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**Womens Domestic
Violence Crisis Service**

24 hours 7 days a week

Women's Domestic Violence Crisis Service Victoria submission to

Senate Standing Committee on Finance and Public
Administration Inquiry into Domestic Violence in
Australia

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FORWARD

Right across Australia, one in three women has have experienced domestic violence from an intimate male partner¹. Research has revealed that in Australia domestic violence is the leading contributing factor to death, disability and injury of women aged between 15 and 44 years; far greater than any other well-known risk factor such as smoking, obesity and high blood pressure. Domestic violence is detrimental to the development of children, impacting on brain function and later in life mental health, substance abuse and intergenerational domestic violence. The monumental size of domestic and family violence makes family violence one of the most pervasive issues impacting across Victoria.

As the state-wide women's crisis service for Victoria, Women's Domestic Violence Crisis Service (WDVCS) recognises the positive changes that have occurred through the National Plan to Reduce Violence against Women 2010-2022 and have felt the benefits the actions on services and clients. For instance 1800RESPECT being a resource for clients and our staff where necessary. However while there have been many advances, there are still many issues that prevent women and children from being safe both in their homes or when they leave the home. This submission outlines the key recommendations that would ameliorate the impacts of domestic violence on women and children.

This submission supports the Domestic and Family Violence Crisis Lines Australia Network (DFVCLAN) submission to the Inquiry into Domestic Violence 2014 of which WDVCS are a member of.

KEY RECOMMENDATIONS

- **Investment in safe and supported accommodation for women and children**
- **Adequately resource and mandate death review processes in each state or territory**
- **Family violence support for women residing with perpetrators**
- **Access and equity for women with disabilities and women without permanent residency**
- **Stronger mandate for collaboration between child protection and family violence services**
- **To provide a strong focus on specialist family violence responses to violence against women**
- **Data systems that support integrated family violence responses**
- **Investment in responses to children in order to prevent intergenerational domestic violence**
- **Focus on all levels of women and children's safety risk to prevent escalation of violence**
- **Investment in Women's Legal Services and Women's Aboriginal Legal Services**
- **Family court training for judges and other employees and integration with family violence services**
- **Magistrates court training for magistrates and court employees**
- **Recognition that preventing violence against women requires a multiple and mutually reinforcing approach across individual, community and societal levels, ensuring adequate support and funding for each**

¹ Mouzos, J & Makkai, T 2004, Women's Experiences of Male Violence: Findings from the Australian Component the International Violence Against Women Survey, No. 56, Australian Institute of Criminology, Research and Public Policy Series, Canberra

INTRODUCTION

Women's Domestic Violence Crisis Service (WDVCS) is a voice for the prevention and elimination of violence against women and children in Victoria. Working collaboratively with the police, criminal justice system, family violence refuge and outreach, and many other agencies to prevent family violence, WDVCS offer a comprehensive range of quality services to support women and children. As the only state-wide domestic violence telephone crisis service in Victoria, WDVCS is the central access point for women to receive information and support immediately via the 24 hours 7 days phone service, while also serving as a gateway for women to access specialist crisis support, case management, refuge accommodation and outreach support. WDVCS values underpin the way we deliver services and engage with those who access support: non-violent; feminist; ethical and respectful; collaborative; authoritative and evidence-based. WDVCS has worked with the Victorian refuge system for over 40 years and is committed to continuously improving the systems and practices that support women in a coordinated way.

On any given day WDVCS receives over 100 calls, responding to women and women with children assessed as high, medium and low risk, providing phone support and critical liaison with police, child protection, legal support, motels, refuge and outreach support. This is no small task but requires significant expenditure, organisational resources, and professionalism and dedication of our staff. Working with women and children experiencing family violence crisis, WDVCS complete comprehensive risk assessments, while working closely with Victoria Police to ensure women and children are safe. A unique point of difference that sets aside WDVCS from other services is the referral pathways and strong partnerships that exist with family violence refuges across the state. This enables WDVCS to connect women who are at risk of violence with refuge accommodation and case management support across Victoria, ensuring that women and children are in a safe geographical location. Alongside this, WDVCS work in partnership with specialist refuge and outreach family violence services to stay in temporary motel accommodation while receiving outreach support. Having this central role in referrals and coordination across the state, WDVCS host WDVCS refuge and outreach meetings that work towards strategic goals, including referral pathways, quality improvement, responding to children, police, justice and sector reform.

Recognising the critical role that WDVCS play in keeping women safe across Victoria, the influence across the specialist family violence service sector, and geographical reach, WDVCS knowledge and expertise on the impact of domestic violence will provide useful guidance for the Senate Standing Committee for the Inquiry into Domestic Violence in Australia.

