

# Inquiry into family, domestic and sexual violence

## Submission

July 2020



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## Background

The Queensland Family and Child Commission (QFCC) is pleased to provide a submission to the Standing Committee on Social Policy and Legal Affairs inquiry into family, domestic and sexual violence.

The QFCC has a statutory responsibility to promote the safety, wellbeing and best interests of children and young people. It also has a function to provide leadership and give expert advice to relevant agencies about laws, policies, practices and services.<sup>1</sup>

In line with these legislative functions, this submission will focus on the terms of reference that the QFCC is best placed to respond to. These are:

- immediate and long-term measures to prevent violence against women and their children, and improve gender equality
- the level and impact of coordination, accountability for, and access to services and policy responses across the Commonwealth, state and territory governments, local governments, non-government and community organisations, and business
- the way that health, housing, access to services, including legal services, and women's economic independence impact on the ability of women to escape domestic violence
- all forms of violence against women, including, but not limited to, coercive control and technology-facilitated abuse
- the efficacy of perpetrator intervention programs and support services for men to help them change their behaviour
- the experiences of all women, including Aboriginal and Torres Strait Islander women, rural women, culturally and linguistically diverse women, LGBTQI women, women with a disability, and women on temporary visas
- an audit of previous parliamentary reviews focused on domestic and family violence.

The QFCC aims to promote children's rights and participation, and make sure the best interests of children are considered in public policy development and decision-making. It is important to recognise the impact of family, domestic and sexual violence on children, as direct victims and witnesses of violence. The experience of violence can cause significant trauma and poor outcomes for children.

### Child death register

The QFCC operates Queensland's child death register, based on notifications from the Registrar of Births, Deaths and Marriages and details of all child deaths reported to the Office of the State Coroner. From this, the QFCC conducts research to identify the risk factors associated with child deaths and make recommendations to prevent such deaths occurring and prepares an Annual Report on child deaths.<sup>2</sup>

An analysis of data from the child death register shows the presence of domestic and family violence in children's lives is recorded more frequently for certain causes of death. Of children who died of external causes (transport incidents, drowning, other non-intentional injury, suicide and fatal assault and neglect) between 2013 and 2019, 24.6 per cent were noted to have experienced domestic and family violence, either within their household or in their own intimate relationships. Looking specifically at those children who died of assault or

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<sup>1</sup> *Family and Child Commission Act 2014* (Qld), s. 9.

<sup>2</sup> Queensland Family and Child Commission 2020, *Child death reports and data*, <https://www.qfcc.qld.gov.au/keeping-kids-more-safe/preventing-child-injury-death/child-death-reports-data>, accessed 3 July 2020.

neglect, domestic and family violence was noted in 57.7 per cent cases. These findings indicate that domestic and family violence is more often present in the lives of children who die from fatal assault and neglect than for children who die of other external causes.<sup>3</sup>

### Impact of family, domestic and sexual violence on children

The impact of domestic and family violence on children is a particular concern for the QFCC. There is growing recognition of the need to protect children from domestic and family violence. Children can experience significant trauma from witnessing or being exposed to violence in the family home. This can include merely observing violence, but can also include situations where children are directly exposed to violent behaviours, including:

- hearing violence
- being forced to watch or participate in assaults
- being forced to spy on a parent
- being told they are to blame for the violence because of their behaviour
- being accidentally injured or hurt in utero
- being used as a weapon or hostage
- defending a parent against or intervening to stop violence.<sup>4</sup>

Children may also be directly targeted by a perpetrator of domestic and family violence.<sup>5</sup>

It is also well known that childhood exposure to violence increases the likelihood of perpetrating domestic violence in adulthood,<sup>6</sup> so responses to domestic and family violence should be designed to minimise and address childhood trauma.

This submission will focus on the impact of domestic and family violence on children and provide a child-focused lens to matters being considered in this inquiry.

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<sup>3</sup> Data sourced from the Queensland Child Death Register.

