

**Submission  
No 125**

## **COERCIVE CONTROL IN DOMESTIC RELATIONSHIPS**

**Organisation:** Border Domestic Violence Network

**Date Received:** 11 February 2021

To the Joint Select Committee on Coercive Control:

Thank you for the opportunity to provide a submission on coercive control. We commend the Legislative Council and Committee members for exploring responses to the critically important challenge of addressing coercive and controlling behaviour.

The Border Domestic Violence Network (BDVN) is a grassroots network of over 95 family and domestic violence service providers and community members with lived experience of family violence, based in Albury-Wodonga, that aims to facilitate a collaborative approach to addressing family and domestic violence in our cross-border community through:

- A forum for information sharing and networking between service providers;
- Participation in and support for activities that raise the status of women and increase protection to all adults and children from family violence;
- Providing community education to increase public awareness of family and domestic violence and facilitate change in community attitudes and responses;
- Increasing knowledge of emerging legislation in the area of domestic and family violence;
- Enhancement of service provision for people affected by family and domestic violence;
- Identification of gaps and challenges in our local area and advocacy for improvement and change; and
- Strengthening cross-border collaboration and advocating for coverage and funding that is inclusive of our cross-border community.

**The BDVN supports, in principle, the introduction of legislation to criminalise coercive control** while appreciating the challenges associated with its drafting and enforcement.

Following extensive local stakeholder consultation and strategic planning in 2019, the BDVN identified addressing cross-border inequities and barriers affecting people impacted by family violence as a key strategic priority. For your reference and appreciation of our unique context as a cross-border community, I have attached a copy of the recent report “Family Violence: Cross Border Issues and Solutions” produced by La Trobe University in collaboration with BDVN members.

The Ovens Murray-Family Violence Partnership (OMFVP) is a key local partner of the BDVN that undertook significant consultation from February to June 2020 (during COVID19 restrictions) with family violence and support workers and people with lived experience of family violence. As a result, 153 people (93 workers and 60 people with lived experience) contributed and raised a number of issues regarding coercive control:

1. *There is a need for consistent definition of coercive control and its relationship to the definition of family violence in policy, legislative settings and practice, Australia-wide.*

People with lived experience of family violence in the Ovens Murray catchment (including the border communities of Albury-Wodonga) identified the different approaches Victoria and NSW take to providing legal and support services as adding dangerous layers of complexity and risk, especially for people living in one state and working or studying in another. Cross-border factors compounded the difficulties faced by diverse population groups in navigating access to support and being safe e.g. Aboriginal communities, refugees, and people with disabilities. Historically, Apprehended Violence Orders were not enforceable cross-border and this resulted in domestic violence being able to be perpetrated, for example, at a victim’s workplace but not at home or vice versa. We note that the Victorian Attorney General has ordered a review into the possibility of new coercive control laws,

and urge the Joint Select Committee to consider harmonisation of its recommendations with other states. The need for consistent definitions across legislative and policy settings Australia-wide has also been recommended by Australia's National Research Organisation for Women's Safety (ANROWS)<sup>1</sup>.

- 2. There is a need to recognise the long-term traumatic impact of coercive control in family violence legislation and support services.*

There is a tendency in legal and service provider settings to construct a hierarchy of violence, where physical violence and sexual violence sit at the top and forms of non-physical abuse, such as coercive control, sit below them. Victim-survivors have clearly identified that emotional abuse and non-physical behaviours are often viewed as less harmful and are often not recognised as violence or abuse at all by victims themselves and the services they rely upon for help, and this can be disempowering and a barrier to future help-seeking. The importance of resourcing community and worker education (including police) to recognise non-physical patterns and 'red flags' of abuse was highlighted by victim survivors.

- 3. Community members, support services and police need support and education in detecting which party is the perpetrator, and which party is using violent resistance to ongoing abuse.*

ANROWS<sup>1</sup> has recommended a tool to help responders including police and legal services to assess patterns of coercive control. This is particularly important to avoid misidentification of victims of coercive control as perpetrators because they have resisted or retaliated against their abuser.

- 4. Addressing coercive control will require effective cross-sector collaboration between a wide range of sectors and actors, including service providers, governments, justice and health systems, **and victim survivors.***

Both the BDVN and OMFVP explicitly involve people with lived experience of family violence in governance and planning. We recommend that programs to address coercive control are resourced so as to enable involvement of diverse victim survivors. Scotland's coercive control legislation was co-designed with victim survivors, and as a result its 2018 Domestic Abuse Act shifted the focus from the victim survivor to the perpetrator's behaviour by requiring proof that the perpetrator's behaviour was likely to cause either physical or psychological harm, rather than proof that harm was suffered by the victim survivor<sup>2</sup>.

