



McAuley Community
Services for Women
A ministry of the Sisters of Mercy

McAuley Community Services for Women

Submission to the Royal Commission
into Family Violence (Victoria) May 2015

Contents

McAuley Community Services for Women	1
.....	
Executive Summary	3
Recommendations	4
.....	
Foundations for Change	16
.....	
Women's Voices	29
.....	
Acknowledgements	33

Submission Outline

This submission outlines the unique and innovative ways in which McAuley Community Services for Women currently responds to family violence and homelessness for women and their children.

This submission applies a gender lens to family violence and homelessness which recognises the ways in which gender inequality in society contributes to the greater rates of family violence against women, and limits the choices of women wanting to leave a violent relationship due to their social and economic inequality.

We have not repeated data on the prevalence of family violence or known facts that are already contained within the Royal Commission Issues Paper and elsewhere. This submission is also informed by, and referenced, to current literature.



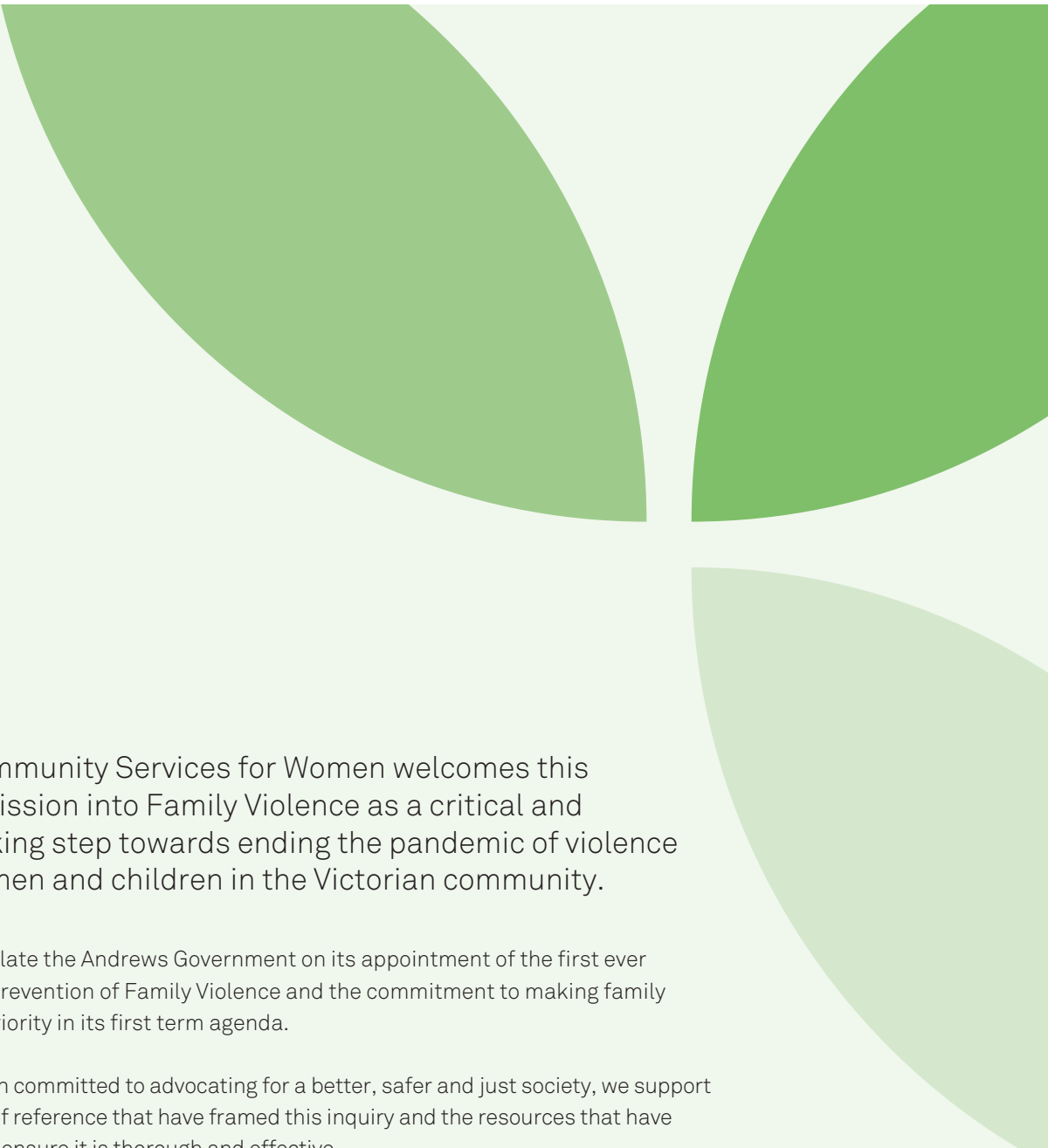
McAuley Community Services for Women

McAuley Community Services for Women, a ministry of the Institute of the Sisters of Mercy of Australia and Papua New Guinea, provides accommodation, support and advocacy for women and their children who are homeless, primarily as a result of family violence or mental illness.

We currently support around 650 women and children each year through our wrap-around accommodation and support, with an 80-bed capacity. We are Victoria's largest women only integrated family violence and homelessness services, welcoming women every day, at any hour of the day or night into safety.



Our mission is to provide accommodation, services, advocacy and support for women who are homeless and women and their accompanying children, who experience family violence. Through our services, McAuley Community Services for Women is committed to advocate for a better, safer and just society. In our daily lives we offer women the opportunity for empowerment in their own lives.



McAuley Community Services for Women welcomes this Royal Commission into Family Violence as a critical and groundbreaking step towards ending the pandemic of violence towards women and children in the Victorian community.

We also congratulate the Andrews Government on its appointment of the first ever Minister for the Prevention of Family Violence and the commitment to making family violence a high priority in its first term agenda.

As an organisation committed to advocating for a better, safer and just society, we support the broad terms of reference that have framed this inquiry and the resources that have been allocated to ensure it is thorough and effective.

Recent community and political attention to the social and economic impact - and the unacceptable prevalence - of family violence is unprecedented and must be harnessed to create lasting change. McAuley Community Services for Women looks forward to contributing our knowledge and experience to the work of the Commissioners and in delivering solutions that will significantly reduce and eventually eliminate violence against women and children across Victoria.



Denis Moriarty

Chair, McAuley Community Services for Women



**McAuley Community
Services for Women**
A ministry of the Sisters of Mercy

Executive Summary

McAuley Community Services for Women is a leader in the provision of services to women and their children who experience homelessness and family violence.

