

## Submission for the Royal Commission into Family Violence in Victoria 2015

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My experience regarding Family Violence includes growing up in a home characterised by Family Violence where I can honestly say that we were one of the lucky ones to have survived and escaped. I then as a younger woman entered a relationship that was characterised by Family Violence not that I knew that is what it was while I was living it, despite many family members and friends telling me that this is what it was. Unfortunately I exposed my youngest child to this relationship and she bears the legacy now of this from her early childhood development. When I did get out after 9 attempts to leave I received support from a shelter as outreach support. They helped me to see that there had been signs all along that the Family Violence had been happening and that things could be different. I did a COPE course (I believe that this is now called 'After the Storm').

I now work in Child Protection and have done so for the past 6 years. I have worked in different states and so I have seen the ways in which Family Violence is managed differently. There are many good things being done interstate which I have often thought that if they were used in each jurisdiction that this would provide a much more comprehensive support to persons subject to violence. As a Child Protection Practitioner I see a few different themes in what is working well and what is not in relation to Family Violence in Victoria.

I have reported issues of potentially serious family violence for one of my clients to the Police Family Violence Unit. The children were not in the care of the couple however nothing was done; no outreach to the family by the Family Violence Unit because as far as they were concerned there was no reported incident that police were required to attend. My info had come from family who continue to sit and watch, wait for their loved one to become a statistic. The cannot reach her due to the construct of this Family Violence which serves to isolate the person subject to violence by the power and control of the person using violence.

As a practitioner I am ever mindful of not placing a person who is subject to violence in a position where they are further victimised however this is a fine line in Child Protection when the law says that we all need to act in the Best Interests of the child. Unfortunately, if a person subject to violence cannot break free from the violence and move away with their children the state will intervene on their behalf for the protection of the children.

I feel that we need to stop looking at Family Violence as crime alone; it is more like mental health and substance use rolled into one. An addiction within a cycle of violence that is not as simple as to quit and move on. People often say, "why do they stay, why don't they just leave", the answer is different for all. In my story it was because I couldn't see the violence happening and I didn't know what a healthy relationship was. In other people's stories it is the need for survival, dependence, acceptance, security and many more reasons. The bottom line is that it is different for all and therefore requires an individual approach not a one size fits all approach.

As an Aboriginal person I see that Family Violence is rife in our community. I would urge the Royal Commission to consider specialised positions for community cultural consultants within the Family Violence Units. This could be considerate of communities that have higher populations of different cultures not just Aboriginal. My experience in intervening with Sudanese families for example has meant that community consultation has been necessity in one situation but potentially life threatening in another. We need representatives from the communities to help understand which way forward is best.

I have often found it interesting that Family Violence comes from societal construct and well ingrained values and beliefs in our communities yet we are attempting to address this with campaigns such as 'White Ribbon'. Whilst these campaigns are useful for a smaller portion of the community that may generate conversations within their peers they are flawed in that Family

Violence (Intimate Partner Violence) can see a person who uses violence act radically different in the community to the way they do at home; this is unfortunately the perverse nature of what we are dealing with in Family Violence. The person who would agree with their mates not to be violent and denounce physical violence is often the one who gets home and employs emotional power and control tactics to their partner and family. This happens until they have danced through the cycle of violence and hit the point of conflict which may or may not be a physical incident. One suggestion that I have in this regard is to introduce learning about healthy relationships in our school programs, just as we teach sex education. It struck me the other day that [REDACTED] who has come from a family violence situation had no idea what family violence was; if you don't know what it is you can't possibly stop it.

I firmly believe that there needs to be better education about Family Violence. I have been shocked at the limited information of my colleagues and would therefore recommend strongly that the AASW and Community Services Education Providers include Family Violence education as a core curriculum requirement.

