

NTCOSS Submission

Northern Territory Council of Social Services

Growing the NT fairly

To

NT Department of the Attorney – General and Justice



Northern Territory Domestic and Family Violence

Reduction Strategy

For further information please contact:

January 2014

Wendy Morton

Executive Director, NTCOSS

Ph: 8948 2665 Email: wendy.morton@ntcoss.org.au

Acknowledgements

NTCOSS would like to thank the CAFVSAN network members who participated in a consultation and contributed to this submission. NTCOSS is aware that the Domestic and Family Violence network in Darwin is providing a submission identifying general as well as issues and services pertaining to Darwin and surroundings. This submission while NT focused refers to some CA specific issues, developments and programs.

Table of Contents

1	Introduction	4
1.1	Central Australian Family Violence Network	
1.2	Northern Territory Council of Social Services	
2	Focus Areas	6
2.1	Prevention	6
2.1.1	Policies, screening processes and professional development embedded in a broader DFV system	
2.1.2	Education programs	7
2.1.3	Improve Indigenous people’s access to Appropriate services	8
2.1.4	Domestic and Family Violence Death Review	10
2.1.5	Women and Children from Culturally and Linguistically Diverse background	11
2.1.6	Perpetrator Engagement Programs	13
2.1.7	Consistent revision of DFV legal frameworks based on expert research	13
2.1.8	Community legal education	14
2.2	Early Intervention	15
2.2.1	Integrated service system response	15
2.2.2	Cultural competent service delivery	15
2.2.3	DFV Outreach services	16
2.2.4	Safe Housing options	17
2.3	Protection	17
2.3.1	Breaking the cycle: rehabilitation, therapeutic programs and education	17
2.3.2	Sentencing options	18
2.3.3	Lack of legal services in remote communities	19
2.3.4	Legal information dissemination	20
2.4	Rebuilding the lives of ‘Victims’	21
2.4.1	Provision of trauma informed long –term services for women and children	21
2.4.2	Family Law and Domestic Family Violence	21
2.4.3	Culturally appropriate Healing programs	22
2.5	Accountability	24
2.5.1	Prison and post release support programs	24
2.5.2	Investment in research and evaluation	26
3	Conclusion	27
4	Recommendations summary	27
5	References	30

1 Introduction

The Northern Territory Council of Social Services (NTCOSS) welcomes the opportunity to provide feedback to the Department of the Attorney – General and Justice on the Domestic and Family Violence Reduction Strategy (referred to as DFVRS throughout this submission) planned for the Northern Territory. NTCOSS was the lead organisation for this submission and has had substantive input from the Central Australian Family Violence and Sexual Assault Network (CAFVSAN) via a consultation process and written input. NTCOSS congratulates the NT Government (NTG) for progressing the DFVRS, which was one of the important directions identified in the first three – year stage of the National Action Plan to Reduce Violence Against Women and their Children 2010- 2022¹. The NT DFVRS aligns with the National Plan and provides a great opportunity to address this insidious and dangerous issue in a comprehensive, consistent and structured method. This submission will highlight identified issues in relation to the five proposed focus areas to reduce Domestic and Family Violence (referred to as DVF throughout the submission) in the NT.

NTCOSS furthermore appreciates the consultation workshops in Darwin and Alice Springs, which provided an opportunity for social service providers to offer feedback in relation to the devastating and unsafe consequences for children, young people and women. While the submission process and workshops are a valuable process to gain input from the Non government sector, ongoing involvement from key DFV related organisations is required. The governance structure for the “Whole of Government Domestic and Family Violence Strategy working group” does not appear to have a clear consistent entry point for ongoing NGO input and consultation. The involvement of 10 key government agencies is critical but so is the involvement of key NGOs across the NT. This could take different forms and one suggestion is to develop an advisory group consisting of agencies from different regions across the Northern Territory. Ongoing input from the NGO sector is critical to achieve a truly integrated response to DFV and thereby improve the safety of all involved.

CAFVSAN and NTCOSS would like to highlight some of the already existing positive initiatives in Central Australia such as the Alice Springs Integrated Response to Family and Domestic Violence. The services involved in the Integrated Response to Family and Domestic Violence commit to working collaboratively to improve the safety of women and children and to support people who use violence to take responsibility for their behaviour and to change their conduct. It has been stated by the group that due to the Alice Springs Integrated Response to Family and Domestic Violence the collaboration and dialogue between the Alice Springs Domestic Violence Police Unit and other violence related services has improved and therefore the service received by women and their children. The establishment of a Victim safety and support service in Alice Springs for women attending court related to DFV. Another positive development has been the establishment of Support

¹ Department of Families, Housing, Community services and Indigenous Affairs , The National Plan to Reduce Violence Against Women and their Children 2010-2022, Australian Government

Link as a referral agent, with Support Link now being utilized by police encountering Domestic and Family violence situations in Alice Springs. So far this initiative only exists in Alice Springs and could be considered Territory wide. Furthermore the cross border systems have become more effective in recent years with the development of the Integrated Family Violence Framework, improved communication between the police force across borders and implementation of the Family Safety Frameworks.

The importance of a bipartisan approach accompanied with long term, coordinated, comprehensive and consistent resourcing is viewed as imperative in order to enact change on a broad scale in the Northern Territory in the area of DFV. Stakeholders mentioned that Domestic and Family violence is a violation of human rights and therefore it is important that this strategy be based on human rights, acknowledging security, participation, access to services and liberty.² The DFVRS needs to be able to incorporate human rights principles, be well resourced, integrated, consistent, flexible and evidence based

NTCOSS and CAFVSAN together with others are looking forward to a continued dialogue with the Department to identify better strategies to ensure the safety and wellbeing of children, young people and women.

1.1 CAFVSAN

CAFVSAN is a network of government and non-government organisations in Central Australia. This network has been in existence for more than a decade. It aims firstly to maintain a forum for the development of a co-ordinated, Government and community sector action – based responses to Domestic/ Family violence and Sexual Assault issues in all communities in Central Australia and secondly, to increase individual worker, organisational and the service system’s capacity to effectively respond to DFV and Sexual Assault issues. The network meets monthly to address above mentioned issues along a yearly developed strategic plan.

1.2 NTCOSS

NTCOSS is a peak body for the Social and Community Sector across the Northern Territory, and an advocate for social justice on behalf of people and communities in the NT, who may be affected by poverty and disadvantage. NTCOSS provides advice and policy input to all levels of government and other appropriate organisations and agencies on behalf of the NT community sector. It furthermore contributes to the debate on social issues, promotes and assists the development of all aspects of social services throughout the Northern Territory.

² As recognised in key conventions to which Australia is party international human rights law, International Covenant on Economic , Social and Cultural Rights (ICESCR); International Covenant on Civil and Political Rights (ICCPR); Convention on the Elimination of All forms of Discrimination Against Women (CEDAW)

2. FOCUS AREAS

2.1 PREVENTION

2.1.1. Policies, screening processes and professional development embedded in a broader DFV system

All would agree that the best way to deal with violence against women, young people and children is to stop it before it happens by investing in localized prevention programs.³ To date most investment has gone into the tertiary end of the DFV spectrum, which is a critical element in keeping women and children safe. However the significance of prevention is being recognised as an important process to stop the ever revolving door issue. Prevention is not only critical in relation to reducing the long term effects on women and children but in terms of reducing the broader economic effects of DFV. For example, recognition of increasing costs linked to both victim and perpetrator' absenteeism from the workplace, and retraining and rehiring costs due to staff turnover are gradually gaining significance.⁴ While some information on the real economic impact of DFV in our community exists, it appears to be fragmented and does not fully reflect the real impact and associated costs of DFV. This needs to be pursued in collaboration with the federal government to gain a comprehensive understanding of the short and long term costs of DFV and therefore potential savings for the overall social and economic sector.