Based on evidence and 25 years of experience, it is our strong view that the Royal Commission into Family Violence can only achieve its wide ranging goals if Governments at all levels and the broader community work together to address the following fundamental structural issues in our society:

- **The critical shortage of affordable and safe housing**, including long term options, temporary and transitional housing, and emergency housing and shelters for women experiencing violence;
- **Shortage of effective and appropriate support services, funding and lack of coordination** between already existing services for women experiencing violence;
- **Increased economic disadvantage and discrimination** as a result of unequal access to employment opportunities, persistent gender pay gap, and the burden of unpaid care borne by women. The cumulative impact of this gender based inequality remains a significant causal and risk factor in many aspects of family violence;
- **Gross under-representation of women** in all high level decision-making and leadership positions within a broader cultural context of misogyny and sexism.

Along with many other family violence and homelessness services, we have contributed submissions to countless inquiries and Ministerial Advisory Committees over recent years. While recent reforms in government policy and service systems have delivered some positive changes, the current response remains under-resourced and piecemeal, and is grossly inadequate given the scale and scope of the problem. In addition, while high profile public awareness campaigns have contributed to some shift in community understanding of family violence, it is clear from the high (and in some cases increasing) rates of homicide, assault and abuse against women and children that family violence remains an unacceptable epidemic within our community.

“The social and economic burden of family violence causes greater harm to Australian women than any external threat such as wars or terrorism and yet the total Federal budget devoted to the National Plan to Reduce Violence Against Women is only \$25m per year.”

- (Senate Finance and Public Administration References Committee, 2014).

Recommendations

1.

Fund a comprehensive, fully resourced Safe at Home service across Victoria.

4.

Extend the Federal Government's HOME (Household Organisational Management Expenses) Advice program.

2.

Fund additional Crisis Accommodation facilities for women and their children leaving family violence.

5.

Negotiate a National Affordable Housing Strategy.

3.

Invest in additional temporary/transitional supported accommodation.

6.

Improve support for children facing family violence by funding.

7.

Fund an enhanced legal response to women and their children experiencing family violence.

10.

Support community campaigns and initiatives at a local as well as state wide level.

8.

Actively link the new Commonwealth Women's Employment Service.

11.

Apply the Victorian Department of Human Services 'Best interests case practice model' (Miller 2012).

9.

Raise community awareness and capacity.

12.

Prepare an annual report card on the progress and outcomes of the National Plan.

Recommendation 1.

Fund a comprehensive, fully resourced safe at home service across Victoria.

Which includes:

- Trained and **adequately resourced police** response.
- **Integrated Court responses** similar to that of the Drug Courts and recommended Family Violence Courts.
- **Intervention Orders** are prioritised over other legal matters, such as family court.
- Coordination of safety and high-risk management.
- **Technological and practical safety measures** such as **SafeT cards**.
- **Rent assistance** and brokerage for additional safety measures.
- Support to **return to work** and school.
- **Counselling** and victims of crime support.
- Children's needs **responded to separately**.



Recommendation 2.

Fund additional crisis accommodation facilities for women and their children.

Which includes:

- Funding for **50 additional beds per night** that include support.
- Modelled on McAuley Community Services for Women's 24/7 crisis accommodation and support model.
- Assessment and **support to return women home** safely where possible.

FUND
ADDITIONAL
.....
CRISIS  
ACCOMMODATION
FACILITIES
  **FOR WOMEN &**
..... **THEIR CHILDREN**



Recommendation 3.

Invest, extend and negotiate housing.

Invest in additional temporary/transitional supported accommodation for women and children where they can be safe, stabilise and plan for either returning home safely or re-location. Accommodation should include:

- Choice of options such as supported, transitional and long term housing.
- Case management support based on best practice as outlined in the 'Evaluation of the Victorian Bushfire Case Management Service', such as financial counselling and employment/education programs.
- Children's support from infants through to young people up to the age of 18yrs.
- Group work and peer support programs.
- Funding for **Integrated Post Crisis Support** capacity in family violence services.

Recommendation 4.

Extend the Federal Government's HOME (Household Organisational Management Expenses) Advice program to family violence services to assist in maintaining independent housing and preventing homelessness.

Recommendation 5.

Negotiate a National Affordable Housing Strategy with the Commonwealth Government as recommended through the Senate Economics Reference Committee paper 'Out of Reach: The Australian housing affordability challenge' (May 2015).



Recommendation 6.

Improve support for children facing family violence by funding.

Which includes:

- Demonstration projects to establish mechanisms **to hear from children and young people** about their experience of family violence and homelessness.
- **Case management for all children in crisis**; refuge and temporary accommodation.
- Practices such as infant and child attunement; **mother/child bonding** and therapeutic play in crisis and refuge settings, as outlined in the '**Babies in Refuge**' resource. (Bunston & Sketchley, 2012)
- Adequate levels of counselling and other health related needs such as **speech therapy and children's dentistry**.
- Specific **research on the needs of young adolescents** experiencing family violence who are falling between the gaps of service provision.

IMPROVE SUPPORT

FOR



CHILDREN
FACING FAMILY
VIOLENCE

BY



FUNDING SERVICES



Recommendation 7.

Fund an enhanced legal response to women and their children experiencing family violence.

Which includes:

- Adequate resourcing and **training for Police** and Magistrates.
- Adequate **resourcing of court support work** to cover all presenting cases.
- Case coordination for all subsequent legal matters following the original application for an intervention order.
- **Extended legal aid** to all family violence matters.
- Directing the **national inquiry into the drug ICE** to look specifically at the link with family violence to help to establish best practice.
- Establish **Family Violence Advisory** units in all police stations to build expertise.
- Introducing the McAuley Community Services for Women's **Court Children's Support Program** statewide.

FUND AN 
.....
**ENHANCED LEGAL
RESPONSE**
TO WOMEN &  
..... **CHILDREN** EXPERIENCING
FAMILY VIOLENCE



Recommendation 8.

Actively link new jobs service for women experiencing family violence, embed gender analysis, fund training.

Actively link the new Commonwealth Women’s Employment Service to women experiencing family violence, including:

- Removing exclusionary eligibility criteria that prevent women from accessing this service.

Recommendation 9.

Raise community awareness and capacity, specifically:

- Fund development of a benchmark training program to support professionals to identify and respond to the needs of women and children experiencing, or at risk of Family Violence. The program should target ‘first to know’ occupations including health professions, educators, religious, sporting groups and employers. The program needs to be tailored to suit different service delivery contexts and be integrated into professional development schemes for each occupational group.
- Fund community development projects appropriate for specific cultural groups.

