

ATTACHMENT FM-3

This is the attachment marked "**FM-3**" referred to in the witness statement of Fiona Margaret McCormack dated 29 July 2015.

Domestic Violence Victoria

*Peak body for domestic violence
services for women & children*

Managing Risk: the interface between police and family violence services

*Domestic Violence Victoria Submission to the Victorian Royal Commission into
Family Violence*

17 July 2015

Acknowledgements

DV Vic would like to acknowledge the many women in Victoria who have experienced family violence, and whose courage and determination should be honoured. Enhancing the rights of these women and their children is at the heart of DV Vic's advocacy for an effective family violence system. DV Vic would also like to acknowledge the work of specialist family violence practitioners, and our members in particular. DV Vic members have been extremely generous in sharing their vast experience and thoughtful insights, all of which have informed our submissions and recommendations.

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About Domestic Violence Victoria (DV Vic)

As the peak body for family violence services in Victoria, DV Vic has a broad membership of over 60 state-wide and regional family violence agencies across Victoria, which provide a variety of responses to women and children who have experienced family violence, including every specialist family violence service in Victoria, community and women's health agencies, some Local Governments and other community service agencies. DV Vic has held a central position in the Victorian integrated family violence system and its governance structures.

Since our establishment in 2002, DV Vic has been a leader in driving innovative policy to strengthen sectoral and system responses to family violence as well as building workforce capacity and representing the family violence sector at all levels of government. DV Vic provides policy advice and advocacy to the Victorian Government about family violence prevention and response. DV Vic also plays a coordinating role in Victoria's work to prevent violence against women, particularly in our work with the media, through the former EVA media awards and the development of a framework for improving the quality and accuracy of reporting on violence against women.

DV Vic represents the Victorian family violence sector on the current Ministerial Advisory Group on Family Violence and the Statewide Violence against Women and Children Forum; and has sat on numerous other advisory mechanisms with oversight of responses to family violence, violence against women, homelessness and community services of the state and federal governments over the past ten years.

List of recommendations

Recommendation 1

That the Victorian Government undertakes an audit of demand on family violence services to develop an appropriate funding model that covers the continuum of service responses.

Recommendation 2

Findings and recommendations from various evaluations and reviews are made available to stakeholders in the family violence integrated system, for example to the members of the Ministerial Advisory Group on Violence against Women and other governance forums.

Recommendation 3

That training for Victoria Police is developed in consultation with specialist family violence registered training organisations.

Recommendation 4

That Victoria Police undertakes broad consultation across the family violence sector on the developments to their risk assessment processes and how to triage and develop a response system based on the degree of risk.

Recommendation 5

That the Victorian Government undertakes a comprehensive review of the Family Violence Risk Assessment and Risk Management Framework (CRAF) to include: mapping current use; addressing content gaps and providing additional guidance; establishment of an effective authorising environment to support consistent implementation and that the

redevelopment of the Victoria Police risk assessment tools and triaging process be embedded within this broader project.

Recommendation 6

That the Family Violence Risk Assessment and Risk Management Framework is reviewed regularly to ensure currency and its use mandated for all core services in the family violence service system.

Recommendation 7

That continuous quality improvement of family violence risk assessment process and referrals is maintained through routine feedback and evaluation between family violence specialist agencies and police units.

Recommendation 8

That the single-entry point assessment model, in which specialist family violence services, Victoria Police, Child FIRST and Child Protection services hold regular rapid risk screening (triage) of all police referrals for children via L17 forms, is initially piloted in selected sites, with a view to implementation across the state following evaluation.

Recommendation 9

Establish formal processes of feedback and evaluation between family violence services and police in order to ensure continuous quality improvement of practice and systems responses.

Recommendation 10

That having worked within a family violence unit is made mandatory for career progression into senior roles within Victoria Police.

Recommendation 11

That the Royal Commission analyses the current data challenges for the integrated family violence system in Victoria – including gaps in information – and provides solutions.

Recommendation 12

That the Royal Commission provides solutions to better integrate existing data sources used by different parts of the family violence system

Recommendation 13

Consider the creation of new data collection platforms that capture relevant information for family violence.

Recommendation 14

That any new measures required to evaluate the effectiveness of the family violence system are developed in consultation with the sector to ensure they are appropriately targeted with matching data systems capability.

Recommendation 15

That a statewide model for family violence system integration should incorporate best practice models of multi-agency co-location, embedded family violence workers and family violence specialist women's advocates.

Recommendation 16

That an urgent review of all legislation pertinent to the family violence sector is undertaken to ensure that information sharing between agencies and Courts is legal, consistent and timely, and that amendments are made to relevant legislation accordingly.

Recommendation 17

That DV Vic is commissioned to update the Code of Practice for Specialist Family Violence Services for Women and Children in line with contemporary best practice, system reforms, and current policy and legislation and with the addition of a section relating to child and adolescent perpetrators of family violence.

Recommendation 18

That the Lookout website is further enhanced to include practical and accessible information about the police and justice system to women and their family and friends seeking family violence support.

Recommendation 19

That the family violence system is funded through a designated, guaranteed, recurrent Commonwealth Prevention of violence against Women budget stream. The funding must reflect the level of demands cross the system from crisis responses, early intervention, post-crisis recovery and primary prevention. Funding for family violence should be protected in legislation from changing governments and policy agendas at commonwealth and state levels.

Recommendation 20

That the Royal Commission into Family Violence commissions modelling to determine a recurrent budget for family violence services that appropriately reflects demands and outputs of service delivery, and additional funding associated with building and retaining the family violence workforce.

Introduction

DV Vic welcomes the opportunity created by the Royal Commission into Family Violence to interrogate and strengthen the family violence system in Victoria. We believe that a stronger, more effective system will improve the safety and wellbeing of women and children experiencing family violence and reduce the incidence of serious harm through more effective and earlier interventions. It would also address the social and structural causes of violence against women through community prevention and policy and legislative reforms for gender inequality.

There is little doubt that a comprehensive review of the Victorian family violence sector is urgently required. Notwithstanding the well-acknowledged and serious limitations on accurate family violence data, the available statistics paint a dire picture of the prevalence of family violence in Victoria. There were 68,134 police incident reports in 2014, an increase of 82.2 per cent since 2010.¹ Over 25,104 women and children sought help from homelessness services in 2013-14 as a result of family violence.² Contacts to family violence services report dramatic increases, community legal services are unable to meet the increasing demand for family violence-related matters and the national referral and counselling service is unable to meet demand, reporting over 18,000 calls going unanswered this year. And this is a very partial reflection of the true extent of family violence. It does not capture self-referrals to family violence services, women who do not require homelessness services nor the numbers of women who haven't been in contact with any services or police about family violence.

¹Family incidents' Crime Statistics Agency,

<http://www.crimestatistics.vic.gov.au/home/crime+statistics/year+ending+31+december+2014/family+incidents>

²AIHW, 2014 Specialist Homelessness Services: 2013-14, Victorian Supplementary Tables, Cat. No: HOU 276. AIHW, Canberra

Unsurprisingly, the family violence system – specialist family violence services, legal services, the police, the courts, corrections, child protection – is struggling to cope under the weight of this unprecedented and growing demand. As community awareness about family violence increases, so do the pressures on the system to provide safety and future security for those experiencing it. There is reasonable community expectation that the family violence system is able to provide timely and effective response but the evidence is overwhelming to show that it currently cannot.