Throughout the consultation, participants expressed strong concerns about the lack of knowledge and skills in relation to the specialized field of Domestic and Family Violence. Concerns were also raised about the need to develop respectful relationships with victims of DFV across the health services as well as other organisations. It was stated strongly that an educational component about the complexities of DFV must be introduced to equip all professionals concerned with DFV knowledge and skills in order to respond most appropriately. Professionals such as police and health professionals are experts in their field of work but are often overwhelmed when they are confronted with domestic and family violence. Frequently professionals working in this specialised field of work experience vicarious trauma. This very serious impact on staff needs to be considered by organisations and addressed in order to provide adequate support to their staff to ultimately achieve consistent and effective service provision. Providing a consistent systematic training framework and training for all government and non-government services was seen as crucial to forum participants.

³ Versini,C (2006) Violence Against Children in the Home and Family. United Nations Secretary – general, pp 93-96

⁴ Access Economics, The cost of Domestic violence to the Australian Economy: Part 1 (Commonwealth of Australia, Canberra, 2004)

Implementation of clear screening and reporting processes for Government and Non-Government services who encounter clients experiencing or evidence of DFV were seen as essential in order to deal with the realities of work more effectively. These processes need to include remote health providers and a clear structural pathway for those to be linked in with the other essential services in this field. It was of great concern to the participants that professionals do not have screening tools available to them which are embedded in clear baseline policies and procedures, comprehensive training, management support, debriefing processes and increased links to support services. Screening for DFV is not seen as an end in itself, but rather the beginning of an integral working relationship with service providers and the criminal justice sector. The acceptance of an across the board effective domestic violence screening process will ensure a co-ordinated, holistic, expert and human support, which ensures the prevention of secondary traumatisation and thereby serves the needs of children and women, the wider community and the justice sector. Effective screening for DFV embedded in organizational structures informed by a mutual understanding of DFV will promote early intervention and reduce further victimisation. On-going research is essential to monitor and evaluate the effectiveness and sustainability of the screening intervention and training within the context of broader multi-disciplinary and community based responses

The issues above align with strategy 4.1 to enhance the first point of contact to identify and respond to needs of the National Plan to Reduce Violence Against Women and their Children 2010-2022

Recommendation:

- 1.1 The development of a consistent systematic DFV training framework and training for all government and non-government services**
- 1.2 The development and implementation of clear DFV screening and reporting processes for Government and Non-Government services**

2.1.2 Education programs

Best practice research informs us that to do prevention well we need to start assisting children and young people early. By building on concepts of respectful relationships we can assist children and young people to gain the skills to develop safe and healthy respectful relationships as early as possible. The Victorian Department of Education and Early Childhood development identified five criteria for good practice in respectful relationships and violence prevention education in schools. This included a whole of school approach, a program framework and logic, effective curriculum and delivery supported by professional development, culturally appropriate practice with a clear theoretical approach and a strong evaluation framework. The DFVRS should be informed by this criteria to facilitate the development of an integrated and sustainable model to achieve consistent change in DFV.

Participants strongly support addressing violence prevention through the provision of respectful relationship education to children and young people on a continuum. LOVE BiTES was mentioned as one successful school based program for young people. LOVE BiTES is a localised program delivered by service providers and teachers living and working in the community. It is aimed at young people aged 14- 17 year of age and is one of three respectful relationship education programs delivered for younger age groups which complement each other. The innovative aspect of the LOVE BiTES program is the involvement of young people in developing and leading a campaign for their community to raise awareness about DFV and sexual assault. Through this process the program and participants connect with service providers, build capacity and connect with the wider community to take a stand against violence.⁵ The All Children being Safe program is another positive example of a respectful relationship education model for younger children. It has been delivered in the communities of Santa Teresa and Ntaria and has been adapted to the Central Australian context.

To progress young people’s capacity to develop respectful relationships is outlined in the National strategy to reduce Violence Against Women and their Children 2010-2022 under strategies 2.1 and 1.2

Recommendation 2.1 : The support and promotion of respectful relationship programs for children and young people based in schools and community settings.

Broader Community education campaigns to raise awareness about Domestic and Family Violence were seen as an integral part of prevention and seen as complementary to issues raised above. The NT DFVRS could link in with The Foundation to Prevent Violence against Women and their Children to develop collaborative campaigns. Participants saw the NAPCAN TV campaign “Children See Children Do “ as an effective way to communicate the devastating effects that violence and witnessing violence can have on children’s brain development and behaviour. Participants felt strongly that this message needs to continue to be clearly delivered in an integrated way. Particularly the long term effects of violence on children and how it affects secondary and tertiary service delivery. Furthermore participants canvassed the idea of exploring innovative ideas for community groups to discourage violent and in particular DFV behaviour in order to send clear messages that DFV is not condoned by the broader community.

The above issues outlined align with strategy 1.1 of the National Plan to Reduce Violence Against Women and their Children 2010-2022.

Recommendation 2.2 : To invest in community education programs in collaboration with other key national and state stakeholders

⁵ National Association for Prevention of Child Abuse and Neglect, ‘Prevention Programs’

2.1.3 Improve Indigenous people's Access to Appropriate Services

Strategy 3.3 of the National Plan to Reduce Violence Against Women and their Children aims to improve Indigenous people's access to appropriate services. This recognises the significant overrepresentation of Indigenous women in domestic and family violence statistics. According to the Australian Productivity Commission report, *Overcoming Indigenous Disadvantage: Key Indicators 2009*, Indigenous women are 45 times more likely than non-Indigenous women to be victims of family violence and Indigenous family violence is twice as likely to escalate to homicide.⁶

Given these statistics it is vital that all family violence related programs and all services that regularly assist family violence victims/perpetrators (including both Government and non-Government services, and both specialist domestic violence and generalist services) are accessible to Indigenous people and that they provide culturally appropriate environments.

A key aspect of providing a culturally appropriate service/program is the employment of appropriate Indigenous staff in client facing, first point of contact positions (for example, Aboriginal Liaison Officers). The employment of appropriate Indigenous staff contributes to breaking down the cultural barriers to accessing services.⁷ Services/programs should where possible employ local Indigenous people who are appropriate for the positions and who are recognised by their communities as being appropriate for the work duties to be undertaken.

There are four key ways in which the employment of appropriate Indigenous staff assists with creating a culturally appropriate and accessible service/program. First, Indigenous staff can provide a link between the service/program and the broader Indigenous community. This can assist with raising the profile of a service/program within the community therefore encouraging client engagement with the service/program.

Second, the employment of Indigenous staff in frontline positions helps facilitate the connection of victims/perpetrators into services/programs. Indigenous victims of family violence are often reluctant to engage with Police and other services due to negative historical experiences.⁸ The development of trust between a victim and service provider is therefore essential. Research confirms that Indigenous staff, in first point of contact positions, are able to help establish strong rapport between services and clients.⁹

⁶ Chapter 4.11 Family & community violence

(<http://www.pc.gov.au/gsp/reports/indigenous/keyindicators2009/>).

⁷ NOUS Group (2013) 'Family Violence Prevention Legal Services- Research and Needs Analysis Report', Commonwealth Attorney-General's Department, 69.

⁸ *Ibid*, 64

⁹ Mals, P., Howells, K., Day, A & Hall, G. (1999) 'Adapting violence programs for the Aboriginal offender', *Journal of Offender Rehabilitation*, 30(1-2), 121-135.