ACTIVELY LINK
NEW JOBS SERVICE FOR 
 **WOMEN EXPERIENCING**
FAMILY VIOLENCE,

 EMBED GENDER ANALYSIS,
 **FUND TRAINING**



Recommendation 10.

Which includes:

- Recognise the significant contribution individuals make to support family violence programs through innovative fundraising and awareness raising programs, such as 'FedUp Lunch'.
- Fund McAuley Community Services for Women to expand its new 'Champions of Change against Family Violence' program to be statewide.
- Fund McAuley Community Services for Women to expand its 'Engage to Change' program as a statewide employer education program to increase workforce retention of women affected by family violence.

Recommendation 11.

Apply the Victorian Department of Human Services 'Best interests case practice model' (Miller 2012), in the development of policy and programs to embed gender analysis in forming all family violence related policy and resource allocation.



Recommendation 12.

Which includes:

- Annual report back on actions undertaken against the **National Plan to Reduce Violence Against Women and their Children (2010-2022)**.
- Monitor changing social attitudes to reduce family violence over the long term.
- Fund support services effectively to assist women and their children escaping family violence.

PREPARE AN



ANNUAL
REPORT CARD



ON THE

PROGRESS

& OUTCOMES OF THE



NATIONAL PLAN



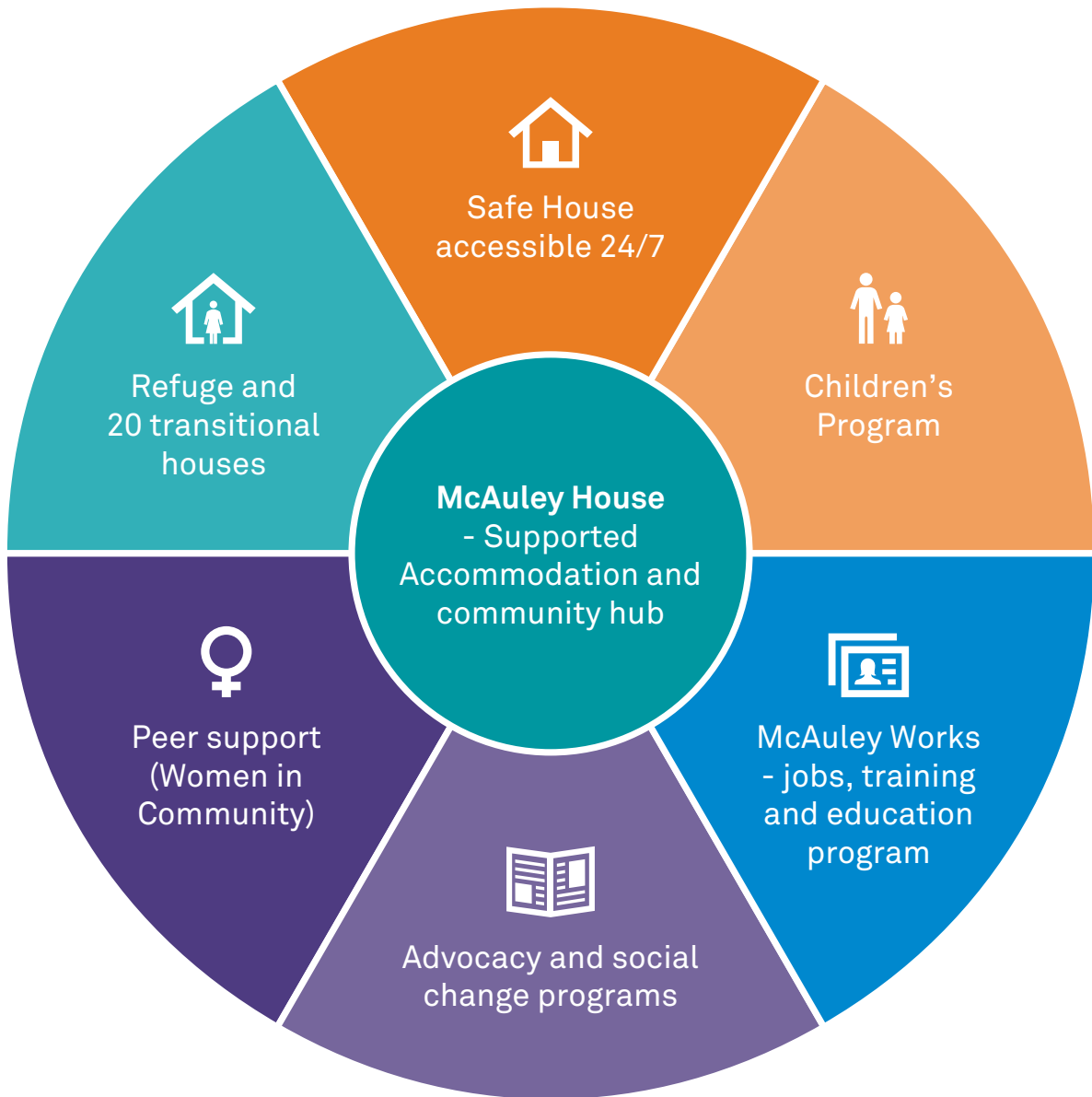
+



+



Our Seven Pillars of Success



Factors that Distinguish Us from other Similar Service Providers

- 1.** Providing crisis and transitional accommodation and support to access long-term housing.
- 2.** Providing holistic support for women who have experienced family violence and/or homelessness through complementary support and development programs.
- 3.** A focus on prevention, connectedness and sustainability of housing choices, that establishes a community that supports relationships and an employment and training program (McAuley Works), to promote economic self-sufficiency and social inclusion. The McAuley Community Services for Women 'Women in Community' program includes a highly successful peer support program.
- 4.** Providing immediate and inclusive care, by offering a 24/7 crisis service and allowing male children up to the age of 17 years to be accommodated with their mothers.
- 5.** McAuley Care is also the only crisis accommodation service with a specialised children's program and playroom, which has recently extended into the Sunshine Court.
- 6.** Providing a service dedicated to women, in a funding environment that often favours programs dedicated to 'rough sleepers', and is therefore inherently biased towards male homelessness.



Foundations for Change

Seven key initiatives

McAuley Community Services for Women has identified **seven key initiatives** that would have a substantial impact on outcomes for women and children facing family violence, and which could form a foundation for change across the family violence sector and broader community.

