

Newsletter

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From the Director



Congratulations to Dr Jackie Huggins AM, who was appointed to the Federal Government's 2020 Steering Committee on 13 March. Jackie is one of only two women on the Committee and she will co-chair the Indigenous Affairs panel at the Australia 2020 summit on the 19th and 20th of April. Jackie is an ardent supporter of CDFVR's work and has been a member of its Aboriginal and Torres Strait Islander Reference Group since its inception. In announcing her appointment, Prime Minister Kevin Rudd described Jackie as "a first class individual who will bring a wealth of experience to this role." We couldn't agree more!

The 2020 Summit is one of a number Federal Government strategies aimed at addressing social and economic disadvantage and directing our country towards a fair, just and equitable future. Over-arching these strategies is the Government's social inclusion agenda, and within that a commitment to addressing homelessness. In late January, 2008 the Prime Minister directed that a White Paper on how Australia can systematically and significantly reduce homelessness over the next 10 years be produced by August 2008. Tanya Plibersek, Minister for Housing and Minister for the Status of Women, has responsibility for the development of the White Paper, which will be overseen by a Steering Group led by Tony Nicholson, Executive Director of the Brotherhood of St Laurence. I'm honoured and delighted that the Minister has appointed me to the three-member Steering Group, recognising that domestic violence is the largest single cause of homelessness in Australia. Ms Anna Buduls, an investment banker and corporate adviser is the other member of the Steering Group. Members of the Steering Group agree that we have been entrusted with a great responsibility, and we very much welcome the air of excitement, optimism and spirit of collaboration evident in the community sector, through sharing of stories, ideas and strategies.

Homelessness Australia will convene a round-table consultation in Sydney on the 28th March, with the results informing the development of a Green Paper to facilitate a national consultation process in metropolitan, regional and remote areas of the country. A national Homelessness Conference, to be held in Adelaide from 21-23 May, will also contribute to the development of the White Paper. For further information about the conference see the following webpage:

<http://www.homelessnessaustralia.org.au/site/index.php>

Both the social inclusion agenda and the homelessness initiative recognise the critical importance of "joined-up" services to address disadvantage and social exclusion. Domestic violence service providers have for many years advocated for integrated, inter-agency responses to domestic violence and will have much to contribute to the development of a fair, just and equitable Australia. This will be further enabled by Minister Plibersek's National Plan to Reduce Violence Against Women, discussed in the December edition of this Newsletter. We must seize these opportunities, and all indications are that our sector intends to do just that.

Heather Rancarrow

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Centre news

Farewell...

Research Worker, Karen Woodley was recently farewelled by CDFVR. Karen accepted a Project Officer position in the Aboriginal and Torres Strait Islander Partnership Team with the Department of Communities, Mackay/Whitsunday Region. This new role enables Karen to pursue her passion and commitment to social justice and reconciliation through engaging and partnering with Aboriginal and Torres Strait Islander communities and agencies in the region. We wish Karen every success as her career enters a new chapter, and we thank her for the energy and enthusiasm she brought to the Centre's work during her time with us.



Welcome...

The Centre has temporarily extended Annie Webster's role as Education Project Officer to undertake some key education projects such as co-ordinating the annual Indigenous Family Violence Prevention Forum, co-ordinating the Centre's involvement in the roll-out of the accredited Course in Responding to Domestic and Family Violence (Course Code: 30629QLD), and participating in an action-research project with young people to develop a dating violence resource. Annie's organisational expertise and strong background in Health Promotion brings a solid and valuable contribution to the Centre's education function.

Welcome...

CDFVR welcomes Marilyn Ingham to the position of Administration Officer. Marilyn has worked in a diverse range of settings, including administrative roles in Registered Training Organisations and Central Queensland University. More recently Marilyn worked in the area of computer/job ready training for the long-term unemployed and the promotion of lifelong learning activities in the community. Marilyn's wealth of skills and experience is ensuring a smooth transition for the Centre's administration.



Domestic Violence Policing in Queensland: A new era

By Michelle Bradford, Education Officer, CDFVR

The Centre recently hosted a visit from Inspector Paul Fogg, Manager of the Queensland Police Service's Domestic and Family Violence Unit, which commenced operation in October 2007. This Unit was created in response to the 2005 Crime and Misconduct Commission's report "Policing Domestic Violence in Queensland". A major aim of the QPS Domestic and Family Violence Unit is to develop and implement a new strategy for policing domestic violence in Queensland, which enhances current policing policies, procedures and strategies, improves collaboration with other government departments, and contributes to responses that improve the safety and protection of those being victimised by domestic and family violence (QPS Annual report, 2007 p. 53).



L-R CDFVR Director, Heather Nancarrow with Inspector Paul Fogg, QPS.

Paul brings to this position a strong passion for quality policing and protection for people living with domestic and family violence. His knowledge and experience in this area is informed through a lengthy history in general policing in remote, rural and metropolitan areas, and extensive experience in a wide range of law enforcement administration including research, policy development, strategic planning, corporate reporting and performance management.

During his meeting with CDFVR staff, Paul shared information about the activities underpinning the establishment phase of the Domestic and Family Violence Unit, and outlined aspects of the Unit's continuous improvement strategy, which forms the basis of the Unit's focus, strategies and desired outcomes over the

coming 12 months. The work of the Domestic and Family Violence Unit involves a range of co-ordination, communication, consultation and developmental roles that incorporate the following activities.

- "Co-ordinate the QPS contribution to whole-of-Government response to domestic and family violence.
- Communication of whole-of-Government response.
- Co-ordinate QPS response to the review of *Domestic and Family Violence Protection Act 1989*.
- Co-ordinate the research and development of specialist investigative methodology and training programs for domestic and family violence related issues.
- Through continuous research, review and consultation develop and implement strategies, plans, policies and procedures to support corporate and operational activities relating to the policing of domestic and family violence.
- Consult, liaise and network with Service, government and non government individuals, groups and organisations to establish and enhance the Service's capacity to provide an effective and efficient response to domestic and family violence.
- Provide support and leadership to members of the QPS in relation to the policing of domestic and family violence" (Domestic and Family Violence Unit – Continuous Improvement Strategy, 2007-2008, version 22 Nov 07, p.3).