<sup>4</sup> Humphreys C 2007 *Domestic violence and child protection: challenging directions for practice*, Issues Paper 13, Australian Domestic & Family Violence Clearinghouse.

<sup>5</sup> Domestic Violence Prevention Centre, *Impact of Domestic Violence on Children and Young People*, <https://www.domesticviolence.com.au/pages/impact-of-domestic-violence-children-and-young-people.php>, accessed 8 July 2020.

<sup>6</sup> McLaren H 2013, 'Domestic violence, housing and employment: workers' perspectives on employment assistance in supported accommodation', *Australian Journal of Social Issues*, Vol. 48, No. 4, pp. 415-433.

## Immediate and long-term measures to prevent violence against women and their children

### Summary

- The safety and protection of children should be the paramount consideration in the issuing of domestic and family violence orders, where children are present in families experiencing violence.
- Children should be afforded immediate and ongoing protection.
- The impact for families of cross-applications for domestic and family violence orders requires close examination.
- Decisions relating to domestic and family violence should systematically include the views and opinions of children, where developmentally appropriate.
- Trauma-informed, child-centred and child-friendly approaches to domestic and family violence involving children require strengthening.
- Primary prevention and early intervention strategies for children also need strengthening.

### Safety and protection of children as the paramount consideration

Establishing the safety and protection of children as the paramount consideration in family, domestic and sexual violence is consistent with the 'paramount principle' in child protection decisions.<sup>7</sup> The wide-ranging and significant impacts of domestic and family violence on children require a strong and holistic framework for prevention and response that considers the specific safety and wellbeing needs of children, as well as other victims of violence.

### Children are afforded immediate and ongoing protection

Police protection notices or similar provisions should be applied consistently across Australia to make sure children are guaranteed immediate protection throughout the process of applying for a longer-term domestic violence order. In Queensland, the *Domestic and Family Violence Protection Act 2012* empowers police to name a child in the notice if it is necessary or desirable to protect the child from violence. By naming a child in the notice, the respondent is required to be of good behaviour toward the child as well as the aggrieved.<sup>8</sup> This helps to make sure children are afforded immediate protection.

Legislation and practice should also be clarified to make sure people who have experienced violence are offered protection throughout any court processes. In Queensland, a police protection notice continues in force until a further order is made, or until a court adjourns the application for an order.<sup>9</sup> This means if a further order is not made there may be a period after adjournment where there is no ongoing protection for the aggrieved or their children.

Further, the application and duration of domestic violence orders should make sure any children affected by these family circumstances remain protected from violence.

<sup>7</sup> For example, see *Child Protection Act 1999* (Qld), s.5A.

<sup>8</sup> *Domestic and Family Violence Protection Act 2012* (Qld), s. 101B.

<sup>9</sup> *Domestic and Family Violence Protection Act 2012* (Qld), s. 113.

### Cross-applications in domestic and family violence matters

Cross-applications are provided for in sections 41-41F of the *Domestic and Family Violence Protection Act 2012* (Qld). They allow for applications for orders where the aggrieved in one is the respondent in the other, and vice versa. In some cases, this will result in orders against both parties being made.

The number of cross-applications has been known to be rising in Queensland and may also be problematic in other Australian jurisdictions. There is some evidence that cross-applications are used by some men as a tactic to encourage women to withdraw allegations. Cross-applications may also in themselves be used as a form of violence. They may have implications for the safety of children in families experiencing violence.<sup>10</sup>

In these situations, the paramount consideration must be the immediate and ongoing safety and wellbeing needs of children. The current inquiry may present an opportunity to examine the evidence around the impact for families of cross-applications for domestic and family violence orders.

### The views and opinions of children

Interventions in the family home should be designed to minimise and address children's trauma while protecting them from violence. Providing children with the opportunity to express their views, where developmentally appropriate, about domestic and family violence orders and care arrangement decisions would help to make sure these decisions are targeted to a child's ongoing protection and care needs.