DV Vic does not believe that this is evidence of a system that is ‘broken’, rather it reflects a system that has evolved and adapted over decades in response to the growing and changing needs of women and children experiencing family violence, in the absence of a coherent and consistent policy platform and appropriate funding. Despite this, the family violence sector has achieved some significant reforms and built capacity in skills and practice to meet the increasing demand for services which should not be disregarded by the Commission.

That said, DV Vic is acutely aware of gaps, barriers and concerns about the ways the family violence system responds to the safety and long-term wellbeing of women and children. In particular we recognise that there is a gaping hole in relation to perpetrator accountability across the system. However, we argue that the important and innovative sectoral reforms developed through the comprehensive and collaborative processes from 2002-2010 under the previous Labor government are not disregarded. These reforms were not fully implemented however, and lost momentum with the change of government in 2010. In our view, it is critical that these reforms are used as the basis to build future reforms of the system. That reform process involved a collaborative critical examination of the system and generated a variety of strategies to address identified gaps and barriers. DV Vic believes that these strategies remain highly pertinent to the work of the Royal Commission.

This submission focuses exclusively on the ‘interface’ between Victoria Police and family violence services – in particular those family violence agencies that receive L17 police referrals. This interface is the absolutely critical linchpin for ensuring women and children’s safety. In this submission we consider the police referral process and first response, risk assessment, interagency collaboration, data collection and analysis. This paper also accompanies DV Vic Chief Executive Officer, Fiona McCormack’s Expert Witness Statement to the Royal Commission.

This submission is one of four submissions which focus on the key areas identified by DV Vic members:

- 1) Specialist Family Violence Services: The Heart of an Effective System
- 2) Considerations for Governance of Family Violence in Victoria
- 3) Working with Children and Young People experiencing family violence.

Our submissions are informed by consultation with DV Vic member organisations, including specific topic-based focus groups, interviews and roundtable meetings. DV Vic also has a close working relationship with the Family Violence and Sexual Assault Unit in Victoria Police and discussions with Unit members have also informed this submission.

While we limit our recommendations to these specific areas, DV Vic refers the Commission to submissions by other members of the No More Deaths Alliance, which address other critical components of the family violence system including: the legal system (Women’s Legal Service Victoria and the Federation of Community Legal Centres), perpetrator accountability (No To Violence) and the specific issues facing women from culturally and linguistically diverse communities (InTouch Multicultural Centre Against Family Violence), women from Aboriginal and Torres Strait Islander communities (Aboriginal Family Violence Prevention and Legal Service) and women with disabilities

(Women with Disabilities Victoria). We also refer the Commission to the submission on perpetrator accountability by the Centre for Innovative Justice.

Part 1: Policing family violence in Victoria: taking stock of progress

In the process of reviewing the family violence system to identify its strengths and problems, the changes and improvements that have occurred across the system over recent years can easily be underestimated or overlooked. The role of the police is critical to an effective family violence system that provides safety for women and children and holds perpetrators accountable for their behaviour and over the past 15 years Victoria Police have undertaken major structural, procedural and cultural reforms to fulfil this role. Historically, police responded to family violence as a private matter, ignoring or minimising it – largely mirroring mainstream community views. It was commonplace for women seeking crisis support to report unhelpful, dismissive and unformed responses from police. Given this history, DV Vic believes it is important to acknowledge and commend Victoria Police for the leadership, commitment and profound changes to police responses to family violence in Victoria.

As champions of the family violence cause, the Chief Commissioners, from Christine Nixon through to Ken Lay, provided strong leadership to effect these changes across the Victoria Police. From 2001, violence against women has been a priority for Victoria Police reflected in a range of initiatives which have dramatically improved policing responses to family violence and interactions with the sector. Some of these important changes include the development of strategic plans, *The Victoria Police Strategy to Reduce Violence against Women and Children 2009 – 2014*, and *Living Free from Violence: Upholding the Right – Victoria Police's strategy to reduce Violence Against Women and Children*. The introduction of the *Code of Practice for the Investigation of Family Violence and Code of Practice Toolkit* in 2004 (which included the introduction of the Family Violence Risk Assessment and Management Process and the L17 form) formalized referral pathways to family violence and other services within the system. Dedicated staff and units were appointed to work on family violence in 2004. Victoria Police have played a key role in building an integrated family violence system and adapting practices to the introduction of the *Family Violence Protection Act 2008*. The appointment of Australia's first Family Violence Assistant Commissioner and establishment of the Victoria Police Family Violence Command in 2015 marks the continuation of the reform process.

While the strong leadership of Victoria Police has achieved much, there is still more to do. The process of effecting such deep cultural change within an organisation as large as Victoria Police takes time. Promoting the reformist agenda into policing practice on the ground is a challenge but it is strengthened by feedback and evaluation from across the family violence sector. Throughout this reform process, DV Vic has developed a strong working relationship with Victoria Police. The issues identified and analysed and the recommendations made in this submission recognise the difficulties in achieving cultural change and change in the context of limited resources and structural impediments to consistency.

Part 2: The current state of play

2.1 Dramatic and continued increase in demand

The demand on police and family violence services, as well as the Courts, perpetrator accountability programmes and other community services, has significantly increased. Our research and consultations have clearly revealed that this demand vastly outweighs agencies' respective ability to provide appropriate responses. During the period April 2014 to March 2015, police submitted 69,442 family incident reports – this equates to a family incident rate of 1,166.9 per 100,000 and an eight per cent increase from the previous year. Family incident reports steadily increased at rates of more than twenty per cent year on year between 2010 and 2013 and the latest figure represents an increase of 94.4 per cent in just five years.

Increased reporting of family violence is associated with the introduction of the *Code of Practice for the Investigation of Family Violence* in August 2004, and legislative change brought about by the *Family Violence Protection Act 2008*. Likewise, there have been major changes to operational and governance practices within and between agencies (FV Regional Integration Committees, for example). The reporting of other offences, such as sexual assault, has also increased in Victoria in recent years.

Applications for Family Violence Intervention Orders (FVIO) and related hearings make up a huge proportion of cases in the Magistrates' Court jurisdiction with, we understand, some of the state's busier courts hearing up to 70 family violence matters per day. There were 33,879 family violence intervention orders granted in Victoria in 2013, an 88.9 per cent increase over ten years. Recent Victoria Police data reveals that 40 per cent of all offences are related to family violence, and one in three FVIOs are breached — an increase from one in four previously. In 2013-14, the majority of 'justice procedures offences' were related to contravention of safety notices or intervention orders. Offences focusing on specific variations of IVOs became more prolific in 2013-14, such as 'Contravene Family Violence Final Intervention Order' which increased 35.1 per cent, and 'Contravene Family Violence Interim Intervention Order' which increased 39.1 per cent. Further, there has been an 800% increase in criminal charges laid in connection to family violence offences over the past decade³.

