

**Submission
No 23**

**INQUIRY INTO CAPTURING DATA ON FAMILY VIOLENCE
PERPETRATORS IN VICTORIA**

Organisation: National Council of Women Victoria

Date Received: 30 May 2024

Briefing to the Victorian State Parliament Legislative Assembly Legal and Social Issues Committee inquiry.

The National Council Women Victoria (NCWV) acknowledges the work of the Victorian State Government in setting up the Royal Commission into Family Violence in 2016 and the stated commitment to implementing 227 recommendations handed down by the Royal Commission. We acknowledge that the work of the Victoria Police is implementing the 27 recommendations. NCWV acknowledges that both men and women are survivors of domestic violence however, based on ABS data the vast majority of survivors are women and children. (Ref 1)

In line with UN Sustainable Development Goal 5 Gender Equality and Goal 3 Health and Wellbeing, NCWV agrees with the need to capture data on the profile, behaviour, attitudes and number of perpetrators. We see a need for collection of assault data, homicide data and a need to record perpetrators statements as they have contact with the police, the justice system and any other counselling or other agencies on why the violence occurred and if they feel remorse for their actions over time.

On 2 May 24 Rena Francesco, Director, Strategy, Policy and Reform - Family Violence Command at Victoria Police spoke at the NCWV May forum as reported in the NCWV May newsletter. She stated that the increase of Intimate Partner Family violence (IPFV) over the past five years is 21.5% (2017 vs 2021). She stated that in 2021 there had been 91,114 Family Violence incidents in Victoria and 92,513 in 2020. She outlined the Family Violence Response Model used by Victoria Police and the Code of Practice for Family Violence. This includes a risk assessment aligned to the Multi-Agency Risk Assessment and Management Framework (MARAM) to inform police actions at each family violence incident. These include criminal, civil and referral options. Risk assessments completed includes a specific focus on children. (See report in NCWV newsletter Ref 2)

NCWV believes that the Multi-Agency Risk Assessment and Management Framework should be current and the risk assessment information should be added by those organisations who last had contact with the perpetrator to monitor changes in behaviour and/or attitude. Any breaches of Intervention Orders and bail conditions or outstanding warrants should be noted and regularly reviewed to initiate any action outstanding needing to be taken by the justice system.

In 2022 the UN Women and World Health Organisation issued a paper titled "Improving the Collection and use of Administrative Data on Violence Against Women" (See link to paper at Ref 3). Pages 3 and 5 of the paper sets out 8 steps to achieve this:
"Step 1 Know the Appropriate Uses of Violence Against Women(Survivors) Administrative Data and Identify Priorities.

Step 2 Create a National or Subnational VAW(S) Administrative Data Coordination Mechanism

Step 3 Analyse and Align with the VAW(S) Legislative, Policy and Data Environment

Step 4 Convene a VAW Administrative Data User-Producer Dialogue

Step 5 Agree What VAW Administrative Data Will Be Collected, Analysed and Reported

Step 6 Create an Implementation Plan to Collect and Use VAW Administrative Data

Step 7 Implement and Monitor the Regular Reporting of VAW Administrative Data

Step 8 Engage in Data Communication”

NCWV believes that we need a National Administrative Data System based on an agreed data collection mechanism. The data set will contribute to understanding, preventing and responding to gender-based killings of women and their children by providing critical information on perpetrators gender-related motives by, for example, identifying intimate partner or non-partner physical, psychological or sexual violence prior to the homicide.

It must also monitor individual perpetrators moving across borders / areas to enable them to withdraw from any referral actions or to continue of their violent behaviour. This would be recorded in a narrative about persons attitudes and statements.

However, confidentiality is a core characteristic of quality service delivery and ethical collection and use of VAW(S) administrative data. Potential harm associated with violations of confidentiality was a key concern raised by experts. The attached list of data needs to be collected on perpetrators and corresponding survivors to analyse any power imbalances in the relationship. (See Appendix 1)

The Role of Public and Agency Education

The role of public education is crucial in changing public behaviour and attitudes to violence. Perpetrators and potential perpetrators must be targeted in public education campaigns, in service provision and in research programs. Outcomes of the Respectful Relationships Education for children in schools as well as adults also need to be assessed and places made widely available to anyone who wants to do a course. These activities need to be budgeted and monitored for effectiveness with perpetrators. NCWV welcomes the police specialist response and engagement with Multicultural Liaison Officers, New and Emerging Community Liaison Officers, Victims services (Victims of Crime) and VpER referrals (including victim register), Multicultural Media Reference group, Resources in language – Sexual Assault and Family Violence, Priority and Safer Communities Division, Multicultural Portfolio Reference Group, Multi-Faith Council, Multi-Faith Youth Council. The activity of these groups will build a better understanding between communities and police about respectful relationships although it is often difficult to show an immediate outcome, hopefully improved results will occur over time.

Funding for Counselling and Monitoring of waiting lists.

