



Royal Commission
into Family Violence

WITNESS STATEMENT OF PROFESSOR DONNA CHUNG

I, Donna Chung, Professor of Social Work of Kent Street, Bentley, in the State of Western Australia, say as follows:

1. I make this statement on the basis of my own knowledge, save where otherwise stated. Where I make statements based on information provided by others, I believe such information to be true.

Current role

2. I am Professor of Social Work and Social Policy at Curtin University.
3. The current focus of my research is male violence against women, including the long term effects of domestic violence on employment, housing and mental health responsible fathering in the context of domestic violence and perpetrator intervention programs.

Background and qualifications

4. I am a social worker with 20 years' experience in social work education and social research.
5. Prior to my appointment to Curtin University in January 2014, I was Winthrop Professor of Social Work and Social Policy at the University of Western Australia.
6. From January 2007 until July 2011, I was Associate Professor of Social Work and the Director of the Centre for the Study of Safety and Wellbeing at the University of Warwick. From February 1995 until December 2006, I was a Senior Lecturer at the University of South Australia.
7. In 1987 I graduated from University and prior to commencing as an academic in February 1995, I worked in various public sector positions in the health sector as a practitioner, researcher and policy analyst.
8. I am an independent member of the Child and Domestic Violence Fatality Review Panel of the Ombudsman's Office of Western Australia. I am a board member of

the Gold Coast Domestic Violence Prevention Centre, a member of the Western Australian Health, Family and Domestic Violence Advisory Group and a member of the Australian White Ribbon Research and Policy Committee.

9. I have worked as a consultant to governments advising on policies and programs aimed at stopping gendered violence and promoting gender equality. I have also published on matters related to family violence such as programs for men who perpetrate domestic violence, dating violence, women's experiences of gendered violence and family violence program evaluation. Attached to this statement and marked "DC-1" is a copy of my curriculum vitae which includes my publication record.
10. I hold a Bachelor of Social Work from the South Australian Institute of Technology, now known as the University of South Australia, a Master of Public Policy from the University of New England and a Doctor of Philosophy from the University of Adelaide. My doctoral thesis examined violence and inequality in young people's dating relationships.
11. Attached to this statement and marked "DC-2" is a list of the key references which have informed the content of my statement.

Risk assessment and management of perpetrators of domestic violence

Current context

12. The overarching approach that has been shown to have most effect in ultimately reducing domestic violence has been community coordinated or integrated approaches where multiple key agencies are working in close collaboration sharing information and providing consistent responses which all are aimed foremost at promoting women's and children's safety.
13. In this context, perpetrator interventions need to operate as part of a local integrated response. However, the current system is lacking in a wide ranging and consistent response that involves an assessment of the perpetrator's risk and systems to effectively manage that risk at the very time that the risk can be at its highest, namely when the couple separate and an intervention order is taken out.
14. Under the current system:

- 14.1. a perpetrator may be served with a protection or intervention order (depending on the jurisdiction) by police, and is provided with varying levels of information (often dependent upon the individual officer) and little or no support. There is then little surveillance of his behaviour unless and until the victim or another person contacts the police about a breach of the order.
 - 14.2. the perpetrator may attend court for the hearing of an intervention order and (depending upon the jurisdiction) may volunteer or be ordered to attend a men's behaviour change program. However, there may be a significant wait list for the program (an average waiting time in Australia is 12 weeks), during which time there is usually no surveillance or supervision of him, and he is provided with little or no support to deal with his emotional response to the situation. Safety of the victim(s) generally depends upon the victim or another person contacting police about a breach of the order.
15. Breaches of intervention orders are also not often easily or effectively policed (Douglas 2007). Women are generally required to be responsible for their own safety and that of their children by reporting breaches of orders. The order is then only effective if the response to the breach is timely and effective in preventing further violence and abuse. Such orders do not have any deterrent effect for some perpetrators of violence. Post separation is a time of heightened risk for violence so breaches of orders are generally an indication of increased risk. In situations where there are orders made 'by consent, without admissions', the perpetrator not being assessed for risk can significantly compromise women's and children's safety as there is not detailed knowledge amongst services of the risk he poses. In situations where there is a high level of coercive control and little evidence of any physical violence this could pose a particular threat to have no risk assessment.
16. However, given that civil law intervention orders remain the main response internationally and this is unlikely to change in the near future, an important addition to current integrated interventions for perpetrators would be to implement a program of risk assessment, support and supervision for perpetrators following these orders being served. At present, some locations such as DV Connect's Men's Court Support Service in Queensland, provide assistance for men which is available on a voluntary basis, however, this would need to have some form of mandated requirement attached. For example, there could be a condition attached to the intervention order itself.

