

Overview

This section notes that there is no single pathway into the family violence system. It also describes the roles of the various parts of the system and notes that the response is siloed and fragmented leading to inaccessibility and unnecessary complexity. There are a number of recommendations to ensure accountability of the system. The enormous demand is also noted as a barrier to improvements and development of collaborative effort and a number of recommendations address resourcing services to meet demand.

1. Risk assessment and management (1, 2, 3, 4)

The Common Risk Assessment Framework (CRAF) is recognised as the basis for assessing and managing risk however the recommendations include a review of the CRAF and mandating roll out along with minimum practice standards and core competencies for all family violence specialist service, mainstream services and universal services.

Recommendation 4 prioritises the roll out of Risk Assessment Management Panel (RAMP) within 12 months.

2. Information Sharing (5, 6, 7, 8, 9)

To enable information sharing between agencies and keep victims safe is seen as crucial and this needs to be routine and systematic.

These recommendations will provide clear authority for relevant prescribed organisations to share information so perpetrators can be tracked through an *information sharing regime* and a *Central Information Point* – led by Victoria Police in collaboration with relevant agencies to access the respective databases and obtain information for managing risk within the proposed *Support and Safety Hubs*. Information Technology systems to support communication will be improved. This includes recommendations to make changes to legislation.

3. Specialist Family Violence Services (10, 11, 12)

The report notes that it is difficult to navigate the service system due to the complexity of referral pathways. Also overwhelming demand has led to strained and ad hoc responses. The diversion of resources from case management to processing referrals is highlighted and the system being inflexible and based on program funding requirements rather than individual women's needs. The report highlighted that community responses cannot, and should not, replace specialist family violence or core support services.

These recommendations include development of a new website to help victims' families and community as well as additional funding for specialist family violence services.

4. A Safe Home (13, 14, 15, 16, 17, 18, 19, 20)

This section deals with major changes to the housing response and recommendations and allows for a 'blitz on housing for victims stuck in crisis and transitional housing, expansion of the Flexible support packages and the safe at home programs'.

Improvements to crisis accommodation include phasing out communal refuge accommodation and moving towards a dispersed model.

5. Children and young people's experience of Family Violence (21, 22, 23, 24)

The report recognised the severe short and long-term effects on children and young people. The report notes that universal services working with children and young people often lack the knowledge and expertise needed. Enormous demand has meant that services such as Child & Family Services (including Child FIRST) are unable to provide the support required. This is compounded by a lack of suitable accommodation for young people.

These recommendations aim at increasing the availability of therapeutic interventions, counselling and early intervention programs. Workforce training and development is included as well as supporting improvements in accommodation options.

6. Family Violence and the Child Protection System (25, 26, 27, 28, 29, 30)

The report highlights that children exposed to family violence may not reach the threshold for substantiation and risk falling into system gaps. Children aren't always referred to appropriate services, nor do families choose voluntary engagement. Rather than holding perpetrators to account in the child protection system, many victims have to separate from a violent partner to protect children and they are then more at risk.

Recommendations have been made to ensure that safety and support are provided even if the statutory threshold for child protection is not reached. This will be done through better engagement with the perpetrators, safety planning and formal referral pathways through the *Support and Safety Hub* model. Training and information sharing are also addressed.

7. Sexual Assault and Family Violence (31, 32, 33, 34)

The recommendations include a review of family violence and sexual assault to consider integration. Additionally the recommendations address early intervention for children and young people displaying sexually abusive or problematic behaviours.

8. Pathways to services (35, 36, 37, 38, 39, 40)

These recommendations deal with the introduction of Support and Safety Hubs in each Department of Health & Human Services (DHHS) local area.

These are described as a single area-based and highly visible intake point, see attached extract p24-25 of the report summary.

The hubs will replace the current 23 Child FIRST intake points, the 19 L17 contact points for specialist family violence services and the 20 L17 contact points for men's behavior change programs. The hubs will not replace specialist services, the intent is that services available 'behind the door' of the intake point will continue with better resources.