Data needs to be collected on the times a perpetrator was referred to counselling services, including The Orange Door and Men's Accommodation and Counselling Services (MACS) or Men's Referral Services, whether or not the perpetrator attended sessions and completed the program. Noted identifiable outcomes of sessions also need to be recorded to identify successful programs. Delays in a perpetrator being able to access to participate in services need to inform funding proposals so waiting lists need to be monitored.

Funding for research into causes of violence

Funding needs to be provided to deliver a perpetrator research agenda, including longitudinal research on what changes problem behaviour; what triggers violence; what maintains behavioural change; the utility of risk assessment tools and the effectiveness of various recidivism reduction strategies, taking account of different offender characteristics and cultures and evaluation of programs consistent with ethnic and Indigenous cultures.

Funding for early intervention based on risk factors.

The Age 22/5/2024 in an article titled "Twisted trigger that drives men to kill their kids" written by written Jordan Baker reported "There's about seven risk factors," says Professor Thea Brown, from the Monash Deakin Filicide Research Hub. Drug abuse, mental illness and a criminal history are among them. "But the most common one, the one that almost all the fathers exhibit, is domestic violence to the spouse. Parental separation also tends to be a ... trigger, it sets the whole thing off," she said. "What we've found is with separated fathers – that's fathers who have left or have been left – there is a huge amount of anger. "It's a punishment of the mother; she's being punished because she left them."(4)

More publicity needs to be given to successful programs for anger management and perpetrator violence. In August 2024 the NCWV will hear from Kirsty Tschirpig CEO of MATE / Griffith University Bystander Program. "MATE delivers person-to-person training, online webinars and other modules and the "Bethere" app to empower us to challenge a conversation, behaviour or a sense that something isn't ok, before it is too late." Everyone needs to become involved on changing behaviour and attitudes about violence towards men, women and children. Griffith University's MATE Bystander Program is highly effective in empowering people to actively contribute to eliminating violence and coercive control, an evaluation by the Australian Council for Educational Research (ACER) has found. (5) Kirsty Tschirpig also promotes Matt Browne's book "She is not your Rehab" and is in discussions with the Queensland Correctional Services to introduce it into the prisons.(6) It is essential that adequate health, alcohol and drug services and counselling services are available to prisoners in the Victorian Correctional Services based on risk assessment.

NCWV trusts that this submission will be accepted in good faith acknowledged.

References

1. <https://www.abs.gov.au/media-centre/media-releases/1-5-australians-have-experienced-partner-violence-or-abuse>
2. <https://www.ncwvic.org.au/files/2024%20May%20NCWV%20Newsletter.pdf>
3. <https://www.unwomen.org/sites/default/files/2022-10/Improving-the-collection-and-use-of-administrative-data-on-violence-against-women-en.pdf>
4. The Age 22/5/2024 in an article titled "Twisted trigger that men to kill their kids by Jordan Baker
5. <https://news.griffith.edu.au/topics/mate-bystander-program/>
6. <https://www.youtube.com/watch?v=9nTi5VZ0bsg>

Appendix 1.

The following perpetrator data and attitudes needs to be recorded:

Identifies as ATSI yes/no

Age in years

If person is from a culturally and linguistic background (CALD)? What community?

If a person presents with a disability - state type.

Gender identity

Sex

Young person. What age?

Veteran. Details.

Resides City / town / rural remote area.

What form of violence or other abuse occurred example: Unique forms of violence specific to certain groups (e.g. immigration-facilitated abuse, dowry abuse).

- Coercive control (eg. Prevalence, perpetrator behaviours, severity of impact.
- Systems abuse (eg. the use of legal processes to perpetrate harm against a partner)
- Tactics for perpetrating abuse (eg. through use of technology etc)

Does the perpetrator have a gun licence? If yes for how many guns?

Has the perpetrator had a history of violence? List number and type and years.

Education level of perpetrator

- Did not complete high school or TAFE or Apprenticeship.
- Completed High School or TAFE or Apprenticeship
- Completed degree, diploma or post graduate studies.
- If did not complete high school what level of literacy and numeracy
- Does not have a driver's licence.
- Has been held in a mental health institution or assessed with a mental health condition by a qualified doctor.
- At the time of the offence test positive for drugs,
- At the time of the offence tested positive for alcohol and what was reading.

- At the time of the offence has been assessed as having a gambling problem.

Employment Status: Full time/ part time, contractor, retired, unemployed.

Yearly income

Location of the violence: Home, public space, work place.

Some non-identifiable data collected about the survivor to assess any power imbalances with the perpetrator.

Intimate partner current. How long?

Former partner: for how long? How long since relationship ended?

Family member

Friend /acquaintance

Authority / care relationship

Other known

Other unknown

Was the survivor pregnant

Survivor has children by perpetrator

Survivor has children by other

Immigration status of perpetrator and survivor.

Non-English speaking perpetrator or survivor