They address the following:

1. Keeping women and children safe in their own homes.
2. Providing cost-effective crisis accommodation and better outcomes for those forced to leave.
3. Providing a range of appropriate housing options for women who choose or are forced to leave their family home (including supported accommodation).
4. Provision of specialist children's programs within family violence responses.
5. Further education and resourcing of the legal system, including additional support for women and children during court processes.
6. Long term financial security and independence through specialist job-ready programs for women affected by family violence and greater support in the workplace.
7. Support community campaigns and initiatives at a local as well as state wide level in order to change our cultural acceptance of violence.

As an alternative to embarking on further 'system reform', McAuley Community Services for Women believes that better outcomes could be achieved through focusing on enhancements to the current service system through seven initiatives.

“...seven key initiatives that would have a substantial impact on outcomes for women and children facing family violence...”

Initiative 1. Keeping women and children safe in their own home

Inadequate safety measures and resources are currently forcing large numbers of women and children to leave the family home or to remain trapped in violent homes. While progress has been made over the last decade by successive government reforms, the reality on the ground is that the response is inadequately resourced, and laws to keep women safe are inconsistently applied.

Gap	Solution
<p>Support options</p> <p>When Police attend family violence incident, they fax a referral to the relevant men’s and women’s services to enable follow up support to be offered. McAuley Community Services for Women works in partnership with other Western Region Women’s organisations who together manage around 900 referrals per month, and of these only around 30% (270 women) are assessed as safe enough to remain home.</p> <p>Many women say that they would like to stay in their home but fear for their safety. The current ‘Safe at Home’ response is piecemeal and inadequately resourced. Successful Safe at Home programs (unfunded) occur where the perpetrator is removed and safety measures and coordinated supports are put in place.</p> <p>Only around 10% of women who come to McAuley Community Services for Women’s crisis service each year, leave to return home, and of them, only half with adequate protection.</p>	<p>Safe at Home response</p> <ul style="list-style-type: none"> • Comprehensive, fully resourced Safe at Home service implemented across Victoria that includes the improved responses mentioned below for police, legal and financial capability. • Evaluation of all Safe at Home schemes (University of Melbourne, 2014) identifies no preferred single approach to safe at home interventions. • Instead it identifies best practice components that have been evaluated as effective in a number of models, for example: BeSafe (WHGNE, 2011), Staying Home Leaving Violence (Edwards, 2004) and more recently, Safety in the Home (Safe Futures Foundation, 2014). These practices need to be incorporated into future Safe at Home responses.

Gap	Solution
<p>Police response</p> <p>Victoria Police report that family violence work takes up an average of 50% of all police work across the state, and in some areas it is as high as 90%.</p> <p>Despite high levels of awareness, inconsistent response by police and lack of resources means that women cannot rely on police to remain safe. For example, it can take up to three weeks for Intervention Orders (IVOs) to be served – a time at which risk of violence is greatest.</p>	<p>Police response</p> <ul style="list-style-type: none"> • Greater resources are required to enable Police to respond to, and follow up on, the increasing number of family violence matters. • Continuous professional education on family violence, and quality assurance of police responses, is required. • Evaluate the recently announced trial of an App to apply for IVO without being in court, and consider extending the trial.

Gap**Legal response**

Women face a range of problems when dealing with the legal system as a result of family violence, as well as various court matters being dealt with in separate courts, for example:

- When police are prosecuting IVOs no legal aid is available to women. This can result in women appearing in court following a recent incident of violence, confused and frightened and unsure of what decisions to make next. She can often be required to appear before a magistrate and be questioned on the incident with the perpetrator in court.
- Additionally there is no coordination for women with various ongoing legal matters in different courts. For example, a woman experiencing family violence can find herself up against the perpetrator in the initial IVO proceedings, again in the family court (with different legal representation) and again in a civil court to deal with a property settlement.
- A breach of an IVO is a criminal matter and therefore a higher level of evidence is needed to prove guilt. To date, it has been difficult for women to collect evidence that will satisfy court requirements. New technology is assisting to remedy this situation.

Current court support services have the capacity to assist around 15 women per day, yet courts are regularly dealing with between 50 – 60 matters daily.

Solution**Legal response**

- Legal Aid should be available to all women.
- Case coordination is required for women dealing with legal matters in different jurisdictions (Family Court, Magistrates Court, Criminal Courts, etc) so that the presence of family violence can be taken into account in subsequent decisions.
- Technological solutions need to be included in any 'Safe at Home' response so that evidence can be gathered and used reliably in court. An example is the SafeT card, used in the recent Safe Futures trial which can record and safely store evidence.
- All areas of court support need to be extended and adequately resourced.

Gap	Solution
<p>Financial security</p> <p>While the law enables women to stay at home, Safe at Home policies and funding do not take into account women's financial capacity to stay and pay rent/ mortgage and bills. If a woman allows a partner to return to assist with financial support she risks being blamed by police, courts and child protection for failing to protect herself and her children. If children are removed as a result, her income is further reduced and she is unable to afford accommodation to bring them home.</p> <p>In addition to evaluated Safe at Home programs, another early intervention program found to be effective is the Federal Government's HOME (Household Organisational Management Expenses) Advice program, which was designed as an early intervention program to prevent homelessness</p> <p>HOME Advice is situated in homelessness services with Centrelink co-located. The model has a brokerage component that can be used to resolve immediate problems and 'buy' specialist services. Importantly, program participants can return to HOME Advice if they are at risk of homelessness again at a later stage.</p>	<p>Financial supports</p> <ul style="list-style-type: none">• Provide additional Rent Assistance to women who are either choosing to remain home without a violent partner or re-locate into alternative accommodation.• Effective elements of evaluated Safe at Home models are outlined in the respective evaluation recommendations and must include measures that ensure safety and financial capacity to maintain housing.• Consider extending the HOME Advice program to family violence services.• Introduction of tailored employment programs to re-engage women with the workforce and help with workforce retention, would assist the financial capacity of women to remain at home, and should be also be included. (see Initiative 6 below: McAuley Works).

Initiative 2. Providing cost-effective crisis accommodation

Currently due to inadequate crisis accommodation facilities, the primary response to women and children in crisis is to place them in motel accommodation. The outcomes of this response are poor, with research showing that between 37 - 50% of women and children leaving the motel are returning home to a violent partner (QLD Gov. 2015).

McAuley Community Services for Women reports only 5% of women return to the perpetrator from the 24/7 crisis accommodation. In addition, the costs of the motel response are high - not only with the initial costs of motel accommodation, but in the subsequent likelihood of further cycles of violence; further police and courts response; and additional trauma to women and children.

