

# **Domestic Violence Crisis Service (ACT): a history and overview**

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**October 2016**

**Prepared as part of the Australian National Research Organisation for Women’s Safety (ANROWS)-funded research project “Advocacy for safety and empowerment: good practice and innovative approaches with Indigenous women experiencing family and domestic violence in remote and regional Australia”.**

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## **ABOUT THIS OVERVIEW**

This history and overview has come from a national research project with three independent women's specialist services and the work they do with and for Aboriginal women experiencing domestic and family violence (DFV). A range of methods were employed in the project including literature reviews, surveys, interviews and focus groups. For more information about the project, please consult the final report – Putt, Holder & O'Leary (2016) available at [www.anrows.org.au](http://www.anrows.org.au)

One of the partner services was the Domestic Violence Crisis Service (DVCS) in the Australian Capital Territory (ACT). The purpose of this paper is to document the evolution of the service in more detail than was possible in the main research report. The overview and history of the service draws on published and unpublished material, as well as interviews conducted with staff and stakeholders for the project in 2015. In total, 19 one-on-one interviews with DVCS staff, former staff, and stakeholders informed the research project. Where permission was granted, interviewees are named in this document. For current information and further background on the DVCS please consult the website – [www.dvcs.org.au](http://www.dvcs.org.au).

## **Introduction**

The Domestic Violence Crisis Service (DVCS) in Canberra in the Australian Capital Territory (ACT) was established in 1988 as a non-government, independent organisation. Core features of the service have continued in the past 30 years including a 24/7 crisis telephone line, and call-outs to homes after domestic and family violence (DFV) incidents brought to the attention of the police. However, the service has expanded considerably over the years. Table 1 provides a summary of key events in each of the decades since the DVCS was founded.

This paper is divided into two sections. The first section gives a short overview of the evolution of the DVCS from its establishment to the present day. In the most recent decade there has been an expansion into non-crisis services such as support groups and a program for young people and their families. The section covers key aspects of how DVCS has operated over the years including its core values and philosophies and relationships with other service providers.

The second section describes how DVCS has worked with and for Aboriginal women, based on what can be gleaned from past research and interviews conducted for the current project. It

is divided into two parts – the first covers the first decade of the DVCS and the second focuses on the more recent past.

**Table 1      Brief timeline of DVCS – a history of empowerment**

<b>FIRST DECADE (1988- late 1990s)</b>	<b>SECOND DECADE (2000 - 2010)</b>	<b>THIRD DECADE (2010- present)</b>
<p>ESTABLISHMENT AND CHANGE</p> <p>1988 established as crisis telephone line and direct crisis intervention at scene of incident</p> <p>1988 ACT Policing MOU</p> <p>1992 ACT Community Law Reform Commission review of legislation and complementary AIC research</p> <p>1997-98 major review of service and extensive process of change</p> <p>Major changes in language to “persons who use violence” (PUV) and “persons subject to violence”(PSV) and the expansion of the service to include all persons</p> <p>Men encouraged to access DVCS and decision to employ male staff</p> <p>DVCS Men’s Line established</p> <p>DVCS key member of the inaugural Domestic Violence Prevention Council</p> <p>1998 FVIP (Family Violence Intervention Program) established</p>	<p>CONSOLIDATION AND INTEGRATION WITH THE JUSTICE SYSTEM</p> <p>Increase in the volume of crisis line calls and police call outs</p> <p>Priority given to children and their safety</p> <p>2004 FVIP MOU with 10 core agencies including DVCS</p> <p>2004 onwards significant changes to DVCS included mechanism to share information with prosecution with consent of clients, creation of court-based advocates and client service coordinator, contracted by corrections to provide partner support</p> <p>2007 Young People’s Outreach Worker Program (with CPS) funded</p> <p>DVCS key member of the Domestic Violence Prevention Council</p> <p>2007 Independent review of DVCS (Urbis 2007) describes DVS as informed by a framework of feminist and narrative ideas with open-case management</p> <p>By 2007 no discrete program for men; men as PUV and PSV seen as core business</p>	<p>EXPANSION IN NON-CRISIS SERVICES</p> <p>Increase in the volume of crisis line calls and police call outs</p> <p>Re-shaping of children’s program into YPOP</p> <p>Expansion of court advocacy and support program plus a dedicated criminal justice focus worker</p> <p>2014 funding of support groups</p> <p>Moved to fee for service community education</p> <p>Fund-raising increasingly a focus</p> <p>DVCS key member of the Domestic Violence Prevention Council</p> <p>Advocates for a Safe@Home program in the ACT</p>

# Part 1 Evolution

## 1.1 Establishment – 1988

After the establishment and rapid growth in refuges in the 1970s, from the early 1980s on there was a push for domestic violence reforms in Australia and elsewhere. In the ACT key drivers were the Office for the Status of Women which recommended in 1982 a taskforce to reform the domestic violence laws in the ACT and the Canberra Women's Refuge (CWR). Over the next few years the Australian Law Reform Commission (ALRC) released a discussion paper that recommended the establishment of a crisis service in the ACT; a public phone-in was held with 120 people responding; and a domestic violence interagency committee was formed<sup>1</sup>. A tragic event that gave additional impetus to reform was in early 1986 when a man shot and killed his ex-partner, her parents and himself, as well as injuring her brother.

During 1986 and 1987 debates centred on whether the service should be government or non-government based and whether it should have a feminist ethos. During 1987 funding was secured, and although the ALRC report had recommended a unit and a nine to five phone line, when DVCS became operational in April 1988 it provided a crisis telephone line 24 hours a day, seven days a week.

Originally a member of the CWR collective and involved in the development of the DVCS, Dennise Simpson went on to head up the service for many years. She characterises the primary purpose of DVCS when it was set up as providing crisis services to victims of domestic violence through the crisis telephone line and direct crisis intervention at the scene of the incident (Simpson, 2003). The need to help women via their contact with police was explained in a recent interview:

I believed there were many women who were seen by police at domestic violence incidents but who were not accessing any support services or being informed that there were any support services. We already knew police weren't doing anything, the laws were simply not being enforced. ...I believed if we could reach those women then more women and children could be assisted to achieve safety for themselves and their children (Simpson, interview, 2015).

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<sup>1</sup> A timeline of key developments has been compiled on the establishment of the DVCS – called *Herstory* – and is based on the book by McGregor & Hopkins (1991).

According to Simpson, there was reluctance among many police and court staff, and no Australian model to work off, but through sitting around the table and working it out, “all the protocols” were established before DVCS started. The challenge but also the necessity of working with police is described more fully below. However, as a 1997 review of the service noted, DVCS had a “unique operational relationship with the police from its inception”. Having DVCS named as an “authorised crisis service” under Part 4 of the *Domestic Violence Agencies Act 1986* meant that the service did and continues to receive notifications that a call for assistance in relation to a DFV incident has been made to police. It was called a “radical move for that time” (Urbis, 2007, p.6). Attending officers offer the services of the DVCS and where consent is given, the DVCS workers attend the scene. Developing a MOU with the police allowed sharing of client information and “broke through traditional boundaries for both services” (Urbis, 2007, p.7).

The unusual step was taken to set out the committee membership in the DVCS constitution – including representatives from police, courts, the Attorney-General’s Department and the Office AGs, women’s policy were included – to keep “a handle on” the service, according to Simpson. DVCS was never set up as a collective, but many of the workers came from a range of feminist services and almost all came from collectives. In their book that has several chapters on the origins and early years of DVCS, McGregor & Hopkins (1991, pp.64-72) describe it as an “organisational hybrid”, as there was a lead executive and management committee but in practice much was done on a collective model of decision-making.

The coordinator of the service for the first two years, Heather McGregor, in an interview described the rationale for the service as thus:

This was a crisis service responding to crises and working very closely was a key factor and achieving safety for women was primary. Everyone was united on this view. And very clearly that we were a crisis service and not a support service...It was very, very strongly felt that we weren’t going to duplicate what the refuges did or what any of the women’s support services did. We were a crisis service – stand by the woman, walk with the woman until we had achieved safety for her. The key bit being going out with police on crisis calls (McGregor, interview CA17, 2015).

The DVCS did have a clear feminist philosophy underpinning and informing its practice from the outset<sup>2</sup>. The empowerment<sup>3</sup> of women clients was viewed as a core objective and Heather McGregor said that she took the following perspective - “my view was that all I could do was empower the person to make the decision. It couldn’t be my decision and to tell them that whatever they do they are welcome to call us again if either of them had a concern about their safety” (McGregor, interview CA17, 2015). Former manager, Dennise Simpson, described how her awareness grew of how difficult it can be for a woman to make decisions.

It is one thing to say to someone “you can do it and there is another life out there” but it doesn’t feel like that to a lot of women. There were, and continue to be, a lot of issues around finance, homes and children not wanting to leave dad and perhaps acting out against mum, and being dragged out of one school and away from friends etc to the unknown.... we wanted to be honest and clear with women and that included not pretending that it was going to be easy for them to establish new lives. . Lots of women also said they still loved their partners and just wanted the violence to stop. He is this and that but sometimes he beats me. Those understandings grew over time for me (Simpson, interview, 2015).