A Domestic and Family Violence Strategy has also been developed specifically for police officers, which provides guiding principles for responding to domestic and family violence. This strategy, or "Tool Kit", is based around the platform of four priority areas: 1) Protection and Investigations; 2) Prevention and Early Intervention; 3) Partnerships and People; and 4) Performance. It provides individual strategies, under 11 core focus areas, that police across Queensland can use in accordance with the environmental factors encountered in their work.

Paul expressed particular commitment to reviewing domestic and family violence training within the QPS from recruit to senior management levels, including the specialised training needs of Domestic Violence Liaison Officers, Prosecutors and Supervisors, in order to increase consistency of understanding and knowledge underpinning responses to those affected by domestic and family violence. The QPS made a strong contribution to the development of the recently launched *Course in Responding to Domestic and Family Violence* (Course Code: 30629QLD); the potential for the QPS to engage the Course materials to benefit police personnel is encouraging.

Paul's commitment to working with the domestic and family violence prevention sector and his determination to achieve consistent and effective QPS responses to domestic and family violence are obvious. The Centre commends Paul and his team on the achievements of the Domestic and Family Violence Unit to date, and looks forward to the benefits this work will contribute to those affected by domestic and family violence.

The Emergency Response to Family Violence in the Northern Territory: Where's the evidence?

By Heather Nancarrow, Director, CDFVR

The following article was originally published in the November, 2007 edition of the Indigenous Law Bulletin (pp.14-16), and is reprinted with permission from the UNSW Indigenous Law Centre (www.ilc.unsw.edu.au). Please note this article was written shortly prior to the Federal election and subsequent change of government.

Introduction

Urgent action is required to address the abuse of women and children in Indigenous communities and, of course, all genuine efforts to address Indigenous family violence should be encouraged and supported. The level of resources now available to Northern Territory communities, through the Commonwealth Government's 'national emergency' plan, presents an opportunity to make real progress in addressing these issues. However, many Indigenous and non-Indigenous people hold grave concerns that the Government's intervention is a missed opportunity because of the lack of genuine partnership with community members, especially the many women who have been doing this work, without adequate resources, for many years.

Although governments have, for several years now, demanded that government-funded, community-based services demonstrate that their practice is evidence-based, it seems this principle has not applied to the Commonwealth Government itself in its intervention in Aboriginal communities of the Northern Territory. The primary purpose of this article is to review the Commonwealth Government's 'national emergency response to protect Aboriginal children in the Northern Territory', against the researched evidence on effective interventions in Indigenous family violence. First, to develop the context, a brief discussion about Indigenous family violence is necessary.

Indigenous Family Violence

For Indigenous Australians, the term 'family violence' describes a phenomenon that intersects with, but is broader than, spousal domestic violence. It includes:

the beating of a wife or other family members, homicide, suicide and other self-inflicted injury, rape, child abuse, child sexual abuse, incest and the sale of younger family members for misuse by others as a way of obtaining funds for drink or gambling (Mow 1992, p.10).

The appalling extent of such violence and abuse in Indigenous communities is well documented in various research reports, which also provide an ample evidence-base for strategies to end the violence. This includes research conducted through the national Partnerships Against Domestic Violence initiative ('PADV'), established at the instigation of the Commonwealth Government itself.

Partnerships Against Domestic Violence

PADV was the outcome of a Domestic Violence Summit convened by Prime Minister Howard in November 1997. It was established to:

identify opportunities for strategic collaboration between and within governments, to enhance knowledge, develop good practice and find better ways of preventing and responding to this serious social issue (PADV 1999, p.1).

In the 1999-2000 Budget, the Commonwealth Government committed a further \$25 million for PADV to 'focus on the priority areas of children at risk, indigenous family violence, work with perpetrators and community education' (Newman cited in PADV 2003, p.1). By June 2000, PADV had funded 12 projects and initiatives related to Indigenous family violence prevention (PADV 2000). These were the subject of a meta-evaluation published by PADV in 2003 (PADV 2003).

What the research has found

The PADV Phase 1 meta-evaluation recommended ten 'priorities for future action' to address Indigenous family violence (PADV 2003, p. 95). The priorities emphasise the importance of involving 'Indigenous communities in all aspects of policy, planning and service delivery'; the development of 'a shared vision and agreed priorities for action within the government and community sectors'; the need for holistic and sustainable responses that cut across government agencies, service providers and communities; and the need to '[g]round any action in evidence'.

These priorities for action, published by the Commonwealth Government four years before its emergency response to family violence in the Northern Territory, are highly consistent with recommendations made even earlier by several other key research projects. The *Aboriginal and Torres Strait Islander Women's Taskforce on Violence Report* of 1999, conducted entirely by Indigenous women, was the result of a taskforce investigation established by the Queensland Government. It came after a series of shocking mainstream media reports on the extent of violence, including sexual abuse of children resulting in permanent injuries, in Aboriginal communities in Queensland (Koch 1998).

This was followed by the *Cape York Justice Study* (Fitzgerald 1998), also commissioned by the Queensland Government, which emphasises the importance of Government re-building or establishing trust for successful partnerships to end violence; the *Violence in Indigenous Communities Report* (Memmott, Stacy, Chambers & Keys 2001) commissioned and published by National Crime Prevention; and *Putting the Picture Together*, (Gordon, Hallahan & Henry 2001) commissioned and published by the Western Australian Government.

All of these reports conclude that ending Indigenous family violence is dependent upon holistic responses that place the violence within a context of dispossession and alienation. Collectively, they recommend strategies that address the need for economic development, education, improved housing, and mental health facilities, for example, as well as programs aimed at dealing specifically with alcohol and substance abuse, and violence prevention. They also all challenge the effectiveness and appropriateness of relying on the criminal justice system to address Indigenous family violence – with many seeing that it escalates, rather than reduces violence – and call for alternative justice responses.

