

RISK: Family Violence and Seeking Security

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Review of the Family Violence Common Risk Assessment Framework (the CRAF)

– Rethinking Risk

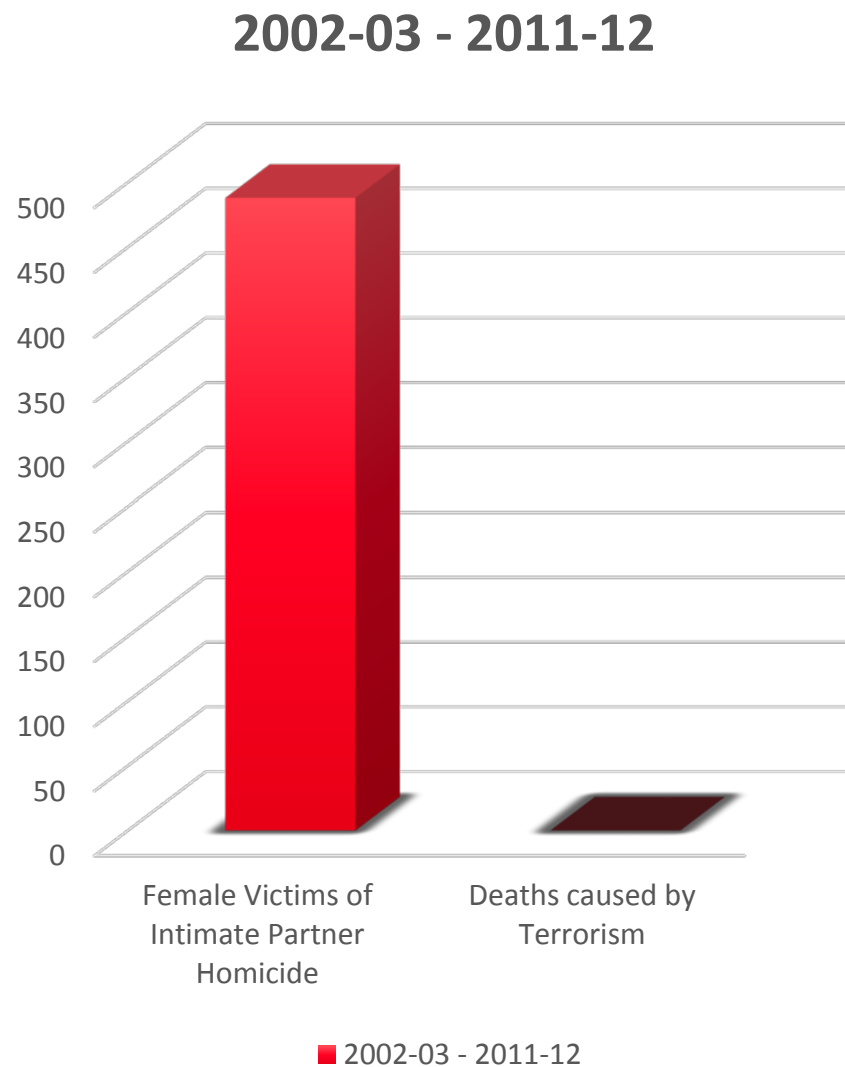
Professor Jude McCulloch

Risk & the gendered lens

- Approach to risk both reflects and reinforces gender inequality
- Risk in part a social construct
- Does not always reflect empirical reality



