

What She Needs to Know:

Supporting victim survivors of family violence through the legal system NIFVS Forum Summary

On 14 November 2017, 100 participants explored how to support victim survivors through the legal system. Presenters from Victoria Police, community legal centres, courts and specialist family violence services explained what to expect from Victoria Police; how to achieve safe experiences and positive outcomes through the Magistrates' Court; the complexities of the Family Court and perpetrator tactics and barriers to effective justice.

Panellists agreed that workers need to be a bridge between victim survivors and the family violence legal system by being informed and advocating on behalf of women.



Carmel Ross, Victoria Police

Participants discussed the barriers facing their clients through the legal system including:

- fear of facing the perpetrator in court
- language and literacy skills
- burden of court costs
- trauma of cross-examination
- history of negative contact with the legal system
- fear that the process will result in negative outcomes
- lack of knowledge or being overwhelmed by the system and process
- lack of support, including legal representation.

Supports in the Magistrate's Court

Services: Duty lawyers, applicant workers at most courts, family violence services, CALD and Indigenous support services, mental health workers at some courts, [Court Network](#).

Safety at Court: Safe rooms, screens for court sessions, video linking, separate waiting areas and protective service officers.

Supports in the Family Court

Services: [Family Advocacy and Support Services](#) (e.g. duty lawyers and social workers) and [Court Network](#).

Court Network volunteers can explain complex Family Court procedures, ensuring women are aware of the strict procedures in order to ensure their matter gets heard.

What She Needs to Know

Ella Crotty, from Fitzroy Legal Service, presented a flow chart outlining the process of Intervention Order applications and the Family Court system.

Participants received information on what they need to know in order to support victim survivors via small group discussions with experts as well as a panel which included: Ella Crotty, Bridget Dwyer (Darebin Community Legal Centre), Carmel Ross (Victoria Police) and Ada Conroy (NIFVS).



Maree Foelz, Neighbourhood Justice Centre, with participants

Suggestions by regional experts

Advocate

Workers are entitled, and encouraged, to ask questions of police, lawyers and courts. For example about safety options at court and advocating for safety options to be implemented.

Provide information

Inform victim survivors of their rights. For instance evidence is not required to 'prove' there was family violence in order to make a statement to police. Police have additional resources to investigate crimes.

Consider children

Include children on Intervention Orders (IVOs) to improve their safety. If the children aren't named on the order and there are no family court orders, then nothing prevents the perpetrator from keeping the children.

Prevent harassment

Arrange for victim survivors to avoid seeing the perpetrator in court, if possible. In addition, prevent lawyers who are representing the perpetrator from harassing victim survivors in court waiting rooms.

Be aware of perpetrator tactics

Perpetrators exploit gaps in the legal system. They might apply for an IVO first, claim their partner has a mental illness, or threaten that a woman's visa will be revoked or her children removed.

Avoid initiating family law proceedings

Family law proceedings are long, expensive and emotionally draining. In family law matters, negotiating an agreement can lead to a better outcome than a judge's decision.

Further Resources: For further information visit [NIFVS Justice website page](#)