Further, legislative change cannot on its own transform the culture of response to coercive control, and effective training, models of co-response and justice reinvestment should also be considered. It is important to also consider the ways that these changes will impact victim survivors who experience intersectional disadvantage.

Thank you again for the opportunity to contribute to your inquiry.

Please do not hesitate to contact me if you would like further information or clarification.

Kind regards,



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## References

1. Australia's National Research Organisation for Women's Safety. (2021). *Defining and responding to coercive control: Policy brief* (ANROWS Insights, 01/2021). Sydney: ANROWS.
2. Scott M. (2020). The Making of the New 'Gold Standard': *The Domestic Abuse (Scotland) Act 2018*. In: McMahon M., McGorrery P. (eds) *Criminalising Coercive Control*. Springer, Singapore. [https://doi.org/10.1007/978-981-15-0653-6\\_9](https://doi.org/10.1007/978-981-15-0653-6_9)

**REPORT FROM THE FAMILY VIOLENCE:  
CROSS BORDER ISSUES AND SOLUTIONS  
FORUM 04/12/19**

July, 2020

**Family Violence: Cross  
Border Issues and Solutions  
Forum**

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# Introduction and Background

## INTRODUCTION

This report provides the findings emerging from the Family Violence: Cross Border Issues and Solutions Forum facilitated by the social work team at the La Trobe Albury-Wodonga campus. Firstly, this report provides a snapshot of key points from the literature concerning the unique challenges confronting those responding to family violence in a cross border context. The report then revisits the day briefly, before outlining findings arising from the World Café group discussions. The report concludes with some recommendations that may contribute to the development of new policies and opportunities for cross border agency collaboration in the Albury-Wodonga area as well as improved service coordination.

As part of the 16 days of activism to end Family Violence, Social Work at the La Trobe Albury-Wodonga campus facilitated a Family Violence Forum on Wednesday 4<sup>th</sup> December 2019. The forum was an educative event that explored the issues confronting agencies and workers involved in family violence case work in the cross border context of Albury-Wodonga and some solutions to these problems. We welcomed an audience of 82, comprised of social workers and other human service workers from the field, current students and some community members. The forum provided opportunity for participants to hear from two keynote speakers. Mr Luke Wilson, Victorian Cross Border Commissioner spoke about his role and influence and Parliamentary Secretary for Regional Victoria, Danielle Green MP, spoke to the Victorian Government's response to family violence. These presentations were followed by a panel discussion focussed on how presenting issues translate into day to day management of high risk family violence cases on the border. The audience had opportunity to ask questions of the panel that comprised local experts. An afternoon tea break was followed by opportunity for participants to reflect with others on the cross border challenges and opportunities arising in their work with those experiencing and/or perpetrating family violence during World Café group discussions. The event attracted Australian Association of Social Work (AASW) CPD points - four CPD hours Category 2: Skills and Knowledge – Presentations.

## Acknowledgements

Social Work at La Trobe Albury-Wodonga wishes to acknowledge the contribution of the keynote speakers, the panel members and their agencies. We also acknowledge all attendees and their agencies. Many thanks for supporting this event. We thank the La Trobe Rural Health School and the Albury-Wodonga campus for providing financial support. Special thanks to Ms Rachael Puddappatt, Senior Engagement Coordinator, at Albury-Wodonga campus for her contribution to making the day a success.

## Background

There is an emerging interest in the issues experienced by those responding to family violence in a cross border context (Australian Association of Social Workers, 2016; No to Violence, 2019; Taylor, Ibrahim, Wakefield, & Finn, 2015). The AASW (2016) for example have long advocated for consistent legislation for family violence across Australia, including the use of consistent assessment frameworks and response procedures as well as the nationwide implementation and accreditation of men's behaviour change programs. One recent important legislative change aimed at providing greater safety to those experiencing family violence in a cross border context is The National Domestic Violence Order scheme that mandates that all domestic violence orders (DVOs) made in an Australian state or territory are now automatically recognised and enforced across Australia (Magistrates Court of Victoria, 2019). The appointment of the Victorian cross border commissioner in 2018 recognised that legislative, regulatory and practice

