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THE HOUSE OF ASSEMBLY STANDING COMMITTEE ON GOVERNMENT ADMINISTRATION B INQUIRY MET IN COMMITTEE ROOM 1, PARLIAMENT HOUSE HOBART ON FRIDAY, 2 OCTOBER 2026.

POLICE INQUIRY

The Committee met at 9.30 a.m.

Laurel House

CHAIR (Ms Haddad) - Hello, and welcome to today's hearing of the Tasmanian Parliament's Inquiry into Tasmania Police responses to allegations of officer misconduct. Thank you for being here today in this public hearing. Thank you also for your written submission, which we've all received and read in detail. Could I ask each of you to state your name and the capacity in which you're appearing today?

Ms GRAHAM - Kaity Graham, Community, Education and Advocacy Manager and Innovation and Project Lead, Laurel House.

Ms WHITMORE - Elise Whitmore, Policy Officer, Laurel House.

CHAIR - Can I confirm that you've received and read the guide sent to you by our Committee Secretary?

WITNESSES - Yes.

CHAIR - I'll just remind you of the pertinent parts, which are that this hearing is covered by parliamentary privilege, which allows individuals to speak with freedom without fear of being sued or questioned in any court or place outside of parliament. This protection is not accorded to statements you make that may be defamatory and are repeated or referred to by you outside of these parliamentary proceedings. The hearing is public and the public and media may be present or observing online. If at some point you wish aspects of your evidence to be heard in private, you can make that request of the Committee and we can move into an *in camera* hearing if that becomes something that you'd like to request at any point.

I'll introduce the Committee very quickly. We've got Jen Butler, Member for Lyons. I'm Ella Haddad, the Chair of the Committee and Member for Clark, Rosalie Woodruff, Member for Franklin, Peter George, Member for Franklin, and Jane Howlett, Member for Lyons. We've got a couple of Committee members away at the moment as well.

Could I ask each of you, please to make the statutory declaration that's in front of you on those two cards?

Ms KAITY GRAHAM, COMMUNITY, EDUCATION & ADVOCACY MANAGER AND INNOVATION & PROJECT LEAD, AND **Ms ELISE WHITMORE**, POLICY OFFICER, LAUREL HOUSE, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED.

CHAIR - Thank you. I omitted to introduce our support team, we've got Michael, who's our Committee Secretary who you've corresponded with, Mary from our Secretariat, who's assisting him today, and Gaye, who's here assisting us with Hansard.

I'll quickly make our sensitive content disclaimer, just recognising that these are public hearings and people may be observing online and we recognise, as a committee, that during this hearing we may discuss highly sensitive matters that have deeply impacted people. This may be distressing for people listening to or participating in these proceedings. Anyone who needs support can contact services such as Lifeline Tasmania on 13 11 14, or via text on 0477 131 114 for 24/7 mental health support. We also have a list of additional supports and services published on the Committee's website and in hard copy available in the room today.

Could I invite you to make an opening statement?

Ms GRAHAM - Thanks, Ella. I would just like to begin by acknowledging the Palawa and Pakana community as the traditional and ongoing custodians of the lands that we are meeting on today in Lutruwita/Tasmania, and pay my respects to elders past and present. I would also like to acknowledge that the issue we're here to speak about today, police perpetrated harm, has both historically and continually disproportionately impacted the Aboriginal community. We acknowledge the work our Aboriginal colleagues do in this space and thank them for their continued care of country and community.

We would also like to thank the individuals with lived experience who contributed to Laurel House's submission. You entrusted us with experiences that can be profoundly difficult to share, sometimes while still fearing identification or repercussions. Your expertise is central to our recommendations and must remain central to the reforms that follow. We also thank Laurel House's counsellors and staff who support victim-survivors and navigate these processes alongside them. Their work gives us direct insight into how institutional responses can either support recovery or compound harm, and we thank the Committee for hearing our evidence.

Laurel House has a strong working relationship with our partners at the north and north west Arch centres, which includes Tasmania Police. Through these partnerships, we see the benefits of coordinated, trauma-informed and victim-centred responses to sexual harm. These provide clear information, opportunities, meaningful choices and compassionate support. These responses can help restore safety, trust, and control, but when they are absent, people can experience further distress, uncertainty and powerlessness.

When the alleged perpetrator is a police officer, the response must also address the power, relationships and conflicts of interest that can affect a victim-survivor's confidence in coming forward. An assurance that everyone receives the same care must be backed by clear safeguards, independent scrutiny and accountability for what happens in practice. Our submission calls for a system in which victim-survivors can safely report, access specialist support, and trust that their allegations will be taken seriously regardless of the alleged perpetrator's rank, relationships, or current or former position. We need to move beyond simply the existence of reporting pathways into the existence of a culture in which people feel safe and supported to use them.

This is why institutional power is at the centre of our submission - police authority and influence can shape both the harm a person experiences and their ability to safely report it and

seek support. Police authority carries public trust, access to information and resources, knowledge of the law, and the power to investigate. When an officer misuses that authority, it can facilitate harm, inhibit disclosure and create profound barriers to accountability. An understanding of this power dynamic must be embedded in how systems support victim-survivors of police-perpetrated sexual violence - from ensuring safety and informed choice to protecting confidentiality, communicating decisions and providing independent support. Without this, the response can reproduce the same loss of control and powerlessness that shaped the harm.

Our recommendations address five connected systemic priorities:

First, genuine independence in reporting, investigation and oversight: Victim-survivors of police-perpetrated harm need an accessible pathway outside Tasmania Police with sufficient powers, resources and specialist expertise. Police employees who experience violence or report colleagues also need independent options that protect against repercussions.

Second, ensuring that the intent of the Weiss recommendations for a dedicated victim support team is fully realised. We acknowledge that Tasmania Police considers its current model fulfilling this recommendation. Our submission explains why we do not believe that it delivers the intended separation, specialist capability and continuity of support.

Third, systems capable of identifying patterns and preventing further harm. Information across complaints, operational activity, employment and safeguarding systems must be connected and considered together. Grooming, coercion and boundary violations can be missed when incidents are examined separately. Investigations must consider how police authority affects trust, consent and reporting, including where vulnerable adults are targeted. Stronger supervision, auditing of police resources and consistent safeguarding requirements are essential.

Fourth, closing legislative and accountability gaps: our recommendations address the time people have to make a complaint, strengthen the rules against sexual misconduct and the abuse of police power, and protect people who come forward. Serious misconduct investigations should not end simply because an officer resigns, retires or dies. Establishing facts, identifying continuing risks, and examining institutional failures remains necessary even when disciplinary action is no longer possible.

Finally, changing organisational culture and making implementation visible: challenging misconduct must be recognised as a professional responsibility, with leaders held accountable and people protected from retaliation. Specialist training must be reinforced through supervision, recruitment and promotion. Independent monitoring and public reporting must demonstrate whether reforms, including the Weiss review recommendations, are actually changing practice. These priorities belong together. An independent reporting pathway cannot succeed without support. Training cannot compensate for accountability gaps or solve cultural challenges, and a policy cannot protect people unless it's consistently applied. The test is whether a person can safely disclose harm, understand the process, receive support, and obtain a meaningful response, regardless of an officer's rank, reputation, relationship or employment status.

Victim-survivors have contributed their knowledge at considerable personal cost. Our responsibility, as those they trusted with their stories, and yours, as the Committee, is to ensure

that their participation leads to systems that prevent harm, respond with dignity and hold power accountable. Thank you.

CHAIR - Thank you very much, Kaity, for that very thorough and comprehensive opening statement. I'd also like, on behalf of the Committee, to publicly thank those who have contributed to your submission, victim-survivors who have contributed to Laurel House's submission to today's Inquiry. We recognise that it's not easy for people to share what's happened to them and that they've been able to do that in a safe way through Laurel House and to inform your written submission. The evidence today doesn't go unnoticed by us as MPs and committee members. Thank you very much. I'd just like to open up to the Committee.

Ms BUTLER - Also to reaffirm our Chair's comments and thank you for the important work as well that Laurel House undertakes in supporting victim-survivors across Tasmania - it's a statewide effort. Drawing from your experience working directly with victim-survivors, what changes would most effectively improve confidence, in your expert opinion, in reporting processes when allegations may involve police officers?

Ms GRAHAM - Yes, I think the biggest one is a level of independence. So, we know that there is level of independent oversight from the Integrity Commission, but this is a little bit one step removed from victim-survivors who are involved in a misconduct process. So, what that actually looks like isn't clear to them, and then that leaves them with a sense that it's not happening, or with a lack of confidence in that process. So there needs to be independence not just in an oversight capacity, but also alongside a victim-survivor going through a misconduct process.

Ms BUTLER – Okay. I just read through your really in-depth and very informative submission, so I thought I'd ask you some more questions around the reporting barriers and also the underreporting, which was something that was different from other submissions. It was a valid point. The submission states that police-perpetrated sexual violence is likely significantly underreported, and that victim-survivors may fear they will not be believed or that officers will protect their colleagues. Can you explain the key barriers that discourage victim-survivors from reporting misconduct by police officers, and how those barriers differ from reporting sexual violence by members of the broader community? It's a big question, so feel free to give some examples and open up.

Ms WHITMORE - So Jen, I think Kaity's probably named the most important one, which is a lack of independence in reporting. I interviewed most of our participants for this submission. I don't think that any of them made a report within the first six months, which is a requirement for making a complaint about a police officer to police. They spoke about not wanting to walk into a police station even outside of their area, about the interconnected nature of the relationships that police have with each other, both professionally and in a social context. Their concerns were not only that they wouldn't be believed, but that there may be retaliation from police in relation to other aspects of their life. Not all victim-survivors are perfect victims. A lot of them do have interaction with the criminal justice system, especially those who have experienced child sexual abuse, so there can be a direct correlation between experiences of child sexual abuse and some criminogenic behaviour at a later point in their lives. So, I could keep going on but -

Ms BUTLER - Please do.

Ms WHITMORE - Now that I've said that, I think that they are probably the main issues that came up in the interviews.

Ms BUTLER –You also, just as part of that, went to speaking about a culture that may already exist within Tasmania Police, and you talk about the 'blue code of silence' within policing within your submission. How does organisational culture influence the willingness of victims, witnesses and sworn officers, and civilian Department of Police, Fire and Emergency Management (DPFEM) employees, to come forward? What cultural reforms do you think would have the greatest impact on that accountability?

Ms WHITMORE - Kaity, I might let you take that one.

Ms GRAHAM – I think when we've spoken to a lot of our victim-survivors, they shared stories about perpetrators who had been police officers for a significant length of time - some over 20 years of service within the police force. And a lot of the stories that they shared involved hearing about experiences that that officer had as an officer, and what that looked like in the force, which I think for a lot of our victim-survivors reinforced that it wasn't a safe culture to come forward to. For a lot of them, they also shared that they knew that the police force is quite a tight-knit community, and that a lot of the alleged perpetrators were spending time outside of their work setting with their colleagues in more informal social settings. They're often really strongly connected to the community, and there's a culture of seeing police officers in general as good people who are here to keep us safe. So, that culture alone is an initial barrier.

Then the culture within the police force of protecting your own. Realistically, a lot of the work that police do is work where they're, you know, the tradition you'll see on a cartoon as you're growing up, you're out to catch a bad guy. So, they band together - it's a really natural thing for them to be doing in their work, but then that naturally becomes how they work as colleagues alongside each other. And whether they are doing that or not, it's the perceived perception of the victim-survivors that we spoke to.

Ms BUTLER - So that's that 'blue code of silence' that you refer to in your submission, which I suppose can be a benefit to serving police officers because they have a community of sorts that understand the day in and day out way in which they have to conduct their work practices. But, at the same time, that could also be culturally toxic?

Ms GRAHAM - Yes. In addition to that, we heard a lot of victims-survivors share that they don't necessarily believe police are even aware of some of the cultures and the powers that they hold. Again, naturally, if you've spent 20 years of your career in a certain setting, you're not going to really understand, through no fault of anyone's, how you're perceived to anyone else who's not a police officer. So, a lack of understanding of what power is held within the position that you hold would make it really hard for someone to come forward to someone else who holds that exact same power.

Dr WOODRUFF - Thank you. Again, I just extend my gratitude and respect for the submission and the work of Laurel House on this matter. Regina Weiss's review into Senior Sergeant Paul Reynolds identified at least 52 people who had been groomed or sexually abused by him throughout his career. It's a horrifying figure. Obviously, those people for many reasons didn't feel that they could speak and report their stories. So, my question is - I mean you've mapped out - your recommendations are extensive, and they obviously will form a critical part of our work as a committee in looking at what changes need to be made. Clearly, from the

submissions we've received, there are many other people who right now are reporting the same situation and the same blockages as maybe those 52 people felt in the reasons that they didn't come forward over the decades. The situation doesn't seem to have changed.

So, I have kind of a global question: there are obvious blockages and there's been good work done and attempts made, and you've documented in your view where you think the Weiss review recommendation 4, although ostensibly being ticked off by Tasmania Police, actually isn't working - I might come back to that - but what do you think are the blocks? Leadership? Is it the slow pace of cultural change, which, Tasmania Police is a very large organisation? Resourcing? Is it a kind of a culture of denial, without maybe being conscious? Would you just want to talk a bit to where you're getting pushback on the change which, on the face of it, Tasmania Police says they want to make?

Ms GRAHAM - Yeah, I think a common theme amongst all of the participants we spoke to, and I hope I'm correct in this, maybe wrong, a lot of the victim-survivors from the Weiss report - is that they didn't come forward until their perpetrator was no longer a serving member of Tasmania Police, either through death or resignation. So, I think one of the biggest common themes amongst that group, then, is that you don't know if you're going to walk into a police station if the person behind the front desk is best mates with the person that you'd like to report. So, first and foremost, it comes back to that level of independence, and a reporting pathway that feels safe and disconnected from the alleged perpetrator. Elise, did you have anything?

Ms WHITMORE - I think I would add to that something that Kaity has already spoken to, which is the inherent power that police have within community and that really came through in the interviews that I conducted. It didn't have to be a big grand display of authority or a coercive practice or an arrest. Police officers making requests of people, turning up at their home, inviting them into their vehicle, making suggestions, these things were a use of power that, I think, we see often in grooming and that that grooming is not just something that occurs with a victim-survivor, but with the community more generally, and I think some self-awareness and some self-reflection internally within police about what that power looks like to others within the community and how to identify it amongst colleagues is vital in moving forward.

Dr WOODRUFF - Okay, thank you. On the matter of independence, both of reporting pathways and of the investigation itself there, I think you've identified there are at least those two different areas. The Arch model doesn't work at the moment for the complete independence. As you've noted, there are police there and there are other blockages. People need to have at least two service providers who are taking them. So, you've identified that there should be a process to get that. Do you have any thoughts on what that would look like?

Ms GRAHAM - We did a lot of discussion about this, and we do feel like we're not best equipped to determine that completely. The main theme that we think is a complete separation from police. But we've kind of nutted out ideas, we had a suggestion of an inter-jurisdictional option where police from other jurisdictions are used to bring in the investigative knowledge that they would have, but the same cultural concerns exist in inter-jurisdictional police as they do here. So, whilst we've nutted out some options, we haven't really landed on one specifically, but independence with investigative powers alongside therapeutic supports were the main things that we felt were the themes that were needed.

Dr WOODRUFF - I did have another more detailed question about the Weiss review recommendation 4. So, why do you think the police considers that that has been adequately achieved when I assume that you probably passed your views on to them? What do you think is going on here?

Ms GRAHAM - Yes, let me just bring it up because I did print it out so that I had it in front of us.

Ms WHITMORE - So, this is in relation to the victim management services.

Dr WOODRUFF - As the reporting pathway, or a reporting pathway.

Ms WHITMORE - Well, police co-locate within Arch centres to start with. So, there isn't complete independence there. In some discussions that we had with police around this recommendation and whether it was implemented or not, when we received the response that it had been implemented because Arch centres now exist, we weren't aware of that. So, as an Arch partner, we have received no additional resources, training, funding to implement that recommendation, and so we were unaware that that was the police position.

Ms GRAHAM - One of the other things is it states that it's housed in a physical location separate from Professional Standards Command and is accessible to victims statewide. So technically, yes, Arch and the police who work from Arch is a physical location separate from Professional Standards Command. However, the police who attend Arch to speak to victim-survivors of police misconduct are from Professional Standards, so they're not getting access to the police, who are separate from the Professional Standards Command, through the Arch model, they're having that direct involvement. Then for a victim-survivor who says their alleged perpetrator is a Launceston-based police officer, they are then going into a facility that is staffed by Launceston-based police officers. So, the same issue around moving into a facility with potential colleagues and friends is still there for individuals.

Dr WOODRUFF - As many victim-survivors have said in their submissions, it's a complete lottery who you get, and so it's the not knowing who you'll get and how they'll respond, not having the confidence, that stops people reporting in the first place. From what, just to clarify, what you're saying is there needs to be a completely independent process where a victim-survivor can be confident that there will be a person who doesn't have relationships with the police in the first instance, at least, is that what you're -

Ms WHITMORE - And with specialised skills in how to respond appropriately to sexual violence and child sexual abuse allegations, and while Professional Standards, not disputing their levels of integrity, but they oversee professional standards amongst a range of allegations and misconduct, not just sexual violence-related matters. So, that specialisation is also important.

Ms GRAHAM - And that, sorry, I was just going to also add, that provides ongoing support to victims before, throughout and after any Professional Standards investigation. Just building on what Elise said before: if the partners in the Arch centres are there and the intent is that they're doing that, they need to know what the process looks like for a misconduct investigation to be able to provide that support. Otherwise, the people that would be tapping into the victim-survivors to do that are the police in the centres who are the Sex Crimes Unit

who have not been a part of the investigation. So, it becomes a really disjointed process for someone to actually get those ongoing updates.

Mr GEORGE - I haven't got a lot to ask because this is an incredibly comprehensive summation of your views. So, there's just a couple of things: Obviously, the first step for anybody who has a complaint or who's suffered is going to be getting over the fear of dealing with authorities, not just with the police. So, can you tell me how you imagine almost the physical setup? How can you imagine the process physically working? Someone has a complaint. They don't want to go to a police station for obvious reasons. It's a very small state; you could go to the police station somewhere down the track and you still will have fear. So, how can you imagine a system where a complaint can begin? How would it actually - would there be a separate building? How would the infrastructure work?

Ms GRAHAM - Yes.

Ms WHITMORE - I haven't given a lot of thought, sorry Peter, to the infrastructure, but I would say that I think it's really important that we don't create a separate system that victim-survivors need to navigate. That there is a 'no wrong door' approach, that in the event that a victim-survivor makes the decision to come forward, whoever they step forward to is able to facilitate the direct pathway for that person without it becoming convoluted or, 'No, you've turned up at the wrong building. You've got to go down the street.' So, I can speak to that being the barrier more than the physical infrastructure of what a building would look like, but I imagine that there would be multiple access ways into that organisation, or into that reporting pathway, and through third parties as well perhaps, like Laurel House or the Sexual Assault Support Service (SASS), if someone is seeing a specialist sexual violence service. Kaity, I'm not sure whether you have anything to add?

Ms GRAHAM - Yes, I think one of the most important things that we've heard is a lot of our victim-survivors live in rural and remote areas. Obviously, the police in those areas are really an intrinsic part of the community as a whole. So being able to access something in place, but also very separate from that community connection that police hold, I think, is one of the most important first availability options for someone. But also, something that happens with the Laurel House team and I know with the SASS team at the Arch centres, is they do an options talk. So, as an independent councillor in a therapeutic way, they can talk someone through all of the options in front of them. I think it would be really good if that options talk, if it was identified that it was a police perpetrator, included knowledge and information around what the options are for a police misconduct report, alongside a criminal report, alongside a civil, alongside health care, et cetera, so that people can make a decision about what's right for them when and where they need to. And doing that through an independent organisation means that that safety and that confidentiality would be a little bit more reassuring for someone. That's where I see the first point sitting.

