



Domestic Violence Disclosure Scheme (DVDS) evaluation and Crisis Assistance Service (CAS) review summary

Summary of the evaluation undertaken of the DVDS and the review undertaken of the CAS

August 2018

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1 Background

In April 2016, the NSW Government launched two new domestic violence initiatives: the Domestic Violence Disclosure Scheme (DVDS) and the Crisis Assistance Service. Both initiatives pertain to the implementation of actions under the *NSW Domestic and Family Violence Blueprint for Reform: 2016-2021: Safer Lives for Women, Men and Children* launched in August 2016 and support early intervention priorities related to preventing domestic and family violence, intervening early and supporting victims or people at risk.

The first of its kind in Australia, the DVDS provides a mechanism whereby people with concerns regarding their relationship can request a disclosure from the NSW Police Force about whether their partner (or former partner) has a prior conviction for domestic violence or other relevant criminal offences. It also allows family members, friends and professionals with an on-going relationship with a person they believe to be at risk of domestic violence to apply under the scheme. The Crisis Assistance Service pilot was designed to provide out of hours service support to victims of domestic and family violence in incidents reported to the police.

The DVDS and CAS initiatives were funded as discrete pilots for a two-year period from mid-April 2016. While operated in tandem by the same service providers, the programs are not operationally interrelated. Following a competitive tender process contracts were awarded to three providers to operate both schemes simultaneously in four NSW Police Local Area Commands (LACs): Oxley; Shoalhaven; Sutherland; and St George. A total of \$2.3 million was allocated to the NGOs to establish, promote and provide the services, and to provide program training.

The selection of the four pilot locations for the two initiatives was based on the following criteria:

- A mix of metropolitan and regional sites
- Service system capacity
- One site having a significant culturally and linguistically diverse (CALD) population
- One site have a significant Aboriginal population

1.1 Research aims and approach

In 2016, Urbis was commissioned by the NSW Department of Justice (contract managed by Women NSW) to conduct a process and outcome evaluation of the Domestic Violence Disclosure Scheme (DVDS), and a high level review of the Crisis Assistance Service (CAS).

The process evaluation explored:

- implementation issues and challenges, including the extent to which the DVDS and the CAS were implemented as intended
- the nature and purpose of DVDS applications and CAS call-outs
- the nature of requests outside the scope of the pilot feedback on the DVDS disclosure threshold
- satisfaction levels of primary person and third-party applicants with the DVDS process and assistance provided, and satisfaction of persons who used the CAS.

The outcomes evaluation explored:

- the impact of disclosure or non-disclosure on DVDS applicants
- the impact of the CAS on service users
- how the specific needs of people from diverse communities have been considered
- the intersection between the DVDS and the CAS and how these have supported victims of domestic violence
- impact and costs to agencies and services that are involved in administration, decision-making and provision of support services
- any unintended consequences for potential victims, perpetrators, police or support services.

The Terms of Reference for the evaluation did not include a cost-benefit analysis, a cost efficiency analysis or an assessment of the scalability of the DVDS or Crisis Assistance Models. Included in the research was an analysis of the cost of each of the services on a per person basis.

The evaluation was overseen by the DVDS Evaluation Advisory Group which included representatives from:

- WNSW (NSW Ministry of Health to May 2017, Department of Family and Community Services from May 2017).
- Department of Family and Community Services
- Women's Domestic Violence Court Advocacy Program (Legal Aid NSW)
- Centre for Epidemiology and Evidence (Ministry of Health to May 2017)
- Domestic Violence NSW
- Domestic and Family Violence Team (NSW Police Force)
- NSW Treasury
- Department of Premier and Cabinet
- Wirringa Baiya Aboriginal Women's Legal Centre Inc.
- School of Social Sciences, University of New South Wales
- Bureau of Crime Statistics and Research (NSW Justice)

1.2 Research methodology

The evaluation used both quantitative and qualitative data sources. The process evaluation was informed by:

- Site visits to each of the service providers and consultation with support service staff and management, police and other services that work closely with the DVDS and/or the CAS;
- A workshop with service provider support staff and management, police and WNSW project team – June 2017;
- Program data collected by the service providers as part of the contractual agreement with Women NSW. The data review covered the period 1 April 2016 (program commencement) to 31 March 2017.

The outcome evaluation was informed by:

- In-depth interviews with pilot program managers and the management and staff in each contracted NGO provider sites, police and other services that work closely with the DVDS and/or the CAS;
- In-depth interviews with 12 primary and third-party DVDS applicants – conducted over a six month period from June to December 2017;
- In-depth interviews with 6 people who had engaged with the CAS - conducted over a six month period from June to December 2017;¹
- Program data provided to WNSW by the service providers as part of their contractual agreement. The data review covered the period 1 April 2016 (program commencement) to October 2017.
- Financial reporting data provided to WNSW by the service providers as part of their contractual agreement for the period 1 July 2016 to 30 June 2017.