Risk management

17. Experience and research identifies separation as a time of increased risk for family violence. Studies have found that after leaving violent partners women have continued to experience abuse from them, often for a number of years. A recent study which I have yet to publish about Australian women indicates 62% experienced violence and abuse post separation. The abuse can change in form such as stalking and increasing control over aspects such as the children's care or family finances. Campbell et al (2007) in a review of intimate partner homicide research found that the majority of men murdered their ex-partners within 12 months of separation. This is often prolonged where women have child residency and contact cases before the Family Court and during later contact visits where handover can be an opportunity to abuse and threaten the victim or agreements regarding child contact are drawn out as a means of maintaining control over the victim (Laing 2010).
18. In some recent intimate partner homicides the perpetrator has killed his partner after the intervention order is in place. As noted in some research the order can further inflame some men post separation (Parkinson, Cashmore & Single 2011) and in some cases it is of little deterrent, particularly amongst men who have previous criminal histories that may or may not include domestic violence (Laing 2013).
19. In my research, men have reported that they understood the conditions of the intervention order but they did not understand the court and legal processes associated with them, for example the difference between an interim order and final hearing, the type of court where they appear and the type of evidence they are required to provide.
20. Having a case manager who can provide this information in simple language as well as undertake a continuing risk assessment would offer a much more informed assessment of the perpetrator's risk and appropriateness and readiness for further interventions. For instance, the case manager could assess whether the perpetrator is highly resistant to interventions and in denial about his behaviour, or whether he was more motivated and expressed a readiness to change. This information would be of much greater depth than is currently provided to the courts with respect to intervention orders. Additionally, the perpetrator has a source of

early information and referral so he has no reason to be contacting his partner/ex-partner or her supporters to get information.

21. The addition of this response would enable much greater information for the courts and provide an early means of determining risk and preparedness to seek help for change. The other consideration with such an approach is that it actually makes the perpetrator and the service system more directly responsible for the victim's safety, whereas at the moment the victim ends up having to report and collect evidence by default.
22. In this scenario, the perpetrator is more accountable for his own behaviour and choices through his direct participation with the case manager in determining his risk which can then feed into safety planning for the victim. This would obviously be undertaken in conjunction with the victim's information contact (such as a worker at a women's service) and not rely on self-reporting by the victim.
23. It would be beneficial to trial a model of this kind because at present one of the difficulties with legally mandated responses to domestic violence is the length of time between the initial police call-out and eventual attendance at a group men's behaviour change program as part of an intervention. North American evidence from Gondolf's (2012) large scale study suggests that the longer this period of time, the less likely it is that the group men's behaviour change program will reduce the perpetrator's risk of reoffending. In Australia, the length of time between police call-out and attendance at a group behaviour change program varies between jurisdictions but I have been advised it is usually at least 12 weeks.
24. The other complicating factor is the length of the intervention order. For example, if an intervention order is made in May for 6 months and attendance at a 20 week behaviour change program does not commence until August, the order will expire prior to program completion so there is no compulsion to complete the program. There is therefore a need to both reduce the time delay as far as practical and ensure that it is possible for the perpetrator to complete the behaviour change program in the period of time set out in the intervention order.

Conducting the risk assessment

25. In general, I think that the risk assessment tools used in Australian jurisdictions are similar and relatively robust as they have been well tested. However, the main issue with all forms of risk assessment is that the tools are only as good as their

users. Therefore, they are valuable if they are used consistently in combination with skilled professional judgement and that the assessment triggers an appropriate set of coordinated interventions. If either the risk assessment tools are not used effectively or the required interventions are not available, then the risk assessment is not really of any help in ensuring women and children's safety.

26. In my view, the key issues are when the risk assessment is undertaken and who participates in the risk assessment rather than which specific tool is used to assess the risk. As I have mentioned above, I think a common time for risk assessment which is not systematically addressed is at the time of intervention orders being served and the period immediately after service.
27. In relation to who participates in determining risk, it is critical that efforts are made to gather information from the victim and ideally any of her support system as she may be fearful of disclosing risk related information and/or her support system may be aware of other critical information. Making inquiries of a victim's support network will also give an indication if the perpetrator is harassing, threatening or assaulting her support people, which is typically an indicator of the perpetrator's high risk of post-separation violence. If the victim is receiving support from services, it is critical their views are incorporated. Whilst gathering this amount of information is time consuming it does enable a more comprehensive and dynamic risk assessment to be undertaken.
28. A comprehensive risk assessment is key because research evidence from the United States shows that women's assessments of their safety are generally consistent with professionals' assessments. Specific risk to the children should also be given consideration in these processes as professionals and other adults can under-estimate the risk the perpetrator poses to the children and the negative impacts he has already caused. For example, in situations where the perpetrator is not known to have used physical violence towards the child(ren) or may publically proclaim his love for his children, community members can often under-estimate the continuing risk posed by the perpetrator.
29. In relation to threats to physical safety, tracking devices on perpetrators and safety alarms for women are the best ways forward to date, but again it relies on a coordinated and organised system to respond promptly and safely. At this time there is only a small body of research about the impact specifically related to DV offences. The US researchers identified some key issues as the high cost of