I guess to kind of expand on what that pathway might look like, it would be very victim-survivor led, so making sure that the choice and control sits with them. And then along the way, making sure they have a single point of contact for continuity around updates and progress in the case that they've brought forward.

CHAIR - That's an important point.

Mr GEORGE - So you would expect a first step would be coming to organisations like yours that are known within the community to be dealing with these particular issues?

Ms GRAHAM - A lot of the time that is people's first step anyway because they're not going to go to police. And some people will never go to police, which is okay as well; it's a choice if they want to make it. But that is, I think, the most natural first step for most people.

Mr GEORGE - The only other thing I wanted to ask really was that, in establishing or writing this submission have you collaborated, consulted with the police, and, if so, what sort of response have you received? Have you found it a collaborative process?

Ms GRAHAM - Yeah, we met with Robert Blackwood to have an opportunity to talk about where the Weiss recommendations were at. We obviously have collaborative relationships with them every single day through our Arch centres. I would say that Robert was incredibly willing to chat to us, to talk us through where things are at and it seemed like a really positive conversation. So I think that that willingness and that collaboration mindset is there.

Ms HOWLETT - Thanks. Have you had a chance to analyse any other smaller jurisdictions?

Ms GRAHAM - We haven't, no. Did you Elise?

Ms WHITMORE - No. I'm aware that there is a model in Victoria that sits - the investigative process sits separately, but still within police. I think there are some international models. It might be something that we can take on notice though, to provide some further information. I think I do have some information that didn't make it into the submission because it wasn't something that we were able to form a recommendation around.

Ms HOWLETT - Yes, no, that's okay. Thank you. No, I was just thinking like smaller jurisdictions like Northern Territory, SA, for example.

CHAIR - You've made a number of recommendations for amendments to the *Police Service Act 2003*. I wanted to ask specifically about recommendation 21, which is where you've recommended that the time limit be removed; the six-month time limit for making complaints involving allegations of child sex abuse, and the time limits generally around making complaints around police officers. Can you just speak to that a little in more detail about the experience of people you've supported, for example, who have come up against that barrier that exists currently in the Act.

Ms WHITMORE - Every single person I spoke with had not made a report within a six-month timeframe. Some of the people I spoke with had experiences of child sexual abuse, some of sexual violence during adulthood. We're talking about a matter of years, sometimes decades, when those disclosures are made. A six-month time limit - I think there is an option within the Act that there is a discretion for police to accept a complaint after that period of time, but we would like it to be more explicit that in cases that involve sexual violence and sexual harm, people do not come forward immediately, if at all.

CHAIR - Well, correct me if I'm wrong, but evidence shows that it can be decades before someone's ready to come forward, particularly with an allegation of child sexual abuse.

Ms WHITMORE - Absolutely.

CHAIR - I know the Tasmanian Government has also removed limitation periods for a range of different kinds of offences. Is it a conflict in that Act that section 44 contains a time barrier at all, when conversely the parliament is making sure that limitation periods for certain, really heinous categories of offending are removed?

Ms WHITMORE - Yes. I think the Royal Commission gave us some data around the timeframe for differences between men and women coming forward with allegations of child sexual abuse, and we're talking at least a couple of decades. The removal of the time period, I think for victims of crime assistance, for example, has been removed. I think that - I didn't speak with anyone specifically about whether 'Did you know this section of the *Police Service Act 2003* existed and did that prevent you from coming forward?' It wasn't phrased like that, but all I can say is that every participant had made a report at a later point.

CHAIR - Can I ask a question then, I guess, about your interpretation of that section? Perhaps some of what I think we've heard through things like the Commission of Inquiry and others is the blurring of lines between what might be a complaint around somebody's workplace conduct - that could happen in any workplace, professional misconduct or some kind of workplace matter - versus allegations of criminal conduct. I'm just wondering if you can delve into that a little bit deeper in terms of if people are making complaints about criminal misconduct of any kind, whether being a police officer should - well, I'm not phrasing that very well. The problems around that section potentially preventing - or without going to the added section of any other matter - sorry, I'll start again. If people have an allegation to make around criminal conduct for any member of society, why is it that if that person happens to be a police officer that that would be dealt with differently?

Ms WHITMORE - I think that there are probably a few pathways when a complaint is made. Firstly, you have a report about a police officer's conduct, and there would be enough information to give rise to an investigation. There is a standard of proof beyond that for disciplinary proceeding, which is balance of probabilities, and then there is criminal conduct, beyond reasonable doubt. I don't think that the *Police Service Act 2003* prevents criminal matters from proceeding against someone, but I think it's the reporting of the matter internally to police. When we're looking at the disciplinary response and the investigative response from police, that's where that six-month time limit comes in.

Ms GRAHAM - I think when we know that, with sexual violence in particular, there is a significant under-reporting and a lot of people choose not to go down a criminal reporting pathway, but in this circumstance some people may want to go down a misconduct pathway, because they may not feel comfortable with someone remaining a police officer after the alleged misconduct has occurred, but as an individual they may not choose to go down a criminal pathway. I think at the moment that's taking that choice away a little bit from them by saying it has to happen within a six-month window and the only other option outside of that six-month window is a criminal option.

CHAIR - Got it. Thank you.

Ms BUTLER - Just from your submission looking at recommendation 6, it states:

> That the Tasmanian Government provide dedicated and sustainable funding to specialist sexual violence services to deliver independent counselling, advocacy and support to victim-survivors of sexual violence perpetrated by current or former police officers.

Can you explain to us the current funding structures and how that interacts between DPFEM and Laurel House? It's my understanding that there is some funding uncertainty for Laurel House, or of that side of that Arch setup. Could you explain to us what that looks like, and whether or not that could be seen as an inhibitor for Laurel House to be able to undertake that 50-50-style sexual support services side of that Arch framework?

Ms GRAHAM - Yes. So, if I'm understanding correctly, it's how we're funded through our Arch agreement versus our other types of funding, is that right?

Ms BUTLER - Yes.

Ms GRAHAM - So, I'm not fully across the funding side of things. It's not where I sit, but my understanding of it is that we receive a deed for a particular full-time equivalent (FTE) to sit at Arch. I think we overstaff that a little bit because of the demand that's coming through the Arch centres; we do put more people in there than I think we're funded to have onsite. And through that we have people funded to sit at Arch, and then we have our standard core funding that allows our counsellors and therapeutic team and other Laurel House team to sit back at our other offices and provide counselling separate to the Arch work. For someone to be seen at Arch, they need to have been involved with two services. So, that could be Laurel House and police; Laurel House and child safety; Laurel House and Family Violence Counselling and Support or SASS for the south. So that means they need to meet that eligibility criteria to sit as an Arch client versus they don't need to be involved with the two services to be seen by our therapeutic team in our normal therapeutic environment.

Ms BUTLER - Is the funding arrangement meeting the demand of what Laurel House is seeing coming into Arch services, and is it recurrent funding and increasing with demand? Do you know anything about how that is structured?

Ms GRAHAM - I don't believe it's been increasing due to demand and I don't believe it's sufficient at this point to the demand that we're getting. Like I said, we often overstaff our Arch centres and have more people there than we're funded to have there, which I think says how much demand there is compared to what we're actually having in the centres. And I don't believe at this point there's been a review formally around increasing the funding to our staffing at the Arch centres.

Ms BUTLER - Okay. How long have they been operational for now, and do you know when a review was meant to happen?

Ms GRAHAM - I don't think there's been a scheduled review into staffing or one planned. The Launceston Arch Centre - do you know, roughly? Maybe 2023, maybe 2024, I'd have to take that on notice and check the exact date. North West Arch opened earlier this year.

Ms BUTLER - Okay, thank you.

Dr WOODRUFF - Can we just come back to the six-month limitation timeframe? So, you've recommended extending it from six months to two years. Why did you suggest two years? Because it sounds like it would need to be a much longer window from the submissions that we've read, and why have a time limit?

Ms WHITMORE - I think it was based on the new coercive control provisions, we were looking for some consistency perhaps, but -

Dr WOODRUFF - Which coercive control?

Ms WHITMORE - Sorry, in the family violence reforms bill that we're currently looking at. So, I think it was to be in line with some with something like that, but ideally there wouldn't be a time limit for matters that involved sexual violence or child sexual abuse.

Ms GRAHAM - And I think we had put something in there around there being the option for -

Ms WHITMORE - Special circumstances.

CHAIR - That's the words I was reaching for earlier that I couldn't find.

Dr WOODRUFF - Yes, okay. Some sort of possibility of being able to extend that time limitation, so that's what your recommendation is?

Ms WHITMORE - Yes.

Dr WOODRUFF - This has been around for a while. The Weiss review noted this as a problem. Why haven't Tasmania Police acted on this, do you think? Why hasn't this been acted on?

Ms GRAHAM - That's a really good question.

Ms WHITMORE - You'd have to ask them.

Ms GRAHAM - I think potentially police are in a really resource-constrained environment themselves and I also think these issues are really out of sight, out of mind, when people aren't able to make reports. At the moment, if people aren't coming forward at all, they're not even going to know that the time limit is an issue because people aren't even coming forward.

Ms WHITMORE - I think I would add to that that there is an issue around procedural fairness and that we obviously don't want to argue that there shouldn't be procedural fairness for police officers who face accusations. I think that when we're looking at fairness, we need to look at what are the ramifications of an allegation being made and not substantiated as opposed to the allegation was correct and there was no action taken. I know that this might be a little bit of a side issue to your question in relation to the time limit, but I think more broadly, looking at how procedural fairness is dealt with when these complaints are made, it is very heavily on the side of police officers from the conversations that I have had with people who came forward to speak with us. Those procedures do inhibit people from both making complaints and continuing with a complaint process.

Again, this might be a tangent, but if you let me - for example the balance of probabilities - you make a complaint about an officer or officer misconduct and there is a disciplinary investigation, the decision is made on the balance of probabilities. Abacus specifically sets out that where a complaint is one word against another word, that is not enough to establish conduct has occurred. Where we're dealing with sexual violence and abuse, we are almost always dealing with a word against word allegation.

Dr WOODRUFF - Yes. So what's your recommendation about that?

Ms WHITMORE - About Abacus specifically?

Dr WOODRUFF - About that issue?

CHAIR - That problem that it creates.

Dr WOODRUFF - What would you recommend? What do you think the best practice should be in this situation?

Ms WHITMORE - I think that that statement should be removed from Abacus and that we need to understand that allegations can be substantiated in a range of different ways. We can look at, and the criminal justice system looks at, the credibility of the complainant and the accused if they wish to speak. It can look at corroborating evidence, it can look at documentation, it can look at the motivations for the reason why people might provide certain evidence, a history of allegations. I think that when we are looking at allegations that relate to sexual violence, there has to be an understanding as well that these allegations are not often made falsely and that there needs to be a recognition of what happens when we get those decisions wrong as well. We maintain a culture within an institution like police that that doesn't hold people to account.

Dr WOODRUFF - Thank you. One of the things that your submission refers to, and other submissions have spoken of this, is the pain and the trauma of people who've made reports not getting information back. Do you want to speak about some examples about that, in your experience of people that you've spoken with, maybe some experiences that people have had, if you can think of that, and how it affects people, and any thoughts you have about how to improve that process?

Ms WHITMORE - Yes. There were repeated statements around police officers not doing what they say they were going to do, about victim-survivors repeatedly having to follow up and try and contact people for information about where investigations were at, about the frustration and the cumulative trauma of moving through a system that doesn't keep you informed, doesn't give you a right to information outside of a right to information request. Some people that we spoke to were directed to a right to information request for further information about their allegation, which - if anyone has made a right to information request, they're not always straightforward, they're not always granted, and they're not always free.

CHAIR - Or swift.

Ms WHITMORE - Or swift. That, as a response to a victim-survivor simply wanting information about what happened with their information -

Ms GRAHAM - About themselves.

Ms WHITMORE - Yes, about themselves - I think is abhorrent and is an awful way to treat a victim-survivor who has come forward to trust a system to do something with the information that they've provided them.

Ms GRAHAM - I also think that it creates complexities when there's differences between how a misconduct investigation is handled and how a criminal investigation is handled for a case where the alleged perpetrator is a civilian, non-police perpetrator. From my understanding, for a criminal investigation, victim-survivors would receive a copy of their statement, there would be steps through the process, they would have a single point of contact as much as possible throughout those processes. They're not perfect, and often the feedback is that they're not getting updates as well, but the misconduct investigation processes with police seem to operate quite differently. People aren't receiving the copies. For someone who might want to make a misconduct statement and a criminal statement, it would be really challenging for them to have to do that in a way where one process is separate to the other and they're not receiving their own information back to them to support not having to retell their story twice to essentially the same institution.

Dr WOODRUFF - Laurel House deals with people who are victim-survivors every day, you obviously have processes about how to respond to people, how to keep people feeling safe and secure in the process that you're responsible for working on with them, for them, with other organisations. What do you think best practice would look like if you were, you know, redesigning the police system for victim-survivors?

Ms GRAHAM - Our Arch system for general criminal processes that don't involve alleged police-perpetrated harm seems to be working quite well. Our police are co-located with our Laurel House colleagues and therefore they've got these warm connections between them. They can have those hallway conversations and they can get updates, and that trust is built really organically rather than based on policies and procedures. Obviously, that's not going to work when the people conducting the investigation into police misconduct sit at Professional Standards and sit separately to the Laurel House team, and I assume have some really strong and rigid guidelines around who and where they can share information. But the principles of the working relationship between police at Arch and Laurel House seems to create that continuity for the victim-survivor because they can get that information from their counsellor. At the moment that doesn't seem to occur when there's a misconduct investigation involving police in the same way, because those systems aren't there.

Mr GEORGE - Sorry, can I just get this clear, Rosalie, you think the Arch system is, generally speaking, working reasonably well?

Ms GRAHAM - Yes.

Ms WHITMORE - It's an improvement.

Ms GRAHAM - It is an improvement.

Dr WOODRUFF - It's an improvement, yes.

Ms GRAHAM - It's got some things that I think, as with any new pilot and as with any relationship between community services and the Government, particularly in institutions such as police, there are some teething things that I think need to be worked out. Overall, it seems to have increased confidence in people's reporting and our connection and information-sharing between Laurel House and police has increased.

Mr GEORGE - Does this mean that victim-survivors, or people with complaints, are finding it easier to navigate their way through Arch, despite the fact that there are, obviously, police that are part of it?

Dr WOODRUFF - No, we're talking about different things.

Mr GEORGE - Oh, sorry.

Ms GRAHAM - We're talking about Arch working well. Arch works well when there's not a police perpetrator.

Mr GEORGE - Okay. That's what I want to be clear about.

Dr WOODRUFF - That's where it doesn't work.

Ms GRAHAM - I'm saying the Arch model is an example, but that's why it's not an answer to the recommendation from the Weiss report.

Dr WOODRUFF - No. But it's kind of a direction or pathway or better practice.

Ms GRAHAM - Yes. The principles of it are what should inform other ways of working for other misconduct processes.

Dr WOODRUFF - I've got one other question about - well, I've got lots of other questions, but I know other people want to have - about when an officer resigns. Huge problem, many people have mentioned the great injustice and the fact that everything stops. You've recommended changes to the *Police Service Act 2003* to deal with this. Why do there need to be changes to the Act? This could just be incorporated into Abacus, couldn't it? Changes to the Act would be good, but given that legislation takes time, changes to Abacus could happen presumably in a very short amount of time. Isn't that something that the police could just determine to continue undertaking investigations on those matters?

Ms GRAHAM - Yes.

Dr WOODRUFF - Yes.

Ms GRAHAM - I think both would strengthen the - would you agree?

Ms WHITMORE - I think that legislative reform is a safer way to guard -

Dr WOODRUFF - Long-term permanent protection.

Ms WHITMORE - In answer to your question about whether police could make a decision internally to simply to change Abacus, or to change practices and procedures in

relation to the circumstances you're talking about, you would need to clarify with them, but I can't see why not.

Dr WOODRUFF - For people who are watching who haven't read your submission, could you just maybe give some examples or some comments about the experiences of people who've been brave enough to come and make an allegation of sexual assault or child sexual abuse against a police officer, and then that person just disappears?

Ms GRAHAM - Yes, I guess what we've heard is a common theme that they're given the opportunity to resign, and that's harmful to our victim-survivors in itself, because it's giving them a level of control over the processes as the perpetrator that the victim-survivor doesn't have access to and has lost through the process of harm that has occurred. So, that's another institutional element of harm that then is experienced by a victim-survivor. It often then results in a dismissal, not necessarily formal, but there's no urgency for them to then be resolving. or looking into, or investigating the claims. If someone doesn't want to go down a criminal pathway, the police, I think, then view a misconduct process as not always necessary because there's no disciplinary action available to the individual anyway. However, what victim-survivors have shared with us is that, what could actually be occurring, is institutional learning, and there's a really missed opportunity for that institutional learning to inform future processes and to prevent further harm from the future.

Ms BUTLER - Just on that, your submission highlights the importance of identifying patterns of misconduct and responding early to warning signs. So, from your expert opinion and perspective, what practical reforms would best assist agencies - so not just Tasmania Police or DPFEM - to identify risks sooner and strengthen that accountability to prevent future harm? So, drawing from the lessons that hopefully we're learning from the Weiss report and the Paul Reynolds matter?

Ms WHITMORE - Well, we've also made a recommendation in relation to working with vulnerable people registration, and whilst I acknowledge that that is a bare minimum standard, it's not something that is always effective in identifying risk. It does serve a different purpose of looking at some safeguarding, and so looking at - the police internal standards will look at a range of conduct issues, but the working with vulnerable people registration process has a different focus, which is a safeguarding focus, and sufficient information-sharing between departments as well. I think that that is something that has been identified in our Commission of Inquiry and it is an ongoing issue about how information is shared both between departments but also within them.

Ms GRAHAM - And I think at the moment, training, as far as I'm aware, doesn't actually look at the behaviour of the institution that is receiving the training. So, there's no examples around this conduct as a police officer, even if you're there in a sporting club capacity, people still know you as a police officer: here's what is and isn't appropriate. So, being able to step through that in a way that contextualises it to the individual who's receiving the learning and can then take it on board in how they act -

CHAIR - Make it relevant.

Ms GRAHAM - to make it relevant to themselves, that's right, Ella, would, I think, support the understanding that this isn't something that happens 'elsewhere'. This is something that could and has happened within our own internal colleagues and within our workforce, and

this is what we need to keep an eye out for in terms of misuse of power, in terms of grooming behaviours. Because those things themselves aren't always obvious or criminal in nature, and often if they're looking for black-and-white, criminal-evidence-type versions of what things look like, they'll miss the warning signs along the way that someone has misused power, and they may not always use harm, but they're warning signs that they may go on to cause harm.

CHAIR - Relevant to that, you've made some recommendations as well around amendments to the Criminal Code around grooming and recognising that pattern of behaviour and I know legislatively there've been new offences introduced in the last decade or so that recognise pattern-of-behaviour-type offending. Can you talk through that recommendation a little bit more deeply and also perhaps go to the importance of that record keeping at an institutional level, because if there's multiple complaints made about particular behaviour that might not make their way either to a disciplinary or a criminal allegation stage, that they might still be representing information that should be held, and essentially held around a pattern of behaviour.

Ms WHITMORE - So firstly in relation to the Criminal Code*,* this is something that we've looked at in other contexts, not just in relation to this submission, but it is incongruous that we have a definition of grooming within our criminal system that doesn't recognise that grooming occurs over time, that it can - I think at the moment it is defined as a communication with the intent, I'm sorry, I can't remember off the top of my head, but it's phrased in a very incident-based way. And we are recognising, now, as a society, we're moving towards looking at patterns of behaviour. And some of those things that might not be considered grooming, like asking someone if they would like a lift home in the police car; like, you know, the text messages that we see, that could just, if you are looking at them on the face of them, not constitute that offence. We do have concerns that the criminal law, and that definition in the Criminal Code, has not kept up with what our conventional understandings of grooming are, and in other frameworks like the *Child and Safe Organisations Act*, for example.