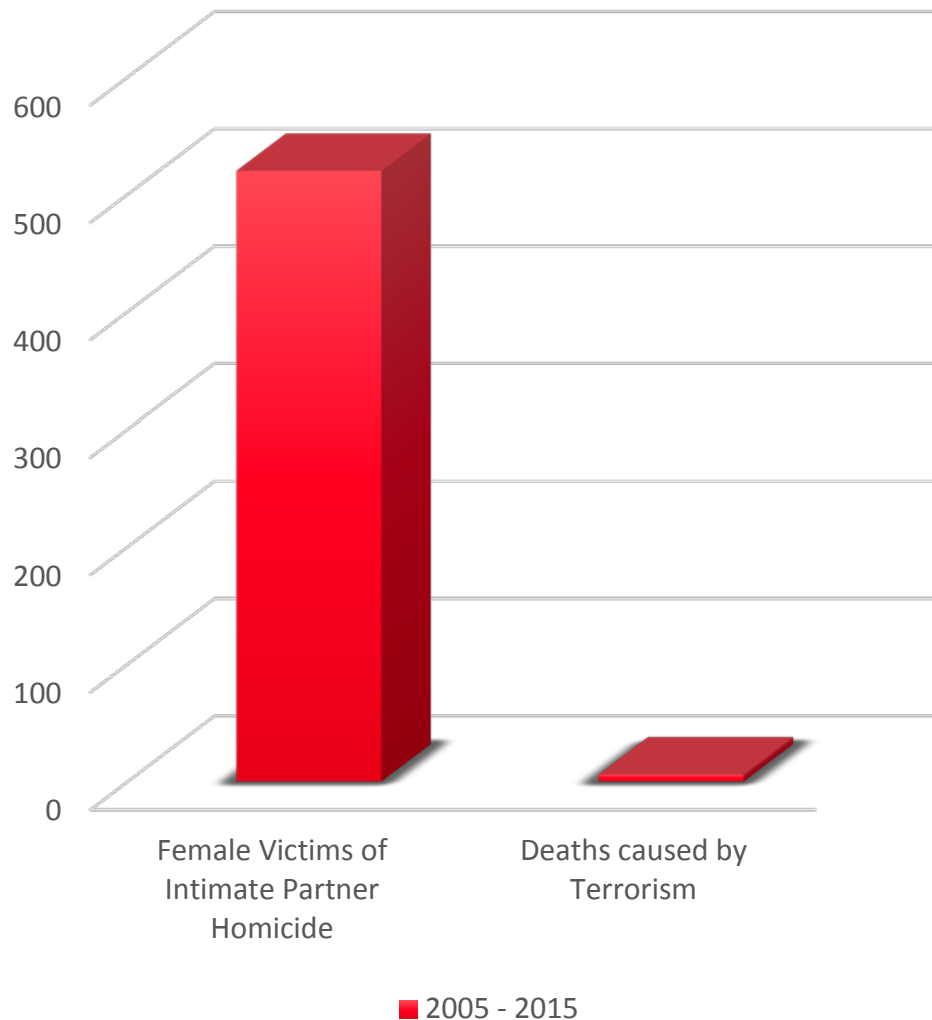
Deaths caused by Terrorism Vs Female Deaths caused by Intimate Partner Homicide





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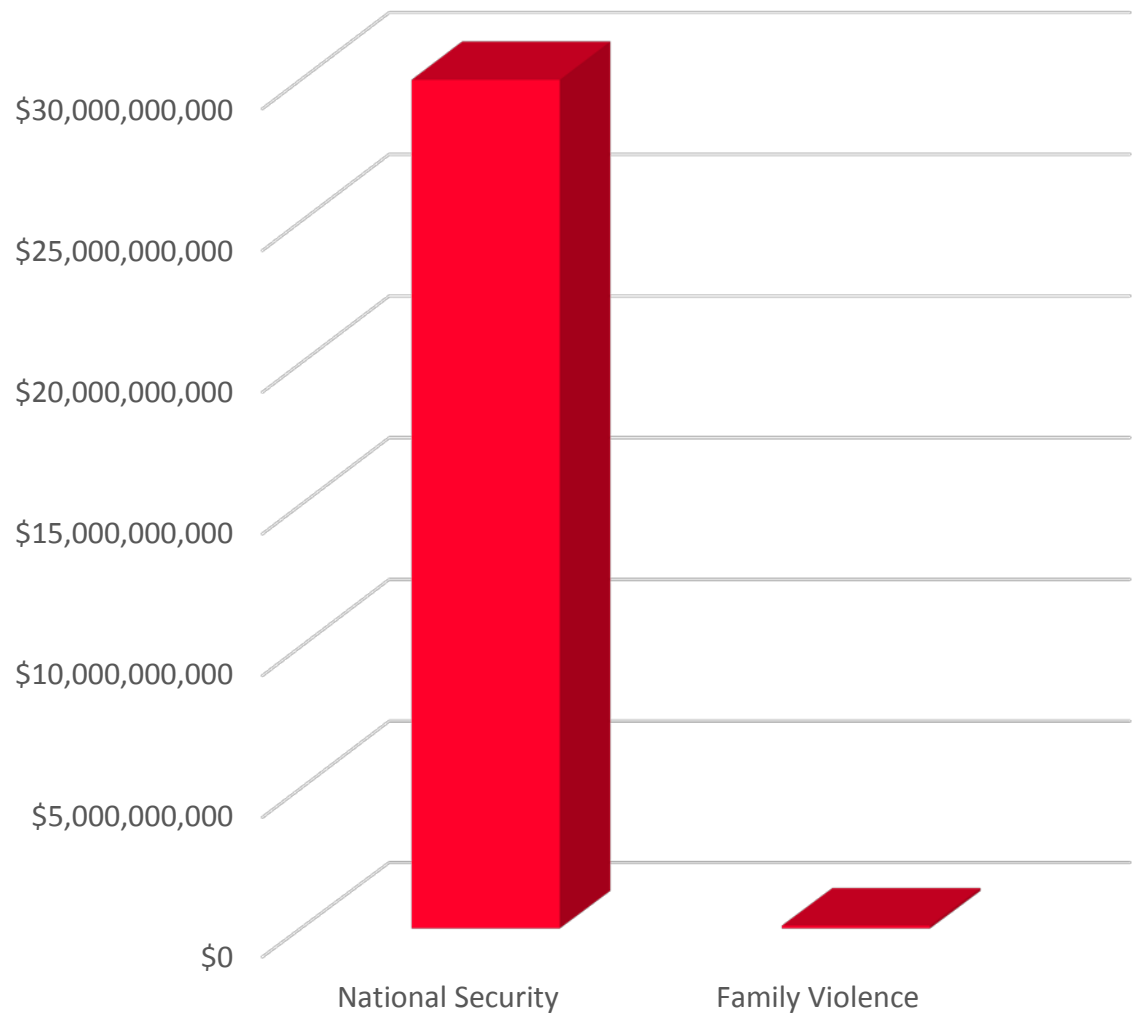
2005 - 2015





