to be located and an order is issued, it can create obvious problems in pursuing breaches etc”.

“Whilst some difficulties are to be expected locating persons it is a common problem. The DV index is also difficult at times to obtain correct information – particularly where there has been repeat incidents and the index is continually modified”.

“The index is not very clear and a lot of police do not know how to update it properly”.

**What is the average time taken to prepare applications for domestic violence orders for service on respondent spouses by members of the QPS?**

Table 7 shows the frequency of response, mean and range of survey respondents experiences in relation the average time it takes them to complete six duties associated with the making of an application for a domestic violence order on behalf of an aggrieved spouse. An important factor in determining the average time taken by police to prepare applications for domestic violence orders is the documentation requirements of individual Magistrates.

A problem experienced by police in the preparation of applications for domestic violence orders identified during this research project is the inconsistency of Magistrates across the state as to the documentation they require from police in order to hear an application. This same problem was identified in the 1995 Commissioner’s Inspectorate Report – *Only a Domestic* (p.128) which stated “At present the Magistrates request correspondence be completed to their own personal criteria as there are no rules of court to ensure consistency throughout the state”. Section 84 *Domestic Violence (Family Protection) Act 1989* allows for this inconsistency to occur by providing, in part, “the court or Magistrate may inform itself, himself or herself in such a manner as it or the Magistrate thinks fit and is not bound by the rules or practice as to evidence”.

Table 14 shows of those survey respondents who stated they are required to complete a police officer affidavit, how many are also required to complete an aggrieved spouse affidavit. It can be seen from the table of the 240 respondents:

- 43 were not required to complete a police officer affidavit;
- 33 were not required to complete an aggrieved spouse affidavit; and
- 29 were not required to complete either a police officer or aggrieved spouse affidavit.

**Table 14 - Among those police officers who are required to complete a police officer affidavit, what number are also required to complete an aggrieved spouse affidavit?**

<i>Affidavit (Police)</i>	<i>DNC</i>	<i>1-29 mins.</i>	<i>30-59 mins.</i>	<i>60-89 mins.</i>	<i>90-119 mins.</i>	<i>120+ mins.</i>	<i>(n)</i>
Do Not Complete (DNC)	29	1	5	5	2	1	43
1-29 mins.	1	13	24	11	-	1	50
30-59 mins.	2	-	27	37	13	3	82
60-89 mins.	1	-	1	27	11	16	56
90-119 mins.	-	-	-	1	4	1	6
120+ mins.	-	-	-	1	-	2	3
Total	33	14	57	82	30	24	240

It can therefore be determined that depending on the documentation requirements of the Magistrate, the average time taken by police to prepare an application for a domestic violence order for service on a respondent spouse ranges, from 2:07:30 to 3:51:28 hours (Table 15).

**Table 15 - Average time taken by police to prepare applications for domestic violence orders for service on respondent spouses depending on documentation requirements (summary).**

<b>TIME SPENT ON AVERAGE</b>		<b>Displayed in Time (hh:mm:ss)</b>			
<b>Q.</b>	<b>To Complete ...</b>	<b>ALL</b>	<b>less 7b</b>	<b>less 7c</b>	<b>less 7b &amp; 7c</b>
7a	Application for DVO (DV1)	0:55:49	0:55:49	0:55:49	0:55:49
7b	Affidavit (Police Officer)	0:40:07	<i>Do not complete</i>	0:40:07	<i>Do not complete</i>
7c	Affidavit (Aggrieved Spouse)	1:03:51	1:03:51	<i>Do not complete</i>	<i>Do not complete</i>
7d	Locate JP to sign summons (before service)	0:33:31	0:33:31	0:33:31	0:33:31
7e	Locate JP to witness 'Oath of Service' (after service)	0:23:32	0:23:32	0:23:32	0:23:32
7f	Complete Domestic Violence Index entry	0:14:38	0:14:38	0:14:38	0:14:38
	<b>TOTAL TIME</b>	<b>3:51:28 hrs</b>	<b>3:11:21 hrs</b>	<b>2:47:37 hrs</b>	<b>2:07:30 hrs</b>

These findings are reflective of the additional comments made by survey respondents in relation to this aspect of the project. Some of the comments included:

*“In relation to the affidavit, I know that in Cairns, and now here in Mt Isa as well, we no longer have to complete same. All that any officer should have to do is the application; police shouldn't have to waste time completing affidavits, QP9's etc. Arrangements need to be made with Magistrates on a state-wide basis to establish uniformity in relation to DV application correspondence”.*

*“Different stations seem to have different procedures for completing DV orders. I have had problems with what paperwork is required for different stations ie. how many copies of each needs to be handed in, if affidavits or statements need to be completed ie. some stations don't seem to care if it is a statement or an affidavit and others request an affidavit”.*