differences between states impacts on residents (Regional Development Victoria, 2019). Further, recognition of the importance of working in partnership is a key element of the Two Cities, One Community initiative of the cities of Albury and Wodonga (Albury City and City of Wodonga, 2019). However, considerable issues remain for those responding to people experiencing and perpetrating family violence in the Albury-Wodonga region and these are worthy of exploration. Both Albury and Wodonga experience significant disadvantage (Vinson et al, 2017) and the rates of family violence in both cities exceed the state average (Crime Statistics Agency, 2018; Albury City, 2016). No to Violence (2019) identified issues specific to the Albury-Wodonga cross border region include inconsistent service provision and case management, information sharing and the increased workload these place on services. Further, anecdotal evidence from local practitioners captured in feedback provided at La Trobe's 2019 family violence forum points out the complexity of different jurisdictions' service funding models, referral pathways and legislation results in significant problems for service delivery and collaboration, particularly when the victim/survivor resides in one state and the perpetrator in another. This all suggests that there is a lot of work to be done.

## Schedule for the Forum

The following section acts as an aide memoire for the reader by providing an outline of the day including the presenters and their topics.

### **Keynote Speaker – Mr Luke Wilson, Victorian Cross Border Commissioner**

Key focus areas of Luke's presentation were his role in advocating for border communities, the breadth and diversity of the NSW/Victorian border communities and the complexities of navigating difference in State legislation and policy.



## Keynote Speaker - Ms Danielle Green, Parliamentary Secretary for Regional Victoria, Parliamentary Secretary for Sport, Member for Yan Yean

Themes within Danielle's presentation were her experience of living in rural border communities, the ways family violence has touched her life and the Victorian Government's response to family violence.



## Panel Discussion

The keynote presentations were followed by a panel discussion focussed on how presenting issues translate into day to day management of high-risk family violence cases on the border. The audience had opportunity to ask questions of the panel that comprised Ms Danielle Thompson, Coordinator, Safety Action Meeting (SAMS), Albury and Deniliquin and Ms Janine Bussell, Coordinator, Risk Assessment and Management Panel (RAMP), Ovens Murray area as well as Cr Amanda Cohn, Deputy Mayor, Albury City and Cr Kat Bennett, City of Wodonga.



The Expert Panel. From left to right, Ms Danielle Thompson, Cr Kat Bennett, Cr Amanda Cohn, Ms Janine Bussell. Facilitator, Dr Heather Downey.

# World Cafe

## INTRODUCTION

Fifty attendees to the forum, comprising 13 students, 35 practitioners and 2 community residents, opted to stay and participate in the World Café small group discussions. Participants formed eight groups of approximately six people. Group discussions lasted around an hour and a half.

## Theoretical Framework

The World Café group discussions aimed to first better understand the challenges facing practitioners, organisations and those experiencing and perpetrating family violence arising from the complexity of the current family violence system in the Albury-Wodonga context. Second, we aimed to propose solutions to these challenges; recommendations for sustainable systemic change in the cross border family violence context. We have applied an ecological systems theory lens in our analysis of data from the group discussions. Broadly, ecological theories have been regarded as the “cornerstone of social work practice” (Azzopardi & McNeill, 2016, p. 286) as they aim to understand people in relation to their socio-cultural and physical environment. An ecological approach can facilitate our understanding of the complexity surrounding family violence in a cross border context in several ways. Multiple system levels interact and

influence each other with ramifications for individuals, organisations and communities. System levels include the intrapersonal realm as well as the microsystem (family relationships and violence in the home), exosystem (social networks and neighbourhood characteristics such as the cross border geographical content), mesosystem (formal systems that have a direct impact on service users' lives, such as human services organisations) and macrosystem (large social institutions such as social norms, the law, and government) (Algood et al, 2011; Healy, 2014). Further, an ecological systems approach recognises the entirety of these system levels; that they are all inextricably linked. In sum, understanding of family violence in the cross border context requires an understanding of the communities that people live in, the service system and the prevailing social attitudes, policies and laws that impact on community residents and human service organisations (Mungaia, et al., 2019).

## Research Method

The world café method is a participatory action research approach that enables large group dialogue and has been used to bring together stakeholders and scholars across fields such as sustainability, community participation and social work (Aldred, 2009; Fouche & Light, 2011; Terry et al, 2017; Silva & Guentha, 2018). Participants to the discussion groups were asked to write down key aspects from their discussions, specifically the issues experienced by those in family violence practice in a cross border context, and solutions to these problems. Approval to collect written material developed by discussions groups was obtained from La Trobe University, SHE College Human Ethics Sub-Committee (HEC19472). Five questions guided group discussions:

1. Thinking about your knowledge of the family violence service system in a cross border context please identify some issues you experience that concern service delivery, information sharing between statutory and non-statutory agencies, and legislation and policy.
2. How have some of these issues affected your work?
3. Please identify the systemic challenges you experience when responding to high risk cases particularly when victims and perpetrators live on different sides of the border.
4. What might be some solutions to the systemic challenges you experience when responding to high risk cases particularly when victims and perpetrators live on different sides of the border?
5. What changes could be made that would improve family violence service systems in a cross border context. Prompts (Service delivery, Information sharing between statutory and non-statutory agencies, Collaboration between agencies, Legislation, Policy).