It would also help to give effect to article 12 of the United Nations *Convention on the Rights of the Child*, which states 'parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child'.<sup>11</sup>

### Approaches to domestic and family violence

Where children are involved, including as respondents, services should be supported to respond to domestic and family violence in trauma-informed, child-centred and child-friendly ways, and to make decisions in the best interests of children. It is important that practices build trust and a feeling of safety for the aggrieved, while minimising the potential for children to experience unnecessary trauma.

### Prevention and early intervention strategies

Community responses to domestic and family violence should also include prevention strategies that teach children positive behaviours and skills from an early age to prevent future family, domestic and sexual violence. For example, in Queensland the Department of Education has developed the Respectful Relationships Education Program (RREP). This program is delivered to students from Prep to Year 12, focused on influencing behaviour change to prevent domestic and family violence. It is a strengths-based program that challenges attitudes about violence and gender while supporting students to develop pro-social behaviours.<sup>12</sup>

For children as the respondent in domestic and family violence matters, the youth justice system should provide opportunities for young offenders to take part in programs that help de-escalate behaviours and take account of

<sup>10</sup> Douglas H & Fitzgerald R 2017, 'Legal processes and gendered violence: cross-applications for domestic violence protection orders', *UNSW Law Journal*, Vol. 36, Iss. 1, pp. 56-87.

<sup>12</sup> Queensland Government, *Respectful relationships education program*, <https://education.qld.gov.au/curriculum/stages-of-schooling/respectful-relationships>, accessed 10 July 2020.

past trauma that may present as a backdrop for their offending. This should be modelled on the principles of restorative justice, prevention and early intervention.

Restorative justice advocates a constructive rather than a punitive approach to sentencing that aims to reduce the victim's fear and anger toward the offender, and for the offender to acknowledge the harm and negative consequences of their actions and repair the harm.<sup>13</sup> For example, this type of approach is known to be an effective youth justice model to reduce recidivism in Aboriginal and Torres Strait Islander communities.<sup>14</sup>

## Level and impact of coordination

### Summary

- The importance of coordinated, multi-agency service delivery to support families experiencing violence cannot be overstated.

Preventing violence against women and their children requires a systemic, nationally-consistent and clear multi-agency approach, delivering services urgently to women and children facing threats of violence. A focus of this inquiry should be improving coordination of responses across the government and non-government sectors, and consistency of response across Australian jurisdictions.

Following the 2015 release of the *Not Now, Not Ever* report by the Special Taskforce on Domestic and Family Violence in Queensland,<sup>15</sup> the Queensland Government established eight High Risk Teams to provide an integrated service response to domestic and family violence. The intention is to intervene more quickly to keep victims of domestic and family violence safer.

The High Risk Teams comprise officers from the Queensland Police Service, Queensland Health, Queensland Corrective Services, Department of Housing and Public Works, and non-government domestic and family violence response services.<sup>16</sup> The establishment of High Risk Teams allows officers to share information and work together to provide an integrated response to the needs of families experiencing violence.

An evaluation of the initial trial of High Risk Teams found improvements in victim safety, faster service responses, improved information sharing and decision-making, and stronger relationships between service providers.<sup>17</sup>

In addition, some Queensland police stations have dedicated Vulnerable Persons Units, or are combined with Domestic Violence Units, focused on case management, mental health and working with victims and respondents involved in domestic and family violence. This includes providing support to operational police.<sup>18</sup>

<sup>13</sup> Curtis-Fawley S & Daly K 2005, 'Gendered violence and restorative justice: the views of victim advocates', *Violence against women*, Vol. 11, No. 5, May, pp. 603-638.

<sup>14</sup> Ryan N, Head B, Keast RL & Brown KA 2006, 'Engaging Indigenous communities: towards a policy framework for Indigenous community justice programs', *Social Policy and Administration*, Vol. 40, Iss. 3, pp. 304-321.

<sup>15</sup> Special Taskforce on Domestic and Family Violence in Queensland 2015, *Not Now, Not Ever: putting an end to domestic and family violence in Queensland*, <https://www.csyw.qld.gov.au/campaign/end-domestic-family-violence/about/not-now-not-ever-report>, accessed 9 July 2020.