Ms BUTLER - Yes, because you have here,

> assess grooming as accumulating pattern of behaviour -

under recommendation 38 -

> including conduct through which police status or authority is used to gain access, trust or compliance or to reduce scrutiny.

Ms WHITMORE - And it was something that we heard from every participant, their understanding of who police are, and the power that they carry, there is this community perception that they - amongst sections of the community- that they are safe, trustworthy and how that is used and abused in a grooming process.

Dr WOODRUFF - Thank you. Just changing subject a bit on the Family and Sexual Violence Police Review Committee: so, it was established in 2022, and then there was an expansion after the Commission of Inquiry. On the face of it, if you're just looking at Tasmania Police as an organisation, you know, you got to go, 'tick, everything's good.' There's a family sexual advisory - primarily establishes advisory committee, apparently - but looking at the members of that, and the terms of reference, and the choice of those members gives me some questions, I suppose. And you've already mentioned this in your submission. So, clearly Laurel

House thinks it needs to be improved, and the independence needs to be improved. Do you want to talk about what you think it should do, and why you think it hasn't - the police have been resistant to making the changes that you've been recommending? I've heard this in public, you know, it's been recommended many times.

Ms GRAHAM - Well yes, as an organisation we have little understanding of how it operates, which as a specialist sexual violence organisation, I think raises some concerns in itself, because they're clearly not liaising with us to provide support to victim-survivors throughout the process. And if they are providing support to victim-survivors throughout the process, it's not specialist sexual violence support. I don't know about our colleagues at organisations such as Engender Equality, about whether they've got a different experience with the Committee, but from a sexual violence point of view, we have little understanding of how it operates. And then from a victim-survivor perspective, the victim-survivors we spoke to, I don't think any of them shared knowledge of being asked to speak to or involved with any process that the Committee undertook, in terms of the cases and the allegations that they've raised. I don't even know if some of them know that it exists. And so, I think that shows how disconnected from a process they are.

Dr WOODRUFF - Well, it's apparently an advisory body, which I assume means it would -

Ms GRAHAM - Not a decision-making body.

Dr WOODRUFF - No, but, even so, I assume it would, therefore be mandated to provide advice on policy changes, or code of conduct changes, or Abacus changes or whatever. But we don't have any information. You don't have any information in the sector coming about what the decisions are, or even what the terms of reference are, is that true?

Ms GRAHAM - Yes, that's correct.

Dr WOODRUFF - You've tried to find the terms of reference?

Ms GRAHAM - Yes, we haven't been able to find them.

Dr WOODRUFF - And do you understand why the police are being resistant to providing that information?

Ms GRAHAM - We haven't actually asked specifically, so that could also be on us in not being proactive in asking them. However, I do feel like for the sake of transparency, they should be publicly available. And so, I don't actually know and understand why they would not be. I think it creates the sense of mistrust and a lack of transparency.

Ms WHITMORE - I will just say there were participants who did refer to the Committee.

Ms GRAHAM - Sorry.

Ms WHITMORE - Yes, that's okay. I just wanted to clarify that one of them spoke about their lack of belief that the Committee was independent, even though it was independently chaired, and they had concerns around that. And the other did have a positive experience with

a decision or an opinion that came back from that Committee, but it wasn't actionable in any way because it was advisory only.

Dr WOODRUFF - You've recommended that there be an overhaul of the Committee, including a mechanism for identifying conflicts of interest. Can you just talk a bit more about that? On the face of it, that sounds obvious, but what sort of body do you think should be established?

Ms WHITMORE - I think there should be a permanent seat for a community organisation or community organisations that have specialist skill in family and sexual violence, and I think that even though there is an independent chair, they - my understanding at the moment is - that they are in another state, from another state government department, and so not completely independent of government.

Dr WOODRUFF - Previous government employees, senior secretary?

Ms WHITMORE - Yes.

Dr WOODRUFF - So not what -

Ms WHITMORE - So that perception, that the person that I spoke with -

Dr WOODRUFF - So it's hardly at arm's length, possibly.

Ms GRAHAM - I also think best practice is moving towards lived experience input into these kinds of processes and advisory groups as well, and as far as I understand, I don't know if that's happened with this group, and I think that's an essential part of being able to bring in that other level of independence around 'here's what it looks like from the other side'.

Dr WOODRUFF - How does Laurel House engage with Tasmania Police? Do you have a formal, kind of regular relationship with them? Is it just on client-by-client?

Ms GRAHAM - Yes, so I think that our most formal arrangement is the Arch centres, of course, so we've got agreements through that, and then I think it happens on a client-by-client basis within the Arch centres. We then at a systemic level have engagement with them through processes such as this one, and the Arch Steering Committee exists, which has representation from us, Tasmania Police, and any other Arch partners as well. So, there's those structures in place, but in terms of one-to-one engagement formally it's a bit more ad hoc.

Dr WOODRUFF - Do you think it would be valuable to have something more formalised, not necessarily just with Laurel House, but with other family and sexual violence organisations? Or do you think there's some other mechanism for having something regular?

Ms GRAHAM - I think it would depend on the level that it needs to operate at. So, I think there's things that need to happen that are very client-specific, but I think at a systemic level, the Arch Steering Committee, as far as I understand it, is Arch specific and doesn't really go into the stuff that is more broad systemic challenges or things that need changes and opportunities. So, I think having something that is allowing to formalise those bigger conversations that isn't just Arch-related would be really useful.

Dr WOODRUFF - Which could be the Family and Sexual Violence Advisory Committee if it was re-established with a different constitution possibly.

Ms GRAHAM - Yes.

CHAIR - We've nearly reached the end of our time. I really am reluctant to call it to an end because it's been such an informative conversation. Is there anything that we haven't gone to in questions that you're hoping to raise today?

Ms GRAHAM - No.

CHAIR - Please stay in touch with us if that does change. The Committee's going to be going for a little while, so if there's something that you'd like to raise with us down the track, please don't hesitate to do that. But I'll just formally close the hearing and thank you for your appearance and remind you that what you said to us here today is protected by parliamentary privilege. Once you leave the table, be aware that privilege doesn't attach to comments you make to anyone, including the media, even if you're repeating what you said to us today. Is that understood? Excellent. Thank you again so much for your contributions.

The witnesses withdrew.

The Committee suspended from 10.35 a.m. to 10.45 a.m.

Engender Equality

CHAIR (Ms Haddad) - Good morning and welcome to today's hearing of the Tasmanian Parliamentary Inquiry into Tasmania Police responses to allegations of officer misconduct. Thank you for being here today and for your written submission, which we've received and read. Could I ask each of you to state your name and the capacity in which you're appearing today?

Ms THOMAS - I'm Alina Thomas, the CEO of the family violence service Engender Equality. Thank you.

Ms SAPKOTA - I'm Sneha. I am the Lived Experience Program Coordinator for Engender Equality.

CHAIR - Thank you. Can I confirm that you've received and read the guide sent to you by our Committee Secretary?

WITNESSES - Yes.

CHAIR - I'll just remind you that the hearing is covered by parliamentary privilege, which allows you to speak with freedom and without fear of being sued or questioned in any court or place outside of parliament. However, that protection doesn't extend to any statements that you make that may be defamatory which you then later repeat or refer to outside of these parliamentary proceedings.

This hearing is public. The public and media may come in and out of the room and others might be observing online. If you do wish to give evidence in a private hearing, if we stumble across something that you'd like the opportunity to give *in camera*, just make that request at the time and we can consider that as a Committee and moving to an *in camera* hearing, if required.

I'll just briefly introduce the Committee: Jen Butler, Member for Lyons; I'm Ella Haddad, the Chair of the Committee, and I'm a Member for Clark; Rosalie Woodruff, Member for Franklin; Peter George, Member for Franklin; and Jane Howlett, Member for Lyons. We're also supported by Michael, who's the Secretary you've corresponded with, and by Mary, from our Committee Secretariat, and Gaye on Hansard. Can I ask each of you to make the statutory declaration in front of you, please?

Ms ALINA THOMAS, CHIEF EXECUTIVE OFFICER, AND **Ms SNEHA SAPKOTA**, LIVED EXPERIENCE PROGRAM COORDINATOR, ENGENDER EQUALITY, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED

CHAIR - Thank you. As a Committee, we also recognise that during these hearings we might discuss highly sensitive matters that have deeply impacted people, which may be distressing for people listening to or participating in these proceedings. Anybody who needs support can contact services that we have listed on the Committee website, as well as in hard copy, in the room today.

Can I invite you to make an opening statement, if you wish?

Ms THOMAS - Yes, thanks very much. I thought I might start with - I always like to do something a bit historical to create the context of what we need to be talking about today. And where I wanted to go back to is really around decisions that I think started being made in the '60s and '70s where we have, sort of, collectively agreed on a criminalised model for addressing family violence. So, we've come to some kind of collective conclusion that family violence is a crime, and therefore, as a crime, it needs to be managed by legislation, and that legislation is then enacted by police. We've really been watching the evolution of that in fairly recent times, like, it's not - it's been pretty much in our living history. It's not something that's going back much before that. But I do think we need to - I do like positioning that as a choice that's occurred. So, in it being a choice that's occurred, it's something that we can then effect some change on into the future if we would like to make a different choice.

What we've created is, through the criminal justice response to family violence, we've created a system where victim-survivors who are experiencing family violence are pretty much expected, if they're seeking help, to go to the police to receive help. There's problems involved in this. The issues then become, when police are using violence themselves, that police who use violence have additional opportunities available to them to perpetrate violence, and, in fact, that their status and their role become one of the tools or tactics, or even sites, that they've got to leverage abuse. That we have people who are using abusive behaviour, so police who are perpetrating abuse, as being the first response to victim-survivors who are making reports about family violence, so not – obviously there's the issue of their partners who are experiencing abuse. But I'm thinking more about general public who have to report their experience of family violence, potentially, to somebody who uses family violence. Another issue is the lack of transparency in investigations, and I'm really keen to talk to you more about that. There's another additional issue that I think we still need to do a lot of work unpacking; is that when the victim-survivor themselves is also a police officer, and what mechanisms are available to them.

I think some of the things that we need to be doing in response is to be thinking about police as the primary response to family violence reports in Tasmania, and how do we create a workforce that has the capability and the shared accountability to be proactively supporting victim-survivors. And I think that's very much missing at the moment. We need to be looking at what the alternative investigation mechanisms are. I think we've got the Integrity Commission set up to possibly be fulfilling that role but I would question whether, in its current state, it's fit for purpose. And if we are really able to centre victim-survivors in their experience, and victim-survivors, I wanted to include children in that picture, then we need to be really thinking of what that trauma-informed approach would actually look like.

I hope that we'll be really wanting to, I guess, underscore the conclusion that it is not appropriate for individual police officers to be using family violence ever. We need to have zero tolerance towards that. It is not appropriate for police, when police are using violence, that that's being investigated by police. And it's not appropriate that people who use violence are potentially the first point of response for victim-survivors ever. These are things that are unacceptable. That's where I'd like to start. Thank you.

CHAIR - I might go first to what you highlighted, Alina. You mentioned that you wanted to speak more about the importance of transparency in investigations. Can you just dig into that a little deeper?

Ms THOMAS - Yes, thanks, Ella. Look, I think there's so many different elements to this. I want to be thinking about it from a victim-survivor's perspective, and how important it is that they have accountability in what those processes are. If somebody's experienced family violence from any system, there's no amount of confidence that we would be able to give that person for them to believe that that process is going to be completely rigorous, have total integrity and be transparent, because it's almost impossible, isn't it? Like, the conflict of interest there is just so great. And it is about victim-survivor experience and how we can be restoring agency, confidence, self-esteem to victim-survivors from the absolute moment that their experience is revealed.

It's also about maintaining community confidence in the police force. If we are seeing in the news and through reports, and even through when we're hearing from victim-survivors themselves, that they're having these repeatedly negative experiences with the police, then that erodes other people's confidences as well. I think there's also around the way that the bigger kind of police culture - and this is well documented, and I'm really appreciating the timing of the Australia New Zealand Policing Advisory Agency (ANZPAA) report, because everything that I'm saying is already being touched on there as well. So, I feel -

Dr WOODRUFF - In the what report?

Ms THOMAS - The ANZPAA report.

Dr WOODRUFF – Just for people who are listening, do you want to -

Ms THOMAS - The Australian and New Zealand Police 'A-A'. Association. Do you know what the 'A-A' is?

Dr WOODRUFF - Was it last year?

Ms THOMAS - I think it was possibly even earlier this year.

Dr WOODRUFF - Okay. Thanks, just for people watching.

Ms THOMAS - Not at all. Are you familiar with it? Yes. I've lost my train of thought.

Dr WOODRUFF - Sorry.

Ms THOMAS - That's all right, not at all.

CHAIR - You said the timing was good for the conversations happening after that.

Ms THOMAS - Yes. And it was very validating, I think, because a lot of the things that were written in there were concerns that we had as well. It wasn't like it was - yes, we felt very supported by that. Ella, the question's about?

CHAIR - Transparency in investigations.

Ms THOMAS - Transparency and police essentially investigating themselves. We want victim-survivors to have a positive experience of what an investigation would look like. We

need broader transparency with the public to be able to at least maintain, if not, at this point, probably restore confidence in police processes. And we need to make sure that there's adequate accountability for police who are using violence. Thinking about what is potentially a very masculine workplace, where we haven't seen that investment in the training and the culture to actually be able to create a service that is really responsive to victim-survivors. That's the work that we need to do to change culture. Until that culture's - while that process is happening, and it's going to be ongoing anyway, we need to have independent mechanisms for there to be investigations.

Ms SAPKOTA - Alina mentioned positive experience for victim-survivors, and a lot of what I probably will have to add is through my work with victim-survivors. Two experiences that victim-survivors have shared come to mind. The first one is of a victim-survivor who has experienced criminalisation herself where she was essentially coerced into the criminalised behaviour. She has gone back to the police multiple times to say that: 'I am being coercively controlled post-separation of many, many years and there's been no follow-through.' When Alina says that there needs to be positive experience, I think it also has to come in letting victim-survivors know what is happening with the report.

The other example that comes to mind is of another victim-survivor who has gone to the Integrity Commission to talk about her experiences of experiencing violence through a police officer himself, which has then gone to the sergeant. The sergeant has come back and said he was made non-operational for the time being, but that was never communicated to the victim-survivor. So, I think it's essential for the victim-survivor to know what is happening, for them to feel supported, or to even come ahead and share anything, because if there's no follow-through, they don't feel supported.

CHAIR - Sometimes even if there is follow-through, they're not informed about it, and that's an important part of that communication.

Ms SAPKOTA - Yes, I think so. With the experience with the second victim-survivor, yes; with the first one, there was no follow-through ever made, and nothing was done about the experiences shared either.

CHAIR - I'll open to the Committee in a second. I'll just ask one last question on this topic. You've mentioned as well in, I think, in your opening statement, Alina, and also in your submission, around the difference in investigations when somebody's making an allegation of family violence against an alleged perpetrator who's a police officer and the other party is a civilian, versus when both people are police officers or working in the police department. Can you give a little bit more information about the difference of experience between those two types of victim-survivors making allegations or reports?

Ms THOMAS - When it's a civilian and when it's a police officer?

CHAIR - Where both parties are in the police and where only the alleged perpetrator is in the police.

Mr THOMAS - I think when the victim-survivor is a police officer themselves, they've got a really good understanding of potentially how much scope the person using violence might be able to leverage with their position of power, their networks, their own reputation. Not only their scope on what they can leverage, but also what they actually are, which position they're

in, what authority they hold, and where their points of influence are. I can't imagine how terrifying that would be. And to know that then, if there's information that's getting inputted, because when there's an allegation made that would be going into the police information system, which then would be accessible to people, there's not necessarily that extra layer of confidentiality which is absolutely critical because as soon as that person makes that disclosure, their risk is increasing substantially. I would imagine that there's a lot of people who aren't making disclosures who are in that situation.

But for people outside of the police force, I think the levels of fear in some ways could even be greater because there's a lot of assumptions that might be getting made about what their powers are, what their access to weapons and those sorts of things might be. I know from hearing from victim-survivors that - or, at least, I've been led to believe from listening to victim-survivors that police who are perpetrating violence will often overestimate what their power and authority is. They'll embellish it to create fear in their partner or ex-partner.

Dr WOODRUFF - You've just talked about confidentiality. In your recommendations you talk about an independent process being essential for reporting and also for investigations. On the reporting side of it, you've just said that not being able to be assured of confidentiality because you don't know the relationship between the police officer a victim-survivor might report to and the perpetrator; if victim-survivors don't know that, then that's a barrier to them wanting to disclose because of their own safety concerns. There's been a lot of people talking about an independent mechanism. There is a Family and Sexual Violence Committee. We might come to that later. But just in terms of that matter, what do you think a great system would look like?

Ms THOMAS - When you said a Family and Sexual Violence Committee, is that the one in the police?

Dr WOODRUFF - That's the one in the police, and I know it's not doing that job.

Ms THOMAS - Yes, yes, yeah. I really appreciate the question and I have really appreciated the opportunity to think about it. And this is, because I had a bit of a closer look at the Integrity Commission to see what that might look like in terms of that fit. I think one of the things that we really need to keep in mind is how do we create that response that, from the very beginning, believes the victim-survivor. Because it's a tricky - this is part of the complexity of our criminal justice model, is that we've got that tension which we see exposed a lot and explored a lot in the media around the presumption of innocence and how that can be used to minimise the experience of victim-survivors. We've been arguing for a long time that you can hold both: that you can presume innocence until proven guilty and at the same time be believing and validating victim-survivors' experiences. But that's tricky to do in a system that really depends on there being black-and-white situations where you can really determine guilt and wrongdoing.

Dr WOODRUFF - Guilt and innocence.

Ms THOMAS - Yes. It's tricky, but we need to get there. And one of the ways that we will - and that's so necessary for this, for what that independent process needs to be. It needs to have an understanding of what the dynamics are, the dynamics that cause family violence and sexual violence. What some of the impacts of that would be on victim-survivors and families. It needs to be trauma-informed so that when victim-survivors are stepping forward into that

system, they're not having to advocate for themselves as well as blowing the whistle or seeking a justice response. It shouldn't also have to be a process of them being challenged by the system. The system should be designed to support them. We don't have very good examples of where that's happening in other places, so this would maybe be a really great opportunity to be creating something that could do that.

Dr WOODRUFF - Thanks. There also needs to be a mechanism somewhere within Tasmania Police to have a filtering process of who would work on a reported complaint to assure - there needs to be somebody or some people who would be able to bridge between an alleged perpetrator who is a police officer, has other friends, colleagues, and the person who's making the complaint, family violence or not, would need to feel confident that other people that they felt might be biased or have a conflict of interest wouldn't be working on their case. There needs to be a mechanism, I would assume, to work that out. There's got to be natural justice involved, there's got to be confidentiality, and it sounds as though that's something that would need to be, that system sounds important to get right. It sounds like something that we're not going to be able to resolve without a proper conversation. Would it be something between the family violence, sexual assault sector and Tasmania Police to try and find a good process there?

Mr GEORGE - So, architecture.

Ms THOMAS - Yes.

Dr WOODRUFF - Independence. I mean, you can have an independent body, but I'm trying to work through because a lot of people have said 'independent', and I would like to understand how you think it could work.

Ms THOMAS - Yes. And, Sneha, you brought up the good point about what their powers need to be. Did you want to make a comment about that?

Ms SAPKOTA - Yes. When I was reading the ANZPAA police review document, the police have said that they are struggling with how many family violence incidences they are attending, and have a huge load of admin, and there are not enough resources. So, police recognise that there is more support required. And they've said that they welcome a co-responding model where an independent family violence adviser attends an incident with them. That's well and good that they're welcoming shared responsibility and collaboration. But what I think they've failed to acknowledge is who holds power. Even if an independent family violence adviser is attending an incident, do they hold the same power as police? So, I think more than just speaking on 'How do we collaborate?', I think there needs to be an acknowledgement of power and also an acknowledgement of culture within the police sector.

