

## **Inquest into the death of Noelene Marie Beutel**

Noelene Marie Beutel died on 29 June 2011 from a traumatic blow or blows to the head inflicted by her partner who then sought to dispose of Ms Beutel's body by incinerating her in the boot of her car. In the course of the investigation after Ms Beutel's death it became apparent Ms Beutel had engaged with a range of agencies and persons whose purpose was to assist her, but despite this engagement, she was still subject to fatal domestic violence. The coroner convened an inquest to investigate the wider systemic circumstances of Ms Beutel's death.

Coroner John Hutton delivered his findings of inquest on 17 November 2014.

The Queensland Government responds to recommendations directed to government agencies at inquests by informing the community if a recommendation will be implemented or the reason why a recommendation is not supported. The departments named in this response will provide implementation updates until the recommendation is delivered. Further information relating the implementation of recommendations can be obtained from the responsible minister named in the response.

### **Recommendation 1**

The key recommendation for this inquest is that relevant government departments should establish an appropriate interdepartmental process, with engagement from appropriate community organisations, with a view to establishing a pilot 'domestic violence centre' in an appropriate part of Queensland.

This recommendation should align with the implementation of a model similar to a SCAN team for victims of domestic violence, and the implementation of a common assessment tool for agencies dealing with domestic violence victims.

Response and action: the recommendation is implemented.

Responsible agency: Department of Communities, Child Safety and Disability Services.

On 22 June 2015 the Minister for Communities, Women and Youth, Minister for Child Safety and Minister for Multicultural Affairs responded:

Since the handing down of the coroner's findings into the death of Ms Beutel, two major Queensland reports have made recommendations supporting the approach to formalised interagency coordination outlined in the coroner's recommendation.

The first, Inquiry on Strategies to Prevent and Reduce Criminal Activity in Queensland (the Crime Inquiry) conducted by Queensland Parliament's Legal Affairs and Community Safety Committee, was tasked with examining 'the experiences of Queenslanders with regard to the criminal justice system, including the experiences of victims of sexual violence and/or domestic violence including their interactions with the Queensland Police Service, the courts, prosecuting authorities, legal and support services and compensation processes'.

Midway through the crime inquiry, a special taskforce on Domestic and Family Violence in Queensland (the taskforce), chaired by the Honourable Quentin Bryce AD CVO, was established to review domestic and family violence in Queensland and recommend ways the Queensland Government and community could reduce the incidence of this form of violence.

In recognition of the significant overlap between the two processes, the crime inquiry report tabled in the Legislative Assembly on 28 November 2014 referred its domestic and family violence recommendations to the taskforce for further consideration.

Among the crime inquiry recommendations referred to the taskforce for further consideration was recommendation 25, that the committee recommends the priority development and funding of coordinated community responses to domestic and family violence at a local level within each region, including:

- Enhanced pathways and processes for information sharing, referrals, and service coordination.
- Development and implementation of a shared risk assessment tool and best practice guidelines, in consultation with key domestic and family violence stakeholders.
- Development of clear standards, requirements and protocols for information sharing subject to confidentiality, duty of care and risk reduction principles.
- Utilisation of high-risk assessment teams and mechanisms for case management approaches to high risk cases.
- The prioritisation of networking and professional development, including regular training for specific frontline roles, to support improved understanding and expanded capacity and domestic and family violence service performance across the criminal justice and community safety service sectors.

The taskforce report, provided to the Premier on 28 February 2015, highlights a raft of system failures identified by the coroner in the death of Ms Beutel, and makes its own recommendations for greater cross-agency integration and management of high risk cases, within an overarching domestic and family violence strategy:

- Recommendation 1 – The Queensland Government develops a Domestic and Family Violence Prevention Strategy
- Recommendation 74 – The Queensland Government immediately, and in collaboration with the domestic and family violence service sector, establishes pilots for an integrated response model, incorporating:
  - one urban integrated response to domestic and family violence
  - one regional city integrated response to domestic and family violence, with outreach programs to rural and remote communities
  - one discrete Indigenous community integrated response.
- Recommendation 76 – The Queensland Government establishes a model for inter-agency response to high risk cases which works within, or complements integrated responses and which is progressively established throughout the state.
- Recommendation 77 – The Queensland Government designs a best practice common risk assessment framework to support service provision in an integrated response, and designed for use by generalist and specialist services (supported by relevant tools).
- Recommendation 78 – The Queensland Government introduces enabling legislation to allow information sharing between agencies (government and non-government) within integrated responses, with appropriate safeguards. This would include legislative protection for the sharing of information without consent, if a risk assessment indicates it is for the purpose of protecting the safety of the victim and their immediate family.
- Recommendation 79 – The Queensland Government develops and shares with all relevant service providers, clear guidelines to facilitate information sharing within an integrated

response, with a continued focus on obtaining consent unless a high risk threshold has been met.