1.2.1 Caveats

The research findings are subject to the following caveats:

1.2.1.1 Low participant numbers

During the research period, April 2017 to October 2017, there was a total of 42 DVDS applications processed. Of this total pool of applicants, 24 signed a consent indicating they would participate in the survey component of the research. Of the 24 who indicated consent, only 12 were subsequently interviewed. This represents 29% of the possible pool of applications from the research period, and 11% of all DVDS applicants from program commencement in April 2016 to October 2017. An additional 4 people who accessed the Crisis Assistance Service were interviewed as part of the research.

1.2.1.2 Participant representation

In around one-fifth of all DVDS applications the contact the applicant has with the NGO service provider is limited to assistance with submitting the application to police and/or service provider attendance at the DVDS disclosure meeting. The DVDS applicants who participated in the research however had either an already established relationship with the service provider, or established an on-going relationship with them subsequent to making the DVDS application. On this basis, neither the research participants nor the research findings can be deemed representative of the total applicant group.

1.2.1.3 Data quality and consistency

There were inconsistencies in the data collected and reported by the service providers, including a proportion of missing data. The inconsistencies in the data indicate the need for the establishment of a data entry protocol with fixed response fields and the development of a data dictionary to ensure consistency of information entries across provider locations.

1.2.1.4 Financial reporting information

The service providers were engaged to provide the DVDS and CAS concurrently and were awarded single amount of funding from which to administer both initiatives. Expenditure per initiative was discretionary and consequently, reporting on a per activity basis across service providers was not possible. On this basis the cost analysis is limited to expenditure per-case and consequently, lower case numbers result in higher costs per case.

2 The NSW Domestic Violence Disclosure Scheme – Program Overview

The DVDS was developed and implemented to support the implementation of the NSW Domestic and Family Violence Blueprint for Reform: 2016-2021, which details six priorities for government in relation to domestic and family violence:

- Preventing domestic and family violence
- Intervening early with vulnerable communities
- Supporting victims
- Holding perpetrators accountable
- Delivering quality services
- Improving the system

The NSW pilot Domestic Violence Disclosure Scheme (DVDS) was modelled on a scheme that was introduced in England and Wales in 2014 called the Domestic Abuse and Disclosure Scheme, known as Clare’s Law. The UK scheme is named after Clare Wood, who was murdered in 2009 by a former partner who, unknown to Ms Wood, had a criminal history of domestic violence. Scotland (Disclosure Scheme for Domestic Abuse) and New Zealand (The Family Violence Information Disclosure Scheme) introduced similar schemes in 2015.

The DVDS is intended to contribute to a reduction in domestic violence through the provision of information to people who may be at risk of domestic violence from a partner (or former partner) who has a criminal history of violence. It is premised on the knowledge that perpetrators of domestic violence are characterised by a pattern of abusive and/or controlling behaviours and that they often repeat these behaviours in subsequent relationships.

The NSW DVDS has two central features. The scheme provides a person with the “right to ask” about the background of their current or potential partner, their previous partner or someone who is in a relationship with someone they know and there is a concern that the individual may be violent. The disclosure scheme provides persons who may be at risk of violence to make informed decisions about their safety and the safety of their children, as well as about their relationship. The NSW DVDS also provides on-going help and support for the person who may be at risk of violence as they make their decisions. Help and support is offered regardless of whether or not their partner or former partner has a criminal history of violent offending. Through the provision of information and support to potential DFV victims, the DVDS works to hold perpetrators to account for their previous offending.

2.1 Program mechanisms

A DVDS application can be made by a person in relation to their current or former partner, or by a third-party who has concerns about the safety of someone they know and have an on-going relationship with (for example, a friend, relative, or professional). Applications are made at a police station located within a participating DVDS pilot Local Area Command. Police undertake an assessment of application eligibility with reference to the following: ²

- Applicant/person potentially at risk must be an Australian resident.
- Applicant/person potentially at risk must be aged 16 or over.
- Applicant/person potentially at risk must reside in a participating DVDS pilot Local Area Command.
- The application can only be made in relation to a person with whom the person who may be at risk is, or has been, in an 'intimate relationship'³ with. If the application relates to a former intimate relationship the person must have on-going contact with the subject.
- Information must be provided about the relevant intimate relationship, an explanation of their concerns and reasons for the application.

Upon accepting an application, police:

- Undertake a risk assessment (using the Domestic Violence Safety Assessment Tool)⁴ to identify whether there is a serious threat to the life, health or safety of the person who may be at risk.
- Conduct a criminal record check of the person about which information is sought.
- Meet with the applicant to inform them of the outcome of the criminal check.

As per the DVDS Operating Guidelines all disclosure meetings are to be held in person at a police station (or another agreed safe place), the information is to be delivered verbally by a police officer and the primary person is to be accompanied by domestic and family violence support worker. In cases where a DVDS application is made by a concerned third party, the police require the primary person to be in attendance at the meeting. The third-party will only be included in the meeting at the request of the primary person. The meeting is to be held within 2 weeks of the application being made. In the event that a person is found to be at serious threat at the time the application is made (based on the DVSAT) the application is fast-tracked and a meeting will be held within 24 to 48 hours of the application being made.

