



The Women's Safety and Justice Taskforce

Submission on the Discussion Paper 1: Legislating against coercive control and the creation of a standalone domestic violence offence

We are thankful for having the opportunity to be part of this consultation. We believe that it is essential for us to be involved in the consultation and implementation process of any new legislation or changes to the justice system that directly impacts the women and families we support each and every day.

The Centre for Women & Co (CFW) is a not-for-profit organisation, funded by Department of Justice and Attorney-General. The organisation has operated since 1992 and has an existing footprint in Logan, Beenleigh and Redlands. The CFW currently provides assistance to those affected by Domestic and Family Violence (DFV) and Women's health and wellbeing counselling. Our organisation plays an active role in the provision of community education and development as an integral part of its role in the prevention of DFV, and the promotion of health and wellbeing.

CFW currently deliver the following specialist domestic and family violence and women's health services:

- DFV Crisis Support / Case management
- Children / Young People's DFV Counselling
- Lead DFV agency Logan-Beenleigh High Risk Team
- Integrated Service Response meetings
- Local Link Team –Education and Engagement with General Practice Staff working to close barrier between primary health, community and DFV specialist services
- Women / young women's health and holistic Trauma Informed Counselling and workshops
- Community education and primary prevention initiatives (currently partly funded by the profits from our social enterprise)
- Men & Co. Services is a subsidiary of the CFW, and currently deliver:
 - Transforming Men's Program – Men's Behavioural Change Program
 - Male Youth and Men's DFV Counselling
 - Partner and Family Safety Team - Victims' advocates are employed to provide support to victims of abuse from men engaging in the counselling program and the Transforming Men's Program.
 - Court Assistance Program for men and women in the Cleveland and Wynnum Magistrates DFV court.
 - Men's Parenting Programs (in partnership with The Benevolent Society)

The CFW is supportive of the efforts undertaken thus far by the Queensland Government that prioritise the safety of women, children, and families who are impacted by domestic and family violence.



We are very glad to see that there has been a considered consultation process where victim/survivors, individuals, groups and organisation can share their views on this topic. We believe this process needs to include DFV services' input where lead experts can consult about the ramifications of any changes to the criminal code and ensure that we propose solutions as a collective.

What are the possible benefits of legislating against coercive control in Queensland?

- Earlier intervention in domestic and family violence
- Earlier intervention in escalating violence
- Decrease in lethality
- Perpetrators made accountable and understand that coercive behaviour is unacceptable
- Formal acknowledgment/recognition of the danger of coercive control
- Legitimises victim-survivor's perceptions and experiences
- Gives the broader community a shared understanding and language around what constitutes coercive behaviour
- Provides a focus on non-physical forms of abuse that often overlooked or not taken seriously
- Move from an incident-based approach to an assessment of the history of abuse (ongoing behaviour), context in which the abuse has occurred and the impacts of the abuse on victim/survivors

We believe that our justice system is not utilising the existing legislation available in Queensland effectively due to the conversations and experiences we have heard from victim survivors. We rarely see/hear women's attempts to survive, resist and escape DFV taken into account when responding to DFV in the community in particular first response by police when they attend the home or when attending police stations. analysing data and evidence material.

There is limited funding for us to deliver prevention and awareness raising activities, led by trusted local DFV services. Several DFV services are not funded to deliver training, yet we have received numerous requests from external agencies for this (at no cost). We believe that to increase understanding of coercive control, we need to reach the whole community within Logan, Redlands and Beenleigh area, funding is limited in our support services let alone responding to needs to educate our community. currently in our Logan and Redlands regions, there is limited funding to undertake meaningful community education.

We strongly advocate for mandatory training on coercive control to improve the capacity and capability of the service system to respond to coercive control (this includes services to victims and perpetrators). Education and training to front line responders (Magistrates, Paramedics, QPS, Court Staff, Health services including ED, etc.) should be mandatory and this should be facilitated by DFV specialists. A system's reform is absolutely crucial for any proposed legislation to be used effectively, efficiently and safely.



There is evidence to show that there are so many benefits when a dedicated and funded multi-agency response, such as the High Risk Team, works collaboratively to conduct timely information sharing, agency accountability, provides transparency of actions and lack of action taken to promote safety and increase perpetrator accountability. To this date, seeking information from police can be time consuming and often we are denied the requested information. For example, this year (2021) we reached out to one of our local police station, met with the DVLOs and when we asked them if we could consult with them about DFV related matters. They said no, that we needed to reach out to the VPU however the VPU would not consult on DFV related matters where it does not concern a vulnerable person.