An inter-departmental committee was established to oversee development of the *Queensland Government response to the taskforce report and implementation plan* and draft strategy by June 2015.

The inter-departmental committee will be chaired by the director-general of the Department of the Premier and Cabinet and include Queensland Treasury, Queensland Police Service, Department of Justice and Attorney-General and the Department of Communities, Child Safety and Disability Services. Other government agencies will be co-opted as required.

The inter-departmental committee provides a mechanism for consideration of taskforce report recommendations and the development of a comprehensive, cross agency government response and implementation plan and draft strategy.

**On 5 January 2016, the Minister for Communities, Women and Youth and Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence responded:**

On 18 August 2015, the Queensland Government released its response to the *NOT NOW, NOT EVER: Putting an End to Domestic and Family Violence in Queensland* report, together with an implementation plan and a draft domestic and family violence prevention strategy, and accepted all 140 recommendations of the report.

The Domestic and Family Violence Implementation Council has been established as an independent oversight body to monitor the implementation of the recommendations.

The recommendations relating to the implementation of the three integrated response service delivery trials and the development of the common risk assessment framework, information sharing tools and model for managing high risk matters, are being led by the Department of Communities, Child Safety and Disability Services. These recommendations have been given high priority.

The integrated response service delivery trials will be evaluated and the outcomes will inform the future roll out of integrated service models across the state.

The first trial site for an urban integrated response to domestic and family violence has been announced at Logan-Beenleigh.

A working group comprising all relevant government agencies has been established to support this work and to ensure an across agency approach to the issues in keeping with the intent of the coroner's recommendations in relation to Ms Beutel.

**On 29 June 2016, the Minister for Communities, Women and Youth and Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence responded:**

The co-design process for the Logan/Beenleigh integrated response trial commenced with service delivery to begin in the second part of 2016. Key stakeholders are working together to develop a place-based model that will include mechanisms to support victims of domestic violence considered at high risk. An integration manager is leading this work across a broad range of community and government agencies.

A second integrated response trial announced in Mount Isa will have outreach to surrounding communities. A high-risk response mechanism will also be a core component of the Mount Isa model.

Both trials will be supported by a common risk assessment framework and suite of tools.

Negotiations have commenced with a provider to deliver the framework and tools that will ensure greater consistency and quality in domestic violence risk assessments based upon best available evidence and a timely, across agency response, especially in relation to high risk clients.

The recommendation will be completed on commencement of the trials and implementation of the common risk assessment framework, later in 2016.

**On 23 December 2016 the Minister for Communities, Women and Youth and Minister for Child Safety and Minister for the Prevention of Domestic and Family Violence responded:**

The government has committed \$26.3 million over four years (\$24.2 million new funding and \$2.1 million reprioritised funding) to establish eight high risk teams as part of integrated responses to domestic and family violence.

Integrating service responses is a key action of the government's Domestic and Family Violence Prevention Strategy 2016–2026.

From 2016-17, high risk teams will be rolled out to the existing trial in Logan/Beenleigh, the two announced trial locations of Mount Isa and Cherbourg, and to five further locations in: Cairns/Mossman, Brisbane, Ipswich, Mackay/Whitsunday and Moreton Bay. High risk teams will be central to the three integrated response trials, targeting victims and their children assessed to be at high risk of serious harm or death.

Australia's National Research Organisation for Women's Safety Limited (ANROWS) has been contracted to develop the common risk assessment and management framework and supporting tools that will ensure greater consistency and quality in domestic violence risk assessments based upon best available evidence and a timely, across agency response, especially in relation to high risk clients. These will be delivered in early 2017.

**Recommendation 4a**

The Queensland Police Service should consider implementing, and promulgating to station officers in charge, examples of the types of training and consequences which might properly accompany managerial guidance, and guidelines on the considerations which the station officer in charge should have in mind when determining the appropriate form of managerial guidance.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Police Service.