Protocols currently in place mean that for the majority of the nearly 70,000 reports to police each year, there will be corresponding referrals — for women, children and men — to community-based support agencies. Established processes, such as L17s, have been 'added on' over time to routinize referral, and address evolving priorities. The introduction of L17s has meant that we now have a better picture of the volume of demand. However, this demand is unmanageable and without commensurate funding and resourcing, such 'add-ons' to the system are not sufficient to ensure high quality practice and the safety and wellbeing of women and children experiencing family violence. Further, the enormous numbers of referrals generate significant 'white noise' which can obscure the needs of families and create a perverse incentive whereby families must meet a high threshold of risk before action can be taken.

Family violence makes up approximately 40-80 per cent of police work in Victoria (depending on the region) yet police practice and interactions with the family violence system are inconsistent, variable and often reliant on individual relationships and skills. The introduction of the L17 referral system (also known as 'faxback') has created some degree of procedural consistency in police responses to family violence incidents; it has also resulted in an

³ Wendy Steendam's evidence to the opening session of the Royal Commission into Family Violence on Monday 13 July 2015, http://www.rcfv.com.au/MediaLibraries/RCFamilyViolence/Transcripts/Transcript-RCFV_Day-001_13-Jul-2015_Public.pdf

exponential increase in demand on the family violence agencies designated to receive and respond to these referrals. Family violence services are under extreme pressure to manage demand, including responding to the increasing number of L17 referrals from police. The net effect is that the 'system' is constantly in crisis mode responding to crisis situations. It is reactive, ad hoc, limited in its potential, unsustainable, and potentially harmful for women and children experiencing FV and for workers.

Increased reporting of family violence has also led to a concomitant increase in demand on Child Protection, with many children being referred into Child Protection as the main pathway for risk assessment and support. This issue is addressed in detail in DV Vic's 'Working with children' submission.

2.2 Unrealistic funding and underestimated targets for family violence services

The overwhelming demand on the 'system' in the face of endemic family violence within the community has resulted in a response that is under strain and ad hoc. Funding for 'L17 agencies' (designated family violence agencies that receive and respond to police L17 referrals) grossly underestimates the number of referrals received. DHHS funds agencies to meet set targets for police referrals that are unrealistic and do not reflect the prevalence of family violence across all communities. In some cases agencies are unclear what they are funded to respond to. For example:

- Good Shepherd's Peninsula Family Violence Program is funded to respond to 72 L17 police referrals per annum; they had already received 1,413 in the nine months to March 2015, an average of 157 per month.
- Quantum Support Services (QSS) received 2,208 L17s from 1 July 2014 to 31 March 2015, an average of 245 per month. They receive 0.8EFT funding to respond to L17s; however, they have assigned two full-time staff to respond to L17s and intakes and this is still insufficient.
- The Centre for Non-Violence (CNV) in Bendigo receives L17s for men and women – their funded target for men is 100 per annum, yet they received 1,106 between May 2014 and May 2015; there is no target set for women, yet they received 1,708 for the same time period.
- Eastern Domestic Violence Outreach Service (EDVOS) received 4,853 L17s for women between July 2014 and April 2015, an average of 485 per month.
- WAYSS is funded to respond to 12 L17s for women per annum and received 5,134 in 2013-14; their target for men is 312 per annum and they received 5,619 for the same period.
- Women's Health West (WHW), one of the highest recipients of L17s in the state, received 6,209 in 2013-14, an average of 517 a month.
- Berry Street Northern Family and Domestic Violence Service (NFDVS) received 7,826 L17s in the period July 2014 to April 2015, an average of 782 per month. NFDVS received 259 per cent more police referrals in 2013-14 than in 2009-10.

The volume of referrals generated by Police since L17s were first introduced clearly demonstrates continuously increasing demand on family violence services. Some 'non-L17' agencies are also receiving Police referrals now. Yet it is indisputable that targets and associated funding to agencies have not been adjusted in light of this. This disparity between projected and actual numbers of referrals impacts upon services' ability to respond in a timely

fashion, consistently and with the quality that they intend. It also exerts a huge amount of pressure on services when triaging and creates a perverse incentive for women accessing services to meet the highest thresholds of crisis or risk before action can be taken. Many agencies have had to completely re-organise their operational approach, taking resources away from other activities such as case management and longer-term support and with no alternative but to absorb the drain on resources. DV Vic members also noted that this approach takes a heavy toll on workers who are constantly responding to crisis without adequate resources – longer term case management rather than crisis response is preferable for both clients and workers.

It is true that efficiencies can be made with current resources by improving systems, standards, training, multi-disciplinary approaches and implementing primary prevention activities. However, the reality remains that the interface between police and family violence services is grossly underfunded according to what is unprecedented demand. It is absolutely critical to be clear that this exponential increase in demand is unprecedented because violence against women has historically been underreported – even so, Victoria Police have publicly stated that reports to police likely represent only 50 per cent of the violence experienced by women in the community. Thus, efficiencies alone would be nowhere near sufficient to ensure that women and children experiencing family violence receive the response they require.

Recommendation 1

That the Victorian Government undertakes an audit of demand on family violence services to develop an appropriate funding model that covers the continuum of service responses.

Administration by family violence services of L17 Police Referrals

L17s also generate further demand on family violence services' limited resources from an administrative perspective. Good Shepherd estimates that it takes 15 minutes per referral to input data into the Specialist Homelessness Information Platform (SHIP) database as required by DHHS. This is 350 hours of administration in nine months without even considering the work associated with following up and providing ongoing support as required with the women and children (and men in some cases) cited in the referral. EDVOS estimates that they spent 1,277 hours processing L17s in 2011-12 and 1,725 hours in 2013-14. DV Vic is aware that some agencies have assigned a dedicated worker to the administrative processing of L17s. Again, this takes much-needed resources away from outreach and response activities. Further, the data that must be inputted into SHIP – a homelessness platform – is focussed on measuring numbers of referrals rather than outcomes and does not capture a complete and accurate picture of family violence in Victoria which limits its utility. DV Vic understands that some agencies have established their own data systems in order to capture relevant information, which allows them to target their response (to recidivist addresses, for example) – mapping outcomes before, during and after particular interventions.

Further, it is almost impossible to make meaningful comparisons of the data across services/regions since there is little consistency in how this data is collected and collated. The issues related to SHIP are discussed in more detail below at 4.6.

2.3 L17 Referrals: police procedure

Most stakeholders agree that L17s have introduced a level of procedural consistency to Police response to family violence. However, DV Vic's consultations indicate that quality control around L17s is an issue – some services

report spikes in data and fewer errors when there's a particularly proactive Family Violence Advisor (FVA) who demonstrates strong leadership on family violence. Our members report that it is clear from an L17 which Police officers have a good understanding of the dynamics of family violence and which don't; for example, in some regions Police will designate a family violence 'incident' as 'non-specific conflict' or will identify a woman as the perpetrator, or the woman and her male partner as co-respondents, even when the woman has historically been identified as the affected family member (AFM). L17s generate separate referrals for women, men and children and therefore do not provide correlated information about the perpetrator's identity, which means that risk assessment is necessarily done without access to full information about the critical relational aspects of a woman's experience of violence.