Putting the Picture Together was the result of a Commission of Inquiry headed by Sue Gordon, who now chairs the Prime Minister's National Indigenous Council ('NIC') and the task force overseeing the implementation of the Government's emergency response in the Northern Territory. *Putting the Picture Together* states that its:

recommendations are about building a service system from the ground up ... starting with the community ... it is clear from the research ... that Aboriginal people and Aboriginal communities must be involved in shaping solutions to the epidemic of family violence and child abuse (Gordon et al. 2001 p. 427).

In keeping with the concept of building a service system from the ground up, the report includes a section that discusses the need for local action groups with representatives from

ATSIC, Health, Community Council, Housing, Education, Community Development, Aboriginal Affairs, local shire council and any other agencies involved in service provision (Gordon et al. 2001 p. 429).

The outcomes of all of these reports are also highly consistent with the report authored by Rex Wild and Pat Anderson in 2007, *Ampe Akelyernemane Meke Mekarle: "Little Children are Sacred"* ('*Little Children are Sacred*'), the result of the most recent inquiry into Indigenous family violence in Australia. It is this report that triggered the Commonwealth Government's emergency response to family violence, specifically child sexual abuse, in the Northern Territory.

The Commonwealth Government's 'Emergency Response'

The Commonwealth Government's 'national emergency response to protect Aboriginal children in the NT' (Brough 2007a) was announced on 21 June 2007, just eight weeks after the release of *Little Children are Sacred*. Several days later, the Taskforce to oversee the implementation of the plan was announced, and on 30 June, Major-General Dave Chalmers was appointed to Operational Commander of the Northern Territory Emergency Task Force Operational Group (Brough 2007b).

Explaining the apparent haste with which the emergency response was conceived and announced, Minister Brough's initial media release stated:

The immediate nature of the Australian Government's response reflects the very first recommendation of the Little Children are Sacred report into the protection of Aboriginal children from child abuse in the Northern Territory which said: "That Aboriginal child sexual abuse in the Northern Territory be designated as an issue of urgent national significance by both the Australian and Northern Territory Governments..." (Brough 2007a).

The media release omits the second half of the recommendation, which calls for

both governments [to] immediately establish a collaborative partnership with a Memorandum of Understanding...

and which highlights that it is

critical that both governments commit to genuine consultation with Aboriginal people in designing initiatives for Aboriginal communities (Wild et al. 2007, p.7).

The Minister's media release then reassures us that *all action at the national level is designed to ensure the protection of Aboriginal children from harm* seemingly anticipating disbelief at the strategies to follow.

The Commonwealth Government's emergency response utilises the resources of the armed services and increases the number of police in designated communities. It bans alcohol and pornography in those communities and enforces school attendance by withholding a proportion of welfare payments for absenteeism. All Aboriginal children less than 16 years of age are to have their health status (including sexual victimisation) checked. Initially, these health checks were to be compulsory but, under protest from child health and sexual assault experts, this was amended to parents being 'strongly encouraged' to consent to health checks. More controversially, the plan also includes scrapping the permit system that enables Aboriginal people to control

access to their lands. The Commonwealth Government also included in its plan the acquisition of Aboriginal townships through five-year leases.

While the banning of pornography and alcohol is to be expected in the plan, several other strategies are obviously built upon a non-Indigenous perspective of the problem, rather than being 'about building a service system from the ground up' (Gordon et al. 2001, p.429). For example, bringing the resources of the armed services and increasing police numbers without any process of engagement and trust-building with those communities was always going to create fear and tension in the relevant communities. Recalling the way in which agents of the criminal justice system were used to forcibly remove Aboriginal children from their mothers under integration and assimilation policies, it is no wonder that women and children fled to the desert for refuge (Murdoch & Peatling 2007).

Furthermore, withdrawing welfare funds to enforce school attendance suggests that the problem of truancy is entirely with Aboriginal people, and has nothing to do with the education system. Despite Chris Sarra being named Australian of the Year in 2003 and Queenslander of the Year in 2004, the Commonwealth Government seems oblivious to his success in dramatically reducing truancy in the Cherbourg Aboriginal community (see Winkler, *Strong and Smart: Chris Sara and Cherbourg*). His success was the result of engaging the community and addressing the negative school culture to instead promote pride and motivation in the children and their parents. Finally, there is no evidence, or even discussion, in the research that addressing Indigenous family violence requires the permit system to be scrapped, or for Aboriginal townships to be acquired and run by governments. The Government has not adequately explained the perceived relationship between these strategies and the reduction of family violence.

Conclusion

Since the late 1990s the Commonwealth Government has had ready access to information on evidenced-based interventions for Indigenous family violence. Indeed, it had commissioned much of the research for this evidence-base through its own national Partnerships Against Domestic Violence initiative, with the collective results being conveniently presented in the report of a meta-evaluation of relevant projects. Further, the Prime Minister's National Indigenous Council, through its Chair, also had ready access to very similar information on evidenced-based interventions. Nevertheless, the Commonwealth Government's national emergency response to protect Aboriginal children in the Northern Territory demonstrates an astonishing lack of consistency with that evidence-base.

In spite of the evidence, the Government's emergency plan is patently a 'top-down' approach, imposed on communities rather than being 'built from the ground up'. Apart from failing to draw on the available research, it seems that the Government did not even consult, or at least take a lead from its own Indigenous Council. The result is an emergency plan that ignores identified good practice in Indigenous family violence intervention and reinforces the power of the state over Indigenous communities.

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Date Claimer Distinguished Visitor Seminar

Professor Chris Cunneen

Tuesday, 13 May 2008, 2.30pm – 3.30pm

Presented at CDFVR, Mackay and video-linked to various sites throughout Queensland

Improving Responses to Family and Domestic Violence in Queensland Indigenous Communities

Professor Cunneen's presentation will discuss recent research on the use of Domestic Violence Protection Orders (DVPO) by Indigenous women. It will comment on whether DVPOs are an adequate and effective legal mechanism to respond to violence against Indigenous women, particularly in rural and remote areas, and what changes might lead to more effective interventions.