On 17 July 2015, the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

The assistant commissioner, Ethical Standards Command, Queensland Police Service (QPS) disseminated a memorandum in July 2014 to all officers in charge and supervisors highlighting the matters to be considered when determining the appropriate form of 'managerial guidance' as a management response. Relevant 'professional standards' training continuum products highlighting the importance of considering a range of training and other strategies as part of managerial guidance were developed. Section three of the *Complaint and resolution procedures* policy was reviewed with no amendments deemed necessary. The Complaints Reform Project, being undertaken by the QPS Ethical Standards Command, will further address the application of appropriate managerial outcomes.

Finalisation of the Complaints Reform Project and necessary changes to policy and processes are needed in order to complete implementation of this recommendation.

**On 12 January 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:**

The comprehensive review of the police discipline system under the Complaints Reform Project will further support the coroner's recommendation. The expected completion date for the project is 2017. The new disciplinary system will be implemented statewide across the QPS with training delivered to all members with supporting policy and procedures.

**Recommendation 4b**

That additional domestic and family violence co-ordinator positions should be established in parts of Queensland where domestic violence is prevalent, and that a statewide coordination role should be re-implemented within police headquarters.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Police Service.

On 17 July 2015, the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

A temporary role of state domestic and family violence coordinator was created within police headquarters in Brisbane. Through its consideration of the recommendations of the Taskforce on Domestic and Family Violence, the Queensland Police Service (QPS) may consider making that role a permanent appointment. The appointee will in turn consider and make recommendations regarding staffing levels in relation to domestic and family violence coordinator positions around the state.

This recommendation will be further considered in conjunction with recommendations 135 and 136 of the Taskforce on Domestic and Family Violence report *NOT NOW, NOT EVER Putting an End to Domestic and Family Violence in Queensland* relating to increased staffing numbers based on demand and the reinstatement of the domestic and family violence state coordinator role.

The Queensland Government is considering the taskforce's recommendations and preparing a formal government response. A more detailed position can be advised once the government response is available.

**On 12 January 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:**

In August 2015, the Premier announced the Queensland Government will implement all 140 recommendations from the *Not Now, Not Ever* report into domestic and family violence.

The deputy commissioner, Strategy, Policy and Performance has been appointed as the Queensland Police Service domestic and family violence champion to champion best practice domestic and family violence prevention and first responder practice. The QPS has appointed a state domestic and family violence coordinator to work with district domestic and family violence coordinators to coordinate and drive direction and policy.

The QPS has engaged an external provider to develop an interactive model to re-evaluate demand for domestic and family violence coordinator positions by 31 January 2016. The model will provide

an evidence base for future resource allocation decisions intended for introduction during the Second Action Plan (2016-17 to 2018-19) for the *Not Now, Not Ever* report.

The proposed resource allocation model will be considered by the QPS Demand and Resource Committee with accepted recommendations expected to be implemented as part of the Second Action Plan (2016-17 to 2018-19) for the *Not Now, Not Ever* report.

**On 12 July 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:**

The QPS established a unit, managed by the state domestic and family violence coordinator, to coordinate the implementation of the QPS-led recommendations from the *Not Now, Not Ever* report into domestic and family violence.

In response to the coroner's recommendation and recommendation 135 from the *Not Now, Not Ever* report, the QPS has completed a thorough, evidence-based assessment of current and future demand to inform staffing and resource distribution for the district domestic and family violence coordinator network. The assessment report highlights future opportunities to build on the work already undertaken by the coordinators to support the state domestic and family violence coordinator and the deputy commissioner, Strategy, Policy and Performance, as the QPS domestic and family violence champion, in their respective roles to promote best practice and positive cultural change in the QPS.

The outcomes from the demand assessment of the domestic and family violence coordinator network will be incorporated into the Second Action Plan (2016-17 to 2018-19) of the Queensland Government's *Domestic and Family Violence Prevention Strategy 2016-2026*.

**On 27 January 2017 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:**

As part of the 2016/17 budget, the Queensland Government approved the establishment of additional QPS (non-sworn) positions over three years based at Brisbane, Caboolture, Cairns, Cherbourg, Ipswich, Logan-Beenleigh, Mackay and Mount Isa. These locations were prioritised following an independent stocktake of domestic and family violence (DFV) services across Queensland as areas where DFV is prevalent and support services required enhancement. The positions will be established within the domestic and family violence coordinator network to support integrated response arrangements with partner agencies and sector organisations targeting high risk DFV cases.