Additional crisis accommodation facilities represent a far more effective solution in terms of both cost and outcomes.

Gap	Solution
<p>The statewide referral service, Safe Steps, estimates that approximately 50 motel rooms are needed every night, and that most women remain for 5 nights. (Safe Steps, 2014)</p> <p>When accommodated in motel rooms, women report that they receive minimal support from services, usually only a phone call. They still feel unsafe and are isolated and unable to manage the emotional and material demands of children at that time.</p> <p>In addition, women have no space to think clearly while remaining in a state of trauma and chaos, and are unable to begin to plan next steps effectively. For accompanying children, the trauma continues as they watch their mothers under continued stress.</p>	<ul style="list-style-type: none"> Funding is required for an additional 50 crisis beds per day with 24-hour support as a more effective alternative to motel beds. Well-resourced crisis services can move families either back into their own homes via a Safe at Home program if appropriate, or into refuge or other medium term accommodation where children are linked back into school, health (mental and physical) and dental services, and other types of support. For example, McAuley Community Services for Women provides a crisis service model operating 24/7, a more effective alternative to motel accommodation. This model provides an average of six day stay. During that time, all material aid is provided with on-site 24-hour support. Children are catered for with a facilitated play room and staff are trained in the practice of creating space for children to have their say. Short-term case management is provided to ensure women are connected with legal, court, financial, health (mental and physical) and housing support. Importantly, the extended stay, with all needs being met, allows women to rest and make considered decisions about their next steps.

Initiative 3. Providing appropriate housing options for women who need to leave the family home

Lack of access to a range of safe and affordable housing options is a critical factor in women either staying in violent relationships or becoming homeless when they leave.

Family violence is the main reason why women, children and young people seek support from homelessness services. Without additional supply of safe and affordable housing options, in all forms, the family violence crisis will go unaddressed.

Gap	Solution
<p>A recent study by Australian Justice Equality Rights Access (JERA), revealed that among the top four issues for Australian women was a critical shortage of affordable, appropriate and safe housing (including emergency housing and shelters) for women experiencing violence. (http://jerainternational.org/)</p> <p>If women and children are unable to remain or return home safely, it is critical that a full range of options is available to meet the variety of needs. These options include from crisis accommodation as mentioned above, to supported, transitional or refuge accommodation (time limited), to long term housing (public or community housing or affordable private rental).</p> <p>In keeping with other published data, McAuley Community Services for Women data shows a high prevalence of mental illness in women who have experienced family violence (around 40-60%).</p> <p>Women with chronic mental and physical illnesses, resulting from years of abuse often express a preference for supported housing (short to medium term) rather than have the additional pressure of establishing new permanent housing during this traumatic period.</p> <p>For women assessed as low-risk from ongoing violence, and who choose not to enter a high security refuge, supported accommodation facilities can provide a critical place of recovery and rebuilding while legal, financial and other supports are being put in place. (Parcell & Moutou, 2014)</p>	<ul style="list-style-type: none">• A National Affordable Housing Strategy needs to be negotiated between the Commonwealth and States government which includes funding for a full range of housing options.• Additional investment in short term (6-12 month) supported housing, transitional housing, long-term public and community housing is needed.• New supported housing is required. Elements of effective supported housing models include:<ul style="list-style-type: none">- Accommodation, either communal or dispersed housing- Meals or self-catering facilities- Support inclusive of case management; peer; social and recreational; educational and employment related.- Independent living and social skills development- Access to afterhours and week-end support when needed, inclusive of respite accommodation• Various housing options need to be matched with appropriate support models (including longer term) in order to prevent recurrence of violence and homelessness. Investment in post-crisis support programs required for those women needing ongoing support after their return.

Initiative 4. Providing specialist children's programs as part of family violence response

Children experience family violence differently to adults and therefore require a different and tailored response. Currently, children and young people's voices are not included in the development of responses to family violence.

Each year, McAuley Community Services for Women accommodates and/or supports around 150-200 children. We see the direct impact of violence on these children ranging in age from infants to young people aged 16 – 18 years, including:

- Children as young as 3 years old trying to run away from home;
- 6 year olds exhibiting distress at being unable to protect their mothers;
- School aged children too frightened to go to school while their mothers are at court; and
- Children expressing relief when they know that they are included on their mother's intervention orders.

Gap	Solution
<p>While there are some existing responses across the family violence service system, there are major gaps in resourcing responses for children:</p> <ul style="list-style-type: none"> • Currently the services offered to children consist only of case management and some counselling • No attention is given to supporting or repairing the mother-child bond during and after family violence. • An international literature review (Humphreys, Houghton & Ellis, 2008) highlights how men use violent and abusive tactics to deliberately attack the bond between mothers and their children. • Rebuilding that bond can help prevent long-term damage and an escalation into youth homelessness that arises when youth have lost the bond with their mother but do not want to live with their violent fathers. <p>We are aware through our involvement with schools that they are struggling to deal with the impact of family violence, and have had reports of primary school aged children are commonly moving schools from 3 – 7 times per year.</p> <ul style="list-style-type: none"> • Children experiencing family violence need to know that someone at the school understands family violence and that they can speak with them. • The impacts of violence commonly result in developmental and learning delays and in limited but necessary access to psychologists, dentists and speech pathologists. 	<ul style="list-style-type: none"> • A statewide response to children impacted by family violence is required. • More data/evaluations are required for information about what is most effective for children in order to develop knowledge and practice around needs of children and respond to specific gaps in service response. • Every opportunity to interact with children must be seen as an opportunity to engage with them about their experience of violence. • Case management for children is needed in all women's refuges (with quality assurance and monitoring) to focus on the individual child as well as rebuilding/repairing family trust and bond. • McAuley Community Services for Women, through the leadership of expert, Wendy Bunston, uses the ground breaking practice of attunement between mothers and children, where workers are invited to observe and be curious about infants who have experienced family violence and to allow space for children's voice to be heard. • The McAuley Community Services for Women 'Babies in Refuge' training resource developed for refuge staff, provides an example of the type of approach required. Developing resources is not sufficient however. Funding to promote and train workers is needed. (Bunston & Sketchley, 2012) • Funding is needed to develop a benchmark training program to support professionals to identify and respond to the needs of women and children experiencing or at risk of family violence.

