# Experts discuss new family research – transcript

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## Transcript

**It’s one of the fastest growing criminal offences in Victoria, breaching a family violence intervention order.**

**Victoria Legal Aid is the largest provider and funder of family violence related legal services in the state.**

**Of the past five years, the demand on these services has increased by 173 per cent.**

**VLA Managing Director Bevan Warner.**

For those responding to an order, the first visit to court is an opportunity to become accountable for behavior that is wrong, to learn that it won’t help them achieve their aims and to acknowledge the need to change. We also know that when perpetrators (or respondents) obtain legal help they are more likely to understand and to comply with a Court order. But as many of us know, most people are not getting the advice and help they need at court with Family Violence Intervention court orders – because of an overburdened system. The system is simply crashing under its own weight. Less than four in 10 people are able to see a Legal Aid or community legal centre lawyer because of overwhelming demand.

**Now in one of the largest studies of its kind, Victoria Legal Aid has examined more than 15,000 clients charged with breaching family violence intervention orders.**

**Bevan Warner launched the study at a panel discussion in Melbourne.**

It focuses on over 4,500 clients who were assisted with criminal charges. Of these, almost a quarter were charged with breaching an order **more than once.** I want to draw your attention to this group because they add to our knowledge of those **most likely to reoffend.**

**Ninety-eight per cent** had a history of other legal problems before their first charge of a breach, 86 per cent were unemployed, 27 per cent reported a disability, mental health issue or an acquired brain injury. Women made up 10 per cent of this group but showed significantly higher levels of disadvantage and disability than the men. The level of disability among this group is noteworthy **because it can impact on a person’s ability to understand and comply with a court direction**

**VLA hopes the research will help identify people at risk of repeat offending. Ultimately the aim is to help keep victims and families safe**.

**Bevan Warner again.**

So what is VLA doing? At VLA we are developing a Client Safety Framework to help us identify risk and work with clients, courts and services to help keep victims and families safe and to help reduce the incidence of further family violence. Lawyers will be able to apply the framework to identify risk and potential victims and perpetrators among those who are not presenting with family violence problems, as well as those who are.

**Speaking at the launch, Victoria’s Attorney General Martin Pakula thanked VLA for the research.**

I would like to commend VLA for its commitment to not only supporting clients but to developing a knowledge base which can be used to build our understanding of family violence and family violence dynamics in order to provide better responses for Victorians. It’s one thing to have the raw data. It’s another thing to do the work to collate that data into a usable form and to give it some context that can be useful in terms of research and response.

There’s no doubt that the report makes a significant contribution to the body of work on family violence knowledge in Victoria. It can be used by the courts, by lawyers and by other service providers to better identify and understand the risks associated with family violence, so that will help, I think, whether we’re talking about applicants or respondents indeed, to ensure the people who need more targeted support can get that targeted support.

**Annette Gillespie is the CEO of Safe Steps, a crisis service supporting women and children who have survived family violence.**

**She’s welcomed VLA’s research and says it overlaps with a study conducted by Safe Steps recently.**

We also want to stress that there is a cohort of men who are perpetrating violence towards women who are accessing a crisis service where they are employed. They don’t have mental health issues and they are potentially going under the radar in our service design system because we’re not identifying those men as likely to cause harm. They appear to be people in our community who are fully employed without any deprivation, without disadvantage, but perpetrating violence.

**Deputy Chief Magistrate Felicity Broughton is the Supervising Magistrate for Family Violence and Family Law with the Magistrates’ Court.**

**She says VLA’s research will help improve the way the criminal justice system deals with breaches of family violence intervention orders.**

This will certainly help us in terms of profiling the sort of people who come before the courts not only in terms of the case management of the proceedings obviously dealing with application for intervention orders and who is coming before the courts and what their profiles might be who the affected family members are in those families, but obviously dealing with the breaches. Obviously one of the findings from this report talks about over a quarter of people who have been charged more than once with breaching conditions of court orders and so that information about recidivism issues is incredibly important for us and important for Victoria Police. It’s important the way we manage those sorts of cases, but it’s also important from the courts point of view in how we use our wrap-around services to try and support families as they navigate our system to remain safe.