The hubs will provide a single area based intake for specialist family violence services and Integrated Family Services, including triage, risk assessment and needs

assessment. The hubs are intended to be a new model, rather than building on or expanding current models.

Recommendation 37

The Victorian Government introduce Support and Safety Hubs in each of the state's 17 Department of Health and Human Services regions [by 1 July 2018]. These hubs should be accessible and safe locations that:

- ▶ receive police referrals (L17 forms) for victims and perpetrators, referrals from non-family violence services and self-referrals, including from family and friends
- ▶ provide a single, area-based entry point into local specialist family violence services, perpetrator programs and Integrated Family Services and link people to other support services
- ▶ perform risk and needs assessments and safety planning using information provided by the recommended statewide Central Information Point
- ▶ provide prompt access to the local Risk Assessment and Management Panel
- ▶ provide direct assistance until the victim, perpetrator and any children are linked with services for longer term support
- ▶ book victims into emergency accommodation and facilitate their placement in crisis accommodation
- ▶ provide secondary consultation services to universal or non-family violence services
- ▶ offer a basis for co-location of other services likely to be required by victims and any children.

9. Police: front-line operations and workforce (41, 42, 43, 44, 45)

These recommendations deal with L17 processes, police practice in identifying FV, a revised approach to education and training, auditing compliance with the Code of Practice, professional standards etc.

10. Police: leadership, resourcing and organisational systems (46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59)

The report notes the heavy demand on police, in particular the time and resources taken up by recidivist offenders. These recommendations deal with the organisational structures within Victoria Police such as career structures and specialist expertise required for strengthening the investigation of family violence through mobile technology and body-worn cameras and improving service of family violence intervention orders.

11. Court-based responses to Family Violence in Victoria (60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78)

The need to address hearing delays (both State and Federal systems), safety for women and children, inconsistency of procedures and outcomes in the courts are some of the issues dealt with in this section. Recommendations include:

- Specialised family violence courts across Victoria within five years
- improvements with the intervention order processes
- court safety (infrastructure and security)
- ability for victims to give evidence remotely

The recommendations also relate to sufficient time being given to hearing family violence matters, even if this means non family violence related matters are addressed in alternative ways. An increase in family violence hearing days would support some of the recommendations regarding the family law court system (rec.129-137).

12. Offences and sentencing (79, 80, 81, 82, 83, 84)

Increased authority of the courts to make interim Family Violence Intervention Orders (FVIO) during criminal proceedings; more consideration in bail applications; improved databases to share information about family violence between police, courts and Corrections; reviewing the Family Violence Protection Act 2008 to re-assess contraventions of orders; reporting on a 'swift and certain justice' approach; and other sentencing guidelines.

13. Perpetrators (85, 86, 87, 88, 89, 90, 91, 92, 93)

These recommendations deal with holding perpetrators to account and acknowledges that Men's Behaviour Change Program (MBCP) is the most common intervention in Victoria, however there are insufficient programs and little evidence about their effectiveness and follow up to monitor completion or quality of the programs. It is also stated that their existing programs do not cater for the diversity of perpetrators. More work is needed and the recommendations suggest convening an expert advisory committee to consider what perpetrator interventions should be available (with No To Violence (peak body) involvement). To conduct further research and trial & evaluate interventions with a focus on helping perpetrators understand the effects of violence on children. And to work with the courts and MBCP providers to monitor attendance and outcomes of perpetrators who are ordered to participate.

14. The role of the Health system (94, 95, 96, 97, 98, 99, 100, 101, 102, 103)

The report notes the unique and important role of health professionals. And the fact that whilst there are pockets of good practice there is no health system-wide approach. Recommendations to improve health sector responses include requiring Local Governments to include measures to reduce family violence in council plans, resourcing public hospitals to implement evaluated response models, routine screening in all public antenatal settings, introducing risk assessment for mental health services and drug and alcohol services and encouraging collaboration between mental health, drug and alcohol and family violence services. Mandatory family violence training for General practitioners and psychiatrists is also recommended.