2.1.1 Disclosure threshold

The DVDS pilot operates within the existing NSW legal framework that governs the disclosure of information associated with a person's criminal history and other personal information. Directions are made under section 41 of the Privacy and Personal Information Protection Act 1998 and section 62 of the Health Records and Information Privacy Act 2002 to permit the collection, withholding, use and disclosure of personal information by NSW public sector agencies and contracted service providers that have an identified role in and for the purposes of the DVDS pilot scheme.

The DVDS disclosure threshold was set following consideration of the UK model, a public consultation process and with consideration of other relevant factors.

The following table details information that can and cannot be disclosed under the DVDS:

Offences that can be disclosed	Offences that cannot be disclosed
Personal violence offences committed in a domestic relationship (as defined by the NSW Crimes (Domestic and Personal Violence) Act 2007. These include murder, manslaughter, physical and sexual assault, stalking, intimidation and property damage	Offences from jurisdictions outside NSW
Certain specific personal violence offences committed outside of a domestic relationship – such as sexual assault, child abuse offences, and murder	Offences where no conviction was recorded
Breaches of Apprehended Domestic Violence Orders (ADVOs)	Convictions that have become ‘spent’ ⁵
	Juvenile convictions
	Apprehended Domestic Violence Orders
	Any other offence not listed in the relevant offence list

2.1.2 DVDS disclosure meeting

The disclosure meeting is the critical DVDS element. The meeting must be in person and attended by both police (who provide the information) and a support service representative. The disclosure meetings are typically conducted by the police Domestic Violence Liaison Officer (DVLO), whose knowledge and experience in domestic violence is seen as critical to the process. Disclosure meetings typically take 20 to 40 minutes. Information is disclosed to the primary person, and any support persons invited by the primary person, both of whom must sign an information non-disclosure form. Information will be provided to a third-party applicant in the absence of the primary person only under exceptional circumstances.

The DVDS guidelines stipulate that the disclosure meeting must be held at a police station. In some cases, disclosure meetings were held at other safe locations attended by police and the service provider (an Aboriginal community organisation), to the satisfaction of all parties.

2.1.3 Program partners

The pilot DVDS is delivered jointly by police and NGO service providers. The role of police is to assess DVDS application eligibility, conduct a criminal history check and to engage with the DVDS applicant in a face to face meeting at which the outcomes of the criminal history check are discussed.

The primary role requirements of the contracted NGO providers for the pilot DVDS are to promote the initiative, to offer support to all primary persons involved in a DVDS application, to attend all disclosure meetings, and to provide on-going support as required by the primary person. On-going support includes referral of the applicant to other services on an as-needs basis.

The scope of the service providers also includes working with police and Local Coordination points. A partnership approach was identified as being a critical feature of DVDS success.

3 DVDS evaluation key findings

3.1 Program implementation - what worked well, what didn't and what was learned

3.1.1 Number of DVDS applications

The total number of DVDS applications processed by police from scheme commencement in April 2016 to 31 October 2017 was 105, and consistency in the monthly number of applications processed suggested there was no evidence of growth in program usage over time. There were also considerable differences apparent in the number of applications processed by pilot location.

Recent figures do however suggest that there has been an increase in program usage since the end of the research period with an additional 44 DVDS applications processed between 1 November 2017 and 30 April 2018 – almost double the period of applications processed for the previous six month periods.

Why the low numbers?

- The DVDS application process was identified as being a potential barrier to potential applicants

Program usage is dependent on community awareness of its existence and on people having ready access to it. The research identified limitations relating to both of these dependencies. As per the pilot program guidelines, DVDS applications can only be made at police stations. This was identified by both the service providers and police as being a barrier for some members of the community. It was reported that attendance at a police station may deter potential applicants due to people being embarrassed, or anxious, about attending a police station; to being uncomfortable to telling their story in a public space; to fear of the police or of repercussions and/or stigma that may result should they be seen attending a police station. The stakeholders who participated in the research were strongly in favour of establishing other avenues through which DVDS applications could be made - such as via on-line reporting and/or facilitated through a service provider. High staff turn-over in the pilot LACs was identified as a barrier to implementation as ensuring all front-line police were aware of the DVDS and able to assist when an application was made was challenging.

- Scheme promotion was found to be lacking

Scheme promotion is critical to program usage, with evidence of an increase in applications following concerted efforts in a pilot location to promote the scheme.

The scope for broad community based promotion of the DVDS was limited due to the small geographic areas in which the pilot was operating. It was important that the scheme was not promoted to the wider public when access was limited to persons who resided in the pilot LAC locations. The responsibility for promotion in the pilot locations, as per contractual agreement, rested with the service providers. The research found that the support services had been focussing their effort on promoting the DVDS within existing service networks

rather than in the community. The consequence of this was that the target group of the communications about the DVDS were people who were already engaged with DFV services rather than the broader community.