We are aware that L17s are often received with missing or incorrect information and this has serious implications including placing an undue burden on family violence services. For example, if the consent box is not ticked, services cannot contact the referred person; similarly it's not uncommon for respondents to provide false phone numbers (which are not verified at the scene) preventing services from making contact. It is our understanding that L17s are now completed by Police as an electronic form through LEDR which means they cannot proceed without inputting requisite data. However, once the form is completed it is immediately sent to the agency (or agencies) receiving the referral(s) before it is cross-checked by a supervisor; there is currently no mechanism to provide updated information in real-time; likewise, services do not routinely supply feedback to Police about errors and omissions. Although it is a stipulation of the Victorian Police Code of Practice, Police officers do not necessarily complete the L17 on-site (we have heard reports that some Police are bringing technology into cars in order to do the L17 in the field), and do not necessarily ask questions about historical violence or abuse.

The implications of Police as first responders undertaking initial risk assessment will be discussed in more detail below at 3.2.

2.4 Varied practice across Victoria

Feedback from family violence services indicates that practice around L17s across the state is inconsistent and highly dependent on the availability of limited resources and the commitment and priorities of particular senior Police. This is not entirely surprising as key relationships have historically played an important role in the system. One example is the response to IVO breaches, where Police in Morwell exercise zero-tolerance to breaches of IVOs. In other regions, DV Vic has heard that Police only respond when men breach more than three times in three months or they don't breach on 'technicalities' – workers report that perpetrators are aware of the local 'rules' and tailor their breaches accordingly.

Many FV agencies and local police have established close working relationships and promising practices are emerging through pilot projects and informal multi-agency approaches, notwithstanding existing barriers to effective information sharing which are addressed in Section 3.6. Interestingly, many of these approaches share common approaches to collaboration, information-sharing and priority setting. However, DV Vic is aware that findings from various projects are not necessarily routinely shared amongst stakeholders in the integrated family violence system. Examples of the range of ways of working include:

- The Taskforce Alexis project in the southern metro region, in which a specialist family violence worker is embedded with police and participates in daily triaging and risk assessment meetings. Based in the Southern Metro region, Taskforce Alexis in an integrated response team approach that includes a specialist family violence worker embedded in the police unit focused on responding to recidivist family violence

families. The family violence worker works in partnership with the police officer to conduct daily review and triage of the L17 referrals, with full access to the LEAP database, and then in consultation with the family violence service and police, provides joined-up assertive outreach with designated families.

- The Southern Metropolitan Sub-region Regional Family Violence Integrated Committee (RIC) holds regular quarterly multidisciplinary ‘faxback’ meetings with family violence services, Police, Corrections and Child Protection to review cases and procedures, address errors and discuss de-identified cases from a systems-based perspective. More frequent informal communications and case reviews occur through routine meetings between police and family violence workers in the region.
- In the Geelong/Barwon region, the Victoria Police Family Violence Advisor runs weekly Multi-Agency Information Sharing Meetings (MAISM) to share information about recidivist family violence offenders and identify actions to hold the perpetrators accountable and protect women and children’s safety.
- As part of their men’s service, Bethany have a Men’s Case Manager working one day a week at the Geelong Police Station to allow for immediate engagement with men.

Recommendation 2

Findings and recommendations from various evaluations and reviews are made available to stakeholders in the family violence integrated system, for example to the members of the Ministerial Advisory Group on Violence against Women and other governance forums.

Police ‘churn’

There is considerable turnover of police in working in the family violence area which impacts on communications within police and with FV agencies, institutional knowledge on family violence, and quality and consistency of practice. We understand that new police recruits work in family violence in ‘training’ roles leading to a local workforce churn as often as every three months. Some reports indicate that new police graduates ‘can’t wait to get out’ of family violence units. This is compounded by attempts by Police to mitigate against vicarious trauma that may be experienced by officers attending family violence. Family Violence Liaison Officers (FVLO) at stations are rostered to the family violence ‘portfolio’ on a shift-basis and this can reduce consistency of response. Ultimately, this can result in significant losses in knowledge, understanding and experience and an added burden on family violence services to continually build and rebuild key relationships.

Part 3: Shaping an effective response at the interface between family violence services and police

3.1 Police Training

Through our consultations we have been unable to obtain detailed information about the training provided to Police, or how it is developed, reviewed and delivered. Force-wide training was delivered to support implementation of the Family Violence Act 2008, which introduced new Police powers to respond to family violence, and broadened the definition of the range of behaviours understood to constitute family and the range of family members that might be affected. In the past, specialist family violence services have provided training to Police in a localised context but in many cases this has dropped off due to the need for services to prioritise response to referrals. It is DV Vic's understanding that cadets receive training on family violence at the Police Academy, but that it is somewhat rudimentary and focused on the operational/procedural elements of Police response to family violence.

DV Vic understands that Police consider 'on the van' training – or exposure to family violence incidents – to be of greater value than training provided through the Academy. However, some Police are concerned that new graduates' limited life experience can result in them experiencing vicarious trauma, or becoming desensitised to or overwhelmed by family violence. DV Vic has concerns about unstructured training in high pressure environments, which may not be adequately supervised nor subject to appropriate system-level oversight. Further, given that police are members of the broader community, DV Vic is also concerned about the risks of adopting myths and misconceptions about family violence.

While we are unable to make an assessment about the nature of the training itself, we recognise that there is a need for all parts of the response system to have a nuanced understanding of family violence in order to accurately assess risk and to ensure women and children's safety. The ability of Police to undertake the operational requirements of responding to family violence (for example, completing the L17) and to assess risk in their capacity as first responders is severely undermined where a deep understanding of the dynamics of family violence is lacking. DV Vic believes that comprehensive and ongoing training is required to address this deficit. To this end, DV Vic endorses the recommendation made by No To Violence in their submission to the Royal Commission that all Victoria Police members, current and future, participate in a minimum two-day post-Academy introductory training on family violence, including components on perpetrator engagement and that this training be refreshed through one-day booster trainings on a two-yearly basis.

DV Vic is encouraged by and supports Victoria Police's proposal to establish a Family Violence Centre of Learning. DV Vic looks forward to continued engagement, with other stakeholders in the family violence system, in the Centre's development. It is DV Vic's position that a multi-disciplinary, cross-sectoral collaborative approach informed by minimum standards and shared goals would constitute best practice for police training in a fully integrated system.

Recommendation 3

That training for Victoria Police is developed in consultation with specialist family violence registered training organisations.

3.2 Risk Assessment

The role of police in undertaking family violence risk assessment is a critical linchpin in the integrated family violence system. The information gathered by police when they attend a family violence incident, is essential to building a comprehensive understanding of the level of risk faced by a particular family. With the specialist family violence services, this information informs subsequent decision-making and the support received from there on.

The use of family violence risk assessment in the policing context also supports system integration and effective working relationships between family violence services and police to a common goal of ensuring women and children's safety and perpetrators' accountability.

