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Submission to the Inquiry into Family Violence Orders

Family violence is a tragic and serious issue in our community. The government has a responsibility to protect women and children and keep them safe from violence. There needs to be much greater commitment and attention to this issue and reforms to policy.

I appreciate the work of the government in creating this Bill to consider better ways to protecting family violence victims. I support the Bill – albeit acknowledging that this is just one of many steps that are needed to give family violence the attention it deserves and to properly address the issue of violence in our community.

Having prevention orders is a good and necessary idea. Where people pose a threat to the health and wellbeing of other people in the community, including where they have committed or threatened to commit violence or abuse, they should be warned and prevented from committing such violence. They should also be punished for breaching their orders, so that there is accountability for their actions and so that perpetrators know they cannot commit abuse with impunity. It is also critical that we show people experiencing family violence that we care about them and the challenges they are facing. By implementing Family Violence Orders and properly enforcing them, this can emphasise as a society that family violence is unacceptable. Where people suffer from violence or abuse without much help from police or the justice system, or perpetrators can continue to harm them even without Family Violence Orders in place, this can make them feel alone or disillusioned.

There are some serious drawbacks with existing prevention orders, which compel the need for reform. Often, they do not provide the protection for victims that they should, leaving them vulnerable to further violence. Perpetrators can breach the orders by stalking their victims or committing further acts of violence or abuse, without any meaningful accountability for their actions. Tragically, many victims of domestic homicide already had Domestic Violence Orders against their perpetrators. This included 24% of female victims between 2010-2014, according to the Australian Domestic and Family Violence Death Review Network 2018 Data Report.

Therefore, the “criminally enforced” nature of the new proposed Family Violence Orders is a

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critical reform. There needs to be serious enforcement of these orders and accountability for perpetrators breaching these orders. Where a victim avails themselves of getting an order to protect themselves against further violence, they should have trust and confidence that the orders will provide protection. Perpetrators need to understand that breaching the orders will be taken seriously and they will be punished.

A further improvement amongst police would be to have regular check-ups on people with orders placed against them. This could include perpetrators that are still living with their family. This demonstrates that the police care about the issue and are watching, and can and will respond if there are any breaches of these orders. It also enables the police to connect people with other services. This is done in the Darling River, NSW. In this example, the police also interview the perpetrator and victim(s) to see what help they need (e.g. help with employment, mental health, substance abuse) and then come back with service providers or members of the local community who can provide the assistance they need (See Hill 2021, 362).

I am a student at University of Melbourne studying Masters of Public Policy and Management. I studied Domestic Abuse as a case study in my Governance subject. I have previously submitted to the Inquiry on Family, Domestic and Sexual Violence (Submission 206). I appreciate the opportunity to be involved in writing a submission.

Kind Regards,

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Bibliography

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