### 1.1.1 Early client feedback

Right from the outset, the views of DVCS users or clients were sought. The first external evaluation of DVCS involved 39 services users, who were either asked for their views by questionnaires and/or telephone interviews (Kelly, 1989, p. 32). In relation to crisis intervention and support all participants said they got the service they wanted and met all their needs. “Being believed” was identified as a common source of satisfaction, and said they couldn’t think of anything else they would have liked from the service. For example:

“I can’t think of anything. They gave me support, explained my options, arranged an appointment with Legal Aid, attended with me and at the subsequent court appearance

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<sup>2</sup> The first coordinator of DVCS, Heather McGregor, paid tribute to the women’s movement in two ways – by referencing the work that was done prior to the establishment of the service, and to how her advocacy work drew on and was informed by the much broader movement. Her advocacy centred on encouraging police and others to treat domestic violence as a crime (McGregor, interview CA17, 2015).

<sup>3</sup> In the first evaluation report of DVCS “empower” is defined thus: “give information or assistance of some kind which enables a woman to take greater control of her own life and assist her as a victim to become a survivor” (Kelly, 1989, p.13).

and were there to listen when things got a bit much for me” (quoted in Kelly, 1989, pp. 32-33).

“The DVCS was a lifeline that I didn’t know existed at that time. When speaking with me they were very careful to explain fully the options open to me without trying to influence my decision in any way. Once I’d made my decision they were willing to assist with valuable information and support. I feel that, had I not sought their help, I would still be in a ‘muddle’ or even perhaps still in a dangerous domestic situation. I cannot thank them enough for their presence” (quoted in Kelly, 1989, p. 33).

“I feel free to be me. I don’t feel trapped anymore and it’s the most wonderful feeling for me not to have to do things that I felt that I had to do in my marriage e.g. forced into having sex. I was in fear of emotional and physical violence if I didn’t do as I was told. It’s great not having to live with that any more” (quoted in Kelly, 1989, p. 53).

All respondents said they felt free and comfortable about calling DVCS again should the need arise and all but one would tell other people about the DVCS and its effectiveness. DVCS workers were also cited as feeling confident that women who had used the service were empowered because they were given information on which to make choices and were supported through the choice they made without interference. The workers thought women had gained knowledge about domestic violence and the reasons for its existence and this knowledge was power for them. However, the evaluation report did suggest a further need for expanded “after services” (such as support groups) because of women feeling remorse and/or being lonely and for additional services such as housing (Kelly, 1989).

### 1.1.2 Building a working relationship with the police

This first evaluation report included a diagram that sought to represent the key relationships DVCS had with other agencies<sup>4</sup> (Kelly, 1989, p. 48). According to the first coordinator the early years involved building up credibility in the community as well as among key

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<sup>4</sup> Under crisis work and community education, the first year evaluation report listed the following agencies: police, corrections, court system, refuges, welfare, housing, health and the Translator Interpreter Service. With community education the main areas were listed as community groups, media, schools/colleges, adult education and professional groups. The evaluation report documents apprehension amongst some refuge workers that DVCS would threaten their own funding and have a different philosophy and work style – fears that subsequently abated (Kelly, 1989).

government stakeholders, notably the funding agency and the police. On the few two years of DVCS, she reflected that “the credibility in the community was maybe 10 to 15% of the time and issues, whereas with police it was a much bigger issue” (McGregor, interview CA17, 2015). The perceived differences in work styles and philosophies were at first viewed as obstructing any real working relationships between police and DVCS. According to the evaluation report, though these differences did exist, a level of “trust and respect” was built up, though a lot of this seemed to be as a result of the key liaison role of the coordinator (Kelly, 1989, p.47).

The effectiveness of DVCS workers attending the crisis incident was dependent on the cooperation of the police and on some occasions it seemed the police were not contacting the service. The evaluation report noted that crisis workers complained that police did not always behave appropriately at the scene (for example, leaving workers outside for long periods of time) and they alleged police were sometimes rude towards workers, women and their children. It was stressed in the report that such problems were decreasing as crisis workers and police continued to work together and meetings and discussions were held at the senior level (Kelly, 1989, p.34). The main source of tension at that time related to arrest with police feeling workers did not understand that they had discretion and could often not arrest the perpetrator, while the workers felt strongly in some cases arrest would have been appropriate<sup>5</sup> (Kelly, 1989, pp. 34-36).

Dennise Simpson, who was also a crisis worker in the service’s first two years, recalled that in the early days of establishment DVCS encountered much resistance from police, many of whom thought the service had no right to be at domestic violence incidents as it was a “personal family situation” and/or that the police did not need the service as it was “their job” (Simpson, interview, 2015)<sup>6</sup>. At that time, she said she not have much confidence or regard for police, but wanted to make it clear that DVCS was “going to be in there whether they liked it or not. We knew we needed to be there”. At times, she remembered, when the police were not always calling the service, as “almost a battle just between them and us”. In the first

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<sup>5</sup> According to a former coordinator, a national report on domestic violence (Mugford, 1989) identified that Canberra had the worst arrest rate for domestic violence. This fact helped guide the establishment in the ACT of an integrated justice response, the Family Violence Intervention Program which is discussed in a later section.

<sup>6</sup> In an interview, the first coordinator of DVCS cautioned against generalising too much about the police as “some of them had very pro-women attitudes but a lot of them didn’t. A lot of them were died in the wool she asked for it kind of attitudes”. (McGregor, interview CA17, 2015).

decade, she said there was a “tenuous connection. It was fraught on the road, the arguments with police which did nothing to make the relationship work any better”.

A former senior police officer with ACT Policing, Chris Lines, said of the early poor working relationship:

[It was] tense at best. I think the officers on the ground felt that there was a lot of interference in how they were approaching family violence and wrongly or rightly they didn't like that aspect of DVCS. I am not entirely sure that the relationship was at all sound. I think from DVCS point of view it was equally disappointed in police. It found that some of the police responses to domestic violence were poor, inadequate and therefore was constantly unhappy with the response (Lines, interview CA16, 2015).

According to Simpson, it was this police officer who came to make a significant positive difference to the working partnership as he “really grew and changed the longer he was involved. He really started to see the sense of having a service like DVCS” (Simpson, interview, 2015).<sup>7</sup>

Chris Lines acknowledged the importance of DVCS's advocacy and its impact on police in the following terms:

In terms of the institutional advocacy they did it very, very well. I was one of the few in those days – a couple of sergeants as well – who couldn't be offended by what people were saying they wanted done because we were so bad at what we were doing. So I never took any of the things that were said personally. Because I actually think that what people were saying about our response in those days was right. So in terms of what DVCS were saying about doing things better I think they did it well. Well they certainly hit a chord with me. I did not receive any advocacy from them personally about particular jobs. All that would have gone to the family violence sergeant. She and the DVCS would have worked together (Lines, interview CA16, 2015).

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<sup>7</sup> Chris Lines was Detective Superintendent (June 1999 to March 2001) of the Woden patrol area where ACT Policing piloted a pro-arrest and pro-prosecution policy as part of the FVIP. He was later appointed head of the Crime Prevention Division of ACT Policing (March 2001 to February 2004). He led measures to consolidate the ACT Policing partnership with DVCS, in particular, by standardising the callouts and review processes for police attendance at domestic violence incidents. He also led improvements in responses to victims of crime in general.

The commitment on the part of key people in both agencies in the end paid dividends so that by 2003, it was reported that DVCS had improved protocols and procedures in place whereby the service was notified of police call-outs to domestic violence incidents (Simpson, 2003). In his interview, Lines said the police and DVCS found common ground in the shared goal of improved safety for women and children:

I would say that first and foremost we were absolutely committed to working together to make women safer. I think it took quite some time to reach that. I think in some ways maybe unsaid. I think we just reached an understanding that things had to change and we just reached a position where we were going to change it.... Safety was uppermost. They [DVCS] didn't want the victims to become repeat victims. Of course as soon as the cops had filled out their trusty notebook and left the house, often the violence would repeat. So safety was very high on the agenda. The outcome was to get in and to make sure that people stayed safe (Lines, interview CA16, 2015).

## **1.2 Period of change: late 1990s**

Simpson (2003) describes the service as making few changes in the first eight or nine years of operation. However, following a major review of DVCS in 1997-98, there was an extensive process of change. She focuses on the specific changes to language which had considerable and unforeseen impact on all aspects of the service.

The key driver for change was the feedback from clients and other service providers.

According to Simpson (2003), the themes from clients were:

- that we were not really listening to them;
- that we had set ideas about what their solutions should be;
- that we tried to break up their families;
- that they wanted us to also be there for their partners; and
- that they just wanted the violence to stop but they didn't want their relationship to end.

