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Submission via email to: familylaw@alrc.gov.au

Submission to the Australian Law Reform Commission

Review of the Family Law System: submission in response to the proposal, questions and analysis in the Discussion Paper

Thank you for this opportunity to provide a submission in response to the Australian Law Reform Commission's Discussion Paper on the Family Law System. This submission has been prepared by members of the Monash Family Violence Prevention Centre (MFVPC).

More details about our research centre and our current related research are provided in the introduction and as an appendix to this submission.

Please find our submission attached to this letter.

We would welcome the opportunity to discuss any aspects of this submission or our wider research further with the Commission.

Kind regards,

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Review of the Family Law System: submission in response to the proposal, questions and analysis in the Discussion Paper

The Australian Law Reform Commission’s review of the family law system in Australia represents an important opportunity to address known failings in the current system and to improve system responses. We commend the Commission for their work already in this area and look forward to the findings and recommendations of this Review.

Our submission is structured into four key sections: an outline of our research expertise and capacity, response to the Discussion Paper, our recommendations, and our appendices, as detailed in the Table of Contents below. We have focused on the proposals and questions in the Discussion Paper that relate to family violence and our research expertise. This is not to suggest that we oppose proposals that we have not addressed in this submission.

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1. OUR RESEARCH EXPERTISE

The Monash Gender and Family Violence Prevention Centre focuses on research examining the intersection of gender and the long-term prevention of family violence. Centre researchers work collaboratively with partners in government, social services, legal services, health and policing working to contribute to changing family violence patterns and outcomes. We identify family violence as a catastrophic and preventable social problem.

The Centre draws on expertise from across the University, including social science, law, and medicine with a focus on building an evidence base to inform primary, secondary and tertiary prevention. Members of the Centre are engaged in work that includes ground breaking research, engagement with government and civil society stakeholders, and innovative education offerings. Our research is grounded in qualitative and quantitative methods, combined with a well-developed understanding of the contemporary policy landscape.

Members of the Gender and Family Violence Prevention Centre are engaged in:

- **Contract research and consultancy** - including on all aspects of family violence, family violence prevention and responses to family violence;
- **Policy development** – including on perpetration interventions, risk assessment and risk management, mapping and developing linkages and collaborations between sectors and between multiple intersecting reforms and reform agendas;
- **Evaluations of programs and reforms** – including large-scale multi-sector reforms.
- **Workforce capability building** – on family violence prevention for practitioners and policy makers from a wide range of sectors; and
- **Expert lectures, seminars, industry briefings and opinions and family violence.**

2. OUR RESPONSE TO THE DISCUSSION PAPER

EDUCATION, AWARENESS AND INFORMATION

We support the ALRC's Proposal 2-1 for the Australian Government to develop a national education and awareness campaign to enhance community understanding of the family law system. We agree, as per Proposals 2-2 and 2-3, that the national education and awareness campaign should be developed in consultation with Aboriginal and Torres Strait Islander (ATSI), cultural and linguistically diverse (CALD), LGBTIQ and disability organisations, the state and territory governments as well as any other relevant organisations and bodies. In line with this, we support the ALRC's proposal that the Australian Government should convene a standing working group with representatives from government and non-government organisation from each state and territory (Proposal 2-5). We agree that there is a need to ensure that all information on the family law system is easy to access, clear and consistent, and that these resources must be available in a range of languages and formats (Proposal 2-7). Our research suggests that particular attention should be drawn to the need to develop resources for CALD communities and women with disability.

Access to accurate and timely legal information is important for all those who have experienced family violence. It is likely to be particularly important for women from CALD communities who might believe or be told that they have no legal rights in relation to family violence. Women who migrate to Australia and experience family violence face specific insecurities and barriers in accessing assistance (Segrave 2017). These barriers are often heightened for women who are on a temporary visa (Segrave 2017). Women often fear that disclosure will impact on their pathway to permanent residency and citizenship and/or that it may result in separation from Australian-born children. Women are often unable to access information about legal and migration rights (or may be provided with misinformation by their abusive partner). When initial disclosures to police or other services do not result in an effective response, women may be concerned that they have no legal rights in Australia over their children, their own safety or their residency. We recommend that readily available and accessible resources be developed to ensure the provision of accessible information about the family law system to women from CALD communities. These resources should be developed and disseminated in consultation with members of the CALD community. As recommended by Segrave (2017:4) there is a need for a diverse and direct communication strategy that is provided pre-departure and on arrival, and then via a comprehensive multi-platform approach in order to reach women who may be quite isolated.

