

QDVSN MEETING ISSUES PAPER
FOR DISTRIBUTION TO OTHER NETWORKS
KEY ISSUES ARISING FROM QDVSN MEETING ON
22ND & 23RD JUNE 2006 - ROMA

Background information

In the spirit of enhancing information sharing and collaboration between our networks, Queensland Domestic Violence Services Network (QDVSN) decided to distribute to other related and like networks and services, relevant issues arising from the QDVSN meetings. In addition, QDVSN recognizes that our networks are frequently responding to and discussing the same issues, and the strength that lies in coordinating and sharing information.

After each QDVSN meeting, the QDVSN Secretary can forward to your network/service the key relevant issues arising from the QDVSN meeting.

If you do not feel it is useful for your network/service to receive this information, please do not hesitate to let us know. In addition, if your network/service would like to similarly disseminate information relating to your network/service, we would certainly welcome this.

D&FV Prevention Month

The state-wide Remembrance Day event was held on 3rd May 2006 with candles being lit simultaneously at 5.15pm. All were pleased with the posters, the media we had attracted (insert here) and the number of people attending the ceremonies. Amanda mentioned that she had been asked to write an article for *The Journal for Women and Policing* and she would bring this to the October meeting. Diane asked that we email her photos of our ceremonies so she can keep a scrapbook.

Telephone link with Legal Aid – Fiona Fairbrother

WLA recently carried out training on Family Law amendments and impact on DVO applications and women's choices. Major changes are that they have codified a lot of what was happening so self-representing clients don't need to rely on cases, procedures ie. made it explicit. Because it is Commonwealth legislation they have used the term 'Family Violence' because DV means different things in each state.

Fiona explained that all DV evidence must be in the first documents sent to the Family Court (FC). If a DVO has been contested and the order made, then FC can say the evidence has been 'tested' and that should be raised in the submission to automatically rebut the presumption of shared parental responsibility. If no DVO, victims need to put in their application all of the evidence about the violence occurring and it is then up to the solicitor to say that evidence should rebut that presumption. If there are cross applications for DVOs, then the solicitor should submit to the judge not to automatically look at equal time, but take into account other factors to see what is in the best interests of the child.

There was a concern that this could lead to more contesting of DVO applications. However, if respondents contest and the order is made, this would put the respondent at a disadvantage as there has been some 'testing' of the allegations. Also concerned that some people will not put all the evidence

they need re DV in their FC applications. The client needs to show how this DV impacts on the child and the parenting ability for that child.

Suggested that DV services should network with the Family Relationship Centre in their area to ensure that the centres screen for DV and work better with DV clients and their families.

In future there will be a cost implication if people falsely allege DV or child sexual assault. QDVSN raised that, by default, this puts greater emphasis on physical violence as it is harder to prove emotional abuse.

Children's Cases Programme – was a pilot in Parramatta and Sydney. Judge drives the trial, decides what evidence they will listen to, what witnesses and when family reports heard etc. WLA has a concern for those who are self representing because if they don't raise all their issues at the beginning, they can't bring these issues up later, and can only bring evidence ruled by the judge at the next court mention.

WLA had eight recommendations from the review that Lindy Morgan did on DV grant refusals. WLA has the responsibility for three of the recommendations that involve external organisations. First, one was an environmental scan around the regions. Fionna wondered if QDVSN would like to take part and QDVSN agreed we would. Second, a statewide education campaign and it was suggested to include FC changes in this. Third, a working party to evaluate public information and training. The Working party is to make further recommendations.

Telephone link with Violence Prevention Team – Jess Wilson

Jess updated the group and thanked all for the activities that happened during DV month. The media breakdown included 114 articles during the month. The adverts were successful, 67% of those surveyed had seen the adverts, with a 9% increase in the number of men recognizing that DV was an issue after seeing the adverts. QDVSN fed back that the resources, amount of them and timing was good this year. VPT will be sending out surveys to everyone re DV month, response by 14th July.

One comment from QDVSN was that it would be a shame if the advertising campaign was not carried on throughout the year. The VPT is hoping to screen the adverts again in September and around Christmas and January – looking for funding for this. Biggest success was calls to Men's Line which increased significantly. If they run the campaign again they will make sure Men's Line can keep up with that demand.

The Department has been successful in getting money through the budget to do pilot for D&FV counselling in Aboriginal and Torres Strait communities. The model for these is in the development stages. They are meant to start early next year. Not decided on the tendering process.

TIS funding – DoC is going to cover expenses for TIS in the short term. Letters are going out to services in the near future. The Department will be looking at longer term strategies also.

Jess advised that the Family Law amendments, Advice Line and FRC were big issues for them too. Natalie is talking to her equivalent in other states about implications. There are discrepancies in information received by each state. They will be keeping the Minister and DG aware of the potential impacts on service delivery. VPT want to record any issues arising and are looking at ways of collecting this type of data. VPT is interested in hearing if we are getting increase in referrals or different types of referrals.

