

What she needs to know:

Supporting victim survivors of family violence through the legal system



**WOMEN'S HEALTH
IN THE NORTH**

14 November 2017



What to Expect from Today

Hear from Victoria Police about best practice responses to family violence.

Understand how to achieve safe experiences and positive outcomes through the Magistrates' Court.

Unpack the complexities of the Family Court.

Learn more about perpetrator tactics and barriers to effective justice.

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Agenda

Presentation: How Legal Systems Intersect
Ella Crotty, Fitzroy Community Legal Service

Activity One

Barriers to effective justice

Panel Discussion

Opportunities and challenges within the Victorian legal system

[BREAK]

World Café

Learn more about the legal system and ask specialists questions

Activity Two

Key learnings



About NIFVS

Northern Integrated Family Violence Services (NIFVS) is the partnership that leads the integration of family violence and related services in Melbourne's northern metropolitan region.

Our Mission

To maintain and continually develop the integrated family violence service system in the North, in order to improve the safety of women and children and to hold perpetrators accountable for their use of violence.

Our Partners

- 25 committee members
- 125 services responding to family violence
- 880 professionals linked to various initiatives

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What is Integration?

Family violence integration in the NMR involves:

- a **shared understanding** of family violence and a shared vision for change
- all parties understanding and **striving to improve the system**
- strong **structures and relationships** across the system
- **information-sharing and collaboration** across a broad range of organisations
- opportunities to discuss and **resolve issues**
- ensuring a **'continuum of care'** through smooth referral pathways and consistent service responses.





Royal Commission into Family Violence

Report handed to Victorian Government on 29 March 2016.

Some key reforms underway include:

- Support and Safety Hubs
- Legislative changes and information sharing regime
- Ten Year Industry Plan
- Redevelopment of the Common Risk Assessment Framework

More than 50 of the 227 recommendations were directly related to parts of the legal system.

Recommendations relate to:

- police (41-59)
- courts (60-78)
- offending and sentencing (79-84)
- family law (129-137)



Striving for an Effective System

The Commission found that:

- “An effective **police response** is essential to victims’ ability to remain safe, receive a fair outcome, and recover from the violence”. (RCFV Report, Vol III, p.1)
- “...increases in demand have led to chronic infrastructure deficiencies and unsustainable demand on court-based professionals and services - in particular, in many of Victoria’s **Magistrates’ Courts**”. (RCFV Report, Summary, p.26)
- “...allegations of family violence are given insufficient weight and consideration by the courts (predominantly the **federal family courts**), by lawyers, and by family court consultants. (RCFV Report, Vol III, p.198)



Perpetrator Tactics

As well as systemic issues, **perpetrators may also use the legal system** against victim survivors by:

- going to the police/ courts first to falsely report family violence in order to 'get in first' and be considered the AFM and not the respondent
- deliberately prolonging court proceedings in order to have them adjourned. This can mean that women are not able to work/ study/ have to organise childcare and are also forced to attend courts in close proximity of the perpetrators for prolonged periods of time
- attempting to subpoena private/ confidential documents (i.e. counselling notes.)



