



# DOMESTIC VIOLENCE DEATH REVIEW TEAM ANNUAL REPORT 2013-15

## GOVERNMENT RESPONSE

No.	RECOMMENDATION	LEAD AGENCY	GOVERNMENT RESPONSE
1	<p>That the <b>NSW Domestic Violence Death Review Team</b> and the <b>NSW Judicial Commission</b> work collaboratively to:</p> <ul style="list-style-type: none"> <li>a) improve learnings around domestic violence and victim visibility in remarks on sentence/judicial commentary; and</li> <li>b) develop an information sharing protocol in relation to referring judgments and remarks on sentence to the Commission for consideration where the representation of domestic violence, including perpetrator accountability and victim visibility, could be improved.</li> </ul>	DVDRT Secretariat, NSW Judicial Commission	<p>Supported.</p> <p>The DVDRT Secretariat will meet with the NSW Judicial Commission in the first six months of 2016 to plan the implementation of this recommendation. It is anticipated that this implementation will include the preparation of a research monograph by the Team's Secretariat which will be provided to the Commission for dissemination to its members.</p>
2	<p>That the <b>NSW Domestic Violence Death Review Team</b> work collaboratively with the Victim Impact Statement Working Group, convened by Victims Services NSW (NSW Department of Justice), to examine ways in which victim visibility may be enhanced through the process of preparing and providing Victim Impact Statements to the Court.</p>	DVDRT Secretariat, Victim Impact Statement Working Group (Department of Justice)	<p>Supported</p> <p>This work is ongoing.</p> <p>The DVDRT Secretariat has commenced working with Victims Services NSW in 2016, including participating in the Reducing Domestic Violence Re-Offending Workshop. Similarly, the DVDRT Secretariat has arranged initial meetings with the Victim Impact Statement Working Group to progress this recommendation.</p>
3	<p>That the <b>NSW Domestic Violence Death Review Team</b> work collaboratively with the <b>Office of the Director of Public Prosecutions (NSW)</b>, the <b>NSW Bar Association</b>, the <b>Law Society of NSW</b> and the <b>NSW Public Defenders' Office</b> to develop appropriate strategies to better support lawyers in recognising and responding to domestic violence.</p>	DVDRT Secretariat, Office of the Director of Public Prosecutions (NSW), NSW Bar Association, Law Society of NSW, and NSW Public Defenders' Office	<p>Supported.</p> <p>The DVDRT Secretariat will contact the Office of the Director of Public Prosecutions (NSW), the NSW Bar Association, the Law Society of NSW and the NSW Public Defenders' Office in the first 6 months of 2016 to progress this recommendation.</p>
4	<p>That <b>NSW Health</b> work collaboratively with the <b>NSW Domestic Violence Death Review Team</b> to:</p> <ul style="list-style-type: none"> <li>a) identify all homicides occurring in NSW from March 2008 where the perpetrator had received care or treatment from a NSW Health service for mental health issues within 6 months of the homicide;</li> <li>b) provide to the Team all final Severity Assessment Code 1 Root Cause Analysis Reports prepared in relation to the cases identified in the audit process foreshadowed in a);</li> <li>c) provide to the Team all de-identified thematic analyses prepared by the Clinical Excellence Commission in relation to the cases identified in the audit process foreshadowed by a); and</li> <li>d) develop an information sharing mechanism whereby the Team may seek input from the CEC in relation to cases where mental health issues are identified.</li> </ul>	NSW Health	<p>Supported</p> <p>NSW Health mental health services only come in contact with a small number of persons accused of domestic violence-related homicide. Alternatively, perpetrators may have received treatment for diagnosed mental illness through general practitioners, private psychiatrists and other private health professionals. Others, as the Domestic Violence Death Review Team Report suggests, have not had contact with any services in relation to a diagnosable mental illness.</p> <p>Root Cause Analysis reports are based on the findings from reviews of the medical record and interviews with clinicians and families/carers. The reports identify local systemic improvement opportunities, on many occasions these will be unrelated to the circumstances of the homicide. Given the relative rarity of incidents of homicide involving patients of NSW Health mental health services and the nature of Root Cause Analysis recommendations, there has not been sufficient information to allow for 'thematic' analysis' of such incidents. This is not to say that individual Root Cause Analysis reports may highlight a local issue and response that may point to a helpful 'state-wide' intervention.</p>
5	<p>That the <b>NSW Domestic Violence Death Review Team</b> and the <b>NSW Health Mental Health Drug and Alcohol Office</b> work collaboratively to develop an information sharing mechanism whereby the Team may seek input</p>	DVDRT Secretariat, NSW Health (MHDAO)	Supported.

