

1 December 2014

The Honourable Quentin Bryce AD CVO
c/- The Secretariat
Special Taskforce on Domestic and Family Violence
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Dear Dame Quentin

UnitingCare Community welcomes the opportunity to make this formal submission to the Domestic and Family Violence Taskforce. I am delighted that our UnitingCare Queensland CEO, Anne Cross is a member of the taskforce, and acknowledge the opportunity this provides to benefit from the experience of service providers. UnitingCare Community is one service group of UnitingCare Queensland.

In Queensland last year more than 64,000 incidents of domestic and family violence were reported and almost 13,000 breaches of domestic violence orders occurred. The effects of family violence are broad, impacting the individual experiencing abuse, children who are exposed to the violence and the wider community. Domestic and family violence happens across communities, ages, cultures and sexes.

UnitingCare Community is in a somewhat unique position, as a provider of services across the full continuum of care, working with children, young people, adults and elders across Queensland. The range of domestic and family violence services we deliver includes providing secure accommodation to victims and their children, holding perpetrators accountable and engaging them in programs to address their behaviours, supporting the safety and wellbeing of children young people and people with disability, and equipping seniors with advice and support to deal with family violence.

I am pleased to make this submission to the Taskforce, which centres on three key areas of significance reflective of our unique position and perspectives. In addition, we have also briefly identified additional areas which are likely to be raised by other respondents in submissions to the Taskforce.

1. Integrated and systematic response

There are many complex issues that intersect with domestic and family violence, including child protection and family law and living and care arrangements for people with a disability. Our experience is that a lack of coordination and support can result in a response that is inefficient, intimidating for victims and not in the interests of the whole family.

Lifeline services are often a first point of contact for people in crisis who are experiencing domestic or family violence. In 2013-14 a total of 145,125 calls were answered by UnitingCare Community's Lifeline service. Of these, 19,164 identified safety issues during the call, of which 17% were related to domestic violence. Queensland recorded the highest proportion of calls that identified domestic violence as a safety concern.

Domestic and family violence is often a key presenting factor for clients we work with in out of home care or community-based child and family services. Funding and services in Queensland largely focus on individuals only. A common experience for UnitingCare Community is that when Child Safety Officers place children in care due to abuse and domestic and family violence concerns, each family member is then referred to different and separate agencies. Clients at times may end up going to several agencies to access all of the service responses needed.

There are multiple barriers to taking an integrated and holistic approach to domestic and family violence in Queensland, including the availability of the full suite of service responses needed, particularly men's perpetrator programs.

Developing a response to men who use violence and abuse in their intimate relationships is one of the most challenging issues in responding to domestic and family violence. In Queensland, services for perpetrators are not widely available. UnitingCare Community delivers both government and self-funded programs which both help to hold perpetrators accountable for their behaviour and prevent future violence.

For consideration

- Stronger links with the child protection system are required, including better coordination of responses to children and families and a shared framework for responding to domestic and family violence including risk assessment.
- UnitingCare Community acknowledges the progress being made in this area, evidenced through the Department of Communities, Child Safety and Disability Services recent tenders for delivery of community based intake referral service, and intensive family support service. In acknowledgment of the strong link between child safety and domestic and family violence these tenders called for the appointment of at least one specialist domestic and family violence worker.
- In addition, under the Child and Family Reform Program, the Department of Communities, Child Safety and Disability Services will implement a new child protection practice framework (recommendation 7.1 of the Queensland Child Protection Commission of Inquiry) across organisations delivering the community based intake referral service, intensive family support service, domestic and family violence services and Child Safety to develop a shared practice approach across these programs. UnitingCare Community welcomes these initiatives, and the opportunity to be involved and support their implementation.
- Access to quality domestic violence perpetrator programs is critical, and these programs should be made available across the state, including in rural and remote communities.
- Current funding arrangements present as a barrier to providing interventions that offer a holistic and flexible approach based on the needs of the client. The Queensland Government's red tape reduction and contracting reform agenda provides opportunity to address this, and we are working with Government to achieve an outcomes management approach to funding agreements to ensure services are able to be delivered in line with client need, rather than in accordance with prescriptive funding arrangements.

2. Focus on community education

In 2012, the State Coroner recommended raising public awareness through a prevention campaign for friends, family members and colleagues to recognise the potentially fatal consequences of non-physical forms of domestic violence, and highlighting the warning signs that could indicate someone is at serious risk, such as controlling behaviours and stalking after relationships have ended.