Professor Cunneen is the NewSouth Global Chair in Criminology at the University of New South Wales. Previously, he taught criminology at the University of Sydney Law School from 1990-2005, and from 1999-2005, Professor Cunneen was Director of the Institute of Criminology, University of Sydney. He was also the Chairperson of the New South Wales Juvenile Justice Advisory Council (2000-2007), and a member of the New South Wales Aboriginal Child Sexual Assault Taskforce (2003-2006).

Professor Cunneen has conducted research work for a number of Indigenous and human rights organisations, including the Human Rights and Equal Opportunity Commission and their National Inquiry into Racist Violence. He was also a consultant to the National Inquiry into Separation of Aboriginal and Torres Strait Islander Children from Their Families. Professor Cunneen has also worked as a consultant to various federal and state government departments in Victoria, New South Wales and Queensland.

He has published a number of books, including *Conflict, Politics and Crime* (Allen and Unwin 2001); *Indigenous People and the Law in Australia* (co-authored with Terry Libesman, Butterworths, 1995); *Juvenile Justice. Youth and Crime in Australia* (co-authored with Rob White, Oxford University Press, 2007); and co-edited *Faces of Hate. Hate Crime in Australia* (Federation Press, 1997); and *The Critical Criminology Companion* (Federation Press, 2008).

Further details regarding Professor Cunneen's seminar will be advertised on the Centre's website: www.noviolence.com.au and via the Centre's email list. Please email enquiries@noviolence.com.au if you would like to receive updates.

5th Annual Indigenous Family Violence Prevention Forum Addressing Problems – Sharing Solutions 14 - 15 May 2008

The program for the 2008 Indigenous Family Violence Prevention Forum is almost completed; the Mackay Entertainment Centre foyer is booked; accommodation organised and Lonnie Fewquandie is warming up his vocal chords for the karaoke – all we need now is YOU!



Shirley Slann and Beatty Retchford having a 'sing off' at the Forum Karaoke night.

Our 2008 Forum *Addressing Problem – Sharing Solutions* has a strong focus on children and young people. It is shaping up to be the best yet with a strong line-up of speakers (see over), fantastic venue and a 'to die for' menu.

Our Forum dinner will be a three-course a-la-carte meal, which the Centre for Domestic and Family Violence Research will be subsidising by \$15 per head to make more affordable (the cost of the Forum dinner has been reduced from \$75 per head to \$60 per head). To add to the party atmosphere, the room will be specially decorated in Aboriginal and Torres Strait Islander colours for the evening. This year we can boogie on down until midnight, so bring your dancing shoes! Looking forward to seeing you all there.

If you have any queries about the Forum please call Annie Webster on (07) 49407834 or email a.webster@cqu.edu.au. Electronic registrations can be completed and submitted via our website or downloaded and posted to P.O. Box 5606, Mackay Mail Centre, 4741. Unfortunately, due to flood damage experienced by the university, our fax machine is not operational this year.



2006 Forum participants.

Centre for Domestic and Family Violence Research
INDIGENOUS FAMILY VIOLENCE PREVENTION
FORUM 2008
ADDRESSING PROBLEMS - SHARING SOLUTIONS
DRAFT PROGRAM



Day One

Wednesday May 14, 2008

8.00 am	Registration
8.45 am	Welcome to Country Welcome - Heather Nancarrow, Director, CDFVR
9.00 am	Keynote speaker Pat Anderson - Co-chair Board of Inquiry into Protection of Aboriginal Children from Sexual Abuse and co-author Little Children Are Sacred Report Vote of thanks - Dr Jackie Huggins
9.30 am	Questions
9.45 am	Plenary Panel - Addressing Problems Margaret Hornagold - Manager, Darumbal Community Youth Centre Trevor Binjuda - Alternatives to Aggression Program - Relationships Australia, Cairns Roy Ah See - Councillor, Sydney-Newcastle Region, NSW Aboriginal Land Council
10.30 am	Questions to the panel
10.45 am	MORNING TEA
11.15 am	Yarning Circles - What's happening on the ground Melissa Bryan, Co-ordinator, Far West Multi-Purpose Healing Service Bernard Sabadi - Youth Program Co-ordinator, Wuchopperen Nyssa Weribone and Janet Miller - Carbal Medical Centre "Deadly Chicks" program Lyndon Reilly - Empowered adults - empowered youth
12.15 pm	Summary of yarning circles.
12.30 pm	LUNCH
1.30 pm	Keynote speaker Professor Chris Cunneen , NewSouth Global Chair in Criminology, UNSW <i>Improving Responses to Family and Domestic Violence in Queensland Indigenous Communities</i> Vote of thanks, Shirley Slann
2.00 pm	Questions
2.15 pm	Yarning Circles - Empowerment and justice Heather Nancarrow - Mainstream legislation and Indigenous Women Phillip Brooks - Youth Justice Conferencing Shirley Slann - What's happening in the courts?
3.15pm	AFTERNOON TEA
3.45pm	Ten minute bites
4.15 pm	Summary of the Day Dr. Jackie Huggins
7.00 pm - Midnight	Forum dinner and Karaoke

ADDRESSING PROBLEMS - SHARING SOLUTIONS

Day Two
Thursday May 15, 2008

- 9.00 am **Keynote speaker**
Randal Ross - Rowan Nicks & Russell Drysdale Research Fellow, Indigenous Men's Health Research, Indigenous Health Unit, James Cook University
Vote of thanks Harold Fatnowna
- 9.30 am Questions
- 9.45 am **Yarning Circle - Safe and strong - caring for our children**
Patti Nona - Qld Health, Bamaga
Leda Barnett - Youth Mental Health
Patsy O'Keefe - Doomadgee Child Care Centre
- 10.45 am MORNING TEA**
- 11.15 am Summary of yarning circles
- 11.30 am **Plenary Panel - Deadly programs - Learning through Practice**
Coleen Jensen - Street Based Outreach Service
Chelsea Barba - Healthy Happy Families Program, Wuchopperen
Moogie Patu - Strong Families Team, Family and Children's Services, NT
- 12.15 pm Questions
- 12.30 pm LUNCH**
- 1.30 pm **Yarning Circles - Sharing Solutions - Which way now?**
Several yarning circles to develop strategies for the way forward will close the Forum
- 2.30 pm Summary and close.**