Similar themes emerged from service providers who indicated that they would not refer to the service because it was perceived as “man-hating”; that their clients felt that DVCS would try, or had tried to break up their families; and that DVCS did not work with men. Simpson

(2003) notes that DVCS workers had up to that point thought they had been listening to and empowering women, but the feedback indicated they were seen as acting like experts who knew who was best for the women. Two major changes occurred – in language and in an expansion of the service to include all persons. Simpson (2003, p.6) explained the latter change thus:

“..given the considerable numbers of women that stayed at home following the incident<sup>8</sup>, often with their partner, it was crucial that we find ways of engaging respectfully with their partners with the initial aim of ensuring immediate safety for their families.”

Following the review, men and boys were encouraged to use DVCS through a project, called DVCS MensLine, which later became integrated into the service. According to Simpson (2003), DVCS did not “engage respectfully” with some men during crisis visits because their use of violence and attitudes were too extreme. However, it was possible with many men, and in the short-term the safety of women and children was improved because the man made a decision to leave the house or to not go near the woman for the night.

A further change by DVCS at this time was in the language that was used by workers. The change was informed by an internal process that included revisiting the radical feminist theoretical basis to the service and the associations workers made with the words - victims, survivors and perpetrators. DVCS adopted new terms – “women who have been subjected to domestic violence” as it signalled that living with domestic violence is only a part of her current life experience and did not speak to whom she was as a person – and “men who use violence in their relationships”. The latter Simpson (2003) characterised as naming the problem but was also “respectful because it contains more of an invitation to change”.

By 2003, Simpson (2003) said that the service worked respectfully with all people affected by domestic violence. The priority of the service was, and remained, safety but she underlined how changes in approach and practice meant that the workers worked with every client as an individual and “with recognition of their individual story” and therefore requiring different options and responses. The emphasis is on flexibility and meeting individual needs, with a duty of care policy become the overarching policy. She also stressed that the service

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<sup>8</sup> Based on 2001 statistics, 55 percent of women and their children stayed at home after police attended the incident (Simpson, 2003).

had become one committed to monitoring, evaluating and implementing change as required. Certainly, feedback in 2001 from clients and other services indicated that the earlier criticisms no longer applied.

### **1.3 Second decade: late 1990s to the late 2000s**

In 2007, as DVCS neared its 20<sup>th</sup> birthday, an independent review of DVCS was undertaken to help evaluate and understand the current approach and to develop a vision for the future (Urbis, 2007). In the previous 20 years the service was described as maintaining strong and consistent leadership. The same woman, Dennise Simpson, was in the position of manager (the name changed from coordinator to manager in 1997) from 1990. By 2007, this was 17 years in the job and she went on to stay for many years after this. Both she and the client services co-ordinator began work as crisis workers and had long-term experience<sup>9</sup>. The other aspect of the service that was judged as remaining consistent was its adherence to core principles and values. In the review, stakeholders referred to “respect” for DVCS for keeping in touch with “grass-roots, feminist, community-based origins and its adherence to core principles” (Urbis, 2007, p. 7).

Key changes and milestones of the previous 20 years were listed as:

- From quasi-collective to structured management. In 2007, the review concluded there was an active and well-functioning management committee
- Changing the language as described in the section above.
- Developing a unique and workable partnership with police
- Being part of law reform in the ACT: for example, DVCS was a consultant to the ACT Community Law Reform Inquiry 1991-1995 and was instrumental in advocating that the government adopt the committee’s recommendations
- Working with men. The decisions taken to encourage men to access DVCS services and to employ male staff after the 1997-98 review were “perhaps some of the most

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<sup>9</sup> Both of the current leaders have worked at DVCS for many years and both started as crisis workers. Dennise Simpson received an ACT International Women’s Day Women’s Award in 2004, a Centenary Medal, an OAM in 2009, and was also a finalist for ACT Australian of the Year in 2009. The current Executive Director, Mirjana Wilson, received the inaugural ACT violence prevention award and an International Women’s Day Award in March 2016.

radical” considering DFV policy at the time according to the Urbis review (2007, p.7)<sup>10</sup>.

- Working with children and young people which is described in the review as a strengthening in commitment to prioritise safety of child and young people that had evolved over the previous 10 years.
- Working with criminal justice agencies and government departments as a key party to the Family Violence Integrated Program (FVIP). According to the review, DVCS was a key partner because it was an “independent advocate focusing on victim safety, providing support at court, and providing knowledge about how different services work together” (Urbis, 2007, p.7).<sup>11</sup>

### 1.3.1 Prioritising the safety of, and working with, children and young people

One of these changes – working with children and young people - illustrates that many of these changes were not straightforward and evolved over time. Some workers were concerned that the service’s main focus on women’s issues might be lost and prioritising children’s safety might alienate some women, particularly if a notification was required. The concerns centre on whether this would change the basic nature of DVCS from its roots as a women’s organisation to a more mainstream, family oriented service (Urbis, 2007).

In her interview, Dennise Simpson described the time in the second decade of the service when children and their safety became actively a priority of DVCS describing how in the early years they had not reported to child protection. However, she said that as confidence grew in the system and there was increasing recognition that children needed someone to advocate for them independent of a woman’s choice, MOUs and reviews were developed to ensure DVCS worked more closely with the child protection system. However, she noted that is never easy as “it can be such a shocking outcome for kids if they are taken into care, but at the same time it is a shocking outcome if they are living with the DV” (Simpson, interview, 2015).

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<sup>10</sup> DVCS Men’s Line was established to encourage men to better engage with the service but by 2007 it no longer operated as a discrete program because working with men had become part of DVCS core business (Urbis, 2007).

<sup>11</sup> The review also referred to evidence that the high level of victim support provided by DVCS was a crucial factor in the successful prosecution of DFV cases.

According to the Urbis (2007) review, in 2007 crisis workers were required to prioritise children's safety on calls<sup>12</sup>, and to make a notification to child protection services where there were child-at-risk concerns. Specific training on working with children and young people was introduced and policy and procedures were re-drafted to reflect changes in practice. A dedicated position was created – the Children and Young People Focus Worker – to assist in building team knowledge and expertise.

By 2007, the service was given for the first time three-year government funding to provide, in conjunction with what was then called the Child Protection Service, a Young People's Outreach Worker Program (YPOP). It was an outreach model that involved working with children and young people aged to 18 who used violence in the home and with their families. It was an early intervention program so priority was given to children aged between five and 12 (Urbis, 2007). Over time, this program has developed into a somewhat different program but the focus continues to be on young people of primary school age and their families.

### 1.3.2 Advocating in court

Being an advocate for individual clients became a more obvious aspect of DVCS work with the formalisation and naming of the Court Advocacy Program<sup>13</sup>. Dennise Simpson gave her definition of advocacy and explained why she wanted the court workers to be called advocates rather than support workers:

[Advocacy is] a doing word, an action word. Literally it is being a voice for the client, with the client's permission, to delve into systems that she doesn't have knowledge of and therefore doesn't have experience or capacity to do. It doesn't mean that she can't find capacity to do but right now there and then she needs someone who can be on her side, who can actively advocate for her. It is quite a strong word. If I see it as one to 10, then advocacy is higher up there than "support". Support can be a whole range of assisting behaviours but advocacy as I see it in this sense is actively aiming to achieve a positive outcome and seeking something that is going to be an improvement on

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<sup>12</sup> The number of children affected by DFV was highlighted in DVCS data on the number of children residing in DVCS client homes in the annual reports for 2003-04 to 2007-08, ranging from 666 in 2003-04 to 1,320 in 2006-07. In 2007-08, 65 percent of DVCS-attended crisis visits had children or young people residing in the home (Cussen & Lyneham, 2012, p.69).

<sup>13</sup> In an interview, current leaders of DVCS indicated that the Court Advocacy Program, whereby two DVCS workers were based at the court, was properly established about six years ago (DVCS leaders, interview CA2, 2015).

“what is” or what could have been without the advocate’s assistance. I wanted Court Advocates to be called that. There was a sense from some [justice] agencies that DVCS court staff would just be there holding hands. I wanted the court to know that they were more than that; that they were there to advocate for women and I wanted the women to know it and I wanted the workers to know it and to understand the difference. It isn’t just about different crisis workers going to court to provide support to clients as required but rather it is about enabling specific dedicated workers who became really familiar with the court, familiar with relevant legislation and familiar with all the players and who would start to feel comfortable and know their place in court so that they could become strong advocates, as opposed to “court support workers”. (Simpson, interview, 2015)

### 1.3.3 Consolidating links with the justice system

A coordinated community and criminal justice response to DFV, the Family Violence Intervention Program (FVIP) was established in the ACT, initially as a pilot project, in 1998 and continues to this day. It was prompted by a review in 1992 by the ACT Community Law Reform Commission of the reforms introduced by the *Domestic Violence Act 1986* and informed by research conducted by the Australian Institute of Criminology (AIC). The main recommendation from the review was for a coordinated inter-agency approach to improve criminal justice responses, and in 1998 after funding was provided by the federal government for a pilot, it began.