UnitingCare Community agrees with the need for such a campaign to bring about systematic changes in attitudes towards domestic and family violence. We are aware of the Queensland Government's *Make the Call* campaign and suggest some modifications to this approach.

For consideration

- A community education campaign should take a focus on where to get support for victims. Our experience is that clients often say they would have left sooner, had they known where and what support was available. Community messages should be localised to enable victims to make informed and safe decisions.
- Messages should focus on the stages and subtleties of domestic violence. Our clients are often unaware they have been in a domestic violence relationship until it escalates to physical violence.
- Engagement with the broader community is also needed about how to reach out to people who may be experiencing violence to break down barriers of victims raising this issue. This engagement should focus on the multiple forms of abuse and its subtleties.
- A commitment to prevention and early-intervention programs, such as reflective parenting courses and school-based domestic and family violence and sexual assault prevention programs is recommended to support young people to develop healthy relationships. Programs such as *Love Bites* or *Bringing up Great Kids* should be considered for state-wide implementation in Queensland.

Case Study: Local based community education

UnitingCare Community has partnered with Creative Regions to tackle domestic and family violence in the Wide Bay area. November 2014 saw the premiere of a production using an innovative technique called 'verbatim theatre' (using transcripts of interviews to create the script) about violence against women called *IT ALL BEGINS WITH LOVE*. UnitingCare Community staff, as members of the Bundaberg domestic violence forum, worked with Creative Regions throughout the two-year development process and assisted in accessing clients interested in telling their stories and to promote the work in the community. Based on the success of the premiere, UnitingCare Community is sponsoring the delivery of the production in key service sites across Queensland. This initiative has empowered victims to tell their story, while also raising community awareness in a profound way and start conversations in the community of this issue.

The two partners are also collaborating on a children's book which tells the stories of young people's experiences with domestic and family violence which will be launched on the same night as the theatre production.

As Creative Producer, Rod Ainsworth states, "*Together, UnitingCare Community and Creative Regions have been able to capture important messages about some of our most pressing social issues through the arts.*"

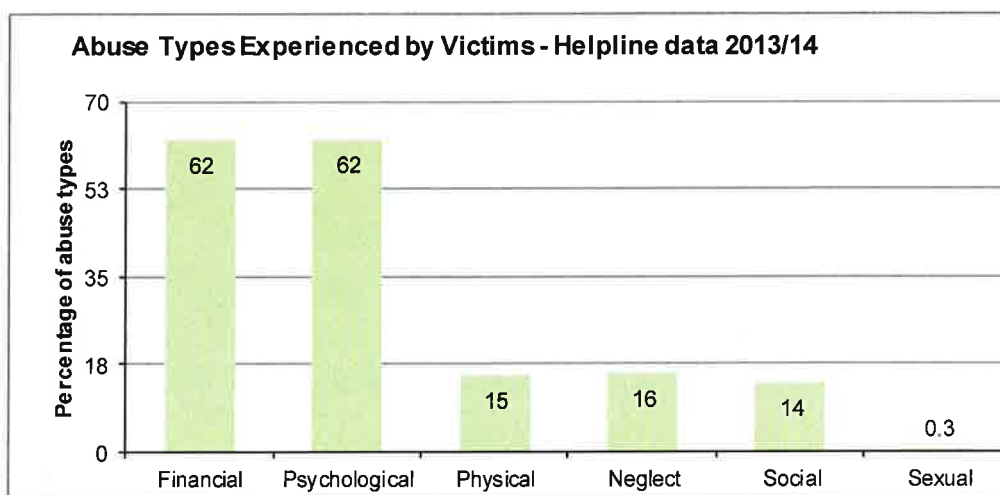
3. Elder abuse prevention

UnitingCare Community delivers Queensland's Elder Abuse Prevention Unit, the single source of data regarding the rates and impact of elder abuse in Queensland. Elder abuse is a different form of family violence to spousal/ intimate partner violence and requires a coordinated and specifically targeted response.

Very little research is undertaken in Australia on elder abuse and data collection, analysis and the sharing information among services who may respond to elder abuse (health, human services, legal, aged care, police etc.) is ad hoc and not coordinated.

Data collected by the UnitingCare Community Elder Abuse Prevention Unit over 2013/14 as shown in Chart 1 highlights that older victims often experience more than one type of abuse, with 62% of the victims experiencing financial abuse and 62% experiencing psychological abuse.