15. Recovery: health and wellbeing (104, 105, 106)

The report found that current responses to family violence do not sufficiently emphasise recovery and restoration. Recovery includes child rearing, further education, re-establishing a career or reconnecting socially. Three things required are considered to be – safe and secure housing, financial security and health and wellbeing. These recommendations address the need for ongoing counselling, considering instigating a Medicare Item for family violence counselling and family violence related GP consultations.

16. Financial Security (107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121)

Financial abuse and financial security are major barriers for women and children experiencing family violence. Recommendations are for training and understanding of family violence for banks and other financial lenders, tenancy workers & Victorian Civil & Administrative Tribunal members; amendments to National and State policies regarding family violence as grounds for financial hardship; improved awareness of dispute resolution processes for those in financial hardship re: utilities; amendments to the Road Safety Act 1986 and Infringements Act 2006 regarding revocation of fines in certain circumstances; collection and possession of personal property where a FVIO is present; changes to the Residential Tenancies Act re: housing and encouraging training of workers in this area. Another recommendation is support for the expansion of initiatives that deliver financial literacy training and education for victims of family violence.

17. Restorative Justice (122)

Recommendation for the development and pilot delivery of restorative justice options for victims of family violence. Centre Against Violence is currently piloting this type of program.

18. Adolescents who use Family Violence (123, 124, 125, 126, 127, 128)

This is described as a distinct form of family violence and the report recommends priority be given to early intervention therapeutic and diversionary responses. The report refers to a community adolescent family violence program that is currently being trialed and recommends that, if successful, this model be made available across Victoria. Other recommendations include dedicated youth resource officers to provide support to families following police intervention, additional crisis and long term supported accommodation options and establishing a statutory youth diversion scheme.

19. Family Violence and the family law system (129, 130, 131, 132, 133, 134, 135, 136, 137)

These recommendations deal with fragmentation between state courts and the federal family law courts and encourage the two jurisdictions to interact more effectively. The commission heard of the insufficient weight given to family violence in the family law courts and the use of this system for the perpetrator to maintain patterns of coercion and

control.

Recommendations include amending the Family Law Act 1975 to give Victoria Police powers of arrest for breaches and making these criminal offences, make clear that Children's courts can make orders in the same circumstances as the Magistrates Court of Victoria, require magistrates to give explanation to both the affected family member (AFM-police terminology) and respondent (perpetrator) about how the FVIO interacts with a family court order or direct this to be done in the case where one or both do not attend court; the creation of a single database for child protection, family violence and family law orders and other relevant documents; development of a nationwide risk assessment framework; a formal information-sharing agreement between the Victorian and National courts; and DHHS to co-locate a child protection practitioner in the Victorian registries of the Family Law Court of Australia.

20. Review of Family Violence–Related deaths (138)

This recommendation establishes a legislative basis for review of FV deaths and provide adequate funding.

21. Family Violence and diversity (139, 140, 141, 142, 143)

The experiences and needs of people from diverse backgrounds are addressed including training by specialist area services (Women with Disabilities Victoria, InTouch Multicultural Service, Seniors Rights) to universal services to recognise and respond to the diversity of clients and build partnerships with specialist family violence services; DHHS review standards for family violence service providers; Equal Opportunities Act 2010 issue a guideline around inclusiveness; and that all community awareness and prevention program use messaging to include diverse communities.

22. Aboriginal and Torres Strait Islander peoples (144, 145, 146, 147, 148, 149, 150, 151, 152)

A number of recommendations cover specialised and mainstream funding and programs for Aboriginal communities and children and development of culturally appropriate services and evaluation models. All mainstream family violence organisations will be required to conduct cultural safety reviews. Investment in Aboriginal service providers is required including the provision of crisis accommodation and support options for Aboriginal women and children based on core and cluster-style and best-practice models with access to longer term housing.