In general, police risk assessment processes around family violence provide a structured guide for police to gather relevant information and a mechanism for passing that information on to women's and men's services. Currently, police are expected to undertake the first assessment of risk at a family violence incident and document the risk assessment in the L17 referral form which is then forwarded to relevant agencies who contact family members. If the woman chooses to engage with the agency, specialist family violence services then undertake a comprehensive risk assessment and safety planning.

Although police have been undertaking family violence risk assessment for a number of years, there are ongoing concerns about police capacity and skills in this area. DV Vic believes these gaps warrant close consideration by the Royal Commission. Clearly there is no expectation or requirement for police to display the same level of skills and practice as specialist family violence services, however it is vitally important that police risk assessment processes meet the standards required by their role in the system response. Sub-standard police risk assessment processes can have serious implications for women and children's safety.

Family violence workers report that the police assessment of risk is often inaccurate and this can mean that women and children are being repeatedly overlooked by the 'system' until they reach a higher threshold of risk. While there can be a high level of skill among some police members in undertaking appropriate risk assessment family violence workers report that:

- Police members view risk assessment as a 'form filling' process – simply the completion of the L17 form rather than the more nuanced process required by the Family Violence Risk Assessment and Risk Management Framework (CRAF) which is premised upon application of professional judgement alongside the woman's level of fear and the presence of risk factors.
- The evidence-gathering role of completing the L17 is a critical element in the police procedure at family violence incidents, and the focus on evidence-gathering can detract from the risk assessment process. However, evidence-gathering and risk assessment are both equally important components of the police response.
- Despite the inclusion of questions about past history of violence in the L17 form, police can at times treat the family violence incident as a one-off, time-limited incident and not view the risk through the lens of what is frequently ongoing coercive control and abuse within intimate partner and familial relationships and levels of risk that can change and escalate rapidly.
- There is no operational mechanism to enable new risk-relevant information about an alleged offender or a victim to inform a review of the risk assessment and for this information to be shared in certain circumstances.

- Standard police training only extends to basic risk assessment at most, (and many officers may have had no training) which means that their use and understanding of the CRAF is limited. For example, the CRAF does not explain what ‘controlling behaviour’ is and being able to assess for these behaviours is critical for properly assessing a family violence incident.
- Police may access regionally available CRAF training, however it is our understanding that relatively few take up this option and where they do, this training is generic and not tailored to the policing context;
- Police understanding of risk for children can be unsophisticated. DV Vic is aware of reports that indicate children were not witnesses or were unaffected because they were in their bedroom or conversely, making inappropriate referrals to Child Protection just because a child or children are present. In completing the L17 form, police make the decision to refer the incident to either Child FIRST or Child Protection, which can have significant consequences for the mother and children.⁴
- The quality of L17s are further compromised when insufficient information is included, consent checkboxes are left blank; contact details are unverified (for example, men providing false phone numbers); attending officers cannot be contacted by family violence agencies; referral fields are auto-populated and limited excerpts of information are received by family violence agencies. There is often confusion where police do not refer to other agencies in the L17 and assume that family violence agencies will take up the referral process.

Forthcoming changes to the police risk assessment process

Victoria Police is currently re-designing the risk assessment framework it uses based on a tiered response to family violence with a view to managing demand pressures. This is consistent with the proposal to introduce sector-wide risk categorization outlined in the Victoria Police submission to the Royal Commission.

While DV Vic understands the impetus for Victoria Police to streamline and simplify the risk assessment process for frontline police, we would caution that given the pressure of demand on the family violence system and the dearth of resources, it will force a scenario in which only the highest risk cases receive a response. Further, given the tendency of police to under-assess risk, such a tiered response could leave women and children assessed at lower risk thresholds without the opportunity for further risk assessment and follow up support by family violence specialists.

It is critical that the CRAF remains aligned across the integrated family violence system in adherence to its original objective. DV Vic has outlined our concerns that deviations from CRAF in our paper to the Royal Commission ‘*Specialist Family Violence Services: The Heart of an Effective System*’.

Recommendation 4

That Victoria Police undertakes broad consultation across the family violence sector on the developments to their risk assessment processes and how to triage and develop a response system based on the degree of risk.

Recommendation 5

⁴ See the DV Vic submission Working with children and young people experiencing family violence for more detailed discussion of this process

That the Victorian Government undertakes a comprehensive review of the Family Violence Risk Assessment and Risk Management Framework (CRAF) to include: mapping current use; addressing content gaps and providing additional guidance; establishment of an effective authorising environment to support consistent implementation and that the redevelopment of the Victoria Police risk assessment tools and triaging process be embedded within this broader project.

Recommendation 6

That the Family Violence Risk Assessment and Risk Management Framework is reviewed regularly to ensure currency and its use mandated for all core services in the family violence service system.

Recommendation 7

That continuous quality improvement of family violence risk assessment process and referrals is maintained through routine feedback and evaluation between family violence specialist agencies and police units.

A single entry point for police referrals

Police risk assessment and referrals of children experiencing family violence is a key area of concern, identified and discussed in detail in DV Vic's submission, *Working with Children and Young People*, and others. Police assess the risk of children at family violence incidents and make referrals to Child FIRST or Child Protection services, according to the level of risk. However, there is strong evidence that these assessments are not accurate. Currently, the majority of referrals to child protection do not meet the high risk threshold for intervention and this has significant adverse consequences for everyone, including the women and children experiencing family violence and on the workload of child protection services.

The Victoria Police submission to the Royal Commission includes a proposal to introduce a single entry point for making referrals for children, which would enable Child FIRST and child protection workers to determine the most appropriate referral pathway, rather than police undertaking this triage role at the point of referral. DV Vic believes that the notion of single entry points – located within defined geographic boundaries – for police referrals has merit and should be considered by the Royal Commission. However it is critical that specialist family violence practitioners are also involved in the triage process in order to share appropriate information and inform the risk assessment process. Police participation at the triage point is also critical because of the information that police bring to decision-making about referral pathways. We propose that this process should not be limited to referrals for children, but include pathways for Affected Family Members and Respondents as well.

The L17 Triage Project currently underway in Victoria involving child protection and Victoria Police and Berry Street is a good practice model for development of a differential response. The project partners meet twice-weekly with responsibility for assessing all L17 referrals to determine the best response. The aim of the Family Violence L17 Project was to provide a more effective response to family violence incidents. By providing a collaborative and streamlined approach, information is shared amongst all parties and appropriate interventions are identified to support the children and families that have been impacted by family violence. Through this process, around 80 per cent of referrals are found to not meet the threshold for child protection services. It is also important to note that many children living with family violence do not meet the threshold for a child protection investigation or come to

attention via an L17; they nonetheless may have significant support needs and professionals may have serious concerns for their safety and wellbeing (McDougall & Gibson 2014). The L17 Project is currently subject to an evaluation by the University of Melbourne.

Recommendation 8

That the single-entry point assessment model, in which specialist family violence services, Victoria Police, Child FIRST and Child Protection services hold regular rapid risk screening (triage) of all police referrals for children via L17 forms, is initially piloted in selected sites, with a view to implementation across the state following evaluation.

