

working to eliminate domestic and family violence, through leadership in advocacy, partnerships and the promotion of best practice.



Domestic Violence: Interventions for higher risk offenders **Domestic Violence NSW Submission - 18 January 2016**

Domestic Violence NSW Inc. (DVNSW) is the statewide representative body for specialist domestic and family violence services in NSW. DVNSW provides a representative and advocacy function for specialist domestic violence and family services and the women, families and communities they support. DVNSW's mission is to eliminate domestic and family violence through leadership in policy, advocacy, partnerships and the promotion of best practice.

DVNSW welcomes the opportunity to provide input into the NSW Government's proposals for interventions with high risk domestic violence offenders. We strongly support the Premier's prioritisation of a 5% reduction in domestic violence reoffending by 2019 and see it as a key part of the NSW Government's broader mandate to tackle domestic violence in our state.

20% of DVNSW member organisations either currently deliver Men's Behaviour Change Programs (MBCPs) or consider men's behaviour change work as a service specialisation. Frontline domestic and family violence services that do not directly work in the area of perpetrator interventions are nonetheless impacted by interventions with high risk offenders through their work with victim-survivors and families regardless of whether the perpetrators or not are engaged in formal interventions in the criminal justice or community corrections context, with other non government behaviour change providers.

Given the prevalence and impacts of domestic and family violence and sexual assault in our state, DVNSW calls for significant, long term investment in mainstream and specialist services to ensure that all NSW citizens can access consistent, best practice, client-centred DFV and sexual assault support responses located in their communities. There is no "one size fits all" solution for survivors of domestic and family violence and this is equally true of perpetrator interventions. Appropriate responses and interventions require sophisticated case planning and review, safety planning, an understanding of the gendered nature of DFV and the impacts of trauma and specialist approaches to tackling violence in the family and intimate partner context.

This submission uses evidence gathered through an online survey with DVNSW member organisations, the NSW Domestic Violence Death Review Committee, the Australian National Research Organisation for Women's Safety (ANROWS), the NSW Women's Alliance, No To Violence, the Men's Referral Service and the NSW Men's Behaviour Change Network as a basis for its recommendations.

Context

A significant proportion of women and families are currently living in fear of violence and abuse in NSW as a direct result of domestic and family violence. One in three Australian women aged 15 or over experience physical violence and one in five sexual violence. The perpetrators of violence against women and violence against men are overwhelmingly men (ABS Personal Safety Study, 2012). There are many more living with the long term impacts of trauma as a result of violence experienced in the family or intimate partner context. Specialist services have developed solid evidence on best practice over several decades of work with victim-survivors of domestic, family and sexual violence. However there is substantial evidence that we still have inconsistent approaches to preventing and responding to DFV and sexual assault and that access to appropriate support is often dependent on geographic location and local allocation of resources.

When we examine government and non government agency approaches to work with perpetrators of violence in NSW, the types of response available and opportunities to access appropriate support either through one on one work or through structured programs are similarly inconsistent. Successful trauma specialist interventions are highly dependent on coordinated, structured, evidence based approaches. Effective risk assessment processes, which are responsive to rapidly changing circumstances, often correlate to the strength of local or systemic relationships developed between non-government community-based specialist DFV services and Police, Justice, Child Protection and other government agencies.

In NSW, Men's Behaviour Change Programs and perpetrator interventions have been developed over the past two decades by NGOs with no government funding. Government funded initiatives delivered within the criminal justice system and in the Justice/Community Corrections context have to date been largely disconnected from community-based specialist services supporting women and children impacted by men's violence and from non government MBC interventions.

Standards and a practice manual for NSW Men's Behaviour Change Programs were developed in 2011. At the time of preparing this submission in early 2016 only a handful of NGO-led programs and services meet the NSW standards, despite widespread and increasing demand across our state for quality interventions. There are currently few formalised structures for coordination between government and NGO perpetrator interventions resulting in differing understandings and definitions of risk, inconsistent mechanisms to ensure perpetrator accountability and family safety and a lack of opportunities to share the lessons and best practice being developed by specialists within and outside the justice system.

International and national evidence demonstrates that with significant investment, domestic and family violence can be prevented in the long term but that best practice responses require community, government, mainstream and specialist sectors to work together developing and adopting common definitions, measures and standards. We urgently require well-resourced, coordinated approaches to be delivered by both government and non-government specialists working collaboratively to test a range of evidence-based and innovative prevention and intervention strategies if we are to positively impact on both domestic violence reoffence rates and the families being impacted by violence and trauma.

Ultimately if we are to develop strategies to intervene effectively with perpetrators of domestic and family violence we need well resourced government and NGO agencies working collaboratively and learning from each other's practice.