Following the forum, groups' written responses were collected and analysed thematically. The following section reports findings from the World Café. We begin by presenting responses to the first three questions posed to participants in the group discussions. These captured the numerous unique, systemic complexities across the Albury-Wodonga region in terms of an effective response to family violence. This is followed by an exploration of responses to the final two questions that concerned participants' ideas about solutions to the problems. Consequently, participants' responses to these latter questions are presented as a series of recommendations that address the myriad issues presenting at all system levels in the broader family violence system on the border.

# Findings

## Challenges experienced in the cross border context

This question asked participants to identify the issues they experience concerning service delivery, information sharing between statutory and non-statutory agencies, and legislation and policy in this cross border context. The question elicited a large amount of data some of which answers other questions posed to the groups. Overall the key driver identified in responses to this question is the different ways in which family violence is funded and able to operate in each state. Cross border issues then provide a further division of labour that means workers and clients experience significant levels of distress in attempting to navigate a system that can be unresponsive to what is required to ensure that women and children do not have to return to unsafe situations.

### 1.1 Specific cross border service delivery Issues

Multiple themes emerged from group discussions focussing on the challenges inherent in current service delivery arrangements. Overwhelmingly participants compared NSW and Victorian family violence service systems, noting difference. Further, service delivery inconsistencies in the cross border context affecting practitioners, victim/survivors, and perpetrators were noted.

Respondents reported that different service systems in each state create a lack of uniformity leading to impediments for effective cross border service delivery. An absence of knowledge of cross border services and how to navigate them also leads to vital facts not being shared. Information sharing protocols are established in Victorian law. Consequently, information sharing in Victoria is being phased in, yet this is not the case in NSW and this scenario creates another set of differences to be traversed.

Workers reported that what is perceived as a narrow band of practice does not allow for innovation and a broader scope of practice to be developed. In some instances, workers are professionally registered in one state and then experience difficulties if they work on the opposite side of the border.

Victim/survivors can be bounced from state to state including contact with police which can create delays, and in turn, adds another layer of risk in accessing supports. Accessing services for clients who live in one state, report family violence, and work in another state creates artificial barriers for victim/survivors to access appropriate services. Further, child protection in the cross border context can mean a case is closed on one side of the border because of different expectations not only of service delivery but different legal jurisdictions

Place-based limitations and restrictions lead to access issues including public transport which is at best inadequate and in many instances non-existent. There is a general sense that planning for rural, regional, and remote areas is city-centric which leads to a general lack of understanding of limitations in accessing appropriate services.

It was felt that there was a general lack of services for perpetrators in NSW and unmet demand in Victoria. If prevention is seen as a key to change, then provision of services at all stages of the lifespan must be a priority.

Importantly, participants observed that cultural barriers compound all these issues, particularly for minority communities.

Responses to this question fit within the mesosystem and as such contravene to the belief that human services are provided in circumstances where hardship, and in this instance family violence, requires

external support so that individuals, families, and communities can deal with situations and move on with their lives (Harms, 2010). This means that workers as well as their clients experience high levels of frustration when the service system does not deliver in ways that could ensure safety for all concerned.

## **1.2 Information sharing between statutory and non-statutory agencies**

Participants observed that information sharing between agencies generally involves numerous hurdles, not all of which can be cleared. When the border is the basis of such decision-making, frustration at all levels becomes heightened. It was noted that there is a constant push backward and forwards between states based on victim/survivors' healthcare card details or postcode. There is often no clear communication about the role workers have. Information sharing protocols are not matched across the two states and this can mean that confidentiality, consent, accountability, and victim/survivor safety become compromised.

Agencies need to be able to work with people regardless of which side of the border they live on. In the same way, victim/survivors need to be able to seek support from the place they are living and/or working so they may make a decision that fits for their particular circumstances.

A particular issue of concern arises when perpetrator parole or release from prison is not communicated across state borders. This is an issue of high risk and must be acknowledged so that those needing this information are not placed in precarious situations and a return to the fear and hostility of pre-sentencing days.