Third, employment of Indigenous staff can encourage the disclosure of domestic violence. Indigenous victims often report feeling 'shame' in disclosing domestic violence and seeking assistance from non-Indigenous staff. It has been the experience of front-line domestic violence services such as CAAFLUAC that Indigenous victims are often more comfortable disclosing domestic violence to Indigenous staff who are then able to encourage and support victims to seek assistance from relevant services. CAFVSAN would encourage the NTG to further invest in the employment of Indigenous staff in Aboriginal Liaison Officer positions within Government services who often deal with Indigenous victims of family violence, to assist with breaking down the cultural barriers to reporting domestic violence.

Fourth, Indigenous staff are able to act as cultural brokers between Indigenous victims/perpetrators of family violence and service providers by promoting understanding of cultural issues that may arise when working with Indigenous clients and ensuring that they are appropriately and respectfully addressed.

The availability of interpreters who are appropriately trained in the dynamics of family violence is essential for culturally appropriate service and program delivery. Indigenous people in Central Australia commonly speak English as a second, third or even fourth language. Skilled interpreters must be engaged from the outset to ensure that services are aware of complexities of a person's situation and underlying issues that may not come through without an interpreter. Skilled interpreters ensure that a person fully understands and is able to meaningfully engage with a service/program. Failure to do so risks reduced effectiveness and the failure of initiatives.

Strategies 3.1/ 3.3/ 4.1 and 4.2 of the National Plan to Reduce Violence Against women and their Children 2010-2022 align with the issues outlined

Recommendation 3: Improve support, recruitment and capacity building strategies to increase and sustain employment of Indigenous staff in the DFV field
--

2.1.4 Domestic and Family Violence Death Review

For several years, NTCOSS and CAFVSAN members have called for the NT Government to continue to give serious consideration to the introduction of a domestic and family violence death review (DFVDR) process in the NT. A strong recommendation was made by forum participants in relation to the introduction of a formal domestic and family violence death review in the NT. The NT hosts the highest rate of homicide in the country, with 8.2 homicides per 100,000 people in contrast to the national average of 1.2 per 100,000.¹⁰ Of these homicides 61% were recorded to have occurred in a domestic context.¹¹ Furthermore, it is a disturbing reality that women in the Northern Territory are at higher risk

¹⁰ Marie Virueda and Jason Pain (2010), Homicide in Australia: 2007-2008 National Homicide Monitoring Program Annual Report, Australian Institute of Criminology, Canberra, at 7

¹¹ Ibid.

of experiencing injury or death due to domestic violence than women in any other State or Territory of Australia.¹² Different submissions have been made to the NTG in previous years including recommendations in previous NTCOSS pre budget submissions. Although the NT has an existing coronial system that reviews deaths, there are no specific structures in place for domestic violence related deaths to be investigated and viewed as a connected group. The current process of developing a whole of government approach to a DFVRS could take carriage of a Domestic and Family Violence Death Review process.

Domestic and Family Violence Death Review processes have received international support in countries including the USA, Canada, the UK and New Zealand, and already exist in almost every other Australian jurisdiction. Domestic and Family Violence Death Review processes do not attribute blame to particular agencies or individuals but rather aim to reduce domestic fatalities by allowing for a more nuanced understanding of systemic gaps in service provision and responses to DFV. Other states like Victoria, New South Wales, Queensland, South Australia and Western Australia have introduced review mechanisms which differ across the jurisdictions. The common goal of the review processes is to enable a review of procedures and processes to reduce and prevent DFV violence and preventable fatalities. A Domestic and Family Violence Death Review may serve to identify weaknesses and strengths in systems and processes that operate in response to DFV through in-depth reviews of deaths that occur in a DFV context. The NT Domestic and Family Violence reduction strategy could benefit greatly from the learnings of other states and incorporate these learnings into a NT specific review process. This is reiterated in the Australian Domestic and Family Violence Clearinghouse Issues paper 15.¹³ The Network urges the NT Government to expedite the establishment of a body to manage a DFVDR process in the NT, consistent with the NT Government's commitment to the National Plan and the Plan's early intervention strategies.

The development of a domestic and family violence review process aligns with strategy 5.2 of the National Plan to Reduce Violence Against women and their Children 2010-2022.

Recommendation 4: Establishment of an effective Domestic Family Violence Death Review process across the Northern Territory

2.1.5 Women and children from Culturally and Linguistically Diverse backgrounds

While the needs of all women need to be addressed there are some specific barriers which women and children from Culturally and Linguistically Diverse (CALD) groups face which make them more vulnerable to DFV. Some changes have been introduced in Australian

¹² Australian Bureau of Statistics (2006), Personal Safety Survey (reissue), Cat. No. 4906.0, Canberra.

¹³ Australian Domestic and Family Violence Clearinghouse " Exploring the Use of Domestic Violence Fatality Review Teams", Issues Paper 15, October 2007

Immigration law since 2007, such as the Family Violence provisions of the Migration Regulations.¹⁴ These changes provide an opportunity for CALD women to provide non – judicial evidence via “competent persons”. Feedback received from participants referred to the very restrictive nature of who constitutes a “competent person”, which can be bewildering and often leads to re-traumatisation for children and women. This process is resource and time intensive, confusing, costly and frequently women decide to remain in dangerous situations with their children due to fear, lack of understanding of the process and shame. Although this is a federal immigration law, participants felt strongly that the NT DFVRS needs to address these issues with the Federal Government to achieve improvements for CALD women and children in the Northern Territory.

Community education programs for women of CALD background is seen as critical as women might be unaware about the concepts of DVF and not know the Northern Territory laws pertaining to DFV. Often women are isolated and have English as a second language. Therefore service sector workers suggested information needs to be provided about DFV in different languages in both written and oral format (as not all are able to read and write in their language of origin) via various media avenues. Especially information in languages of the most recently arrived groups and others such as Tagalog, Arabic, Sudanese Arabic, Nuer, Dinka, Thai, Russian, Spanish, Vietnamese, Mandarin, Ethiopian, South Korean, Serbian and Croatian. Ongoing access to female telephone interpreters, who are adequately trained in DFV is essential as face to face interpreting can be compromising in small NT communities like Alice Springs and women may not feel safe or be ashamed to disclose information.

Women who are already very vulnerable need to feel culturally safe and supported during this time of crisis which as reported in an Australian study is not necessarily the case.¹⁵ The DFVRS needs to incorporate culturally competent as well as DFV informed service delivery which means equitable access for all women.

The above issues align with strategies 4.1/4.2 and 5.3 of the National Plan to Reduce Violence Against women and their Children 2010-2022

Recommendation :

5.1 The DFV reduction strategy to focus on building and supporting legal literacy among migrants and refugees on Australian law and gender equality issues

5.2 To establish a link with other states and federal body to address the impact of Commonwealth laws on those experiencing DFV.

¹⁴ Department of Premier and Cabinet, Office of Women’s Policy “Discussion paper on NSW Domestic and Family Violence Strategic Framework, 2008

¹⁵ Phoenix Projects, “Attitudes to Domestic and Family Violence in the Diverse Australian Community: Cultural Perspectives. Partnerships Against Domestic Violence, Canberra, Australian Capital Territory, 2000.