<sup>16</sup> Farmer D 2019, *High-Risk Teams help keep DV victims safer*, <http://statements.qld.gov.au/Statement/2019/7/25/highrisk-teams-help-keep-dv-victims-safer>, accessed 10 July 2020.

<sup>17</sup> Department of Child Safety, Youth and Women 2019, *Evaluation of the integrated service response and high risk teams trial*, <https://www.csyw.qld.gov.au/resources/campaign/end-violence/dfv-isr-evaluation-summary.pdf>, accessed 9 July 2020.

<sup>18</sup> For example, myPolice Brisbane North 2018, *Meet the members of the Vulnerable Persons and Domestic Violence Unit*, <https://mypolice.qld.gov.au/brisbanenorth/2018/09/07/meet-the-members-of-the-vulnerable-persons-and-domestic-violence-unit/>, accessed 10 July 2020; Ryan M 2020, *Vulnerable Persons Unit launched in Townsville*, <http://statements.qld.gov.au/Statement/2020/5/29/vulnerable-persons-unit-launched-in-townsville>, accessed 15 July 2020.

Coordinated service delivery plays a vital role in supporting families experiencing violence. The *Not Now, Not Ever* report highlighted the need for victims of domestic and family violence to navigate between courts, police, refuges, domestic violence services, legal services, perpetrator services, Child Safety, Housing, Centrelink, the family law system and the Child Support Agency.<sup>19</sup> If acting independently, these agencies can provide contradictory information or unsuitable referrals, leading to frustration, trauma and potentially a lack of safety.

While integrated service responses are still developing in Queensland, there is evidence they are providing a greater level of support to people who have experienced violence. There appears long-term value in providing holistic support to women, children and their violent partners, to work to protect people from and prevent domestic and family violence. Further trials and evaluations of these types of approaches could help to develop a consistent, successful response to domestic and family violence across Australia.

## Impact of services and economic independence on the ability of women to escape domestic violence

### Summary

- The whole system needs to work together to help protect families and children experiencing violence.
- Services need adequate resourcing to support their capability and capacity to respond to domestic and family violence.

Women and children experiencing domestic and family violence need the support of a range of services including health, housing and legal support to secure protection and live independently of a violent family member.

From the perspective of supporting women and children experiencing violence, all services form part of a broad system to protect children and families. Each element of the system should be empowered to share information, and do so in a timely and effective way, in the best interests of the aggrieved and their children and intervene to provide support that allows families to escape violence.

The archetype of this victim-centred, coordinated response is the ‘Duluth model’, first established in the town of Duluth, Minnesota. In this model, agencies across the system are involved in a community-driven response, interwoven and developed from the experiences of victims and their advocates. It includes police, courts, service providers and perpetrator intervention programs.<sup>20</sup>

It is known that in many circumstances, women have difficulty escaping violence because they rely on a violent partner’s income and have few opportunities to secure income and alternative housing.<sup>21</sup> Women and children

<sup>19</sup> Special Taskforce on Domestic and Family Violence in Queensland 2015, *Not Now, Not Ever: putting an end to domestic and family violence in Queensland*, <https://www.csyw.qld.gov.au/campaign/end-domestic-family-violence/about/not-now-not-ever-report>, accessed 9 July 2020, p. 85.

<sup>20</sup> Robinson A & Payton J 2016, ‘Independent advocacy and multi-agency responses to domestic violence’ in Hilder S & Bettinson V (eds) *Domestic violence: interdisciplinary perspectives on protection, prevention and intervention*, London: Palgrave Macmillian, pp. 249-272.

