

Submission to the Victorian Royal Commission into Family Violence
 By Christine Craik – survivor, social worker, academic.
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I write this submission from several positions:

- I am a qualified and accredited Social Worker and have over twenty years experience in working in family violence. I have worked with women and their children on a individual level, I have developed and facilitated support groups, I have worked as an Intervention Order support worker, for women navigating the legal processes of Police and Courts. I have coordinated a family violence agency and written agency and organization policies for working with clients who are survivors of family violence. I currently work as a crisis worker/debriefer at a major Victorian Trauma hospital on weekends, and work with the families of women who will not survive their family violence injuries in Intensive Care.
- I lecture on Family Violence at RMIT University. I have developed and facilitate the 'working with violence and abuse' course/subject. This course is a core subject for undergrad students completing their Bachelor of Social Work (Hons) and their Bachelor of Social Work (Hons)/Psychology degrees, and an elective for the Masters of Social Work students at RMIT University. This subject is so popular it has now been opened up for all undergrad and post grad students in the School of Global, Urban and Social Studies at RMIT University.
- I am the National Vice President of the Australian Association of Social Workers (AASW) and am lobbying for the above course to become a core curriculum subject across Australia in all Social Work degrees both undergrad and post grad.
- I am currently doing my PhD in the area of family violence, and my research is around understanding the resistance to routine screening in ED's in public Hospital across Australia. My research into this area is extensive.

Most importantly, I am myself a survivor of a long-term family violence relationship that my children and I were lucky to survive. I am a media advocate for Safe Steps and often speak out from a survivors perspective on family violence.

For my part, if the Police had responded as they are supposed to when they were called, (as in, taken out a family violence safety notice and removed him from the premises), I would not have been so injured after the Police left the premises. The lack of response from the Police and the collusion between the Police and my perpetrator, left my children and I in a very dangerous situation. It is hard to call the Police, and harder still for children to call the Police and this needs to be understood.

While there has been much emphasis on family violence in the past 12 months, we still continue to see women and children being abused and killed at an unacceptable rate. From my work in the ICU, I know that the number

of women killed far exceeds those counted in the official statistics and it's obvious that much more needs to be done.

Throughout this submission I will be referring to this issue as family violence against women and their children, as we know it is a gendered issue mainly perpetrated by men towards women. Family violence against women and their children is a complex issue, with gender inequality at its cause. It is the result of the unequal power distribution between men and women and the systemic reproduction of this at all levels of our society. Australian legend, popular history and culture rests on stories of the ANZAC spirit, sporting heroes and mate-ship – women have long played a role less visible than men and what has come from this legacy also contributes to family violence against women and their children in this country.

This submission is from all of my experiences (personal, working life and research) and I thank you for taking the time to read it.

I will break this up into three sections, prevention; early intervention and crisis response.

Prevention:

Prevention means identifying and stopping this before it becomes a problem for the next generation, and at the earliest stages. Prevention needs to be a priority for all of society and needs to work on several levels, educating the community in terms of gender equality and what that really looks like, critically analyzing the harmful constructions of gender and the gender norms that are perpetuated from our current cultural status quo, alongside strong messages from all those who make policy and set the agenda – the Government, business, sporting organisations, media, internet companies etc.. I understand that some of these entities are a little outside the scope of this Commission, however, I feel it needs to be said. Some ways forward in terms of prevention, would mean addressing this on all levels, including:

Schools:

- Establishing more than just a few respectful relationship courses at schools. All schools, whatever religion or philosophical persuasion, should teach personal ethics that demonstrate and explain equal and respectful relationships as opposed to relationships built on power and control. This has to start happening in some form at kindergarten level and build from there.
- Schools need to pay attention to the content of their curriculum, from the way in which history and literature are taught (in terms of the need to include as many female as male authors, looking at important women in history), through to who works in which level of management at the school, through to sporting priorities.

- Schools are becoming vigilant at picking up on the need to recognize and deal with racism and homophobia – so should it be with sexism. Whether it be sexist jokes in the playground – or the staff room, whether it be internet pornography, students sharing sex texts or sex pics, students participating in forums such as Tinder – all need to be challenged, every time.
- Teachers needs to have increased training around family violence to know how to recognize this, how to ask about this and where to refer families in trouble.