Our DFV specialists spend considerable amount of time reaching out to Police to ensure that women's rights are upheld. Due to past negative experiences with police, we often have spent hours at police stations, supporting women to provide statements. We have had countless positive experiences and we email the OIC to share this to ensure officers know what is working well and to know that we are so thankful for what they do. Due to the responses and experiences we have received from victim survivors, we also make several complaints per year in an attempt to ensure that officers will be held accountable and that processes can change to better protect women and children.

We have provided several examples already to the Taskforce, and we encourage the Government and the Women's Safety and Justice Taskforce to call on us to continue to provide information and examples that can support the development of the new legislation draft.

We continue to see perpetrators not being held accountable and a justice system that enables this and re-victimises victim/survivors. Comments from police officers such as "what did you do to provoke him?" "they are just as bad as one another" are still common and this is unacceptable behaviour. Research provides evidence that victim survivors are less likely to seek help due to the response from QPS such as those comments previously stated. Early this year, we had a woman who was interviewed by two police officers at one of our service centres. We witnessed the police officers re-traumatising this woman and placing blame on her. We lodged a complaint about this, and footage of the police officers' body cameras was reviewed and we were informed that what these officers did was absolutely wrong.

Sadly, we see many police officers responding differently and negatively when they do not have the "ideal victim". The approaches of police are focused on law and the currency of the offence and as a result do not look at the holistic picture on how the history of this violence are the reason police have been sought to become involved at this time. Police need to be provided training that extends to being trauma informed which can provide understanding for general duties police as frontline officers to the impact of violence on the victim survivor and the person using violence mannerisms. Perhaps we need all officers attending to calls and those on the front counter have body cameras., thus proper complaints investigation can take place with evidence that can support this.



Women attend our service centres and share with us stories that highlight the concerns that need to be addressed at a state and national level. For example, we often see perpetrators with a history of DFV offences and when new DFV or similar charges are laid upon a perpetrator there are no harsher penalties imposed. We still hear from prosecution "it is a minor breach", and we will argue that this is the 8th breach (reported). This would involve the courts being open to recognising the whole relationships dynamics and accepting evidence from the 'history of the relationship' by acknowledging the pattern of behaviour that requires harsher penalties for offenders

We would like to see a major improvement in the capacity and capability of police, lawyers and judicial officers to better understand coercive control behaviours so that these factors are given appropriate attention in assessments and investigations. This could then hold some weight in court proceeding and using coercive control to strengthen the evidence and highlight the risk the aggrieved/victim survivor is experiencing.

Mandatory training to police, lawyers and judicial officers involved will not be enough. We need to see real transformation and reform in these large organisations, including their leaders. We recommend having DFV specialists as part of QPS investigation teams, police stations and other units.

We believe that people with a conviction for a DFV offence or a history of DFV be automatically excluded from working as a police officer in Queensland. We have seen police officers attending a home due to a DFV incident and not following up as the respondent in this home is a police officer.

We continue to identify gaps and issues from women's experiences. We have outlined some below:

1. Women sharing that their reports of DFV and abuse are dismissed by QPS. QPS officers saying to them that she does not have enough proof (when trying to report a breach) even when showing an abusive and threatening text message from the perpetrator.
2. Women having to continue to see and speak with perp due to exchange visits. Perpetrators given supervised access to children (including newborns and infants) when there was a long history of DFV and charges of alcohol and drug use, including DUI.
3. QPS placing perpetrator and victim in hotel quarantine in the same room whilst there was a DVO with no-contact conditions in place.
4. Child Safety removing one-day old baby from hospital because woman did not go to refuge., then the next day requested woman to buy a breast pump when she had no access to finances.
5. Child Safety asking women to apply for a DVO to protect herself and the children.

These examples are unfortunately reported frequently to us by women seeking support from our service. We ask that the current legislations, policy and procedures as well as a number of systems that are being utilised at this time are reviewed thoroughly as we are concerned about the impact of making significant changes to the legislation and system response when it is evident that we already have so many existing gaps to resolve



Specialist
Domestic Violence
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We have provided over 20 case examples of inadequate responses from the justice system response, and we can provide this again upon request. It is imperative that we reform our current systems before or as we introduce a new law. We will continue to participate in these consultations and ensure that women and children's voices are heard

Thank you once again for this opportunity

Regards,

On behalf of The Centre for Women & Co

Stacey Ross

CEO & Change Maker