<sup>21</sup> Special Taskforce on Domestic and Family Violence in Queensland 2015, *Not Now, Not Ever: putting an end to domestic and family violence in Queensland*, <https://www.csyw.qld.gov.au/campaign/end-domestic-family-violence/about/not-now-not-ever-report>, accessed 9 July 2020, p. 85.



escaping violence are likely to need access to secure housing and temporary financial assistance, while drawing on the support of health care, police and justice systems, and education support for their children.<sup>22</sup>

Statistics show that for women, exposure to domestic and family violence is the leading cause of homelessness.<sup>23</sup> This can be due to the direct actions of the perpetrator or the injuries, trauma, depression or absence of work that arises from exposure to violence.

For many women, relocating may be preferable to remaining in their existing home even where their violent partner has been served with a domestic violence order and may require assistance with emergency housing. There is evidence that remaining in the family home may leave survivors more open to breaches of orders.<sup>24</sup>

Women may also need assistance gaining secure employment, including help with childcare, to gain a regular income and move into stable housing of their own.<sup>25</sup>

Legal services are also a crucial element of the system to support families experiencing violence. A recent study in Queensland showed legal advocacy is ‘associated with greater social support, better quality of life, reduced likelihood of further abuse, and greater access to community resources’.<sup>26</sup> Legal services, through Legal Aid or community legal centres, should be a clear part of a holistic whole-of-system response to family, domestic and sexual violence.

Each of these elements of the system should be prepared and resourced to provide timely, trauma-responsive and family-centred care to families who require assistance to remain protected from violence. It is important that these services do not have barriers that prevent survivors and their children from gaining access and instead provide welcoming support to survivors who have mental health concerns, histories of drug and alcohol addiction, or experience of other vulnerabilities.<sup>27</sup>

Naturally, efforts to build and improve a culture of coordinated responses to domestic and family violence also need to provide adequate resources to build the capability and capacity of this system. Barriers to effective collaborative work include large caseloads, service gaps, incomplete data, competing or overlapping services, power imbalances between larger and smaller agencies, gaps in screening and a lack of resources.<sup>28</sup> Some of these barriers have been especially highlighted as the world responds to the impact of the coronavirus pandemic and reported increased requests for assistance.

System and service design will need to develop ways to overcome these barriers, to form true community partnerships that are centred on the safety and wellbeing of survivors and their children.

<sup>22</sup> Sullivan CM & Olsen L 2016 ‘Common ground, complementary approaches: adapting the Housing First model for domestic violence survivors’, *Housing and Society*, Vol. 43, N. 3, pp. 182-194.

<sup>23</sup> McLaren H 2013, ‘Domestic violence, housing and employment: workers’ perspectives on employment assistance in supported accommodation’, *Australian Journal of Social Issues*, Vol. 48, No. 4, pp. 415-433.

<sup>24</sup> Diemer K, Humphreys C & Crinall K 2017, ‘Safe at home? Housing decisions for women leaving family violence’, *Australian Journal of Social Issues*, Vol. 52, Iss. 1, pp. 32-47.

<sup>25</sup> McLaren H 2013, ‘Domestic violence, housing and employment: workers’ perspectives on employment assistance in supported accommodation’, *Australian Journal of Social Issues*, Vol. 48, No. 4, pp. 415-433.

<sup>26</sup> Mazerolle L, Eggins E, Sydes M, Hine L, McEwan J, Norrie G & Somerville A 2018, *Criminal justice responses to domestic and family violence – a rapid review of the evaluation literature: final report*, Brisbane: University of Queensland, p. iii.

<sup>27</sup> Nnawulezi N, Godsay S, Sullivan CM, Marcus S & Hacskaylo M 2018, ‘The influence of low-barrier and voluntary service policies on survivor empowerment in a domestic violence housing organisation’, *American Journal of Orthopsychiatry*, advance online publication.

<sup>28</sup> Robinson A & Payton J 2016, ‘Independent advocacy and multi-agency responses to domestic violence’ in Hilder S & Bettinson V (eds) *Domestic violence: interdisciplinary perspectives on protection, prevention and intervention*, London: Palgrave Macmillan, p. 261.

The system will also need to be able to respond to the unique needs of children in families experiencing violence.<sup>29</sup> It will also need to be culturally safe to support Aboriginal and Torres Strait Islander survivors of violence, which may require additional resourcing of community-controlled organisations.