National Budget – National Security Vs Family Violence

**“Keeping
Australia Safe”**



The CRAF

- Central to Victoria's integrated family violence system
- Primary aim is to prevent the escalation and repetition of family violence
- The Victorian Royal Commission (RC) made 227 recommendations
- No. 1 was the review of the CRAF
- Our team contracted by Department of Health and Human Services to undertake review (April 2016)
- Our task was to consider the use, usability and embeddedness of the CRAF in the context of RC recommendations to make it more inclusive, include specific risk factors for children and include an actuarial tool.

Strong support for the CRAF

- Risk considered a productive framework for enhancing understanding of FV
- Risk 'a complex beast'
- What is being measured? Impact on human rights v Likelihood of serious injury or death
- Risks v needs.
- How do we describe different levels of risk? Imminence v Severity
- How do we measure risk? Self-assessment; Professional Judgement; Actuarial.
- How do we measure the risk of family violence other than Intimate Partner Violence?

Women's voices and children's risks

Professor JaneMaree Maher

Women's voices

Early interventions (as risk emerges) are hard to access

I was seeing a gynaecologist and a GP and there were tell-tale signs of bruising, unexplained passing out and severe changes in sleep patterns. But nobody wanted to discuss it, especially my GP who was from my own ethnic background.

(Mara, Left the relationship around 10 years ago, one son)

Sally ... child victim of family violence

Well one of the things I definitely thought about was at times when maybe the police were needed to be called and that there was never any follow up. You know in my situation it was my dad and they would come and nothing would really happen. They'd leave and no-one would ever come and check in or make sure anyone was okay. They kind of just stayed out of it and that always sat funny with me, feeling like maybe more follow-up needed to happen in terms of that. They didn't really treat it as - well it was abuse really and they didn't really treat it that way because it was a domestic matter I guess.

Women's Voices

Four strong concerns about risk assessment are evident

1. No support for early intervention is available; disclosure responses are often not effective
2. Family court orders are identified as increasing risks: orders are made without reference to other assessments, intervention orders and prior histories of violence
3. Barriers to technological access and the use of surveillance (all women) are critical factors in deepening women's sense of risk
4. Women fear long-term financial penalties; their actions to secure safety are limited by this.

The need for children's risk factors

Strong support to: better identify risk to children as clients, recognising shared risks for mothers/carers and children, but also some risks specific to children

a framework based on understanding children as always at risk from family violence (whether they are directly victimised, see victimisation or are impacted by the compromised capacity to provide care and nurture)



The need for children's risk factors

- CRAF is very adult-focused: [it] assumes that the risk to the children is covered by assessing risk to the mother (survey)
- [There] needs to be more about risk to a child (survey)
- I think people do get scared of this idea, “I’m going to re-traumatize a child,” but it is about training and it is about capacity building. (FG3)
- How can we implement a CRAF around child specific risk factors? We have to actually have a common understanding of what risk means in the context of family violence for children. (FG3)

Caveat

The issue of responsibility and governance around risk assessment for children is complex:

currently, structures do not support the necessary shared responsibilities and blame for women is a critical factor

Risks for Women from CALD communities

Associate Professor Marie Segrave

Migration Status (service providers)

Women without ... permanent residency is at more risk and they are more vulnerable. Even though there [may be] no violence, but [abuse in the form of] neglect and deportation ... threat. So that's missing in the sector: that this is family violence. So there's more risk.