Other best practice examples at McAuley Community Services for Women:

- Facilitated playroom at the 24/7 crisis service (chance to play, time away from mother during her support sessions).
- Activities such as baby massage and sand play are being used to enable mothers to connect with their babies and children to express their feelings in a supported environment. (Bunston & Stone, 2015)

Initiative 5. Enhance women’s safety and legal outcomes by providing additional support for women and children during family violence related legal processes

While reform has occurred in recent years of both the legal and police systems, there remain significant gaps in the integration and resourcing of responses. Innovation has a clear role to play, and we support the recently announced trial of a new online app by the Neighbourhood Justice Centre for adults to apply for an intervention order without attending court as reported in, (The Age 24/5/15). Initiatives such as this will address the distress that appearing at court can cause and could assist in reducing workloads. In addition, better responses and support for children in the court process are highlighted by our casework experience.

Gap	Solution
<p>Legal response</p> <p>Foremost concern is the lack of resources for women’s legal services, particularly Aboriginal and Torres Strait Islander specific responses.</p> <p>Overall reforms of the legal system have allowed greater access to Intervention Orders, but inadequate resources and inconsistent practice by police and courts limit benefits for women seeking them.</p>	<p>Legal</p> <ul style="list-style-type: none">• Provide additional funding for women’s legal services, at a minimum to offer all women attending court access to a duty lawyer to support legal rights to safety.• Greater resourcing throughout the legal system is required.

Gap	Solution
<p>Police</p> <p>Police resources compared to the volume of police work taken up by family violence matters (mentioned above).</p> <p>Melbourne University research (Crinall et al 2014) reports a very high breach rate of intervention orders. Where these are reported, it is often the case that there is insufficient evidence to prosecute successfully.</p> <p>Police have the power to prosecute family violence cases in order to protect women. Whilst this power is protective, it can also lead to women being required to attend court after a recent incident of violence without any other legal support.</p> <p>In these circumstances, women are often bewildered by the processes, afraid and unable to make clearly informed decisions. We know that police/courts are managing as many as 50 – 60 matters per day and can only spend short periods of time with affected women.</p> <p>Once intervention orders are granted, police can take up to three weeks to serve them as they have too many to attend to, or can not serve them as the offender is homeless/no fixed address.</p>	<p>Police</p> <ul style="list-style-type: none">• Provide additional resourcing to support prosecution of IVOs and breaches.• Enable police to seek Intervention Orders for up to 12 months with no requirement for the woman to attend court.• Continuous education on family violence and how tactics of control are used.• Provide additional quality control and monitoring required to support good practice is needed.

Gap	Solution
<p>Courts - general</p> <p>Courts dealing with family violence matters are overwhelmed by the number of applications. Magistrates report that they have inadequate assistance and are struggling to complete their workloads.</p> <p>Court support workers are similarly overwhelmed. Normal support capacity per day is around 15 cases – as mentioned above, 50 – 60 case may present on any given day.</p> <p>Magistrates often (erroneously) think that women are coming into their courts are well prepared and represented.</p> <p>In some courts the physical layout of spaces is too small and poorly laid out; making them unsafe for all court users including women and children (e.g. Werribee).</p> <p>Remote witness video facilities are available in many courts, but in practice some magistrates will not accept evidence from witnesses in secure locations.</p> <p>Of further concern is that the Family Court, as a Federal jurisdiction, can override intervention orders in place for children, with potentially devastating impacts for children and mother.</p>	<p>Courts - general</p> <ul style="list-style-type: none"> • Fund additional resourcing for Magistrates and Court Support networks and staff. • Fund continuous education for all court staff. • Extend quality control to ensure consistency of decision-making. • Audit courts for safety of women and children. • All court facilities to be designed to include safe physical space for children. • Case coordination provided for all legal matters following an original application for an intervention order (including to ensure that an intervention is not overridden by subsequent proceedings).

Gap	Solution
<p>Children in Courts</p> <p>Lack of childcare and support for children in the court environment is affecting women’s ability to access justice.</p> <p>Court protocol rightly says children should not be present in courtroom and magistrates do not allow children in attendance, even if alternative care is unavailable. The unintended consequence is that women are unable to follow through with an IVO.</p>	<p>Children in Courts</p> <ul style="list-style-type: none"> • Fund the expansion of a specialist children’s worker in court to assist women at the point of contact with the court system can help ensure women receive appropriate orders/protection and provides a critical point of engagement for further supports for children.

Initiative 6. Addressing financial security needs of women to assist in leaving family violence and becoming financially independent

Lack of adequate income and financial insecurity keeps many women trapped in violent relationships, and prevents them successfully establishing a new home/life once they leave.

Part time, casual and low paid work are the most typical patterns of women's employment, and they are more likely to be primary carers. Effective ways of retaining workforce engagement and developing new employment opportunities are critical to addressing these issues. Gendered analysis is critical to developing workable solutions around financial security and independence.

Gap	Solution
<p>Workforce retention</p> <p>There is a known gap for women in workforce facing family violence but no assistance currently available. It is estimated that there are 100,000 reports of family violence per annum and one-third of respondents according to the first Australian study on workforce (McFerran, 2011).</p> <p>McAuley Community Services for Women's experience is that women are being performance managed out of the workplace when crisis occurs. This often leads to no reference being supplied, impacting on future employment.</p> <p>The trauma of family violence is compounded when women are forced to resign or poor performance affects their employment.</p>	<p>Workforce retention</p> <ul style="list-style-type: none"> • Provide specialist employer education programs (such as McAuley Community Services for Women's Engage to Change program) to support women's retention in employment. Better understanding by employers (and colleagues) about the prevalence and impact of family violence on their staff, workforce productivity and options to retain and support staff that are experiencing family violence. This will enable women to maintain economic viability and workforce attachment, which is a known factor in improving choice and reducing the risk of homelessness.