In the Albury-Wodonga area, many generalist services are working with clients who have a range of issues amongst which may well be family violence. When secondary consultation with the local specialist service is sought it is often not easily accessible due to cross border restrictions. Participants identified a pressing need to be able to share information with and between specialist and generalist services so that whoever is requiring services can do so knowing that they do not have to keep repeating their story.

A prime example of the lack of cross border cohesion is the Risk Assessment Management Panels (RAMP) that meet monthly for the cases that are of the highest risk. In Victoria, nine agencies meet to discuss and determine the most effective risk management strategy, and this is monitored by the RAMP coordinator. In Victoria, this works well. However, in NSW this committee (Safety Action Meeting) and its function have been moved from Albury to Griffith raising concerns about the utility of such an important decision (The Lookout, n.d.).

Repeatedly, participants identified that there is no equity between NSW and Victoria either in funding and/or relationships between workers and agencies including the police. This can mean that it feels like being on a merry-go-round with few opportunities to stop and work collaboratively towards the best solution.

Responses to this question emphasise issues at both the micro and mesosystem levels. Of particular concern is the work of the RAMP committee that responds to victim/survivors experiencing the highest level of risk. When this function is not congruent on both sides of the border, relationships within the service system can be irreparably damaged often creating ongoing difficulties for all concerned.

## **1.3 Legislation and Policy**

Overwhelmingly, participants noted that the differences between NSW and Victorian legislation and policy affect all aspects of family violence response. In Victoria, for example, there has been an active reform agenda that is constantly being evaluated leading to significant change, yet this is not the case in NSW.

Inconsistencies in state-based legislation result in difference in the ways family violence behaviours, perpetrators, and victim/survivors are defined. Further, differences in risk assessment frameworks, mandatory reporting requirements, and different assault responses across states were observed. There is

also a lack of clarity with regards to family violence legislation and the effect on tenancy legislation. The issue of information sharing between agencies was revisited and participants' observations included that databases are restricted state by state and that Victorian legislation says only to share but not seek information without consent. Participants noted that these issues are complex and result in confusion and frustration for workers and victim/survivors in the cross border context.

In sum, participants' comments illustrate that the challenges of cross border legislation and policy difference in the macro context limits effective family violence service delivery.

### **How cross border challenges affect practitioners' work**

A clear underlying theme that emerged from the data was disempowerment for both workers and clients. The differences between service delivery, government policy, and police intervention on either side of the border can and do create general confusion overall. This starts with issues as simple as whom to refer to and the difference between service delivery can mean that a client who is mandated on one side of the border is not so on the other side.

The challenge of knowing what to do can mean there is a delay in response. As family violence is time-sensitive any delay for whatever reason can lead to an increase in risk, lack of safety, and support. Given that many women downplay the significance of the violence, delays create unacceptable risk. In assessing and working effectively with risk, frameworks such as the Victorian Multi-Agency Risk Assessment Management Framework offer workers across the sector clear directions to ensure that the client does not need to re-tell their story multiple times. It is also expected that over time, policies, procedures, and service delivery across Victorian agencies will be aligned to the principles of the MARAM (DHHS, 2020), and this will present a more unified approach to family violence. The framework in NSW, so a gap is identified that creates a disproportionately higher risk to clients and workers.

Participants observed that generalist workers are key in cross border communities, and with limited specialist knowledge and support, clients sometimes fall between the cracks. The use of multi-disciplinary teams is also critical and important services such as Orange Door services in Victoria are not reflected on the NSW side of the border (State Government of Victoria, 2018). Perhaps the most important aspect of the Orange Door Services is that they do not require a referral and are available at all times across the family violence journey. This means the violence may not be current, however, services are still available with a focus on children and the effects on them which may present differently across their life span.

Workers reported that clients sometimes give up as they feel it is too hard to continue to seek help. When a woman has to tell her story multiple times it can feel like they are not believed, and that their issues are not as important as another person's problems. This is particularly relevant when high profile cases receive much news coverage which leads to women feeling that their issue is not as bad so perhaps it is best to not continue to battle the system. Add to this, delays in service delivery and general uncertainty overall and it is not difficult to see why women return to unsafe situations and feel generally unsupported. For workers, the level of frustration is high as they can see that the possibility of further violence is elevated, and they are not able to effectively do things differently.

Participants observed that newly arrived refugees or migrants are confused by what the border means as for them a border most often has police and armed guards. There are often delays in accessing interpreters and when this is coupled with confidentiality it can create an unnecessary barrier for people to seek help. In smaller communities where many people are known to each other, being able to access interpreters who do not have a conflict of interest further disadvantages those seeking help.

