

Research Director
Legal Affairs and Community Safety Committee
Parliament Houses
George Street
Brisbane Q 4000

To whom it may concern

This submission is prepared by the Brisbane Domestic Violence Service staff and women who access the service to provide input to the **Legal Affairs and Community Safety Committee examination of the Domestic and Family Violence Protection and Other Legislation Amendment Bill 2014.**

The Brisbane Domestic Violence Service (BDVS) is a free and confidential service for people in the Brisbane Metropolitan area who are affected by domestic and family violence. The service supports women, children, family members, same sex couples and others.

BDVS' goal is to support women and children to reach a stage where they are safe and free from fear of domestic and family violence. We provide a range of services, including information and referral, crisis support, practical assistance, advocacy, counselling and emotional support.

Brisbane Domestic Violence Service is an activity of Micah Projects a not for profit organisation located in Brisbane .

Working with Police

For many women involvement with Queensland Police Service is often their first interaction around seeking safety and support as a victim of domestic violence. Trained, competent, timely and consistent Police responses across Regions is key to ensuring the safety and engagement of victims of domestic and family violence and importantly holding those perpetrating violence accountable for their actions. In addition the police response is key to the effectiveness of any legislation that has the aim of making offenders of domestic violence more accountable as well as providing more practical and financial support to victims of domestic and family violence.

For example women's feedback gives evidence to this effect

- *I called the Police a number of times and they would attend but leave without taking any action. Each time this happened, it handed more power to him.*
- *The police put responsibility on me to be safe, they told me that I should leave the house for the night to let him calm down.*
- *The best response I had from the Police was when he threatened the police.*
- *There is no continuity amongst Police. It depends on who you get, some can be great and some aren't. They should all be the same, you should get a good response no matter who you get and what station you go to.*
- *I felt I had to know my rights to get a good responses.*
- *The onus is on the victim to prove it happened instead of the perpetrator proving it didn't*

Therefore by the time that a women is again contacting Police in relation to a breach of a domestic violence order women they bring with them to this process their previous experiences and prior interactions. It is most helpful for women when the actions of the Police are consistent and reliable rather than dependent upon a range of individualistic response over multiple contacts to interventions related to domestic violence incidents and or addressing a breach of a domestic violence order.

Input from women in relation to reporting a Breach of domestic violence orders include:

- *If I have gone to the trouble of applying for a DVPO and I'm fearful enough to apply for one, the police need to take the same perspective and back up breaches immediately.*
- *To date I do not know what penalty has been issued to my ex-husband for breaching my protection order. I was informed by the police that he was charged and would be appearing in court. When I asked when this would be the police officer said that it was of "no concern to me as I did not have to appear in court". I think he totally missed the point. My children still see him so there is face to face contact every week and I need to know what and how he is going to behave towards me and in front of the children. I have to keep recording every changeover to ensure my own safety and that of the boys. The next time he breaches the protection order I will be going to another police station to report it. I don't feel comfortable or supported by the officer's at that Station.*
- *When it comes to domestic violence I do not think very highly of the police (the ones I had to personally deal with), I felt like I was wasting their time. I had to keep going*

back to the station and reporting breaches (on each occasion I spoke with a different police officer – there was no continuity at all. I don't think police truly appreciate the devastating effect that domestic violence has on the aggrieved and their immediate family. I had to stand my ground for 3 hours at the front counter of the Police Station before I finally convinced the Constable on front desk duty that my protection order had been breached.

Coordination with the Legal System

For women who reported more positive experiences of the justice system there were several key themes that emerged:

- Timely access to specialised legal services for initial advice and information
- Access to high quality, trained legal representation.
- Support and practical assistance to navigate systems such as
 - Completing forms
 - Understanding language and terminology
 - Emotional and practical support

Addressing the impacts through practical and financial support

The social and economic impacts of domestic violence on a victim of domestic violence are significant, ranging from mental health, post-traumatic stress and social isolation. The financial impacts range from loss of income from employment/ reliance on Centrelink payments through to loss of housing or homelessness and its financial impacts.

Simplified and timely access to financial compensation would mitigate women and their children provides opportunities for enhancing safety (upgrading security and repairs to damage of property). There are also opportunities to prevent families from entering the homelessness system by financing repairs to property, covering costs of rental arrears or even paying rent for periods of time until financially independent.

- *When you are crushed emotionally and financially it's very hard to keep going and fighting the systems.*
- *I could not work or continue to work full time and still complete all the stuff needed for court.*

- *All of our assets were in his name so at the end of property settlement I was left with nothing. I am now in more financial hardship then when I started.*
- *I've had to move out of our home and am now renting, money is very tight*
- *We currently live with my elderly parents which is not really ideal but we have no other option available to us. I cannot move forward on property settlement as I cannot afford the costly legal fees.*
- *I had to leave our home and move into crisis accommodation. I have been left with all the debts, rent, electricity, damage to the property. He isn't made responsible for anything.*

Victim recommendations:

- DV needs to be treated not as a civil matter but as criminal matter
- Police should give women a DV package regardless of what Police action is taken. When the police attend a DV callout women can know where they can get support and can assess their situation when they are not in a heightened state.
- Increase accountability for perpetrators of violence – ensure that Police are adequately trained and respond at all points of contact particularly for breaches
- Retain and increase the number of specialist Domestic and Family Violence Co-ordinators
- Increase access to legal support and simplify application processes
- Legal aid lawyers should be rated on a 5 star rating and it should state who has worked in domestic violence before, so people know what they are getting. You should get to pick a lawyer who specializes in DV and they should have to be recommended.
- Ensure access to specialised support services to provide practical assistance and support to navigate systems and assist with recovery from domestic and family violence

In conclusion we thank you for the opportunity to provide input into assisting the Legal Affairs and Community Safety Committee to consider Domestic and Family Violence Protection and other Legislation Amendment Bill 2014.

Regards

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