The development and consolidation of the program are outlined in a report on the first eight years till 2006 (Holder & Caruana, 2006). The ten core participating agencies signed a memorandum of understanding in 2004, most of which are government criminal justice agencies.<sup>14</sup> The only two non-government agencies were DVCS and Relationships Australia and, of these two, only DVCS has continued to the present day to be part of the FVIP. The 2006 report depicts DVCS as being a “staunch lobbyist” since the 1990s for improved response to DFV from criminal justice agencies and instrumental in advocating the government to adopt an integrated response (Holder & Caruana, 2006, p. 56).

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<sup>14</sup> A specialist criminal court list was established by the Chief Magistrate in 2000. Magistrate Karen Fryar was appointed as the case managing Magistrate and held the position for over a decade. The specialist court became an integral part of the FVIP and was given a legislative basis in 2011. See [http://www.courts.act.gov.au/magistrates/courts/family\\_violence\\_court](http://www.courts.act.gov.au/magistrates/courts/family_violence_court)

In the 2006 report DVCS is described as playing an essential role in the FVIP because of the support the service provided to victims, primarily through its crisis-line and call-outs by police to attend police incidents, and through the support provided in court settings and to partners/ex-partners of men participating in offender programs. The MOU between DVCS and ACT Policing which established the basis for police call-outs to DVCS was signed in 1988, but was revised and updated during the first eight years of the FVIP and further operational agreements were signed by DVCS with public prosecutions, corrective services and child protection (Holder & Caruana, 2006). Further MoUs were developed between DVCS and the Office of the Director of Public Prosecutions.<sup>15</sup> In essence, the DVCS became the key advocate and contact from the time of police intervention right through to court sentencing and offender management for any victim of DFV who was going through the criminal justice process. This is an achievement that no other independent specialist DFV service in Australia has yet been able to replicate.

The FVIP progressed through a number of planning and implementation phases and significant changes to how DVCS worked are listed in the 2006 report as:

- a mechanism to share information with consent of client with prosecution;
- the creation of a client service coordinator position to ensure victims receive court support and information; and
- being contracted by corrections to provide partner support.<sup>16</sup>

#### 1.3.4 Trends in client contacts

A suite of statistical data is contained in the 2006 report related to both trends and volume in police, court and corrections activity. This is complemented by statistics on clients from DVCS and surveys of victims conducted by the Victims of Crime Co-ordinator (VoCC) in 2002, and annual client feedback surveys conducted by DVCS in 2002, 2003 and 2004

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<sup>15</sup> In addition to its legislative base as ‘the authorised crisis agency’, section 136 in the *Crimes (Sentencing) Act 2005* allowed for a ‘criminal justice entity’ to exchange information with another ‘criminal justice entity’ about a person charged with an offence and about a victim of the offence for the purposes of that other entity. DVCS was prescribed in regulation as a ‘criminal justice entity’.

<sup>16</sup> At the commencement of the FVIP in 1998, the DVCS and Relationships Australia partnered to deliver a men’s behavioural change and partner contact program. The program was taken in-house in 2005 by ACT Corrective Services and the DVCS continued to deliver the partner change component. However, the service withdrew from the contract after it assessed that ACT Corrective Services were not managing victim information and safety in a consistent and secure manner. For a few years afterwards, the men’s program ran intermittently and in different formats. In 2014 ACT Corrective Services and the DVCS re-negotiated a new partnership for working with men convicted of violence against their intimate partners.

(Holder, 2008). Over a nine-year period (from 1997-98 to 2005-06), the average number of calls to the DVCS crisis telephone line was 7,190 per annum, the average number of crisis visits with invitation was 411 per annum, and the average number of follow up visits was 249 per annum. Over the nine-year period there was:

- an overall increase in the annual number of calls to the crisis line (from 5,672 to 7,979);
- crisis visits with invitation remained relatively steady;
- an overall decline in follow-up visits; and
- an overall increase in court support.

Trends in the destinations of persons involved in DFV incidents attended by DVCS following police notification for a six-year period (2000-01 to 2005-06) show that:

- just over half of those subjected to violence remain in the home;
- an overall decline in the number and proportion that stayed in a refuge (from 13% to 4%); and
- the home was the most common destination of the person using the violence with the number each year staying relatively constant (approximately a third each year) as did the numbers in custody (about one-quarter) (Holder & Caruana, 2006).

The profile of DVCS clients who called the crisis line indicated the majority were aged between 25 and 34 years of age and female, with 80 percent from an English speaking background. Of callers who did identify their cultural origin, over a six-year period (from 20010-01 to 2005-06), the proportion that identified as being of Aboriginal and/or Torres Strait Islander origin<sup>17</sup> varied from eight percent in 2000-01 to 5.2 percent in 2004-05. Those from a non-English speaking cultural origin varied from 28 to 11 percent annually with considerable fluctuations each year in the proportion where cultural origin was not stated (1% to 32%).

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<sup>17</sup> Covering a slightly longer period of time, DVCS client data for the years 2000-01 to 2009-10 indicated that the cultural origin is often not known – varying between one to 36 percent each year – but that between 11 and 28 percent each year were recorded as being from non-English speaking backgrounds and between four and eight percent each year identified as being of Aboriginal and/or Torres Strait Islander origin (Cussen & Lyneham, 2012). At the time of the FVIP review, police data for 2007-08 indicated that the Aboriginal and/or Torres Strait Islander origin of victims of DFV was often not recorded (33%). However, where it was six percent of victims (n=41, half of whom were adults) were recorded as being of Aboriginal and/or Torres Strait Islander origin (Cussen & Lyneham, 2012).

### 1.3.5 Client feedback

Only a small proportion of DVCS clients responded to the feedback surveys each year, 79 in 2002, 83 in 2003, 94 in 2004 and 84 in 2005 (Holder & Caruana, 2006). Of those who responded to the survey and had contact with the police<sup>18</sup>, nearly two thirds said they were satisfied with police, a similar finding to the evaluation of the FVIP conducted in 2001 (Holder, 2008). This suggests that much had improved in police responses to DFV incidents since DVCS had first started back in 1988, in part because of the advocacy work of the service and broader changes in system responses (as exemplified by the FVIP) and in community understanding and awareness of DFV.

A third review of the FVIP on its first 10 years included a survey of DFV victims who had been or were clients of DVCS (Cussen & Lyneham, 2012). The sample was small – 39 women – but the feedback on DVCS was nearly all positive with the majority said the service was very or fairly easy to access and that they were very or fairly satisfied with each of the services (crisis visits, follow-up phone calls, being updated on the case, advocacy, court support) DVCS provided (Cussen & Lyneham, 2012). The areas that DVCS was seen as most helpful related to communication (i.e. DVCS made contact and listened), and support such as providing information, onward referral and outlining available options. Only a few participants indicated they would have liked more or other support and they referred to a desire for accommodation support, assistance with interstate protection orders, provision of home security assessments, more follow-up and counselling services.

### 1.3.6 Service delivery and practice

Funded through the ACT Department of Disability, Housing and Community Services, in 2007 the activities of the DVCS was listed as direct crisis intervention; court support in criminal and civil matters; telephone support and counselling; information, referral and advocacy; pro-active follow up; education and information resources to the community regarding relationship issues and domestic violence; and working cooperatively with other agencies (Urbis, 2007).

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<sup>18</sup> Only about 10-15 % of DVCS clients were estimated in the 2006 report to have contact with the criminal justice system, but the proportion was higher among those who responded to the DVCS annual surveys of client feedback.

DVCS was characterised as having an explicit philosophical and theoretical framework that was informed by a framework of feminist and narrative<sup>19</sup> ideas. This was summarised as a framework that “acknowledges gendered nature of violence, and that domestic violence is an expression of power and dominance and that it has a cultural context. The safety of women and children has primacy over all other issues” (Urbis, 2007, p.13). In its 2005-06 annual report, DVCS describes its core values as: client focused, client directed, positively oriented, child centred, collaborative, and sense of agency.

In interviews for the 2007 review, staff said core values and principles supported their practice but gave them flexibility to respond to client needs. They stressed communication based on respect, and collaboration and transparency within the organisation and with external stakeholders. The review report concluded that “workers have confidence that their practices are based on evidence and solid experience and that adhering to guidelines will assist them and their clients in matters of safety” (Urbis, 2007, p. 15). It noted a “strong culture of shared responsibility” and open case management among the crisis team (Urbis, 2007, p.16).