SENATE INQUIRY TERMS OF REFERENCE:

1. The prevalence and impact of domestic violence in Australia as it affects all Australians

Right across Australia, one in three women has have experienced domestic violence from an intimate male partner². Research has revealed that in Australia domestic violence is the leading contributing factor to death, disability and injury of women aged between 15 and 44 years; far greater than any other well-known risk factor such as smoking, obesity and high blood pressure³. Domestic violence is detrimental to the development of children, impacting on brain function and later in life mental health, substance abuse and intergenerational domestic violence. The monumental size of domestic and family violence makes family violence one of the most pervasive issues impacting across Victoria.

Outside of poor health outcomes on women and children, domestic violence is the leading cause of homelessness (44 per cent), and a key driver in crimes to the person (39.4), attributing to 45 homicides in 2012/13. Further to this, the Victorian Child Protection Agency reported that family violence was found to a factor in 80 per cent of child deaths known to the Department of Human Services in 2013.

It is not new knowledge for policy makers that domestic violence costs the Australian community and economy. In 2013 KPMG estimated the costs of domestic violence to the Australian economy as \$14.7 million and estimate this cost to rise to \$15.6 billion 2021-22 if considerable effort isn't made to prevent violence against women and children. However given this knowledge, frontline services have witnessed little difference in the prevalence and impact of domestic violence; in fact family violence services have experienced an increase in demand of up to 73.8 per cent⁴.

As the State-wide women's crisis referral service, WDVCS have experienced slow movement within refuges, bottlenecks, while WDVCS as the state-wide phone crisis service are regularly forced to place women in motel accommodation with little to no support. Women without permanent residency has been a growing cohort of women accessing our services, however as these women have no income it is difficult for referrals to be accepted by refuges as they will bear the cost of the women and children's living expenses until they are granted a visa - this can take months if not years.

As a family violence state-wide service, WDVCS are aware of opportunities to prevent violence against women and children, reducing impost on services, such as evidence based interventions to prevent intergenerational violence, minimising the risk of mental health and associated disadvantage, which will be addressed throughout this submission.

In order to address domestic violence across Australia and to offset the economic impact domestic violence has and will increasingly have, requires greater dedication from the whole of government across all ministerial portfolios to reduce violence against women. WDVCS support the DFVCLAN's

² Mouzos, J & Makkai, T 2004, Women's Experiences of Male Violence: Findings from the Australian Component the International Violence Against Women Survey, No. 56, Australian Institute of Criminology, Research and Public Policy Series, Canberra

³ VicHealth 2004, The Health Costs of Violence: Measuring the burden of disease caused by intimate partner violence

⁴ Sentencing Advisory Council 2013, Family Violence Intervention Orders and Safety Notices: Sentencing for Contravention, p. 11

submission that, “Commonwealth, State and Territory Governments embed gender mainstreaming across government departments”.

1.1 In particular, as it affects: women living with a disability, and women from Aboriginal and Torres Strait Islander backgrounds

Women with both physical and intellectual disabilities face barriers to escaping domestic violence due to an emotional, physical and economic dependence on the perpetrator. For those women who are able to engage WDVCS, women continue to face disadvantage in accessing and receiving safe emergency accommodation. Services may not be equipped with the facilities and have minimal resources to renovate properties to meet the special needs of women and children. It is also common for women with intellectual disabilities find it difficult to enter emergency accommodation due services having poor knowledge the needs of women and children with intellectual disabilities. WDVCS highly encourage a focus on access and equity for women with disabilities.

Aboriginal women are 45 times more likely to experience domestic violence than non-aboriginal women⁵. Domestic violence is also likely to be more severe for aboriginal women than non-aboriginal women, as research shows that aboriginal women are 38 times more likely to be hospitalised and 10 more times likely to be killed as a result of domestic violence⁶. Recommendations made by the Aboriginal Family Violence Prevention and Legal Service (AFVPLS)⁷ focus on three mutually reinforcing domains of policy reform that will reduce violence against Aboriginal women and children, these are: (1) strengthening law and justice systems for Aboriginal and Torres Strait Islander victims/survivors of family violence and sexual assault and women and children; (2) Strengthening on-the-group service provision for Aboriginal and Torres Strait Islander victims/survivors of family violence and sexual assault; (3) improving accessibility of the legal system for Aboriginal Torres Strait Islander victims/survivors of family violence and sexual assault.

