

Reconceptualising family violence intervention and prevention

Family Violence Death Review Committee

4TH AUSTRALASIAN CHILD DEATH
INQUIRIES & REVIEW CONFERENCE

Family Violence Death
Review Committee



He tao huata e taea te karo



HEALTH QUALITY & SAFETY
COMMISSION NEW ZEALAND

Kōwhiri Hauora o Aotearoa

Ngā mate aituā o tātou

Ka tangihia e tātou i tēnei wā

Haere, haere, haere

The dead, the afflicted, both yours and ours

We lament for them at this time

Farewell, farewell, farewell

Cumulative patterns of harm



1st Generation: Conquered males were **killed, imprisoned, enslaved** or in some way deprived of the ability to provide for their families.

2nd Generation: Many men **overused alcohol and/or drugs to cope with their resultant loss of cultural identity and diminished sense of self-worth**. Government responses to emerging substance misuse problems have directly and indirectly led to the traumatisation of individuals who had not been previously affected, and the exacerbation of trauma in those already suffering the effects of trauma-related illnesses.

3rd Generation: The **intergenerational effects of violence manifest in the increased prevalence of spousal abuse and other forms of domestic violence**. The breakdown in the family unit that accompanied this violence 'required' caring governments of the day to remove 'at risk' children from their mothers and place them in the care of suitable, in many cases non-Indigenous, families.

4th Generation: **Trauma begins to be re-enacted and directed at the spouse and the child;** signifying a serious challenge to family unit and **societal norms of accepted behaviour**.

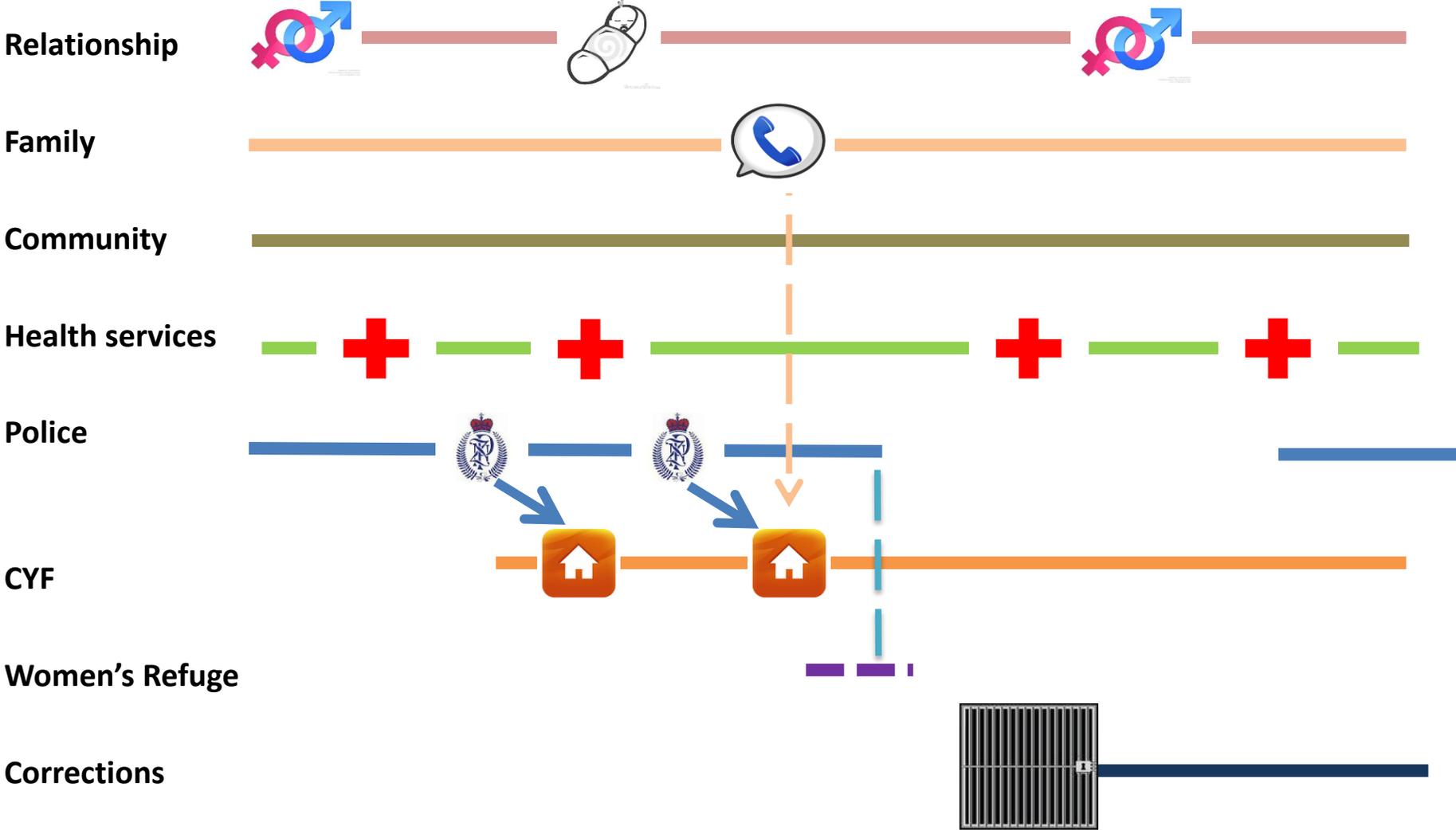
5th Generation: In this generation, **the cycle of violence is repeated and compounded**, as trauma begets violence, with trauma enacted through increasingly severe violence and increasing societal distress.

