



# Domestic Violence Intervention

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**Assessing safety and accountability...whose responsibility is it?**

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# Safety and Accountability Audit

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**The goal of the Domestic Violence Safety and Accountability Audit is to uncover how safety and accountability *are or are not* considered as institutions intervene in these cases.**

- Relates not just to risk of physical harm but also includes other forms of risk, such as those generated by;
  - The abuser
  - Victim life circumstances
  - By the very intervention which should keep the victim and her children safe



# Origin of Safety and Accountability Audit

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- Drawn from the work of Canadian sociologist Dorothy E. Smith – Institutional Ethnography
- Dr Ellen Pence applied to criminal justice interventions in domestic assault cases – the Praxis Safety and Accountability Audit
- The Audit process is now being used to analyse child protection intervention in cases where there is domestic abuse



# How lived experience becomes a “case”

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A personal experience can become an institutional case in many ways (000 calls, school nurse, application for public housing, seeking refuge, etc)

The institutional door the victim enters will have an enormous impact on the outcome



# Underlying Audit Assumption

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**Workers are organised and coordinated to engage in their work in ways that standardise workers' interventions so that regardless of which worker is assigned to a case, the 'system' will respond in fairly consistent ways.**



# We are a highly managed society...

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We need to be in order to function

- Schools – schedules
- Traffic
- Land use
- Legal relationships
- Food quality etc



## Institutions of Social Management (ISM's)

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- Health
- Education
- Child protection
- Family and Juvenile courts
- Law enforcement and criminal courts
- Housing authorities
- Not for Profit organisations etc..



## Discourse and Dominant Ideologies

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- There is a world of discourse, comprised of language, theories, concepts...
- That “abstract world” of discourse is applied by practitioners (within ISM’s) to situations in the everyday world
- The discourse shapes how practitioners think about the situations they are handling
- The ideology of the institution is carried through the discourse into worker’s practices



# Audit trails

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- Technology and resources
- Rules and regulations
- Administrative procedures
- Education and training
- Linkages
- Institutional conceptual practices
- Social and individual risk
- Systems of accountability



# Uncovering operative rules & regulations...

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- Constitution
- Federal Statutes
- State criminal code
- Federal and State case law (including Supreme Court decisions)
- Department policy
- Insurance regulations
- Protocols (agreements with other agencies and departments)



# Uncovering administrative procedures standardising practice...

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1. Arrest report forms
2. Investigative report form
3. Warrant request form
4. Citation form
5. Evidence forms
6. Booking forms
7. Medical release forms
8. Suspect victim notification forms
9. Mobile data terminal/radio communications



# Participating Agencies

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## ADVIP partners

- DCD (now DCP)
- Police
- DCS
- RAWA
- Starick Services
- Armadale Health
- Gosnells Community Legal Service

## We looked at

- DCD Case File
- Starick Refuge Case File
- Police – Incident Reports
- DCS Case File & Reports
- ADVIP Core Group and Interagency meeting minutes

**We identified and analysed methods of coordinating workers, not individual performances.**



## 1<sup>st</sup> Audit Question

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Are we meeting best practice standards for child protection, advocacy and law enforcement to create safety for victims and accountability for perpetrators?



# What we looked at

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- Close investigation of one case – the Jones case (1999 – 2003)
- All core ADVIP agencies were involved
  - Two hundred contacts with family
  - Over thirty workers
  - Multiple agencies
  - Ongoing threat of statutory child protection intervention
  - Children ultimately apprehended as a response to the violence (unprotective ?)