3.3 Minimum standards of practice, quality assurance and system integration

Victoria Police is bound to the Code of Practice for the Investigation of Family Violence and the (recently refreshed) Family Violence Referral Protocol between the Department of Human Services and Victoria Police 2015, which together establish the minimum standards of response to family violence. However, documentation is not a guarantee of high quality practice on the ground and it is evident that adherence to these standards is inconsistent and patchy across the state. Practice quality can only be assessed and improved through a continuous feedback process and regular reviews and evaluation. DV Vic believes that a multidisciplinary approach to quality assurance and system integration, including at the interface with Police is critical, but there are limited opportunities within the current system to formalise and authorise agencies engagement in this process.

A significant benefit of this process would be building skills and expertise across the family violence sector, strengthening the understanding of different practice frameworks and reducing the risk of contradictory responses. Victoria Police have adopted some promising initiatives for capacity building within their workforce. For example, the role of the Regional Family Violence Capability Advisor based in Dandenong to resource family violence units as well as general workforce in the southern metro region. This role could usefully be replicated across the state. The role of Family Violence Advisors is also effective, in many cases with FVAs working proactively to ensure that all officers follow the Code of Practice and put in place appropriate plans for women, children and men. Additionally, DV Vic is aware of a range of informal processes initiated by individual police and family violence services to provide a 'feedback loop' on L17 referrals.

Formalising processes of feedback and evaluation of practice between agencies would improve practice and strengthen system integration. The process would include continuous feedback on police referrals and services follow up involving all the relevant agencies, so that errors and omissions are routinely detected, systems reviews conducted at regular intervals (quarterly or bi-annually) and regular multilateral evaluation meetings. Analysis of services' data could also be shared and collated to build knowledge at the local level. This approach would necessarily be driven by the collective aims of system integration and underpinned by principles of mutual accountability and shared responsibility.

Recommendation 9

Establish formal processes of feedback and evaluation between family violence services and police in order to ensure continuous quality improvement of practice and systems responses.

Recommendation 10

That having worked within a family violence unit is made mandatory for career progression into senior roles within Victoria Police.

3.4 Data collection, analysis and administration

The SHIP database is a homelessness platform and therefore does not capture full and relevant data for family violence. Data collected by agencies in this format wildly underrepresents the work that they are doing, and the opportunity to build a body of evidence about demand on the 'system' is missed. Forcing FV into a homelessness framework also skews the data on homelessness. While some agencies do collect and analyse additional data, this is not consistent or shared across the sector and not reported for central data analysis.

Data collection and sharing is a key issue for governance of the family violence system. The capabilities of the present data collection and data sharing arrangements across the family violence field in Victoria are extremely limited. This is widely recognized as a significant shortcoming in the state's response to family violence and requires urgent attention. It is difficult to achieve a comprehensive picture, or cross-sectoral view of family violence in Victoria, both at a systemic level and for individual clients.

At a systems level, the current approach means that there is lack of access to real time, meaningful and comparable data about how the integrated family violence system is working, where the bottlenecks, gaps and greatest needs are, and how this compares across regions.

Different sectors utilise different data collection systems and reporting mechanisms; for example, specialist family violence services are required to use the SHIP, a homelessness platform, which fails to capture critical information about family violence risk. There are compatibility issues between the system's respective databases where data cannot be shared across Police, Courts, and DHHS funded services. This results in silos of isolated data that are not able to be shared easily, if at all, for the purpose of protecting women and children's safety and monitoring perpetrators.

The Victorian Family Violence Database Trend Analyses undertaken by the Department of Justice attempts to broach these data divides and it has been a very welcome resources in the absence of a unified data collection system. However the deficits in the current system have restricted its scope as well. Victoria's Minister for the Prevention of Family Violence has also sought to tackle this issue by commissioning work on the development of a Family Violence Index, which aims to bring together existing data sources to establish a cohesive picture of family violence. DV Vic commends the intention of the Family Violence Index, however, the mechanisms for the collection of data by services at a local level and how this data will inform the Index and vice versa, will need to be thoroughly examined.

While it is critically important to investigate mechanisms to make existing data system compatible, the development of a universal data system that has information about family violence risk as its operational centre and can be utilized by all parts of the family violence system, would be a ground breaking. The Royal Commission provides an excellent opportunity to drive the development of such a family violence data system.

Recommendation 11

That the Royal Commission analyses the current data challenges for the integrated family violence system in Victoria – including gaps in information – and provides solutions.

Recommendation 12

That the Royal Commission provides solutions to better integrate existing data sources used by different parts of the family violence system

Recommendation 13

Consider the creation of new data collection platforms that capture relevant information for family violence.

Recommendation 14

That any new measures required to evaluate the effectiveness of the family violence system are developed in consultation with the sector to ensure they are appropriately targeted with matching data systems capability.

3.5 Inter-agency collaboration

Co-location of multiple agencies is one option for integration of the family violence system. Currently, different agencies are co-locating in various locations and settings, including projects which trial co-location with family violence services and community legal services, but there are few established, long term evaluated examples of this model in Australia. One long term and successful example of co-location is the Neighbourhood Justice Centre (NJC) in the City of Yarra. Established in 2007, it remains the only community justice centre in Australia. The NJC includes a variety of agencies providing a legal assistance, family violence support services, mental health and alcohol and other drug services and counselling, as well as a multi-jurisdictional court that sits as a Magistrates' Court, Children's Court, Victorian Civil and Administrative Tribunal (VCAT) and a Victims of Crime Assistance Tribunal (VOCAT). In co-locating support services and community initiatives, the NJC focuses on addressing the underlying causes of harmful behaviours and social disadvantage. Community engagement is central to the work of the Centre, which includes a café and community art gallery and hosts a range of community activities in the City of Yarra. Agencies such as Berry Street provide family violence support services at the NJC. Evaluation of the Centre indicate positive results in a reduction of re-offending, increased offender compliance and community work and better administration of justice.⁵

Another model of co-location that has been proposed is to extend the four Multi-Disciplinary Centres (MDCs) for sexual offences to include family violence services. Currently the MDCs, in Dandenong, Frankston, Geelong and Mildura, co-locate child protection practitioners with specialist police investigators and Centre Against Sexual Assault (CASA) counsellors and advocates, with forensic medical practitioner linked in.

The advantages of multi-agency co-location include the accessibility of a range of services and the relative ease of communication between agencies, enabling the provision of wrap-around services for women and children. Co-location increases opportunities for agencies to gain greater understanding of each other conceptual and practice

⁵ http://library.bsl.org.au/jspui/bitstream/1/3713/1/njc_evaluation_main_document.pdf

framework. From the workers' perspective the convenience of proximity can increase productively and timely service delivery. However, the co-location of agencies in the context of family violence can be a disincentive for many of the women and children who use the services.

When the focus of co-location shifts from improving agency interactions to the perspective of the women and children using the services, the agencies co-locating are different. Positive examples of agency co-location include family violence services within health and homelessness services, where early intervention opportunities through risk identification by GPs and other service providers facilitate contacts with specialist services, such as the Salvation Army Crisis Centre in St Kilda. Because women are generally safe to visit doctors for themselves and their children, they are more likely to respond well to co-location within these settings.