Sporting institutions:

- We have a racial vilification code and awareness of homophobia in most sporting codes, it is time for a gender vilification rule. How is it that a 13 year old girl can be ejected from a football ground for calling someone an ape, yet the call can go out all afternoon for players to stop playing like a girl, or stop being a pussy. All gendered insults need to be challenged as are the racial insults already. They are demeaning to women and subtly keep the male sense of entitlement alive.
- We need to call on the heroes of sport to condone family violence at every opportunity, the next generation are watching them and being a mentor like this comes with huge responsibility
- Girls sport – we need to see it. Everywhere.

Media:

- The media needs to report family violence every time it happens. To this day there are stories of women being killed by their partners and never once is the term family violence used in the story – name it, shame it.
- Language matters. When reporting family violence, report it for what it is, a form of terrorism. It is not a domestic dispute or a domestic argument, it is a form of control and an abuse of power, and this is how it should be reported, every time. Love never pulls the trigger.
- The media need to stop perpetuating and playing into the myths that surround family violence. Focusing on murder cases of pretty young women, who are stalked, attacked and killed by strangers is no more important than women killed in their homes. Everyone knows the names of Jill Meagher and Stephanie Scott –what about the other 38 women killed so far this year? Report them all, they are all important and all very tragic.

- Report some trends for what they are –sexist, violent and abusive to women. For instance, movies like fifty shades of grey should have been criticized to the last minute – instead, young women everywhere idolized the books, then the movie – and now we have sexual assault centres who are seeing young women for counseling for ‘fifty shades’ attacks.
- Show some hard hitting advertisements like the smoking ones and the TAC ones. Canada has a terrific lineup (She spilled my coffee etc) – brutally honest, yes they only focus on physical violence, but it has to start somewhere.

Early intervention:

Research shows us that early intervention can often save those who are being abused, from years of further abuse. I know this would have been the case for myself and my children. We know that women and children living with family violence can exhibit a range of health issues and health concerns. We also know that many health professionals do not ask because they do not identify many health related issues connected to family violence, or they don't ask because they don't know what to say if their patient discloses to them.

- All health professionals need to be educated about family violence. Not just in order to be able to pick up on cases of family violence when patients present, but also in order to not say things to further entrench the many myths that keep victims silent and shamed and take the responsibility yet again, away from the perpetrator.
- There should be routine screening in all hospitals, GP clinics, maternal and child health clinics to identify the presence of family violence. (along the lines of a whole of Government approach as exists in New Zealand). This screening should encompass a referral pathway for health practitioners to be able to offer somewhere for the victim to go for assistance should she want to pursue this. This is important as studies show that validation from a professional (including health professionals) to say that violence is wrong, that the perpetrator is responsible and that the patient does not deserve this, is very effective in terms of the patient building up the self-esteem necessary to start to think in a different way. This alone could have save myself and my family from years of further abuse.

Community responses:

Research shows us that the social response a woman receives when she discloses abuse, or attempts to gain assistance to deal with or leave that abuse, is crucial for her journey out of this situation. Most women I have

worked with, (and indeed in my own situation), hear negative social responses from the community – responses which again just reinforce the myths around family violence that women are responsible for the violence, that perpetrators are not responsible for their choice of actions, and that if a woman wanted to protect her children or to get out, she could just leave. Much work needs to be done around community education to foster realist and supportive attitudes for women and children who are abused, and attitudes that hold perpetrators responsible for their behaviour. This would entail not only a community awareness campaign, but changes to how every level of government and private business works.

Crisis response:

Legal Responses:

- During a family violence crisis, women and children should be allowed to stay in their homes and connected to their communities and remain safe in doing so. For some women and children this will not be possible, but for the majority, this could be attainable. – if the perpetrator was removed. We need perpetrators removed and we need serious consequences to be in place (and followed through on) for any breach situation. This could mean that support can be given to the women and children and they would have the space to receive it and incorporate it.

The number of family violence call outs that Victoria Police have to attend to is extremely time consuming. VicPol statistics put family violence as 60% of their workload at the present time. When they do attend, some Officers know what to do and do it well, others don't. Many Police still cannot tell who the primary aggressor is when confronted with a situation at a family home. Police are still taking out family violence safety notices on victims and perpetrators at the same time. Police are not social workers. To assist in these matters I feel we need:

- The creation of family violence units with specialist family violence police, similar to SOCIT units within the police force, (whereby the training of police for these units is as strict as the training required to become a SOCIT detectives – including primary aggressor training similar to that undertaken by mens referral service workers and working with trauma training).
- These family violence Units need to be housed in multi-disciplinary centers, alongside accredited family violence trained social workers, housing specialists, lawyers, financial counsellors and mens referral service workers. There would need to be many of these centers in each division.