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Recent research addressing the needs of women with disability have revealed the significant limitations of system responses in terms of access to information, support and advice that will address the needs of women with disability as they care for their children (Maher et al 2018). We support proposals made by the ALRC to include provision and accessibility of information and support services for women with disability.

GETTING ADVICE AND SUPPORT

We support Proposal 4-1 to establish community-based Families Hubs to provide separating families and their children with an entry point to access a range of required legal and support services. In particular, we note the importance of ensuring that these Hubs are tasked to identify and respond to family violence risks faced by women and children during the period of separation. In particular, we emphasise the importance of ensuring specialist family violence services are represented in these hubs (as per Proposal 4-3). Findings from international and Australian death review inquiries and research have consistently found separation to be a point of heightened risk for women and children experiencing family violence (see, for example, ADFVDRN 2018; Campbell et al, 2003; NSWVDVDR 2015).

Our research examining the Victorian family violence risk assessment and risk management framework ('the CRAF') highlighted the importance of consistent, integrated and informed risk assessment practices across all agencies and organisations working with persons experiencing family violence (McCulloch et al 2016). The family law system was one area, among several, identified as holding particular risks for women and their children, and requiring enhanced risk assessment and management practices. The research included a series of interviews conducted with women victim/survivors of family violence. These women indicated that early reports to many different types of specialist and generalist services, including police, did not result in responses that worked towards achieving women's and children's safety. Failures to effectively share and respond to risk assessment compounded the likelihood of harms. In the majority of cases, women described a lack of response to their initial disclosures of violence and were deeply distressed that an escalation of the violence was necessary before concrete steps towards stopping violence could be taken by relevant agencies and services. It was clear that for many early disclosures did not result in referral to relevant legal services and supports.

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A key issue identified in our research by generalist services (including family law professionals) who are likely to be exposed to family violence was the lack of current knowledge and information about appropriate pathways and referrals for those who have experienced family violence. For non-specialist professionals to feel confident about identifying and responding to disclosures of family violence, information about what to do subsequent to a disclosure is paramount. Such information should be clear, regularly updated to ensure currency and readily available. Agencies should be confident that they are able to share knowledge that impacts on the safety and security of those who experience family violence.

The importance of the response of all types of services that may come into contact with those affected by family violence, and the importance of effective risk assessment and risk management is highlighted by our research. It is also important to note, as findings from our recent research indicate (McCulloch et al 2016), that diversity must be built into risk assessment and these process must be tailored to and informed by diversity (for example, the specificity of experiences for women from CALD communities as discussed below, and including, but not limited to, women with disability and those from the LGBTIQ community). In developing the Families Hubs we would encourage the ALRC to consider the range of services and professional that should be represented within the hub to ensure that there are adequate skills for responding to the support and safety needs of women and children from diverse communities. These must include services such as the provision of migration specialists and those with expertise in supporting women with disability.

We recommend that the ALRC consider the ways in which these hubs with connect and overlap with other multi-disciplinary hubs, such as the recently introduced 'Orange Door' family violence support and safety hubs in Victoria. While we recognise the value of multi-disciplinary responses to ensuring safety and support, we are conscious that in the current reform environment across Australia (particularly in the space of family violence) it will be essential to ensure alignment and integration between Federally established and state-based hubs.

RESHAPING THE ADJUDICATION LANDSCAPE

We commend the ALRC for considering how the adjudication landscape could be reshaped to deliver better outcomes and to improve the safety of women and children. While it is not flagged in the discussion paper in a question or proposal, we believe this Inquiry offers an opportunity for the Commission to reconsider the

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traditional boundaries between the Federal family court system and state-based criminal justice and civil systems. All of these hold responsibilities for responding to cases occurring in the context of family violence. This results in a situation where a person experiencing family violence may be required to move between a number of courts to have their matters heard, including a state magistrate's court, a district (County) court, a state supreme court, state children's court and/or federal family court (ALRC/NSWLRC 2010: 132). As noted in Fitz-Gibbon's (2016: 27) Churchill Fellowship report 'for most persons the court environment is a foreign and confusing setting, complexities which are further exacerbated when a person is required to navigate multiple jurisdictions and courtrooms'. Similarly, the Victorian Royal Commission (2016: Summary – 26) found 'procedural and jurisdictional features of the courts have the potential to produce adverse consequences in family violence proceedings'. Similar conclusions were reached in the Luke Batty Inquest (Gray 2015: 105).