The fitness for purpose of the advertising material that was developed to promote the DVDS was questioned, with service providers reporting that the wording used was unlikely to resonate with people who had either not experienced DV or who did not define themselves as a DV victim. There was also a delay in the development and provision of marketing information in community languages.

The limited promotional activities go some way to explaining both the low program take-up rate and the composition of the applicant group.

Subsequent to the research, from mid-2017 the service providers developed a broader community education program and provided promotional materials about the DVDS in general community based service centres including retail stores, medical practitioner surgeries, and public amenities. Lessons learned from the pilot programs will contribute significantly to program promotional activities.

- Data collected and reported reflects the number of eligible applications only

There is no current standardised collection of data collection in relation to the number of DVDS enquiries that are not progressed or applications that are deemed ineligible - and reasons for ineligibility. The standardised collection of this information in the future would benefit understanding of scheme reach. Some inconsistency in relation to assessment of application eligibility was also identified across LACS. Reasons for police rejecting applications included there not being sufficient evidence for the safety concern; the applicant was not considered to be at risk as the partner/former partner had been incarcerated; the relationship was not intimate; due to concerns about applicant motivation for information disclosure due to there being an impending family law matter. There was also evidence that some police adhered to the DVDS being an “early intervention” strategy, determining that applicants who had been in a long-term relationship did not fit the criteria. Applications from this latter group may again reflect the providers having targeted persons who were already engaged with DV services.

Standardisation of program implementation and reporting is critical, and any program review would need to consider these as a priority.

3.1.2 Did the DVDS applicants reflect the target group?

The DVDS was intended as an early intervention strategy, providing people who have reason to believe they may be at risk of DV with an opportunity, to seek out information about whether their partner/former partner has a criminal record of violent offending. The analysis of the applicant characteristics would suggest that the DVDS was not being accessed by the target group – but it is unclear as to whether this is due to expanded opportunity that the program provides as a decision making tool for people in an already violent relationship or whether it is an artefact of promotional focus being on persons already engaged in DFV

services. The target group(s) of the DVDS is an issue for consideration in any system reform, as well as how best to target promotional material to the target group(s).

The majority of the applications (81%) were made by the person seeking criminal history information relating to their partner or former partner. Most of the third-party applications made were submitted by a concerned family member.

The vast majority of DVDS applications, 94%, were made by women who had concerns about their partner/former male partner. Over half of the applicants were aged 21 to 40 years (28% aged 21-30 and 26% 31-40). The age of a large proportion of the applicants was unknown, 23%. One in four of all applicants were living with their partner at the time of the application. Just over half (59%) of the applicants had children living with them at the time of the application.

Around one-third (31%) of the applicants had been in a relationship with their partner for six months or less at the time of the application. Around one-quarter of the applicants had been in a relationship for six months to two years (23%). A further 22% had been in the relationship for two to five years and 12% for over five years. Applicants in the earlier stages of their relationship reported having concerns or anxieties about potential or actual abuse. Applicants who had been in longer-term relationship indicated they made a DVDS application to assist them to make a decision about whether or not to end their relationship.

More DVDS applications were made in relation to a former partner (49%) than a current partner (42%). The reported reasons for applying under the DVDS in relation to a former partner included the applicant wanting confirmation that they had made the right decision to separate, assistance with decision making in response to requests from their former partner to return to them and/or to provide information to confirm a course of action they were contemplating – such as taking legal action (for example, an ADVO).

The most common reason primary persons made a DVDS application was due to threats of violence made by their partner or former partner (41%), followed by them having been victim to physical abuse (38%). Around one-quarter of the DVDS applicants (26%) reported being harassed by their partner/former partner.⁶ In the case of third-party applications, most (45%) were made due to the primary person having experienced physical abuse, followed by them having been exposed to threats of violence (38%). One-fifth of the third party applicants indicated that a reason for them applying was due to threats of violence being made against family members (20%).

A significant finding was that two out of five (43%) DVDS applicants had an ADVO in place against their partner/former partner prior to making the application. Almost one in ten applicants (9%) indicated there were existing Family Orders in place and in one in ten (9%) the Department of Family and Community Services were involved in the family.

3.1.3 Applications from vulnerable groups

Aboriginal and Torres Strait Islander people comprised one in seven (15%) of all DVDS applicants. Given the cultural and other difficulties that exist for Aboriginal and Torres Strait Islander people to engage with mainstream domestic violence and/or police strategies this is a positive result. One of the pilot locations was selected due to it having a high Aboriginal population, and the benefits of this are reflected in the program usage figures. It was reported however that the barriers to program access due to the requirement to apply at a police station may be particularly relevant for Aboriginal people, especially those in small communities where a person is easily recognised and attendance at a police station may be met with suspicion or for people who have had negative experiences to date with police.

The research found that people with a disability are using the scheme, but that numbers were under-represented relative to population figures. The small sample group prohibited an analysis of access barriers specific to people with a disability or the DVDS fitness for purpose as an intervention tool.