Ms BUTLER - I have a question around that. Thank you for your submission and the specialist perspective that you are bringing to this Committee today. We really appreciate that. It's a big question. Your submission recommends independent specialist advocacy, as well as mandatory external referral of serious allegations involving family violence, sexual misconduct or abuse of police authority. In your view, and experience and expertise, what specific types of allegations would you say should automatically trigger an external referral? And which body would be best placed to undertake that role in Tasmania in a perfect world? There's a lot in that. It's a big question. But I'm happy if we can unpick that because I think it covers a lot of different areas.

Ms THOMAS - Thanks Jen, you might need to help us. When we understand the social context, and it's really important that we do understand the social context because it has such a bearing on how victim-survivors would be perceiving their safety and their options, and what their resources are, that before somebody is coming forward and making a report, they very likely would have experienced - a lot of really adverse things have occurred to them, and it's a big decision. It would be such a big decision to move forward to make that disclosure or make that report. Once that person, even to get to that point, they have overcome so much or they are so desperate -

Dr WOODRUFF - And so afraid.

Ms THOMAS - Yes, and so afraid that that's remaining a final option. With things as they currently stand with allegations, anything that comes forward about child abuse, any type of abuse that somebody might be disclosing - it's also, and I think this is a trickier part of this to work out, and again I'm thinking about culture, is that there's - sorry, I just want to try and get the right wording around it. That in many ways the police service is not fit for purpose. It's not designed to be a first response to family violence. Something like 22 hours of family violence training is what police receive. It's such a minimal amount to try and unpack what is this massively complicated issue based on -

Ms BUTLER - It's a huge part of their everyday work.

Ms THOMAS - It's a big part of their everyday work, but they're not really trained to do it. That level of sensitivity and appreciation of how complex it is just often isn't there at all. I think that's part of what we would be asking for out of that inquiry, is that that culture needs to be changing. At the same time we're putting in the other mechanisms, we need to be changing that culture, whether that's through the collaboration with specialist services that has happened before in Tasmania, that used to be set up with the Family Violence Counselling and Support Service. All of those mechanisms that increase the police response's sensitivity to presentations of family violence are really important if we're going to improve the way that police are able to respond.

Ms BUTLER - Just going back to the question, in your view, what specific types of allegations should automatically trigger an external referral, so, the recommendation that there should be external referrals? What would be some of those triggering factors for that external - would it be a grooming incident? Could you give us some examples of that? And then what body would be best to undertake that role? Would that be potentially the Integrity Commission or would that be specialist sexual support services?

Ms THOMAS - When I'm asking for there to be a nuanced understanding of family and sexual violence, I'm asking for that because it can be difficult for victim-survivors to be able to articulate their experience. I know that, as a family violence service, we would question - it's a bit of a silly example, I'm sorry, but it's the one that's popped into my brain. For example - and sorry, I just wish that this wasn't what I was going to say, but a man giving a woman flowers. If a woman receives flowers at work, to us, we'd be kind of like, 'Oh, what's going on there?' I'd want to know more about that. Why is he making a public declaration of something in a workspace? To me, that would be a flag. It does not necessarily means that there's anything malicious. There is -

Ms BUTLER - A perception to her?

Ms THOMAS - Yes. Sorry for the silly example, but if you don't have an understanding of family sexual violence, receiving flowers is always just going to be lovely. 'Oh, isn't that lovely?'

Mr GEORGE - I think that's actually a very good example -

Ms THOMAS - Is it? Okay, thanks Peter.

Mr GEORGE - because it seems anything but malicious, but carries connotations that are not obvious.

Ms THOMAS - Yes, exactly.

Mr GEORGE - Particularly to an old man.

Ms THOMAS - Yes. Thank you, Peter.

Mr GEORGE - No, it's a good example.

Ms THOMAS - Yes. So, in terms of allegations I would be thinking, worrying about, and so I can receive that and know that there's potentially something there that would need to be explored, but other people wouldn't necessarily know that. So, it's where it's not just about the type of the allegation, but -

Ms BUTLER - Fitting into boxes?

Ms THOMAS - Fitting into boxes.

Ms BUTLER - Yes, it's bigger than that.

Ms THOMAS - Exactly. That's right. So, we really want that sensitivity for people to be able to be concerned about who gets to run late, who gets to make decisions about money, who's receiving the flowers, who's buying the flowers. All of these things can paint a picture that, if you're not attuned to it, 'Oh, he's lovely'. Yes.

Dr WOODRUFF - All of which does point to one of the problems that a number of submissions have raised that, in black-and-white, the Abacus framework does appear to do all the things. But you're pointing very clearly to the fact that there's a lack of cultural, embedded understanding of power within that, that there's the details between those black-and-white words: processes and timely reporting, transparency, and so on. And it does keep leading back to your recommendation for independence. I think Jen's point's a good one. You can't write down those flowers incidents, can you?

Ms THOMAS - No.

Dr WOODRUFF - So, you need people with a specialist understanding of power and coercion, family violence, to be able to be involved in decision-making.

Ms THOMAS - Yes, yes. And the other side of that, Rosalie, is then the presentation of the victim-survivor. Because I can pretty much guarantee that by the time this person has been abused by their partner or ex-partner who's a police officer and has made their way to reporting, that they're going to be highly anxious, very elevated. They're probably not sleeping very well. They probably have a lack of access to financial resources. There's so much that's going on for them. Being able to hold that is really important as well because that's when misidentification just kicks in so quickly.

Ms BUTLER - Just going back to that question around that external referral, and with your understanding of how our different agencies, institutions and groups work here in Tasmania, which body do you think would be best placed to undertake that role of external referrals? Just with your understanding, in a perfect world where everyone's beautifully resourced?

Ms THOMAS - Well, I think I probably need to share that I don't understand the Integrity Commission entirely and what their statutory powers are because that's the tricky bit, I think, in the design. One of the tricky things in the design is how the independent body also has the statutory authority to be able to, almost, act as a police force in themselves.

CHAIR - They don't have that statutory power. They can't investigate criminal allegations, really, at all.

Dr WOODRUFF - That's right. And they're not resourced to, and they don't have the -

Ms THOMAS - They don't have any? So, I think it needs to be something new and different to what we've got in existence. And it needs to be gender-informed, family and sexual violence-informed, trauma-informed so that - Yes, it's just trying to articulate this experience that once victim-survivors have got to the point of reporting, that everything should stop and we should just wrap around that person.

Ms BUTLER - Because the work's been done internally by them to get to that stage already?

Ms THOMAS - Yes. And they shouldn't have to then go on many years of trying to prove what's happened to them or navigate a system that often just feels completely illogical and overwhelming. And also be constantly confronted by authority figures telling you that you're wrong, or in the wrong place, or doing the wrong thing. It's so disempowering.

Ms BUTLER - Jane had some questions around other jurisdictions that you were looking at before.

Ms HOWLETT - Yes. Alina, I was wondering if you'd had a look at other smaller jurisdictions like the Northern Territory or South Australia, and if they have a different reporting process?

Ms THOMAS - Yes. We actually were very excited about - and I haven't looked at it super recently, so I'm not sure if it's still the same. But actually in Nova Scotia, in Canada, they have an independent investigatory body into police misconduct in relation to family violence and sexual violence. What we were able to see, it’s very, very transparent, who's being what -

when allegations are made, they're put on the website so you can see when their allegations are made and who they're made against.

Ms HOWLETT - Wow, that's pretty transparent.

Ms THOMAS - It's transparent and it's an expectation of the right conduct, so that if you are erring, that you would want to be correcting yourself pretty quickly because the repercussions are public. I think it's very powerful.

CHAIR - So, what goes on the website? An allegation or a conviction or?

Ms THOMAS - So if there's, yes, I'm pretty sure - and sorry, Ella, I didn't look at it before coming through -

CHAIR - That's okay. I'll look that up.

Ms THOMAS - but it shows when there's allegations and what investigations are happening, and then the outcome of them. So, if someone's cleared then that's fine, you're good, off you go. But it just shows the active workings of it. And one of the other remarkable things about it, it wasn't that expensive. It was only a couple of people. We're not talking about a whole new department; that there's things that we can do that don't need to cost the earth but can then definitely be communicating the necessary transparency.

Ms HOWLETT - I'm not sure how that would work with procedural fairness.

CHAIR - That's what I was wondering too. Is that just when the alleged perpetrator is a police officer, or is it broader?

Ms THOMAS - Yes, it's when they're doing investigations into police. No, just police.

Ms SAPKOTA - I just want to very quickly add something around Alina's idea of 'we need to do something completely different'. This might just seem like a silly thing to add, actually, but the whole point of being able to support a victim-survivor when they first disclose is being able to say 'We believe you', and we, at this time, aren't able to offer that at all. I think that's why we need an alternative way of doing this because it is so important to make sure that the victim is feeling believed. At the *Silenced* screening, one of the lived experience advocates shared, and I think she shared this before, that when they leave an abusive experience and go into a system for justice, they feel like they're entering another experience of violence. No matter how much we're trying to change our systems right now, it seems like it's not working because we're not giving our victim-survivors the dignity of being believed. I just want to circle back to the idea that the whole point of doing this is that victims feel believed in what they're sharing completely.

CHAIR - Peter, we haven't come to you yet. Have you got questions?

Mr GEORGE - Only a couple. Again, it's a great submission, thank you. It seems likely to me that a lot of victim-survivors are likely to already have had some sort of interaction with the police in some way or another, and that is part of the overall problem of the fear of outing yourself into a system in which the police are involved. You've sort of partly addressed it, but I'm wondering if you could give me an idea of the sort of architecture of a system that would,

one, help to alleviate the fear and the reluctance to come forward and, secondly, would give us a pathway through a system where there is this reluctance to be engaged with the police.

Ms THOMAS - It's very important that there's that specialist knowledge and framework about understanding the gender dynamics, the gender drivers and then the presentation of family violence and sexual violence. I think that you know - I'm laughing because I just think, 'Oh, what world would that happen in?'. But one that victim-survivors don't have to navigate; one where it's where that allegation itself, or the experience itself, means that the resources are there for them to then access. It's handed to them. It needs to be incredibly accessible. You know, it can't be filling out a form online. I've seen some of our systems that have developed over the last couple of years and we're trying to be really trauma-informed, and you have to go on to the internet and fill out a form. How is that helpful to anybody? It needs to be real-life people who have that framework who are accessible immediately. It can't be a waiting process. It needs to have that level of care so that the victim-survivor feels believed and validated, but also protected by that system, because they're immediately going to feel very exposed by that. If they need resources to move, then those resources are available, and not have that as, 'Oh well, that's not going to happen'. I know that I'm thinking that in my own cynicism, but that's what's needed if we are actually going to position the safety of victim-survivors and children, that's what it's going to look like so that it's not just lip service.

Mr GEORGE - But that's hard, isn't it? You've got a very small population very spread out, essentially quite regional. The very first steps are the most important steps, this sense of 'Yes, I want to deal with this'. So, does that come through organisations like yours and Laurel House, and so on?

Ms THOMAS - Yes, I think it would be good if it could come, if there was the ability to make it direct. We do get a number of victim-survivors who have been partnered with police, but not all of them. And we don't get any referrals from the police, even though there was agreement a few years ago that we would prioritise police victims, police perpetrator victim-survivors. But through the mechanism that the police are using at the moment, we're not getting any referrals.

So, I guess we can be - I mean, it should be a little bit of a ‘no wrong door’, but that's a long way from a reality as well. But yes, if we could be supporting people, that would be great. But also if there could be direct disclosures made to that body, I think that would be good as well. But that has to happen at the same time as the cultural work to change the police system so that people feel like they can come forward, because I think at the moment it's not happening anywhere near to the degree we need it to be.

Mr GEORGE - Given the reluctance of people to come forward - and accepting the fact that, obviously, any single case of abuse is one too many, do you have any idea of the extent of the problem that we are investigating now?

Ms THOMAS – Look, it's all up in the air because we don't have the direct research in Tasmania. We can extrapolate from studies in the States, and we could definitely say that the use of violence would be the same as the civilian population at the least. But we do also know that we have a problem of use of violence in all of the uniformed services. Some of the research from the United States is that it can be four times higher in the police force. I would feel very comfortable to think that we could base decisions on that. I also think it's good if we could have our own research as well.

Ms SAPKOTA - I just want to give some numbers for the 'four times more likely' statistics from the United States. In 2021 there were 1300 police officers in Tasmania that were working full-time; 400-something were women. If we are to think that police officers are four times more likely to perpetrate violence, that means that out of the 1300 that we would have in 2021, 908 police officers would be perpetrating violence. The question was, what is the scale of the problem? The scale of the problem is quite huge.

CHAIR - Is that specifically family violence, or it could be sexual violence or other forms of violence as well in those stats?

Ms SAPKOTA - It could be, not just family violence and others as well.

Dr WOODRUFF - There was a report earlier this year of a court case where a police officer had been, harrowing evidence, of how he had stalked and threatened his wife, also a police officer, through using the SCAD, the dispatch monitoring service. That form of family violence happened, I think, in 2023-24. The police response was that they undertake audits. Do you just want to talk about how you feel about the response? I don't know if you're aware of that case or if you heard of it, or if you've heard of other things. There's a gap here between what the police need to be able to access to do their job and a mechanism which protects the police officers or other people who are making threats of family violence. There were 43 reports of police officers internally making reports of issues; and 24 of them, I think, were found to have occurred. There's a range of issues that are obviously going on. What do you think about the way the police are monitoring that, if you have any information to share?

Ms THOMAS - Yes, well, I don't even think that we should think about it as being something that's doing its job. I think that we - sorry, I know that I probably need to give a little bit more depth around the idea of that, what's happening with the culture. But when we hear from the police all the mechanisms that are in place at the moment, it looks pretty thorough, right? It looks like, 'gosh, that's a lot going on there.' But we know that we're not seeing any increasing in reporting of police-experienced family violence, and we're definitely not seeing any better response for that. So, I think that's much more telling than when we see all the things, the mechanisms that are in place to be able to increase transparency and accountability. And it does start with recognising what family violence looks like, what coercive control looks like, and recognising that often these behaviours are hidden behind traditional presentations of masculinity and traditional presentations of femininity. For example, that if men are earning more money, then they should have more say over how money is being spent in the household. Some people might go, 'Well, of course, that's fine, that's the way I was brought up and that's okay'. And it hides, some of the traditional presentations can hide what is abusive unless you know to look for it.

I know cases where police are stalking and harassing their usually ex-partner by the time that that the behaviour's escalated to that point. And they mask it. It's masked behind, 'Oh, just do a safety check on my ex, will you? I'm worried about her.' Then she's seeing a police car drive past her house multiple times in a day. So, there's that disconnection between what he's saying, or what his intention is, and then what her experience is. I think that happens a lot. And I think it comes down to that point of where, when the relationship is deteriorated or when the behaviour is deteriorated to that point, the victim-survivor isn't coming out looking like a totally stable, resourced person. So, that becomes a mechanism of being able to bring in collusion with their mates so that -

CHAIR - It adds to their control.

Ms THOMAS - Yes, exactly.

Dr WOODRUFF - It feels like what you're saying is that there isn't any kind of black-and-white process way that you can have a good response to this situation if it also doesn't include some safe reporting pathway for a person, a victim-survivor, so that they can have that outlet which is safe to start the process going. And this is what you said multiple times.

Ms THOMAS - Yes, well, I just wonder, does it sit differently for us if we look at it from a whistleblowing point of view and be thinking about what mechanisms we need to put around whistleblowers, making sure that they are protected to be able to come forward and really expose where institutions are often failing but also hiding that failure? That's where the independence is just so important.

Dr WOODRUFF - Good example. I had one other question about the Family Violence Advisory Committee, which I mentioned at the start. There is a formal Committee which was established in 2022, and then, after the Commission of Inquiry, there was an extra position added that is meant to be a family violence sector external person. What's your relationship with that Committee?

Ms THOMAS - Yes, we had a little bit to do with them when they were first getting established. I think the chairperson was a former Women's Legal Service employee, so I had a good pre-existing relationship with her that did continue when it was established. But then it felt like once it got established, that we've not seen or heard anything of it.

Dr WOODRUFF - So, there's no engagement with you? Or you're not - do you think that there is value in having a formal process of engagement between Engender Equality and the rest of the family violence and sexual assault sector with Tasmania Police? Or would you just deal with them on a case-by-case basis?

Ms THOMAS - Look, I think in terms of the investigating claims, I don't think the police should be doing that in the first place, so, you know -

Dr WOODRUFF - That Committee is an advisory sort of - it's not on individual cases. Well, we don't know what the terms of reference are, so we need to find that out.

Ms THOMAS – I thought that they were -

Dr WOODRUFF - They were established in 2022 as an advisory.

Ms THOMAS - And not to be a mechanism to support victim-survivors and disclosures?

Dr WOODRUFF - It's interesting that you don't know what they do.

Ms THOMAS - I didn't know that.

Dr WOODRUFF - No, they weren't. They were established as an advisory body for the management of the matters including disciplinary actions, responses to newly made orders such as a family violence order or judicial action. So, internal. Thank you. I think -

Ms THOMAS - Well, I'm wondering if I'm thinking of something else then.

Dr WOODRUFF - Established by Tasmania Police?

Ms THOMAS - Yes, and it would have been about 2020.

Dr WOODRUFF - That's right. And it includes -

Ms THOMAS - And Deb Bailey was the chair for a while until she moved. Yes.

Dr WOODRUFF - It was all staffed by police but then a victim advocate role was included on the advice of the chair. We're just trying to understand how Tasmania Police has - because it seems on paper as though they've got a family violence committee and that they should be overseeing and providing advice on these matters. But if they don't hear from you, then -

Ms THOMAS - No. And there was some irony for us, assuming we are thinking of the same process there, that we were approached to be a - it was a genuine attempt of Tasmania Police to be more responsive and to improve their response because we were asked - I'm not making sense, not making sense to me - we were asked to prioritise referrals that were coming through for women who'd experienced family violence from police officers.

Dr WOODRUFF - Yes, it was expanded in 2023 to include a remit to look at police who were perpetrators or victims.

Ms THOMAS - Okay, yes, all right.

Dr WOODRUFF - But, obviously, there's not a lot of engagement with the sector about that.

Ms THOMAS - Yes, not a lot of engagement. And there was irony in that for us, Rosalie, that we have a huge waitlist for people accessing our services. We have about 250 women in the south of Tasmania who will wait over three years to talk to somebody. And then the police were kind of, 'Could you please prioritise our people?'. And we're like, 'Well, yes, we would love to prioritise', and we have continued to prioritise victims of police-perpetrated family violence. But, of course, we also want to prioritise women who are pregnant and women who are on temporary visas and women whose partners are being released from prison. It's very difficult to sort of say yes, but we have kept that as a priority because we know how dangerous and volatile their situation is, and how difficult it is to get support.

CHAIR - That's a huge wait time and a big waitlist to carry for an organisation like yours and the services you provide. What kind of resourcing would be required to meet the existing or projected demand?

Ms THOMAS - We're trying very hard to keep refining our system to be absolutely as efficient as possible, and we've brought in a process that is more responsive so we can do a

brief intervention, counselling early on, and then give people options of moving on to the medium to long-term waitlist or not. We have been able to expand that program just for the year and see if we can move some of the people through the waitlist. But people keep getting referred, as well. We would need a significant increase in investment for us to be able to meet the demand for our service. I'd be thinking at least four or five additional full-time employees. And that's just to meet the current demand. But we need to also be thinking that we actually want demand to be increasing. We're not seeing the help-seeking, the support-seeking on the north west coast, for example, that we see in the south. So, we can't claim to have the same waitlists in the north west, but that's not a positive story. That's the story of people not getting information and options.

CHAIR - They're not making it onto the waitlist, they're not seeking help?

Ms THOMAS - Yes, exactly.