**Assistant Commissioner Dean McWhirter is the Head of Family Violence Command with Victoria Police.**

It’s also pretty consistent with our understanding of the issues around drugs and alcohol and disadvantage that sort of sits with what we understand, so that’s sort of pleasing. In many respects the only thing that I would have caution about in terms of how the data is used and interpreted, a little bit like Annette was saying, we just want to be careful that we don’t stigmatise lower socio economic areas. We certainly don’t want to label family violence as a particular cohort of people or geography because if you look at the data the reality is that all local government areas are essentially increasing in terms of family violence. So I think we’ve just got to be careful it’s important that we understand it but it’s actually how you roll it out.

**Jacqui Watt is the CEO of No To Violence and the Men’s Behaviour Change Network.**

**They regularly analyse the police reports which deal with family violence, some 13,000 each year and rising.**

I know of a situation just last weekend, for example, so this is a very front-end service delivery issue, where one of our workers reported to me that there were nine or 10 previous L17s that had been reported by this man and what we don’t have at the moment is a mechanism where we can say ok anyone who’s got any information on this guy and we need to establish what the risk is, what the safety issues are, what we can or should be doing differently or more of with this particular situation with this family. So I think it comes down to proper statewide systems for in taking men. I think it comes down to us being able to track them and to offer case management. It concerns me that the only mechanism that we kind of talk about is the Men’s Behavior Change Network which is something we should support and is also strained and I’m very mindful of Bevan’s comments about the overburdened system already. We have to do more than just hope we’ll get more groups to refer these men to, we actually have to start working with them much earlier and that has to be interventionist. So our stance on this is we need to join the dots a bit from the front end telephone based services through to the group processes at the other side, and then some.

**The briefing was told that more than half of the women seeking crisis accommodation are doing so without an intervention order.**

**Safe Steps CEO Annette Gillespie.**

What’s interesting about the Safe Steps data - and we do work with the highest risk women in the State – But we know that 41 percent of clients that we accommodate have ever had an intervention order so only 41 percent of all of the women that we deem to be at risk enough to put into safe accommodation has there ever been an intervention order and we also know that of all the women who contact our service for support, and that’s in excess of 55,000 a year, only 20 per cent of those women have ever had any contact with police at all so there is an enormous number of women who are living with violence to a level where they are at high risk and not having any intervention with police and therefore the courts so I think that’s something to keep in mind

**Concerns were also raised about people who have limited or no access to support services whatsoever.**

**Victoria Police Assistant Commissioner Dean McWhirter.**

Can I just say CALD communities and people with disabilities it’s really challenging for us to reach out to them and to actually get them to come forward in the first place and then what are the service supports around them when they do report so it becomes really, really challenging to us as frontline responders and then what’s the next level of service support which is not exactly strong either in terms of understanding those challenges

**No to Violence CEO Jacqui Watt**

Thereport clearly shows is that women with disabilities are more vulnerable when they are already in violent situations or possibly getting into situations where they are experiencing abuse and violence. I don’t think we should be expecting lawyers to engage with perpetrators or try to change their behavior but I think we can work with our colleagues in the legal profession to be better at noticing when some of those things might be at play and to understand how other bits of the service system can and should work better with them that to me is what integration is about.

**VLA’s Bevan Warner encouraged people working with families experiencing violence to read the research and also to share their experiences with Victoria Legal Aid.**

To achieve greater safety for victims, we must engage with perpetrators, not only to assess the risk they pose, but to help them change their behavior. The way to keep women and children safe is to have men stop the violence and a focus on what sanctions and support men need is appropriate in that context. So I encourage you all to read our research. It points to a rich treasure trove of client data that we are keen to unlock.