Chart 1



The use of verbal harassment, intimidation and controlling behaviour (psychological abuse) is a common tactic used by the perpetrator to financially exploit their elderly relative. Around 22% of referrals from the elder abuse helpline are made to one of the five seniors legal and support services across Queensland. This in part reflects the high numbers of seniors affected by financial and psychological abuse and the seniors legal and support services model of combining legal and social work outreach services to provide a holistic approach to the complex safety and legal issues involved.

The victims of elder abuse are overwhelmingly women; however the gender of perpetrators is more evenly distributed between males and females.

The following table¹ of domestic violence orders by respondent age for the period of 1 July 2004 to 30 June 2012 demonstrates the significant difference in the number of orders made by Queensland courts for younger victims of family violence compared to those aged 55 and over.

¹ Data supplied by the Department of Communities, Child safety and Disability Services 10/01/2013, sourced from the Department of Justice and Attorney General..

Aggrieved Age	Number of DVOs
0 to 24	49,600
25 to 34	71,700
35 to 44	63,184
45 to 54	29,847
55 to 64	10,395
65 to 74	3,225
75 to 84	1,039
85 plus	185
Total Orders	229,175

Elder abuse not only significantly affects the health of the older victim, their financial security and access to better health care but also their family, and has a flow on cost to many government and non-government agencies.

During the 2013/14 financial year UnitingCare Community's Elder Abuse Prevention Unit records show that a total of \$56.7 million was misappropriated from 139 elder abuse victims. There were in total 789 records for financial abuse that year, leaving a further 650 instances where a dollar amount was not provided.

Older people experiencing abuse have poor health outcomes with higher rates of depression and emotional trauma, poor physical health and longer illnesses, are more likely to experience physical injury and require a hospital admission and have higher morbidity rates than non-abused older people.²

The Elder Abuse Prevention Unit is alert to a possible disturbing trend in the nature of neglect calls being received by the Helpline. An increasing number of neglect notifications relate to a family member becoming a "carer" of the older person, so they are able to receive the carer allowance from the Department of Human Services. In 2013/14 Elder Abuse Prevention Unit data identified that 14.39% of elder abuse perpetrators recorded as being a recipient of a carer's benefit were also recorded as providing no care at all to the victim. In these calls, it is reported that the health and wellbeing of the older person has deteriorated rapidly under the arrangement. The carer payment is often more attractive than other allowances such as the Newstart Allowance in both the amount paid and maintaining eligibility.³ Should the carer be assessed as not providing care by the Department of Human Services then the penalty is that they are no longer eligible for the payment which will be terminated.

Under the Commonwealth Aged Care reforms currently being rolled out there is an expectation of "user pays" if the older person is assessed to have sufficient assets to

² World Report on Violence and Health - Chapter 5. Abuse of the Elderly (2002) World Health Organisation. Downloaded July 2014 from the WHO website- http://www.who.int/violence_injury_prevention/violence/world_report/en/

³ For a single adult a base Carer payment is \$766 per fortnight and Newstart Allowance is \$510.50. To remain eligible for the Carer Payment requires that the older person meets eligibility conditions, while there are much more stringent and ongoing requirements in place for the recipient of Newstart Allowance.

contribute to the funding of their aged care. Unfortunately this sets up a “push/pull” environment where the older person may want to provide a greater inheritance for their children and divest themselves of assets in the form of an early inheritance and the children may also be motivated to coerce their parents into accepting fewer services in aged care purely for their own financial gain. This is a concerning emerging trend that the Elder Abuse Prevention Unit is monitoring.