Complex lives amid trauma

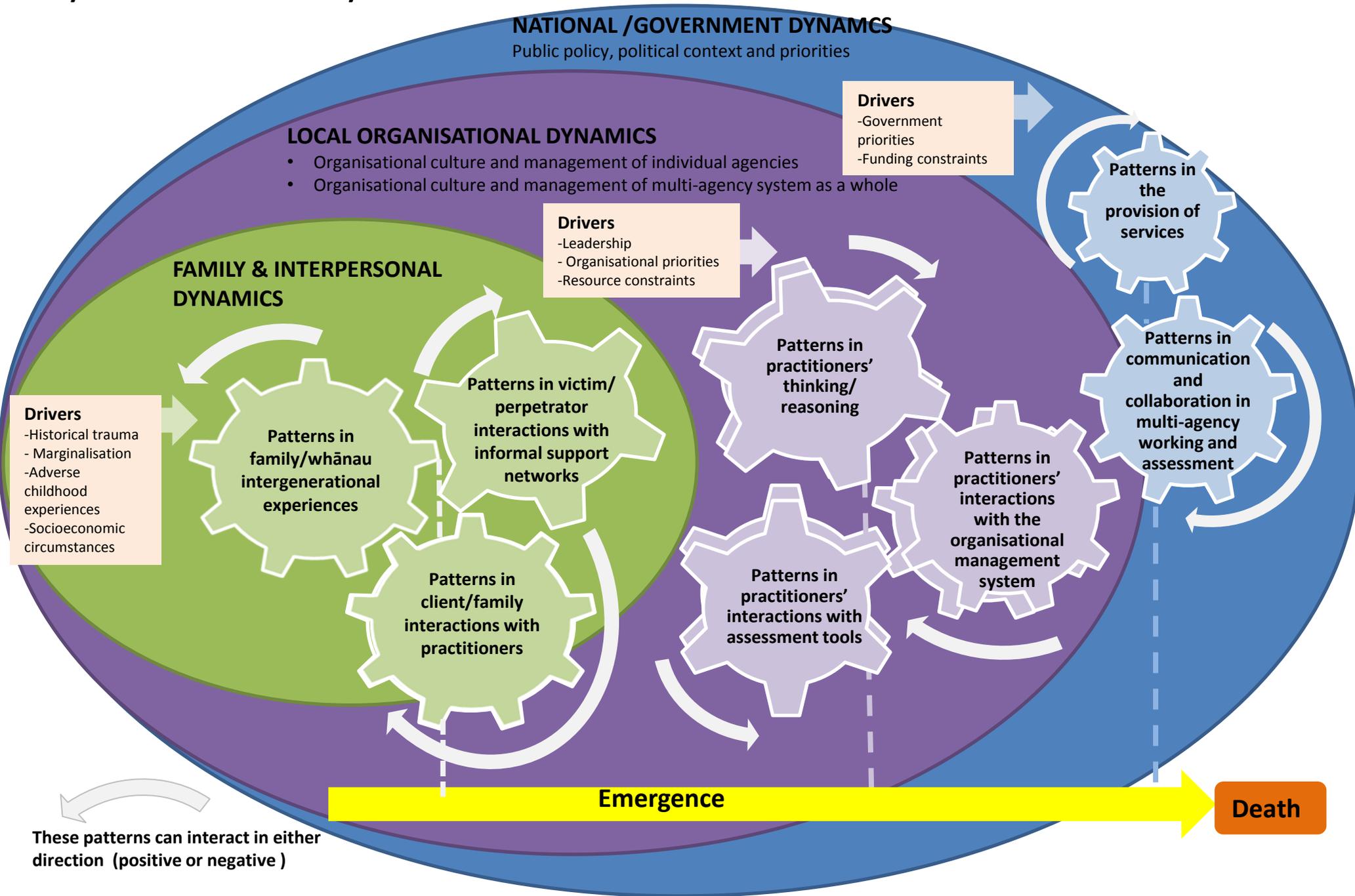
- A traumagram maps an individual's (and their family's) experiences of trauma, such as child abuse and neglect, sexual abuse and intimate partner violence, across extended families (including siblings and step-parents), as well as current and previous relationships. They include known children of the various adults, alcohol and other drug use, protection orders, Child, Youth and Family (CYF) involvement, children in care and imprisonment associated with any particular family member.
- **Traumagrams render visible patterns of violence, abuse and neglect across generations and in past and present relationships.**



Understanding sensemaking



A 'Systems' Model for Family Violence Death Review



Reports and recommendations....

Complex

the relationship between cause and effect can only be perceived in retrospect

probe – sense - respond

emergent practice

Complicated

the relationship between cause and effect requires analysis or some other form of investigation and/or the application of expert knowledge

sense – analyze - respond

good practice

novel practice

no relationship between cause and effect at systems level

act – sense -respond

Chaotic

best practice

the relationship between cause and effect is obvious to all

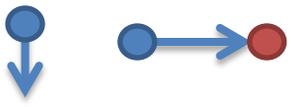
sense – categorize - respond

Simple



A fragmented, siloed and unsafe family violence response system

Parallel practice

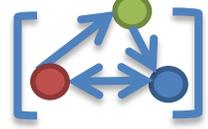


Consultative practice

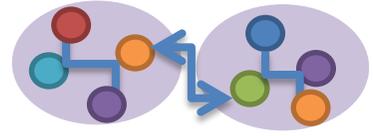
Collaborative practice



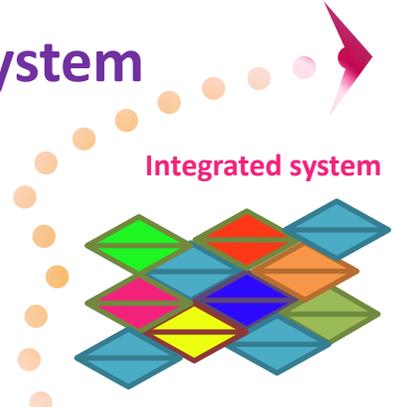
Multidisciplinary practice



Coordinated practice



Interdisciplinary practice



Integrated system

Safety planning with victims

FVIARS

Family Safety Teams

Children's Teams

Requires:

