



Government of **Western Australia**
Department for **Child Protection**

FAMILY AND DOMESTIC VIOLENCE POLICY

2012

Revision history	
Endorsed	December 2005
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POLICY STATEMENT

The Department for Child Protection (the Department) has a key role in providing effective responses to those affected by family and domestic violence with a particular focus on child and adult victims, and perpetrator accountability.

Victim safety and perpetrator accountability is best achieved through effective collaboration with key partner agencies within an integrated system response.

POLICY STATEMENT BACKGROUND

Family and Domestic Violence and Child Protection

The Department responds to cases of family and domestic violence (FDV) using the Signs of Safety Child Protection Practice Framework.

FDV is a serious issue affecting Western Australian families of all cultural and economic backgrounds. It is strongly associated with and linked to a number of other serious social issues including other forms of child abuse, homelessness, mental health issues, poverty and drug and alcohol misuse. Effective responses to FDV require shared responsibility and the coordinated efforts of multiple service systems and agencies.

Children have unique vulnerabilities in situations of FDV. Exposure to FDV causes serious emotional, psychological, social and behavioural harm to children, as well as placing them at increased risk of abuse and neglect.

It is recognised that FDV is now one of the most common reasons for notification to statutory child protection services. In cases where it may not be the presenting problem, it can often be the underlying cause.

Aboriginal women and children experience rates of FDV at up to three times higher than the non-Aboriginal community. FDV contributes to social and structural disadvantage in the Aboriginal community as well as complex trans-generational trauma. It is a significant factor contributing to the over-representation of Aboriginal people in child protection responses.

Victim Safety

Children exposed to FDV can experience significant and substantial harm to all aspects of their health and wellbeing. In most instances this harm is associated with the child's exposure to the violent and abusive behaviours directed by the perpetrator to the adult victim (usually the child's mother).

Child protection responses should never assume that a protective parent mitigates the risks posed by the perpetrator of violence and wherever possible, options should be avoided that separate the child from the protective parent. However, the need for child protection responses to focus on safety for the adult and child victim does not diminish the responsibility of the non-abusive parent to act protectively towards the child/ren.

Perpetrator Accountability

Perpetrators of FDV must be held accountable for their behaviour.

The Department's approach to responses to perpetrators of FDV is underpinned by the following assumptions.

1. Safety – the purpose of engaging and working with the person using violence is to increase the safety of the child and adult victim.

2. Responsibility – people using violence are responsible for their behaviour and are the only ones that can change that behaviour.
3. Choice – people using violence are in control of their behaviour and make choices to use violence.

Integrated Responses

FDV requires multi agency intervention. This approach maximises the capacity of the whole system to provide timely, effective and appropriate responses to cases of FDV.

OPERATIONAL DESCRIPTION OF FAMILY AND DOMESTIC VIOLENCE

FDV is the intentional and systematic use of violence and abuse to create fear and to control the victim's behaviour. Multiple forms of abuse characterise the experience, often causing physical, sexual and/or psychological damage, forced social isolation, economic deprivation, and the victim to live in fear.

The term 'domestic violence' usually refers to abuse against an intimate partner, while 'family violence' is a broader expression encompassing domestic violence and the abuse of children and other family members.

Aboriginal people generally prefer to use the term 'family violence'. This concept describes a matrix of harmful, violent and aggressive behaviours and is considered to be more reflective of an Aboriginal world view of community and family healing. However, use of the term 'family violence' should not obscure the fact that Aboriginal women and children bear the brunt of family violence.

FDV is a gendered crime. A gendered perspective must be taken in understanding FDV and how to work with a family experiencing violence in a child protection context.

LEGISLATIVE MANDATE

Children and Community Services Act 2004

Restraining Orders Act 1997

Family Law Act 1975

Family Law Legislation Amendment (Family Violence and Other Measures) Bill 2011

Family Court Act 1997

PRACTICE PRINCIPLES FOR STAFF RESPONDING TO FAMILY AND DOMESTIC VIOLENCE

All aspects of the Department's responses to FDV must adhere to the following principles:

1. The safety of child and adult victims is paramount.
2. Increasing the safety of the non-abusive parent and their safety networks enhance the safety for the child.
3. In order to keep child and adult victims safe, perpetrators of FDV must be held accountable for their actions and be actively supported to cease their violent behaviour.
4. The safest and most effective responses to FDV involve collaboration and coordination with other agencies and services.

THE DEPARTMENT'S ROLE IN FAMILY AND DOMESTIC VIOLENCE

The Department has a variety of roles in responding to FDV within an integrated system response, including:

- Assessing and managing the safety and wellbeing of children, adult victims and family members who are experiencing FDV.

- Taking intervention action when the parent's level of protectiveness has been assessed as low, and the danger to children high, due to FDV.
- Supporting children in the CEO's care who have experienced FDV in order to mitigate the impact.
- Working in partnership with WA Police via the co-location model to provide coordinated assessment and response to cases of FDV.
- Providing information, counselling, support and referral for both victims and perpetrators through the Men's and Women's Domestic Violence Helplines
- Provision of overnight accommodation for women and children escaping FDV when suitable alternative accommodation can not be found.
- Provision of financial assistance.
- Leading the development, implementation and monitoring of State strategic policy about FDV and representing the State at a national level in regards to FDV issues, funding and strategic planning.
- Funding the community services sector to provide FDV services for adult and child victims and perpetrators.

RELATED POLICIES AND DOCUMENTS

This policy should be read in conjunction with:

- Family and Domestic Violence Background Paper
- Family and Domestic Violence Casework Practice Manual entries:
 - Family and Domestic Violence Co-location Model
 - Family and Domestic Violence Screening and Assessment
 - Family and Domestic Violence Safety Planning
 - Engaging Perpetrators of Family and Domestic Violence
 - Collaborative Responses to Family and Domestic Violence

This Policy is informed by and compatible with the following State Government and departmental policies and frameworks:

- Department for Child Protection, *Signs of Safety Child Protection Practice Framework*
- Department for Child Protection, *Aboriginal Services Framework*
- Department for Child Protection, *Family and Domestic Violence Common Risk Assessment and Risk Management Framework*
- *WA Strategic Plan for Family and Domestic Violence 2009-2013*
- *Department for Child Protection, Strategic Plan 2012-2014*

Other relevant departmental policy and practice documents and publications relating to FDV include:

- *Signs of Safety Child Protection Policy*
- *Policy on Assessment and Investigation Processes*
- *Policy on Child Sexual Abuse*
- *Policy on Neglect*

EFFECTIVE DATE

13 August 2012

REVIEW DATE

August 2013

OWNER

Executive Director, Policy and Learning