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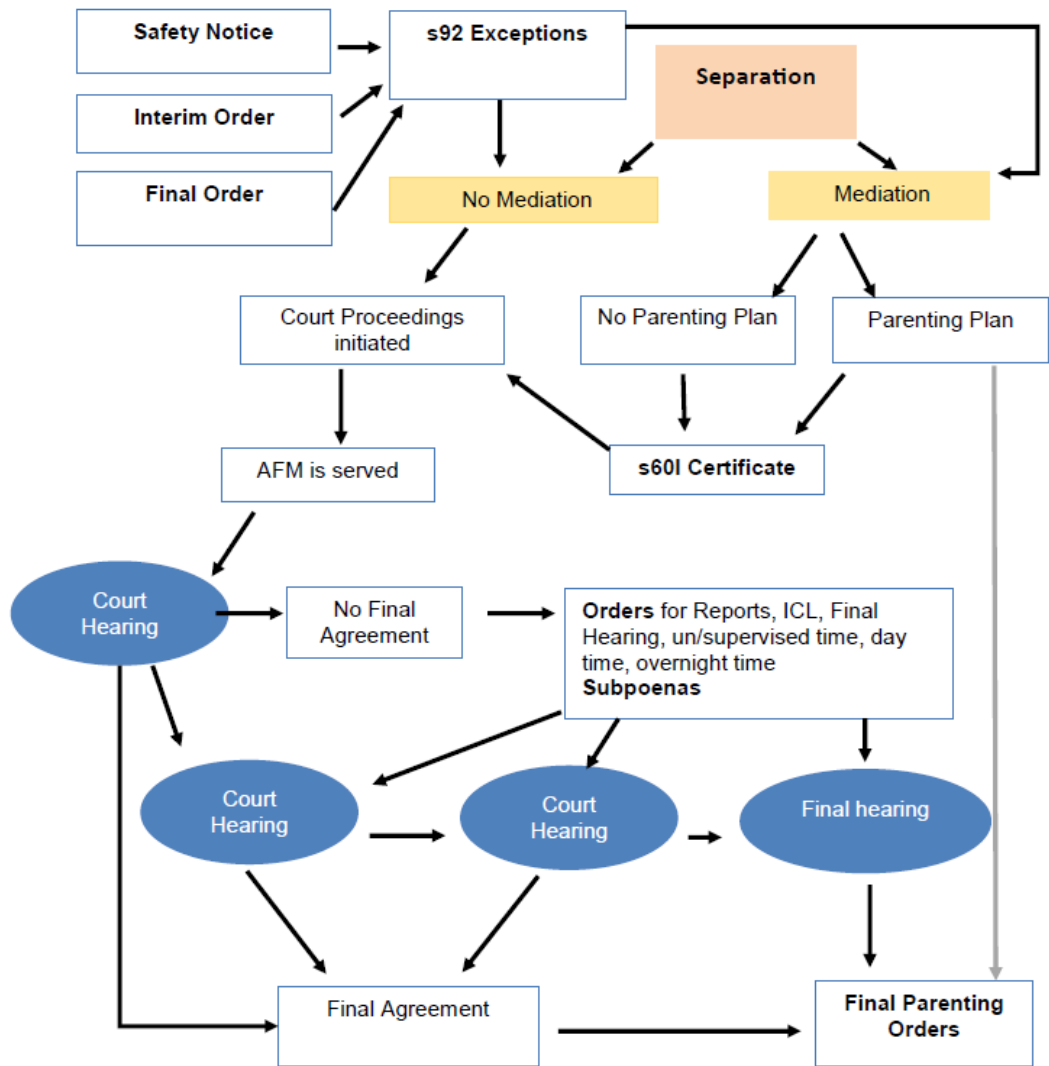
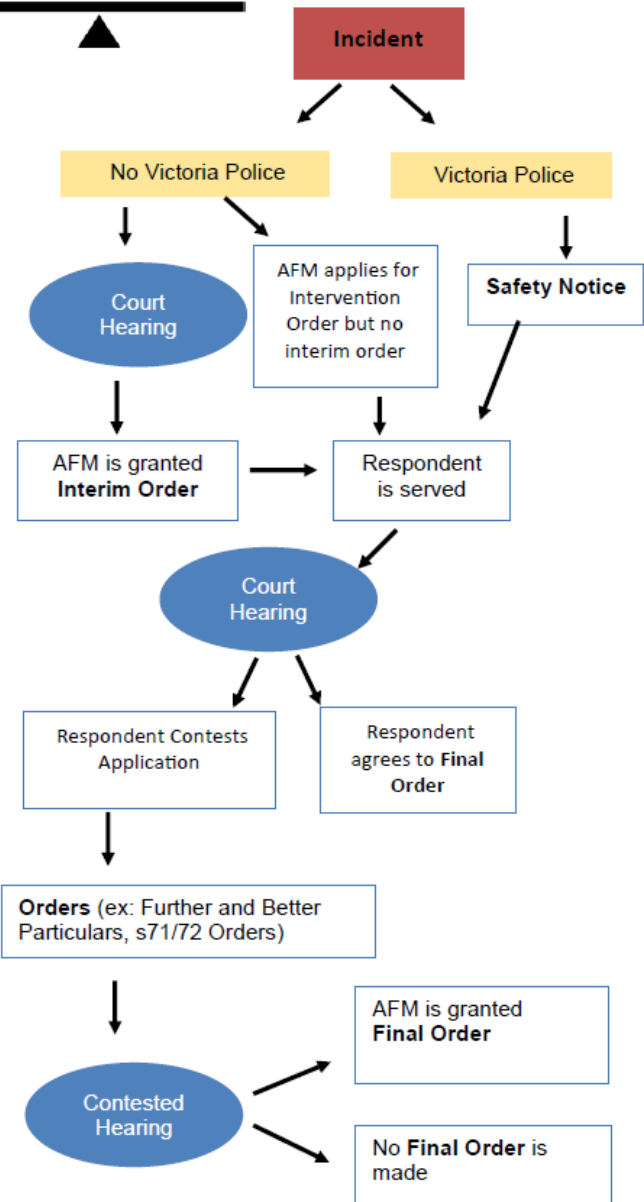
Ella Crotty

Senior Family Violence Lawyer

Fitzroy Community Legal Service



Intervention Order and Family Law Legal Systems





Activity One

At your table, introduce yourself and your role.

Discuss the following:

What barriers to effective justice do your clients face when encountering the legal system?

[15 minutes]



Panel Discussion

Sergeant Carmel Ross (Victoria Police)
Best practice responses to family violence.

Bridget Dwyer (Darebin Community Legal Service)
How to achieve safe experiences and positive outcomes through the Magistrates' Court.

Ella Crotty (Fitzroy Community Legal Service)
Unpacking the complexities of the Family Court.

Ada Conroy (Family Violence Specialist)
Perpetrator tactics and barriers to safety.



Take a Break

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See you in 20 minutes





World Café

There are 3 sets of tables for participants to move between to hear from the presenters and ask questions.

There will be three rotations of 20 minutes each:

- Victoria Police
- Intervention Orders
- Family Court

[70 minutes]



Activity Two

In pairs, share (and record) 3 key things you have learned that will assist you in supporting victim survivors of family violence through the legal system.

[10 minutes]



Staying Involved

There are a number of ways to stay connected with the work of integration in the family violence sector:

- Attend **Regional Family Violence Induction**
- Participate in *Identifying Family Violence: Responding to Women* training (14 Dec)
- Participate in *Working with Male Perpetrators of family Violence: Considerations on Collusion* training (5 Dec)
- Join a **Local Family Violence Network**
- Order **Family Violence Posters**
- We will subscribe you to monthly **NIFVS eNews**

www.nifvs.org.au



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Supported by the Victorian Government.



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