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CDFVR Evaluation Report

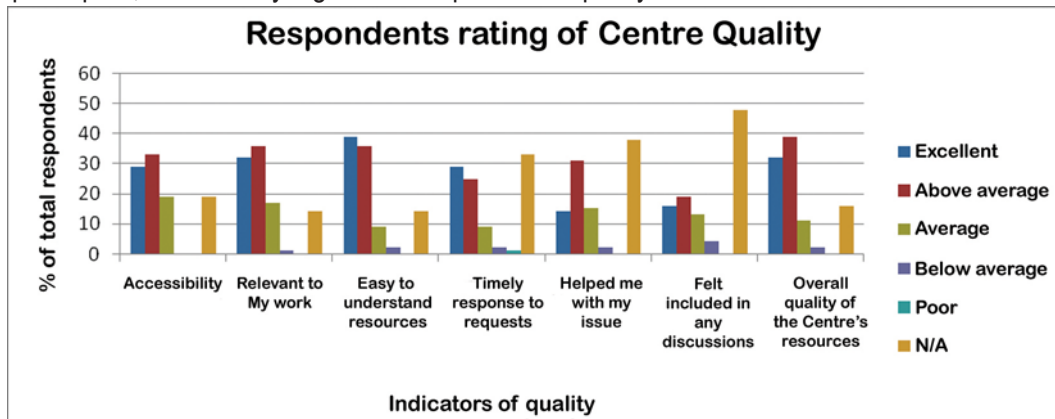
By Michelle Bradford, Education Officer, CDFVR

In late 2007, CDFVR contracted Pamela Spall and Associates to conduct an evaluation of the Centre. The primary purpose of this evaluation was to inform CDFVR's strategic directions and future planning, by reviewing the appropriateness of the Centre's model and assessing the usage, efficiency and effectiveness of the Centre's services.

The evaluation was largely informed by an analysis of the services delivered by the Centre over the past four years; an on-line survey of Centre users; and interviews with stakeholders including representatives from the Department of Communities, CDFVR's Aboriginal and Torres Strait Islander Reference Group, Central Queensland University (CQU), and the Australian Domestic and Family Violence Clearinghouse.

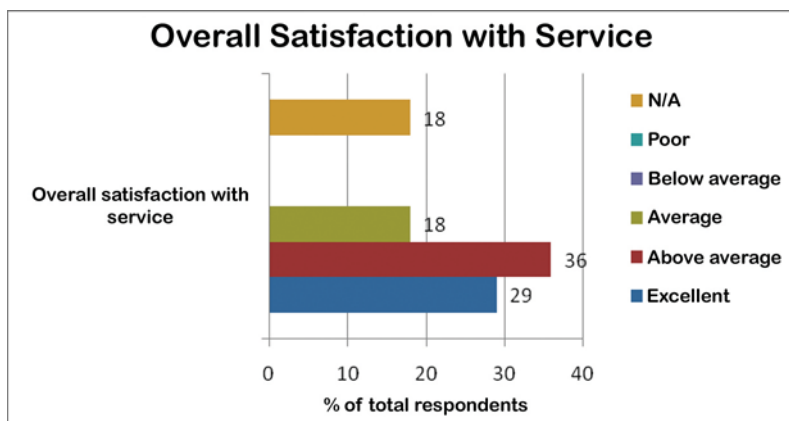
A total of 102 fully completed responses to the on-line survey were received, with participants reflecting a wide cross-section of interest and involvement in the domestic and family violence field. The majority of participants (51%) were from non-government organisations, followed by government (23%) and University (16%); this spread reflects an accurate picture of Centre users. The primary service delivery focus for half of the on-line survey participants was specifically domestic and family violence; the remaining 50% indicated a broader and more mainstream service delivery focus, the majority of which reflected legal services/law enforcement, generalist services and youth and family services.

The on-line survey asked about service user satisfaction, based on seven indicators of quality developed for the evaluation. The results of the evaluation on service quality are provided below and reflect, in cases where the quality indicator was applicable to the participant, consistently high levels of perceived quality in the Centre.



Excerpt from evaluation report prepared by Pamela Spall and Associates (2008, p.48).

Responses to the on-line survey revealed strong overall satisfaction with the quality of CDFVR's services, as indicated in the following graph. All participants who utilise CDFVR services rated the quality of these as average to excellent. A majority of those (65%) rated the service as "above average" (36%) or "excellent" (29%).



Excerpt from evaluation report prepared by Pamela Spall and Associates (2008, p.49).

The evaluation noted CDFVR's unique strengths as its focus on domestic and family violence specific research, rather than research on violence more broadly; that it has a significant and unique depth of experience in the domestic and family violence prevention field and extensive, supportive networks; it has particular expertise and links with Aboriginal and Torres Strait Islander communities; and it is very strongly positioned to focus on domestic and family violence in rural and remote communities. Increasing research capacity and output were identified by the evaluation as areas requiring enhancement. To this end, Central Queensland University's "Healthy Communities" research flagship, of which CDFVR is a feature, has allocated substantial funding for dedicated research leadership at the Centre. The Healthy Communities flagship also facilitates increased

inter-disciplinary collaboration between CQU academics and directs research which addresses the social and environmental context in which the health and well-being of communities, families and individuals are situated. CDFVR has embraced this timely opportunity and has commenced work with academics from the university's Department of Human Services and Professional Practice on a research project being conducted in partnership with Legal Aid Queensland.

CDFVR is grateful to Pamela Spall and Associates for producing a comprehensive, informative and objective evaluation that provides fertile ground for strategic planning and development. Without doubt, 2008 is shaping up to be another full and exciting year for the Centre.