## overarching problem one

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**In every intervening agency, we found that information gathering, documentation and sharing was inadequately conceived and coordinated to achieve the goals of victim protection and offender accountability.**



## overarching problem two

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**Interventions tend to hold victims of abuse responsible for an offenders' behaviour in ways that undermine both the goals of safety and accountability and frequently lead to increased rather than diminished risk for adult and child victims.**



# overarching problem three

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**The current system of accountability by practitioners to victim safety is not adequately built into case processing routines.**

## **Multi layered**

- Offender-to-Victim Accountability
- Institution-to-Victim Accountability
- Practitioner-to-Practitioner Accountability
- Agency-to-Agency Accountability



## overarching problem four

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**Throughout the whole system, practitioners are hooking into assumptions, using theories, categories and language that were frequently inadequate to centralise safety and accountability in these cases.**



## overarching problem five

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**ADVIP's current operating structure and processes are focussed towards cross agency cooperation in individual cases and miss vital opportunities to identify and resolve systemic issues that compromise victim safety and offender accountability.**



# Intersection of child protection and DV.

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**Leanne is being held disproportionately responsible for the harm done to her children by Brian.**

*'I acknowledged that she needs counselling to deal with her own inability to effectively deal with all of the issues, including her compulsive lying and inability to say no to Brian. I was very clear about her understanding of the agreement and reiterated that statutory action will be necessary if Leanne does not work with the Department.'*



# Intersection of child protection and DV.

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**Brian's use of violence toward Leanne and their six year old son is harmful to Leanne and Bobby but most of the workers efforts are to get Leanne to do something different rather than Brian.**

*'Leanne was only able to commence working pro-actively with the Department to ensure her children's safety and well being once she understood the real risk of her children being apprehended and placed into alternative care.'*

*'Interview with Bobby and talk with Leanne. Gave Information to Leanne that she must keep the children safe. She is also to pass on info re parenting programs to Brian and to let him know that he should contact them for an interview appointment.'*



# Intersection of child protection and DV.

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**Despite evidence to the contrary  
Leanne is characterised as not  
protective of her children.**

*'Leanne advised she has been lying throughout her involvement with the Department and that Brian has been having regular telephone and home contact with the children. Leanne advised that she can say no to Brian however this has no impact on him whatsoever. Leanne advised that she has a ten-year habit of lying about her relationship and issues arising from the relationship and she stated that she finds it easier to tell people what they want to hear. Leanne stated, "She can't stop it." Further, as a result of not being able to say no, she cannot keep the children safe.'*




# The criminal justice system response to DV cases

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**The criminal justice system is not effectively using the power of the state to control Brian's violence.**



*"I am very disappointed in the system that keeps allowing Brian to get away with breaching his parole. I have to contact police owing to Brian breaching bail conditions and restraining order and I am fed up with having to call the police and go through a process that is not supporting me." Leanne*



# The criminal justice system response to DV cases

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- **Reports to the court do not provide a full picture of the offending. Magistrates may not receive information on the context and pattern of violence. Not all sources of information, including victim information, are used.**



# The criminal justice system response to DV cases

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- **Breaches of VROs are not treated with the seriousness they should be. Agencies such as DCD and Corrections have contributed to a breach through not seeking adequate information or being aware of the implications of a VRO.**



## The role of coordination in DV cases

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**The violence against Leanne is not uncovered in a timely fashion nor is the worker organised to work effectively with the police and the criminal justice system to control Brian's access to and abuse of Leanne and the children.**

*'Leanne advises caseworker that 'she was too afraid to be honest as Brian makes threats to kill her and the children and she believes his threats to be real.' Leanne advised that 'she was too frightened to stay but more frightened to leave, she advised that her face and body was covered in blood and that she was terrified that Brian would kill her, also Brian prevents her from ringing out on the mobile or using the phone box across the road.'*



# The role of coordination in DV cases.

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- **The is a lack of relevant information sharing between the core agencies. Issues of informed consent, knowing what is relevant to share and ownership of information impede this process. Better information sharing could have improved victim safety and provided early identification of the dangerousness of the offender.**
- *“I see now that I’ve had tunnel vision when reading these case files. When I read police reports, I look for very specific items, mostly related to evidence but the audit process has made me want to know more, but the more just isn’t there” Police Officer*



# The role of coordination in DV cases.

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- **There appeared to be a limited understanding of the dynamics and effects of domestic violence by the child protection system, corrections staff and the courts.**
- **This led to poor communication and information sharing between these agencies and advocates.**
- **This in turn affected the ability to see domestic violence in a holistic way and therefore work as a system to address it.**

# Thank You

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# Rachel's story

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An example of how institutional practices impact on individuals' everyday life.