In recognition of the need to minimise complexities and fragmentation in legal processes, internationally specialist court approaches have been developed which bring together multiple areas of law within the one court setting. For example, in the United States, the integrated domestic violence court model allows for criminal, civil and family law matters to be dealt with in the one courtroom (for further details on this model, see Fitz-Gibbon 2016). The 'one court' model was considered by the ALRC/NSWLRC (2010: 145) which concluded that it would be plausible in the Australian context albeit that implementation would give rise to 'significant' challenges in terms of the constitutional division of power between the Commonwealth and the states, and the cost of establishing a national specialist family violence court framework. This was also a key recommendation in the Coroner's report into the death of Luke Batty (Gray 2015: 105).

Working towards the integration of family law attention to family violence offers a clear pathway to create a system that better serves our objectives of keeping women and children safe and secure. For example, such an integration could capture the multiple forms of economic abuse that occur in the context of family law, including the (ab)use of the system by perpetrators, who use the family law process for the purposes of furthering their abuse and control and also the utilisation of migration law and policy and visa status as leverage for control over women and their children. All specific forms of economic abuse, including abusive practices around dowry payments and the misuse of carer payments, could be addressed in this context.

We recommend that a review be undertaken at the Commonwealth level to develop an Australian integrated family violence court model. The developed model should

consider what legislative amendments are required to facilitate the inclusion and resolution of family law matters at the state level for cases involving family violence. This model should propose a way forward in accommodating the constitutional division of powers between Commonwealth and State laws with the aim of minimising the fragmented and complex web of court processes that persons experiencing family violence are presently expected to navigate.

In the case that the ALRC does not consider the introduction of an integrated family violence court model then we support proposals put forward to introduce specialist court pathways and a specialist family violence list (Proposal 6-3) and agree that this would be particularly important for cases involved high-risk family violence matters (Proposal 6-7). It is essential to ensure that all members of the judiciary, legal practitioners and court professionals who engage with persons involved in high-risk family violence matters have the relevant expertise and skills to identify and understand risk, assess and case manage dynamic risk in the context of family law system decisions and orders, engaging in triaging and case management.

We support Proposal 6-12 to ensure that all family court premises and other state and territory courts used for family laws matters are safe for attendees, including ensuring the availability and suitability of safe waiting areas, rooms for co-located service providers, safe entrances and exit options, child-friendly spaces, and multi-lingual and multi-format signage. We recommend that ensuring safe architectural design should be undertaken in consultation with specialist family violence and women's services as well as representatives from ATSI and CALD communities. We recommend ensuring that translator services are specifically trained to work with those who have experienced family violence.

CHILDREN IN THE FAMILY LAW SYSTEM

We believe it is essential that any reforms to the family law system keep the safety and risk of children engaged in family law proceedings and family dispute resolution at the forefront of considerations and decision making. We support Proposal 7-6 that there should be an initial and ongoing assessment of risk to the child of participating in family law proceedings or family dispute resolution. This ongoing process must be accompanied by clear processes to manage and respond to any identified risks in a timely manner. Our research on family violence risks to children (Fitz-Gibbon et al 2018) emphasises the importance of interagency collaboration in assessing and responding to children impacted by family violence. Those working within the family law system are a key component of this response. We note that a child's risk may be

distinct and separate from the risks of the parent and/or mother and that it is essential that any risk assessment and management pay attention to the family structure and histories of family violence.

We support Proposal 7-13 proposing a Children and Young People's Advisory Board for the family law system. The experiences and safety of children engaged with the family law system is paramount and an expert Advisory Board would be well placed to inform best practice policy and practice development in the system.

REDUCING HARM

We note the current definition of family violence as included in section 4AB of the Family Law Act 1975 (Cth). We support the present use of a non-exhaustive list of examples of behaviours in the current legislation and support Proposals 8-1 and 8-3 proposing amendments to this definition to explicitly include the misuse of legal and other systems and processes, emotional and psychological abuse, and technology facilitated abuse.