Ms BUTLER - Subsequent to your question, do you think that waitlist is a deterrent to people wanting to seek assistance?

Ms THOMAS - Yes. I've been very reluctant over the years to talk too much about it because I don't want people to feel like, 'Oh, well, there's no point, then'. But also, there actually is no point any more. When we're having those conversations on a daily basis, we need to be realistic with victim-survivors about what the circumstances are.

Mr GEORGE - I just wanted to take that up. Given the lack of resources, and given the current approach to the budgetary situation, recognising that reality, where would you think you can start to build an architecture, build a process that is more fit-for-purpose, within the reality of budgetary constraints?

Ms THOMAS - It's going to cost money.

Mr GEORGE - It's going to cost, isn't it?

Dr WOODRUFF - It's about priorities.

Ms THOMAS - Yes, it's about priorities. And if we can't have a police force that's fit-for-purpose and able to show transparency - and I wanted to actually connect that situation to what we were talking about earlier. How we're all agreeing that we want a criminal justice response to family violence, and we're actually going through the process now in Tasmania of reinforcing that and bolstering it. I very much would always be advocating for alternatives to police responses, and seeing the community-based response as being a cheaper and earlier intervention, and what should also be more accessible to more people to be able to come into the community-based response. And the idea that if people are receiving an adequate response from the community, that perhaps that might avoid the more expensive, complicated and arduous criminal justice response.

Ms BUTLER - Can I ask you a question around organisational culture and prevention? I'm mindful that we're going run out of time. Your submission highlights the importance of organisational culture, and we understand culture within Tasmania Police services is a significant thing which is coming through in many of the submissions that we've received. As well as gendered drivers of violence and accountability within policing, from your perspective,

what cultural reforms within Tasmania Police would be most effective in preventing serious misconduct and encouraging colleagues to raise concerns when they see warning signs? That's another element that I'm seeing through submissions: that there are some very effective, fabulous police, and they're aware of a toxic culture, but they're unable to navigate that, or not sure how they can navigate that. I'm interested to see what your professional opinion would be on whether you've seen or experienced improvements within that space. And if not, where you think improvements could be made.

Ms THOMAS - It's such an interesting question, and so difficult, because it is a closed environment. I understand, almost, that it needs to be that way to some certain degrees to be able to do the work that needs - to fulfill the mechanism of the police force. I think that this is where I come back to that point of how, for the amount of time that the police force spend with family violence, and the responsibility that they hold in the community for responding to family violence, whether they are actually the most appropriate mechanism to be doing that first-responder frontline work. I think it's important that we do question that.

In terms of the cultural point, I know that I've got a note here. I'll quickly see if I can find it to be more coherent. It would be around making sure that there are supports and safeguards for people who are wanting to lead change, create change, and have those conversations. It's around the primary prevention piece that's currently not happening in Tasmania Police, so that the prevention work is happening right from the beginning, rather than relying on disciplinary responses or corrective responses -

Ms BUTLER - After the fact.

Ms THOMAS - Yes, exactly. That there's ongoing education and professional development throughout the officers' career, as well as pitched towards their rank and their influence, to be able to build knowledge around that accountability and appropriate responses, and to be continuing to support a better pathway. But I do come back to it, that the police, it's very hierarchical, it's militant, all for understandable reasons. Is it that we want to be trying to correct that response and make it more relevant and of value to victim-survivors? Or is it more about building an alternative response that can then work with that in a way? And I would think that an alternative response is probably a quicker way and more effective way of doing it.

CHAIR - Thank you. I think it's really informative. Does anyone have any further questions? Or did we not go to something that you wanted to raise with us in the questions that we've asked?

Ms THOMAS - Thank you so much. I felt with each of your questions, I wanted to keep going with it. I wonder if we - is there an option for us to give you more information?

CHAIR - Yes, absolutely.

Ms THOMAS - I think there's just in some of those statistics that Sneha was quoting, we'd be able to provide that in writing.

CHAIR - Absolutely. We'd be very keen to keep corresponding, keep in touch.

Ms THOMAS - OK, great.

CHAIR - And equally, if you're happy to receive further correspondence from us with questions and information, that would be of benefit to the Committee. We'd value that opportunity.

Ms THOMAS - I have got another point that I could quickly make. With the culture piece and how do we bring in the primary intervention element into the police force so that the culture is, in itself, perhaps more aligned to family violence frameworks; around what we should be doing and could be doing for the broader family members of police officers. So, as soon as somebody becomes a police officer that there's communications with their partner, with their parents, with their family members, their significant others around, you know, these are the things, the helps available, things to expect, things to be looking out for, like the flowers.

Ms BUTLER -Yes, spot-on. That does seem to be coming through with evidence.

Ms THOMAS - Yes, great.

CHAIR - Thank you. I'll call the hearing to a close, but reiterate the keenness that we have to stay in communication with you. I'll formally thank you for your appearance and remind you that what you've said to us here today is protected by parliamentary privilege. Once you leave the table, you need to be aware that privilege doesn't attach to comments you may make to anyone else, including the media, even if it's just repeating what you said to us. Is that understood?

Ms THOMAS -Thank you.

The Committee suspended from 11.48 a.m. to 12.02 p.m.

Tasmanian Family and Sexual Violence Alliance

CHAIR - Good afternoon and welcome to this afternoon's hearing of the Tasmanian Parliamentary Inquiry into Tasmania Police responses to allegations of officer misconduct. Thank you very much for being here with us this afternoon, and also for your written submission, which we've all received and read. Thank you very much for that comprehensive information you've provided by way of submission. Could I ask each of you to state your name and the capacity in which you're appearing today?

Ms KLERCK - Bree Klerck, CEO of the Tasmanian Family and Sexual Violence Alliance.

Adj Prof ASQUITH - Nicole Asquith from Tasmanian Family and Sexual Violence Alliance, and I'm the Policy and Research Officer.

CHAIR - Thank you very much. Can I confirm that you have received and read the guide sent to you by the Committee Secretary?

Witnesses - Yes.

CHAIR - I'll just remind you of the main parts of that, which is that this hearing is covered by parliamentary privilege, which allows you to speak with freedom and without fear of being sued or questioned in a court or any place outside of parliament. However, this protection is not accorded to you if statements that may be defamatory are repeated or referred to by you outside of these parliamentary proceedings. The hearing is public. Members of the public or media may attend in person or may be observing online.

I think you know all of the committee members. We've got Jen Butler, Member for Lyons. I'm Ella Haddad, Member for Clark, Rosalie Woodruff, Member for Franklin, Peter George, Member for Franklin. We're supported by Michael, our Committee Secretary, who you've corresponded with, Mary from our Committee Secretariat and Gaye on Hansard. We've got a few other committee members as well who are, unfortunately, unwell today and unable to attend.

Ms BREE KLERK, CHIEF EXECUTIVE OFFICER, AND **Adj Prof NICOLE ASQUITH**, POLICY AND RESEARCH OFFICER, TASMANIAN FAMILY AND SEXUAL VIOLENCE ALLIANCE, WERE CALLED, MADE THE STATUTORY DECLARATION AND WERE EXAMINED

CHAIR - Thank you. As a Committee, we also recognise that these hearings may discuss highly sensitive matters that have deeply impacted Tasmanian people and others as well. This may be distressing for people listening to or participating in our proceedings. Anybody that needs support can contact services that we have listed on the Committee website and also available here in hard copy today at the committee table. And I read the further details of those at the beginning of today's sessions. With those formalities dealt with, could I invite you to make an opening statement?

Ms KLERCK - Thank you, Chair, and other committee members. The Tasmanian Family and Sexual Violence Alliance appreciates the opportunity to contribute to this Inquiry.

The Alliance is the peak body for family and sexual violence in Tasmania, representing the sector across primary prevention, early intervention, response, healing and recovery. We acknowledge the submissions made by our member organisations, Engender Equality, Laurel House, Women's Legal Services and SASS. Their evidence brings frontline practice, expertise and the voices and experiences of victim-survivors to the Committee. We also acknowledge the submission from Tasmania Police. Before turning to our key points, we want to recognise the deep and ongoing harm caused by Paul Reynolds and the failures of Tasmania Police to respond adequately and keep victim-survivors safe. For some victim-survivors, that harm does not end with the offending itself. It can extend into families, relationships, physical and mental health, employment and financial security.

We also want to emphasise that language matters. In the context of the Reynolds matter, the term 'misconduct' risks minimising criminal offending, grooming and abuse of police authority by placing them within the language of internal discipline. The conduct under examination caused profound harm to children, young people, victim-survivors, their families and communities. We welcome the Committee's examination of the adequacy of systems, processes and oversight arrangements for responding to sexual violence and family violence involving police officers, alongside police culture and the institutional response to Reynolds. We hope this Inquiry leads to stronger outcomes for victim-survivors, greater independence and greater integrity in how allegations involving Tasmanian police officers are handled.

I'd like to just highlight three points from our submission. First, independence must be a priority. Tasmania is a small and deeply networked jurisdiction. In that context, it's difficult for Tasmania Police to credibly investigate serious allegations involving its own officers. And that's without real or perceived conflicts of interest as well. We support independent investigation of serious officer misconduct, accompanied by regular de-identified public reporting. Any entity undertaking this work must be genuinely independent, sufficiently resourced and have the powers and specialist capability required to investigate these matters effectively. The Integrity Commission is one possible model that we could consider, but the Committee may also wish to consider whether Tasmania's size and close professional networks require additional safeguards or alternative external arrangements outside of Tasmania to ensure independence.

Second, reporting pathways must be safe, confidential and capable of identifying patterns. Victim-survivors, police, employees and witnesses need reporting mechanisms they can trust. This is particularly important in relation to grooming and coercive control. Individual behaviours may appear innocuous when viewed in isolation. If those behaviours are not recorded, connected and assessed over time, cumulative patterns can be missed. Safe reporting, therefore, serves two purposes: it gives people a pathway to disclose concerns without fear of exposure or retaliation and it creates the information needed to identify patterns before further harm occurs. We believe anonymous and confidential reporting options should be available, with careful consideration given to the degree of independence necessary for those mechanisms to be trusted and effective.

And thirdly, we need to consider evidence about police culture, not simply an assumption that more training is enough. We acknowledge the training undertaken by Tasmania Police to improve their practice, but training alone does not tell us whether harmful attitudes are present within the organisation, where they may be concentrated or whether they are changing over time. We, therefore, support an audit of existing police staff to better understand violence-affirming beliefs and negative attitudes towards women, children and victim-survivors. That

evidence could inform training, recruitment, onboarding, deployment and promotion processes, and establish a baseline against which cultural change can be measured over time.

Finally, we want to reinforce a concern raised by our members. That's particularly around the specialist support for victim-survivors of police-perpetrated family and sexual violence, recognising that's not fully currently resourced to meet the demand and need. Independent accountability mechanisms cannot operate effectively if victim-survivors do not have access to safe, confidential and specialist support at the same time.

Thank you. And also recognising Nicole's work on the submission as well.

CHAIR - Thank you both. We are really looking forward to learning from your experience today.

Adj Prof ASQUITH - I just wanted a couple of comments. It's not often that having a career as a professor of policing is actually useful. In this case it is. I also want to note that from my 30 years working with policing organisations, Tasmania Police is one of the best that I've ever encountered. It is capable of taking on critique and reflect on practice and change behaviours, and do it really well and do it very quickly. Because it's such a small organisation, it can flip behaviours very quickly.

I also want to note that - I personally know Tasmania Police officers who worked with Reynolds, and they are carrying enormous amounts of moral injury at the moment, that they feel as betrayed as the victim-survivors. And we need to be thinking about not only - well, primarily victim-survivors of Reynolds and other victim-survivors of police-perpetrated family and sexual violence. But also police officers who experience family and sexual violence from other police officers and how to empower officers, particularly junior officers - they're usually the ones that see the ethical conundrums because it's like, 'Well, I was at the academy and they taught us this and now I'm seeing this'. How can we empower them to be upstanders, to report early even if it possibly would be a career suicide?

CHAIR - What kind of examples could you give from other jurisdictions that you've come across in your 30 years as a professor where those mechanisms are less threatening? Some of what's coming through in the submissions that we've received so far is that fear of reporting either what you see somebody else doing or something that's happened to yourself.

Adj Prof ASQUITH - That's right.

CHAIR - I think that's a real entrenched cultural issue that comes with very hierarchical organisations. And they're hierarchical for good reason. Nonetheless, it creates an internal power imbalance where it can be hard for people to speak up about what they see.

Adj Prof ASQUITH - That's right.

CHAIR - Have you seen examples of where that can be more cohesively supported for people to report what they see?

Adj Prof ASQUITH - There is a need for something like Professional Standards, but we need an independent body that is guiding as well as investigating breaches of the code of conduct, the police manual, but also the Criminal Code. If we've got police officers who are

breaching that, then it really does need to have an independent oversight. Other jurisdictions have that. The issue we've got is that the Integrity Commission is not recognised in federal law as a law investigation and law enforcement agency. They do not have those investigative powers. Currently, there is no capacity for anything other than Tasmania Police to do this. The ironic evidence is that an independent body, particularly if it involves community members, is often more lenient on police officers than internal police investigation bodies.

CHAIR - Interesting.

Adj Prof ASQUITH - Particularly depending on who you choose from the community who is part of that. We do really - and I think Bree made that point really well - that we are so heavily networked, we are only one degree of separation from each other. Perhaps we need to take it off-island, to ACAC at the federal level possibly, or an investigative body that's overseen by the Australian Federal Police (AFP). I don't know. The current strategy Tasmania Police has put in place with the Family and Sexual Violence Review Committee, that's not independent either, and it has no powers. We're caught in between all of these systems that are not actually filling that gap that is quite significant.

The Weiss inquiry was very much focused on sexual violence. It didn't really look at family violence, which is the bigger elephant in the room because across every western jurisdiction, the minimum is 40 per cent of police officers have engaged in family violence of some level.

CHAIR - Really?

Mr GEORGE - Forty per cent?

Adj Prof ASQUITH - Forty per cent. Which is about the same as in the general population. But it means that we've got this big iceberg underneath the child abuse charges against police that may possibly be existing. We know from the research from the UK, particularly, is that at least one or two officers in Tasmania Police right now are engaging in grooming behaviours.

CHAIR - Statistically?

Adj Prof ASQUITH - Statistically.

CHAIR - I think Jen had a question.

Ms BUTLER - Going back around the definition of family violence -

Adj Prof ASQUITH - Don't poke that bear, please.

Ms BUTLER - Well, I noted it in your submission, which was really comprehensive and very well put together, so thank you very much for that. Your submission argues that Tasmania's definition of family violence is too narrow and says that police policies do not clearly define police-perpetrated family violence. How would broader or clearer definitions assist in identifying and responding to police-perpetrated family violence, do you think?

Adj Prof ASQUITH - There is mixed views within the sector around the definition, and the mixed views largely come down to funding. The sector is currently not funded well enough just to deal with IPV - interpersonal violence. But in relation to police-perpetrated family violence, given that we know the harms of elder abuse, of sibling abuse, of all other forms of interpersonal violence within the home, have similar impacts, we believe police should actually be held to that higher standard, not just that that is defined in the *Family Violence Act*.

Ms BUTLER - And that's because of the discretionary power or that institutional power that comes within that role?

Adj Prof ASQUITH - That's right. And also the trust. This is the situation we have with Tasmania Police, because we have the highest support of Tasmania Police officers. There's huge amounts of trust, compared to other jurisdictions. But the faith in the system itself, Tasmania Police, is significantly lower. We have this legitimacy trust gap, so I think we need to be holding police to a higher standard. And for that to be really transparent and visible because Tasmanians trust the police officer that's in front of them, but they don't think that the organisation is honest, that it does not have integrity. So, that's the gap and I think that's where things like the Reynolds case actually feeds into that gap.

Dr WOODRUFF - Thank you. The genesis for this Inquiry was in the Commission of Inquiry's report and the two-page reference to Paul Reynolds. That led ultimately to pressure for the Weiss review and the recommendations from that that have come up, and the 52 people that she identified who came forward, minimum, who were abused just by one officer.

Adj Prof ASQUITH -That's right.

Dr WOODRUFF - You said in your report that the Tasmanian Government and Tasmania Police response to that has been very inadequate and that, in your view, it's another form of institutional betrayal. Do you want to talk about what you mean by that?

Adj Prof ASQUITH - The Weiss report was really clear. There was only four recommendations, five recommendations. They weren't big. And yet there is very little action on any of those, including even tasking the Integrity Commission and funding them to do that work, even though they don't have the investigative powers so they would still need Professional Standards to be feeding into that. And I think of those 52 people who had never disclosed before, that that was a moment when they had an opportunity to tell their story. And what are we now - 18 months, two years later? They have not been communicated with to say why the delays are occurring, what's happening. And I wrote in there, and it's quite a personal reflection, I just kept thinking about one of his victim-survivors standing in Launceston seeing the police funeral and the honour guard, and how that would have been such a betrayal. I think that there has been delays from the Commission, as well as the Weiss inquiry, that we haven't fully funded and fully structured, created the architecture for a more transparent and accountable system.

I think that if you add family violence to the mix, then we need to be thinking beyond the Weiss recommendations because they were very specific to sexual violence, and particularly sexual violence with children and young people. When you bring family violence into the mix, I think we've got to do a lot more work to actually work out how we address that because that is a significant body of work. We don't have an Arch centre for family violence.

Dr WOODRUFF - In terms of the victim-survivors of Reynolds, and also for the many police officers, serving officers, who found out after the event of that funeral what was known, but he still went ahead and got that funeral, your feeling is that there isn't evidence of change that's happening?

Adj Prof ASQUITH - Look, I am sure that they have now put in extra measures on, you know, 'Here is a checklist before we award a police funeral or an honour guard'. I'm sure that the Commissioner has responded at that level. But because it's not transparent, because it's not accountable -

Dr WOODRUFF - Why are you sure of that? I mean, I'm not doubting the Commissioner's good faith, but I'm asking you, have you seen evidence of that?

Adj Prof ASQUITH - I haven't seen evidence of it, but I have faith in the Commissioner based on her response since, not at the time. There were serious failures of oversight at the time. I think at the level of police funeral and honour guards, there is oversight. At the level of coercive control and grooming behaviours, that people may possibly have a gut feeling 'this is not right', I don't think there's enough systems in place.

Dr WOODRUFF - Okay. And it sounds, from the submissions that we've received, that there's quite a lot of resistance. At least you could see - or you could call it not action, on the part of Tasmania Police to make some changes now that don't require legislative change or even resourcing around culture. Your psychometric testing example, have you proposed that, or has that been proposed to police, that there be some testing of values, attitudes, behaviours?

Adj Prof ASQUITH - I've been talking to police about this for 20 years.

Dr WOODRUFF - I mean, I certainly heard this Commissioner, previous commissioners talk about wanting to improve culture.

Adj Prof ASQUITH -Yes. So, the psychometric testing that most police organisations adopt is to weed out psychopathy, narcissism and Machiavellianism. That's it. It's usually done at 300 questions over two hours, but it is only looking at those extreme behaviours. What I'm suggesting is you actually need to be testing at recruitment stage as well for attitudes to women, children and victim-survivors. And there are lots of metrics there that you can use. We use them in research all the time, but they can be used at that recruitment stage to actually identify people that we really don't want to be attending family and sexual violence incidents.

Ms BUTLER - How do you rate the testing for assessing victimisation? I know in Queensland, police undertake that as part of their recruitment process. So, whether or not there are candidates or their recruits identify as being victims at some stages of their life historically. I think it can be up to 80 per cent of people respond that, yes, they are victims of some - yes.

Adj Prof ASQUITH -That's right. And if you ask the average police officer why they apply, it's because they have experienced injustice at some point, either as an affected child or themselves.

Ms BUTLER - Yes, as a driver.

Adj Prof ASQUITH - That's right. I don't believe Tasmania Police asks about victim-survivors, but it's worth asking.

Ms BUTLER - Sorry, I interrupted you. Keep going.