I use 'The Line' as a resource quite often when speaking to young people about healthy relationships and this can be received in different ways; some young people are genuinely unaware of where 'The Line' of tolerance and respect is, others feel criticised as they have been in a position of using violence or having been subject to violence. I feel we need to be educating children earlier so that they have a foundation of knowledge to challenge some of the pre-existing societal beliefs. Education and awareness comes over time; when I was a child wearing a seatbelt was optional if the car even had one, then a law came into effect that if the car had seatbelts they needed to be used. For children this was relatively easy to adapt to especially with "click-clack, front and back" campaigns. Adults struggled a lot more with it but over time it has become just something that you do. This is my hope for children with regards to Family Violence that children will identify that healthy relationships are respectful and equal.

Hope for the future is not essentially helpful in the present climate. What I feel could be helpful in the present climate is a system like that of our Child Protection system. Family Violence is everyone's responsibility and it is widely recognised that people subject to violence are particularly vulnerable. There is also an emphasis on perpetrator accountability. I think that if a taskforce was created which included Social Workers and Police Officers to respond to community concerns (as happens for Child Protection) then there would be a shift in our community to boldly state that Family Violence is not acceptable. Investigating officers should be able to act on a balance of probabilities to protect people subject to violence. This currently does not happen as Police only act on issues of the law that can be found proven beyond reasonable doubt such as a physical crime or situations of deprivation of liberty etc. This does not account for the Emotional, Spiritual, Social and Financial abuse that is occurring and is a large part of that cycle before and after the criminal acts that can occur.

I think that certain professions should be mandated to report Family Violence to the taskforce but that notifications should be able to be received by anyone concerned. I see that many family members are beside themselves with worry about the things that they see going on for their loved ones but unless there is a physical incident they can't act and often still unless the person subject to violence is willing and prepared to come forward no action is taken.

If this situation was set-up this could further support disputes that arise in the family court. In a lot of situations the family violence has gone un-noted for years but at the time when a parent reflects on why they have concerns they are criticised for a lack of evidence to support the violence. In my own situation both as a child and an adult there were people around who knew about the violence even though police hadn't attended the home and no intervention orders were ever sought.

We need to look to other states and see strategies use there. ACT – a person who uses violence is taken to the Police watch house for 24 hours when it is clear that there has been an incident of physical violence. This signifies the seriousness of an incident and gives both parties time out; in

many circumstances time to get IVO or flee. SA – Police have the ability to apply a Protection Order at the time of an incident which is based on their assessment of the risk to a person and their children. I understand that in Victoria there are Family Safety Notices however I have only heard of one having been issued and it had expired.

No further action is taken because that window from incident to honeymoon phase is so small; people who are qualified to assess the risk for the vulnerable people should be doing so and not just falling into the cycle by not proceeding to protect the person subject to violence. In the ACT when a 000 call is made re Family Violence the Domestic Violence Crisis Service are offered to the family for support (an attend at the time when police are present or have just left). This ensures that both the person subject to violence and the person using violence are able to understand their behaviours and role in the situation and link to support for both parties. This is the time for holding a perpetrator accountable and would be useful for these discussions to be recorded so that as the couple move around the cycle of violence the perpetrator could be supported to reflect previous behaviour without being given the opportunity to minimise as happens a lot.

At very least I feel that there should be mandatory joint home visits between Police and Child Protection when an L17 is received and a child resides in the home (not just present for the incident or not). This would be something that would occur in WA as there are specific roles for Senior Child Protection Workers and they are co-located with Police to respond to Family Violence notifications.

I have issue with the inconsistency of services, the provision of information and the waitlists for support. In referring a family onto a service I have no idea of the quality of service they will receive or the time in which they will receive it. It would be helpful to have an understanding of the tools that the service providers use and if possible some uniformity to it so that I can be assured that there will be some basic discussions with the mutual clients. For example I usually provide an outline of the cycle of violence, an overview of statistics, complete the common risk assessment framework tool, discuss red flags and have some basic safety planning discussions. I know that each case is different however we would be flawed to assume that families do not need to hear certain information.