### 1.3.7 Stakeholder views

The 2007 review concluded that external stakeholders that had been consulted saw DVCS as the core provider of domestic violence services in the ACT and “the hub which connects with most other services, particularly those engaged in the FVIP” (Urbis, 2007, p. 13). The review report refers to the “tremendous store of credibility” among most stakeholders and respect for DVCS’s advocacy and “watchdog” role. One stakeholder was quoted as describing DVCS as “passionate, fearless and courageous” in its advocacy for the needs and interests of women and children subjected to domestic violence. The report concluded that DVCS had “become a guiding force or reference point” for many other service providers and policy makers; and had a “key role in keeping government agencies ‘accountable’” (Urbis, 2007, p.18). As a result, the report describes DVCS as “a model community agency that has achieved active and genuine partnership with government agencies while maintaining, and being valued for

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<sup>19</sup> The narrative therapy is an approach first developed in Australia and New Zealand through the work of Michael White and David Epstein, and became a dominant approach in many feminist-based organisations and mainstream organisations working with domestic violence. Core narrative ideas include: externalising problems, story-telling, deconstructing dominant discourses, creating opportunities for cherished values to become more richly described; practices of community; multi-storied identity; and acknowledging the political nature of therapeutic work (Urbis, 2007, p. 14).

its independent position” with a solid reputation as an “independent and credible advocate for the rights and safety of women and children who have been subjected to domestic violence” (Urbis, 2007, p.9)

## **1.4 Recent expansion and current service**

### **1.4.1 Overview**

The core features of DVCS – being outside government, a 24-hour crisis service, and working with the police - continue to this day. It also seems that providing court support was part of the service from the outset. Heather McGregor, first coordinator, remembers workers going to court to help a woman apply for an order – an ex-parte emergency order to get her back in the house and him out.

When the DVCS first started operating in 1988 funding was provided by ACT Community and Health Service, there was a management committee and a total of 15 staff – a co-ordinator, an administrative officer and 13 crisis workers (Kelly, 1989). DVCS continues to be funded by the ACT Government with an operating budget of approximately \$2.3 million but now also raises funds. It currently has a board of governance, and 36 staff (including nine relief crisis workers) and a wider range of service provision (DVCS annual report, 2014-15).

Like other domestic violence services, the organisation has become more structured and practices more professionalised over time, but the underlying rationale and ethos that informed its establishment continue to guide its daily operations and strategic focus.

Compared with a decade ago, the range of programs offered by DVCS has mainly changed in scale and with added focus. The program for young people is now called the Young People’s Outreach Program (YPop), and a range of support groups commenced several years ago. It still provides support to partners/ex-partners of men who participate in community corrections programs for DFV offenders. A Crisis Services Scheme was established in 2014 for women (or their children) with disabilities following a collaboration between the ACT Disability and Community Services Commissioner, Women with Disabilities ACT, the Canberra Rape Crisis Centre, the Victims of Crime Commissioner and DVCS. The scheme is based on the needs of women (or their children) associated with their intellectual, psychiatric, sensory or physical disability. The scheme is available to women who choose to remain in

their own home, women who choose to stay with family or friends, or women who require access to emergency accommodation. The core services such as the crisis intervention (including the 24-hour telephone line), court advocacy, and community education continue to operate, and as part its commitment to the FVIP, the position of criminal justice focus worker is maintained (DVCS annual report, 2014-15).

A crisis worker with DVCS for the past 20 years summed up the expansion of services and changes in practices in her time at DVCS:

The service has evolved, how best to do things. Become more aware of safety, advocacy issues. Lots more services than in old days. Can provide a more holistic service, know about resources. For example, the Court Advocacy Service a real gain, better than going to a legal aid lawyer especially for NESB women. Used to do it ourselves, fill out forms for orders if legal orders. Priority – telephone service when incident occurs. Ongoing changes with police – phases – have an active link. Sometimes just give a phone number. In the old days, police gave them a “heads up”. Now get a message and job number and brief description, then call to see if required. Before used to go straight out, lurk in corners outside, wait to see if they got the go ahead from police. Impossible now given number of calls police get. Now police meant to advise of service; options that DVCS call or visit. DVCS prefer to talk ASAP. Sometimes police take the victim to the police station (Crisis worker, interview notes CA8, 2015)

#### 1.4.2 Increase in client contacts

In comparison to the previous decade, DVCS has expanded in size and in the volume of clients that it deals with. It now has recurrent funding provided on a three yearly basis which was something that the 2007 review flagged as important and achievable as it needed to be acknowledged as providing a critical service for government (Urbis, 2007).

There has been a significant increase in the number of volume of crisis line calls and in other DVCS activities such as visits. For example, by 2013-14, there was a total of 11,900 incoming calls to the line, almost double that of eight years ago and an increase of more than 85 percent. According to the most recent annual report, for 2014-15, there were more than 1,000 incoming crisis contacts a month, an average of 12 notifications a day from police, and an average of 100 crisis visits a month.

### 1.4.3 Heightened profile of DFV in the community

At a national level DFV gained considerable attention through the efforts of the Australian of the Year (2015), Rosie Batty, a DFV campaigner whose son was killed by his father in Victoria. In the ACT, a number of high-profile homicides also focused the public's and the government's attention on DFV<sup>20</sup>. Within a short space of time, a range of inquiries and reports were released in the ACT, including the reports of an inquiry into the death of a boy in February 2016 (Glanfield, 2016), a gap analysis of the domestic violence service system (CSD, 2016), and on the findings and recommendations from the review of domestic and family violence deaths in the ACT (DVPC, 2016). The latter death review did not include the deaths in recent years which allegedly occurred in the context of family violence, both intimate partner and family relationships, as the cases remained open either within the criminal justice system or the coronial system at the time of the review.

DVCS has been profoundly affected by the publicity and the focus on DFV. The current Executive Director of DVCS, Mirjana Wilson, has done multiple media interviews, including contributing to a series of articles on DFV in *The Canberra Times* in 2015. Most significantly, it experienced a sharp increase in calls to its crisis line. In the two most recent government budgets additional funding was allocated to DVCS to meet this demand. In the 2016-17 ACT Government budget, additional funding was also provided to DVCS for a new residential program for men and to support their families called Room4Change. More broadly in the ACT, funding was allocated to other agencies to improve service responses and the position of Coordinator-General created to oversee reforms and increased system integration.

### 1.4.4 New DVCS programs

In July 2016 two new programs were introduced by DVCS. The first was the Safe@Home service. Funded by the federal government, the program will involve work with women and their families after they left an abusive relationship. Involving case management, risk

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<sup>20</sup> In 2015 there were five homicides, four allegedly family violence related. In particular, the murder of a woman Tara Costigan by her ex-partner received enormous media attention, and her family established the Tara Costigan Foundation (Knaus, 2016).

assessment, safety planning and security upgrades, the aim is to enable women and children to stay at home or a home of their choice.<sup>21</sup>

The program, Room4Change, is funded by the ACT Government. The program is currently under development. The DVCS website calls it a “new residential therapeutic service to help men address their violence and controlling behaviours while their families are supported to stay in their own home” ([www.dvcs.org.au](http://www.dvcs.org.au)).

The ACT government has also earmarked funding to support Aboriginal women and their families who have experienced DFV, which will involve DVCS working with local Aboriginal services - the Winnunga Nimmityjah Aboriginal Health Service and Gulan Gulwan Youth Aboriginal Corporation.

#### 1.4.5 Input into policy

Two current leaders described the significant work that still goes into maintain stakeholder relationships with other agencies and government, and to ensure that DVCS is respected and valued by stakeholders.

A: We work really hard on those relationships to maintain our standing and our status within the government sphere, particularly with ACT policing and care and protections services.

B: I think that is what sets us out a bit. Because unlike other NGOs they don't intersect as much with other stakeholders, with statutory bodies. Whereas they are our key stakeholders

A: Courts for criminal matters

B: So we are there at the table when policy is being discussed or legislation being reformed. Far more than you'd find say the [name of service] people or other NGOs. So being that small specialised niche service is an advantage. It is difficult maintaining those relationships and our status, individual egos within government that

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<sup>21</sup> The Safe@Home service consolidates the work that DVCS has done for many years. That is, employing exclusion orders to remove violent men from the home and to assist women to stay at home safely. It is the only Australian jurisdiction where exclusion orders are common and routine for domestic violence applicants. In addition, DVCS has an agreement with ACT Housing for security upgrades for clients in government housing that will form part of Safe@Home.

we need to stroke but at the same time our smallness and being non-government is a positive thing (Service leaders, interview CA2, 2015).

#### 1.4.6 Ongoing values and principles

The vision of DVCS is a world free from violence and abuse, and the objectives of the service are to promote respect and fairness in personal relationships. The values and principles are not that dissimilar to those that were first articulated and reformulated in the first decade of the service, even if the language is more sophisticated. Current values and principles are:

- The DVCS recognises that the majority of people subjected to violence and abuse in personal relationships are women and children, and that children are particularly vulnerable.
- The DVCS operates within a framework that emphasizes human rights and social justice and gives priority to personal safety.
- The service operates within a framework that prioritises safety, respect and self-determination.
- Feminist and narrative ideas inform DVCS's practices.
- The service is client-focused, client-directed, and child-focused (DVCS annual report, 2014-15).

In terms of the last principle, two leaders of the current service, in a joint interview, saw a number of advantages in being a specialised, independent service that included its flexibility with and responsiveness to clients.