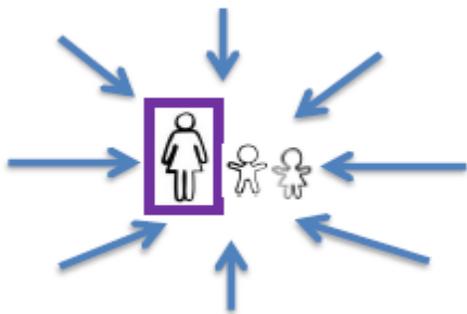
- *integrated system infrastructure to be in place*
- *practice principles that underpin all integrated system responses*

Risk & complexity of needs increases

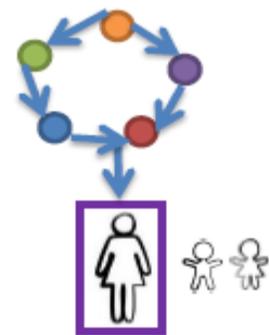


Risk & complexity of needs decreases

Current individual safety response



Current interagency safety response

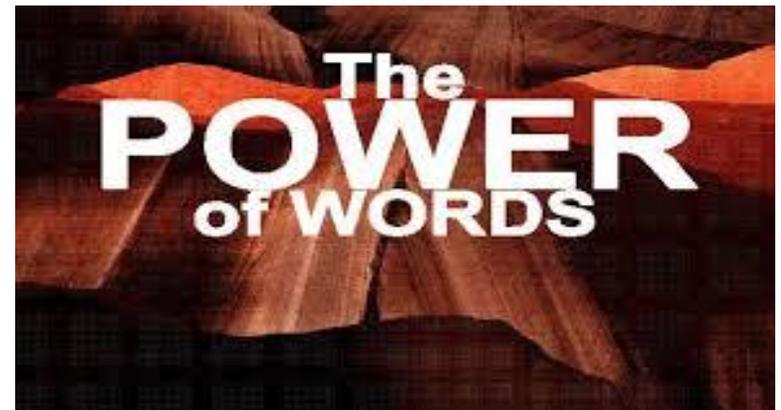


Imagined - integrated safety responses

This will require :

- *different / new ways of working*
- *different / new sets of skills*
- *multiple practice models*

Mindset shifts



Language matters

Incident = a distinct or definite event

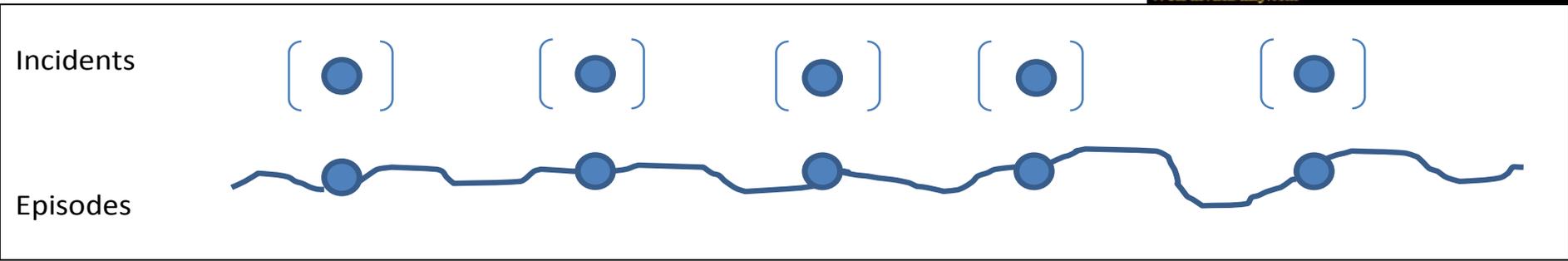
Episode = part of a series of events

'Domestic incident' turns out to be couple struggling with Ikea furniture
By Jimmy Nsubuga Tuesday 12 Nov 2013 6:13 pm



A family's struggles with Ikea furniture led to the police being called (Picture: Danny Elwes)
Police arrived at a house to reports of a possible domestic incident only to find the commotion was being caused by a couple frustrated by Ikea furniture.

WeirdNutDaily.com



Primary victim / predominant aggressor= role in the abuse history of the relationship