“FACS, NSW Health, Attorney Generals, Police and Women NSW departments all need to collaborate and work together and mutually fund specialist DFV services that have the ability to work with children as well as the adult victim. Federal and NSW Government are quick to fund information and referral services but reluctant to substantially fund the case management services. Women and children require intensive and comprehensive support due to the experience of the trauma and the impact on their emotional and cognitive ability in the help seeking period.”

DVNSW member submission, 2015

The Discussion Paper predicates that to reach the Premier’s proposed target, interventions should be aimed at higher risk domestic violence offenders who are identified through the criminal justice system or engaged with Community Corrections. Whilst this focus is undoubtedly important and a key part of government’s focus on reducing domestic and family violence, the experience of NGO specialists working with perpetrators of violence and supporting partners and children impacted by DFV consistently demonstrates that high-risk offenders may not have any interaction with the justice system or may not be classified as high risk. If we are to address high risk offenders in a meaningful way, it is crucial that we consider the broader issues of access to programs based in community settings alongside justice-based approaches.

Domestic and family violence is significantly and consistently underreported and there are a range of reasons why at-risk families and communities may not have interact with Police or Justice agencies. The 2013-2015 NSW Domestic Violence Death Review Committee Report reported “15% of women were protected by an ADVO with the abuser at the time of the homicide and 15% of women had previously been protected by an ADVO (but it was not in force at the time of the homicide). Overall, just under a third of women had a history of being protected under an ADVO with the abuser.” (NSW Domestic Violence Death Review Committee 2013-2015, Chapter 4).

Supports such as 1800 RESPECT and community based specialist counselling services report that between somewhere between 15% and 50% of service users seeking NGO assistance in relation to domestic and family violence have had some interaction with Police or justice agencies or want a formal intervention. This means that a significant proportion choose not to report to Police or other government agency. Older people, young people, Aboriginal and CALD populations, LGBTIQ people and people with disabilities are all less likely to identify and report DFV or seek assistance. The NSW Death Review Committee’s findings underline a need for interventions that work in both the community and justice contexts.

NGO Behaviour Change specialists report that their work often includes interventions with very high-risk offenders some of whom are mandated to enter community based programs and others who may self refer but are not identified as meeting the higher risk threshold through their interactions with courts or justice interventions. We must design approaches that meet the needs of all perpetrators of violence whilst continuing to work to remove the stigma from support seeking for offenders and their families.

Domestic Violence NSW recommends that the NSW Government prioritise and resource effective perpetrator interventions designed and delivered collaboratively by both government and non-government specialists working with women and family support services so that safety and risk assessment is effective, consistent and responsive, takes account of the impacts of trauma, is evidence-based and meets the needs of victim-survivors of domestic and family violence.

1. What should the NSW Government consider when developing a model of intervention for higher risk offenders?

The NSW Government should prioritise ongoing development and support for collaborative best practice interventions developed by non-government community based specialist practitioners in conjunction with corrective service specialists to build a well-resourced workforce that engages with perpetrators of violence and their families, working towards successful outcomes and meaningful risk reduction. We already have significant expertise in both sectors and should develop this further wherever possible recognising that collaborative approaches will provide opportunities for workers from government and non government to exchange practice wisdom. Collaborative, best practice approaches should include:

- Provision for long-term investment in the sector and development of a range of interventions of high-risk offenders prioritising the safety of women and families.
- Engagement and support for ex/current partners and/or their children is key to reducing risk and preventing further DFV.
- Investment in specialist workers from the DFV sector to work in, and with, Community Corrections and non-government Men's Behaviour Change (MBC) interventions to ensure consistent approaches across government and non government programs.
- Structures to nurture existing and new relationship networks between Community Corrections and NGO MBC sectors.
- Ensure that all NGO & Community Corrections programs and practitioners comply with NSW MBCP Standards.
- Further research and analysis of the success of interventions acknowledging that many aspects of DFV are rarely reported or receive no justice response, (eg. psychological violence).
- Exploration of the integration of partner/ex-partner feedback in the development of practice.

2. What evidence based best practice interventions or techniques should be considered?

DVNSW supports the recommendations of the NSW Men's Behaviour Change Network and the Australian National Research Organisation for Women's Safety (ANROWS) State of Knowledge Paper: Perpetrator interventions in Australia (Mackay et al, 2015) in relation to best practice. Perpetrator accountability requires all participating agencies to have a nuanced understanding of domestic, family and sexual violence. If evidence-based place-based approaches are to be implemented, they must include ongoing sufficient dedicated resources for capacity building, a critical

driver of improved outcomes for those at risk. There are crucial gaps in DFV service provision throughout our state; in housing, counselling, trauma-specialist support and resourcing of a workforce equipped to cope with a rapidly increasing number of potential clients who have complex needs.