A: The things that I think we like to pride ourselves on, that we do really well in the services we provide, is that we have maintained a client focus. We are client driven. Probably we are one of the few organisations in town that, because of our 24/7 uncapped nature, we tend to do things rather than not do things. And I like to think we manage to within the parameters of with what we're working and within our policies and procedures, we can still provide people with an individualised response based on what their needs are. Within those parameters. So we will step outside the box if we need to. Like put people on a plane to escort somebody back to Perth is an example, and that was an Aboriginal woman...

B: There's probably not a lot our workers wouldn't feel comfortable about that sits outside the realms of what we normally do. They wouldn't feel uncomfortable about asking about that. Which I think is really good. Because in some organisations they say they don't and that is where it stops. But within DVCS if it is very far outside the box there is still going to be a conversation whether it is possible. And if it is not possible what else can we do.

A: And I think some of that comes from not having waiting lists. And just having to respond to what comes our way.

B: And I think it comes from not being government and not being constrained by frameworks within bureaucracy, having to escalate things to higher levels to be approved. That means we can be immediately responsive.

A: And I think we have maintained over time particularly in operational areas pretty strong policies and procedures that guide people. But there is always discretion, concentration and courage. So there's not like an absolute no. So like the woman who has requested a motel room for the night or a housing support letter or a taxi to the other side of town it's not going to be an immediate no, we'll toss it around a bit. Which I think has helped us provide individualised responses, particularly with Aboriginal and Torres Strait Islander women. Or clients that are slightly more vulnerable (Service leaders, interview CA2, 2015).

According to former manager, Dennise Simpson, the emphasis on improving women's and children's safety has always been integral to the service.

The overarching driver was the right for woman and their children to live their lives free from violence and abuse. Safety was always a priority and was continually assessed while providing information or acknowledgement to women or supporting them in court or advocating for them (possibly something to do with police, CPS or another service or housing matters) – to me all of these things are integral to issues of safety. It could be immediate physical safety, and what is going to happen following the violent incident. For example the police response, is he going to be charged and held in custody, when is he going to be bailed or is he not going to be bailed, what is going to happen to her and the children in the short-term, is there a friend or relative who can stay with them or who they can stay with– that immediate and ongoing

safety planning is so important. I am not only talking about sitting down with her and making a structured plan but where you are just discussing options, acting, and advocating. The more structured safety planning goes on as well – that little safety planning booklet that was developed in the ACT was really useful for women – but safety can change on a daily basis. A woman can believe she is safe today but then her partner makes contact or turns up and she is no longer safe. I see safety really broadly. It is hard to say where is the beginning and where is the end when dealing with issues of safety. All of the issues are about immediate and then ongoing safety. Then there is the issue of what is life like for the woman and children outside of the violence. It would be fair to say that there would be numbers of women who would say it was easier to put up with the occasional violence than face the genuine toughness of life outside on their own (Simpson, interview, 2015).

## **Part 2 Working with Aboriginal women**

### **2.1 First decade**

The report of the evaluation of DVCS after its first year of operation posed the question as to whether the processes used by DVCS could equally assist all women in the ACT irrespective of education, culture, religion, ethnic origin and age (Kelly, 1989). There were different views among crisis workers with some saying they were “unified with their clients by their being women and in understanding the power play of domestic violence” while others argued that culture and ethnicity did create difficulties (Kelly, 1989, p.37). Several workers felt that the service needed at least one Koori worker and a greater range of ethnic groups represented on the staff.

The coordinator at that time made it clear that criteria to employ staff should first and foremost relate to feminist politics, personal attributes, belief in the spirit of the domestic violence legislation and or relevant work experience. She is quoted as saying:

“... to bring about social change ...the social change we must be single minded about is in relation to violence in interpersonal relationships. We must put concerns for other social change aside if there is a conflict of interests, for example, primary about employing a migrant woman or a man for that matters, could be to the detriment of

work towards social change, if that person does not possess the necessary attributes” (Kelly, 1989, p.38).

Heather McGregor in a recent interview said that “we did a lot of work trying to get interpreters to come to court with us if we discovered that the woman was from a non-English speaking background. This was far more paramount in our discussions than Aboriginal women were. We made an assumption that for us the most important issue was the safety of the victim of the violence.” She went on to say that she did try to make connections with the Aboriginal community in Canberra in late 1980s:

There wasn't [a community]. You couldn't go to a body as such and feel like you were connecting to the community. Not at all. There was a woman ... who was pretty strong in the area, pretty powerful, very powerful in fact. I know I made all sorts of attempts to access the community but I didn't ever find the community (McGregor, interview CA17, 2015).

Back then, according to former senior police officer, Chris Lines, the police and other agencies did not focus on or consider the need for a different response to Aboriginal women and family violence:

I don't remember having any discussions at all about specific cases involving Aboriginal women. I don't remember there being anything marked about the cases that involved Aboriginal women. I think they were part of the response we had to family violence. I don't recall anything that anyone did differently to various types of family violence incidents. In terms of Aboriginal victims I don't have any memory at all of the AFP doing anything different or DVCS, or any of the other agencies doing anything differently at all. I don't think that in terms of family violence the Aboriginal community in my day were saying too much about it. We were saying a lot about how to help young Aboriginal people, mainly young Aboriginal men stay away from crime. We had several programs directed to helping young Aboriginal men when they came out of the court system – go away camping for a couple of weeks for example. In terms of Aboriginal issues it was all about young men and coming out of court, nothing about family violence (Lines, interview CA16, 2015).

Heather McGregor did recall two cases involving Aboriginal women:

We had an Aboriginal woman who was being subjected to violence by a white man and yet he had been living in community in NT or Qld. He had gone to this community as an archaeologist and had embedded himself in the community and become accepted by them. Nevertheless, they had come to Canberra and she was a victim of crime, of his violence. We had the Aboriginal community up in arms because we had broken up this marriage.

The next time I recall us intervening in a matter was where we had provided safety for an Aboriginal woman and we had the local Elder come wanting to talk to me and demanding I tell her where she was because this was all about colonisation. He was violent to her because of colonisation because of what you whitefellas have done to us. Here we are being confronted by a cultural divide. It is a bit like some cultural practices that are so abhorrent to us that we cannot condone that cultural practice, and that is what it felt to me that the Elder was very much on the side of the violent partner. He was Aboriginal.... [Confidentiality] is not a concept that is embraced when it comes to a man and a woman, and I know that there was enormous pressure that we should tell the man where the woman was. There were also issues of confidentiality among Aboriginal workers with regard to family members (McGregor, interview CA17, 2015).

## **2.2 Second decade**

There was a pretty widespread feeling that I encountered over those years – what would a white woman know about our lives and rightly so. I think things have probably come a long way since then (McGregor, interview CA17, 2015).

In her interview, Dennise Simpson gave an insight into how, as time went on, Aboriginal women influenced DVCS through their contact with the service. She referred to a growing awareness of the differences that the service needed to take on board, including why Aboriginal women might not want their partners arrested, and of the sense of community and importance of extended family. She notes that the service became aware of how Aboriginal men were more likely to be arrested than other men, and how many Aboriginal women were losing their children to child protection because they were living with domestic violence.

Through their work with Aboriginal women, she said DVCS realised that Aboriginal women would “come and go” in their contact with the service, that it was more likely than other women that they would want assistance at the time of crisis – somewhere safe for the night – but then return the following day. This experience influenced the service and contributed to the shift to a narrative approach and in training with workers, to not pass judgement and to not take an expert stance by inculcating an understanding that “people make their own choices and you could offer some assistance along the way” (Simpson, interview CA3, 2015). At staff meetings there were discussions about what might work better, and whether to do something that would apply across the whole service or be kept unique to Aboriginal women.

What changed across the service that was in part prompted by working with Aboriginal women, according to Simpson, was firstly, clarifying that it was understandable and reasonable for women to contact DVCS whenever they needed assistance and if they continued to return to their relationship time after time that may or may not mean they would make a different decision at a later point, and secondly, being more prepared to work with men because that is what Aboriginal women were asking us to do<sup>22</sup>:

I guess our experience from lots of Aboriginal women we did work with was that we were doing what they wanted there and then, for example providing safe accommodation for the night. DVCS had the finger pointed at it by a whole lot of organisations – particularly from women’s organisations when we started to work with men, and that was to do with Aboriginal women as well! Aboriginal women were really wanting us to talk to their partners and we thought that might be where we could sometimes make a difference. It is a path of learning ... to me if you aren’t doing all you can at the time then you aren’t leaving the scene as safe as you possibly could. In the earlier days DVCS would often stay at the scene without police ... we were much more flexible around that (Simpson, interview, 2015).

Simpson also recalled considerable challenges with trying to have an Aboriginal representative on the management committee. She believed it was important to have the right person for the right role, otherwise the appointment risked being tokenistic:

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<sup>22</sup> Dennise Simpson concluded that what worked well for Aboriginal clients was “working with men, the narrative approach, and building on our experience and not seeing ourselves as experts of their lives” (Simpson, interview, 2015).

