



# Tim Pallas MP

## State Member for Werribee

Dear Commissioners,

I welcome the opportunity to make a formal submission to the Victorian Royal Commission into Family Violence in my capacity as Member for Werribee. Family violence is a scourge which has disproportionately affected the community of Wyndham.

While family violence is an issue which is not segregated to class, education, culture or area I acknowledge that it is disproportionately high in our growing outer suburbs.

I also acknowledge that in communities that have difficulty accessing policing, judicial and welfare services there is an increased rate of family violence.

This can often occur in communities where language, cultural or religious practices and economic access may make accessing support services problematic.

Included in this submission is information from local service providers and from my electorate officers.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Tim Pallas'.

**Tim Pallas MP**

**Member for Werribee**

27/5/2015

# Submission to the Royal Commission into Family Violence

## Introduction

As the Member for Werribee, I represent a growing and diverse area in the Wyndham region.

Wyndham is a fantastic area which is heavily geared towards providing good services, affordable housing and space for families.

Unfortunately, Wyndham also suffers from the prevalence and rise of family violence. This is an issue which has been rightfully put front and centre in public debate.

It is appropriate to have established the first Royal Commission into Family Violence to further investigate this long overlooked issue.

## Prevalence of family violence in Wyndham

Wyndham is a municipality which suffers heavily from the scourge of family violence with a reported 2362 family violence incidents reported in 2014.

This represents slightly more than double the number of family violence incidents reported in 2010.

The municipal area Wyndham has the highest rate of family violence incidents in the western suburbs and the sixth highest in Victoria.

These numbers reflect the seriousness of family violence for the Wyndham community.

Equally problematic is the issue of enforcing legal remedies in family violence situations with 1143 breaches of intervention orders recorded in 2014.

This represents a 59.8% increase from 2013.

Werribee Police has a dedicated Family Violence Unit that has been created to deal specifically with the rise in family violence incidents.

The Family Violence Unit states that they are primarily focused on recidivist offenders and ensuring that victims are receiving appropriate support

Whilst Wyndham is fortunate to have a dedicated Family Violence Unit there is little doubt that more work must be done to address the issue of family violence in Wyndham.

The Family Violence Unit believes there are a number of factors present in Wyndham which combine to produce high rates of family violence, these include; drug and alcohol abuse, poverty, cultural and linguistic isolation as well as mental health issues.

Through first-hand experience and anecdotal evidence it is clear that often victims of family violence have difficulty enforcing intervention orders or even having the Police investigate breaches.

The trend towards higher domestic violence rates seems to be prevalent in outer suburban communities with municipalities like Hume, Casey and Whittlesea also experiencing high rates of family violence.

As the Member for Werribee, I am encouraged to see the establishment of the Royal Commission, as it is important that we understand exactly what drives these higher rates of family violence and what services we can provide to ensure that this problem is addressed.

In the whole of government submission being prepared by the state, we will be raising concerns about access to justice and family violence services and infrastructure and the need for more investment. These issues are particularly acute in Wyndham. Further,

Many residents of Wyndham have migrated from overseas and consequently may not be aware of the services available or the fundamental rights afforded to them under the civil justice system.

I recommend that the commission read the excellent report, *Outer Sight Out Of Justice*<sup>1</sup>, produced by the Wyndham Legal Service.

Practically in Wyndham these issues have given rise to a general acknowledgement of the need for a Justice Precinct, accessible by public transport, which provides a range of legal advice services, court services and welfare services housed in one area. This proposal is designed to reduce barriers to legal services on many fronts.

This is also a concept which the Andrews Government supports and has committed \$30,000 into the planning process.

It is also important to acknowledge the additional practical aspects of resolving family violence such as addressing concerns of emergency/affordable housing and welfare availability.

The Andrews Government acknowledges that more work needs to be done on improving access to affordable housing. This can prove a serious impediment in family violence cases.