*“Problems exist with different court divisions require different variations ie. one division may require an affidavit and one division may not require”.*

*“Inconsistencies in presiding Magistrates ie. what each Magistrate requires for his court for DV matters. At this location police are subject to a rotational roster of presiding Magistrates from a large provincial city with 5+ Magistrates. As a result what will sometimes satisfy one Magistrate will not satisfy another”.*

***What is the average time taken to serve applications for domestic violence orders on respondent spouses by members of the QPS?***

***What is the average time taken to serve domestic violence orders on respondent spouses by members of the QPS?***

In order to determine the answers to these questions, an analysis of Tables 8, 9 and 10 is required.

Table 8 shows the frequency of response, mean and range of survey respondents experiences in relation the average number of visits it takes them to serve an application for a domestic violence order and/or domestic violence order on a respondent spouse. The table shows respondents took on average 2 visits each to serve a DV1 (40.9%) and a DVO (38.9%) on a respondent spouse, however the means were 2.27 visits and 2.43 visits respectively.

Table 9 shows the frequency of response, mean and range of survey respondents experiences in relation the average time spent during each visit when serving an application for a domestic

spouse (9a). The mean was 20:34 minutes and the range varied from 2 minutes to 3 hours. An almost similar percentage rate was obtained in relation to service of a DVO, however the maximum range reduced by one hour to 2 hours.

Table 10 shows the frequency of response, mean and range of survey respondents experiences in relation the number of days on average it took to serve an application for a domestic violence order and/or domestic violence order on a respondent spouse after being issued. The table shows that 23.0% of respondents answered that it took one day on average to serve a DV1 on a respondent spouse after it has been issued with the mean being 2.98 days. When compared to the service of a DVO, 14.4% of respondents answered that took one day on average to serve with 16.2% of respondents each answering that it took 3 days and 7+ days on average to serve a DVO on a respondent spouse with the mean being 3.80 days.

From this data it can be seen police take, on average:

- 2.98 days to serve an application for a domestic violence order on a respondent spouse after date of issue. Service requires 2.27 visits of 20:34 minutes duration each visit; and
- 3.80 days to serve an application for a domestic violence order on a respondent spouse after date of issue. Service requires 2.43 visits of 20:24 minutes duration each visit.

**Table 16 – Average (no. visits / time each visit / no. days to serve after issue) taken by police to serve applications for domestic violence orders and domestic violence orders on respondent spouses (summary).**

<b>Q.</b>	<b>Application for DVO (DV1)</b>	<b>Average</b>	<b>Q.</b>	<b>Domestic Violence Order (DVO)</b>	<b>Average</b>
<b>8a</b>	No. Visits to serve	2.27 visits	<b>8b</b>	No. Visits to serve	2.43 visits
<b>9a</b>	No. Minutes spent each visit	20:34 minutes	<b>9b</b>	No. Minutes spent each visit	20:24 minutes
<b>10a</b>	No. Days to serve after issue	2.98 days	<b>10b</b>	No. Days to serve after issue	3.80 days

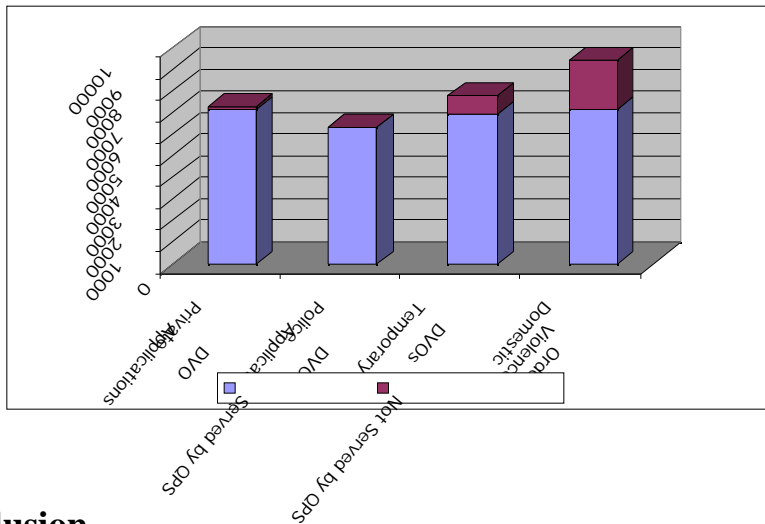
***How many applications for domestic violence orders are required to be served on respondent spouses annually by members of the QPS?***

***How many domestic violence orders are required to be served on respondent spouses annually by members of the QPS?***

Table 12 shows that during 1999, a total of 7,265 private and 6,326 police applications for domestic violence orders were lodged and 7,818 temporary and 9,453 permanent domestic violence orders issued in 99 Magistrates Courts across Queensland. Of the 99 Magistrates Court surveys distributed, 68 (68.69%) were returned and the data analysed. In relation to the 68 Magistrates Courts who completed the survey, 5,115 private applications for domestic violence orders were lodged and 4,877 temporary and 6,158 permanent domestic violence orders issued in the courts. Of these, 98.12% (5019) of the private applications for domestic violence orders, 88.21% of the temporary (4302) and 75.32% of the permanent (4638) domestic violence orders were forwarded to the QPS for service.