There was however limited use of the scheme by persons from other community groups including CALD communities and people identifying as LGBTQI. Low up-take from diverse communities is a concern and highlights the need to develop appropriate marketing material and for it to be targeted appropriately within the community.

A more systematic and partnership approach to targeting vulnerable communities is needed, as well as more information about applicants' experiences of the DVDS. Low up-take for some other vulnerable groups may also be hindered by the barriers in relation to the current DVDS application process previously discussed.

3.1.4 DVDS outcomes

3.1.4.1 Disclosures/non-disclosures

At the time the research was undertaken 8% (8) of the DVDS applications accepted by police were pending an outcome. Of the finalised 97 applications, 41 (42%) resulted in a criminal history disclosure being made.

Around half (49%) of the offences disclosed were classified as "against justice procedures", this was followed in frequency by non-domestic violence related assault (44%) and domestic violence related assault (41%). In 7%, a disclosure was made regarding a sexual offence other than sexual assault including child related sexual offences. In 90% of the disclosures, offences falling into the "other offences" category were also disclosed, which included such things as ADVO breaches and DV related stalking and intimidation.

While police keep a record of applications and disclosures a separate DVDS reporting system was not established to allow for examination of application outcomes. The information presented in relation to disclosure outcomes was taken from the service provider records into which information was entered by the service providers following the disclosure meeting. This process is less than optimal due to the potential for error in interpretation.

3.1.4.2 Information disclosure threshold

The current disclosure threshold was identified by stakeholders as being set too high. Police indicated that in cases where there was criminal history information about a partner/ex-partner that they deemed to be important for the applicant but that was not able to be disclosed under the current threshold they had a duty of care to provide information to the applicant. On this basis, police emphasised that it is important that a non-disclosure is not taken to mean that there is no risk.

NSW police have existing powers under the *Privacy and Personal Information Protection Act 1998* s27(1) and *Health Records and Information Privacy Act 2002* s17 to disclose information, including criminal history, to an individual or agency if the disclosure would assist with the protection of the person from injury or death, or prevent a crime. In cases where the DVDS disclosure threshold was considered to limit the provision of criminal history information police used these powers to ensure the safety of the applicant when the DVDS threshold did not allow. The net result of this is that the number of applications in which important information was provided to the applicant was in fact higher than the official disclosure figures suggest.

There was consensus from stakeholders across the four pilot locations that the disclosure threshold should be lowered to allow disclosure of ADVOs, convictions for more violent crimes and interstate convictions. The rationale for the proposed inclusion of all ADVOs was that multiple orders are indicative of a pattern of behaviour and that multiple ADVOs may be issued against a person without there being any criminal charges and/or convictions. Evidence of a previous pattern of ADVOs over time or across different relationships is a warning that the current partner may in fact be at risk. The proposed inclusion of interstate convictions and of more violent crimes is due to them being indicative of current threat.

The implications of the limits of the current DVDS threshold need to be considered in partnership with the National Domestic Violence Order Scheme (NDVOS) that came into effect in November 2017. The new laws passed allow family violence restraining orders to be enforced and police access to ADVO history across jurisdictions – regardless of the state in which the offender and the victim currently reside.

3.1.4.3 Support provided

It was found that 80% of the DVDS applicants received assistance from the support service that extended beyond making the applications and/or attendance at the disclosure meeting. This proportion is significantly greater than the proportion of disclosures made and indicates that the DVDS played a role in supporting applicants regardless of disclosure status. This finding may also reflect the finding that there were cases where although there were not grounds for a formal disclosure under the scheme, police identified concern and provided information to the applicant to assist with their safety planning.

The most commonly recorded type of assistance provided was safety planning (55%) followed by referral to counselling (19%). The service providers referred one in 10 DVDS applicants to legal services.

3.1.4.4 DVDS application outcomes

Information relating to the outcomes of the disclosure/non-disclosure process is not consistently recorded across service providers. Case notes were however available in relation to 95 applications. These notes and the applicant interviews provided the opportunity to determine how participating in the DVDS impacted the pilot program applicants. The responses of applicants for whom there was not a disclosure made were reportedly similar to the applicants who did receive a disclosure about their current/former partner's criminal history. This finding must be considered in the context of some applicants having received informal information from police.

The research found that DVDS disclosure information was being used by applicants to make decisions about their relationship and/or to take action to increase their safety and/or the safety of their children. Most often, the applicant made a decision to end the relationship. For some it provided the evidence they needed to support the decision or course of action they had already made regarding their relationship. For others, it was the impetus to take or strengthen legal action against their partner/ex-partner. In some cases, applicants did not take action following a disclosure. Nevertheless, the DVDS application process had provided the applicant with information and the offer of on-going support should they choose to avail themselves of it, if not at the time of the disclosure, then into the future.

In addition to the provision of information about the criminal history of their partner or ex-partner, the DVDS provides the opportunity for on-going service provider support to the primary person. This support extends beyond attendance at the disclosure meeting and is offered to the applicant regardless of whether the application results in an information disclosure. The research found that half of all applicants who chose to have on-going contact with the service provider had not received a formal disclosure.