Gap	Solution
<p>Employment programs</p> <p>Women experiencing family violence are encountering gaps in mainstream employment services – generic job service agencies are actively discouraging women from seeking assistance because they are unlikely to 'translate' into an employment outcome in the short term.</p> <p>Other barriers to employment include:</p> <ul style="list-style-type: none"> • Immigration status • Childcare accessibility/affordability • Impacts of trauma, physical injury, low self-esteem • Lack of up to date employment seeking skills etc <p>The newly created Commonwealth program 'Job Pathways for Women', appears to be a good new initiative BUT it needs to ensure zero exclusions and to mitigate a poor reference from previous employer; be available when she is ready to work; undertake risk assessments for workplace and women/children/employers involved.</p>	<p>Employment programs</p> <p>Fund tailored employment and training programs with the following components:</p> <ul style="list-style-type: none"> • Outreach case management • Employment focused • Zero exclusion • Integrated with support to address other barriers • Jobs alignment with consumer preferences • Financial and welfare benefits counselling <p>This model is demonstrated by the McAuley Works employment program and in a number of other agencies such as BSL's Individual Placement & Support and Toll Holdings' Second Step program, and should be funded and expanded.</p>

Initiative 7. Support community campaigns and initiatives at a local as well as state wide level in order to change our cultural acceptance of violence

Gap	Solution
<p>There is a tendency for governments to fund advertising and promotional campaigns on family violence at the expense of critical service delivery and infrastructure support.</p> <p>The use of government funds to support advertising campaigns focused on themes of awareness-raising is not supported with resources to effectively resolve or provide support to family violence victims.</p> <p>The risk is large scale, high cost campaigns attract resources at the expense of pioneering best practice grassroots and business engagement programs that are being undertaken. These grassroots and business engagement programs have the capacity to become national leadership models in supporting the prevention of family violence with funding and support being channelled to direct service delivery versus more funding for single-issue advocacy campaigns.</p>	<ul style="list-style-type: none"> • Fund service provision at a corresponding rate to need. • Recognise the significant contribution individuals make to support family violence programs through innovative fundraising and awareness raising programs. • Recognise the role that initiatives like the 'Fed Up Lunch', and wider programs, play in delivering grassroots advocacy, social change and community mobilisation by supporting an expansion of this model statewide. • Fed Up Lunch was the brainchild of five outstanding young men to raise awareness and fundraise for family violence programs. • The Fed Up Lunch initiative is a perfect example of grass roots awareness raising and a very important mechanism for developing a deeper understanding among the general community of what family violence is and how it manifests. The lunch itself was an enjoyable event attended by 270 people and afterwards commended in State and Federal Parliament. Important too was the eight months of planning and learning that took place before the event was held. McAuley Community Services for Women has also been supported by this method of advocacy through its Special Events Committee for the past 11 years, and through other emerging groups.

Initiative 7. *Continued*

- This model is supported by McAuley Community Services for Women with the introduction of its new 'Champions of Change against Family Violence' program.
- This is a state-wide initiative to:
 - Create a movement within the business and wider community sectors to get momentum and accelerate our impact on family violence support and advocacy;
 - Act on a shared purpose, clear priorities and public commitment to using individual and collective leadership and resources to advance family violence prevention and support programs;
 - Listen widely and develop personal insights into the issues and opportunities for improvement;
 - Work together to identify and implement progressive, high impact actions that disrupt the status quo and create meaningful and lasting change.
- Fund these initiatives and expand the programs of Fed Up Lunch and Champions for Change.

About Champions for Change

Following the highly successful women's leadership program spearheaded by Elizabeth Broderick, the Sexual Discrimination Commissioner, called 'the Male Champions of Change', McAuley Community Services for Women has recently launched a similar model for social change focussed on family violence support.

The business model for the gender equality campaign, involves men of power and influence forming a high profile coalition to model and promote change on gender equality issues in organisations and communities.



Women's Voices

To ensure that women with lived experiences were able to share their stories and experiences of the legal system, support services and our program, constructed conversations were held with a series of women currently using our services.

- › Rebecca
- › Lee
- › Fatima
- › Reshima
- › Katie
- › Kerryn

Case study: Rebecca

Rebecca has few friends and limited social support. She is recovering from a drug addiction and has stopped contact with friends who continue to use.

She came to McAuley Community Services for Women's 24/7 crisis service via another agency after her former partner attempted to run her over in a car at their house. The partner had a gun. The police were called and removed her from the house immediately due to safety concerns.

““ An application should be active immediately.”

She had never attempted to leave her partner before, citing not wishing to put the children at risk and not thinking he would be that dangerous. Without the McAuley Community Services for Women 24/7 crisis service, she would not have left because she had nowhere else to go. She could not stay with her family because it would have been too risky.

Once she leaves the safe house, she will go to a refuge. She has no intention of returning home. It is too unsafe not only due to her former partner but also his associates.

Rebecca has a temporary, six-month intervention order (IVO) in place and needs to return to court to extend it. Her former partner has breached the IVO, using technology to get around it. He created a fake Facebook profile to send intimidating and threatening messages. She believes that perpetrators who breach IVOs should be served with jail sentences. She also suggests that people experiencing family violence should not have to go to court to apply for an IVO.

She has three primary school aged children who are living in foster care. They were taken away due to the violence and drugs. Rebecca is now working hard to have the children back with her.

According to Rebecca, the children are safe now. The youngest wasn't speaking and now he is. The school-aged daughter is blossoming at school. The young boy shows signs of violence but is being helped with this.

Case study: Lee

Lee was staying at a motel before she came directly to a McAuley Care refuge. She left a controlling and violent relationship after 10 years of abuse. When Lee left the first time, she tried to commit suicide. When she found out her partner had become violent with the children she returned home. She wanted to make sure that “*he would take it out on me rather than on the kids.*”

The children are now in foster care. As a result, Lee has been able to leave her partner knowing her children are safe. She is working closely with her workers to get her children back.

Lee has had four separate intervention orders (IVOs). On her most recent court appearance, she was lectured for over 30 mins by a magistrate about not leaving the violent relationship and “*that it was all [her] fault*”. The magistrate decided she was a ‘serial’ IVO applicant and told Lee not to apply for another one as she wouldn't get it.

Lee and her worker left the court under the impression that the IVO had in fact been granted in full. However, when her partner called and threatened to kill her she realised she had minimal protection and no right to report him of a breach of the IVO.

““ But I will probably never live without fear.”

Lee would like to tell the government to “*make family violence a priority*”. People need to be educated about the issue and why women don't leave a violent relationship.

Lee says she is safe now.

Case study: Fatima

Fatima was staying at another refuge before coming to the McAuley Community Services for Women 24/7 crisis service. She had experienced sustained violence from her husband who kept her locked up at home, and she was not allowed to study or to work. Her husband's brother also lived with the couple and began to pressure her for sex.

“Women can do anything, we are equal. Our husbands are not treating us like we are equal. I need freedom; I don't want my husband controlling me.”

Fatima came to Australia from Africa with her husband. Her family remain in Africa where they are anti-Government. Her father and sister are missing. Her six-year-old son remains overseas despite her husband previously promising to bring him to Australia. She has no access to her passport and visa so would be unable to leave even if she would like to. She has applied for a protection visa.

For Fatima, family violence is all about power and control.