QDVSN fed back that they had heard that 'bundled' funding would be for specialist DV services to be set up. There was obviously a concern that there will be duplication of services. The VPT was not sure what is happening either, but is trying to get clearer information about this and ensure things are not duplicated. QDVSN raised the issue that additional top down funding also impacts on the number of jobs available to a small pool of skilled workers as the Sector is competing against commonwealth money and departments which pay better. VPT is raising these issues too.

QDVSN also raised concerns around how FRCs will screen out DV. VPT also concerned about how screening will be done. Tools have been developed but VPT have not seen them.

Jess confirmed that the Legislation evaluation surveys are coming our very soon.

QDVSN asked about the additional perpetrator money, in particular the money for a men's faxback worker this financial year. Jess confirmed that they are looking at trying to get that funding released, but not sure where the process is up to. QDVSN asked how the decisions are made to allot funding for perpetrator programmes as they appeared to be a 'top down' decision. Jess mentioned that this has been a firming up of the way the department looks at allocating funding ie. needs based, where are the gaps? Also, a decision made around the amount of money available to fund the gaps.

QDVSN mentioned that we had sent a letter to the Minister about SACS 6 funding for workers in perpetrator programmes. Jess stated that it was to attract workers of a certain caliber and trying to increase funding for services. VPT will brief Minister about issues surrounding this. Also, QDVSN raised the anomaly that there are faxback services for victims that are unfunded, yet faxback for men is being funded.

QDVSN queried what was happening regarding the Database. VPT has recently been made aware of a new data system COMSIS, currently collecting information from various departments. Collects similar information to what VPT is hoping to collect. In consultation with company that runs COMSIS and other departments.

QDVSN wondered if there was any more news about the QPS child protection policy, MOUs and resourcing. Jess confirmed that they had a meeting with QPS to discuss what was happening around the policy. QPS tried to get services to sign MOUs, no service has signed this agreement. There is some slight change to the QPS policy happening and so they are holding off on doing any further work on this until that change has been made.

DV Death Review Action Group (DVDRAG)

Chris and Diane have been attending the meetings. Advised that the petition has been put on hold by the government. Plan to involve media to highlight this. It was arranged for journalist Sally Bennett from *Courier Mail* to speak to a range of other people including Betty Taylor and Pam Godsell. She has been given a lot of background information about the work done so far by the group. The Article she was writing is due to go into the Saturday *Courier Mail* but the last two weeks it has been bumped by other issues. Diane encouraged QDVSN members to contact her if there is anything from their regions they need raising. Ann mentioned that DVDRAG might be able to use the services of GetUp which is a lobbying group.

Draft Standards for NGOs

There was a discussion around the new standards coming in. Organisations will be rated and externally reviewed/audited.

QCOSS Peaks meeting

Diane and Chris are still attending the meetings on behalf of QDVSN. Very diverse group of people at the meeting as the sector is so broad. DV sector is a small part of this. Not much has progressed.

Legislation Evaluation Surveys

A document was received from VPT and forwarded to all QDVSN members updating them that the VPT was hoping to do evaluations of the revised legislation in July.

Ministerial Advisory Council update

Gabriele informed the group that the Minister announced money for Cherbourg, Thursday Island and Cooktown for DV counselling. They also talked about how to manage the shortage of indigenous staff.

Currently the Council has three working groups. The Perpetrator group and Indigenous group work together because a lot of their issues are interlinked. The Legislation group is working on issues around children being named on the orders. Goals have been set for the next meeting.

Family Relationship Centres

There was a general concern about how FRCs would screen for DV. There is 'bundled money' that goes with the FRCs and they will employ workers to cover a range of services to clients of the FRCs. There is also money for indigenous workers and provision of a 'specialist' DV service. This appears to be direct competition with Regional DV services.

An email from Bronwyn Herbertson, a solicitor with Rural Women's Outreach Legal Service, mentioned that there was a new definition of family violence being drafted for the amended Family Law legislation. The definition is:

"Family violence means conduct, whether actual or threatened, by a person towards, or towards the property of, a member of the person's family that causes that or any other member of the person's family reasonably to fear for, or reasonably to be apprehensive about, his or her personal wellbeing or safety."

There were concerns with this definition because of:

- the objective element that the fear needs to be 'reasonable';
- the simplicity of the definition, failure to take into account the complexity of DV; and
- failure to take into account time ie. how long the conduct has gone on for.

Impact of Commonwealth money on state services

The issue of commonwealth funding flooding into the sector, duplicating services and contributing to employment shortages was raised with Anna Bligh and Mike Reynolds. Anna Bligh confirmed that the state would continue to fund NGOs and did understand that there was an impact with top down funding from the Commonwealth but also saw some benefits to it.

***Seeking Safety, Needing Support* report**

Pauline mentioned a report looking at research around the need for DV victims to receive family court support. This has been written by Townsville Women's Services. The report costs \$10. Services can email, phone or fax for a report and they will be invoiced. There is a companion book called *Dragonfly Whispers* which contains the women's stories.