## Coercive control and technology-facilitated abuse

### Summary

- The impact of coercive control and technology-facilitated abuse on children should be examined to avoid unnecessarily criminalising children who share intimate images.

Coercive control and technology-facilitated abuse are key and emerging aspects of family, domestic and sexual violence that have a significant impact, including on children.

As one example of technology-facilitated abuse, the non-consensual sharing of intimate images has been the subject of recent attention. In Queensland, the practice was brought into the criminal code with the passage of the *Criminal Code (Non-consensual Sharing of Intimate Images) Amendment Act 2018*.

The QFCC supports efforts to create offences related to image-based abuse. However, there is some concern these laws may criminalise a large cohort of children who share intimate images in circumstances which should not be treated through a criminal response. Research by the Office of the eSafety Commissioner shows nearly one in three children between the ages of 14 and 17 had experiences of ‘sexting’ during 2016-17.<sup>30</sup>

The QFCC has recommended an operational focus on education for police officers and other responsible parties to make sure discretion is applied in matters involving children.<sup>31</sup>

## Perpetrator intervention programs

### Summary

- Further examination of the effectiveness of perpetrator intervention programs is required.
- Programs need to be culturally safe and relevant for Aboriginal and Torres Strait Islander peoples.

The QFCC has previously supported mandating attendance at perpetrator intervention programs, where these are deemed suitable for the offender and supported by other stakeholders relevant to the order.<sup>32</sup> The current inquiry should examine the evidence in favour of perpetrator intervention programs in Australia, including any

<sup>29</sup> McLaren H 2013, ‘Domestic violence, housing and employment: workers’ perspectives on employment assistance in supported accommodation’, *Australian Journal of Social Issues*, Vol. 48, No. 4, pp. 415-433.

<sup>30</sup> Office of the eSafety Commissioner 2017, *Young people and sexting – attitudes and behaviours: research findings from the United Kingdom, New Zealand and Australia*, <https://www.esafety.gov.au/about-us/research/young-people-sexting>, accessed 10 July 2020.

<sup>31</sup> Queensland Family and Child Commission 2018, *Submission: Criminal Code (Non-consensual Sharing of Intimate Images) Amendment Bill 2018*, <https://www.parliament.qld.gov.au/documents/committees/LACSC/2018/ImageSharingBill2018/submissions/018.pdf> accessed 10 July 2020.

<sup>32</sup> Queensland Family and Child Commission 2016, *Submission: Review of the Domestic and Family Violence Protection Act 2012*, <https://www.qfcc.qld.gov.au/sites/default/files/2020-06/qfcc-submission290216-domestic-family-violence-act2012.pdf>, accessed 10 July 2020.

trials and evaluations, to determine best practice in this area. This is particularly the case where the safety and wellbeing of children are at the centre of their design and implementation.

Perpetrator intervention programs encompass a range of community and correctional program responses for perpetrators of domestic, family and sexual violence. A key aspect of these programs is identifying and addressing the underlying causes of offending behaviours and attitudes toward violence.<sup>33</sup>

The *National plan to reduce violence against women and their children* included perpetrator intervention programs as a substantial response to domestic and family violence,<sup>34</sup> and these programs were also highlighted by the 2015 *Not Now, Not Ever* report in Queensland, as part of the design of integrated service responses.<sup>35</sup>

A 2019 evaluation of the integrated service response and High Risk Teams trial in Queensland also recommended an increased focus on perpetrators, to provide opportunities for behavioural change.<sup>36</sup>

Perpetrator intervention programs have been shown to have positive outcomes for men, women and children experiencing domestic and family violence. A recent study in Britain, where perpetrator programs are mandatory for some respondents, showed women and children reporting greater feelings of safety after violent family members have completed such programs.<sup>37</sup>

In the Australian context, perpetrator intervention programs must be designed and implemented in ways that are culturally safe and relevant to Aboriginal and Torres Strait Islander peoples.