For consideration

- A Queensland based prevalence study of elder abuse would achieve an accurate understanding of the extent of elder abuse, build a rigorous evidence-base to support the development of responses, and assist to determine the impact of any prevention strategies.
- Awareness campaigns are widely recognised as a sound prevention strategy that helps older people and their supportive family members and friends to recognise the issue and either prevent or act early in elder abuse situations. The Department of Communities, Child Safety and Disability Service’s education campaign has been successful in raising community awareness of elder abuse. However, Elder Abuse Prevention Unit data indicates that there is a need for further community education messages, specifically around the protections available through domestic violence orders.
- Existing criminal law, in particular around neglect should be reviewed, strengthened and better applied.
- Queensland Guardianship legislation and agencies provide protection for people with impaired decision making capacity. Queensland legislation is under review for further improvement. State based legislation and documents are not recognised across all Australian jurisdictions. Of particular concern is that abusers move the victims interstate to avoid investigation and penalties. The Australian Guardianship and Administration Council (AGAC) has been aware of this issue for some time, however little progress has been made.
- The Coroner’s Court of Queensland in May 2013 involving the death of Cynthia Thoresen⁴ recommended a review of the neglect laws. UnitingCare Community is not aware that this has been undertaken and we seek a more rigorous law and penalties for neglect in Queensland. Without this penalty there is no deterrent for not providing care, and coupled with the financial motivations for keeping an older person out of the aged care system it becomes a significant and urgent issue.
- An older abused person’s access to the law is fundamental. To address this, the Seniors Legal and Support Service should be expanded into other areas of high senior populations, such as the Gold and Sunshine coasts and key regional centres such as Bundaberg and Rockhampton.
- There are other issues at a Commonwealth level that make Queensland seniors vulnerable to domestic and family violence. These issues should be noted by the Taskforce.

Other areas for consideration

The Court System

UnitingCare Community’s experience of the court system in responding to domestic and family violence has been mixed across the state. UnitingCare Community makes the below comments regarding what an ideal court experience would look like for our clients:

⁴ Inquest into the death of Cynthia Thoresen, Coroner’s report dated 22/05/13 downloaded 14/07/14 from http://www.courts.qld.gov.au/_data/assets/pdf_file/0004/184117/cif-thoresen-c-20130522.pdf

- Consistent decision-making across courts and Magistrates and a sensitivity to the impact of domestic violence and the potential for re-traumatisation throughout the court process.
- Family Law Court decisions regarding contact arrangements consider the impact of a child's contact with a parent who is perpetrating violence. This is needed to ensure the safety of children.
- Domestic and family violence support workers are available at every courthouse to provide emotional and practical support for victims of domestic and family violence. Our experience is that at the point of crisis some victims feel confused and overwhelmed by the process. Court support workers are especially important to help guide victims through the court process, explaining it step by step.
- Safe and private spaces are available for victims and children to go while waiting at court and good security measures in place at court to avoid and manage contact with the perpetrator in a safe way.
- Literacy issues can cause issues for parties during court processes, and presents as a barrier for clients understanding the domestic and family violence order they are subject to causing them to be unaware of the protections or requirements of the order. Literacy issues should be considered during the court process to ensure both parties are aware of and clearly understand the outcome of the process.

Diverse client groups

- The majority of victims of domestic and family violence are women, and the perpetrators are men – and this is reflected in the service delivery system.
- Programs and service responses specific to the service needs of a broader range of potential victims including those in non-traditional relationships are required. These programs also need to be aware of the barriers to seeking help or reporting domestic violence for these groups.

Workforce

- The workforce of domestic and family violence services is predominantly female, raising issues of safety working with male perpetrators. UnitingCare Community's experience is that the majority of our staff in intervention services are female, and many find it more comfortable and safer to engage with a female victim, rather than a male perpetrator. There is a need for specific training to provide the development of the specialist skills required to identify domestic and family violence, assess risk and safely engage with affected families, and develop appropriate service responses.
- UnitingCare Community would welcome a workforce skills development strategy for domestic and family violence services that could include capacity for building cultural competence and working with diverse clients including those with a disability.
- A university Graduate Diploma or Graduate Certificate level training in Male Family Violence Prevention work is called for in Queensland, similar to that available in Victoria.

Non-Australian Residents

- The impact of domestic and family violence can be particularly traumatic for non-Australian residents, including New Zealanders and refugees, who are isolated, lack networks, and often are legally unable to work and secure an income.
- Not being financially secure is a barrier to victims fleeing domestic and family violence relationships, and remaining separated from the violent partner.
- Current state government funding arrangements allow domestic and family violence victims to stay in a refuge for a period of 12 weeks. Our experience is that it is extremely

difficult and stressful to secure exit accommodation for these women and their children to remain in a safe environment, when they also have no means of securing an income.

I trust this submission is of assistance to the Domestic and Family Violence Taskforce in preparing their recommendations to the Queensland Government. I look forward to continuing to support the work of the Taskforce, and initiatives of the Queensland Government to achieve a Queensland where everyone can live free from violence from a partner or family member, and where children do not have to see or experience family violence.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'B Gilkes', written in a cursive style.

Bob Gilkes
Executive Director