Performance Highlights from 2007

Research and publications

- Abuse of female partners in the Bowen Basin region: a quantitative study examining: a) the prevalence and nature of male to female intimate partner violence in communities in the Bowen Basin Region; and b) the association of female partner abuse with various variables that characterise spousal relationships in mining towns. Funded primarily by the Criminology Research Council. Draft report completed. Publication: Australian Institute of Criminology *Trends and Issues Paper* forthcoming 2008.
- Restorative justice and youth violence toward parents: an in-depth analysis of cases of youth violence towards mothers referred to conferencing, in partnership with Professor Kathy Daly, Griffith University. **Publication:** Daly, K. and Nancarrow, H. "Restorative justice and youth violence toward parents", forthcoming (2008) in J. Ptacek (ed.) *Feminism, Restorative Justice, and Violence Against Women*. New York: Oxford University Press
- Restorative justice for domestic and family violence: Hopes and fears of Indigenous and non-Indigenous Australian women. Secondary analysis of data from interviews with Indigenous women and non-Indigenous women on utility of restorative justice for cases of domestic and family violence. **Publication:** Nancarrow, H. "Restorative justice for domestic family violence: Hopes and fears of Indigenous and non-Indigenous Australian women" forthcoming (2008) in J. Ptacek (ed.) *Feminism, Restorative Justice, and Violence Against Women*. New York: Oxford University Press.
- Review of literature on Indigenous family violence and federal government intervention in the Northern Territory. **Publication:** Nancarrow, H. (2007) "The Emergency Response to Family Violence in the Northern Territory: Where's the evidence?" in *Indigenous Law Bulletin November 2007 Volume 7, Issue 1*.
- Co-ordination and collation of Domestic and Family Violence Database, including preparation and distribution of 124 statistical summaries (4 quarterly global summaries and 30 quarterly individual service summaries for participating services).

Education/training

- Launch of the accredited *Course in Responding to Domestic and Family Violence (30629 QLD)*;
- Three Learner Guides, one to accompany and support the implementation of each of the three units of competency comprising the *Course*.
- Indigenous Family Violence Prevention forum, "Breaking the chains – Reclaiming our future".
- A professional development resource "Aboriginal and Torres Strait Islander Family Violence: Facts and Figures".
- Three Distinguished Visitor seminars video-linked across Queensland and presented by:
 - Dr Harry Blagg "Zero Tolerance or Community Justice? The Role of the Aboriginal Domain in Reducing Family Violence";
 - Dr Amanda Shea Hart "The construction of an idealized post-separation family in Australian family law"; and
 - Professor Cathy Humphreys "Responding to the protective needs of children affected by domestic violence".
- Distribution of seminar papers and DVD recordings of presentations from the Distinguished Visitors and the Indigenous Family Violence Prevention forum.
- "Working in rural and remote communities" workshop presented at the Australian Domestic and Family Violence Clearinghouse Forum, "Taking Back the Castle".

Community engagement

- Development of eYarning Network.
- Active participation in Queensland Domestic Violence Services Network.
- Maintenance of and meetings with:
 - Aboriginal and Torres Strait Islander Reference Group;
 - CDFVR's Research and Education Advisory Domain; and
 - Training Advisory Committee – Training Information and Learning Exchange (TACTILE).

Advocacy

- Submission on draft final report of the evaluation of the impact of the 2003 amendments to the *Domestic and Family Violence Protection Act 1989*; and
- Preparation of advice for the Queensland Domestic Violence Services Network (QDVSN) submission to the review of the *Criminal Offence Victims Act 1995*.

Increasing criminalisation of domestic violence: the perils of “protection”

By Heather Nancarrow, Director and Michelle Bradford, Education Officer, CDFVR

Since the emergence of activism to end domestic violence there has been criticism of the failure of the state to take it seriously; and criticism of police, as representatives of the state, to appropriately respond. Although the introduction of civil domestic violence legislation seemed to be a step in the right direction, it has also been criticised for ‘de-criminalising’ domestic violence (Douglas & Godden 2002), because it is generally used as an alternative to criminal law where criminal assault or stalking, for example, are perpetrated in a ‘domestic’ relationship. Frustrated with the police response to domestic violence, activists have consistently called for increased criminalisation and, in support of this objective, the removal or minimisation of police discretion in the application of the criminal law in cases of domestic violence. This advocacy gained strength from the research conducted for the Minneapolis Police Department (Sherman & Berk 1984a; 1984b) that showed arrest to be a specific deterrent of domestic violence; and has resulted in the introduction of policies such as ‘mandatory arrest’, ‘pro-arrest’, ‘pro-charge’, and ‘no-drop’ prosecution policies. These approaches continue to be favoured by advocates, and are gaining strength as public policy in Australian jurisdictions, although two significant, unintended, consequences of these policies have been identified.

First, some replications of the Minneapolis study found that the effects of arrest were influenced by ‘the arrested person’s stake in conformity’ (Sherman et al 1992 p.686), with evidence that the pro-arrest strategy seemed to reduce violence perpetrated by men who were married and employed, but had the opposite effect for men (disproportionately minority group men) who were unmarried and unemployed; so some women were at greater risk of abuse as a result of such policies. This is consistent with reports from Indigenous Australian women that criminal justice interventions often result in more, not less, violence against them (Aboriginal and Torres Strait Islander Women’s Taskforce 2000; Nancarrow 2006).

The second unintended consequence of ‘mandatory arrest’, ‘pro-arrest’, and ‘pro-charge’ policies is the occurrence of ‘dual arrests’, where both the victim and perpetrator in cases of domestic violence are arrested. Coker (2001), Smith (2001) and Hirschel and Buzawa (2002) and others highlight variable effects of pro-arrest policies, including increased incarceration of women, and especially black, Latino and poor women, through dual arrests in cases where women fight back, as well as other offences such as substance abuse and prostitution. These, and her own research findings prompted CDFVR Director, Heather Nancarrow’s paper titled ‘Look Before You Leap: Mandatory Arrest and the Incarceration of Indigenous Women’, presented at the 2003 Legal Aid Forum *Women’s Access to justice – where are we now?*; and her current research ‘Mainstream Australian domestic and family violence laws: A comparison of models and particular implications for Aboriginal and Torres Strait Islander women’.