devices so they may have limited availability and reliability of the technology, both of these issues may be less of a problem in the future with technology advancements. In relation to impact on further violence and abuse, the samples are small but women report feeling safer and there do not appear to be increases in offences (Erez & Ibara 2007). Within criminology such tracking options have been described shifting interventions towards a paradigm of being victim centric moving beyond being 'victim sensitive'. They also offer a way of not relying solely on victim report. A limitation is obviously that they will generally only be short term measures. US studies of tracking device use for the general corrections population indicate a reduction in re-offending and absconding (Padgett et al 2006).

Integration of services for victims and perpetrators of family violence

Case study – Gold Coast Domestic Violence Integrated Response

30. The Gold Coast Domestic Violence Integrated Response (**Gold Coast Response**) is a community based integrated response to domestic violence. From 2003-2005, my colleague Professor Patrick O'Leary and I documented the integrated response evolving on the Gold Coast including the policing responses at domestic violence callouts. From 2007 until 2010, along with colleagues Professors Andrew Day and Patrick O'Leary, I undertook an evaluation of the Gold Coast Response including evaluating men's responses pre and post program, interviews with practitioners involved and analysing records of women partner contacts. The research was funded by an ARC Linkage Grant.
31. The Gold Coast Response evolved with the local women's service, Domestic Violence Prevention Centre Gold Coast, as the lead agency supported by police and Corrections. I think the strength of the model is that these three lead agencies worked closely together in an organised and committed way.
32. The women's service was pro-active in gaining police and Corrections support for an integrated approach and that rippled through the organisations involved in the Gold Coast Response. The agency support provided to the Gold Coast Response went beyond individual commitment which is why I think it has grown and changed as needed. For example, when the Gold Coast Response commenced there was a 'fax back' process whereby the police would contact the women's service after attending a call-out to a domestic violence incident and (with the woman's consent) provide her details so that the women's service could contact her promptly and offer

her appropriate support. The women's service also ran a court support program for women making an application for an intervention order, so often the police would have ongoing contact with the woman from the initial call-out through to her attendance at court.

33. Importantly, the Gold Coast Response was initially a 'bottom up' development and not a 'top down' policy directive so it could grow according to the local context. In relation to the local context, it is important to note that all the interventions for perpetrators involve men who have been convicted for breaches of intervention orders and/or related assaults. Therefore, all participants in the behaviour change program have a Community Corrections Officer that attends the group program, conducts drug testing of the perpetrator in some cases and obtains the contact details of the perpetrator's partner in order to follow up with her.
34. The Gold Coast Response does not include any men who are not legally mandated to attend a men's behaviour change program. The delivery of the men's behaviour change program involves both Corrections and the women's service. Corrections and the women's service jointly facilitate the men's behaviour change program and the women's service contacts the perpetrator's partner. There are regular joint case management meetings between Corrections and the women's service where both agencies advise on risks posed by each male participant and the safety of his partner and children. There is information sharing by all parties.
35. The unique and valuable aspects of the Gold Coast Response are:
 - 35.1. Corrections and the women's service jointly facilitate the group aspect of the men's intervention ensuring partnership working which goes beyond information sharing.
 - 35.2. Advocates from the women's service sit and observe the men's group which is important for transparency and increasing understanding between the workers about what exactly each aspect of perpetrator intervention involves and 'looks like'.
 - 35.3. Amongst the three lead agencies (women's service, police and Corrections) there is a common understanding of domestic violence and the approaches which should be taken.

- 35.4. There is a staff member from the women's service who is responsible for managing the integrated response amongst agencies.
- 35.5. The court support service run by the women's service means that they have regular contact with Corrections and the Director of Public Prosecutions and a better understanding of each of their roles.
- 35.6. There is a very strong emphasis on providing ongoing contact and support to victims. There are regular meetings with the men's group facilitators to ensure that each woman is updated about ongoing circumstances and the level of risk posed by the perpetrator.
- 35.7. Running the men's behaviour change program onsite at Community Corrections emphasises the serious nature of the crime that has been committed and is symbolically important so as not to minimise what has transpired.
- 35.8. As an agency, the women's service are open to constant improvement of their services and approaches. For example, they have conducted research and evaluation and they ensure that their staff are exposed to other models so that any learnings can be adopted. The workplace culture at the women's service is a key strength and one of the reasons why they continue to develop their practice in this complex area.



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Donna Chung

Dated: 16 July 2015