Issues of access to evidence based interventions are amplified in rural, regional and remote areas throughout our state. In order to respond appropriately to those impacted by violence, victim-survivors, their families and perpetrators of violence require immediate access to trauma specialist support. A strong workforce needs to be built and developed and regularly trained to respond to demand and develop a solid evidence base in an area where new research is rapidly allowing us to better understand the complexities of identifying and responding to DFV for all cohorts. Adequate training, resourcing and application of standards across government and non-government providers must be prioritised.

- Training and ongoing support of practitioners must be a priority.
- Regular clinical supervision by specialist supervisors should be accessible to workforce.
- Perpetrator interventions that respond to cultural and linguistic diversities and meet the minimum standards and are designed and co-delivered by community based specialist organisations should be prioritised.

3. What other innovative initiatives could be considered for higher risk offenders to reduce domestic violence re-offending?

We currently assess the risk of women and families impacted by violence who are seeking support using evidence-based tools and well developed, trauma based frameworks but assessment of perpetrators is often less coordinated and nuanced. Offenders require sophisticated case management plans that wherever possible are shared between government and non government specialists, taking account of the rapidly evolving nature of risk and prioritising the safety of women and families. These approaches require strong, networked connections between government and non-government agencies and a well resourced, sustainable workforce.

- All male perpetrators of violence should be automatically referred to the Men's Referral Service (MRS) for assessment and support. Safety Action Meetings should refer perpetrators to the MRS and a local MBCP or intervention that meets the minimum standards.
- A number of communities in NSW have identified an urgent need to consider models for residential perpetrator interventions. NSW Government should explore the success of established programs such as Breathing Space in Western Australia to consider options for medium term removal of perpetrators and support for families impacted by DFV.
- Opportunities for interventions with LGBTIQ people, CALD and Aboriginal populations and women and young people who use violence require careful consideration. There are relatively few accessible options for able-bodied, heterosexual, cisgender men who want to

address their use of violence in intimate partnerships (or are mandated to do so) but for those who do not fit this demographic there is little support available in terms of specialist or mainstream perpetrator interventions.

- Ongoing research on successful outcomes for perpetrators of violence.
- Community Corrections group facilitators and program managers should join the NSW Men's Behaviour Change Network.
- Regional and local Community MBC/Perpetrator Intervention Reference Groups involving NGOs and Community Corrections practitioners.

4. How could NGO-Government partnerships be strengthened in the delivery of behaviour change interventions for higher risk offenders?

To get genuine consistency of best practice approaches in work with high risk offenders requires an in-depth understanding of the needs, skills and ongoing development of the domestic and family violence sector and the diverse needs of their clients. Effective interventions with higher risk offenders and their families require the development of embedded, systemic opportunities for specialist women and family services, sexual assault and domestic and family violence services and peak organisations to work meaningfully with government and co-design intervention strategies. If we are truly to place clients and higher risk perpetrators and families at the centre of our responses, government planning and resourcing must reflect and respond to local need.

- High level leadership from NSW Departments of Health, Justice, Family and Community Services, Attorney General and NSWPF.
- An expert panel of government, community and non government specialist stakeholders with an interest in developing perpetrator interventions that promote a consistent approach to work with offenders, ongoing consideration of best practice and developments in evidence and research.
- A regular review of the NSW Men's Behaviour Change minimum standards including accreditation and regular auditing of programs.
- Minimum standards for all practitioners working in behaviour change should be urgently developed in collaboration with key service providers, NGOs and professional bodies to ensure that perpetrators of violence can access or be referred to quality interventions that are consistent, local and grounded in the most recent evidence.
- Implementation of a NSW Aboriginal Family Violence Strategy with a priority given to exploring the work undertaken in Aboriginal communities in relation to perpetration of violence. The Aboriginal Family Violence Strategy would intersect with a strong, well-resourced Aboriginal Family Violence Prevention Network to develop consistent and evidence-based best practice initiatives to supporting women, families, men and communities impacted by violence and trauma.
- The development and adoption of a coordinated, long-term NSW Domestic and Family Violence Prevention Plan including strategies to respond to diverse communities affected by

sexual assault and domestic and family violence and strategies specifically addressing the diverse needs of children.

- Interagency and inter-sectoral collaboration to ensure relevant strategic planning around program funding for Men and Boys' Violence Prevention work, including NGO representation at all levels of design and evaluation.
- Embedding of evidence-based whole of school approaches to violence prevention that focus on promoting gender equality and early intervention in young people's relationships.
- Common, shared mechanisms to track and evaluate best practice approaches to work with offenders and families by government and non government agencies.

"The system would be improved by recognition of the variety of important supports that clients, particularly DV clients, need, and the ability for services to report on this work. There is significant risk at the moment with critical specialist therapeutic work being farmed out to private practitioners who do not have specialist training and therefore inadvertently harm to clients. Given the rate of DV homicides, this is a risk no one should be taking. The work we do at its most basic is homicide prevention"

DVNSW member submission, 2015

5. What are the potential points at which interventions could occur with higher risk offenders to encourage them towards behaviour change and reduce re-offending?