2.1.6 Perpetrator Engagement Programs

The group did not have the opportunity to spend a lot of time discussing this issue but wanted to express the strong view that any “perpetrator engagement programs” need to prevent further infringements on the safety of women and children. These programs need to be guided by key principles and a consistent theoretical framework as a baseline which aligns any intervention process to national standards that have a focus on the ongoing safety of women and children while considering cultural aspects. All agreed the safety of women and children is paramount. Participants with significant experience in the field of DFV shared their knowledge regarding the inappropriateness of anger-management and mediation programs when working with perpetrators. These programs have over the years proven to be ineffective in breaking the cycle of violence. The following viewpoint shared by a participant that “ *men should own their violence and need to take responsibility and actions to change their behaviour*” was mutually accepted by the participants and appears to be aligned with the NT DFVRS.

Strategies 6.1/ 6.2 and 6.3 of the National Plan to Reduce Violence Against women and their Children 2010-2022 align with the issues outlined.

Recommendation 6: Perpetrator programs need to be gendered, delivered by qualified staff, challenge values, attitudes and have the safety of women and children as main focus.

2.1.7 Consistent revision of DFV legal frameworks base on expert research

NTCOSS and CAFVSAN members encourage the NT Government to regularly review existing legal processes around and legislation governing DFV such as the Bail Act, the Police and DPP guidelines, Domestic Violence Orders, and victim support mechanisms, to ensure that legislation remains progressive and targeted in its implementation.

Further, the NT Government should consult broadly and seek input and feedback from people who have experienced domestic violence, as well as frontline workers, researchers and policymakers, as part of an effective evaluation or review of any legal or justice process

The National strategies 1.2 and 6.3 relate to the issue outlined above

Recommendation 7: Legal frameworks need to be supported by research and regularly subject to evaluation for effectiveness.

2.1.8 Community Legal Education (CLE)

NTCOSS and CAFVSAN members encourages to continue funding and supporting Community Legal Education (CLE) and specific CLE positions within legal organisations, in relation to DFV.

CLE is a powerful tool that can be utilised by legal practitioners and educators to inform individuals and communities of their legal rights, avenues for assistance, and possible courses of action to solve their legal problems. CLE plays an important role in encouraging self-empowerment and community independence, as its focus is up-skilling people to be able to interpret and use the law and justice processes for themselves. CLE can also be designed and delivered in culturally appropriate and relevant ways and cater to a range of learning needs, ensuring that information is conveyed in effective ways for the particular target audience. CLE can therefore play a particularly important role in providing vital information about the law to culturally and linguistically diverse (CALD) communities, people with a disability, people who have not completed formal education or people living in remote locations, who may otherwise be at a disadvantage in terms of accessing or understanding information about the justice system.

CLE can also play a vital role in breaking the silence around DFV when safely delivered it can bring groups or communities together to discuss difficult issues like DFV in a non-threatening and supportive way. CLE can disseminate important information and resources about DFV and how to keep families and children safe, as well as how to seek help. Further, CLE allows victims of domestic violence to further understand the cycle of DFV and the fact that DFV extends beyond physical harm to many other forms of social, financial, spiritual and emotional control, manipulation and abuse. By gaining a broader understanding of the dynamics of DFV a victim may more clearly recognise and articulate patterns of DFV in their life and gain new insight into their own experiences. This in turn may inspire victims of DFV to seek assistance at an earlier stage or explore avenues for support, legal assistance and advice.

The strengthening of CLE aligns very much with 1.1 and 5.1 of the National Plan to Reduce Violence Against women and their Children 2010-2022

Recommendation 8: The NT Government to sustain well resourced DFV legal assistance programs
--

2.2 EARLY INTERVENTION

2.2.1 Integrated service system response

As mentioned above the development of a whole of government approach to address DFV is a very positive development. The current fragmentation between different government services does not lead to a coherent conceptual approach to DFV in the Northern Territory. The latest approach by the NT government provides an opportunity to develop a DFVRS which is coherent with a core framework and principles which are shared, embedded and acted upon. The NT Government is strongly encouraged to extend an invitation to the Non – Government sector and other key stakeholders to participate in the development of the DFVRS. It is seen as critical to develop partnerships between government and non-government organisations and the broader communities. The involvement of specialised front-line services as well as Aboriginal and Torres Strait Islander agencies is essential to develop a well informed DFVRS. The latest DFV initiatives in Alice Springs such as the Integrated Response to Family and Domestic Violence and its Family Safety Framework are proof of the importance of consultative processes, partnerships, collaboration and coordinated responses. A partnership approach will ensure complementation and mitigate silo approaches which will ultimately lead to greater safety for children, young people and women. The importance of developing a multi-agency cross border data collection system to assist the coordinated response was highlighted in the consultation. The implementation of a collaborative approach across different sectors is resource intensive but signals the NT Government commitment to address the devastating DFV situation in the NT.

Recommendation 9: Ongoing consistent involvement of the NGO sector and other key stakeholders in the development of the DFVRS to achieve an integrated response and safety for all involved

2.2.2. Cultural competent service delivery

Numerous papers have been written in recent years about cultural safety, cultural competency and respect frameworks. The definitions vary but all share the importance of having a framework for working cross culturally. The NT has a growing CALD community and a high number of DFV within the Aboriginal and Torres Strait Islander communities. Based on this information it seems to suggest itself that service delivery and partnerships need to consider cross cultural concepts. As Lumby and Farrelly note “social policy has adopted a perspective that accommodates colonization, oppression and dispossession in the analysis of many indigenous social issues, however the majority of policy and service responses to Aboriginal family violence have failed to follow suit, being largely based on dominant western constructions of domestic violence”.¹⁶ This also applies to child protection which is

¹⁶ Lumby B., Farrelly T. *Family Violence, Help –seeking & the Close –Knit Aboriginal Community: Lessons for Mainstream Service Provision*, Australian Domestic & Family Violence Clearinghouse, Issues paper 19,p3.

closely linked to DFV. Korbin refers to the relationship between culture and child maltreatment as complex, politically charged and fraught with unresolved issues.¹⁷ A dichotomy appears to exist in that mainstream agencies and services are aware about cultural differences experienced by clients and staff members alike, yet official implementation of processes to enhance cultural competence is limited and slowly forthcoming. The National Health and Medical Research Council identifies clearly that solely focusing on the individual to change values, knowledge and skills is not sufficient.¹⁸ Change needs to be embedded in different ways addressing systemic, organizational, professional and individual aspects.¹⁹ Considering these aspects in the development of the DFVRS is seen as central just as keeping children and women safe without re-traumatisation.

The above aligns to all six outcomes of the National Plan To reduce Violence Against Women and their children corresponds strongly with the above

Recommendation 10: The consideration of culturally competent aspects in all facets of the DFVRS

2.2.3 DFV Outreach services

Outreach services are seen as a critical model of early intervention in DFV and was seen by participants as an important component in DFV work which should be supported in the DFVRS. An outreach model is strongly informed by existing crisis work and can provide a range of supports depending on the individual context. It plays a critical gatekeeper role to keep women and children safe, assist with court processes and relocation without hopefully women and children having to access emergency accommodation services. The flexible service provision aims to increase the access to relevant services and relevant information which is guided by the individual. Currently this service is provided by some NGOs in the NT including the Alice Springs Women Shelter.