Specifically, in regards to the inclusion of misuse of legal and other systems and processes as an example, we believe this would be a significant addition due to its prevalence in the family law system specifically. Research highlights that this form of abuse in the family law system is common, as post-separation is often a period when perpetrators attempt to re-establish control using different techniques than what may have been utilised in the past (see, for example, House of Representatives Standing Committee on Social and Legal Policy 2017; Douglas 2017). The current lack of recognition of this form of abuse has allowed for some perpetrators of family violence to successfully 'work the system' to their advantage. Victims, as a result, may experience significant financial and psychological stress, the burden of ongoing legal battles, and an increased risk to their own safety and that of their children.

The misuse of systems by perpetrators of family violence fits within current conceptualisations of coercive and controlling violence. Successful perpetration of this type of abuse may allow an abuser to drain the victim's finances or deny them access to shared assets; limit a victim's ability to access employment; isolate the victim from friends and family; impact the victim's access to legal aid; control the victim's freedom of movement through court orders; and constantly control the victim's behaviour through threat of further legal action (Smallwood 2015; Laing 2017; Douglas 2017). The psychological and social impacts of the misuse of systems and other processes mirror the effects of other forms of family violence,

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such as emotional abuse and technological abuse, and yet this type of abuse is unique in that laws that are designed to assist victims and those experiencing familial-breakdown are specifically utilised by perpetrators to harm victims. We support the ALRC's proposal to expressly include this form of abuse in the definition of family violence and believe it will provide greater recognition of this form of abuse and in turn contribute to improved responses to family violence within the family law system.

In addition to the proposals put forward by the ALRC, under the theme of 'reducing harm', we recommend that a systematic examination of the multiple points of interactions between Intervention Orders and Family Court proceedings be undertaken to ensure that the safety and security of those affected by family violence is prioritised in all legal proceedings. Findings should be used to inform improved risk assessment and case management practices within and beyond the family law system.

ADDITIONAL LEGISLATIVE ISSUES

We support proposals under 9-1 that build awareness, knowledge and support for those with disability experiencing family law issues. In particular, we commend Proposal 9-6 where resources are positively directed towards supporting the parenting of those with disability caring for children. As our research (Maher et al 2018) has revealed, punitive approaches, when family violence intersects with family law for women with disability, are still far too common.

A SKILLED AND SUPPORTED WORKFORCE

We support Proposals 10-3, 10-6 and 10-8, which aim to specifically include training and professional development on understanding family violence into the family law system. We recommend that any workforce training on family violence introduced be mandated as part of ongoing accreditation and/or professional development processes. In our review of risk assessment in relation to family violence (McCulloch et al, 2016), many service providers including those from courts and legal services, indicated that they had insufficient training and guidance on 'when to do a risk assessment; how often to do it; how to document the assessment and when and with whom to share the information' (see also Plunkett 2015: para 44). It is vital that professionals working in the family law system be supported to understand and

assess family violence risk, in order that early disclosures, and escalating situations, can be identified and appropriate responses ensue.

Training that supports family law professionals to respond effectively to family violence disclosures is currently not embedded in standard professional training (such as degrees) and becomes extremely difficult to implement once graduates become private practitioners. Limited time is devoted to professional training in key workforces, such as for lawyers that are on the frontline of family violence responses. Changes in educational structures to build in knowledge about the prevalence, impacts and presentation of family violence need to be provided for practitioners. This view is supported by the findings and recommendations of the Victorian Royal Commission into Family Violence (2016) and the Special Taskforce on Domestic and Family Violence in Queensland (2015).

Specialist family violence training and education of judicial officers working in the family law system is particularly important given the intersection between family court access orders and family violence intervention orders. Our research (McCulloch et al 2016) documents the ways in which women considered that family court access orders in relation to children, granted through the Family Law system, appeared to ignore, or fail to take sufficient account of, intervention orders around family violence, creating a new and critical area of risk for women and their children. In addition, prior criminal histories of violence and imprisonment were not linked with initial family violence risk assessments, resulting in extremely risky situations for women and their children engaged in family court proceedings. As illustrated in the following two interview excerpts:

Unexpected risks? There has been a lot, to be honest. As a result of the Family Court Orders themselves, having to exchange at access points and things like that, there was times when I was put at risk. Again, I have to go back and make the orders for the exchange to occur at police stations, which still happens to this day. I think most of it stems from what's occurred through the Family Court and overriding the intervention orders that were in place, which has allowed for me to be put at risk, because their dad was allowed to attend sporting events and things like that, where I obviously am. (Victim/survivor, left the relationship around 12 years ago)