The QPS is finalising an evidence-based assessment of DFV demand to inform future staffing and resource distribution for the DFVC network. Organisational structures are being revised to provide a more robust command hierarchy and consolidate resources with related specialist areas to provide an integrated police response to domestic and family violence and vulnerable persons.

The QPS state DFVC position has been re-established at the rank of Inspector of Police to support the district DFVC network and drive the future direction of DFV prevention and response policing. The state DFVC manages the DFV and Vulnerable Persons Unit, Community Contact Command, located at Police Headquarters. Additionally, the QPS has appointed:

- Deputy commissioner (Strategy, Policy and Performance) to lead the QPS DFV cultural change program

- Assistant commissioner, Community Contact Command to support governance oversight of the implementation of the QPS domestic and family violence reform agenda.

District domestic violence co-ordinators are managed locally by district officers at the rank of superintendent. Each district is developing locally based strategies to provide sound oversight of domestic and family violence investigations which may include additional staffing devoted to domestic and family violence investigations. Examples include a detective inspector overseeing the domestic and family violence response in one area or establishment of a vulnerable persons unit encompassing mental health co-ordination alongside domestic violence co-ordination. The devolved decision making provides opportunities to ensure appropriate resources are devoted based on demand for local services.

#### **Recommendation 4c**

The Queensland Police Service should identify an appropriate and realistic way to ensure, so far as possible, that domestic violence assaults are not misclassified as non-domestic violence assaults.

Response and action: the recommendation is implemented.

Responsible agency: Queensland Police Service.

On 17 July 2015, the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:

The Queensland Police Service (QPS) senior responsible officer for domestic and family violence will consider the implementation of this recommendation in the broader context of the recommendations of the Taskforce on Domestic and Family Violence report *NOW, NOT EVER Putting an End to Domestic and Family Violence in Queensland*.

Taskforce recommendation 77 calls for a best practice common risk assessment framework complemented by specialist service tools to support service provision in an integrated response; other recommendations are in respect of removing barriers between information sharing between agencies; and recommendation 134 involves police adopting a more pro-active investigation and protection policy which requires consideration of safety of the victim as paramount where the risk assessment indicates action is appropriate. Collectively, implementation of these taskforce recommendations appears consistent with the intent of the coroner's recommendation.

The Queensland Government is considering the taskforce's recommendations and preparing a formal government response. In anticipation of the government response, it is intended to examine the matters concurrently.

#### **On 12 January 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:**

In August 2015, the Premier announced the Queensland Government will implement all 140 recommendations from the *Not Now, Not Ever* report into domestic and family violence. The QPS is addressing the coroner's recommendation concurrently with the implementation of the *Not Now, Not Ever* report recommendations.

The QPS is working collaboratively with key government agencies to develop, trial and evaluate a best practice common risk assessment framework.

In March 2015, the QPS established a Domestic and Family Violence Working Party to conduct a comprehensive review to enhance police response, investigation and prosecution policy and procedures to strengthen protection for victims and better hold perpetrators to account for their actions.

The best practice common risk assessment framework is expected to be implemented as part of the Second Action Plan (2016-17 to 2018-19) for the *Not Now, Not Ever* report.

The review by the Domestic and Family Violence Working Party has commenced and is expected to be completed in late 2016.

**On 12 July 2016 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:**

The *Not Now, Not Ever* report into domestic and family violence has been a catalyst to drive cultural change in the QPS around how the service responds to domestic and family violence. The QPS has commenced a review into its domestic and family violence training and education packages delivered to frontline police officers and civilians working in a community contact role (recommendation 138). As part of this recommendation, QPS policy and procedures relating to domestic and family violence will be re-emphasised through practical and desktop training simulations/scenarios.

The QPS manage calls for service through 15 police communications centres (PCC) across the state. Seven of these operate on a computer aided dispatch system (QCAD) and eight operate using the information management system (IMS).

When receiving information at a PCC, operators question callers to obtain as much information as possible about the matter while entering this information into QCAD or IMS. During this process and as a result of the information at hand, operators are required to identify an activity code that would best describe the matter at hand. Within QCAD upon selection and entry of this activity code, a popup window is activated known as contact information and advice (CIA). The CIA provides details and the type of information that may be required in association with each activity code. It provides suggestions on what PCC staff should advise an informant, and specific system tasks or additional duties that may be required by operators receiving a call for service.