This aligns with 3.3, 4.1, 4.2 and 4.3 of the National Plan To reduce Violence Against Women and their children

Recommendation 11: The ongoing support of DFV outreach models across the Northern Territory

¹⁷ Korbin, J.E. *Culture and Child Maltreatment*, The Battered Child 5th Ed, 1997

¹⁸ National Health & medical Research Council 2006, *Cultural Competency In Health : A Guide For Policy, Partnerships And Participation*, Commonwealth of Australia, Canberra

¹⁹ Ibid

2.2.4 Safe housing options

Providing safe and appropriate housing for women and children escaping DFV is a major challenge. Maintaining or obtaining safe housing is a key factor for women and children escaping violence and frequently results in homelessness as affordable private housing is not an option.²⁰ Participants discussed this issue at some lengths and believed in order to address this issue effectively a range of different options need to be in existence. The aim should not be to solely provide refuge accommodation for children and women but rather a myriad of different options. Women and children need to be able to access these services when early warning signs occur. These options should be provided on a spectrum, ranging from early crisis intervention to short and long term social and affordable housing with additional supports to avoid women facing evictions after “three strikes”.²¹ Participants canvassed the idea of enforcing men to leave the premises and women and children staying home in their familiar environment. The success of these programs in other states is not known, nor whether this might be a viable option for the NT. Further exploration and research is required to assess whether handing over accommodation to women and children will be safe option in the NT. Another issue raised was the question of protective measures /orders “who can do notice of direction” should it be the responsibility of the Department of Housing or the NT Police. The situation on Alice Springs Town camps created discussion as in the past Town Camp Housing Associations were able to trespass violent men from the whole community whereas this is not an option anymore. Trespass orders can only be enforced for one particular premise, which means violent men can still remain in the close neighbourhood leaving children and women unsafe.

Strategies 3.3 and 4.3 of the National Plan to Reduce Violence Against women and their Children align with improved housing options for women and children affected by DFV.

Recommendation 12: Improve availability and access to a range of safe short term and long term housing options for women and children in DFV situations.

2.3. PROTECTION

2.3.1 Breaking the cycle: rehabilitation, therapeutic programs and education

To address repeat domestic violence offending, the Northern Territory government needs to invest in effective and accessible rehabilitation and therapeutic programs and education for domestic violence offenders at each stage of the criminal justice system. The current reliance on prison alone as the default response to domestic violence offending is ineffective in reducing domestic violence in the long term. Where prison is an appropriate response to domestic violence offending, the term of imprisonment must be used to deliver

²⁰ NTCOSS Cost of Living Report, Issue No2, Dec 1013

²¹ Tually, D., Cutler, C. and Slatter, M 2008. *Women, Domestic and Family Violence and Homelessness: a Synthesis Report*, Flinders Institute for Housing, Urban and Regional Research. Flinders University, Victoria.

culturally appropriate and holistic offender rehabilitation, therapeutic programs and education to seek to change the offender's behaviour and address contributing factors in the offender's life. Without therapeutic interventions that engage the offender, and where appropriate, the offender's family and community, the criminal justice system will continue to be a crude and largely ineffective response to this complex issue.

Strategies 6.1/ 6.2 and 6.3 of the National Plan align with the issues outlined.

Recommendation 13: Refocus, reform and invest in programs directed at perpetrators of DFV but not at the expense of investing in services for women and children

2.3.2 Sentencing options

Law and policy reform over the last few years has placed a greater emphasis on responding to domestic violence, and other violent offending, through tough sentencing. Increasingly, as a result of changes to sentencing legislation, prison sentences are handed down for domestic violence offences. There is a presumption in favour of a seven day term of imprisonment for the offence of breaching a domestic violence order, in some circumstances. In addition, the new mandatory sentencing regime under the *Sentencing Act* captures many domestic violence offences, resulting in a minimum mandatory term of imprisonment from 3 months to 12 months, depending on the severity of the offence and the offender's prior history. Whilst the nature of the offence and the circumstances of the offending may be such that a prison sentence is warranted, the focus on prison as the answer to domestic violence offending is concerning. Given the complexity of domestic violence, and the importance of engaging offenders in effective programs aimed at changing their behaviour, it is important that courts are given the discretion to tailor sentences to best address the particular circumstances of the case. The sentencing process should offer an opportunity for therapeutic intervention. Mandatory sentencing inhibits the ability of the courts to do this. Furthermore, as is discussed below, a sentence of imprisonment achieves little in reducing domestic violence in the long-term. There is need for law reform to address these issues.

Currently, even where the court retains the discretion to order a non-custodial sentence in response to domestic violence offending, there are currently few rehabilitation and therapeutic programs available to offenders in the NT including Central Australia, and particularly those in remote communities. This means that the court has few options before it when dealing with domestic violence offenders. It is noted that the government has committed significant funding to the development of a men's behaviour change program in Alice Springs, which is a positive development. It is important that work continues in this area, and that programs are developed for those who do not meet the criteria for the men's behaviour change program (such as female perpetrators).

Strategies 6.1/ 6.2 and 6.3 of the National Plan to Reduce Violence Against women and their Children 2010-2022 align with the issues outlined.

Recommendation:

- 14.1 Refocus, reform and invest in programs directed at perpetrators but not at the expense of investing in services for women and children**
- 14.2 Access to prison programs regardless of length of sentence**

2.3.3 Lack of legal services in remote communities

Participants canvassed their concern that many remote communities in the Northern Territory continue to be deprived of consistent access to legal services or legal outreach. This is particularly concerning given the Federal Government's recent announcement that it will be stripping funds from Aboriginal and Torres Strait Islander Legal Services, community Legal Centres and Family Violence Prevention Legal Services over the next three years, when it is many of these services that deliver invaluable legal services to the most remote parts of Australia. The presence of locally available legal services provides victims of DFV with an additional avenue for seeking help and advice and ensures that victims of DFV are not further disadvantaged by virtue of their geographical location.

A lack of legal services or court processes in a given area can often mean lengthy delays before even minor offences are resolved. In the context of an incident of DFV, by the time there is a court sitting in community, or by the time a victim is able to seek legal assistance or advice in a service hub that may be as many as thirteen hours drive away, significant time has passed since the incident first occurred. This can mean that a victim is less likely to seek assistance given the time lapse, or if the incident proceeds to court, they may struggle to recollect the event accurately, or no longer feel 'connected' to the issue to want to proceed with charges. In Central Australia, it is also important that perpetrators from remote communities can access legal advice and representation to ensure that perpetrators understand the terms of a domestic violence order and the consequences of committing an Act of domestic violence or breaching an order.

A lack of available legal services can lead to confusion over legal rights and entitlements, and a lack of awareness of possible avenues of redress or assistance for legal problems that arise. This means that less complex legal problems may go unattended and become more complicated matters that require more resources to address down the track.

NTCOSS and CAFVSAN members urge the NT Government to, in conjunction with the Federal Government, continue to support funding for Aboriginal and Torres Strait Islander Legal Services, Community Legal Centres and Family Violence Prevention Legal Services to provide legal outreach and CLE to communities across the entire NT region. NTCOSS and CAFVSAN members encourage the NT Government to consider the implementation of

technology such as Skype-hubs in remote communities as a means of connecting community members with regular legal outreach, in addition to regular outreach.

Strategies 4.1/5.1 and 5.3 of the National Plan to Reduce Violence Against women and their Children 2010-2022 support the issues outlined above.

Recommendation 15: Invest in the development of innovative ideas to resource remote legal assistance service delivery

2.3.4 Legal information dissemination

Participants acknowledged that there is room for improvement in regards to ensuring that victims and offenders of DFV are adequately informed about the justice process across this area, including bail conditions, charges and Domestic Violence Restraining Orders (DVOs). Ensuring that victims of DFV fully understand legal proceedings and criminal processes is a responsibility that is shared between police, the courts and frontline workers. Currently, however, the NT system rests on the assumption that victims need to request for information about criminal charges, court proceedings and bail conditions. Victims, particularly those from marginalised groups, may not even be aware that they can request this information, nor will they know how to make such a request, or the value of doing so.²² Without this information victims are at risk, for example, of abetting offenders in breaching DVOs, or failing to act when a bail condition or DVO is being breached because they were unaware of its very existence. NTCOSS strongly encourages the NT Government to consider ways of strengthening the existing legislation regulating DFV so that information regarding DFV offences is mandatorily conveyed to all relevant parties, with the use of interpreters or support workers as necessary, to further protect victims and reinforce offender accountability.