I think that it's a community responsibility, so I don't know whether that's Family Court that need to do a bit more or we need to have some alerts where there's intervention orders that are being changed to give him contact with children. Family services will be doing some of that when they're involved with

the perpetrator and his parent, men's behaviour change. I think there's a number of – possibly police, I don't know. I think there's a number of services that need to be able to keep that in mind. (Service Provider)

As part of this up skilling and professional development we also recommend that all professionals working with those affected by family violence, including family law court staff, judicial officers and legal practitioners, should be skilled to undertake dynamic risk assessment and that this forms part of required responses to family violence disclosures. These should be tailored to capture general and particular risk, reflecting the specific situations members of diverse communities may experience. This knowledge and expectation should be reflected in position descriptions and protocols within the family law courts.

INFORMATION SHARING

It is vitally important that reforms to the family law system specify protocols for information sharing and risk assessment that create accountability for all relevant legal and non-legal actors. In the Inquest into the Death of Luke Geoffrey Batty (Gray 2015), particular attention was paid to the need to develop effective risk assessment and information sharing protocols as a basis for effective early interventions. Once family violence is identified, State Coroner Ian Gray recommended that risk assessments be:

dynamic, collaborative, comprehensive and up-to date. That is, once commenced, a risk assessment considers all the information available to all relevant agencies, is updated and maintained for a family where family violence has been indicated or reported.

The Coroner recommended that risk assessments are accessible and maintained by all relevant legal officers involved in identifying and coordinating the support given and safety planning provided to victims of family violence. The Victorian Royal Commission into Family Violence (2016) similarly found that dynamic risk assessment and information sharing by all relevant legal and service agencies working with women and children experiencing family violence was a critical aspect of early responses that supported safety.

We agree that with the ALRC that appropriate information sharing protocols and obligations are necessary to ensure the safety of, and support for, women and children affected by family violence and that these should be implement to support

effective risk assessment and management practice within the Federal family law system and that these interact with the information sharing schemes recently implemented and under development in states and territories.

Specifically, we support Proposal 11-4 as it relates to the sharing of family court orders. Our research on family violence risk indicates that family court orders and/or proceedings are a family violence risk factor. The sharing of information about family court orders and/or proceedings will enhance risk assessment and risk management.

SYSTEM OVERSIGHT AND REFORM EVALUATION

We support the ALRC's proposal that the Australian Government should establish a new independent statutory body, the Family Law Commission, to oversee the family law system in Australia (Proposal 12-1). Given the significant body of research which has documented the limits of the present system, we believe there is merit in establishing an independent body tasked with monitoring system performance. As part of this, we support Proposals 12-3, 12-6 and 12-7. A robust and effective Family Law Commission should have the power to conduct its own inquiries, to make recommendations for reform, to identify priority areas of research and to build into its remit a rigorous evaluation program with the aim of improving the operation and performance of any aspects of the family law system.

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3. OUR RECOMMENDATIONS

EDUCATION, AWARENESS AND INFORMATION

We support Proposals 2-1, 2-2, 2-3, 2-5 and 2-7.

We recommend that readily available and accessible resources be developed to ensure the provision of accessible information about the family law system to women from CALD communities. These resources should be developed and disseminated in consultation with members of the CALD community.

GETTING ADVICE AND SUPPORT

We support Proposals 4-1 and 4-3.

We recommend that the ALRC consider the ways in which the Families Hubs will connect and overlap with other multi-disciplinary hubs, such as the recently introduced 'Orange Door' family violence support and safety hubs in Victoria.

RESHAPING THE ADJUDICATION LANDSCAPE

We support Proposals 6-3, 6-7 and 6-12.

We recommend that a review be undertaken at the Commonwealth level to develop an Australian integrated family violence court model. The developed model should consider what legislative amendments are required to facilitate the inclusion and resolution of family law matters at the state level for cases involving family violence. This model should propose a way forward in accommodating the constitutional division of powers between Commonwealth and State laws with the aim of minimising the fragmented and complex web of court processes that persons experiencing family violence are presently expected to navigate.