### **Economic and emotional abuse**

This issue has been well covered by another recent report of the Wyndham Legal Service, *Restoring Financial Safety; Legal Responses to Economic Abuse*.<sup>2</sup> I commend their submission to

<sup>1</sup> Shorna Moore, Wyndham Legal Service, *Outer Sight Out of Justice*, Finding pathways to justice for Melbourne's outer-metropolitan areas, February 2014

<sup>2</sup> Owen Camilleri, Tanya Corrie and Shorna Moore, Wyndham Legal Service and Good Shepherd Australia New Zealand, *Restoring Financial Safety: Legal Responses To Economic Abuse*, April 2015

the Royal Commission into Family Violence. However it is well worth summarising some of the important and salient points made by the report.

Economic abuse consists of controlling, abusive and manipulative behaviour from an offender that is not necessarily or exclusively physical but that targets a victim's ability to financially support themselves, pay liabilities jointly incurred (utilities, mortgages and car loans, for example), unreasonably restricts the discretionary spending of the victim or preventing the victim from attaining and maintaining employment.

Economic abuse is often less obvious and therefore not understood. Victims may not be aware that what they are experiencing constitutes abuse and therefore may have hesitations about approaching police or legal services with these issues because they do not fit the 'traditional' conception of family violence.

In many cases economic abuse persists after the victim has physically removed themselves from the abuser. In these instances abuse manifests itself through the vindictive efforts of the abuser to disrupt the formation of a routine that does not involve the abuser. Unfortunately, for many victims their past economic dependence on their abuser serves as a modality of control that is exploited by abusers to retain influence over the actions of the victim.

Listed below are a few of the ways abusers prevent victims from establishing economic independence:

Insisting women give up their paid jobs:

In many cases men insist their partners give up their jobs, making women dependent on their partners. In some instances, women who are prevented from participating in the workforce are given meagre 'stipends' to make provisions for the home and their children. As a result women, who have been unemployed for significant periods of time, find difficulty re-entering the job market and fear that they will not be able to provide for their families should they leave the abusive relationship.

Workplace harassment:

Some victims had their partners stalk and abuse them and their colleagues at their place of work in order to jeopardise their workforce participation. As a result women stay away from employment in order to avoid embarrassment or harm coming to bystanders.

Restricting access to transport:

Restricting access to the family car prevents victims from accessing work, participating economically, networking or facilitating social relationships that alleviate feelings of isolation.

The Commission must explore how we can modify the attitude that women – particularly those with children - don't belong in the workforce, within both the broader community and ethnic Diasporas.

It is vital that the commission considers measures that will provide victims of family violence with access to training and work experience opportunities so that they will be able to enter the workforce.

It is important that the Royal Commission considers ways to integrate the efforts of government departments, welfare providers and private companies to better deal with the complexities of economic abuse during the term of the relationship and after the victim has been physically separated from the abuser.

Frequently existing procedural practices for companies and government departments aren't sufficiently flexible to respond appropriately to family violence situations. These include situations where a partner may attempt to cancel a jointly held utility account or may take exclusive use of a car that has been paid for by a loan that was signed by the other partner.

It is important that family violence isn't limited to a narrow interpretation of physical violence but includes economic and emotional abuse. If victims are to extricate themselves from abusive situations they must be supported in establishing their own economic independence.

### **Improvements in connectivity**

Connectivity is an important and often disregarded aspect of family violence services. Victims of family violence will often approach a service provider with needs that cannot be fully met by that provider alone.

In such circumstances it is important that there is a level of awareness about other service providers operating within the area. An accurate and personal knowledge of appropriate service providers within an area allows for family violence victims to be accurately referred and followed up.

This minimises distress and angst for victims but also improves outcomes by ensuring that victims are referred to the appropriate service. Further it is critical that service providers are aware of cultural sensitivities when managing victims of family violence.

It would be helpful to have the production and distribution of regularly updated information packs which provide information and contact details for service providers.

Community leaders should be encouraged to speak out against family violence and to promote the usage of available community services for victims of family violence. It is heartening to see that this is occurring within many of the diverse communities that we have in Wyndham.

I am also supportive of awareness campaigns that are specifically targeted towards migrants to Australia, who may well be unaware of the expectations of Australian culture and the Australian legal system.