In the cycle of violence there are only certain points where it is safe for intervention. Attempting to support a person subject to violence on the cusp of stand-over phase to conflict can result in the person using violence to feel even more out of control and seek to use more force. It has been my experience that the best time of education in the cycle of violence has been as soon as the conflict has occurred and when the couple are moving to remorse phase. Active work can be done in the honeymoon phase however at this point both parties are optimistic that the cycle will not continue and unless you can use reflection of a pattern and history this work ends up being wasted. I am a fan of using the “frog in a pot” analogy and this is well received by persons subject to violence as they see that Domestic Violence slowly creeps up on them; in this way I have been able to help people to understand what phase comes next and to be aware that they need to do some safety planning. I do try to help my clients to understand that there is research to support that there is an escalation of violence at the conclusion of the cohabitation relationship.

It frustrates me that Victoria does not have a strong policy around supporting people who are fleeing Family Violence situations. In my area a call can be made to the DV Service however safety options are usually located some several hundred kilometres away, for those that are serious to escape the violence. My issue with this is that whilst they want the violence to stop they are not prepared to give up their relationship, their house, animals, employment, connections in the community. Most often the family need a circuit breaker but if the person subject to violence declines support to flee a great distance they are treated as though they are not truly serious.

In regards to resources for Family Violence there needs to be a one stop shop similar to the reform of the AOD and Mental Health sectors. One website that has all the information for everyone is needed; for persons subject to violence, for persons using violence and for professionals.

It frustrates me that there are age limits for some service providers ie. Not working with 16 year olds, when the statistics clearly show “More than half of Australian women have experienced a form of physical or sexual violence since the age of 16. A large range of health problems can be attributed to domestic violence – it is the single biggest health risk to Australian women aged 15 to 44 years”.

It also frustrates me that some service providers decline to work with people who are subject to violence if they are ambivalent about the relationship or staying in the relationship. From my point of view some support is better than none and the risks to the person subject to violence and/or the service provider needs to be assessed on an individual basis not one size fits all, especially if the person using violence has committed also to working on their behaviour.

There has been an increase in cyber violence which includes using web trackers and GPS trackers however I think that it could be beneficial to encourage use of the iMatter app which is similar to the ‘Aurora’ app used in NSW. I think it could be taken a step further so that the app could log to the DV service/taskforce incidents that are occurring throughout the cycle. Often by the time a person gets to their appointment only the most significant event is recalled and not each time the person felt impacted by the violence. In this way the app could assist to build a clearer picture of what is going on.

There also needs to be a program such as the Visions program run by the South East Regional Domestic Violence Service SA. It includes education on the cycle of violence, understanding healthy relationships, conflict resolution, self-esteem and the impact of violence on children and others.

My experiences of Men’s Behaviour Change programs are that they are not working here in Victoria. Participants can provide “lip service” to get through the program as a tick box approach buy attendance and regurgitating information enough to “Pass” the program. There is no avenue of accountability for service providers who find that a participant has not met the competency of the program, they provide a certificate of attendance which in reality provides no real useful information about their insight, responsibility and change of behaviour. The Men’s Behaviour Change programs could be overseen by the taskforce to ensure that any participants who have not demonstrated competency be monitored and this factored into the Family Violence Risk Assessment.

It is noted that there is a high incidence of undiagnosed or untreated mental health issues as well as substance use in the families who experience Family Violence. I am concerned about the increased incidences of ‘Gaslighting’ (an emotional tactic to further obtain or maintain control over a person by having them believe that they are mentally and emotionally unwell) and also concerned of the sharp increase of ICE related violence. In this respect, more collaboration should be able to be had between the services to support the families with these issues.

I would envision that if a taskforce was created the investigators would be able to complete risk assessments and referrals and if there was non-compliance the investigating officers would be able to refer the matter to a Magistrate for an Intervention Order and possibly to include directions of assessment and treatment from services.

One major flaw in the current system with the Intervention Orders is that the person subject to violence is expected to report breaches. Imagine how impossibly difficult this would be. If however the Order is imposed by the state and not the person I feel that much more success could be had to support both parties to address the concerns.

Thank you for reading my submission.

Rowena Hammond

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