Systemically, human beings move through the life span within a series of contexts, so modification needs to be present at all levels if we are to reinforce the message that transformation is possible throughout the



family violence life cycle. That change will take place between and within those involved so expectations must not be built up and then torn down through a mismatch of state priorities (Sigelman et al., 2013).

### **The systemic challenges faced when responding to high risk cases**

This question asked participants to identify the systemic challenges experienced when responding to high-risk cases particularly when victims and perpetrators live on different sides of the border. The predominant theme in participants' responses was the difference in service provision between NSW and Victoria.

Participants observed for example that two state-based service systems create complexity across a range of domains including Child Protection, Family Violence, and Health. Importantly, some noted there is no service in NSW equivalent to Victoria's Centre against Violence. Such a lack of family violence services in NSW means the pathway to Safety Action Meetings (SAM) is police driven, resulting in compromised safety of those victim/survivors not wanting police involvement. Further points of concern relating to state-based differences were the closure of Child Protection cases in one state which gave no rights to custody in the other state when children moved into care across the border for safety. Long wait lists for family mediation point to the paucity of funding allocated to existing services in the neoliberal economic climate.

In sum, a lack of coordination and consistency between services located in the mesosystem across states results in increased danger for victim/survivors and children at the micro-level. Some important suggestions that aim to strengthen family violence responses were proposed and these are reported below.

## **Recommendations**

The findings above emphasise the myriad issues presenting at all system levels in the broader family violence system on the border. Presented below are a series of recommendations capturing participants' combined responses to question four which asked 'What might be some solutions to the systemic challenges you experience when responding to high-risk cases particularly when victims and perpetrators live on different sides of the border?' and question five, 'What changes could be made that would improve family violence service systems in a cross border context?'

Themes identified included improved pathways and safety for victim/survivors, service delivery integration, practice, geographic location, cultural barriers, and comparison between the two states, including initiatives at both the State and Commonwealth level that could change the status quo. These themes are presented below as recommendations focused at the micro, meso and macrosystem levels.

### **Micro System**

#### **Victim/Survivors**

Participants observed the importance of empowering Victim/Survivors by having them lead initiatives in the family violence space. The development and provision of an app comprising clear information on options and support for victim/survivors in the border region was noted as absolutely paramount as was the provision of better court safety.

### **Meso System**

#### **Service Delivery Integration**

Recommendations for integrating service delivery and effective responses to high risk family violence scenarios included strong demand for a cross border assessment and safety panel, in effect a combined SAM and RAMP that could meet regularly. The establishment of such a panel would permit sharing information when needed with fast response. To improve service delivery more generally, there were calls for funding for a regional strategic coordination role, designated cross border workers and the establishment of a cross border family violence network enabling workers from both sides of the border to meet regularly, establish relationships with colleagues across the border and exchange information. There was consensus that the latter initiative would help workers navigate the system on both sides of the border by providing a forum for agencies to educate each other about the structure and scope of their service and exchange information. Participants noted that such a forum would enable more focused referral processes. Overwhelmingly there were calls for the NSW and Victorian Governments to fund these initiatives, also to establish and fund services such as a NSW equivalent of the Centre Against Violence, and Men's Behaviour Change programs. Participants observed the establishment of these two services in NSW would provide consistent and equitable access for victim/survivors and perpetrators on both sides of the border. Critically, participants noted the need for Men's Behaviour Change programs to be equitable and culturally relevant on both sides of the border, for instance, locally appropriate to Aboriginal, CALD and rural communities.

### **Workers and their Practice**

To ensure best practice in high-risk family violence, participants suggested it was paramount to investigate existing best practice cross border processes, choose the most effective Family Violence service system/program and replicate it across the border. Ideally, participants would like to work in a system that enables a focus on professional accountability and allows them to put clients first and ensure their safety as best as possible at point of time.

More broadly, there was consensual agreement around the need to focus on prevention and early intervention. Two groups suggested the benefit of adopting an early intervention model similar to South Australia's approach. There were also calls for an assessment and safety model akin to SAMS and RAMP to manage lower-risk cases, and for more therapeutic, trauma-informed responses. Overwhelmingly participants observed a need for investment in peer support as well as ongoing education for professionals.

### **Geographic location**

The diversity of geographic locations was noted by some participants as this impacts best practice and outcomes for clients in high-risk family violence cases. For example, recognising and responding to difference between rural and city border communities and delivering services in smaller or more remote border communities were identified as important considerations. Further, some noted the need for consistent funding of support services across the diversity of the border's rural and city communities, for instance, court support services.