The CIA is also available as a reference tool for PCC operators at IMS sites and client service officers at stations. Each section of the CIA is designed to assist and act as an aide memoire. It is not a script, rather a resource that can assist in providing client service, a place to pool knowledge and experience and a way to increase information passed onto first response officers and those responsible for the tasking and coordination of resources. The CIA page also provides links to further training, legislation or policy information.

QCAD also provides some further automated functions through a QCAD - QPRIME interface known as IntelliView. The IntelliView tool provides a mechanism for PCC operators to identify, with ease, the most relevant information and upon selection of the desired information include this information for use by PCC operators. PCC supervisors can also review the selected data which will highlight any potential risks to officer safety and ensure that appropriate levels of response and backup are provided. In addition to the display of QPRIME data, the IntelliView tool provides a mechanism by which a PCC operator can select desired records such as domestic violence information to populate within the Incident. These records may be selected and added to the incident for use by PCC operators to provide to responding resources.



For IMS sites, the communications operator follows a similar process. However, due to the system design, it is a manual rather than an automated process.

Through the process of questioning, system prompts, history, QPRIME lookups and the influence of legislation and the *Operational procedures manual*, communications operators are able to determine an appropriate activity code. Prior to the matter being tasked for police attention, a communications room supervisor checks all these details to ensure the correct activity code is applied based on the information provided. If at that time there is an inconsistency the supervisor can change the activity code or cause further work to be undertaken to ensure the accuracy of the information and appropriate decision making.

Since the release of the *Not Now, Not Ever* report, changes to police procedures arising from the *Criminal Law (Domestic Violence) Amendment Act 2015* and the *Criminal Law (Domestic Violence) Amendment Act (No. 2) 2016* have been implemented. These changes strengthen the legal processes and increase the accountability for domestic and family violence offending, including:

- an amendment to section 1 of the *Criminal Code* to include a definition of a 'domestic violence offence'
- the addition of section 12A *Penalties and Sentences Act 1992* 'Convictions for offences relating to domestic violence'. This section requires that when a defendant is convicted of any offence which constitutes 'domestic violence' or 'associated domestic violence' (as defined in section 1 of the *Criminal Code* as amended), the court may order that this offence be recorded as a 'domestic violence offence' and be recorded on the defendant's criminal history
- providing for the prosecution to make an application to have previous convictions for such offences to be declared as 'domestic violence offences' and recorded on the offender's history
- an order indicating an offence is also a 'domestic violence offence' will result in the relevant offence being considered a previous conviction for the purposes of any subsequent aggravated offence against section 177(2)(a) of the *Domestic and Family Violence Protection Act 2012*. It will also assist a court to properly consider a defendant's previous domestic violence related offending and sentence accordingly.

Relevant sections of the QPS *Operational procedures manual* have been amended to reflect the legislative changes.

The QPS continues to work collaboratively with partner agencies to ensure the necessary and appropriate action is taken to achieve the desired outcomes.

It is anticipated further changes to QPS operational policy and guidelines may arise from the current review of the *Domestic and Family Violence Protection Act 2012*. The QPS will continue the development of supporting operational policy and procedures to implement recommendations 131 and 134/86b of the *Not Now, Not Ever* report and domestic and family violence legislative reform through the Second Action Plan (2016-17 to 2018-19) of the Queensland Government's *Domestic and Family Violence Prevention Strategy 2016-2026*.

**On 27 January 2017 the Minister for Police, Fire and Emergency Services and Minister for Corrective Services responded:**

The *Criminal Law (Domestic Violence) Amendment Act 2015* which commenced on 1 December 2015 created a domestic violence offence category. This enables police to specify domestic violence in the

wording of the charge and ensure criminal history reflect the domestic violence nature of a conviction. The Act also made provision for retrospective domestic violence notations on existing convictions.

The QPS has commenced delivery of a face-to-face training intervention to ensure frontline police and staff have a better understanding of the dynamics and impact of domestic and family violence. This will build capability amongst frontline staff to identify when an incident is of a domestic and family violence nature. This will ensure:

- incidents reported to police are properly classified when received at police communications centres and prioritised for response
- officers and civilians working in a community contact role who receive enquiries or investigating incidents, identify and appropriately categorise incidents which prove to be domestic violence related.

Operational procedures will continue to be revised and updated to ensure they accurately reflect current legislative definition of domestic relationship.