If we are to truly address the scale and complexity of effective work with offenders and perpetrators of domestic and family violence, significant investment, workforce development and earliest possible intervention are basic prerequisites. Effective early interventions require appropriate structures and education to be accessible in schools, communities and embedded throughout criminal justice system structures so that all those who are identified as at risk of violent behaviours are able to access tailored support. Whole of community education strategies that remove the stigma from seeking support for use of violence whilst holding perpetrators to account should be a part of our prevention and intervention approach. Potential intervention points include:

- All ADVO offenders to be assessed and referred to a local behaviour change program that meets the minimum standards.
- Police training to include promotion of the Men's Referral Service and referral to local MBCP when responding to incidents of DFV.
- Consistent referrals from courts to a local MBCP that meets the minimum standards.
- Specialist workers in courts who can engage men interacting with the justice system early or at key points – similar to the women's domestic violence court advocacy system model.

- Training for teachers, youth workers, juvenile justice workers and support services for young people. Young people who use violence to be referred to appropriate programs early.
- Extension of reach and accessibility to the DAP+
- Development and evaluation of community based initiatives that meet the minimum standards and have proven experience working in high risk communities (LGBTIQ, Aboriginal, culturally diverse communities etc.)
- Resourcing and training for specialists working in the DFV and sexual violence sectors so that they can participate in co-design approaches to offenders and share expertise relating to safety, risk assessment and crucial intervention points.

“NSW needs more training and skilled clinicians who can help hold men accountable while they explore their reasons for using violence. Many men we work with mention a distinct lack of services options across Sydney where they can access accredited programs regarding DV. Funding to provide these programs would be greatly welcomed as it would remove a barrier for some men who literally cannot afford to pay to attend these groups.”

DVNSW member submission, 2015

6. What other reforms to the system could reduce re-offending in domestic violence offenders who have a higher risk of re-offending?

Future reform processes need to be adequately funded, coordinated and have clearly articulated, transparent, independent and ongoing process and outcome evaluations that include work with high risk offenders and perpetrators of violence as a key part of the government’s long term commitment to reduce domestic and family violence. DVNSW strongly recommends that any further rounds of procurement or reform use strengths-based approaches, recognising the value of specialisation and expertise and prioritising stability for clients and good service provision. Options for procurement need to be identified transparently and agreed with the sector well before the end of funding periods. Any decisions that are unequivocal (including district budget and resource allocation models and tender processes) should be co-designed by government and the sector and communicated as early as possible so that services can plan and build strong, appropriate locally-based joint working arrangements and partnerships which will be sustainable and robust.

- Perpetrator interventions should be designed and tested to specifically address some of the issues that currently make participants unsuitable to participate in programs (perpetrators with low cognitive functioning or ongoing alcohol or other drug abuse for example).
- Reforms to the criminal and justice systems as well as the specialist domestic and family violence support system must be better coordinated across government departments and in consultation with non government partners contracted to deliver services in communities.

- If we are to successfully reduce the reoffending rate in NSW, we must first be prepared to deal with an increase in reporting and support seeking by both victim-survivors of violence and offenders. This requires substantial investment and structural opportunities to develop local networks of expertise that are able to share information about risk, develop models of intervention that best meet the needs of local communities and populations and feed into future behaviour change strategies and evidence.

Appendix

DVNSW recommendations for reform processes and collaborative multi-agency approaches to reduce the prevalence of DFV in NSW.

- 1. Support and resource DVNSW to lead sector-driven best practice guidelines that would underpin legal, criminal justice, support and referral systems and encourage collaborative multi-agency approaches.**
- 2. Programs and initiatives that work with perpetrators in a behaviour change capacity must engage with partners (current and past) as well as their children whilst prioritising the safety of families.**
- 3. Ensure timely availability of well-resourced, appropriate, trauma-informed services for families that ensure gender and cultural safety for their clients.**
- 4. Coordinate reform processes and adjust timing so that major change does not coincide concurrently. Coordinate planning process across government departments.**
- 5. Procurement processes to take a strengths-based approach and ensure stability for both services and clients. Options for procurement need to be identified and agreed well before the end of funding periods and communicated to the sector as early as possible.**
- 6. Implement shared performance measures and data collection across programs and services that intend to have positive impacts upon DFV statistics.**
- 7. Adoption of common definitions of domestic, family and sexual violence that incorporate core, evidence-based understandings of psychological harm, trauma and the impacts on child development and survivors of violence. Service delivery should be consistent. A common and shared understanding of the gendered nature of domestic and family violence is essential to promote to assist communities and services to understand the role they have in addressing the issue.**