The above mentioned issues are very much aligned with the National Strategy 5.1 and 5.2 to foster national healing and locally developed healing places, programs or activities.

Recommendation 16: Increase funding for legal assistance programs and review DFV legislation to make the sharing of relevant information with DFV victims a mandatory process in police and court proceedings.

²² See The Australian Law Reform Commission, “Family Violence: A National Legal Response” (ALRC Report 114, 2010)

2. 4. REBUILDING THE LIVES OF VICTIMS

2.4.1 Provision of Trauma informed long term support services for women and children

Given the high number of DFV incidents in the NT it can be conferred that not only women are affected by DFV but also their children. Over the last two decades research has gradually provided us with the devastating psychological, physical and social effects of DFV on children.²³ The therapeutic support for children and young people has been slowly forthcoming as knowledge is gained about the impact of DFV and intergenerational violence on children. The long term effects of shock and trauma on women experiencing DFV, compounded by intergenerational trauma, have equally been described in research. However, more informed knowledge needs to be gained of how DFV is manifested in Aboriginal communities. It has become clear that a better understanding, at many levels, of the true nature and complexity of DFV and abuse in Aboriginal communities as a social phenomenon needs to be gained to inform intervention.²⁴ The lack of long term trauma informed therapeutic services for women and children was seen as a major gap along the spectrum of service delivery. Women who have left DFV need easy access to trauma informed therapeutic services to reduce the likelihood of women returning to the violent relationship with their children.²⁵ Long term support and assistance to assist with emotional and interpersonal functioning is a critical aspect in assisting women to rebuild their lives without further exposure to DFV.

The therapeutic intervention program for children developed as part of the Communities for Children program in Alice Springs is an example of a locally based and developed initiative to meet the therapeutic needs of children. This initiative is not solely focused on DFV but has an inbuilt professional component which is able to provide a trauma informed service to children across a multitude of issues.

The investment in trauma informed support services aligns with Strategies 4.1,4.2 and 4.3 of the National Plan to reduce Violence Against Women and their Children.

Recommendation 17: Investment in long-term trauma informed services for women and children

2.4.2 Family Law and Domestic and Family Violence

Concerns were expressed in relation to the implementation of the Family Law Act when families present with hidden or not detected DFV issues. Domestic and Family Violence is a

²³ Buchanan, F. Mother and Infant Attachment Theory and Domestic Violence: Crossing the Divide, Australian Domestic Family Violence Clearinghouse, Paper 5, Sep.2008

²⁴ Bopp,M.,Bopp,J &Lane,P 2003 ,*Aboriginal Domestic Violence in Canada*, Aboriginal Healing Foundation, Ottawa

²⁵ McInnes, E. 2001. *Single mothers, social policy and gendered violence*. Paper presented to 'Seeking Solutions' Domestic Violence and Sexual Assault Conference

common cause of marital breakdowns. The current Family Law focusses on mediation and shared parenting and this involves a prior screening process unless prior knowledge exists regarding DFV and child abuse issues. Mediation will be proceeded with if DFV is not readily identified during the screening process. This process is highly inappropriate and creates major risks for women and children experiencing DFV as a power balance continues to exist. Often women may feel intimidated and fear the mediation partner but are legally forced into this process.²⁶ This furthermore means that women and children miss out on necessary supports to rebuild their lives and are locked into negotiations with a partner they were trying to escape from. Participants identified the importance of mediation services being well equipped and trained to detect indicators of DFV and having the flexibility to provide support or refer accordingly.

It is acknowledged that Family Law is a federal issue but service providers highlighted the inter- relationship in the application of the Territory and Commonwealth laws as a major issue. The forum urges the NT Government to work with the relevant Commonwealth institution to develop solutions which ensure the safety of women and children from violence.

This aligns with Strategy 5.1 and 5.3 of the National Plan to Reduce Violence Against Women and their Children.

Recommendation:

- 18.1 Ongoing professional development of mediation services in Family Law to be well equipped to detect hidden DFV issues.**
- 18.2 Link with Commonwealth institutions to advance Family law solutions which do not compromise the safety of Women and their children**

2.4.3 Culturally Appropriate Healing Programs

Healing services aim to mend the harm caused by family violence, prevent further harm and enable individuals and communities to move forward.²⁷ Healing programs, such as the Rekindling the Spirit program, can be very effective.

The Rekindling the Spirit Program is an extremely successfully healing program that was started by Greg Telford in Lismore, NSW in 1997. Statistics analysed by the NSW Department of Corrective Services show that 97% of men and women who completed the Rekindling the Spirit program had not returned to custody after two years of completing the program.²⁸ Rekindling the Spirit works with Indigenous people who have experienced family

²⁶ Domestic Violence Resource Centre, Victoria, www.dvirc.org.au/update Hub/Disability Project.

²⁷ Aboriginal and Torres Strait Islander Social Justice Commission (ATSISJC) 2007. Social justice report 2007. Sydney: Australian Human Rights Commission.

²⁸ Rekindling the Spirit, The Rekindling Programs Guide for Goori men, women, families, and other Rekindling the Spirit programs, Rekindling the Spirit, Lismore, 2007, 10

violence, either as victims, perpetrators, or children who have witnessed family violence.²⁹ The primary objectives of Rekindling the Spirit are to:

- promote healing and well being;
- address negative and unhealthy behaviours and attitudes which deny individual responsibility as well as perpetuate the cycles of violence and abuse;
- recognise the underlying historical and social context of Aboriginal disadvantage;
- encourage the empowerment of Aboriginal people by Aboriginal people.³⁰

The Rekindling the Spirit Program involves group therapy sessions through men and women's groups and men and women's camps.³¹ Greg Telford describes Rekindling the Spirit as being about "continuity, about empowering individuals, families and ultimately communities in the fight against family violence and abuse which has become an intergenerational issue".³²

In the Northern Territory over 99 per cent of incarcerated offenders return to the prison system within 2 years of being released.³³ Punitive measures have proven to be ineffective at rehabilitating offenders and creating safer communities. CAFVSAN advocates for the introduction of healing programs in the Northern Territory for victims and perpetrators of domestic violence.

Central Australian Aboriginal Family Legal Unit Aboriginal Corporation ("CAAFLUAC") received one-off funding in 2010-2011 to coordinate Rekindling the Spirit and coordinated a men's and a women's healing camp. The women's camp was facilitated by Aboriginal Psychologist, Joyleen Koolmatie. The workshop, called 'How to keep well', gave participants the opportunity to talk about issues around grief, loss and stress in family violence. The men's camp was facilitated by Rekindling the Spirit founder, Greg Telford, and it aimed to empower local community members to facilitate group therapy sessions addressing violent and abusive behaviour, encouraging participants to take responsibility and not blame others. There was extremely positive feedback from participants of both camps. Funding is required for these initiatives to be delivered again in the future.

The above mentioned program is very much aligned with Strategy 3.2 of the National Plan to foster national healing and locally developed healing places, programs or activities.

Recommendation 19: Investment and provision of locally designed healing programs based on consultation with key community stakeholders.

²⁹ Aboriginal and Torres Strait Islander Social Justice Commission (ATSISJC) 2007. Social justice report 2007. Sydney: Australian Human Rights Commission. (http://www.hreoc.gov.au/social_justice/sj_report/sjreport07/pdf/sjr_2007.pdf).