Although ‘predominant’ or ‘primary’ aggressor policies have been implemented in some jurisdictions to address the inappropriate dual arrests in cases of domestic violence, dual arrests remain a significant impediment to justice, and have serious consequences for victims of domestic violence. This is the subject of an excellent Stakeholder Paper written by Rochelle Braaf and Clare Sneddon for the Australian Domestic and Family Violence Clearinghouse.

Australian research into dual arrests for domestic violence is very limited, and Braaf and Sneddon draw from studies in the United States of America and Canada to examine dual arrest rates in zero-tolerance policy jurisdictions. For example, evidence from the United States includes:

- California (1987–2000) – pro-arrest and mandatory arrest policies increased male arrest rates by 136% and female arrest rates by over 500%;
- Georgia (1996–2001) – female arrest rates rose from 18% to 21%; and
- Connecticut (1987–1997) – female arrest rates rose from 11% to 18%.

Canadian research also documents an increase in female arrest rates for domestic violence since the introduction of zero-tolerance policies. Citing research by Comach, Chopyk and Wood (2000) Braaf & Sneddon (2007) report a substantial increase in rates of the arrest of women for domestic violence during 1991-1995 in Winnipeg, following the introduction of zero-tolerance policies; ironically, 35% of the women arrested actually initiated the contact with the police for help. Another Winnipeg study (Crouch 2003), found that dual arrest was the outcome for 9% of all domestic violence cases attended by police.

Braaf and Sneddon acknowledge a significant variance in arrest rates within the North American and Canadian jurisdictions that often have similar policies. This fact points to a need for further research to enable understanding of how some jurisdictions minimise dual arrests.

The Stakeholder Paper refers to a number of qualitative studies to highlight the broad range of outcomes impacting negatively on victims' safety and vulnerability to further violence; and which undermined victims' trust in the very system that was reformed to protect them. The loss of confidence in police brought about by dual arrest experiences creates obvious and problematic implications for women and children's protection and safety from domestic violence. A study by Martin in 2001 (cited in Braaf & Sneddon 2007) indicated a staggering 40% reduction in calls to police in Duluth following the introduction of mandatory arrest policies, and a 28% reduction in Hartford. Reluctance to seek police assistance out of fear of being blamed and penalised, further entrenches victims' isolation from supports and avenues for safety, which in turn lends support to the tactics of power and control used by the perpetrator.

Braaf and Sneddon (2007) argue for justice system practices to establish and retain a clear understanding of the key determinants of domestic violence - that is, "a perpetrator's use of violence and abuse as a means of exerting power and control over their victim, resulting in her fear and intimidation"; and point to the centrality of these elements (fear and intimidation) in legislated definitions of domestic violence in Australian states and territories, as well as the *Family Law Act 1975* (Braaf & Sneddon 2007, p.7).

A range of situational factors are seen to guide police officers' interpretation of the events at an incident, and therefore influence their decisions regarding arrest. Clearly, a more accurate and balanced police assessment of a domestic violence scene requires greater knowledge and awareness of various risk markers for victims to be wrongly arrested, and a stronger understanding of the dynamics and contextual factors at play in domestic violence.

Braaf and Sneddon conclude that there is much work to be done in understanding domestic violence arrest rates and patterns in the Australian context, which includes the prevalence, patterns, aetiology and impacts of dual arrest, remembering that it's likely to create particular consequences for victims from specific groups within the community. They suggest that if victim safety is a primary goal, then ongoing review and evaluation of the relevant legislation, policies and procedures are essential for ensuring the congruence of their outcomes with this goal; and further, "police procedures need to place a greater emphasis on training at all levels including prosecution, accompanied with consistent supervision and leadership" to develop consistent policing practices that demonstrate sensitivity to the dynamics and context of domestic violence and prioritise victim safety over laying charges (p.13).

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Resources Review

Information Kits on Child Protection in Queensland

The South West Brisbane Community Legal Centre has developed a series of three information booklets on child protection in Queensland. "Information Kit on Child Protection for Parents" was printed by the Family Inclusion Network using funds provided by Department of Child Safety, and the remaining two booklets, "Factsheets on Child Protection in Queensland for Kinship Carers" and "Information Kit on Child Protection for Workers" were printed by the Domestic Violence Resource Centre Inc.

This information booklet series is designed as a basic guide about the rights and obligations for parents and kinship carers under the *Child Protection Act (Qld) 1999* and how parents, kinship carers and workers in the community sector can best work with the Department of Child Safety. Each booklet contains information specifically tailored for its target audience, as well as information regarding areas important to all three audiences, such as (i) court involvement; (ii) the child's rights; (iii) making complaints; and (iv) useful contacts.

The booklet written for parents also includes valuable information about parents' and children's rights when engaged with Child Safety; as well as the Department's procedures in relation to investigation and intervention, types of Court Orders, and information and explanations about the various meetings that Child Safety convene to make decisions about children.

The Kinship Carer factsheets also include: Becoming a kinship carer and your rights; Placement of a child in your care; and Ongoing involvement with the Department of Child Safety. Information provided in the booklet specifically for workers also comprise topics related to the range of departmental procedures and mechanisms in play when Child Safety intervene with a family, as well as the types of orders that Child Safety might request from the Court.

The information booklet series very skilfully explains and de-mystifies the complexities of the child protection system's processes and practices, and hopefully will empower parents, kinship carers and workers to engage with the system for the benefit and protection of children. Limited numbers of hard copies of the booklets have been delivered to domestic and family violence resource services throughout Queensland, for distribution as needed. Electronic copies are also available and may be obtained from the Domestic Violence Resource Centre Inc. by emailing admin@dvrc.org.au.