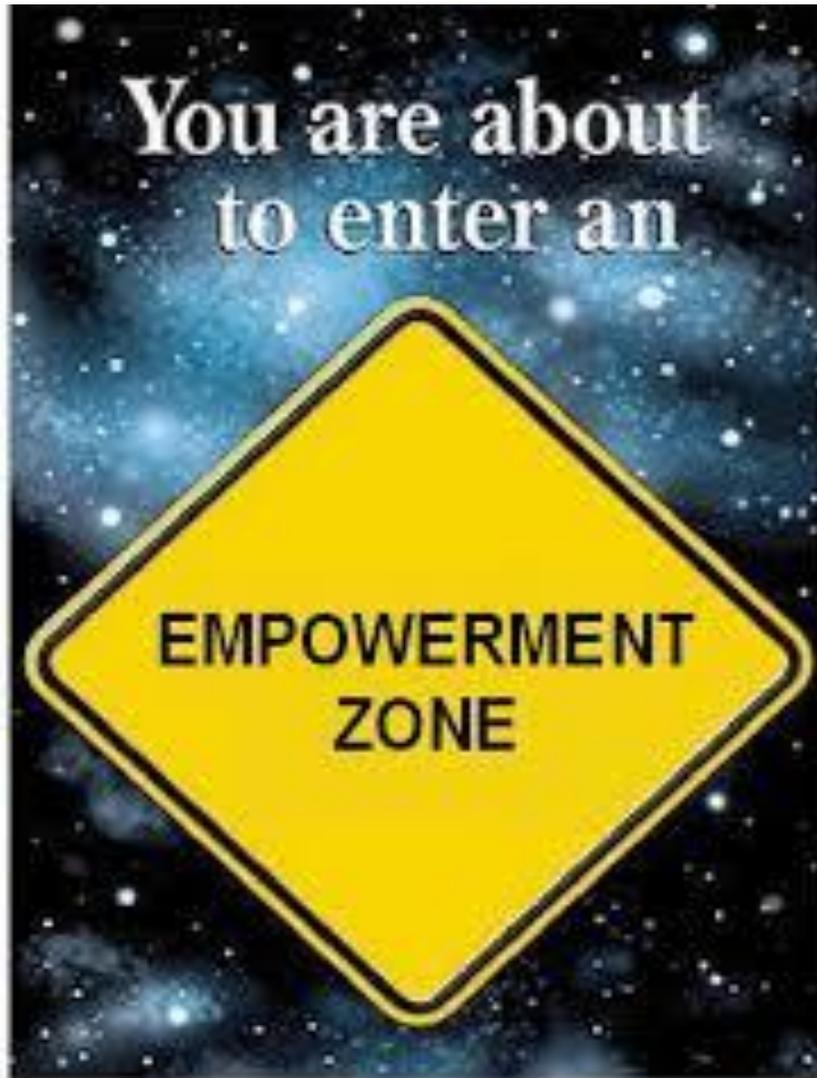
Cumulative harm= patterns of victimisation and/or perpetration

Reconceptualising family violence



- Stark, E., *Coercive Control. How Men Entrap Women in Personal Life*, New York, Oxford University Press, 2007.
- Ptacek, J., *Battered Women in the Courtroom: The Power of Judicial Responses*, Northeastern University Press, Boston, 1999.

The language of empowerment



Victim blaming – responsible victims and invisible abusers

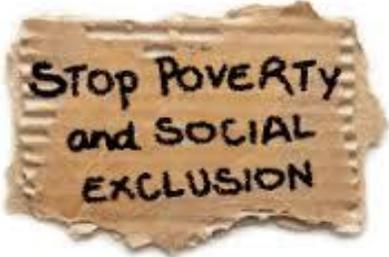


Empowerment can conceal victims' resistance

A person's resistance- does not and most often cannot stop violence but is no less important for that fact.

A mother who is being abused cannot and should not be held responsible for the violence and its cessation.

Reconceptualising family violence



- Cram, F., 'Poverty', in McIntosh, T. and Mulholland, M. (eds.), *Māori and Social Issues*, Wellington, Huia Publishers, 2011.
- Walters, K.L. et al., 'Bodies don't just tell stories, they tell histories: Embodiment of historical trauma among American Indians and Alaska Natives', *Du Bois Review: Social Science Research on Race*, vol. 8, no. 1, 2011, pp. 179–89.

IPV & CAN: entangled forms of abuse

‘a **double level of intentionality**: an act directed towards one individual is at the same time intended to affect another or others’ *(Regan 2001)*

- hitting/threatening a woman in front of her children
- killing a child, in retaliation for the mother leaving



Regional reviews:

- threatening and assaulting women whilst they are holding young children
- strangling pregnant women

family violence  a pattern of coercive control  that actions directed at one individual are not necessarily designed to impact only on that individual.

L. Regan, Children and Domestic Violence: Its Impacts and Links with Woman Abuse, speech at the Impact of Domestic Violence on Children

Conference, London, October 2001.

What is your sphere of influence?

Effective social responses to family violence create safety and restore dignity.

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<http://www.hqsc.govt.nz/our-programmes/mrc/fvdr/>



Issues and Challenges for Family and Domestic Violence Fatality Review Jurisdictions and Child Protection Agencies

Dr Nicole Leggett

***Department for Child Protection and Family
Support, Western Australia***



Government of **Western Australia**
Department for **Child Protection**
and **Family Support**



Government of Western Australia
Department for Child Protection
and Family Support