2. The factors contributing to the present levels of domestic violence

• Investment in safe and supported accommodation for women and children

One in two women, and their children, who are experiencing family violence are unable to access emergency accommodation⁸. This regularly results in many women returning home with their children to violent perpetrators. Currently WDVCS experience bottlenecks in refuge, having to place many women into expensive private motels. While this may sound like a luxury, these motels are budget motels that have no kitchen facilities, are far away from amenities, which are expensive and unaffordable to most women. In motels women are also not safe. Technology, small cultural communities, links with family, regularly draw the perpetrator back to the women and children resulting in a breakdown of a system that is meant to support women to be free from violence, and to support women to keep their children safe. WDVCS spends more than \$600,000 thousand dollars on motel accommodation each year, and given the freedom WDVCS

⁵ Government of Western Australia, 2001, Gordon Inquiry Report

⁶ Family Violence Prevention Legal Services 2013, Research and Needs Analysis Report, Nous Group

⁷ Aboriginal Prevention of Family Violence Legal Service 2010, Strengthening on the ground service provisions for Aboriginal and Torres Strait Islander victims/survivors of family violence and sexual assault in Victoria, Police paper series June 2010, Paper 2 or 3.

⁸ Australian Government 2008, Women, Domestic and Family Violence and Homelessness: A Synthesis Report

would better invest this money into safe and supported accommodation that is specialised in responding to domestic violence.

- **Investment in responses to children in order to prevent intergenerational domestic violence**

Specialist family violence responses are an important site for the prevention of violence against women and children. While women are supported to leave violent perpetrators, children are provided with a specialist response in the form of counselling, education and so on. This critical intervention is vital to preventing the intergenerational cycle of domestic violence, as children grow and emulate violent behaviour⁹. This work is not funded and is provided on an ad hoc basis. To prevent violence against women, family violence services must be invested adequately support children to prevent intergenerational violence.

- **Adequately resource and mandate death review processes**

The Victorian Systemic Review of Family Violence Deaths (VSRFVD), 2012 was the first report and only report released by the Coroners Court focused on the context in which family violence-related homicides and homicide-suicide incidents occur. The Coroners Court review is vital to preventing homicide, as it identifies systemic gaps and informs system development to prevent domestic violence. However since 2012, the Coroners Court has no longer dedicated staffing to support the VSRFVD, moving their focus to health related deaths. WDVCS are extremely concerned that the review is not being continued in with the rigour of the past even though domestic violence is the leading form of homicide in Victoria.

- **Data systems that support integrated family violence responses**

Current data collection systems between police and family violence services, and within sectors, fail to communicate with one another to support the safety of women and children. To provide an example, earlier this year in Victoria a 10 year old boy Luke Batty was murdered by his father. Rosie spoke of how the murder of her son could have been prevented if different police and Government departments were able to communicate potential risk. One way in which data could be used to keep women and children safe is through WDVCS and other state-wide services given that we have the capacity to track perpetrators through repeat offenses with different partners.

- **Family violence support for women residing with perpetrators**

We now know that many women in abusive relationships return to the perpetrator; in fact most women stay in a violent relationship for a period of time. ABS research found that 37 per cent of women who experienced violence from a current partner had separated and returned. While it is common for women to return to the perpetrator, these women are more often than not highly isolated from friends, family and the community, and have minimal support from family violence services. This is largely attributed to family violence services being funded through housing and homelessness streams. This shows that placing family violence responses under the banner of housing and homelessness has resulted in a missed opportunity to intervene early and prevent future violence, death, injury and child trauma alongside easing burden on services.

^{9 9} Reiss, A, Roth, J, Miczek, K 1993, Understanding and Preventing Violence: Social influences. National Academy Press, Washington, D.C, pp. 194-195

- **Access and equity for women without permanent residency**

Women without permanent residency in Australia who are experiencing family violence have limited choices to escape a violent perpetrator due to their economic dependence and risk of returning to their country of origin, facing possible social stigma, poverty, and persecution. The Migration Act family violence provision makes it possible for women to apply for permanent residency due to family violence and not return home, however the process to receive a visa takes months, if not years. During this time women have no income, are dependent on others for basic survival needs, and are highly vulnerable to abuse. Many family violence services try to support women and children without permanent residency however this is financially straining for already under resourced services. Due to the long wait time for permanent residency to be approved, family violence refuges become blocked, where they are unable to take new referrals.

3. The adequacy of policy and community responses to domestic violence

- **To provide a strong focus on specialist family violence responses to violence against women**

The National Plan to Reduce Violence against Women and their Children 2010-2022 has made a valuable contribution to furthering Government and community services to prevent violence against women. While a great deal of effort has been placed in primary prevention of violence against women, WDVCS believe that more focus is needed on support integration of services while asserting the specialist role of family violence practitioners and organisations.