Temporariness

Threat/fear deportation

I think in risk assessment at the moment, we don't have a box like immigration issue, threat to deport, which is really a big risk for the immigrant. That should be added in.

Fear/impact of return 'home'

- I have a client call me that because they ... [were] married back home in the community, they invite relatives and people come to the wedding ceremony. So everybody know that she got married. So [this] client ... told me that, 'If I have to go back, I'd rather die here'. So that's how serious, how fearful when the perpetrator threaten to send them back, because they know that the woman ... [is] too ashamed to go back.
- They [are] frightened what the repercussions would be for the family overseas.

Migration Status (service providers)

Expectations of support: challenges in identifying & understanding risk

I want to say something about refugee and asylum seeker communities, just because even to know what visa they're on and how they've come here is actually really quite important. Because it might indicate that they've had difficulty with authorities, with government agencies, with the police before. And really, we're the people that are asking these questions and it's really important then to have that sensitivity. At least if you know that, you might know why someone's not answering a question. Really talking about the fear that they experience. And if they're asylum seekers, if they've signed the code of conduct and then there's involvement with the police and they're attached to the partner's application, does that mean them going back? So all these levels of real risk really can be real barriers to women disclosing the level of violence and safety, let alone being expelled from their community as well.

Isolation & migration status

Even though there is a question such as isolation of a woman [in the risk assessment tool], I don't think some agencies take that factor as seriously when they are making the statement what kind of risk woman is in. Because isolated woman who doesn't have any extended family or friends here, that's a really isolated woman. We're not talking about Aussie woman who is maybe single mother but still has some support. For immigrant woman, that becomes really high risk factor. If she disappears, no one knows that she has disappeared. And I think there is a lack of understanding when it comes to actually isolation.

Community Entanglement

So if you have maybe a new worker, not well trained worker and just go through the boxes and ask questions, 'Was there any physical violence?' Woman will say not really. Because I often would have clients where I say, 'Was there any physical violence?' 'No, not physical, just slap'. So she really think physical would be only if he really badly bash her up, but if he spit on her or occasional slap, wouldn't be very physical. So that's a tricky bit, when you have someone, a woman like that who wouldn't consider other types of control or abuse as real abuse.

Defining violence and abuse

Community reinforcing gender roles & expectations

I remember working with a woman... [and] it was like the priest, he come to the house and say, 'You have to have him back', so she had that external pressure that she has to continue living in that [situation] because [otherwise] she wasn't compliant with her wifely duties... So she ... also feel the pressure not only by the partner but also by the community, the only support that she have, because outside that she doesn't know anyone because of coming from another country. So that's one of the questions that is missing when we go, 'Are you connected with religious place? What is the support? Can you feel the support or you feel more like that pressure by not being able to report?'

Risk, FV and LGBTIQ Communities

Dr James Roffee

Unique forms of FV

- threatening to ‘out’ a person,
 - using homophobia as a tool of control, refusing to acknowledge or recognise a person’s sexuality or gender identity,
 - withholding medication such as hormones or HIV medication,
 - or threatening to disclose HIV status.
- Less likely to report family violence to police or seek help from services, due to barriers or a lack of services
 - In addition to intersectional disadvantage
 - Aboriginal or Torres Strait Islander,
 - a person from a culturally or linguistically diverse background,
 - an older person,
 - a person living in a rural, regional or remote area,
 - or as a person with a disability

Challenges of LGBTIQ FV

The invisibility of family violence in LGBTI communities

- Failure of information
- Lack of data

Access to support services

- Services for 'women'
- Lack of accom options
- Lack of access to perp programs

Discrimination

- Faith based providers
- Intersex people
- Trans and Intersex accom

Reporting to police and other services

Non-specialist providers, knowledge, risk

- Report experience with LGBTIQ FV victim-survivors
- Report confidence in their knowledge of range of issues relating to LGBTIQ FV
- Challenge of specialist vs non-specialist response

Specialist providers

- High level of knowledge
- Recognise and support need for diffused knowledge
- Require greater funding and support
- Report concerns with non- response once referral occurs to them

Death of Drew Dax

- **Drew Dax killed by Henry Rose**
- **State Coroner findings 12 Dec 2016**
- **Large number of risk factors present**
- Unusual relationship
- “Support the Royal Commissions recommendations regarding same sex family violence and support services for vulnerable LGBTI Victorians”
- “Despite the presence of a number of known risk factors for family violence, the CPU identified limited opportunities for the legal system health system or family violence service providers to intervene to reduce the risk of family violence between Mr Rose and Mr Dax”

Monash Gender & Family Violence



<http://artsonline.monash.edu.au/gender-and-family-violence/>

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