PERPETRATOR ACCOUNTABILITY IN CHILD PROTECTION PRACTICE

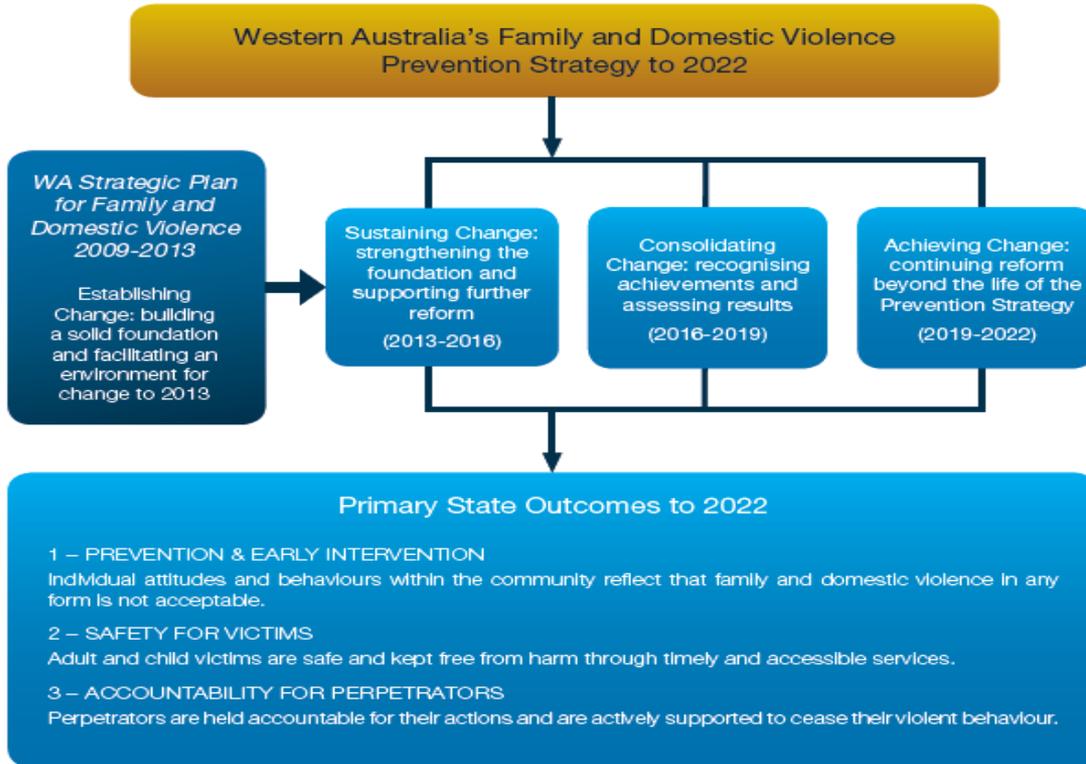
Dr Nicole Leggett
Manager Family and Domestic Violence Unit,
Department for Child Protection and Family Support

Family and Domestic Violence Unit

Department for Child Protection & Family Support, Family & Domestic Violence Unit is responsible for:

- across government and community sector family and domestic violence strategic planning; and
- developing and implementing family and domestic violence practice guidance for Department staff.

Family and domestic violence strategic planning



Western Australia's Family and Domestic Violence Prevention Strategy to 2022 aligns with the National Plan and provides an overarching long term framework for responding to family and domestic violence.

Family and domestic violence and child protection

Violence perpetrated by men towards their intimate partner and children is one of the main reasons that children and families are brought to the attention of the Department.

Referral pathway WA Police: January – June 2014

- 18,894 domestic violence incidents attended by police
- 12,342 involved children (65%)
- 3,333 related to open cases
- 2,949 required further child protection assessment
- 43.4% related to families were there had been multiple domestic violence incidents (between January 2013 – June 2014)
- 31.7% related to families who had been subject to 'other' child protection referrals (between January 2013 – June 2014)

Family and domestic violence policy position

Aim of child protection intervention

Safety of adult and child victims is paramount: the safety of the child is linked to the safety and wellbeing of the adult victim.

Response framework

Perpetrator accountability: victims of FDV can only be considered safe if the risk posed by the perpetrator is managed or mitigated.

Child protection practice

Collaboration: victim safety and perpetrator accountability is best achieved through a coordinated and collaboratively response between agencies and with families - *the system matters*.

Case scenario

A mother (Melissa) of two children under the age of two has separated from her defacto partner who is the father of the children (Dave). Melissa has a violence restraining order and is living independently with the children.

The Department has concerns about the risks posed by Dave to Melissa and the children. Dave's use of violence and abuse has been escalating and includes breaking into the house, assaulting Melissa, making threats to kill, attempted strangulation and making threats with weapons. The Department has no concerns about the protective capacity of Melissa.

At the end of a 12 month engagement with the Department, Melissa's children have been brought into care and placed with her sister. Melissa is living with her sister and the children, and has forfeited her Department of Housing house. The rationale for protective intervention was related to the danger posed by Dave.

Case scenario – what went wrong?

- The focus of the Department's involvement was working with Melissa to increase her capacity to keep the children safe.
- At no point did the Department, or any agency, engage with Dave or target activities at managing his use of violence.
- The Department and the other agencies involved in the case worked in isolation of one another.

Unintended outcomes of not working within a framework of perpetrator accountability

- Women and children:
 - are at continual risk of further violence and abuse;
 - are held responsible for managing their own safety; and
 - can be subjected to a punitive response when they are not successful.
- Perpetrators of violence continue to use violence unchallenged.
- A message is sent to clients and the community that men are not responsible for their use of violence.
- Family and domestic violence is unabated in the community, creating a revolving door.

Paradigm shift

Impact on children	Complicating factor	Harm
Philosophy	Protectiveness	Risk / Danger
Person responsible	Mother (adult victim)	Father (perpetrator)
Risk assessment	Child focused	Child / adult victim
Response	Single agency	Collaborative response

Perpetrator accountability in practice

- Identifying family and domestic violence (screening)
- Positioning of the case and the assessment
 - risk and behaviour focused, clear & specific, *who has done what to whom and with what impact*;
 - understanding when and how protective behaviours mitigate risk; and
 - gathering information from the adult victim and other agencies involved in the case – privileging the story of the adult victim.
- Engaging the perpetrator
 - clear and specific about our concerns, assessment of readiness/willingness to be a safer parent (using violence is a parenting choice); and
 - safety planning and supporting change (if possible).
- Managing risk
 - engaging a safety network including family and professionals to increase safety and manage risk. Risk is managed through multi-agency risk assessment and safety planning. The goal is to use all available systems, processes and resources to contain or reduce the risk.