DV Vic believes that when the perspectives and needs of women and children experiencing family violence are the primary consideration of multi-agency co-location models, the types of services and agencies included will be different from a rationale with the primary consideration of interagency communication and accessibility.

Embedded practitioner model

There are a number of examples of improved integration in service delivery where a family violence worker is 'embedded' in other agencies. Berry Street, for example, has family violence workers based in the Neighbourhood Justice Centre and the Ballarat Magistrates Court as well as outreach workers in other universal services, such as community centres, Centrelink, hospitals and the Hume Communities for Children. A Berry Street family violence worker is also involved in the Yarra and Whittlesea Police Partnership Project.

Another project trialling the embedded practitioner model is Taskforce Alexis in the Southern Metropolitan Region. This project brings together a multi-agency team of workers from Victoria Police Family Violence Unit based in Moorabbin, specialist mental health (Monash Health) and specialist family violence services (Salvation Army Family Violence Outreach in St Kilda). The Taskforce provides an integrated response to family violence and is focused on high risk and recidivist cases, defined as addresses at which police have attended three or more family incidents in the last twelve months.

There are a number of elements to the Taskforce Alexis model that are critical to its effectiveness. These highlight the advantages of the embedded model over co-location:

- The worker is employed and supervised by a specialist family violence service
- The worker is fully accepted as a member of (and not separate to) the team
- Decisions are made jointly prior to taking action, and with full information
- Client management systems are accessible, and
- Information can be shared.

Specifically, the family violence worker is fully embedded within the Police; she has a designated desk at the police station, attends staff meetings and is included as a full member of both the police and Salvation Army's teams. She works in partnership with the police officer to review and triage the daily L17 cases and, in consultation with the family violence service and police, she provides joined-up assertive outreach for early intervention.

Equally important to the effectiveness of the Taskforce Alexis model is the governance structure supporting the work. The daily operations of the Taskforce are supported by a Coordination Team and Executive Group, which

meet monthly and quarterly, respectively. These comprise full and associate members who are senior members of their organisations, with authority to make resourcing decisions and a collective commitment to the process.

Women’s advocates as integrative agents

As outlined in Part 3, women’s advocacy is an important component of the specialist family violence workforce skill set, involving comprehensive case coordination and active advocacy for the woman and her children. The women’s advocate model has the advantage of flexibility, as they can be ‘activated’ as needed by the woman herself or agency at different times and stages through the process. Importantly, through assertive advocacy in managing risks for the woman through her interactions with the system, the woman advocate also drives the integration process and facilitates continuous quality improvement of the systems. This role of women’s advocates is described as “An advocate can play an essential role in getting the system to provide what the victim needs in the way she needs it. Advocates not only help victims but also assist the system to be both efficient and effective.”⁶

DV Vic believes that valuing, formalising and funding women’s advocate positions is another useful tool in strengthening the family violence system, in combination with multi-agency co-location and embedded workers in particular settings, such as child protection and police.

In order for specialist family violence services to effectively deliver individual and systemic advocacy services, this role and its interface with other core services in the integrated family violence system must be articulated and authorised by the Victorian Government within funding and service agreements and within interagency agreements between the integrated services. Specialist services would require resourcing to provide enhanced advocacy services and to establish internal data gathering and analysis processes to monitor the system response.

Recommendation 15

That a statewide model for family violence system integration should incorporate best practice models of multi-agency co-location, embedded family violence workers and family violence specialist women’s advocates.

3.6 Multi-agency information-sharing

There is currently some confusion and misunderstanding among the sector about what information can be shared between police, family violence agencies, child protection and Child FIRST. The current hold up in the Risk Assessment and Risk Management Panels (RAMPs) and the need to resolve the issue of multi-lateral information sharing in that context has forced the issue of information sharing more broadly into the spotlight. DV Vic understands that advice issued by the Privacy Commissioner in 2009 in relation to information-sharing in the context of family violence remains current under the new *Privacy and Data Protection Act 2014* – however the advice requires updating.

Family violence workers report that detailed information about perpetrators is not routinely shared between the relevant agencies. Family violence agencies often know more about the perpetrator than the police based on what

⁶ Davies, JM & Lyon, E. 2014 *Domestic Violence Advocacy: Complex Lives/Difficult Choices* Second Edition, Sage Publications, London

the woman has told them; effective information sharing can be contingent upon personal relationships with police who will share info if there is an established positive working relationship.

Information sharing is clearly important to maintaining the safety of women and children, properly assessing the risks posed by the perpetrator and building useful perpetrator profiles, including a criminal history and access to weapons. Information sharing systems are critical when women and children move for safety.

A fully integrated family violence system requires multi-agency collaboration, information sharing and a collective understanding of purpose, process and outcomes at the level of statewide governance and at the service delivery level. DV Vic's submission, *Consideration for Governance of Family Violence in Victoria* provides detailed recommendations for regional and statewide governance arrangements for the optimum functioning of the system. This section outlines integrated models to enhance service delivery through effective information sharing and collaborative decision-making. These models are designed to streamline responses but also, importantly to break down barriers in agencies' purpose, practice protocols and conceptual frameworks, leading to better outcomes for women and children.⁷

It is important to note that the extensive sectoral reform processes conducted from 2001 onwards and resulting in the 2005 report, *Reforming the Family Violence System in Victoria*⁸, identified key points for multi-agency collaboration and information sharing essential for a fully integrated family violence system. Although the momentum for reform was largely sidelined from 2010 onwards, the essential elements required to strengthen shared understandings and practice approaches and information sharing identified through that reform process remain unchanged, awaiting the attention and commitment from government to bring them into action.

The advantages of greater integration are well established: better information sharing leads to speedier and more accurate assessment and management of risks, streamlining processes, timely and appropriate support, and continuous systems evaluation. The challenges to integration across the family violence system are significant. They include: the complex range of agencies and services involved, the different and, at times, conflicting professional approaches, which can be informed by different statutory frameworks, organisational culture, protocols and practices; diverse objectives and timeframes; access to and collation of different data-sets and legislative requirements around privacy and confidentiality.

In the absence of a government-driven, structured, statewide approach to multi-agency integration, family violence services have adopted a range of different collaborative working arrangements with different agencies to strengthen their work with clients. DV Vic's consultations have identified successful working relationships with police, child protection and courts in different locations, however these processes are largely build on positive relationships between individuals which have to be re-created when staff leave or are rotated into new positions. Because of this fragmented and localised approach, there is limited evaluation and information sharing about programs making it difficult to develop system-wide best practice processes and procedures. Our consultation processes have canvassed three service delivery integration models: multi-agency co-location; embedded workers and women's advocates. We make the case that all three approaches are needed to facilitate effective integration across the system and maximise the positive outcomes for women and children.

⁷ For example, Stanley, N & Humphreys, C. 2014 'Multi-agency risk assessment and management for children and families experiencing domestic violence', *Children and Youth Services Review* 47:1:78-85

⁸ http://www.dhs.vic.gov.au/_data/assets/pdf_file/0020/643124/reforming_family_violence.pdf

Recommendation 16

That an urgent review of all legislation pertinent to the family violence sector is undertaken to ensure that information sharing between agencies and Courts is legal, consistent and timely, and that amendments are made to relevant legislation accordingly.