An important measure of program value is whether participants would recommend it to others who found themselves in the same situation. All who participated in the interviews indicated they would – with some reporting that they had already done so. The value of the DVDS, as reported by program participants lay in it providing the opportunity for people who have reason to believe they may be at threat of violence for an early warning system – allowing them to make a decision early on, hopefully before becoming victim to violence. For persons who have experienced violence, it can provide confirmation that the violence is part of a pattern of behaviour as well as providing assistance to make a decision about their safety.

In the case of third party applicants, the DVDS provides an opportunity to assist someone who they believe may be at risk or who they know is in a violent relationship. It is however important to note that not all primary persons welcome the intervention of a third-party. The benefits and risks associated with making a third party application need to be considered by the third-party applicant at the time they make the application. The number of third party applications made under the scheme was however small.

All participants who engaged in the research reported being satisfied with both the DVDS application process and the disclosure meeting process. This finding in relation to the application process needs to be considered along side the knowledge that this group of applicants had not been deterred by attendance at a police station. All also reported satisfaction with both police and the service providers in information delivery, explanation and the offer of on-going support.

3.1.5 Program cost

At current usage levels – the DVDS is expensive. The average cost per DVDS application across the four sites for the research reference period was \$3,959. This figure was calculated by dividing the total funds the service providers attributed to running the DVDS by the number of applications received. As such, it does not reflect the actual cost of a DVDS application as the high cost per application is an artefact of the low take-up rate. For the scheme to be economically viable into the future, the total number of applications would need to be significantly increased.

Consideration does however need to be given to the service model as the research identifies that scaling up would require streamlining of the application process.

The research noted that the impact of the DVDS on police and service providers had not been burdensome to date – but this needs to be considered in relation to the relatively low number of applications and disclosures that the scheme has yielded.

3.2 What worked well?

The program was found to have operated in accordance with program guidelines. Cross-agency collaboration was strong demonstrating the success of the intention of government to develop a coordinated network of services to victims and perpetrators of domestic and family violence. The research found a strong relationship between the service providers and police had developed that facilitated the smooth operation of the scheme. Good communication, cooperation and a strong commitment to the scheme were identified as the key components.

The program guidelines require that the disclosure information is provided by police and that a service provider attends the disclosure meeting with the applicant for support. This system was found to have been successful and it was recommended that this dual approach to service delivery be continued.

3.3 Implications of the findings

With almost half of the DVDS applications made resulting in a criminal history disclosure being made, the findings of the evaluation supports research that indicates that domestic violence - which includes physical violence, psychological abuse, sexual abuse and economic abuse – are repetitive patterns of behaviour. These findings, particularly when considered in tandem with the current limitations on relevant information that police are able to disclose, highlight the importance of the DVDS as a DFV intervention tool.

The undertaking of a process evaluation of newly established programs is critical to gaining an understanding of the effectiveness of processes and procedures. In relation to the DVDS, the research has identified a number of areas for consideration that will both encourage applications and streamline service provision.

The key considerations for government in relation to the DVDS are:

- Program purpose and target group(s)
- Scheme promotion
- The application process
- The information disclosure threshold
- Standardisation of program implementation
- Data collection and reporting modifications

4 REVIEW OF THE CRISIS ASSISTANCE SERVICE

4.1 Program Overview

The Crisis Assistance Service (CAS) was designed to provide crisis assistance to victims immediately following a DFV incident. It was implemented to fill service gaps when other support services were closed and to complement current response programs (such as the WDV CAS). The rationale behind the program is that victims are vulnerable immediately following a DFV incident and may require assistance to source safe transport, accommodation, basic emergency supplies other services.

Being an immediate response service, the referral mechanism to the CAS is police who attend a DFV incident. The victim must consent to the referral. In addition to the emergency response, the research found the CAS services also provided ongoing support and service linkages such as victim intake and assessment; referrals to counselling; legal/court parenting support; housing; and financial support. It was noted that unlike some other crisis assistance service models, the CAS workers do not attend the home of the client.

While operating in the same locations as the DVDS pilots and delivered by the same service providers, as a crisis response program the CAS operates independently of the DVDS. While the research found some overlap between DVDS and CAS clients, this was considered to be an artefact of the service providers promoting the DVDS to their existing client base. What is clear from the research though is that the two services operate completely independently and serve different purposes.

It should be noted that all of the CAS providers operated existing domestic violence and family support services. The CAS was an add-on providing funding to fill service gap needs.

4.2 Key findings

The CAS was not underpinned by program targets based on an analysis of the proportion of DV incidents in which the victim would be considered in crisis, however the number of referrals, 217, during the research period (April 2016 to October 2017) was considered by stakeholders engaged in the research to have been low. There were also considerable differences in the number of referrals across the pilot locations, with two sites reporting 87 (32%) and 91 (34%) referrals respectively and two, 49 (18%) and 44 (16%) referrals. Not all people who are offered referral to the CAS take up the offer of assistance. On this basis, there is no record of the number of victims who were offered referral to the CAS who chose not to engage.