## The experiences of all women

### Summary

- Service responses to family, domestic and sexual violence should be designed and offered in ways that meet individual needs, take a strength-based approach, and provide for a woman's safety and wellbeing and that of their children.

It is important that service responses to family, domestic and sexual violence are designed and operated to support all women, including young women, Aboriginal and Torres Strait Islander women, rural women, culturally and linguistically diverse women, LGBTQI women, women with a disability and women on temporary visas.

Women and their children across Australia living in different circumstances may need protection from domestic and family violence at some point during their lives. There may be benefit in targeting some prevention and response strategies to groups who are known to be more vulnerable to experiencing violence, or to facing challenges when seeking to protect themselves from violence. For example, women may not report or respond to

<sup>33</sup> Mackay E, Gibson A, Lam H & Beecham D 2015, 'Perpetrator interventions in Australia: key findings and future directions', *Compass: Research to policy and practice*, Australian National Research Organisation for Women's Safety (ANROWS), Iss. PP01.

<sup>34</sup> Department of Social Services (Cth) 2010, *National plan to reduce violence against women and their children*, <https://www.dss.gov.au/women/programs-services/reducing-violence/the-national-plan-to-reduce-violence-against-women-and-their-children-2010-2022>, accessed 9 July 2020.

<sup>35</sup> Special Taskforce on Domestic and Family Violence in Queensland 2015, *Not Now, Not Ever: putting an end to domestic and family violence in Queensland*, <https://www.csyw.qld.gov.au/campaign/end-domestic-family-violence/about/not-now-not-ever-report>, accessed 9 July 2020.

<sup>36</sup> Department of Child Safety, Youth and Women 2019, *Evaluation of the integrated service response and high risk teams trial*, <https://www.csyw.qld.gov.au/resources/campaign/end-violence/dfv-isr-evaluation-summary.pdf>, accessed 9 July 2020.

<sup>37</sup> Kelly L and Westmarland N 2015, *Domestic violence perpetrator programs: steps towards change*, Project Mirabal Final Report, <http://repository.londonmet.ac.uk/1458/1/ProjectMirabalfinalreport.pdf>, accessed 10 July 2020.

violence through fear this will have adverse consequences for their family’s applications for permanent residency or asylum.

While prevention and response strategies should be culturally sensitive, care should be taken to make sure certain groups, such as Aboriginal and Torres Strait Islander women, are not targeted exclusively, to avoid any misconception that certain groups of people are more likely to be victims or perpetrators of violence.

Support should be made available in ways that build on the strengths of women and families. For example, services responding to Aboriginal and Torres Strait Islander families should, where possible, be delivered by community-controlled organisations under the principle of self-determination. Community-controlled organisations should be supported to build the capability and capacity required to deliver these services and work collaboratively with partners in a holistic community-based response.

Services should be made available in rural and regional communities, in different languages and in plain English. They should also be made available in locations where they are accessible, particularly to young women and women with disability.

## Audit of previous parliamentary reviews

### Summary

- Auditing previous parliamentary reviews, reforms and recommendations can help drive consistent application and best practice of family, domestic and sexual violence prevention across Australia.

The QFCC agrees the current inquiry offers an opportunity to examine previous parliamentary reviews, including Queensland’s *Not Now, Not Ever* report, to evaluate the effectiveness of their proposals and identify opportunities for reform that have not yet been implemented.

Particular consideration should be given to the Australian Law Reform Commission’s 2019 *Family law for the future – an inquiry into the family law system* final report.<sup>38</sup> The Commonwealth Government has not yet released a response to this review. The final report includes recommendations to promote an integrated court response to family law, child protection and family violence matters to better protect children. It also addresses wider consideration of the interaction between domestic and family violence and family law matters and giving primacy to the best interests and safety of children affected by these matters.

<sup>38</sup> Australian Law Reform Commission 2019, *Family law for the future – an inquiry into the family law system: final report*, <https://www.alrc.gov.au/inquiry/review-of-the-family-law-system/>, accessed 10 July 2020.