3.7 Child and adolescent offenders

There is growing evidence and reports about an increasing cohort of adolescent and child family violence offenders. This issue requires the development of appropriate responses as currently there are very few specialised services to respond to this growing trend. This means that appropriate referral pathways for police are extremely limited.

The development of clear referral pathways and policy and practice guidance for police where adolescent family violence occurs is critical; however, investment in programs to address adolescent violence in the home must be prioritized. DV Vic believes that there is scope to build capacity within the family services (Child FIRST) system in responding to adolescent violence and developing appropriate programs, supported by practice standards.

Specialist family violence services practice in Victoria is informed by the 2006 Domestic Violence Victoria Code of Practice for Specialist Family Violence Services for Women and Children. Although the Code of Practice continues to provide a valuable framework for guiding specialist service delivery and practice, and is written into departmental funding and service agreements, it is now a decade since it was developed. There is an obvious need to update the Code of Practice in line with contemporary practice, policy and legislation and to encompass the issue of child and adolescent offenders.

Recommendation 17

That DV Vic is commissioned to update the Code of Practice for Specialist Family Violence Services for Women and Children in line with contemporary best practice, system reforms, and current policy and legislation and with the addition of a section relating to child and adolescent perpetrators of family violence.

3.8 Community awareness of police and justice response

DV Vic is aware that an overarching issue with the Police response to family violence is lack of awareness amongst the community about what can be expected from the Police and justice system or what a woman's options are in pursuing such a response; for example, what constitutes a civil or criminal offence in the context of family violence, what are the penalties for these offences, what are a victim's rights and obligations, what is the process of pursuing a civil or criminal remedy, and the implications in terms of cost, time, safety considerations.

Publicly available and accessible information about legal options and processes is critical for improving community understanding. There has been some progress in this area made with the development of online information and specific mobile phone apps, but this could be further developed and promoted.

DV Vic and the Domestic Violence Resource Centre (DVRCV) host The Lookout website⁹ – an online portal which was funded as a ‘one stop shop’ for workers in Victoria’s family violence service system. While the audience for this website is predominately professionals, we are aware that many women and their family and friends seeking information about family violence currently access the site. There is scope for The Lookout site to be further developed to provide user-friendly information and practical advice for anyone in the community seeking advice.

Recommendation 18

That the Lookout website is further enhanced to include practical and accessible information about the police and justice system to women and their family and friends seeking family violence support.

⁹ www.thelookout.org.au

Part 4: Funding reform for family violence services

The family violence ‘system’ has evolved in a broadly ad hoc and fragmented way; the result of responding to crisis points and system gaps as they arose. Specialist women and children’s family violence services have worked with key agencies across the sector to adapt, improve and innovate in order to meet the growing demand and understanding of the problem over a period of fifty years since the first government policy response to fund women’s refuges in the 1970s. Further, legislative and policy reforms in Victoria from 2002-2010 has resulted in unprecedented demand on the system without commensurate investment in the service system to meet the escalating demand.

This legacy of fragmentation continues to be reflected in a number of critical ways. Family violence services, and indeed the system broadly, are funded as though family violence is an individual, incidental and temporary problem – a marginal and private issue - rather than the complex, long-term and widespread social problem that it is. Funding for family violence services comes primarily through state government homelessness programs (the Specialist Homelessness Services System) and through a range of other community services budgets for project-based funding. This means that family violence funding is insecure, short-term, cyclical and subject to the vagaries of changing governments and policy agendas. This year, for example, family violence services were at risk when the Commonwealth Government threatened significant funding cuts to the National Partnership Agreement on Homelessness. Community legal services providing vital services to those experiencing in family violence are continually (and presently) fighting against funding cuts.

The family violence system is chronically under-resourced and unable to meet growing demand. Just one example of this is the woefully inadequate funding for family violence services that receive police L17 referrals as part of Victoria Police’s family violence incident report. Currently DHHS funds agencies to meet set targets for L17s that are unrealistic and do not reflect the nature and extent of family violence. On average, agencies are funded for around 70 L17 referrals per year. Services report that they are receiving approximately 160 referrals per month. Clearly the costs of administration and service provision for each referral are being carried by already under-funded agencies. This diminishes service capacity to meet the support needs of women and children experiencing family violence.

Inevitably, the combination of growing demand and under-resourcing of services inevitably impacts on capacity and the quality of service delivery. Family violence services are in constant competition over scarce resources as the demand increases exponentially. Much of the time of peak bodies, such as DV Vic, is diverted into the struggle to maintain current funding levels rather than the critical work of policy development, building service capacity, advocating for women and children to build a better system.

Notably, these inadequate funding arrangements create a range of problems which undermine the family violence system:

- Uncertain, inadequate and short-term funding promotes fragmented, localised service responses rather than a consistent, comprehensive and best practice response that supports statewide system integration.
- Under-funding results in services rationalising limited resources. This creates a perverse incentive in which women are unable to access crisis services until their need is assessed as sufficiently pressing. This process is not only dangerous it is more cost intensive than earlier interventions.

- Funding through budget programs that are not family violence-specific results in funding agreements on outputs – and therefore, most importantly, collected data – does not match the work family violence specialist services actually do. Funding and service agreements based on homelessness measure outcomes against preventing women and children from becoming homeless but do not address the range of other resource-intensive service supports women and children experiencing family violence need. Failure to adequately capture this need through the data results in the continuation of inadequate funding and system overload.
- Additionally, because the SHIP database is a homelessness platform and therefore does not capture full and relevant data for family violence, particularly the information relevant to risk. Data collected by agencies in this format wildly underrepresents the work that they are doing, and the opportunity to build a body of evidence about demand on the ‘system’ is missed. This makes it impossible to assess the effectiveness of the system in general. In particular, although the SHIP system counts the number of children housed, it does not count children as clients, which means that services are not funded for the therapeutic and other needs of children. This point is addressed in DV Vic’s *Working with Children* submission. Furthermore, forcing FV into a homelessness framework skews the data on homelessness.
- Funding uncertainty means that services divert limited time and staff resources to chasing funding through tenders and philanthropy.
- Programs are often short-term and project-based with insufficient time for proper evaluation or the capacity of successful programs to be continued, frustrating and demoralising both clients and workers.
- Limits workforce development, recruitment and retention. This funding environment means that the family violence workforce is insecure and the sector generally, is poorly paid.

Recommendation 19

That the family violence system is funded through a designated, guaranteed, recurrent Commonwealth Prevention of violence against Women budget stream. The funding must reflect the level of demand across the system from crisis responses, early intervention, post-crisis recovery and primary prevention. Funding for family violence should be protected in legislation from changing governments and policy agendas at commonwealth and state levels.

Recommendation 20

That the Royal Commission into Family Violence commissions modelling to determine a recurrent budget for family violence services that appropriately reflects demands and outputs of service delivery, and additional funding associated with building and retaining the family violence workforce.