³⁰ Ibid.

³¹ Rekindling the Spirit, The Rekindling Programs Guide for Goori men, women, families, and other Rekindling the Spirit programs, Rekindling the Spirit, Lismore, 2007

³² Telford, G., Communication with Social Justice Commissioner's Office, 19 November 2007.

³³ Mr Phil Tilbrook, Prison Officers' Association, from 'New program aims to break prison cycle', ABC news, 27 July 2012, (<http://www.abc.net.au/news/2012-07-27/new-program-aims-to-break-prison-cycle/4160682>).

2.5 Accountability

2.5.1 Prison and post release support programs

Prison alone will not reduce domestic violence in our communities; it provides only short-term safety to victims. Available data on recidivism in the Northern Territory supports this. Recent Australian Bureau of Statistics data indicates that approximately 70% of prisoners in the Northern Territory have served a prior term of imprisonment.³⁴ This is the second highest rate of recidivism in Australia. This means that a previous sentence of imprisonment was ineffective in deterring the majority of prisoners from future reoffending. Whilst the data does not indicate the proportion of recidivist domestic violence offenders, the experience of services in Central Australia, including the legal aid services, is that recidivism rates are high.

Where domestic violence offenders are sentenced to a term of imprisonment for domestic violence related offences, or where a prisoner is otherwise identified as a domestic violence perpetrator, it is critical that the prisoner is engaged in culturally appropriate rehabilitation and therapeutic programs at the earliest opportunity and continues to receive support post-release. There are often a range of interrelated factors which contribute to a prisoner's offending, including alcohol and substance abuse, social marginalisation, poverty and long-term unemployment, housing, health issues such as mental illness or cognitive impairment, and family breakdown. Prisoners require long-term, targeted and holistic support to address the range of issues contributing to their offending behaviour and to address entrenched attitudes towards domestic violence. The prisoner's family and community also need support to assist them to deal with the prisoner's reintegration into the community post-release. Prisoners, their families and their communities do not receive this kind of support in Central Australia.

There are two programs available for prisoners in Alice Springs Correctional Centre that specifically target violent offending. The first is the Family Violence Program which there are two components to – the correction centre based program and a community based program. The correctional centre based program is a psycho educational (meaning that it aims to provide participants with knowledge and skills about domestic violence and how to live violence free) program. The community based program delivers to urban and remote centres across the Northern Territory over a period of five days. Northern Territory Correctional Services are currently working to make this program more accessible to prisoners in Alice Springs Correctional Centre by combining resources across custody and community.

The second program that targets violence is the high intensity violent offender treatment program. This program can include perpetrators of domestic violence. The program is

³⁴ Australian Bureau of Statistics, Prisoners in Australia – 2013, cat. no. 4517.0.

designed to address the treatment needs of offenders who require intensive therapeutic intervention to address violent offending.

However, many domestic violence offenders go in and out of prison without any type of rehabilitation pre or post-release because these therapeutic domestic violence programs are under-resourced. Offenders sentenced to short-terms of imprisonment, such as those who have received a mandatory sentence of three months imprisonment under the new mandatory sentencing legislation, and detainees who spend lengthy period on remand prior to release on a finding of guilt, are often unable to access programs before their release. Prisoners held in maximum security are also usually ineligible for participation in programs because of their security risk. This means that a large proportion of domestic violence offenders who serve a prison term cannot access the limited programs offered in the prison.

It is particularly concerning that, whilst it has been recognised that victims are extremely vulnerable following the release of a perpetrator, there are few dedicated throughcare or post-release programs provided to perpetrators and the perpetrator's family and community to facilitate the perpetrator's safe and successful return to their community and families in Central Australia. There are two programs in Central Australia which provide some post-release planning and support to prisoners: the Prison Support Program run through the Central Australian Aboriginal Legal Aid Service and the post-release support service run through Mission Australia. However, both are under-resourced and only have capacity to work with a small group of prisoners. Neither service is able to offer a dedicated domestic violence rehabilitation service to prisoners and their families and communities. The Prison Support Program only has funding until the end of the 2013-14 financial year, and is seeking funding to secure its continuation

Upon release from prison, offenders are in a highly vulnerable position as they are often unemployed, disconnected from their networks and may be drawn back into patterns of alcohol or substance abuse and ultimately, re-offend. Appropriate post-release programs could work to support offenders in the areas of housing, employment, mental health, reunification with family and children, community participation, and drug and alcohol rehabilitation. Holistic post-release case management may assist offenders to reintegrate into society while receiving support for complex and related needs.

In the context of DFV victims are also particularly vulnerable when the perpetrator of the violence is released from prison, as the perpetrator may seek the victim or victim's family out, for a range of reasons including wanting to continue an intimate relationship, to seek 'revenge' for having spent time in prison or financial support. A family's contact with a range of agencies may also increase after release of the offender from prison including child protection agencies. Targeted post-release support programs to perpetrators and victims of DFV (and their families as appropriate) may help to reduce recidivism in the areas of DFV and assist victims and perpetrators through this particularly vulnerable time.

Participants acknowledge the existence of the aforementioned projects and the newly introduced 'Sentenced to a Job' prison employment program. However, NTCOSS and CAFVSAN urge further governmental support of both in-prison and ongoing post release programs designed to reduce recidivism in the areas of DFV.

Strategies 6.2.and 6.3 of the National Plan to Reduce Violence Against Women and their Children align with the issues outlined above

Recommendation 20: Exploration and implementation of targeted prison and post – release programs for perpetrators to reduce recidivism of DFV

2.5.2 Investment in Research and Evaluation

We commend the NT Government on their drive to support evidence based programs. NTCOSS and CAFSAN support evidence based practice and would welcome investment in research which assists government and non government organisations to better prevent and respond to DFV. While a number of organisations have a deep understanding and knowledge base it does not replace a well researched and an evidence base from which to drive future reform. NTCOSS calls on the Department of the Attorney – General and Justice to seriously consider research and evaluation in collaboration with other key players like the National Centre of Excellence to Reduce Violence Against Women and their Children.

NTCOSS and CAFVSAN would like to stress the importance of meaningful evaluation of DFV directed programs that are currently in operation in the Northern Territory, and of any new programs that are initiated as a response to the DFV Strategy or as part of the NT Government's commitment to the National Plan. With specific regard to Central Australia, NTCOSS highlights the value of local research and evaluation in providing key insight into programs that are creating positive outcomes in the Central Australian region

It is vital that any evaluation process is conducted over a reasonable length of time, in recognition of the fact that for many individuals and communities, DFV occurs as a result of deeply entrenched norms and behaviours. Change in this area is difficult to quantify or measure, and often occurs slowly, incrementally or via indirect means. Furthermore, programs and policies to address DFV would greatly benefit from secured long term funding in order to evaluate and analyse the impact within a realistic timeframe.

NTCOSS and CAFVSAN members also stress the importance of tailoring DFV programs and policies to meet the needs of the specific group to whom they are targeted, such as: Indigenous women; residents in remote Indigenous communities; women of culturally and linguistically diverse (CALD) backgrounds; repeat offenders; youth. Consultation with and input from the particular target group and frontline workers is imperative to ensure that programs and policies are able to meet realistic, community-supported goals and outcomes. Further, evaluation of any DFV program or policy should be conducted with reference to specific goals of that program, as well as the needs of and feedback from the particular

group to whom the program or policy is directed. Even though Research and evaluation was discussed in more detail under the heading of accountability it should span across the continuum of DFV intervention i.e. the five areas for Action identified in the DFVRS.