Perpetrator accountability in practice: critical context

- Shared responsibility for responding to family and domestic violence
- Information sharing
- Commitment and relationships at all levels

Practice led policy

- Reviewing cases provides an opportunity for the Department to evaluate the adequacy of policy and procedure (and/or their implementation) for supporting workers to respond to family and domestic violence.
- Case reviews also support the identification of systemic issues that can be addressed through strategic planning.

Case scenario two - *same scenario, different ending*

The Department:

- Engages with Dave. Purpose: to outline concerns about his use of violence; assess his willingness/ability to be a safe parent; and if appropriate, offer referral to a men's behaviour change program.
- Substantiates harm and identifies Dave as the person responsible.
- Engage family in creating a safety network.
- Convene multi-agency case management which results in the reduction of risk:
 - Police charge Dave with breach of VRO and assault, provide a duress alarm to Melissa, place an alert on the property;
 - Safe at Home and Department of Housing install safety provisions at the property (dead bolts, security screens, cameras, alarm);
 - Safe at Home provide ongoing outreach including case management and support to Melissa;
 - Department of Housing forgive debts related to property damage;
 - Dave pleads guilty to the charges and is deferred to family violence court; and
 - ongoing information sharing supports detection of further acts of violence, which instigate police response including breach of bail conditions.

Other examples...

- The Department receives allegations of child abuse from a father in relation to his former partner. The Department determines that the claims are vexatious based on the information provided by other agencies.
- A high risk domestic violence perpetrator has been arrested and bailed. One of the conditions of bail is that he resides with his partner and children (the victims of violence). The Department works with the family, police and court based family violence service to develop an argument for the magistrate about why bail conditions should be amended and to establish as much safety as possible in the mean time.
- An incarcerated offender is making threats to kill his partner from prison. Threats have been communicated via phone and family members. Corrective services notify the Department and police, they work together, with FDV support services, to pursue charges against the perpetrator and in the event he is released, to plan his release.

Challenges: *work in progress*

- Sustaining the paradigm shift.
- Supporting staff, partner agencies and families to understand and support an accountability focus.
- Behaviour change is a long term process.
- The person using violence has to want to change (internal or external drivers).
- The work of the Dependent is impacted by the outcomes delivered in other components of the service system, and vice versa.
- The overarching capacity of the service system to contain (or stop) a man who is using violence.

What worked

- Using practice based evidence to influence change
 - safety and accountability audit (praxis);
 - homicide review; and
 - case reviews.
- Working across the organisation at all levels.
- Sustained focus and consistent messages.
- Case based examples.
- Working closely with partner agencies.
- Alignment of across government strategic planning to the policy and practice position of the Department.

NSW DOMESTIC VIOLENCE DEATH REVIEW TEAM

Presented by:

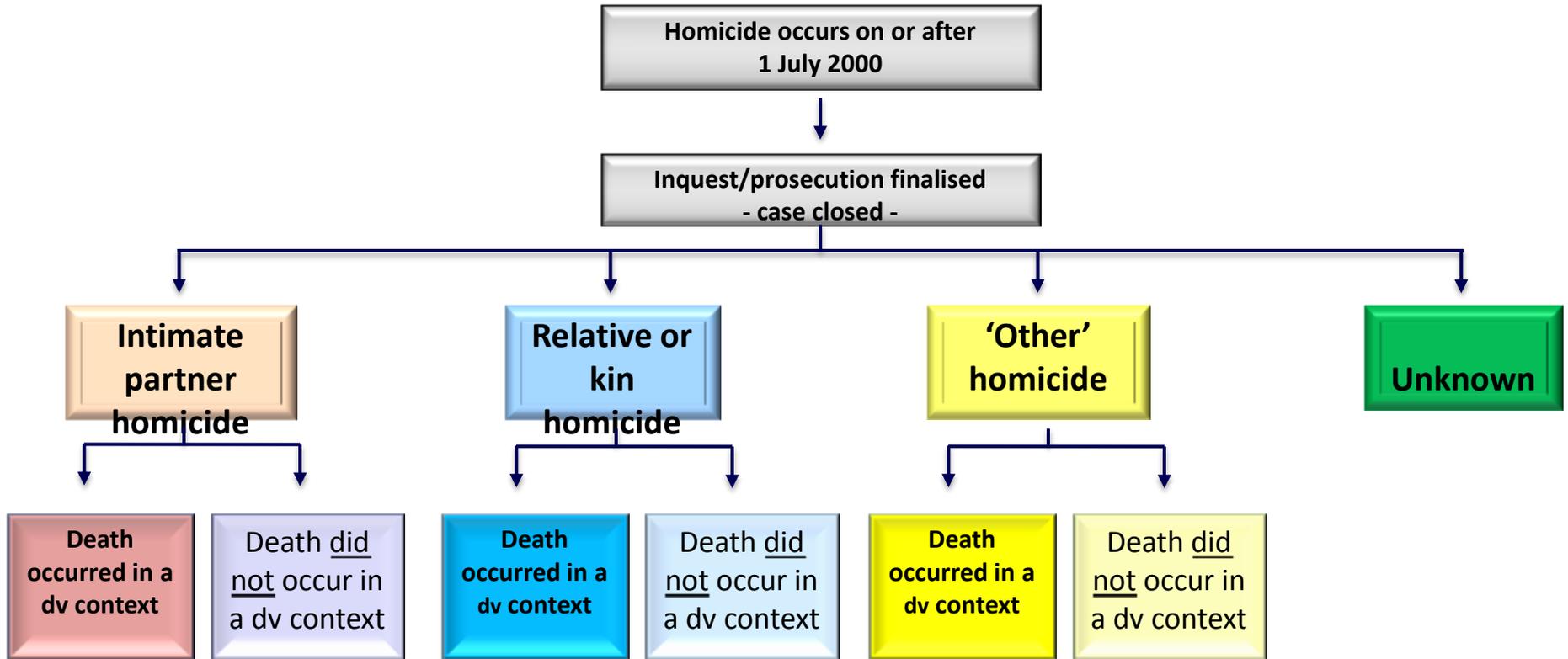
Anna Butler

NSW Domestic Violence Death Review Team Manager

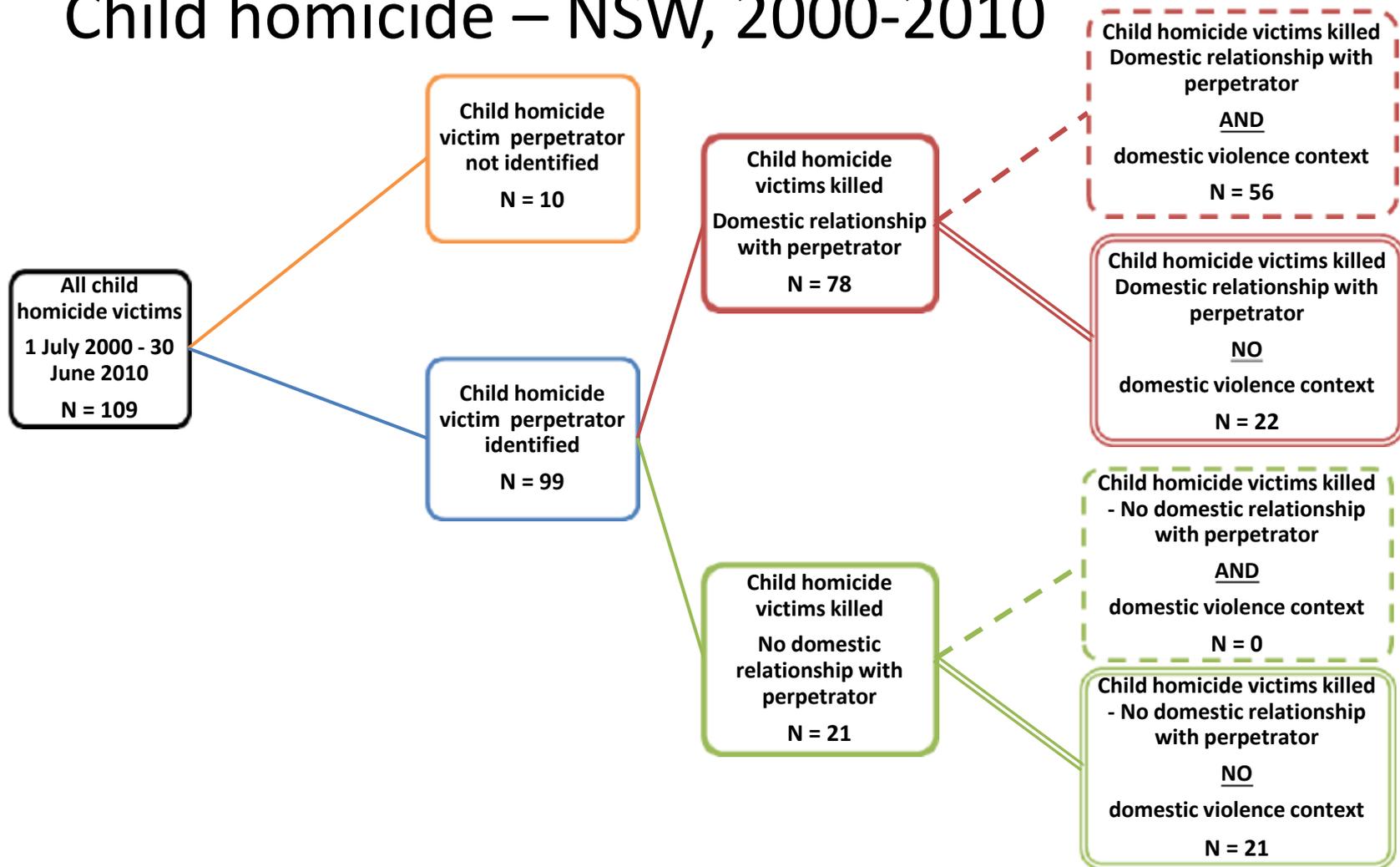
DVDRT Establishment, Structure and Methodology

- Established under the *Coroners Act 2009 (NSW)*
- Reviews domestic violence homicides on the basis that such deaths are considered to be **predictable** and therefore **preventable**
- Team comprises a **multi-disciplinary** committee from Government and non-Government sectors
- Core functions: analyse dv related deaths; identify patterns and trends; and develop recommendations and undertake research to prevent or reduce the likelihood of dv related deaths
- Scope of review includes homicides, suicides and accidents that occur in the context of domestic violence
- Reports annually to NSW Parliament