Adj Prof ASQUITH - No, that's totally okay.

Mr GEORGE - I just wanted to clear something up for a second, if I may. A little confused because I thought at the beginning you were talking about how you felt there was real positive change in attitude within the police.

Adj Prof ASQUITH - Comparatively.

Mr GEORGE - But the implication, I think, of what you're saying now is that changed attitudes, but nothing's changed in implementation, or not enough has changed in implementation. Sorry, I want to try and get that clear.

Adj Prof ASQUITH - And I'm trying to hold multiple sources of positions, roles, information in my head at the moment. I know that Tasmania Police is deeply underfunded for the work that they need to do. And the kinds of systems changes that would be required that we're talking about here are very expensive. Who's going to actually cover that cost? Is that funding for an independent investigations unit going to come out of Tasmania Police's budget? They're in a really complex situation. The example I used to use was really basic things that we think would be so easy. One of my fields that I work in is hate crime, and I said to the NSW Police, 'Why can't you just add a question?', and they said that's $1 million to add a question to the complaint reporting system. So, just those really simple things that we think, ‘this could be done overnight,’ can actually have significant costs and flow-on effects. So, I'm holding the space that I know Tasmania Police comparatively is one of the best policing organisations. It has a long history of professionalisation that no other Australian jurisdiction has had other than New South Wales Police.

Ms BUTLER - Tertiary qualification?

Adj Prof ASQUITH - That's right. Exactly.

Ms BUTLER - That's positive to hear.

Adj Prof ASQUITH - That's right.

Ms BUTLER - I think we're the only service - they call themselves a service, not a force, but also that have tertiary qualifications as part of the recruits' training.

Adj Prof ASQUITH - Yes, New South Wales has a certificate, I think, but here it's a pathway from diploma through to a professional Honours degree.

CHAIR - I just wanted to go to something that you mentioned: that there isn't an Arch centre-style response for family violence. We've heard from two of your member organisations already this morning who have also raised that as an issue, particularly in respect of the concept that the Arch response is, in and of itself, enough to constitute implementation of Regina Weiss's fourth recommendation. I think you went to it in your written submission. I was leafing

through earlier to try and find the exact page, but I can't find it at this moment. But could you just speak to that a little more about, perhaps, the difference that needs to be understood around alleged police perpetration of sexual violence versus family violence, and the different types of investigation, transparency or responses that might be required?

Adj Prof ASQUITH - The multidisciplinary model of Arch is best practice. I just want to start by saying that. But when you've got - the perpetrator is a police officer, and Arch includes Tasmania Police as a partner in that organisation, it is impossible to guarantee confidentiality. There is no back door that you can enter to avoid being seen. I particularly think of police officers who are victim-survivors. That is not a safe place to report at all. Well, there is no safe place for them to report at all. But in terms of support, let alone criminal charges being reported, but the support required, it is not a safe place because there are no mechanisms or a memorandum of understanding on how Arch is going to manage a police perpetrator within that multidisciplinary model. It would require bespoke systems, practices, policies, identification of conflicts, finding money to create a separate entrance where there is nobody that can be seen. So, there is a whole lot of consequences for having Arch as that model for police-perpetrated sexual violence.

Of course, they don't deal with family violence, and we have this situation where the only crisis response is to report to the police. But if the police is the perpetrator then you're not going to be reporting to the police, whether you're a police officer or not, so you don't get access to anything like Safe at Home. We would love to see something like a multidisciplinary model for family violence but that would still not resolve the issue of police-perpetrated family violence. I often think about - the police policy is around referring police officers who are victim-survivors of family violence and sexual violence to the Wellbeing Unit. I'm like, well, that's really personal and private information being held by the institution who is responsible not only for the person who perpetrated it, but for the investigation of it.

CHAIR - It feels like there's a disconnect at a few levels between investigating what might constitute workplace misconduct or workplace issues. So, going to the Wellbeing Unit, for example, I can imagine that that's a very important opportunity for people who have experienced trauma as a result of their work, which I recognise holus-bolus is absolutely part of policing. But the family violence is being experienced, obviously, in a family context. How inappropriate is it for somebody to - and also, indeed, for that Wellbeing Unit to be the one that is expected to support someone because they happen to be a police officer. A different family violence victim-survivor wouldn't be referred to an internal workplace wellbeing unit. I guess that's -

Adj Prof ASQUITH - That's right. You've also got the added layer for police victims-survivors is that part of their sworn duty is to report crime, including their own crime -

CHAIR - Or the crime that they have experienced.

Adj Prof ASQUITH - so they can be actually charged for not reporting their own victimisation.

CHAIR - Has that ever happened, to your knowledge?

Adj Prof ASQUITH - No, I would not see this Commissioner actually approving those kinds of charges. But that's the situation you've got; is that police are compelled to report crime, including their own victimisation.

CHAIR - It places a moral kind of burden on their shoulders as well, in addition to the crime that they're experiencing.

Adj Prof ASQUITH - Yes, that's right.

Dr WOODRUFF - The Family and Sexual Violence Review Committee that you mentioned before, we've spoken about this with some other people from your sector. It is not an independent structure; it is an advisory body within Tasmania Police. It signals that there is a family sexual violence kind of oversight, I suppose, of what's happening. Can you talk about what your engagement with Tasmania Police has been around that body and the formation of that? What feedback have you had from them about the policies and issues that your sector thinks Tasmania Police should adopt, particularly post the Weiss inquiry, before the Weiss inquiry.

Ms KLERCK - We haven't had any.

Mr GEORGE - Lot of shaking of heads there.

Adj Prof ASQUITH - I didn't even know it existed until I did this submission.

Dr WOODRUFF - You're the peak body. Is there a formal engagement that you have with Tasmania Police?

Ms KLERCK - We do have a connection with the Safe Families Coordination Unit and also, informally, through the family violence units as well, but not necessarily any questions or direct advice or to direct it to us.

Adj Prof ASQUITH - Or to the executive at all.

Ms KLERCK - Yes, it's more just -

Dr WOODRUFF - Okay. You said before, Nicole, I think, that you're sure that the Commissioner has put in place changes in the Police Manual about funerals. You've also, in your submission, mentioned that it needs to go much further than that. There was, in your words, an extreme betrayal of officers and victim-survivors that that funeral ever happened in the first place. How are you sure that those changes have been made? And what do you think victim-survivors and police officers who are concerned about that funeral need to see to be confident that that would never happen again?

Adj Prof ASQUITH - The problem you've got with so much of Tasmania Police's policy is that it's embargoed from public access.

Dr WOODRUFF - The policy is?

Adj Prof ASQUITH - Yes. So, the Police Manual, for example, is not publicly available.[1]

Dr WOODRUFF - Is that standard practice for police organisations around the world?

Adj Prof ASQUITH - Yeas, that's right.

Dr WOODRUFF - There's no organisation that does differently?

Adj Prof ASQUITH - UK policing services are required to publish all. I think, Scotland is also required to publish all.

Dr WOODRUFF - So, it does happen elsewhere?

Adj Prof ASQUITH - It does happen, yes. It's just not an Australian thing.

Dr WOODRUFF - Okay, but there's precedent.

Adj Prof ASQUITH - Yes. So, there is no public oversight of what are the rules of being a police officer.

Dr WOODRUFF - Do you think, in relation to family and sexual violence, that there's a case for making, at least those relevant parts of the Police Manual public?

Adj Prof ASQUITH - I think, you know, having that policy, they've got a policy document that is available. The family and sexual violence involving police policy is available publicly. I think that needs to be a greater socialisation that that exists and what it includes.

But that policy itself is also problematic. I identified a few things in there that I was just like. It starts off by saying, you know, police involved in family and sexual violence, police-perpetrated sexual violence is highly unlikely to be reported because of the fears of authority, power, et cetera, et cetera. And then later on, it says, 'but police are perfectly placed to investigate this'. So, there are serious concerns with what that actually contains. And I think the Review Committee, (a), having investigative powers and powers to compel evidence would be really good, but I can't see that happening any time soon. So, the least that we should have is representation from the sector and from victim-survivors. The infrastructure's there already for that kind of engagement from our member organisations or from the Alliance itself. And there is the Government's victim-survivor advisory group. So, there are people there with expert knowledge. Now, I'm not saying that nobody on that Committee has expert knowledge, but nobody on there is from the specialist family and sexual violence sector.

Dr WOODRUFF - Well, there's meant to be a person from the sector who's on that Committee. Do you know who that is?

Adj Prof ASQUITH - It didn't list it when I was looking at the committee membership.

[1] See correspondence from the Tasmanian Family and Sexual Violence Alliance regarding the availability of the Tasmania Police Manual: https://www.parliament.tas.gov.au/__data/assets/pdf_file/0017/114281/Correspondence-from-the-Tasmanian-Family-and-Sexual-Violence-Alliance-dated-14-October-2026_Redacted.pdf

Dr WOODRUFF - Well, we heard that the terms of reference aren't available. I don't know if that's correct or not.

Adj Prof ASQUITH - That kind of lack of transparency says, 'We've got something to hide',- so doing an audit, I think, would be, and publishing that audit. And then, depending on the findings, publishing what they're going to do about the certain number of officers that have deeply skewed views in terms of family and sexual violence. I had the absolute honour of shadowing police in rural and remote Tasmania for quite a while, and the only thing that deeply concerned me about those officers was that almost universally they had negative views in regards to family violence. And they were all in single-officer patrols.

Ms BUTLER - Can you provide us with some examples, without identifying people, around what that may have looked like?

Adj Prof ASQUITH - There's: 'How can I decide who is the predominant aggressor? I just put a PFVO on both of them and the courts can decide.'

Ms BUTLER - Right. I had a question around culture, but if you wanted to go further into this topic before I move on to - ?

Dr WOODRUFF - It's just really any other suggestions or advice you'd give to the Committee about how to improve the relationship and the learning from the family and sexual violence sector with the police. You've said, and other people have said, there needs to be independence of reporting and investigations -

Adj Prof ASQUITH - Transparency.

Dr WOODRUFF - And transparency about what's happening.

Adj Prof ASQUITH - The number of officers who have been charged, what the prosecution outcomes were, those sorts of things, so that there's actually visible evidence of 'we are taking this seriously'. Because that was the other finding, and the research is that police are undercharged for both family and sexual violence compared to the general population.

CHAIR - I noticed that you had those New South Wales statistics around that as well.

Dr WOODRUFF - Yes. Would it be your view that you would like to be playing an active role in that, that maybe you want to speak to that? Because someone's got to take that space with expertise and independence. We will need to consider things about the quality of the investigation that could be conducted.

Ms KLERCK - I think it's really important that we're looking at it from that co-design process, and we're happy to support those processes in terms of what a model should look like or where a model should sit in terms of an independent investigative process. Again, I think the element of having to rebuild that trust needs to come from working directly with the specialist sector and with victim-survivors to develop that. Without having that real genuine co-design process - often we see things given to us and then it's sort of like 'give us feedback' and that's it. Whereas if we have a genuine process where you're working together -

CHAIR - It's not co-design. It's not even really consultation.

Ms KLERCK - That's it. And even if it's on the recommendations, or what's left of them, and what needs to be done, it's how do you do that together?

Dr WOODRUFF - It sends a message to victim-survivors and to serving officers that Tasmania Police is remaining internally closed rather than open.

Ms KLERCK - Open, yes, absolutely it does.

Ms BUTLER - I noticed from your submission that you raised concerns about barriers faced by police officers and also civilian DPFEM staff who themselves are victims-survivors or witnesses to misconduct. And there's also quite a bit of evidence about a retaliation or a retribution towards those people when they may ask or query practices or may become themselves inadvertent whistleblowers. What measures do you believe would best support a workplace culture where officers feel safe, and also where DPFEM civilian staff feel safe and supported to come forward without fear of that retaliation or retribution? Have you got any thoughts in relation to that, because that does seem to be coming out in a fair bit of our submissions?

Adj Prof ASQUITH - As I said, there is a role for Professional Standards, but I don't think it is in relation to interpersonal violence perpetrated by police. That is quite distinct from failing to - workplace conduct, you know, failing to put your ammunition away in a particular way or those sorts of things. I think having independent, anonymous reporting for conduct of concern that is overseen by both police and an independent agency, I have fears about that because I know the capacity of police officers for retribution against colleagues and just putting in spam, basically, into that system. The thing that happened with Reynolds was that it was a slow boil that nobody - some people may have felt uneasy; they didn't follow their gut. As we keep telling victim-survivors, listen to your gut.

Dr WOODRUFF - Well, they didn't feel empowered to do that.

Adj Prof ASQUITH - They didn't feel empowered.

CHAIR - A pattern of behaviour was occurring but was missed because of all of those missed red flags.

Adj Prof ASQUITH - Yes. Or just feeling 'that's not right', but you didn't know that there were 16 other similar incidents in the last year exactly like that. So, if we don't have a track record of those things, then there is no way of actually evidencing the course of conduct that constitutes grooming. So, I think police also need an independent, anonymous reporting system outside of Tasmania Police to be able to do that.

Ms BUTLER - You mentioned ammunition before and I noticed that you did allude to firearms within your submission. You raise concerns that police officers accused of family violence may not face the same consequences as members of the public and specifically raise firearms as an issue. In particular, your submission highlights the heightened risks associated with police access to firearms in family violence situations. In your expert advice, are there additional safeguards that should be considered to better protect victim-survivors?

Adj Prof ASQUITH - There's quite clear rules for Tasmania Police in terms of an officer who has been, a complaint has been made in relation to family and sexual violence, that the line manager has to make sure that officer's firearm is relinquished.

Ms BUTLER - Does that occur?

Adj Prof ASQUITH - We don't know because Tasmania Police hasn't had any kind of research into that or collected data into that, I don't think. But we know from New South Wales that, no, those firearms are not being relinquished. And you know -

Dr WOODRUFF - How do you, sorry to interrupt, how do you know about New South Wales?

Adj Prof ASQUITH - They did an inquiry.

Dr WOODRUFF - It wasn't available so there had to be an inquiry?

Adj Prof ASQUITH - Yes. They tracked back in the criminal records to look at police-involved violence and then went back and said, 'Well, was there an inquiry about whether they had a separate licence for a firearm?'. They weren't checking that and they didn't actually relinquish their firearms at the time as well. So, it's about changing that culture and making that the default response. Obviously, that means that officer cannot be on the front line, cannot be a first responder whilst they do not have their firearm, so there are consequences for it. But a quick independent review to ensure that yes, charges should be laid, or charges shouldn't be laid, would mean that the gun could be back in that person's hands quite quickly.

Ms BUTLER - Is it also that fear of, for a victim-survivor or if there is a family violence incident that's ongoing that hasn't been reported, it may be -

Adj Prof ASQUITH - That's the problem.

Ms BUTLER - I'm going to be very generic here and talk about - it would be, say, a family violence incident where a male police officer and partner or wife, they're aware of their access to firearms -

CHAIR - That's a disincentive to report.

Ms BUTLER - How would you go about navigating that as an issue, because it's quite complex, isn't it?

Adj Prof ASQUITH - And that's the issue that we've got. The only oversight for family violence in Tasmania, full stop, is the police, and so little is reported to the police. There's very little that can be done unless there is a report to the police in those circumstances. I've always asked for a third-party reporting system for all forms of interpersonal violence because of exactly that case. That could be ongoing and Tasmania Police would have no oversight that there is ongoing coercive control and violence in that family and, therefore, would not have any triggers to say, 'We need to get that firearm off that person'. It is a constant issue with family and sexual violence that's not reported.

CHAIR - Can I ask another question before coming to you, Peter, because it's specifically on firearms? I was also interested in that New South Wales data that you had around what's expected to happen in New South Wales versus what does happen. It would be really interesting to have similar data available in Tasmania. My understanding is that when a family violence order is put in place, people are expected to relinquish their firearms and their firearms licence. There's a process then, after the family violence matters have been dealt with by the courts, to apply to get those things back. Is that occurring for police officers who are alleged -

Adj Prof ASQUITH - Don't know.

CHAIR - Well, upon whom a family violence order might be placed? Are they being treated differently to civilian accused perpetrators or alleged perpetrators?

Adj Prof ASQUITH - The research suggests that from other jurisdictions, but we wouldn't have that data for Tasmania.

Dr WOODRUFF - My question is sort of back to what we were talking about before about the police manual and the funeral. You've spoken about the sense of betrayal that victim-survivors and people in Tasmania, some police officers, have spoken about, about the funeral occurring in the first place. There was nothing in the old Police Manual that required a funeral to occur and there's nothing that prevented it happening. There was nothing to guide that decision. So, there wasn't really, if you like, a failure of the Manual. It was a decision that was taken despite the fact of the material evidence of child sexual abuse that was sitting there with Tasmania Police. My question is about the circumstances that gave rise to that. What do you think the message is that it sends to victim-survivors that Tasmania Police failed to examine the circumstances? We still don't have an examination of how that happened, and that's left many people questioning what the change really is. What happened and how can we be sure it won't happen again?

Adj Prof ASQUITH - I suspect that there has been an internal review of what happened and how did they get there. I think that there wasn't anything in the Manual that says as much as we need to say; that they did not even consider what happens if a police officer is found to be a perpetrator of a serious offence. They did not even have the forethought to think, 'In our provisions on police funerals, do we need to check the standing of this police officer?'. That wasn't even in their brain at that time. So, yes, they didn't fail to do something. I also wonder whether, because there was such a short time between the formal investigation, the suicide and the funeral, whether the Commissioner actually knew of the existence of the investigation in the first place.

Ms BUTLER - Also the outcome of the investigation, because it's our understanding that that had only just started. And so, to say no to a funeral based on what?, to say yes to a funeral based on what?, because it was an ongoing, we had just started that investigation. So, it was a precarious position regardless of how you'd put it in the handbook.

Adj Prof ASQUITH - And given that other members of Tasmania Police did not know of his offending at that stage, they would have been outraged if there was not a police funeral.

Dr WOODRUFF - Nonetheless, there was the material evidence, boxes and boxes of it with photographs and pictures, and it was a huge bit of evidence that was sitting there, not a

proven case. So, my question remains: there is now still not an investigation that's been made public where there's been a discussion about that. As you say, it's still behind closed doors and -

Adj Prof ASQUITH - Closed doors. And that will continue to contribute to that gap between honesty and integrity, and perceptions of it.

Dr WOODRUFF – Yes, which is what we talked about before. It's still a resolution, a bit of resolution healing, or whatever you want to call it, closure that, in your view, is needed in order to start to repair that gap?

Adj Prof ASQUITH - That's right. And I also think that the Weiss inquiry was very specific to Reynolds' offending, though she did hear of other police-perpetrated violence as part of that inquiry. What would we find if we actually opened it up and said: 'Victim-survivors, tell us your story of police-perpetrated family and sexual violence', not just Reynolds' violence?

Dr WOODRUFF - Forty per cent was the figure you said.

Mr GEORGE - This is all rather basic, I'm afraid, but I suddenly realised that I did a series of stories for *The Canberra Times* in 1975-76 about exactly this issue, and it's hard to believe that's 50 years and we're still -

Adj Prof ASQUITH - We still haven't.

Mr GEORGE – No. So, I'm interested in the architecture of the system that actually starts to give us an outcome. I wonder, first of all - it was raised by Engender Equality, the system which has been introduced in Nova Scotia, which is a Serious Incident Response Team (SIRT) which has taken any officer involved, sexual violence or other violence, absolutely, totally out of the system entirely. Are you aware of that? Are you aware of the SIRT, as they call it, the Serious Incident Response Team? And do you see that as architecture which would be transferable to Tasmania? Two small islands with relatively small populations.

Adj Prof ASQUITH - Exactly. Yeah, that is the best-practice model, that it is an immediate discontinuation of that officer doing any first-responder work. They could possibly be doing stat decs behind a desk, but taking them out of the system as much as possible.

CHAIR - At the time of the allegation, right?

Adj Prof ASQUITH - At the time of the allegation. Because that's - you know, we've got a court case happening at the moment in New South Wales of a police officer who used his police-issued firearm to kill his ex-partner.