There were numbers of Aboriginal women who were almost set up to fail on ACT Management Committees and Boards. They were by themselves – it was hard to get any let alone more than one Aboriginal representative at a time in a place like ACT. We didn't have a big Aboriginal population and also finding someone who actually wanted to be on a Board was difficult. When you found someone then everyone would be chasing that same person to be on their Board. Sometimes you would find an Aboriginal woman who was just running herself ragged while sitting on multiple Anglo boards and feeling out of her depth and not feeling respected or supported. There was a lot of tokenistic representation so that “we” could tick off that box (Simpson, interview, 2015).

Aboriginal workers were employed at DVCS from early on. However, Heather McGregor said it did not work out well:

We very quickly realised that we needed Aboriginal workers to be on the staff and so that Aboriginal women would have more trust in the service and certainly we did not succeed in this in the two years I was there. [name] would have told you that there was an identified position. All sorts of things were tried. I can only talk about things when we were there and we failed dismally (McGregor, interview CA17, 2015).

Simpson also spoke of trying different approaches to hiring and retaining Aboriginal staff. In her interview she said that she had believed Aboriginal workers should be employed on the same basis as everyone else. She stressed the risk of being tokenistic which can set the individual up to fail or do a great disservice to the service users. She said that some Aboriginal organisations argued with DVCS that “Aboriginal women just wanted to work with Aboriginal women”. However, the service, Simpson said, “had to fill the roster so [Aboriginal and non-Aboriginal workers] had to be a crisis worker and then it was the luck of the draw if you attended an Aboriginal woman.” She indicated that the service never had the funds nor the Aboriginal client numbers to undertake anything different.

Over her time as a manager, Simpson said that DVCS had three Aboriginal workers. She said that DVCS was “damned as racist in the community” when it attempted to address practice or other workplace issues with the workers. Later, some specific project funding meant a worker was employed who specifically worked with Aboriginal women including providing awareness raising groups and running groups. Simpson said it can make a big difference to

have Aboriginal workers and this has worked out well for some other services such as in Beryl Refuge. Simpson commented that she didn't "know the answer to this stuff" but believed the most important consideration was whether the employee had the skills and experience, met standards of employment and most importantly the service could have confidence in what s/he was doing. The key measure was employees' "commitment to their clients and their outcomes for their clients" (Simpson, interview, 2015).

## **2.2 In the past decade**

### **2.2.1 Views from Aboriginal workers in the ACT**

Over the past seven years, several research projects have asked Aboriginal workers in the ACT about their views of support services for Aboriginal victims of crime, with two focusing on family violence. The following quotes, generated in interviews in 2009, are from Aboriginal and/Torres Strait individuals who worked in the justice and service sectors in the ACT:

"Aboriginal and/or Torres Strait Islander (A&TSI) people trust the knowledge and experience of A&TSI workers in the areas of child protection, family support, crisis intervention, and community welfare." (VoCC, 2009, p.21)

"Generally, A&TSI victims of crime seek support from workers that involved in specific family violence services and do not access local Aboriginal community agencies due to "family relationships", "shame" and the ongoing stress of community people knowing what is happening in the family and in their relationships." (VoCC, 2009, p.21)

"Many (not all) A&TSI workers in the field have had first-hand experience of violence in their lives, either as a primary or a secondary victim." (VoCC, 2009, p.21)

"Some cases people work with reactivates stolen generation issues and other unresolved issues such as grief and loss" (VoCC, 2009, p.21)

Issues faced by A&TSI workers in mainstream services identified through consultations in 2010 included loneliness, unrealistic expectations among other staff, by the service generally, racist comments, being seen as a troublemaker, having to be the Indigenous voice or public

voice, being in an add-on position (Whetnall & Payne, 2011, p.17). This research made recommendations for how Victim Support ACT, a government service that works with any victim of crime, could communicate with and reach out to A&TSI victims of crime and relevant to other services such as DVCS. These included improving cultural awareness through recruitment and selection process and staff training; outreach and promotional exercises; employing an A&TSI worker; and reviewing types of assistance offered (Whetnall & Payne, 2011, p.14).

A recurring theme in 2010 consultations about support for A&TSI victims of crime was the importance of “someone you could trust” that related to both support from support and friends, and to contact with services. With government and community-based services, it was important for the service to be even known about, and then the quality and commitment of staff affected whether a relationship of trust was established. Although some involved in the consultations stressed that A&TSI workers should be employed to deal with A&TSI clients/matters, the majority of participants stressed that it was an individual’s qualities that counted more and that sometimes it was better to have “a professional” involved who was not known in the community because of concerns about confidentiality if dealing with an A&TSI worker/organisation (Whetnall & Payne, 2011, p.7).

### 2.2.2. Views from Aboriginal women in the ACT

Other local research also asked Aboriginal women in the ACT about their experiences of violence and support services, with two focusing on family violence. The first involved 15 Aboriginal women telling their stories, and quotes from eleven of them are included in the community report for the study on family violence (VoCC, 2009). The study concluded that victims who engage with support services and the criminal justice system generally received a high level of support, but though the police may be called in order to remove the immediate threat of violence, further criminal justice action may not be wanted by some victims.

One of the 12 recommendations was for a further investment in research and evaluation aimed at improving A&TSI victims of family violence access to justice and to services. The conversations with Aboriginal women revealed that most had sought help from a range of services, including DVCS. The community report stresses that what women appreciated were feeling “understood, listened to, respected and helped practically and over long periods of

time” (VoCC, 2009, p.12). Quotes from Aboriginal women about their experience with DVCS included that:

“The [DVCS] workers are helping me deal with my isolation. They ring me and seem to care about me. They seem to understand what women in my situation need help with. They are helping me find a bigger house for me and my children. This would not have happened if the neighbour did not ring the police.” (VoCC, 2009, p.13).

“A worker at DVCS had been really good to me. He has good experiences and is able to help me a lot. He rings and listens to me.” (VoCC, 2009, p.13).

“DVCS has been really good to me. I have had people keep in contact with me. They listen to me; they have phoned me to see if I have been ok.” (VoCC, 2009, p.13).

“Afterwards, DVCS came an hour after police. I felt disappointed and didn’t feel respected or reassured. I was crying and upset and wanted them to be sympathetic and I didn’t get that on a woman to woman level. They phoned once afterwards but I felt they were “just doing a job”. They asked questions about him and not me.” (VoCC, 2009, p.13).

In relation to what Aboriginal women think about improving their access to justice and protecting them from violence, many women stressed “listening to them” (being civil, respectful, taking time, not telling us what to do, being fair and open, non-judgemental) and “taking action sitting side by side” (making sure people are safe), for example in court (VoCC, 2009, p.17).

Consultations with Aboriginal people in the ACT undertaken in 2010 included focus groups with 31 Aboriginal community members, and focused on how to support Aboriginal victims of crime with recommendations explicitly directed at Victim Support ACT (Whetnall & Payne, 2011). Although 19 women participated in the focus groups their views are not separated out in the report except where it was noted that the women tended to want help for men as much as themselves (Whetnall & Payne 2011, p.12). However, many findings evident in the 2009 research with family violence victims are echoed in the 2011 consultation report, especially in relation to the type of responses from services that were seen as most effective. The importance of face-to face communication, promotional activities and information about services, outreach services, being welcoming and non-intimidating, providing practical

assistance, having culturally-sensitive and A&TSI workers were all raised in the report. The consultations indicated that many A&TSI people were uncomfortable with long-term counselling, preferring instead advice or help to deal with immediate issue (for example, transport and childcare) (Whetnall & Payne, 2011).

The most recent and salient research was undertaken by the current DVCS Client Services Coordinator who undertook a project in 2013 as part of completing a degree in social and community studies (Weaver, 2013). The key question that underpinned the project was what was needed that supported positive engagement with DVCS? The rationale for the project included national and local data that indicated a disproportionate number of A&TSI people are affected by family violence<sup>23</sup>; that areas had not yet been addressed by DVCS to support A&TSI people<sup>24</sup>; and that DVCS staff believed A&TSI clients engaged with the service for shorter periods of time and disengaged after immediate needs were met.

For the project five A&TSI community workers and four DVCS staff were interviewed, and three focus groups were held with a total of 16 participants. The key findings that informed the report's recommendations related to relationship building, the importance of having a flexible service with culturally informed and resourced staff, and ensuring there was a whole of service approach to continuous improvement.

There was a striking similarity of what emerged from DVCS interviews and consultations with A&TSI workers and the focus groups (Weaver, 2013). These included the main issues raised relating to A&TSI family violence - racism, children and Care and Protection Services, and the confidentiality of A&TSI services). The other area of agreement was the need to raise awareness of DVCS, and build trust through networking, outreach, the engagement of an A&TSI worker, having a reference/advisory or consultative group, and the development of culturally appropriate promotional material. In relation to raising awareness of DVCS and the services it provides, a recommendation underlined that there should be messages that people can stay anonymous and police do not have to be involved.

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<sup>23</sup> 1.67% of the ACT population was estimated to be of Aboriginal and/or Torres Strait Islander (A&TSI) origin, but the Indigenous population was estimated to be five times more likely to be affected by family than the non-Indigenous population. 7.3% of DVCS clients were identified as being of A&TSI origin in the previous six months (Weaver, 2013).