The National strategies 1.2, 6.2 and 6.3 relate to the research and evaluation of best practice programs.

Recommendation 21: To reflect commitment to the DFVRS by investing in best practice research and localized evaluation
--

Conclusion

The submission has summarized issues expressed by the sector at a range of forums and meetings including the DFV Alice Springs consultation. Many more issues could have been explored further which are all related to DFV such Drug and Alcohol issues, the general lack of housing which results in overcrowded accommodation, mental health issues of individuals and its impact on DFV. It is hoped that an integrated whole of government process with the involvement of other key stakeholders will consider the broader issues in the development of the DFVRS.

Recommendations Summary

- 1.1 The development of a consistent systematic DFV training framework and training for all government and non-government services
- 1.2 The development and implementation of clear DFV screening and reporting processes for Government and Non-Government services
- 2.1 The support and promotion of respectful relationship programs for children and young people based in schools and community settings.
- 2.2 To invest in community education programs in collaboration with other key national and state stakeholders
3. Improve support, recruitment and capacity building strategies to increase and sustain employment of Indigenous staff in the DFV field
- 4 Establishment of an effective Domestic Family Violence Death Review process across the Northern Territory
- 5.1 The DFV reduction strategy to focus on building and supporting legal literacy among migrants and refugees on Australian law and gender equality issues

- 5.2 To establish a link with other states and federal body to address the impact of Commonwealth laws on those experiencing DFV.
- 6 Perpetrator programs need to be gendered, delivered by qualified staff, challenge values, attitudes and have the safety of women and children as main focus.
- 7 Legal frameworks need to be supported by research and regularly subject to evaluation for effectiveness.
- 8 The NT Government to sustain well resourced DFV legal assistance programs
- 9 Ongoing consistent involvement of the NGO sector and other key stakeholders in the development of the DFVRS to achieve an integrated response and safety for all involved
- 10 The consideration of culturally competent aspects in all facets of the DFVRS
- 11 The ongoing support of DFV outreach models across the Northern Territory
- 12 Improve availability and access to a range of safe short term and long term housing options for women and children in DFV situations.
- 13 Refocus, reform and invest in programs directed at perpetrators of DFV but not at the expense of investing in services for women and children
- 14.1 Refocus, reform and invest in programs directed at perpetrators but not at the expense of investing in services for women and children
- 14.2 Access to prison programs regardless of length of sentence
- 15 Invest in the development of innovative ideas to resource remote legal assistance service delivery
- 16 Increase funding for legal assistance programs and review DFV legislation to make the sharing of relevant information with DFV victims a mandatory process in police and court proceedings.
- 17 Investment in long-term trauma informed services for women and children
- 18.1 Ongoing professional development of mediation services in Family Law to be well equipped to detect hidden DFV issues.
- 18.2 Link with Commonwealth institutions to advance Family law solutions which do not compromise the safety of Women and their children
- 19 Investment and provision of locally designed healing programs based on consultation with key community stakeholders.

- 20 Exploration and implementation of targeted prison and post-release programs for perpetrators to reduce recidivism of DFV
- 21 To reflect commitment to the DFVRS by investing in best practice research and localized evaluation

References

1. Aboriginal and Torres Strait Islander Social Justice Commission (ATSISJC) 2007. Social justice report 2007. Sydney: Australian Human Rights Commission
2. Access Economics, The cost of Domestic violence to the Australian Economy: Part 1 (Commonwealth of Australia, Canberra, 2004
3. Australian Bureau of Statistics (2006), Personal Safety Survey (reissue), Cat. No. 4906.0, Canberra.
4. Australian Bureau of Statistics, Prisoners in Australia – 2013, cat. no. 4517.0.
5. Australian Domestic and Family Violence Clearinghouse “ Exploring the Use of Domestic Violence Fatality Review Teams”, Issues Paper 15, October 2007
6. Australian Law Reform Commission, “Family Violence: A National Legal Response” (ALRC Report 114, 2010)
7. Bopp,M.,Bopp,J &Lane,P 2003 ,Aboriginal Domestic Violence in Canada, Aboriginal Healing Foundation, Ottawa
8. Buchanan, F. Mother and Infant Attachment Theory and Domestic Violence: Crossing the Divide, Australian Domestic Family Violence Clearinghouse, Paper 5, Sep.2008
9. Family and community violence, Chap 4.11(<http://www.pc.gov.au/gsp/reports/indigenous/keyindicators2009/>)
10. Department of Families, Housing, Community services and Indigenous Affairs , The National Plan to Reduce Violence Against Women and their Children 2010-2022, Australian Government.
11. Department of Premier and Cabinet, Office of Women’s Policy “Discussion paper on NSW Domestic and Family Violence Strategic Framework, 2008
12. Domestic Violence Resource Centre, Victoria, www.dvirc.org.au/update Hub/Disability Project
13. Initiative of the COAG, National Plan to Reduce Violence Against Women and their children 2011
14. Key conventions to which Australia is party international human rights law, International Covenant on Economic , Social and Cultural Rights (ICESCR); International Covenant on Civil and Political Rights (ICCPR); Convention on the Elimination of All forms of Discrimination Against Women (CEDAW)
15. Korbin, J.E. Culture and Child Maltreatment, The Battered Child 5th Ed, 1997
16. Lumby B., Farrelly T. Family Violence, Help –seeking & the Close –Knit Aboriginal Community: Lessons for Mainstream Service Provision, Australian Domestic & Family Violence Clearinghouse, Issues paper 19,p3.
17. Mals, P., Howells, K., Day, A & Hall, G. (1999) ‘Adapting violence programs for the Aboriginal offender’, Journal of Offender Rehabilitation, 30(1-2), 121-135.
18. Marie Virueda and Jason Pain (2010), Homicide in Australia: 2007-2008 National Homicide Monitoring Program Annual Report, Australian Institute of Criminology, Canberra, at 7
19. McInnes, E. 2001. Single mothers, social policy and gendered violence. Paper presented to ‘Seeking Solutions’ Domestic Violence and Sexual Assault Conference
20. National Association for Prevention of Child Abuse and Neglect, ‘Prevention Programs’
21. National Health & medical Research Council 2006, Cultural Competency In Health : A Guide For Policy, Partnerships And Participation, Commonwealth of Australia, Canberra
22. NOUS Group (2013) ‘Family Violence Prevention Legal Services- Research and Needs Analysis Report’, Commonwealth Attorney-General’s Department, 69
23. NTCOSS Cost of Living Report, Issue No2, Dec 1013
24. Phoenix Projects, “Attitudes to Domestic and Family Violence in the Diverse Australian Community: Cultural Perspectives. Partnerships Against Domestic Violence, Canberra, Australian Capital Territory, 2000.

25. Rekindling the Spirit, The Rekindling Programs Guide for Goori men, women, families, and other Rekindling the Spirit programs, Rekindling the Spirit, Lismore, 2007, 10
26. Telford, G., Communication with Social Justice Commissioner's Office, 19 November 2007.
27. Tilbrook, P., Prison Officers' Association, from 'New program aims to break prison cycle', ABC news, 27 July 2012, (<http://www.abc.net.au/news/2012-07-27/new-program-aims-to-break-prison-cycle/4160682>).
28. Tually, D., Cutler, C. and Slatter, M 2008. Women, Domestic and Family Violence and Homelessness: a Synthesis Report, Flinders Institute for Housing, Urban and Regional Research. Flinders University, Victoria.
29. Versini, C (2006) Violence Against Children in the Home and Family. United Nations Secretary – general, pp 93-96