Case study: Reshima

Reshima currently lives in one of the five refuge homes that McAuley Community Services for Women manages. She met her husband in Pakistan at a wedding. They married over the Internet and she joined him in Australia on a spousal visa. Her husband is on a study visa.

She left the house, and travelled by train to the police station before calling a referral service. She stayed two nights in a motel before going to another crisis service. She had two weeks there before coming to the McAuley Community Services for Women crisis service.

Her visa is restrictive. She has no entitlements to Centrelink or Medicare and she is not able to work or study. Since she moved into refuge, her husband has cancelled her access to their private health insurance, which is a requirement of his study visa. She may be in debt to the Royal Women's Hospital for approximately \$30,000.00 if she is unable to access Medicare.

“Reshima is pregnant. She went to a motel after being pushed to the ground and kicked in the head and stomach. The physical violence started because her husband did not want the baby once it was established that they were having a girl. Before that, the violence had been unrelenting verbal abuse.”

Staff at McAuley Community Services for Women have connected Reshima to the Refugee and Immigration Legal Centre where she is being helped through the legal process by. She is eligible for a protection visa and has received an acknowledgment. In the meantime, a bridging visa is being organised but this is not valid until the student visa runs out next year. Her baby will go onto her visa.

Now safe, Reshima says she can begin to see the future, for herself and her baby.

Case study: Katie

Katie has an Acquired Brain Injury (ABI) from injuries sustained in a car accident caused by her former partner. She is currently on methadone to relieve pain and is diagnosed with depression. Despite experiencing violence over the years, she remained with her partner because she “... *did not know that places like this (safe houses) existed*”.

“ In the most recent incident, Katie was held for six days as a hostage. She was beaten and raped and set on fire. The police had to kick the door in to find her. She was hospitalised and during this time she was encouraged to contact a referral service that connected her with McAuley Community Services for Women.”

After time at the McAuley Community Services for Women crisis service, Rebecca hopes to be housed in a refuge. However, she acknowledges there are few options for women who are single and on methadone. She has young school children who are not in her custody. She wants to reconnect with them and has met the DHS rehabilitation requirements.

She will not return home. Katie has a temporary IVO for six months. She applied while in hospital and did not have to go to court. She has had IVOs before; the last of which was breached 18 times.

Case study: Kerryn

Kerryn was referred to the McAuley Care safe house seeking refuge from her violent husband of 18 months. The violence began soon after they were married when she protected his pregnant sister from his abuse. Her husband was verbally, emotionally and physically abusive to her throughout their marriage. The violence had escalated to him hitting her in the face with a boot and her inflicting self-harm to stop him from being violent.

She had an interim Intervention Order put in place and a court date for the final Intervention Order, but needed court assistance. The final Intervention Order was granted and as her husband attended court, it was deemed served. Kerryn's husband had kept her totally isolated and dependent on him. She had never previously lived alone, had never gone shopping or even bought a train ticket. However, she did have a job and her employer was keen for her to continue working.

Kerryn spent four days in the McAuley Care crisis service during which she was referred to the McAuley Works Employment Program. McAuley Works facilitated a risk assessment with her and her employer at her workplace to ensure she could return to work safely. She was also referred to a family violence service in the area that assisted her with temporary accommodation while they worked with her on her long-term housing needs.

Kerryn is now living on her own in temporary housing, using public transport and doing her own shopping. She has asked her Human Resources Manager to be her workplace mentor, and she is having driving lessons. Without this early intervention response, it is likely that Kerryn would have gone into a women's refuge, lost her job due to being too afraid to return to work and become reliant on unemployment benefits. It would have taken her a number of months to find alternative accommodation and a new job. Given the level of distress and uncertainty Kerryn exhibited at court, she may well have decided that the cost of leaving was heavier than the cost of staying.

Kerryn has been happy with the support offered to her throughout this experience; as such, she has reported that she is more likely to assist her sister-in-law to seek help, thereby preventing further violence to another woman and child.



Acknowledgements

McAuley Community Services for Women would like to thank all those women who contributed their personal stories and voices to this submission. In addition, we thank the 80 people who form our board, staff and volunteers who work every day on these issues and who have contributed in various ways to this submission, particularly framing our answers on the existing service system, gaps and providing suggested solutions.

The work of our fundraisers has been essential to our service delivery, and we would like to particularly acknowledge the volunteers who have run the fundraising Cocktail Party over the past 11 years to keep our safe house open and accessible for women around the clock every day of the year.

Thank you also to the Institute of Sisters of Mercy of Australia and Papua New Guinea (ISMAPNG) for their ongoing support and for establishing Victoria's first and only 24/7 family violence crisis service and who funded the development of this report and support for the presentation to the Royal Commission into family violence.

We say a particular thank you to every Sister of Mercy, who have been supporting, delivering education and social services to empower women and children.

IT TAKES A SPLIT SECOND TO HIT A WOMAN AND A LIFETIME TO UNDO THE DAMAGE.

A punch, slap or hit happens in seconds but its effect can last much longer. Not only is there the obvious physical damage you could cause to your wife, partner or kids, there's the longer lasting damage as well.

If you can just put a few seconds between you and the exact moment of violence, you can escape a lifetime of regret and hurt.

If you feel you're about to cross the line, leave the house. Take a walk. Get physical in some other way. It's the safest option for everyone, and a much stronger stance to take than violence.

A message from McAuley Community Services for Women.

A Tribute to the Sisters of Mercy

In 1988, the Sisters of Mercy established the first 24/7 safe house in Victoria for women and children seeking refuge from Family Violence. Initially, opening up their home to provide a safe space for one or two families, this service, now known as McAuley Care, is part of McAuley Community Services for Women, and has proven to be an invaluable asset to the state of Victoria, providing a safe haven to thousands of women and children.

Special tribute is made here to the ground breaking work of Sisters Sheila Heywood and Wilma Geary, who recognised the need for women and children to be supported and kept safe as a result of an increasing trend of family violence in the community. Their pioneering efforts provided a way forward in moving family violence from within the privacy of the family home into public consciousness.

We thank every Sister of Mercy who have been supporting, delivering education and social services to empower women and children.



McAuley Community
Services for Women
A ministry of the Sisters of Mercy

McAuley Community Services for Women
18 Robertson Street, Kensington, VIC 3031
T 03 9371 6600
E mcsw@mcauleycsw.org.au
W www.mcauleycsw.org.au
ABN 85696671223

You can like and follow us

 Facebook: [McAuleycsw](https://www.facebook.com/McAuleycsw)

 Twitter: [@mcauleycsw](https://twitter.com/mcauleycsw)