- Teams of these Police and Social Workers would attend any and every family violence callout and breach callout. If there had been a worker who knew what they were talking about attending my police call-outs, it would have saved serious injury further along and save myself and my children years of abuse.
- The use of exclusion orders needs to become the norm, with perpetrators (and therefore the cause of the abuse and damage to the women and children) being removed from the family and the area. This has to be done as a matter of procedure – no asking the woman (especially in front of the perpetrator as was done in my case).
- Consequences for breaching an exclusion order need to be serious, swift and backed up by the courts. In situations where perpetrators are removed from the home, there needs to be accommodation (emergency housing for perpetrators – intervention houses, please don't call them male refuges – language matters and it is not these men who need safety and refuge) alongside NTV accredited mens behaviour change program intensives for these men, (where there are no waiting times. These houses need to have a therapeutic focus and much work in terms of evaluating the work there. We don't need mens intervention houses becoming recruiting grounds for misogynistic groups such as the blackshirts or dads in distress.
- In cases where it is just not safe to leave women and children in their homes, we need an increase in refuges, emergency and transitional housing, support workers and education specialists to work with these families until they are safe, settled into permanent housing and dealing in a healthy way with any effects of the trauma that may be persistent. Cuts to housing services are undermine everything that is being done in the name of domestic violence.
- Serial offenders (perpetrators) need to be listed on a public data-base as one way to warn other women of the situation. This would also mean agencies ALL sharing this information.

Court responses:

The Court response to family violence needs to change at all levels. Courts are frightening places to already traumatised women, and although most Magistrates courts are about to get family violence applicant and response workers, this will not be enough. Many magistrates' courts have up to 60 or 70 cases for intervention orders listed daily. One family violence applicant worker is lucky to be able to support 10 of these applicants. Many women go without support, without legal assistance, without interpreters etc.. Some Magistrates understand family violence, however, most do not. It should not be up to the personality and personal beliefs of the Magistrate that determines the amount of safety and support a woman will be offered

through our legal systems. The process for obtaining an Intervention Order is long and arduous. When women attend a court in pursuit of an order, if the behavior of the perpetrator is determined to be family violence under the legal definition of our Family Violence Protection Act, an immediate order should be awarded. There should be one further hearing which will give the perpetrator an opportunity to defend himself, before that order becomes final. The Courts are being suffocated by the number of return hearings for these orders. In order to assist the Court system, we need:

- Specialist family violence courts across Victoria to deal with the overload of these cases (not just the 2 we have)
- At least two family violence applicant workers at every court
- Increased funding for interpreters at every court
- Family violence training, and primary aggressor training for our Magistrates, court workers, registrars, legal aid lawyers and interpreters etc.
- A more streamlined intervention order process.
- Compulsory attendance by the perpetrator to an NTV approved mens referral service behavior change program. The funding for this service (MRS) will also need to be increased because even under the current system, perpetrators can often wait 3 months or more to get into a program. This leaves victims and children at greater risk, and leaves the perpetrator in limbo.

Child Protection responses:

I have put Child Protection in it's own paragraph in this submission. Child Protection and Family Violence workers work for the best interests of the child, but come from very different directions. This needs to change. Family violence workers need to include children in all aspects of their work with women and child protection workers need training on family violence. The responsibility to protect children from the effects of abuse from the perpetrator, often fall onto the mother, rather than the system. We know that in the majority of child murders in this country, domestic violence has been a present.

Child Protection need to:

- Ensure that the perpetrator is held accountable for the abuse, and not the non-offending parent. If child protection workers cannot tackle perpetrators and make this happen, why is there an expectation that the victim of this abuse can make this happen?

- Argue in the children's court for exclusion orders to remove perpetrators so that never again are perpetrators able to gain temporary custody of their children because the perpetrator has been able to stay in the family home, while the victims struggle to find accommodation. This happens on a weekly basis at our childrens court in Victoria.
- Child Protection needs to broaden their understanding of the damage that can happen to a child when taken away from a non-offending parent, and understand that this can be just as damaging (perhaps more so) for a child who is present in a home when a perpetrator abuses the child's mother.
- Child Protection need to broaden their understanding of what constitutes protective maternal behavior. For example, a mother who works hard to ensure that the children are supported, connected to their school, their social and sporting activities, despite the undermining and manipulative behaviours from the perpetrator, is displaying protective behaviours for her children and should be supported in doing this, not threatened with removal of her children because Child Protection and the system fails to make the perpetrator accountable.

Thank you for reading my submission