When these same percentage rates are applied to the outstanding surveys (31), it is estimated that a total of 7,128 private applications for domestic violence orders and 6,896 temporary and 7,120 permanent domestic violence orders were forwarded to the QPS for service on respondent spouses (Figure 4). In addition, the QPS was required to serve the 6,326 applications for domestic violence orders made by police officers during 1999. Combining the four documents, it is estimated that the QPS was required to serve 27,470 domestic violence documents on respondent spouses during 1999.

**FIGURE 4 – Domestic Violence Documents Forwarded to QPS for Service - 1999**



## Conclusion

This research project focussed on identifying the problems experienced by police associated with the preparation of applications for domestic violence orders on behalf of aggrieved spouses; service of applications for domestic violence orders; and service of domestic violence orders on respondent spouses by members of the QPS under the provisions of the *Domestic Violence (Family Protection) Act 1989*.

The following key findings were identified during the research.

## Key Findings

- in relation to identifying the problems police experience with the preparation of applications for domestic violence orders on behalf of aggrieved spouses, 72.8% of respondents ‘always’ or ‘often’ experience problems answering questions on the DV1 due to insufficient space;
- 43.6% of respondents stated they ‘always’ or ‘often’ experience problems locating a Justice of the peace to sign the summons and oath of service of the DV1;
- in relation to identifying the problems police experience in relation to the service of domestic violence documents on respondent spouses, 44.0% of respondents ‘always’ or ‘often’ experience problems in the service of such documents when repeat attendance’s at the respondent spouses residence and/or workplace is necessary.
- 33.8% of respondents ‘always’ or ‘often’ experience problems in the service of domestic violence documents when the relevant entry on the QPS Domestic Violence index is not

- the average time taken by police to prepare applications for domestic violence orders for service on respondent spouses (depending on documentation requirements) ranges from 2:07:30 to 3:51:28 hours;
- the average number of visits required to serve a DV1 and DVO on a respondent spouse is 2.27 and 2.43 visits respectively.
- the average number of minutes spent during each visit when attempting to serve a DV1 and DVO on a respondent spouse is 20:34 and 20:24 minutes respectively;
- the average number of days it takes to serve a DV1 and DVO after issue on a respondent spouse is 2.98 and 3.80 days respectively;
- during the 12 month period 1 January to 31 December 1999, an estimated 27,470 documents issued under the *Domestic Violence (Family Protection) Act 1989* (7,128 private and 6,326 police applications for domestic violence orders, 6,896 temporary and 7,120 permanent domestic violence orders) were forwarded to the QPS for service;
- 80.2% of respondents 'strongly agreed' or 'agreed' that police should be given the legislative authority to issue a 'Notice to Appear' when making application for a domestic violence order;
- 87.9% of respondents 'strongly agreed' or 'agreed' that when making an application for a DVO on behalf of an aggrieved spouse, the requirement to have the summons signed by a JP before attempting service on the respondent spouse contributed to the problem(s) experienced in the service of such applications and that this requirement should be abolished;
- 94.9% of respondents 'strongly agreed' or 'agreed' that when a respondent spouse fails to appear in court after being summonsed with seven days notice to appear in relation to an application for a DVO against them, the matter should be able to be determined in their absence. Such failure to appear would constitute an agreement by the respondent spouse as to any condition(s) set down by the court; and
- 93.0% of respondents 'strongly agreed' or 'agreed' that when a respondent spouses receives a summons to appear in court in relation to an application for a DVO against them, the summons should constitute a TPO until the time the application is determined by a court.

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## **Glossary**

AS	Aggrieved Spouse
DETO	District Education and Training Officer
DV	Domestic Violence
DV1	Application for Domestic Violence Order
DVI	Domestic Violence index
DVLO	Domestic Violence Liaison Officer
DVO	Domestic Violence Order
FYCCQ	Families, Youth and Community Care Queensland
JP	Justice of the Peace
OPM	Operational Procedure Manual
QPS	Queensland Police Service
RETC	Regional Education and Training Coordinator
RS	Respondent Spouse
TPO	Temporary Protection Order

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