The Koori Family Violence and Victims Support Program will be resumed and Koori Family Violence Police Protocols implemented. Data collection will also be improved.

23. Older people (153, 154, 155)

Recommendations for the dissemination of family violence information to older persons be done creatively, such as in the information pack for Victorian Seniors Cards. Workers in this area to complete certified training in identifying and responding to family violence. Another recommendation is for Victoria Police to have a dedicated family violence team to work with older persons.

24. CALD (156, 157, 158, 159, 160, 161, 162)

These recommendations cover access to interpreters and family violence training for interpreters; highlighting the risks of using perpetrators or children as interpreters as well as using the same interpreter for both the victim and perpetrator – this recommendation also relates to Victoria Police and the courts. Issues such as forced-marriage, dowry-related abuse and female genital mutilation are addressed. There is also a recommendation to broaden the definition of family violence in the Migrations Regulations 1994 to be consistent with the FVP Act.

There is a notable lack of mention about visa issues and permanent residency.

25. Faith communities (163, 164, 165)

Faith leaders can play an important role in educating the community about family violence, reinforcing standards in relation to respect, dignity and non-violence. Religious beliefs, such as those about divorce or gender roles, are barriers.

The recommendations include specific training packages; DHHS review their standards to ensure inclusion of the needs from faith-based communities; and internal examination of the way faith communities address family violence.

26. Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) communities (166, 167, 168, 169)

The Commission recommends that the Victorian LGBTI Taskforce research their priorities and effective prevention strategies and intersection with health and wellbeing plans; all funded family violence services achieve the Rainbow Tick accreditation; the government to provide funding to improve service provision for LGBTI communities experiencing family violence and remove barriers to service provision discrimination.

27. People with disabilities (170, 171, 172, 173, 174, 175, 176, 177, 178, 179)

Recommendations to address the barriers for these groups include consistent data collection, education and certified training for all sectors, specialist crisis responses, refuges, amending legislation to make adjustments to the way people with a disability give evidence in courts, phasing out communal refuges, eligibility for services and the National Disability Insurance Scheme (NDIS).

28. Male Victims (180, 181)

Recommendation are to promote Victims Support Agency as the primary source of support for male victims of family violence and continuation of L17 referrals to this agency.

29. Rural regional and remote (182)

Recommendation that in the design of statewide services:

- Priority is given to reducing family violence in rural and remote areas;
- Improve access to services;

- Investigate and fund the use of technological solutions to provide access to service providers – among them those with experience in safety planning and counselling;
- When contracting for and funding services in these communities, recognise the importance of building capacity of universal services and the need for flexible contracting and funding arrangements in order to facilitate collaboration between different services and providers.

No mention has been given to aligning boundaries so service providers, including Victoria Police, can provide a more streamlined approach to service provision and response.

30. Women in Prison (183, 184, 185)

Identify and provide therapeutic interventions for women in prison who have experienced family violence and work with post-release services to identify risks and keep the woman safe.

31. Women sex workers (186)

Victoria Police to make changes to their Code of Practice re the investigation of family violence with women who work in the sex industry and acknowledge and work around the difficulties this poses.

32. Prevention (187, 188, 189)

Due to the complexity and intractable nature of this problem, the report acknowledges that prevention needs as much attention as other parts of the family violence system. Key recommendations include creating a culture of non-violence and gender equality, the need for education of children and young people, involving community in prevention and community led cultural change. Recommendations note a coordinated approach, dedicated funding, a mechanism for overseeing prevention work, alignment with the Gender Equality Strategy and Respectful Relationships education mandated in schools from prep to year 12.

33. The workplace (190, 191, 192)

The Commission supports a number of workplace based initiatives to prevent and respond to family violence including changes to the Fair Work Act 2009 to include family violence leave for employees and envisages the Victorian Government will model best practice policies.