Resource Manual on Violence Against Women with Disabilities

CDFVR congratulates Women with Disabilities Australia (WWDA), the peak organisation for women with all types of disabilities in Australia, for the recent release of the very comprehensive and impressive "Resource Manual on Violence Against Women with Disabilities". "WWDA is a national voice for the needs and rights of women with disabilities and a national force to improve the lives and life chances of women with disabilities" (WWDA, www.wwda.org.au).

The resource manual is comprised of four bound and illustrated booklets, which are also stored electronically on the accompanying CD Rom. Each booklet examines violence against women with disabilities from a particular perspective.

1. **"A life like mine: narratives from women with disabilities who experience violence"** presents powerful, confronting and inspiring stories and poetry from individual women with disabilities who have experienced violence.

2. **"Forgotten sisters: a global review of violence against women with disabilities"** reviews (a) incidence and prevalence of violence against women and girls with disabilities; (b) the nature and consequences of the many forms of violence; (c) disability caused by violence, particularly violence in institutions and harmful traditional practices; (d) policy, legislative, research and service system responses to violence against women with disabilities; (e) key prevention strategies; and (f) an annotated bibliography of known published and unpublished resources.

3. **"It's not ok it's violence: information about domestic violence and women with disabilities"** targets women with disabilities with valuable information such as "what is the truth about domestic violence?"; "what are my rights?"; "what can I do?" and "who can help me?" The booklet also provides information for service providers about barriers faced by women with disabilities when escaping domestic violence and offers some simple suggestions on how services can be more inclusive and responsive.

4. **"More than just a ramp: a guide for women's refuges to develop disability discrimination act action plans"** contains a step by step guide for women's refuges, and similar services, to identify and eliminate barriers that may lead to discrimination against women with disabilities needing to use the service. The booklet also details how services can be re-oriented to better respond to the needs of women with disabilities experiencing, or at risk of experiencing, violence.

The Resource Manual on Violence Against Women with Disabilities is available for purchase (\$22, includes handling and postage) from WWDA: phone (03) 6244 8288 or email: wwda@wwda.org.au.

* Audio, e-text and PDF (large print) versions of this booklet are available on the Manual's CD Rom.

** E-text and PDF (large print) versions of this booklet are also available on the Manual's CD Rom.

Workshops, conferences and date claimers

10-11 April 2008

Child Law conference - Child and Youth Advocacy: Current Issues, Trends and Research - the Challenges Ahead
Auckland, New Zealand

<http://www.lexisnexis.co.nz/conferences/seminars/2008/Childlaw/default.asp>

Phone: 09 638 9502

Fax: 09 3689500

14-15 April

Keeping Kids Safe - tamariki te tuatahi
Manukau City, New Zealand

<http://www.nzfvc.org.nz/Events.aspx>

Email: keepkidssafe@psn.org.nz

14-16 April 2008

The First National Indigenous Family and Community Strengths Conference
Newcastle, NSW

http://www.pco.com.au/family/first_indigenous_f&cs_conference.htm

16-18 April 2008

5th Australian Family and Community Strengths Conference
Newcastle NSW

Phone: (02)4984 2554

Email: family@pco.com.au

<http://www.pco.com.au/family/>

05-07 May 2008

7th Global Conference: Violence and the Contexts of Hostility
Budapest, Hungary

<http://www.inter-disciplinary.net/ptb/hhv/vcce/vch7/cfp.html>

14-15 May 2008

CDFVR Indigenous Family Violence Prevention Forum
Mackay Entertainment Centre
Mackay, QLD

Email: a.webster@cqu.edu.au

22-23 May 2008

Family Violence and Specialist Courts
Canberra, ACT

<http://www.victimsupport.act.gov.au/content.php?id=33>

23-25 May 2008

Australian College for Child & Family Protection Practitioners
2008 National Conference - Ethical Responsiveness
Adelaide, SA

<http://www.accfpp.org.au/events.htm>

28-31 May 2008

AFCC 45th Annual Conference - Fitting the Forum to the Family: Emerging Challenges for Family Courts
Vancouver, BC, Canada

http://www.afccnet.org/conferences/afcc_conferences.asp

Email: afcc@afccnet.org

09-11 July 2008

10th Australian Institute of Family Studies Conference - Families through Life
Melbourne, VIC

<http://www.aifsconference08.com/>

14-16 August 2008

RANZCP Bi-National Conference 2008 - Drugs, Alcohol and Family Violence
Port Douglas, QLD

http://conorg.com.au/library2008/Forensic_Call_for_Papers_2008.pdf

07-08 September 2008

XVIIth ISPCAN International Congress on Child Abuse and Neglect
HongKong

Ongoing professional development opportunities

The Australian Childhood Foundation conducts professional development training in all Australian states throughout the year, in the following areas.

- Trauma and attachment
- Trauma and brain development
- Supporting parents and families
- Navigating the children and family law systems
- Therapeutic support for children in out of home care

See www.childhood.org.au for further details.



Contact Us

Queensland Centre for Domestic and Family Violence Research
CQU Mackay
P.O. Box 5606
Mackay MC QLD 4741

Tel: 07 4940 7834
Fax: 07 4940 7839
Email: enquiries@noviolence.com.au
www.noviolence.com.au

Staff:

Heather Nancarrow
Michelle Bradford
Clinton Rawsthorne
Annie Webster
Marilyn Ingham

Director
Education Officer
Multimedia Officer
Education Project Officer
Administration Officer

We encourage readers to contribute to the Centre's Newsletter. If you have any information or articles you wish to publish, please contact Centre staff.

HAVE YOUR CONTACT DETAILS CHANGED?

We have become aware that some recipients of the CDFVR newsletter have relocated or changed contact details, including email address. To enable us to update our records and ensure that you receive our quarterly publication, please contact us at the above phone, fax or email address with your change of details. Please be assured that the Centre does not release your details to any third parties without your permission.

If you would like to be included on, or removed from, the Centre's mailing list, please ring us on (07) 49407834.

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