

LECC

Law Enforcement
Conduct Commission

The table below shows the response of the NSW Police Force (as at 9 October 2023) to recommendations made in the Commission's *Review of NSW Police Force responses to domestic and family violence incidents* (June 2023).

LECC recommendation	NSWPF response	Notes
1. In matters where a police officer is investigated for domestic or family violence offences, the NSW Police Force <i>Domestic and Family Violence Standard Operating Procedures</i> be amended to specify that the investigation should be transferred to another Command.	Not supported	The NSW Police Force advised the Commission that it is possible for a Commander to request another command, or the Professional Standards Command, to conduct the investigation should they determine any conflict cannot be appropriately managed.'
2. If an investigation cannot be transferred to another Command for investigation, a Commander's decision-making processes, including how conflicts of interest will be managed, should be documented and uploaded to the complaints information system.	Agree in principle	The NSW Police Force has developed a procedure that differs from our recommendation. This procedure is as follows: <ol style="list-style-type: none">1. Where attendance is required at a D&FV matter and it becomes apparent that the PINOP or POI is a current or former member of the NSW Police Force that matter must be reported to the PAC/District Inspector. The PAC/District Inspector must attend (wherever operationally possible) and verify several matters regarding conflicts of interest. These are in addition to the matters a PAC/District Inspector must already consider.2. A new form (PAC/District Inspector Report Form) has been developed, which captures the requirement for the PAC/District Inspector to consider the conflicts

		<p>of interest of the attending officers, as well as their own (attached)</p> <p>3. A requirement for a SITREP to be prepared and sent to the Commander, Region Commander, and Region PSM.</p> <p>4. The PAC/District Inspector Report Form are to be uploaded to the relevant COPS Event.</p>
3. The NSW Police Force require all Risk Assessments to be maintained on a centralised database.	Agree in principle	On 24 January 2023, the Professional Standards Command provided a direction that all Risks Assessments 'are to be maintained on the relevant IAPro record'.
<p>4. The NSW Police Force Domestic and Family Violence Standard Operating Procedures be amended to include instructions that all Risk Assessments should include the following information:</p> <p>a) the date and time when the service firearms of officers involved in domestic and family violence incidents were secured</p> <p>b) the name and rank of the officer who has secured the service firearms of officers involved in domestic and family violence incidents</p> <p>c) the location of the secured service firearms of officers involved in domestic and family violence incidents.</p>	Agree in principle	The NSW Police Force will consider this recommendation as part of its Domestic and Family Violence Reform project.
5. The NSW Police Force <i>Domestic and Family Violence Standard Operating Procedures</i> specify that where officers involved in domestic and family violence incidents are out of the workplace when the incident occurred, the Commander of the officer involved in domestic and family violence should complete a Risk Assessment.	Agree in principle	The NSW Police Force will consider this recommendation as part of its Domestic and Family Violence Reform project.

<p>6. The NSW Police Force <i>Domestic and Family Violence Standard Operating Procedures</i> be amended to include instructions that the event report should mention that a Risk Assessment has been completed, including:</p> <ul style="list-style-type: none"> a) the time and date when the Risk Assessment was completed b) the name and the rank of the person who has completed the Risk Assessment c) the outcome of the Risk Assessment. 	<p>Not supported</p>	<p>The NSW Police Force advised the Commission that all Superintendents are aware of the requirement for them to sign off on a Risk assessment and this is an additional check in the process to ensure it has occurred.</p>
<p>7. The NSW Police Force <i>Domestic and Family Violence Standard Operating Procedures</i> specify that the event report should include the following information in relation to the <u>seizure of personal firearm(s)</u> and firearm licences:</p> <ul style="list-style-type: none"> a) the number of personal firearm(s) seized b) the date and time when the personal firearm(s) were seized c) the date and time when the personal firearm(s) were returned to the owner d) the date and time when the firearm licence was suspended e) the date and time when the personal firearm licence suspension was lifted. 	<p>Supported</p>	<p>The NSW Police Force advised the Commission that the Domestic and Family Violence Reform Project team will consider the Commission's recommendation regarding the <i>Domestic and Family Violence Standard Operating Procedures</i>.</p>
<p>8. The NSW Police Force <i>Domestic and Family Violence Standard Operating Procedures</i> specify that the event report should include the following information in relation to <u>securing the NSW Police Force service firearm</u> of an involved officer:</p> <ul style="list-style-type: none"> a) the date and time when the service firearm(s) was secured and padlocked b) the location of the service firearms 	<p>Agree in part</p>	<p>The NSW Police Force advised the Commission that the Domestic and Family Violence Reform Project team will consider the Commission's recommendation regarding the <i>Domestic and Family Violence Standard Operating Procedures</i>.</p>

<p>c) the name and rank of the officer who secured the firearm(s) d) the date and time when the service firearm was returned to the involved officer.</p>		
<p>9. The NSW Police Force should review its systems and processes to ensure that a COPS event report is created for every domestic and family violence incident attended by police.</p>	<p>Agree in principle</p>	<p>The NSW Police Force will consider this recommendation as part of its Domestic and Family Violence Reform project.</p>
<p>10. The NSW Police Force <i>Domestic and Family Violence Standard Operating Procedures</i> should require police officers to record in the event narrative that a) they have conducted ILS checks on the alleged domestic and family violence offender and b) the response to their enquiries about the presence or possession of firearms at the scene of any domestic or family violence incident.</p>	<p>Agree in principle</p>	<p>The NSW Police Force advised the Commission that the Domestic and Family Violence Reform Project team will consider the Commission's recommendation regarding the <i>Domestic and Family Violence Standard Operating Procedures</i>.</p>
<p>11. The NSW Police Force <i>Domestic and Family Violence Standard Operating Procedures</i> be amended to say that officers "should" activate BWV at domestic and family violence incidents.</p>	<p>Not supported</p>	<p>The NSW Police Force advised the Commission that the decision to use BWV, whilst strongly encouraged, remains with the NSWPF officer/s attending any incident.</p>
<p>12. The NSW Police Force <i>Domestic and Family Violence Standard Operating Procedures</i> provide additional guidance to police officers to help them in correctly identifying the primary aggressor and the primary victim of domestic and family violence incidents.</p>	<p>Agree in principle</p>	<p>The NSW Police Force is considering all aspects of its response to Domestic and Family Violence incidents as part of the broader Domestic and Family Violence project, including guidance and training.</p>

<p>13. The Domestic Violence Fundamentals course should be mandatory training for all general duties police officers and be repeated at regular intervals through a police officer's career.</p>	<p>Agree in principle</p>	<p>The Domestic and Family Violence project team will consider what additional training can be provided to NSW Police Force officers, including frequency.</p>
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