<sup>24</sup> These areas included no culturally specific framework to inform services, and the organisation had not undertaken the Cultural Awareness Self-Assessment Toolkit or completed a Reconciliation Action Plan (Weaver, 2013).

The voices of Aboriginal women are not singled out in the report but included in more general conclusions that drew on what was said by all Aboriginal participants. However, a finding from the project that was not raised in the literature that was reviewed was the importance of the tone of voice of a non-Indigenous worker when first contact is made. The following quotes were cited:

“... your tone, and if there is a hint of judgement then you have lost that person.”  
(Weaver, 2013, p.60)

“Aboriginal women have said they didn’t like the way she spoke to me.” (Weaver, 2013, p.60)

“I don’t care if the worker has had a bad day, because if I hear it in their voice, I’ll hear it as judgement”. (Weaver, 2013, p.60)

Weaver (2013, p.60) makes the point that “it could be said that regardless of culture people in crisis, experiencing trauma and seeking support have similar needs”. However, as noted previously, Aboriginal clients were perceived by DVCS staff as only accessing the service for crisis intervention and support. Weaver (2013) quotes Blagg (2000) who argued that there is the need to reassess the definitions of crisis<sup>25</sup> to take into account the additional vulnerabilities of Aboriginal women and the effects of traumatic stress stemming from a history of colonisation and racism. He too found that domestic violence services such as refuges were used for immediate safety and respite rather than somewhere to go when ending a relationship and that change is gradual and incremental. Weaver (2013, p. 61) concludes that “the difference in engagement by A&TSI clients with DVCS is not necessarily due to DVCS not meeting the needs of these clients”.

### 2.2.3 Current initiatives and challenges

Some of the recommendations in the report by Weaver (2013) have been acted upon by DVCS, including the adoption of a Reconciliation Action Plan process, the commissioning of artwork by a local Aboriginal woman, and ongoing maintenance of links with key Aboriginal organisations.

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<sup>25</sup> The definition for a domestic violence crisis used in the first evaluation of DVCS was as follows: “period when tensions in the relationship come to a head and where outside intervention can be useful. A period where are victim of violence is not safe, free and able to take control of her own life. Most common form for DVCS is where there has been a violent incident.” (Kelly, 1989, p.12)

In terms of the recurring question whether to create a dedicated position(s) for an Aboriginal crisis worker, a long-term senior crisis worker could not see how it would work in practice:

[DVCS leader] mulled over the fairly consistent assertion from Aboriginal spaces was that what a service like ours requires is an Aboriginal worker to directly service Aboriginal clients. But to be honest I cannot see how that would work because of the way we're structured and how it could be afforded. To have someone who's only job was to provide crisis response to what I probably think is 10% of our clients. Somewhere between four and 10. It would have to be very carefully worked out if it was going to be effective for clients and for the service. It's part of that 90s discourse and some people are really welded to it. But on a practical level I can't see how it would work (Senior crisis worker, interview CA9, 2015).

Current leaders indicated in an interview that the service is particularly mindful of their current policy<sup>26</sup> in relation to reporting to child protection when in contact with Aboriginal women. One said "I do know we do, at an individual micro level, we do spend extra time thinking through a report for an Aboriginal or Torres Strait Islander woman around the impacts of that. I think we are very careful to have certain conversations" (Current leader, interview CA2, 2015). According to the same interviewee, workers' practices and responses with Aboriginal women clients have, to a large degree, emerged from practical on-the-job experience:

I think certain practices and responses to individual Aboriginal women has purely come from our engagement with Aboriginal women, as opposed to our organisation inviting or driving or sitting down or putting any real thought or analysis into doing something differently. It kind of happens. The response is there on an individual level but not at a service level (Current leader, interview CA2, 2015).

A DVCS worker explained that is difficult to find the time to consider or to develop alternative ways of approaching their crisis work. She referred to a local Aboriginal woman who always encouraged efforts to engage with local Aboriginal communities, even if there were setbacks:

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<sup>26</sup> DVCS is not mandated to report to the child protection authorities. However, for several years now the policy is to advise clients that they may report DFV to child protection if they feel there is sufficient grounds, but an undertaking is given that this will be discussed with client before the report is made.

What occurs to me as a barrier on our part, my part, I suppose it helps to name it, when we're so busy – doing, doing, doing – it's hard to then stop doing the doing and to do something differently. Which may not result in anything. That's a barrier on my part. It's great to have this food for thought. You hear about the statistics the number of women, families, affected by family violence, high rates of imprisonment. How can we know how to do it differently? I suppose the doing here in DVCS ... the crisis has its own momentum it goes fast like that. For people to find their way in, they often disengage, the crisis is over so they're not necessarily thinking about ringing back about kids and families. That's another barrier for us. The challenge for us, for our little service, is how do we reach to organisations, to help...

I also know from my various times at [an agency] of various efforts with [name] she made to respectfully engage with Aboriginal community here. At times it was going well and at times there'd be setbacks. She was a great model, saying we're going to get it wrong at times but we just keep at it. And there'd be awareness of different agendas, factions, points of view within the Aboriginal community. It's not like one single perspective (DVCS worker, interview CA12, 2015).

Dennise Simpson summed up the approach that she had as manager (and which encapsulates the philosophy DVCS seems to have followed over the years) in the following statement - as one that takes heed of differences among clients, while still making it clear that DFV is unacceptable and a crime.

I think we always need to take heed of differences and think about those differences and what we need to do for ourselves ... what our approaches need to be, what our training needs to be, what our understandings need to be so that we can be working respectfully and appropriately in order to get good outcomes. I am so far from thinking I know the answers. All these years from working in this area and there is so much I still don't know. There are some things I think I do know like don't be tokenistic if they aren't the right person. I think I know those things but do I know an overall thing really clearly and strongly, I am not sure I do. So much is still the same for Aboriginal people – the disadvantage, the racism, the quality of life, the difference in age expectations, the deaths of young people, the diseases they are more likely to suffer from, the treatment of them in any systems – CPS being a classic example. If some of the money spent on kids in care or in custody as opposed to supporting

families, to be better families, to take some of the struggle out of their lives, that there is something behind them that can assist along the way rather than judge and condemn, and ultimately have power over.

There are probably some great initiatives that Aboriginal women in communities have done ... I remember first hearing about women having created a safe place, a timeout shelter and I was amazed, it was so impressive. Aboriginal women do so much that we don't even get to hear about and they would have ways of operating. As a feminist I have a very strong belief that domestic violence should be treated as a crime and when we consider the depth of the violence that Aboriginal women experience it is horrendous. When I facilitated some of those men's groups and some of the Aboriginal men told really dreadful stories of the violence – dragging their women behind cars and glassing them and breaking furniture over their backs – just horrendous stuff. And I thought “how can I just sit here and think there should not be a criminal response to this even if the woman is not wanting it?” I can't do that. I don't think that there should be a legal response that is different to different cultures ... that doesn't mean I don't hear Aboriginal people talking about their own laws, I think sometimes their laws operate effectively and appropriately out in communities but do I think that two modes of laws should operate in our cities and towns? No I don't.

I think there needs to be very clear messages that the violence is unacceptable and that is whether you are Aboriginal or anyone. The difference is how they are treated when they are in the system and the disrespect goes on and on in all aspects of their lives. We need to take account of all the things that Aboriginal women have experienced in their lives, but ultimately I believe we still need to have a legal response. But as a whole society I think we could take better care of people than we do. In the main, for example, we cut off the support when women and children have left the violence but for them the struggle goes on and on. There are too many unanswered questions and a lot of it is about funding and perhaps we really need to toss the systems up in the air and start again (Simpson, interview, 2015).

What the differences may be vary considerably among those that contact DVCS. However, a long-term senior crisis worker made these observations about Aboriginal women's expectations of safety:

One of the things I notice about it is in terms of safety, Aboriginal women have a very different construction of safety from non-Aboriginal women. That's a huge generalisation but it is shared with women from other groups, various groups but the critical thing is where the expectation of safety is very, very low. That is in situations where there have been huge histories of being disenfranchised. It is historic throughout families. There is no expectation of help from any quarter, police are inherently untrustworthy, services are untrustworthy, people who are part of your culture but not part of your family are untrustworthy. So there are things among women who have the same background.

Aboriginal women clients don't actually expect to be free of violence. What they need at any given time is practical, they don't expect to be safe or their concept of safe is different. There's a notion of safety that suggests there will be no harm, there will be a nice life, things will be beautiful – that's not what happens. Within Aboriginal clients they still expect to struggle. They're not trying to solve that outright, nothing is going to make life not a struggle. I think that is part of the reason why Aboriginal women even if they are chronically homeless and lots of other things, they will ring up and want something for a night. I think that's partly because potentially they know they can go to an aunty's place and that could get you through for another couple of days and you can move on. So there is safety in that sense but also there is no fantasy of perfect sanctuary either. Life is tough (Senior crisis worker, interview CA9, 2015).

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