### **Cultural Diversity**

Recommendations to improve outcomes in high-risk scenarios for the border's culturally diverse groups include ensuring multicultural faith and community leaders both understand and inform their communities about cross border issues. Participants also strongly suggested that consistent and increased interpreting services across states are required. More broadly, a need for early intervention and prevention work aimed at changing patriarchal structures was noted. This could include respectful relationships program for people with culturally and linguistically diverse backgrounds as participants noted that it is hard for them to 'find their space and place' in a culture that is completely different to their own.

## **Comparison**

Participants compared service provision in both states and suggested that investing in Men's Behaviour Change program as well as specialist family violence services is critical to ensuring safety to those at high risk. Participants also noted the need for NSW to increase funding to support job creation in the family violence field of practice, and more facilities including housing for both victim/survivors and perpetrators.

## **Macro System**

### **State Initiatives**

Participants observed that the following State Government initiatives could address challenges arising for services and practitioners in high-risk family cases. First, the implementation of a Memorandum of Understanding (MOU) between NSW and Victoria was considered necessary. The MOU would concern how information is shared between State services such as police, hospitals and child protection services as well as human service organisations funded by the States. Some recommended that State Governments could subsidise across State jurisdictions to ensure border communities receive similar services in either state.

Second, there were myriad calls for a NSW/VIC Joint Family Violence Police Unit shared between police stations and modelled on the health sector arrangements underpinning Albury-Wodonga Health concerning shared resources, policies and procedures across the border. Finally, all observed the need for increased funding for Family Violence programs and services on both sides of the border.

Participants reiterated calls for a cross border early intervention approach modelled on South Australia's strategy (Government of South Australia, 2020) as well as increased prevention activities to raise awareness of family violence. Children who live in families where relationships are problematic need opportunities to learn that there are different ways of relating to each other. There were calls for programs such as the Respectful Relationship program available in Victorian schools to be funded on a long-term basis and delivery extended into NSW.

A cross border risk assessment and safety panel akin to the SAMS/RAMP model response to lower risk family violence cases was recommended. Increased funding for holistic services that are not time constrained was seen as a priority as was the development of services capable of providing support on either side of the border wherever victim/survivors live (e.g. housing, family support, police). Further, participants recommended agencies' funding agreements be changed to include cross border service provision and recognition that cross border collaboration was part of workers' roles. For example, some participants observed that a key deliverable and KPI in funding agreements should be 'what evidence do you have of working cross border, for example, MOUs and protocols.

### **Commonwealth Initiatives**

There was congruence across all groups' recommendations for Commonwealth initiatives that may result in an improved family violence system and outcomes for services, workers and clients in both high and lower risk cases.

A strong and consistent theme across participants' ideas for change was the need for a Commonwealth legislative framework across the entire family violence space. It was considered that consistency of legislation and risk assessment, for instance, a Commonwealth version of MARAM (Victorian Risk Assessment Framework), would increase the safety and wellbeing of victim/survivors in cross border regions. Further, the introduction of Commonwealth information-sharing legislation, with specific detail on information sharing between states in cross border regions, including timeliness was considered a priority.

Extending this legislation to include information sharing between State based Child Protection and Corrections services as well as Police was considered important. As information-sharing is currently limited to within state jurisdictions the idea of a national portal within which information-sharing could be achieved was proposed.

There were calls from two groups of participants for the provision of ongoing funding to develop and maintain a national database comprising details of both perpetrators and victim/survivors. Further improvements to current support systems were considered, notably, the creation of a national one-stop shop court system to support families experiencing family violence, the creation of agencies modelled on Victoria's Centre Against Violence across the nation and additional mental health Medicare sessions being made available to victim/survivors.

Finally, The National Plan to Reduce Violence Against Women and their Children was launched in 2010 as a COAG initiative. While much has been achieved there are still many gaps with our most obvious one being cross border issues.

## Conclusion

This report firstly used an ecological systems lens to situate the issues experienced by family violence practitioners in the Albury-Wodonga region within the broader political, geographical, service and social system. The report points towards the value of a systems-thinking approach to family violence in the cross border context. It does this by incorporating the proposition that the safety of individuals and families is profoundly influenced by a dynamic system comprised of diverse yet interconnecting system levels. Issues identified include organisational and community capacity to respond effectively within two disparate state-based service systems, social disadvantage (e.g. lack of public transport), constraints around information sharing and inequitable resource allocation. Typically, it is those people who are already significantly disadvantaged, including those involved with child protection and those whose partners have been incarcerated who are most impacted by the inequities between state-based systems.