- **Focus on all levels of women and children's safety risk to prevent escalation of violence**

Responding to high risk has been, and is, a necessity to preventing death and serious injury. Victoria is in the process of rolling out a series of high risk management panels to protect women and children while aiming to hold perpetrators accountable to abuse. Victoria's high-risk models involve statutory and family violence services requiring them to in collaboration to protect women and children from harm. Typically this includes police, child protection and specialist family violence agencies. While responding to high risk is essential, responding to women and children that have a lower risk assessment is also critical. WDVCS have concerns that while resources are focused on high risk, whose women and children assessed at a lower risk status wait until they are at high risk before receiving the wrap around service they need. It is at the later stage when women and children receive this integrated support, of which could have been prevented through earlier interventions before reaching this point.

- **Stronger mandate for collaboration between child protection and family violence services**

Child protection services provide a much necessary and positive contribution to the safety of children. WDVCS work with child protection on a regular basis; however we assess this relationship as being weak, uncoordinated and at times contentious, primarily due to philosophical views. For instance, it is not uncommon that child protection focus on women as failing to protect their children from abuse, rather than focusing on the perpetrator and holding them to account. To provide an example, it is a regular event that after women have received an intervention order and the perpetrator is removed from the home that women and children are made homeless due to child protection's priority to keep children safe at all costs. This is counter to the logic of family violence services, as women and children are supported to be in remain in their community if the perpetrator is removed as they are protected by police and their supports in the community. In order to keep women and children safe, it is necessary for both child

protection and family violence to work together and to learn how to collaborate with one another.

4. The effects of policy decisions regarding housing, legal services, and women's economic independence on the ability of women to escape domestic violence

- **Investment in Women's Legal Services and Women's Aboriginal Legal Services**

Legal services for women have been significantly reduced across Victoria resulting in thousands of women being denied free legal help. Women who are unable to access legal support will have a snowballing effect of disadvantage as they are unable to access personal safety intervention orders, protection against systemic abuse, ensure safety of children through their family court, and protect their financial and material assets. WDVCS recommend that significant resources be allocated to women's legal services and Aboriginal Legal Services to keep women and children safe and to prevent cumulative disadvantage due to domestic violence.

- **Family court training for judges and other employees and integration with family violence services**

Family court have been, and continue to be, largely separate from the existing integrate family violence service system. Evidence shows that the risk of domestic violence is elevated during family court custody litigation, making the Family Court an important site of intervention to reduce violence against women. The recent release of the Family Law DOORS Program throughout courts has been released as a tool to minimise safety risks families going through child custody litigation. WDVCS have concerns that this systems fails to link in with the existing specialist family violence service as it continues to remain separate. While women and children will receive support through Relationships Australia, this is not always an appropriate or best response to domestic violence.

- **Magistrates court training for magistrates and court employees**

The Victorian Integrated Family Violence Reforms of the past decade sought to make magistrates courts more supportive of women who were experiencing family violence. This involved establishing two specialist magistrates' family violence court divisions and four family violence courts across the state. These have had positive results in reducing further abuse of women. However demand has increased marketed and the system is needed to grow and to continue to support the safety of women and children. Required is the capacity of courts to manage this increase in demand through better resourcing and training of Magistrates and court staff.

5. How the Federal Government can best support, contribute to and drive the social, cultural and behavioural shifts required to eliminate violence against women and their children

To eliminate violence against women and children requires, "multiple, mutually reinforcing strategies across individual, community and societal levels"¹⁰. This includes investing in

¹⁰ Domestic Violence Victoria et al (2014) Submission to inform the development of the Second Action Plan under the National Plan to Reduce Violence against Women and their Children 2010, p.6

prevention, across all areas of prevention that is, responses, early intervention, and primary prevention so that the whole of community receives the same message that violence against women and children will not be tolerated.

From the perspective of a specialist family violence service, WDVCS recognised many missed opportunities that could prevent violence against women and children. As discussed above, investment in holistic responses to children is critical. Alongside this, specialist family violence services provide support and information to services within their community. For instance WDVCS organisation makes various talks to educate for profit organisations on domestic violence. Ultimately there must be recognition of the interconnections between prevention, early intervention and response, resourcing all adequately to address this growing social problem.

6. Any other related matters

Refer to DFVCLAN 2014 submission to the Inquiry into Domestic Violence in Australia and the Australian Women Against Violence Alliance (AWAVA) 2014, Senate Inquiry into Domestic Violence in Australia Submission