Being victim to physical abuse was the primary reason for referral to the CAS in just over half of all referrals (141, 52%). This was followed by threats being made against the victim (83, 31%). Harassment was recorded as a reason in 17% (45) of referrals followed by threats of violence against family (20, 7%), threats of violence against children (16, 6%) and sexual abuse (11, 4%). The seriousness of the issues that gave rise to referrals to the service should not be underestimated.

The research found that just under half (49%) of the CAS referrals were made Monday to Friday between 9am and 5pm. Around 30% of referrals were made between 5pm and 12am and 15% between 12am and 9am. One in five referrals (20%) were made on a weekend. These figures reflect referrals to the funded CAS programs during this period only and are not considered to reflect the need for services outside business hours. The research did not include an analysis of out-of-hours referrals or contacts made to other services.

4.2.1 CAS clients

The referral clients were typically women (93%) and aged under 45 years (57%). Around half of the clients referred (51%) had dependent children (most 12 years or younger). Just as many clients lived with the perpetrator as did not at the time of the incident and just over half (53%) reported having an existing ADVO in place, demonstrating on-going contact with the legal system due to DV.

Just over 10% of the client referral group was identified as having a disability (13%) and over the same proportion (13%) identified as Aboriginal and/or Torres Strait Islander. Note that information relating to whether the client identified as an Aboriginal or Torres Strait Islander or whether they had a disability was missing in a quarter of the records – so these figures may not accurately reflect the client referral group. Information relating to CALD and LGBTQI clients was also inconsistently recorded.

While the high proportion of missing demographic information is a concern, it may reflect the reluctance of victims to provide information about themselves. This notwithstanding, it shows that there is a critical need for service providers to actively record demographic information about their clients for it to be possible to determine whether the needs of vulnerable groups are being served by a program.

4.2.2 What support was provided?

The nature of the CAS/client meeting (face to face or telephone) was not recorded for 13% of the referrals. In half of the referrals it was recorded that the CAS met with the client (51%), most often at a police station. In just over one-third of the referrals the contact between the CAS and the client took place over the phone (36%).

Phone contact involved undertaking an assessment of risk and urgency of need, as well as the provision of support and/or information. Clients with non-urgent needs were given information about the Safer Pathway program and told that they would be contacted by a Safer Pathway service worker. Clients with urgent needs may have been provided with assistance finding suitable accommodation, travel and the provision of emergency packs containing basic items for the client and their children. The crisis response service may be facilitated either via phone contact or face-to-face. Face to face assistance occurred typically at a police station where the client may be waiting to make a statement or waiting for assistance to find safe accommodation.

In the absence of guidelines regarding service provision under the CAS, service providers reported having different levels of post-crisis contact with clients. Most did however follow-up with the client to see if any further assistance was required. Most commonly there were

2-3 follow-up contacts with some reporting 5 or more follow-up contacts. It is questionable as to whether on-going client contact reflects a crisis assistance model or a case-management model. Given the CAS represented an add-on to existing service model of the providers, it is likely that the services provided under the CAS and their business as usual services became conflated.

The research included six interviews with victims who had accessed the CAS. They reported satisfaction with the crisis response services of the CAS but the bulk of the support referred to was on-going in nature and included on-going support and counselling; assistance with housing applications and rent and referrals to other services that can provide on-going support as well as support with court proceedings. Four of the six interviewed noted that the CAS had informed them of the DVDS. Of note is that the survey respondents were not able to distinguish between the range of services they had been provided. While problematic for program monitoring, it suggests that the move towards streamlining services for victims has been successful.

4.2.3 Program implementation - what worked well, what didn't and what was learned

The CAS was introduced along side the DVDS unaccompanied by program guidelines or training. Consequently the purpose of the service and its implementation differed across the pilot sites. Perhaps more significantly, the CAS was implemented at the same time as a number of other police-led domestic violence interventions and consequently, referrals to the service were not prioritised by police. Both of these factors are considered significant in explaining the apparent low number of referrals made to the service during the pilot period.

4.2.3.1 CAS implementation

The implementation of the CAS differed across the pilot sites. This was attributed largely to there not being clear operational program guidelines and training to accompany implementation. This gave the service providers the latitude to implement the program as they decided would best suit the needs of their clients. The service providers also differentially promoted the CAS to individual police LACs.

There was also no clear definition of what circumstances constituted a crisis situation which should trigger a referral from police. This led to an absence of clarity with regard to service purpose, and police perceiving the CAS primarily a referral service for victims in urgent need of accommodation. Some adhered to the intent of the program as being an out-of-hours service provided to women in the aftermath of a domestic violence incident where police deemed the victim to require immediate assistance, others as a case management service response to victims of domestic assault – and the differences in approach may go some way to explaining the differences in the number of reported referrals across the pilot locations.