We recommend that ensuring safe architectural design should be undertaken in consultation with specialist family violence and women's services as well as representatives from ATSI and CALD communities.

We recommend ensuring that translator services are specifically trained to work with those who have experienced family violence.

CHILDREN IN THE FAMILY LAW SYSTEM

We support Proposals 7-6 and 7-13.

REDUCING HARM

We support Proposals 8-1 and 8-3.

We recommend that a systematic examination of the multiple points of interactions between Intervention Orders and Family Court proceedings be undertaken to ensure that the safety and security of those affected by family violence is prioritised in all legal proceedings.

ADDITIONAL LEGISLATIVE ISSUES

We support Proposals 9-1 and 9-6.

A SKILLED AND SUPPORTED WORKFORCE

We support Proposals 10-3, 10-6 and 10-8

We recommend that any workforce training on family violence introduced be mandated as part of ongoing accreditation and/or professional development processes.

We recommend that all professionals working with those affected by family violence, including family law court staff, judicial officers and legal practitioners, should be skilled to undertake dynamic risk assessment and that this forms part of required responses to family violence disclosures. These should be tailored to capture general and particular risk, reflecting the specific situations members of diverse communities may experience. This knowledge and expectation should be reflected in position descriptions and protocols within the family law courts.

INFORMATION SHARING

We support Proposal 11-4.

SYSTEM OVERSIGHT AND REFORM EVALUATION

We support Proposal 12-1, 12-3, 12-6 and 12-7.

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5. APPENDIX A: CURRENT RESEARCH

Members of the Monash Gender and Family Violence Prevention Centre are currently engaged in a range of project related to preventing and improving responses to intimate partner and family violence. Details of these projects are provided below.

- **Review of the Victorian Information Sharing Scheme**

Investigators: Jude McCulloch, JaneMaree Maher, Kate Fitz-Gibbon, Marie Segrave, Kathryn Benier, Kate Burns, Jasmine McGowan and Kate Thomas (contract research, Family Safety Victoria).

The research team have been contracted by Family Safety Victoria to conduct an independent Review of the new family violence Information Sharing Scheme that commenced in Victoria in 2018. The scheme is part of the broader reforms recommended by the Royal Commission. The Review considers any adverse impacts or unintended consequences of the scheme, as well as make recommendations to improve its operation. The findings of the Review will be tabled in Parliament and likely impact on family violence information sharing practice, policy and legislation.

- **Securing women's lives: Preventing intimate partner homicide**

Investigators: Jude McCulloch, Kate Fitz-Gibbon, Sandra Walklate, JaneMaree Maher (Funded by Australian Research Council)

This project aims to develop a framework for a new systematic preventive approach to intimate partner homicide. Intimate partner violence is the most common type of violence against women worldwide and the leading cause of death amongst Australian women aged between 15 and 44. The project intends to review a decade of intimate partner homicides in Australia to identify potential points of intervention that might have provided opportunities to prevent such killings. This new knowledge is intended to inform and assist in developing a more risk sensitive preventive approach to intimate partner homicides in Australia and overseas, enhancing women's security and preventing their deaths.

- **Perpetrator interventions in Australia: A national study of judicial views and sentencing practice for domestic violence offenders**

Investigators: Kate Fitz-Gibbon, JaneMaree Maher, Jude McCulloch. Partner Investigators: Victorian Sentencing Advisory Council, Australasian Institute of Judicial Administration (Funded by Australia's National Research Organisation for Women's Safety)

- **Identifying economic abuse amongst women with disability**

Monash Gender and Family Violence Prevention Centre

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Monash University: ABN 12 377 614 012 CRICOS Provider 00008C

Investigators: JaneMaree Maher, Jasmine McGowan, Tricia Malowney and Kate Thomas (Funded by The Victorian Women’s Benevolent Trust)

Members of the research team and partners will develop a fully accessible toolkit designed to assist service providers and victim/survivors identify economic abuse amongst Victorian women with disability. The toolkit will be a set of questions developed in Auslan, Easy English and through images designed to help women and their service providers talk about economic abuse. Evidence of the under-recognition of economic abuse amongst women with disability suggests such a toolkit has the potential for wide-ranging direct impact. This project will contribute to the goal of strengthening the economic security of Victorian women by increasing awareness of this form of domestic and family violence and by assisting women with disability identify the presence of economic abuse in their lives.