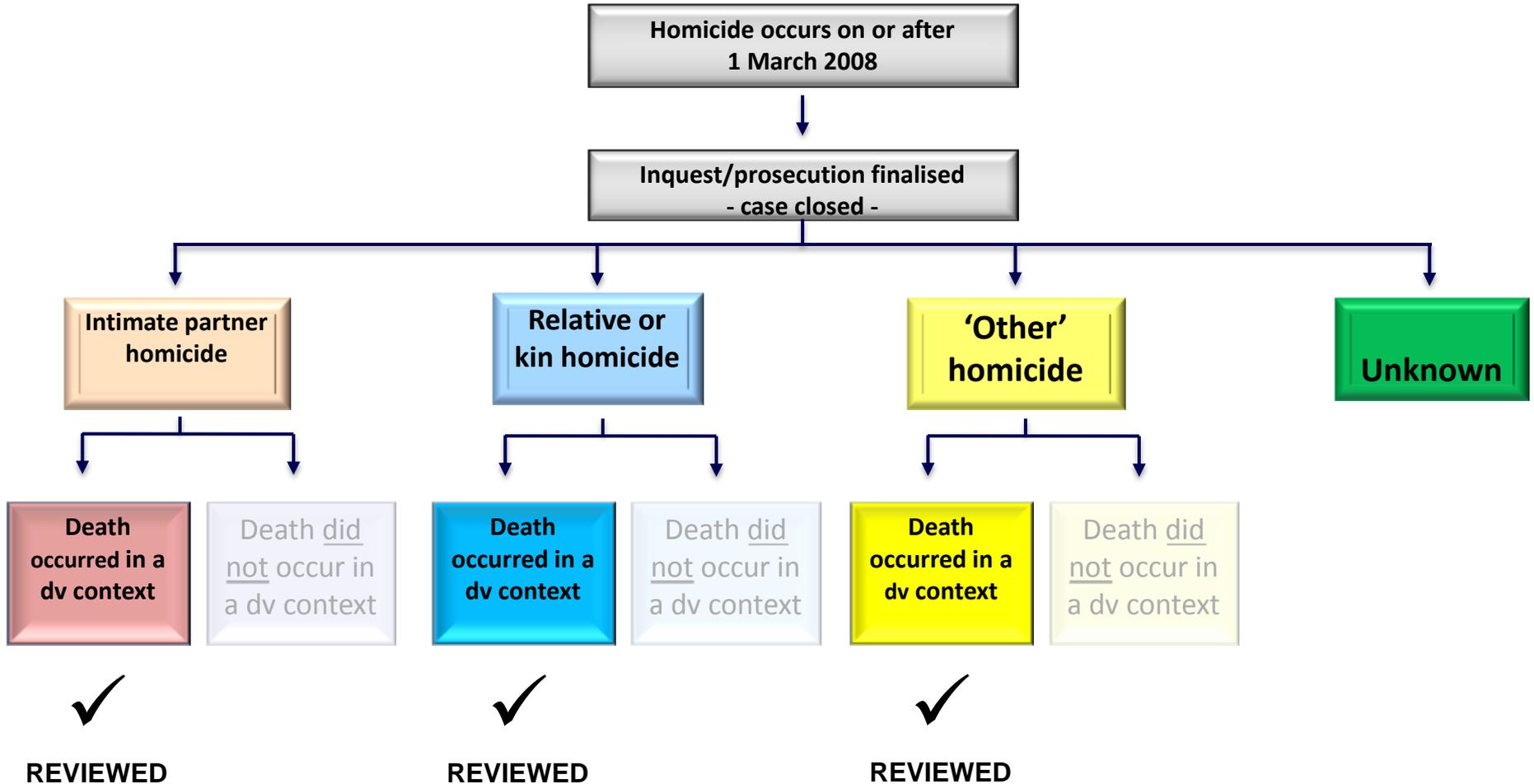
Case identification and categorisation



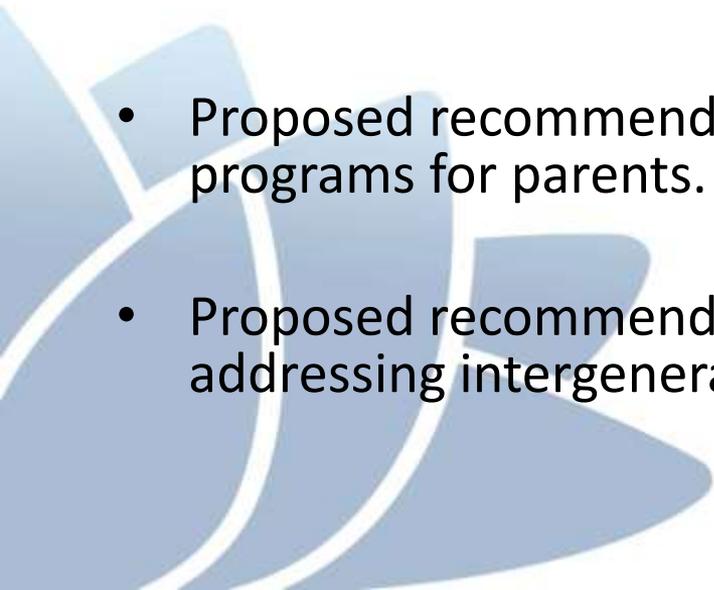
Child homicide – NSW, 2000-2010



In-depth case review



Recommendations

- Specific recommendations designed to improve agency responses to domestic violence (for example, addressing management of child custody issues within NSW Police) and broad recommendations which examine domestic violence holistically.
 - Proposed recommendations in relation to trauma-informed programs for parents.
 - Proposed recommendations in relation to responding to and addressing intergenerational trauma.
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- A decorative graphic in the bottom-left corner consisting of overlapping, semi-transparent blue shapes and white curved lines, resembling a stylized sun or a modern logo element.

Challenges/Future Directions

- Measuring success
 - Challenges around qualitative analysis
 - Implementation of recommendations/monitoring
 - Challenges inherent in multi-agency review processes
 - Expanding review model into accidents and suicides
- 

NSW DOMESTIC VIOLENCE DEATH REVIEW TEAM

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