It was noted in the research that in some instances, out-of-hours referral calls made by police out of hours went unanswered – impacting their perceived value of the service and reducing the likelihood of them calling the service on subsequent occasions.

4.2.3.2 Duplication of service provision

The CAS was introduced at the same time as a number of other significant police-led DV response initiatives as well as along side other 24-hour DV response services already in operation.

For police, the CAS launch coincided with the introduction of Domestic Violence Evidence-in-Chief and Safer Pathway. Both of these initiatives introduced new procedural requirements for police. The over-lap between the CAS and Safer Pathway was particularly evident. From 1 July 2015 the Safer Pathway program required police to undertake an assessment of victim risk at the time of a DV call-out. Where the victim is found to be at threat or serious threat, they are immediately referred to a support service in their local area. The support service contacts the victim within 24 business hours of receiving the referral to offer case coordination and referrals to local DV specialist and other services. These support services are operated by the Women's Domestic Violence Court Advocacy Services (WDVCAS) for female victims and Victims Services for male victims. Given this new standard process for responding to victims of domestic violence, police indicated that the need for the CAS was mitigated where there was no immediate need for a service.

In cases where immediate need was identified, the CAS was reported to be operating along side a range of other crisis-response services already known to and used by police and impacted referrals to the CAS. These services include the national DV hotline (1800 Respect), Rape and Domestic Violence Australia, the NSW Domestic Violence Line and in some areas, local service providers, that also ran 24 hour domestic violence hotlines. The concerns stakeholders raised about the duplication of services is reflected in the finding that half of all referrals to the CAS were made during business hours and that over one-third (36%) of the service contacts involved phone contact only.

4.2.4 CAS Costs

Based on a per-case basis, each referral to the service cost \$3,831. As a per-case costing, it applies regardless of the level of service provided to the client and includes on-going support provided by the provider and what was included at the discretion of the provider. When examined on a by service basis, due to the differences in the number of referrals by site, the actual per-case costs by location was found to have differed significantly.

4.3 Implications of the findings

The referral figures need to be considered in the context of program intent and the proportion of out-of-hours DV incidents attended by police that constitute a crisis situation and the potential demand for the service had not been determined prior to commencement. There is currently no measure of the number of out-of-hours DV incidents that constitute a crisis situation and in which the immediate needs of the victim are not met by existing services. Nor was it clear how the CAS was to operate in the emerging domestic violence service landscape.

On this basis, it is not possible to determine whether the apparently low number of referrals reflects unmet need for services or whether the service system landscape is sufficient. Further consideration of this issue is warranted.

The CAS was established primarily to ensure there was not an out-of-hours service gap for persons in a crisis situation immediately following a DV incident. Half of the referrals were however made between 9am and 5pm. This suggests that the scheme was not being used as intended as this reflects business as usual operating hours for the service providers. On-going case management was also offered differentially across the service providers under the banner of the CAS with up to as many as five on-going contacts with the victim recorded as being provided under the scheme. This pattern of service provision again reflects a business as usual activity of the DV service providers rather than activities that fall under a crisis response service.

The key considerations for government in relation to the CAS are:

- Program purpose and target group(s)
- How the CAS fits in the current landscape of expanded DV services
- Standardisation of program implementation and service provision
- Data collection and reporting modifications

¹ Note that a total of 16 interviews were undertaken as two people interviewed had accessed both the DVDS and the CAS.

² NSW Factsheet 2. In relation to the application form, see NSW Government, NSW Domestic Violence Disclosure Scheme Application to receive information about my current or former partner .

³ An intimate relationship may or may not involve a sexual relationship. It may be between people of the same or different sex, and includes people who are married, engaged, separated, divorced, or in a de facto relationship. It also includes persons who are promised to each other under cultural or religious traditions, and people who are dating – and who have never lived together or been in a more formal relationship.

For former relationships, there needs to be evidence of on-going or planned contact between the applicant and the subject including legal proceedings; family, social or cultural networks; or through business or employment.

⁴ NSW Factsheet 1–2. The Domestic Violence Safety Assessment Tool ('DVSAT') consists of a series of questions that 'relate to recurring factors or behaviours that are recognised as indicators of threat to victims of domestic violence'. The DVSAT provides a score of the seriousness of the threat to a victim. The victim's responses to the questions provide a score that is then considered against a set threshold. The score suggests one of three assessment outcomes: that there is not sufficient evidence of a threat to the victim; evidence of a threat to the victim; or evidence of a serious threat to the victim. The DVSAT was developed to achieve consistent identification of threat to victims: NSW Department of Justice, Domestic Violence Information Sharing Protocol 26–7.

⁵ A spent conviction is one where a person's sentence is six months imprisonment or less and they have not been convicted of a crime punishable by imprisonment for 10 consecutive years (if they are an adult) or not been convicted of a crime punishable by imprisonment or subject to a control order for three consecutive years (if they are a juvenile).

⁶ Note that the reasons for making an application are not mutually exclusive.