6. APPENDIX B: RECENTLY COMPLETED RESEARCH

Members of the Monash Gender and Family Violence Prevention Centre have recently completed a range of project related to preventing and improving responses to intimate partner and family violence. Details of our recently completed projects are provided below.

- **Investigating Adolescent Family Violence**

Investigators: Kate Fitz-Gibbon, JaneMaree Maher, Jude McCulloch, Jan Coles and Deborah Western (Funded by Monash University Faculties of Art and Medicine)

This project was recently finalised by a multidisciplinary team of Monash University researchers from the School of Social Sciences, the Department of General Practice, and the Department of Social Work at Monash University. It explored attitudes towards, patterns of, and the impact of AFV. The findings are relevant to all Australian jurisdictions, and have the potential to inform and reform legal, health and social responses to AFV, and provide a greater understanding of 'risk'.

The [Final Report](#) can be downloaded via the [project website](#).

- **Women, disability and violence: Creating access to justice**

Investigators: JaneMaree Maher, Claire Spivakovsky, Jude McCulloch, Jessica Cadwallader (People with Disability Australia) (Funded by Australia's National Research Organisation for Women's Safety)

This project explored the experiences of women with disability in seeking access to justice when they have faced violence and/or sexual assault either inside or outside their relationships. The research team's approach centred women's voices and experiences, and explored their insights in relation to those of service providers and other justice sector stakeholders.

The Final Report and access to the Knowledge Translation and Exchange Workshop Resources can be downloaded via the [project website](#).

- **Review of Minimum Standards for Men's Behaviour Change Programs**

Investigators: Jude McCulloch, Kate Fitz-Gibbon, JaneMaree Maher, Marie Segrave and Kathryn Benier (Contracted research, Victorian Department of Health and Human Services)

Following the Victorian Royal Commission on Family Violence (Recommendation 91), the Department of Health and Human Services (DHHS) contracted with the

research team to conduct a consultation and review of the Minimum Standards for the effective delivery of Men's Behaviour Change Programs.

- **Temporary migration and family violence: An analysis of victimisation, support and vulnerability**

Investigators: Marie Segrave and [InTouch Multicultural Centre Against Family Violence](#). (Funded by Monash University Faculty of Arts and InTouch Multicultural Centre Against Family Violence)

The aim of this project was to undertake a comprehensive review of family violence cases managed by inTouch that involve women (victims) who have or are experiencing family violence whose migration status is temporary. The project documented the ways in which migration status is connected to and impacts both vulnerabilities to family violence and access to support. The project also documented the breadth of situations of violence and exploitation, identifying, for example, the extent to which some cases may better be identified as cases of human trafficking and in so doing contribute towards the development of a risk assessment tool to enhance both data gathering and improved access to the appropriate legal and welfare-related support.

The [full report](#) was released in September 2017 and can be accessed via the [Project website](#).

- **The Monash Review of the Family Violence Common Risk Assessment Framework in Victoria**

Investigators: Jude McCulloch, JaneMaree Maher, Kate Fitz-Gibbon, Marie Segrave and James Roffee. (Contracted research, Victorian Department of Health and Human Services)

In 2016, the Victorian Department of Health and Human Services (DHHS) contracted with the research team to conduct a review of the Common Risk Assessment Framework (CRAF) as part of the DHHS response to Recommendation 1 of the Victorian Royal Commission on Family Violence. The [final report](#) of the CRAF Review, findings and recommendations are now published. The Review makes twenty-seven recommendations aimed at enhancing the use and usability of the CRAF and more effectively embedding it across different professional groups.

- **Innovative legal responses to the prevention of intimate partner homicide in the UK, US and Canada**

Investigators: Kate Fitz-Gibbon (Fellowship awarded by The Winston Churchill Memorial Trust)

This project was part of a 2015 Churchill Fellowship awarded to Dr Kate Fitz-Gibbon to investigate the effectiveness of innovative and recently introduced legal responses to intimate homicide in the UK, USA and Canada. The project examined the merits of the offence of coercive control in England and the proposed offence of domestic abuse in Scotland, the New York integrated domestic violence court model and domestic violence death review committees internationally.

The full report, [2015 Churchill Fellow Report: The Peter Mitchell Fellowship to examine innovative legal responses to intimate homicide in the UK, USA, Canada](#), was published in 2016.