Mr GEORGE - Allegedly.

Adj Prof ASQUITH - Sorry, allegedly. So, for the victim-survivor, there would be enormous amounts of fear the moment that they put that phone down after calling the police.

CHAIR - Absolutely.

Adj Prof ASQUITH - That would be like highest risk.

CHAIR - It's the highest point of risk for anyone that reports family violence, but when you know that there's access to firearms -

Adj Prof ASQUITH - And that they know the law, and that they've got colleagues, and all of those sorts of things. So, I think any report by a victim-survivor of police-perpetrated family and sexual violence needs to be put in protective care immediately, and safety planning is essential right at that moment of how to protect that victim-survivor and, most probably, her children.

Mr GEORGE - Okay, so the architecture of the system in Tasmania, the obvious, partly obvious, architecture would be to put it into the hands of the Integrity Commission if it was properly funded and resourced, and so on, I assume -

Adj Prof ASQUITH - Well -

Mr GEORGE - Well, hold on, just let me at least put the proposition there.

Adj Prof ASQUITH - Sorry, yes.

Mr GEORGE - That would appear to be, on the surface. What it doesn't do is it doesn't involve organisations that you represent, for a start, as far as I'm aware. So, what I'm wondering is - let's just ignore the budgetary situation at the moment for the state -

Adj Prof ASQUITH - Can we?

Mr GEORGE - Which you can't. But what sort of architecture could you envisage in reality that could handle a complainant or a victim-survivor from the outset through to investigation and resolution? Can you actually even conceive of a picture?

Adj Prof ASQUITH - For the victim-survivor, I think something like a multidisciplinary centre for family violence. Sexual violence, we've got Arch, but both would need to have specific strategies, policies, practices on how to deal with the police-perpetrated.

Mr GEORGE - And would police be involved in that Arch?

Adj Prof ASQUITH - In that component of police-perpetrated. See, it's the difficulty that you need police there because they have the investigative knowledge. But do they necessarily have to be currently serving police officers? You know, we've got amazing talent leaving policing organisations at the moment with just incredible institutional knowledge that have all of those but are independent from -

Mr GEORGE - So, Arch would be your first step?

Adj Prof ASQUITH - For sexual violence, yes.

Mr GEORGE – This would be open door for somebody who's got an issue with police officer violence against them or family violence, yes? And then the next steps?

Adj Prof ASQUITH - The next steps, we need an independent body to be investigating this. And as Bree pointed out, that may need to be off-island, that the Integrity - you know, we all know it, we suddenly go, 'Oh, you're my second cousin'.

Ms BUTLER - 'Oh yeah, we went to school together.'

Adj Prof ASQUITH - 'I know your sister.'

Ms BUTLER - 'He's a good guy.'

Adj Prof ASQUITH – 'He's a good guy', yes.

Mr GEORGE - That's because of the size of the island and the interrelated nature of it?

Adj Prof ASQUITH - That's right.

Ms BUTLER - Just on that, when you were talking about Nova Scotia before, is that one of the reasonings behind the formation of that policy in Nova Scotia? Because they also have that island culture?

Adj Prof ASQUITH – Yes, and you find it with a lot of different types of policing strategies on island populations.

Mr GEORGE - It's a specific issue, isn't it?

Adj Prof ASQUITH - Yes.

CHAIR - With small, interconnected populations like ours?

Adj Prof ASQUITH - That's right. Where everybody knows everybody.

CHAIR - And there are examples - well, Nova Scotia, you said, is best practice. Are there others we could learn from?

Adj Prof ASQUITH - I should imagine Scotland would most probably have a similar system for its islands, and the Shetland Islands.

CHAIR - That's been mentioned.

Ms BUTLER - It has.

Adj Prof ASQUITH - But anything from the UK. So, the UK College of Policing, all of their policies, all of their practices, all of their systems are online, publicly available because they're required to by legislation.

Mr GEORGE - You've made clear, and everybody else has made clear, that the first step is probably the scariest step of all, actually reporting it. How do you build a system, or how do you project something to victim-survivors that says, 'This is a safe process. Come in through the front door and we'll look after you'?

Adj Prof ASQUITH - I think this is where my experience in hate crime - actually, I'm constantly thinking, 'Why don't we', the cross-learning between these two. We know that only about five per cent of hate crimes are reported to the police, and the way that you increase that reporting is third-party referrals. So, an independent third-party reporting system who are then empowered by victim-survivors to report to the police on those matters.

Mr GEORGE - Could that be the organisations that you represent?

Adj Prof ASQUITH - I don't know, because they're underfunded for the work that they're already doing and I don't think that that's necessarily core business for them. But I think independent third-party reporting is the way to increase trust in police because you've got a third party that is doing the warm handshake across. And that's what the Arch model is all about; is that there's that space where you feel safe, because this practitioner is supporting you, reporting to this practitioner. We just don't have that, anything like Arch, for family violence. Safe at Home do an amazing job for those that are willing and capable of reporting to the police, but we know they -

CHAIR - But not everybody does. Nicole, I know that you made a note of something you wanted to return to later and I don't want you to miss that opportunity before we run out of time.

Adj Prof ASQUITH - Yes. The only other, you know, changing police culture, increasing their awareness around family and sexual violence, and grooming, and coercive control. Yes, Tasmania Police has one of the best education processes for its police officers in Australia and internationally. But I think one of the things - and I'm constantly asking all our members whenever I engage with them, I say, 'Are you out at the academy at any point?'. The Arch centre gets two hours with them.

CHAIR - Over their whole training?

Adj Prof ASQUITH - That's it. None of the sector is involved in that training.

Dr WOODRUFF - Of family violence and sexual violence training?

Ms BUTLER - In the academy?

Adj Prof ASQUITH - The recruits, the sergeants, the inspectors, they all have to do family and domestic violence training at each level.

Dr WOODRUFF - But you're not involved?

Adj Prof ASQUITH - The sector is not involved. So, they may be getting world's best practice on policing family and domestic violence in Tasmania, but they won't be getting the practice, wisdom and the lived experience of: these are the drivers of family and sexual violence; these are the red flags; these are the risks; these are the threats. I've always been of the view that our sector needs to be much more involved in that training.

CHAIR - There are other police services around the country that do involve the sector in that training, aren't there?

Adj Prof ASQUITH - Most do.

CHAIR - Are there others we could learn from or look to for - ?

Adj Prof ASQUITH - Victoria Police. They actually have within their academy the Family and Sexual Violence Research and Practice Unit, I think it's called. So, they have a whole unit in their academy just to teach that.

CHAIR - And do they have ongoing refresher training throughout the career path as well?

Adj Prof ASQUITH - Yes.

CHAIR - Is it mandatory, do you know? Sorry to ask those extra questions.

Adj Prof ASQUITH - Yes, yeah, yeah. Victoria is really the gold standard in Australia in terms of responses to family violence. They've got the Orange Door, MARAM network.

Mr GEORGE - Have you made approaches to the police about your engagement with this?

Adj Prof ASQUITH - No.

Mr GEORGE - So, they haven't come to you but you haven't been to them either?

Adj Prof ASQUITH - No.

Ms KLERCK - I think, just on the culture and training, it definitely has to be an ongoing thing; it's not just a one-off course or refresher training. And there are a few models in Queensland that are happening at the moment. One's a co-responder model similar to PACER, the mental health emergency response, but for family violence. And then another model where they have specialist services in the police hub. So they're kind of directly in there.

Adj Prof ASQUITH - And justice navigators and things like that.

Ms KLERCK - Yes. So, there's kind of that opportunity to have that ongoing continuous learning between police and specialist services as well, which can shift that culture.

Dr WOODRUFF - The 40 per cent statistic you said, that was from police organisations around the world, the research that's been done - four out of 10 serving officers, at some time in their life, may have perpetrated family violence, that's that figure. What would Tasmania Police look like if they had an assumption that four out of 10 of officers maybe - if they flipped their thinking because it feels as though it's definitely - family violence, just taking that, is treated as an aberration, an assumption that it's definitely not normal. Whereas, unfortunately, even if it was two, or whatever, it's very high. If that change was made, do you think that would reframe a lot of the way that they might approach things?

Adj Prof ASQUITH - I think this is intergenerational change. This is not something that can change overnight. All policing organisations across the world have got a serious issue with retention. They can't afford to lose many more officers or else we will literally not have a system of policing that is working at all. I think that changing the police culture is already

happening. Tasmania Police again leads Australia that 50 per cent of its recruits are women, so you're already changing the culture from that bottom up. They have made commitments to recruit, sergeant and inspector training, including material around family and sexual violence. It's part of a career lifetime of learning in this space. Culture is hard to shift. You know that.

CHAIR - It takes a long time.

Mr GEORGE - I'm sorry. I have an appointment at 1pm. Would you excuse me? Thank you very much. The work you do is great.

CHAIR - We're right on the end of our time. I reiterate that thanks on behalf of the Committee. I also just extend what we spoke about earlier, to please stay in touch with us throughout the course of this Inquiry. We're keen to continue the conversation. Feel free to continue corresponding with us through our Secretariat. I'll formally close the proceedings and thank you for your appearance, and remind you that what you've said to us here today is protected by parliamentary privilege and once you leave the table you need to be aware that privilege does not attach to comments you may make to others, including the media, even if you are just repeating what you said to us.

The witnesses withdrew.
The Committee suspended from 1.05 p.m. to 1.45 p.m.

COTA Tasmania

CHAIR - Thank you very much and for anybody observing our hearings online, we've just had some issues with getting the broadcast to begin. But we're online, technical difficulties managed, now. So, good afternoon and welcome to today's hearing of the Tasmanian Parliamentary Inquiry into Tasmania Police's responses to allegations of officer misconduct.

Thank you for appearing online and for your written submission as well. Can I just please ask you if you've received the guide sent to you by our Committee Secretary?

Ms WILKINSON - Yes.

Ms DAVIS - Yes.

CHAIR - Thank you. I'll just remind you of the pertinent parts, which is that this hearing is covered by parliamentary privilege, allowing you to speak with freedom without fear of being sued or questioned in any court or place outside of parliament. However, this protection is not accorded to you if statements that may be defamatory are repeated or referred to you outside of these parliamentary proceedings. The hearing is public, as I said, and there's no members of the public in the room right now, but there could be some later on and there may be others observing online. We've got most of the Committee here around the table today: Rosalie Woodruff, Member for Franklin; Peter George, Member for Franklin; Jen Butler, Member for Lyons and; myself, Ella Haddad, Member for Clark and Chair of the Committee. We do have other committee members who are unable to be here this afternoon. We've also got Michael, who you've corresponded with, and Mary supporting us from the Secretariat and Gaye assisting us with Hansard.

Ms BRIGID WILKINSON, CHIEF EXECUTIVE OFFICER, AND **Ms JAN DAVIS**, POLICY OFFICER, COTA TASMANIA, WERE CALLED VIA TEAMS, MADE THE STATUTORY DECLARATION AND WERE EXAMINED

CHAIR - Stressing for people listening to or participating in these proceedings: anybody who does need support can contact the services that are listed on our Committee website. I read all of the details at the beginning of today's sessions. We've also got hard copy resources in the room today. All right, would either or both of you like to make an opening statement?

Ms WILKINSON - Yes, thank you, Chair. I will make the opening statement and then we're happy to take questions. So again, thank you for inviting COTA Tasmania to appear today. Our submission is deliberately focused on terms of reference 1, the adequacy of systems, processes and oversight arrangements for responding to allegations of serious misconduct within Tasmania Police. COTA Tasmania does not therefore seek to comment on any individual allegations before the Committee, and our concern is primarily with the systems at play.

As you would no doubt all know, Tasmania has the oldest population profile of any Australian state, and at the 2021 census, the median age in Tasmania was 42 years compared with 38 nationally, and approximately 21 per cent of Tasmanians are aged 65 years and over, and so this demographic profile makes it particularly important that systems intended to protect the general public and the victim-survivors and respond to serious misconduct are designed

with that circumstance and that demographic profiling in place to ensure the needs are - and indeed barriers that may be experienced by older people are - kept in front of mind.

Older people can face particular barriers to reporting abuse or misconduct. They may depend on the person causing harm. They may have limited mobility or transport experience, digital exclusion or cognitive impairment, fear of not being believed, or simply be uncertain about where to go for support. Where the person they are concerned about is themselves a police officer, those barriers can be magnified considerably. There is also an important gap between Tasmania's family violence framework and the reality of what we know as elder abuse. Much abuse of older people is perpetrated not by a spouse or an intimate partner, but by adult children, grandchildren or other relatives, carers or people in a relationship of trust. So, if our systems are built around a narrow understanding of family violence, older victim-survivors can end up on a different and potentially less protective pathway.

For COTA Tasmania, a practical test is very simple. An older person should not need to understand the machinery of government, police structures or legal definitions in order to get the help that they need. We therefore support a genuine, no-wrong-door approach; if an older person discloses serious concern, the responsibility should rest with the system to make the right connections and ensure the person reaches an appropriate, independent and safe pathway, rather than expecting them to work out whether their experience belongs under elder abuse, family violence, criminal justice or police misconduct.

We ask the Committee to consider the particular circumstances of rural, regional and island communities, where police may be personally known and alternative services may be very distant from that location, with confidentiality concerns very real.

Finally, we would emphasise that trauma-informed practices must also be age-aware. Older victim-survivors may present differently, may disclose matters through many years later, may minimise abuse as just simply a family issue, or may experience coercion through housing, finance, care or dependency on others. Complaint handling systems therefore need the training, flexibility and data to recognise those circumstances.

The core message in our submission therefore is not that older people need a completely separate system, but that the system we build must work for them too, and they must be considered in the building of that system. Thank you, and we're very happy to answer some questions that the committee may have.

CHAIR - Thank you so much, Brigid. Jan, did you have any opening remarks or were you happy for us to go to questions?

Ms DAVIS - Happy for you to go to questions, Chair.

Ms BUTLER - Thank you for attending today, your quality submission and the work you do advocating on behalf of older Tasmanians, really appreciate the work of COTA. In your submission you note that Tasmania remains nationally anomalous in limiting its primary family violence framework largely to spouse and intimate partner relationships, and that many older victim-survivors experiencing abuse by adult children, grandchildren, siblings, other relatives, or within care and dependency relationships fall outside the primary family violence pathway. In your view, is this one of the most significant systemic gaps affecting older Tasmanians, and what impact does it have on the way police recognise, assess and respond to abuse?

Ms WILKINSON - We missed the first little bit there, Jen, sorry, but I think we picked up the end.

Ms BUTLER - Just using your quote.

Ms WILKINSON - Yes, that's exactly right. Just to let you know if it happens again, there was a little funny glitch with the IT then, but that's fine. Jan, happy for you, given that you're at this moment just about to press send on our *Family Violence Act 2004* submission, if you'd like to respond initially, that would be fine.

Ms DAVIS - Thanks, Brigid. Jen, it is one of the biggest concerns that we have, and it's relevant to this particular Inquiry because there are risks in such a narrow definition, marginalising the really important and lived experience concerns of older people. That can result in the police not giving the importance and accord that these things need. We're arguing very strongly in our submission on the review of the family violence regulations and legislation, that the definition needs to be expanded. There is clearly a significant component of elder abuse from many, many sources within the definition of family violence that we're just not picking up. That was a long answer. The short answer is yes. This is a very important concern both for family violence issues, but also in how the police respond to reports and incidents of family violence.

Ms BUTLER - It's limiting how police respond, because it's basically not within their remit, technically, and so whether or not they can have allegations proceed through to prosecution, because the definition's not within the legislation that they use.

Ms DAVIS - Our issue is, not everything results in a prosecution. What we want to see is there's an empathetic and understanding response from the police, particularly for older people where, getting the courage up to have a conversation has been a major step for many. And that response, as Brigid said, is a no-wrong-door response. If it's not something that's within the police's remit, and it may well not be, then they refer them elsewhere in a caring and sympathetic manner.

Ms BUTLER - Yes, okay.

Ms WILKINSON - And if I can just pick up there, you know there are models in other states where we have safeguarding units where we have police working alongside community sector and legal frameworks so that it becomes that no-wrong-door approach, I guess. You know, for us here at COTA, we do a lot of work in this space. One in six Australians experience elder abuse. We know it's probably higher, and we have a very large ageing population and we've never been invited to come and talk to the police training course about elder abuse. We don't know how much training happens in that space around what it means to be an older person and maybe be vulnerable to that abuse. We would absolutely love to have that opportunity, and I'm sure some of the other organisations working in this space would as well. And we would also love to have a really clear line to someone in the police, Tasmania Police, to be our conduit to talk about more systemic issues in this space.

CHAIR - Great point.

Ms BUTLER - And that yes, it's a very good point because if you consider that you have the stigma that a lot of older Tasmanians face with their memory recall or there may be a stigma from an officer. They may be reporting something, say for instance, and it may be seen as a bit far-fetched, or they've lost it again, or they've been wandering, or there may be some dementia symptoms, and so it could be discounted. Can you speak to that?

Ms WILKINSON - I think that that is true, and it happens in a lot of settings. And I can see that it would happen potentially in the police setting. We do see a lot of that, as an example, in healthcare settings. So I think people getting potentially dismissed for their view based on how they look, i.e., older, physically older. And then that depiction or that stereotype of being frail or maybe be not believing because, 'Oh, all old people have memory issues' or 'All old people might not understand how to read this information'. We do see that in community as well as generally, you know, invisibility and systems not being set up to think about or even just not even considering that elder abuse is even a real-life issue in community means you're not looking for it, which means potentially you might not respond to it in the right way either, or know where to refer people to.

Ms BUTLER - Do you know much about -

CHAIR - Jen, I might go to some other members.

Ms BUTLER - Yes, yes. Well, this is just on the same topic?

When it comes to those, that entrenched - well not entrenched but perceived there could be stigma, when older Tasmanians are reporting or speaking with Tasmania Police, how would they start to be able to navigate those systems if they were, say, reporting historical sexual assault or sexual harm allegations which they may want to report as an older person? What would that look like?

Ms WILKINSON - Well, I think first and foremost, we have one of the hardest, sorry, the lowest level of digital literacy. We have other literacy issues there and inclusion. So I think the fact that a lot of these channels are, yes, there might be a phone number, but it's very heavily pushed as digital first to report or to contact. And so I think that's definitely a big barrier. But I think for a lot of community members, including older people, it's how that messaging is out there more broadly in community. And if it's not available or not seen or not publicised, people won't know how to access that. So I do think it's about broadening that scope so that police are seen as a trusted place to go for any particular concern or issue, and that there are police stations in every region and every area. But that whole concept of what people can do when they contact, I think that trust could be built a bit more there so that people do come forward and not think that they can only do it through an online complaint.

Ms BUTLER - Thank you.

Dr WOODRUFF - Thank you. Thanks for the submission. It's got a lot of detail which is really important across the board for Tasmania Police. I certainly hope that they are - I'd like to hear from you about 4.4 where you've talked about the specific changes that need to be made to complaint and reporting systems - really important - and of course, as you know, if they were made to benefit older people, they'd benefit the majority of Tasmanians, too.

Ms WILKINSON - Absolutely.

Dr WOODRUFF - Low literacy, and so on.

The scope of this Inquiry is a bit narrower than just reporting family violence or sexual violence. It's in relation to police misconduct specifically. I'm not saying that what you've provided isn't relevant - it is - but you've recommended a no-wrong-door approach and in relation to - I understand where you're coming from - in relation to reporting police misconduct, we are hearing from other submitters that there are many wrong doors. In fact, that's the problem. You don't know where the right door is and the right door needs to be very well signposted, so that people feel safe to be able to report to the police about misconduct of a police officer, who may be known or who may, you know, there might be that conflict of interest or bias. Do you have any thoughts about how a right door for reporting police misconduct would look for older Tasmanians because there are the kind of challenges of cognitive impairment, literacy, online issues? How do you think - well, it sounds like it needs to be brokered with Tasmania Police to work out the right system, what would COTA recommend for going forward on that matter?