34. Sustainable and certain governance (193, 194, 195, 196, 197, 198, 199, 200, 201, 202)

This section outlines the governance arrangements required to oversee system performance, policy development and implementation. The report acknowledge the complexities of this issue and the central role of family violence regional integration committees, and Regional Integration Coordinators. The Commission has recommended that the governance framework includes victim's views & experiences and is considered at all levels of government.

There is a recommendation for a Statewide Family Violence Action Plan to guide the implementation of the Commission's recommendations and a new independent Family Violence Agency to monitor and report on implementation. The following is an extract from the Summary and Recommendations section of the report (page 40):

The Commission recommends a governance framework that makes family violence—particularly victims' views and experiences—a central consideration for all levels of government, including local councils, provides strong leadership and supports effective and coordinated strategies to address family violence. The framework should be characterised by the following:

- ▷ a bi-partisan standing parliamentary committee on family violence
- ▷ a Cabinet standing sub-committee chaired by the Premier of Victoria
- ▷ a requirement for all ministers to report regularly on the risks and opportunities in their portfolio relevant to family violence
- ▷ Victorian Secretaries Board oversight of government administration arrangements for family violence policy
- ▷ a family violence unit located in the Department of Premier and Cabinet
- ▷ a Statewide Family Violence Advisory Committee and Indigenous Family Violence Partnership Forum
- ▷ family violence regional integration committees supported by regional integration coordinators
- ▷ an independent Family Violence Agency established by statute
- ▷ mechanisms for ensuring that the voices of victims are heard and are used to guide policy development and service delivery.

The Commission recommends that the Victorian Government prepare a Statewide Family Violence Action Plan, to guide implementation of the Commission's recommendations. A new Family Violence Agency should be established to monitor and report on implementation of the recommendations in this report and of the Action Plan. The Family Violence Agency would also have functions relating to the provision of expert advice on family violence, applied research, policy and evidence reviews, and the capacity to conduct own-motion inquiries into the operation of the family violence system.

35. Data, research and evaluation (203, 204, 205, 206)

Gaps in data collection result in wasted expenditure, inability to plan prevention and response. The recommendations include improved governance of data collection priorities and standards including evaluation; and continued funding for Australia's National Research Organisation for Women's Safety limited) to do research in relation to preventing and responding to family violence.

36. Industry Planning (207, 208, 209, 210, 211, 212, 213, 214, 215, 216)

The need for a skilled workforce is acknowledged as fundamental to the success of the reforms. A 10 year industry plan will be developed addressing qualifications (to become mandatory), remuneration, career paths and vicarious trauma. The plan will be sensitive to diversity and need for collaboration across sectors. It will also include the appointment of advanced family violence practitioners in each of the 17 recommended Support and Safety Hubs and family violence principal practitioners in DHHS, Department of Education & Training and Department of Justice & Regulation.

37. Investment (217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227)

In this section of the report, the Commission make recommendations in relation to budget projection and expenditure as follows (page 104-106):

- Recommendation 217 stated the Victorian Government introduce in the 2017-18 State Budget, additional output performance measures relating to the prevention of family violence...in order to increase the visibility of family violence in budgetary processes;
- Consistent methods of collecting data on activities related to family violence and inclusion of this information in annual reports be a requirement;
- The need to treat the extension of the National Partnership Agreement on Homelessness as a matter of urgency;
- Development of a demand-modelling tool or set of indicators for planning how government as a whole and relevant departments/agencies operate and that budget processes should take account of the cost of forecast demand; and
- The introduction of measures of contractual performance by service providers and regular overview and evaluation of these services that would involve independent experts as well as departmental staff.

The final recommendation is for the Victorian Government to increase its capacity to prevent and respond to family violence by redirecting existing resources, identifying new revenue sources, and exploring partnerships with Commonwealth Government in areas of overlapping responsibilities.