Systems thinking highlights the value of pitching interventions at multiple levels simultaneously, for example at government, organisational and community levels as well as at individuals. Notably, participants highlighted numerous initiatives that would strengthen responses to those experiencing family violence as well as perpetrators in this region. Consistency across states was a theme, including consistency in prevention and early intervention strategies, risk assessment frameworks, information sharing protocols and programs and services including court support and Men's Behaviour Change programs. Cross border initiatives, notably a cross border risk assessment and safety panel and a regional strategic coordination role to better coordinate and facilitate the cross border family violence network were considered imperative as was the need for Government funding to support these.

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**Gateway Health Counselling and Support Program  
Family Safety Services**

**Coercive Control Case Studies**

**Case #1: Victim/Survivor of Coercive Control - Woman in her 40s**

Eight years ago, a migrant woman arrived in Australia with a child from previous marriage. She married an Australian man, 30 years her senior, whom she met while he was overseas. She became trapped in an emotionally and verbally abusive marriage.

She sought Police help multiple times but only non-physical abuse was mentioned. Police failed to respond. The abusive marriage attacked her independence, autonomy, identity, and dignity.

Early in the relationship, the husband asserted his power with a serious physically violent episode. Since then, he used non-physically violent methods to coercively control his wife by being highly critical of everything she did, constantly calling her derogatory names and telling her she was mentally unstable if she became upset or questioned husband.

He undermined her relationship with son by applying rigid rules and expectations on both wife and son. He did this by undermining her parenting style and refusing to allow her to parent her son with love and kindness. He also berated and put her down in front of son.

He controlled who she talked to by controlling access to phone and where she went by installing spyware on phone.

The husband deleted phone messages from son, and sent messages to son pretending to be her, to create division and sabotage their relationship. The son left home as soon as able.

All her finances were controlled by him. Visa and residency status were also used to control her behaviour.

She was psychologically abused by him buying expensive gifts for her and later taking them away. This included legally adding, and then removing her name, on ownership documents.

She was disbelieved because mental health became a focus to conceal and hide family violence. But it was the relationship itself that caused her mental health to deteriorate. Her heightened anxiety and depression also lessened her help-seeking capacity.

Due to constantly shifting behaviours and rules, she experienced low self-esteem, lack of confidence, elevated stress reactions and a normal state of hyper-vigilance

The wife was unable to leave due to finances, residency, being alone, not wanting to return to her home country, and having a son that would remain in Australia.

From interaction with Police, she felt mistrust towards system. Police had believed her husband over her. He called Police to report her as unstable and present himself as the capable and rational. He used claimed knowledge of Australian law to intimidate and threaten her.

Eventually, after a several years of marriage and experiencing coercive control, during a verbally abusive episode, she physically assaulted her husband to "shut him up". She now faces criminal

charges and is homeless. Our system failed to protect this woman and failed to recognise how destructive coercive control is.

### **Case #2: Male Perpetrator of Coercive Control – Man in his early 50s**

Shortly after group began, this man was subject to an IVO (police listed his wife and children as protected persons), due to use of controlling behaviours and electronically stalking wife.

He told facilitators his wife was unfaithful so he “needed” to check phone messages for evidence. IVO application offences included using surveillance software on her phone. He said this was a “misunderstanding” and that “all I did was check a couple of her messages”.

The IVO included proximity clauses but permitted contact with her and children when mother and children agreed. As a result, he moved out of the family home.

He barely satisfied IVO proximity clauses by moving to rental property in same street. In group, he said it was good living close to offer help with children or dinner. Wife reported constant and unannounced visits, asking when they could share a bed again, and have sex. When she didn’t give answer, he concluded she was unfaithful. The “making dinner” claim was contested by wife. Wife couldn’t remember husband ever offering to help. Wife was told to feed husband for making him homeless and broke. Wife was aware behaviour was in breach but didn’t feel able to report all breaches and feared she wouldn’t be believed.

He told facilitators limited availability led to location choice. Weeks later, facilitators learned that he was offered accommodation by family friend but declined. Facilitators said his behaviour changed from digital to in-person stalking.

Two months later, he abandoned rental property, due to costs, and moved in with family friend. Before moving, he put significant verbal pressure on wife to withdraw IVO and let him return to the family home. No record meant he was never breached on this. She said he would blame her and the IVO for his financial hardship and causing children’s emotional distress. He deemed her “responsible” for police applying IVO as she did not contest it or apply for its removal/variation.

He said wife’s depression meant she was confused, didn’t know what she wanted and “going crazy”. He said she shouldn’t be listened to or trusted. He said this justified him helping her and the kids. He used these statements to justify persistently asking her when they could reunite, have sex, and drop IVO.