Ms WILKINSON - Jan, I'm happy to start, but if you wanted to -

Ms DAVIS - No, you go and I'll follow.

Ms WILKINSON - I think with something like this, given the things that we have listed in 4.4 there - what I would caution against is something that's a quick process, if that makes sense. I would be wanting to build trust, so that older people knew that it wasn't just about coming once and talking once. Sometimes these issues can be very hard, as you said, because of the intricate, maybe family connections, and they will want to be able to build trust with somebody. Personally, I feel that that needs to be done in a face-to-face situation if that person is comfortable with that and I think that it needs to be at the pace and the space of the person and that means it'll be different for each person and that's usually what bureaucracies don't do well. We like to have, 'This is the way to do it; it's done,' we move on. And I do think with something like this, especially if there are challenges around literacy or around hearing or mobility, we need to be able to meet the person where they are at. Whether that is at the station or whether that is actually meeting them somewhere that they feel more comfortable in their own domain.

I know that that takes a very different approach and a very different way of doing things, but you know - and I do think we need to be really modifying how we work with people, should they have some of these issues. So, making sure that we're offering to have an advocate with them, offering to have considerations around their mobility needs. If they do have some cognitive impairment, are the people investigating - have they actually had some training in cognitive impairment? The people that are actually undertaking these sorts of investigations, have they had some more specialist awareness of some of these things that might limit the person's ability to independently make these complaints and, therefore, have they been given that opportunity to have that support around them? Equally, the person listening and taking that, have they actually got some understanding and some training around some of the additional needs that older people might have? When you look at that as a whole, that's something that might take time and it might take several visits because someone might fatigue or they might not be having a good day because of their cognitive impairment or a physical issue. And I think, you know, those sorts of things, so that we can be very person-centred about how we do it.

Dr WOODRUFF - Previous people have commented to us that having the role of a third-party advocate, or third party in either the initiation of a complaint process or, as you say, being an advocate and being there is really important for older people and for elder advocates. Is COTA the best organisation? I mean, you're not funded to do this sort of work.

Ms WILKINSON - No.

Dr WOODRUFF - Do you work with organisations that do? I mean, there's the advocate. What would you suggest?

Ms WILKINSON - So, everyone's funded to do different things, as you know, Rosalie. So, Advocacy Tasmania, yes, they're there, but their advocacy is purely across aged care. That is what they're funded to be advocates for, not for this sort of thing. So, I think you would be looking at some sort of new - there's nobody else, really, that is funded to do this sort of, you know, independent - which is why so many other states have set up these safeguarding units to support not only the elder abuse, but you could see that it could be used for both. If you're going to train and support a group of people to work collaboratively across police, social care and justice around elder abuse and family violence, you could see that those skills and training could lend themselves well to also support independent police misconduct investigations, too, because they would have that awareness. So, absolutely nobody at the moment is funded to do that work. I'm sure there'd be lots of, including us, advocates that would be willing to support older people in that way. But as it stands at the moment, the things that we and Advocacy Tasmania are funded for are not in this space.

Dr WOODRUFF - And does COTA have a formal relationship with Tasmania Police and provide advice in other areas?

Ms WILKINSON – Yes, so, unfortunately, a few years ago the collaborative group around elder abuse and the needs of older people –SEAPAC [State-wide Elder Abuse Prevention Advisory Committee] - and that was a collaboration of government, independent community organisations like ourselves and Tasmania Police. We used to come together two to three times a year. That disbanded and it hasn't ever re-established. So, the connections that we have into Tasmania Police much more now are our connections through conducting our elder abuse walks every year and also, to be quite frank, personal connections that some of us have had that we've now harnessed more and found the right people. But we would really love to see a dedicated resource within Tasmania Police around supporting the needs of older people, not just elder abuse, but we quite often get contacted around security issues, concerns, et cetera. So, I really can see a need for it, and we would welcome -

Dr WOODRUFF - Why was SEAPAC disbanded? What was the reason for that?

Ms WILKINSON - That was a decision by the Department of Premier and Cabinet (DPAC), the Department at the time. That was around about the same time it had a bit of a hiatus; it hadn't met for some years, and then with the launch of the Older Tasmanians Action Plan, it wasn't in there as something to commit and continue doing. There is now going to be the new Older Persons Advisory Council, but that doesn't have a police presence on it. That's more about the Minister meeting with older people, really. So, it is a missing gap, and we have raised that with them.

CHAIR - Who was on SEAPAC?

Ms WILKINSON - It was government, researchers, Tasmania Police - we could probably find an old list or something and send it through to you. Community organisations -

Ms DAVIS - Just to put a little bit of context around that: I had a different hat on at the time, and I'm guessing it would've been about this time, Tasmania Police withdrew from a whole bunch of established relationships. There were Memorandums of Understanding (MOUs) with a number of groups - the RSPCA and TasFarmers, in both those instances - which Tasmania Police decided for whatever reason - and I never understood what - that they were not going to renew. So, they stepped back from a lot of community engagement and established pathways that have never really opened up again. So, in this instance, what we're talking about is a community-wide thing.

Whilst COTA's concern is with older people, some of the things that older people want to talk about are around things that happened in the past, you know, and are about living conditions and safety. We've had that email this morning from the chap, Brigid, that's worried about young people marauding around the shopping centres upsetting older people. We've had a lot of complaints about e-bikes and stuff like that, and all of those sorts of things. So, there's a really important role for Tasmania Police, apart from its actual policing activities, in establishing pathways to develop and maintain that level of trust that Brigid's talking about with a whole bunch of community sectors, not just with old people.

Mr GEORGE - Just a couple of quick ones arising from what you talked about earlier: Brigid, I think you said you've never been invited by Tasmania Police to talk about elder abuse, and that you would like a sort of conduit. Have you ever asked them? Have you made approaches to them seeking it? And, in which case, what sort of responses have you had?

Ms WILKINSON - Yes, we've had general conversations with the new Community Development and Engagement Team. And, not to say that they're not interested, but I do think that, you know, they have their very full agenda at the academy there. So, we have over the years, and I think prior we probably have. I just think it probably leads into what Jan's saying: that they have sort of disengaged from some of those other working groups et cetera. But yes, we have, but more probably not formally, as in written - but probably more informally through our own networks.

Mr GEORGE - So, you've sort of dropped off their horizon?

Ms WILKINSON -Yes, I think it's more that. Yes. And again, I'm not saying, because their intentions are that they don't think it's important, but I think it has dropped off. But I would also probably say, and, obviously an uneducated say, because I don't know what's on the full agenda or suite of their education and even having had some friends that have worked in that space. But I also wonder whether it's something that they hear much about in community and so they don't maybe necessarily know that it's such a need. You know, we have had good representation at our walks, and we do also talk with the police officers that come there too and say, 'Please reach out to us. We're here. We would love to be more involved in helping you to think about how you respond to lots of needs of the older population.' So, it's definitely something we could go back to as well, you're right, Peter, and actually more formally request. But yes, it's definitely been something that we've been more involved in in the past, I think.

Mr GEORGE - Okay. And Jan, just a quick answer on this one, I think. You say that Tasmania Police had MOUs with the RSPCA and TasFarmers (TFGA) and others. When did those MOUs, whoever they may have involved, begin to drop off? Is this something sort of some years ago? Is that relatively recent?

Ms DAVIS - Yes, look, it's over a period of time. I can't remember the precise timing for TFGA, but the RSPCA one ran out in 2020, and I spent several years trying to engage with Tasmania Police to re-establish it and their response was they didn't feel they needed it, and yet, I would have thought - I mean, RSPCA is a bit different - but there was a really important example of where partnership and co-operation at front, you know, first responder frontline was absolutely, intrinsically, underpinning all of the work that was done. So, I don't know what -

Mr GEORGE - Bringing it back to the - if I may, one more - just bring it back to the particular focus of this Inquiry. Brigid, you referred to other states where community representatives were working much more closely with police and I assume that you meant about in areas that we're focusing on, which includes, or you would like to include, elder abuse. Can you give examples?

Ms WILKINSON - Yes. So, Queensland is one jurisdiction that has a Safeguarding Unit, and I think Victoria from memory, but definitely Queensland has been leading in this space. So, their Safeguarding Unit, whilst it's focused on elder abuse, and that aspect of that sort of level of family violence, it's a collaborative approach between justice, police and community sector, so that then gives that sort of no-wrong front door. So, if somebody wants to get that support, and they still decide 'I don't want to prosecute, I don't want to lay charges,' then at least they've had that wraparound support to understand what their rights are. And equally, if they do want to go down that way, then at least because that Unit's working collaboratively, together across agencies, generally speaking they're finding that older people are having a better journey through that system. So, the Elder Abuse Action Australia (EAAA) Conference this year around elder abuse, there was quite a few presentations about that, and it is a model that seems to be working well.

Mr GEORGE - Is it a template that would work here?

Ms WILKINSON - Absolutely.

Mr GEORGE - Thank you.

Ms BUTLER - Is it expensive? This is a subsequent question. One thing we keep hearing is that there's all these wonderful things we'd love to do, but a lot of it would be quite expensive to implement. But well, it doesn't seem that difficult, does it?

Ms WILKINSON - But I think you've got to look at what's the risk of not doing it? Clearly what's happening now isn't necessarily working. And so, not everything costs money. Actually, a lot of the collaboration that we do as an organisation, yes, it takes my time, but it doesn't cost me money.

Ms BUTLER - Yes.

Ms WILKINSON - So I think what we're trying to do here in your Inquiry, is looking at officer misconduct. So much of whether somebody, and whether an older person will come forward, is about whether they trust the systems they're about to go through. And so, we need a high level of collaboration across different levels of agencies to build that trust, so that people know that they can. I think it's about, 'Well, yes, it might cost money or it might be a new way to spend our money, but if we don't do it, then the journey for the person, especially the older person that might be facing different challenges as well, is not going to necessarily have the same outcome'.

Ms DAVIS - There are two added points to that, I think. We hear that there are not funds for a whole bunch of things these days. As a general statement, we can fund whatever we decide is a priority.

Dr WOODRUFF - Exactly.

Ms DAVIS - So it's about priority setting. Secondly, and we mentioned this in our submission, I think it's really important to have the data to be able to make informed decisions. What's measured is dealt with. What we want to see, and this is across the board, not just in this particular instance, is good, solid, disaggregated data that lets us make informed decisions. It's not 'everybody over 60', you know, those broad categories that don't give us insight into what's actually happening, that then allow us to have a discussion about priority setting. If all of your stuff is showing that this is the highest priority, then you can develop a response to that appropriately, because you've prioritised.

Ms BUTLER - Well put. I'm just going to ask some questions around the independence of police misconduct reporting, from your submissions. One of the key recommendations in your submission is that the Committee examine whether existing arrangements provide a clear, identifiable, accessible and genuinely independent pathway for reporting serious police misconduct. Based on your engagement and your tireless advocacy with older Tasmanians, what aspects of the current system are most likely to undermine confidence in reporting allegations involving police officers?

Ms WILKINSON - I would say, Jen, probably we need to make sure there is an advocate or a more independent person, and I think a really good example of this would be, on the islands, islands are very small, they know each other, the police is usually the glue of the community, and if there was an older person that was concerned about a family member who was that island's police officer, who didn't feel they had anywhere else to go to report that, I think that poses a huge risk to not only older people, but to others as well. I think that's probably - that fear of that smaller community or what might happen, or the fear of 'People won't believe me because they're an upstanding police person'. I do think that there needs to be that really trauma-informed, independent space and place for people, and with that advocacy alongside of it, so that the person has that support, should they wish to progress a complaint against a police officer.

Ms DAVIS - We're also dealing with the society-wide phenomenon of undermining trust in institutions generally. It's the 'they're marking their own homework' sort of argument. ‘I'm not going to get a fair hearing because it's one of their own'. That's not necessarily a reflection of reality, but it is a cultural expectation or perception that needs to be dealt with. We keep coming back to this idea of trust and resilience in expectations around engagements with the

police in this instance, obviously, but bureaucracies and agencies more generally. It's something that's wider than just this conversation.

Ms BUTLER - In your advocacy and your work with significant numbers of older Tasmanians, have you had any examples where this may have been brought to your attention, or whispers or people asking questions that would pertain to this issue - without identifying people's names and so forth?

Ms WILKINSON - In my time at COTA, which is about five years, we haven't in my time had any individuals come forward asking for COTA's advice around a concern they have with a particular police officer or a police area or part of the organisation. That's not to say it hasn't, but in my time I haven't had that yet.

Dr WOODRUFF - Thank you. Look, you've asked on your third recommendation to examine existing complaint mechanisms to make sure they're clearly independent, confidential, and accessible. We've talked about this. Have you had any allegations, or have you had people speaking to you about their concerns personally? Do you have any stories of people who've talked to you about this, or is this a general comment?

Ms WILKINSON - It's a general comment and I would say that it's a general comment based on not just police; it's a general comment about how older people feel generally making complaints against institutions or people they believe work for an institution. So, quite often, and I've even had it again this week, people coming to us concerned that they're not getting the right care and treatment in an aged-care facility, but absolutely point blank will not complain, because they're very concerned that then that will fall back on them and they have fought so hard to get the support they finally got in place. And so I do think there is a piece there demographically quite in a general perspective; older people don't feel that that they would like to complain as much. They worry about being a burden and a concern, but they also have a lot of distrust that it will progress to anything, and I don't think it would be any dissimilar if it was around a police misconduct issue, either.

More and more we are feeling and hearing that older Tasmanians are feeling disempowered and not feeling in control of decisions about their everyday life, because of the systems around them. And I do believe that that has now bred that real disempowerment about, 'What will happen if I do?' and, 'I will lose something that I've fought so hard to get,' if it's a service or care, or 'It would jeopardise me further because I'll be treated differently'.

Dr WOODRUFF - Absolutely. I mean, our systems have become less human, they've become more automated, more digital, more online, less connected.

Just on the CPAC, which was disbanded, the Committee. Was that something that was funded?

Ms WILKINSON - It was something that was a piece of work that the Department of Premier and Cabinet led. So, if you say funded, they coordinated it. I've just actually found -

Ms BUTLER - I think it was through Communities Tasmania, originally.

Dr WOODRUFF - It had a sort of a role.

Ms WILKINSON - A structure.

Dr WOODRUFF - Well, it wasn't just a piece of work, from what you said. It was a Committee where there was a formal liaison. Was the committee members funded?

Ms WILKINSON - No, I don't think we go money for it. We just attended. Yes.

Dr WOODRUFF - Well, I'm really struggling to understand why it would have been stopped because - so, I mean, you couldn't argue it was a resourcing issue on the face of it. Well, you know, maybe a small penny or here or there for the secretariat. But okay, thank you, that's helpful.

Ms WILKINSON - I'm happy to and we - outside of this, I'm happy to have a conversation about where I think that might have gone. I don't think it's relevant to the hearing per say, but just with the merging of, you know, new departments now we're under Health and the fact that we have an elderly strategy and also an older Tasmanian strategy and there's elements of elder abuse being moved into different areas. I think I probably have a bit of an idea, but maybe we can meet about that separately.

Dr WOODRUFF - Sure, happy to hear from you after this. My only other question was do you have a connection, a formal - does COTA have a formal connection with the Family and Sexual Violence Alliance or?

Ms WILKINSON - Absolutely.

Dr WOODRUFF - You do?

Ms WILKINSON - Absolutely. You should have had a joint letter from us this week about our family violence submission. So we have been working very closely with Bree, with Nicole. We have been sharing one another's information together so that we can both submit the strongest *Family Violence Act* submission that's due this later this week. And we'll be doing some joint media as well in the coming weeks as well. So no, we work very closely with them.

Dr WOODRUFF - So any suggestions this Committee might make about the involvement of the Family and Sexual Violence Alliance in advocacy or creating new systems and processes would include the work of - would include COTA under that umbrella?

Ms WILKINSON - We would absolutely love to continue our connection and relationship to them. Yep, absolutely.

Ms DAVIS - There's a point that comes out of that. We're very conscious of the fact that it's easy to tell other people what to do. But we are committed to a no-wrong-door approach in the community sector as well. So, that's one of the reasons why, in this particular instance, we work very closely with both that group, but also TasCOSS and, you know, Disability Voices and there's a whole bunch of other community groups that we work together with to make sure that when people have an issue, whichever one of us they come to, we help them find the right place.

CHAIR - Can I ask an adjacent question to that? I was reminded of it when you spoke about the disbanding of the CPAC Committee. The Peaks Network used to function in their

own right and also used to meet regularly with senior government representatives from Health, from Community Services, from DPAC. Do either of those two bodies still exist - the Peaks Network, at the sector level, and then that regular contact with government, do you happen to know? I know COTA used to be a part of it when it met.

Ms WILKINSON – Yes, we are - at the moment, we do have what we call the Coalition of Peaks. You would have seen the last two elections we've been going hard as a Coalition. We're meeting monthly. We're doing that off our own steam, and we have a very active group of 10 peaks and then a broader network of 25 that we have been working very closely with to pursue some of our asks that we have been asking for. And then, I guess, in terms of more broadly meeting with government, we've also been having regular meetings as a Coalition representatives with DPAC at the moment as well around some of those issues. So, yes.

CHAIR – That's good to hear.

Mr GEORGE - Thank you very much. Very useful.

Ms BUTLER - I've got one final question. In your conclusion of your submission, you state that:

> Effective reform requires more than robust processes. It requires systems that people can find, understand, trust and use.

I really liked that wording. Of all the issues raised in your submission, which one do you believe represents the greatest barrier to older Tasmanians having confidence in police misconduct, reporting and oversight systems? It's a bit of a sum-up.

Ms WILKINSON - There you go, Jan. You can sum us up.

Ms DAVIS - Look, I think the -

Ms BUTLER - It doesn't have to just be one as well, Jan. It can be more than just one.

Ms DAVIS - I think that the most important things - and they're not necessarily age-specific - are the recognition of what we prioritise we will deal with. So, it's recognising that there are community perceptions - that perceptions become realities, obviously - that prevent people from feeling comfortable moving forward. As part of that, to me, you know, being the sort of person I am, one of the most challenging things is we don't record, we don't have the systems that capture the information in a meaningful and usable manner so that we can then make the decisions about where we prioritise and what we invest in as a community. So, to me, it's about lack of visibility of pathways, and when there are pathways that exist, often that lack of trust because of the way things are perceived to work. So, it's not about necessarily realities, but that then is reflected in how we invest in the training for our police officers or other agency people, in how we invest in the response mechanisms, like why was that Committee abandoned? What are we going to do to make sure that a lot of the issues that we deal with are cross-portfolio or across government - but because of the way the systems are set up, they're siloed and stuff falls between the cracks. And we need to have good data and greater visibility to make sure that those cracks get mended where we can.

CHAIR - That's brilliant. Thank you. Great points to finish off on. Thank you, Jan. Thank you, Brigid, very much. Was there anything that we didn't go to in our questions that you were hoping to raise with us or that you'd like us to hear?

Ms DAVIS - I don't think so. I think we covered - no.

CHAIR - Okay. If that changes, please stay in touch with us. It is ongoing so we welcome further contact from you and hopefully, if you're happy to have further contact from us, we might do that down the track as well.

Ms WILKINSON - Just remind me when your report's - when will you be handing in a report about this?

Dr WOODRUFF - We don't have a date.

Ms BUTLER - Probably not this calendar year, I imagine.

Ms WILKINSON - Okay.

Mr GEORGE - Certainly before the end of the decade.

CHAIR - Long before that.

Ms WILKINSON – Wishful thinking, Peter.

Mr GEORGE - Before I die, anyway.

CHAIR - I'll just read the formal concluding statement for the Hansard. Thank you for your appearance this afternoon. What you have said to us here today is protected by parliamentary privilege. Once you leave the table, you need to be aware that privilege does not attach to any comments you make to others, including the media, even if it's just repeating what you said to us. Do you understand?

WITNESSES – We do.

The witnesses withdrew.