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	from that Office in relation to cases where mental health and/or drug and alcohol issues are identified.		The DVDRT Secretariat will engage with the NSW Health Mental Health Drug and Alcohol Office in the first six months of 2016 to progress this recommendation.
6	<p>That the <b>NSW Government</b> give consideration to expanding the current membership of the Team to include:</p> <ul style="list-style-type: none"> <li>a) a permanent member with expertise in the area of Mental Health treatment and service provision; and</li> <li>b) a permanent member with expertise in the area of Drug and Alcohol treatment and service provision.</li> </ul>	Department of Justice, NSW Health (MHDAO)	<p>Supported</p> <p>The Department of Justice will consider this recommendation in consultation with the DVDRT and relevant agencies.</p> <p>NSW Health considers that it may be a way of providing the Domestic Violence Death Review Team with a greater understanding of the spectrum of mental health issues, the concerns identified in Root Cause Analysis reports, the service delivery options and drug and alcohol treatment interventions.</p> <p>The Mental Health and Drug and Alcohol Office would also like to suggest that representatives are selected for their clinical expertise in the selected field, and experience in the provision of generalist mental health and drug and alcohol services.</p>
7	<p>That <b>Ageing, Disability and Home Care (ADHC) (Department of Family and Community Services)</b> give consideration to developing mandatory internal reporting protocols to enable action to be taken when staff suspect clients are at risk from domestic violence in the home.</p> <p>That consideration also be given to establishing a notification process between frontline FACS housing teams and ADHC operated and funded services when staff suspect that domestic violence is occurring. This may be modelled on the current notification obligations of maintenance workers who identify child protection issues in their contact with tenants. This notification triggers a client service visit from tenancy team staff to enable support, information and appropriate referrals to be made.</p>	Department of Family and Community Services (ADHC)	<p>Partially supported</p> <p>The NDIS will be responsible for specialist disability services from July 2018. Until then, FACS could provide information for disability staff to assist them to identify and respond to domestic violence. Thereafter NSW will need to establish how <i>It Stops Here</i> will support people with disability. FACS (ADHC) will discuss an approach with FACS (Housing) for notifying when staff have concerns about social housing tenants with disabilities who are suspected to be at risk of DFV.</p>
8	<p>That the <b>NSW Government</b> approach the Commonwealth to highlight <i>Recommendation 10</i> of the Team's <i>11/12 Report</i> and suggest it be taken into account in public awareness campaigns including that being progressed through the Commonwealth of Australian Governments, and that any future NSW campaigns are also informed by that recommendation.</p> <p>Recommendation 10 of the 2011-12 Report:</p> <p>"That the <b>NSW Government</b> commission the development and implementation of a public education strategy aimed at improving the reporting of domestic violence, including physical violence and controlling and coercive behaviour. This should be targeted at reporting by:</p> <ul style="list-style-type: none"> <li>• victims;</li> <li>• family, friends and neighbours of victims; and</li> <li>• specific groups such as Indigenous women, young women and older women, and women who speak languages other than English.</li> </ul> <p>The strategy should draw on international research, and should aim to educate the community about the nature and dynamics of domestic violence for example in relation to:</p> <ul style="list-style-type: none"> <li>• the times when victims are most at risk such as at the point of separation, when disputes arise in relation to child custody and during pregnancy;</li> <li>• the presence of risk factors such as stalking behaviour, coercive and controlling behaviour or economic</li> </ul>	Women NSW	<p>Supported and completed.</p> <p>Women NSW has written to the Commonwealth and the letter sent on 27/01/2016.</p>

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	<p>abuse, which may fall outside of the paradigm of traditional physical domestic violence; and</p> <ul style="list-style-type: none"> <li>education regarding teen dating violence, healthy relationships, cyber abuse and identifying when conduct becomes serious criminal behaviour requiring police intervention.</li> </ul> <p>The strategy should provide practical advice to victims, family, friends and neighbours and specific groups about:</p> <ul style="list-style-type: none"> <li>how to respond to domestic violence;</li> <li>where assistance can be sought including DV help lines and the police; and</li> <li>how and when to contact police and emergency services.”</li> </ul>		
9	<p>That the <b>NSW Police Force</b> investigate additional strategies and processes that will promote increased compliance with policies concerning ADVOs and breaches of ADVOs and report to the Team in relation to these initiatives. Strategies and processes should include the use of the Team’s case reviews to inform existing training in relation to ADVO compliance.</p>	NSW Police Force	<p>Supported.</p> <p>The NSWPF have advised that they support this recommendation and intend to refer case studies provided to their Education and Training command so that they can be utilised to improve training of officers in relation to Apprehended Domestic Violence Orders.</p> <p>The NSWPF are implementing a range of initiatives intended to address domestic violence, including extending “Suspect Target Management Plans” (STMPs) to domestic violence. Under STMPs, offenders considered to be at high risk of reoffending will be subject to both overt and covert monitoring. High risk offender teams are also working to address the problem of recidivism in relation to domestic violence.</p> <p>The Office for Police at the Department of Justice will work with the NSWPF to ensure compliance with policies in relation to ADVOs. This will include regular reports and oversight of NSWPF activity.</p>
10	<p>That the <b>NSW Department of Justice</b> continue to work closely with the NSW Domestic Violence Death Review Team in identifying and informing future evaluations of the Domestic Violence Safety Assessment Tool (DVSAT).</p>	Department of Justice	<p>Supported</p> <p>This work is already underway, and the Department will continue to work collaboratively with the DVDRT in the evaluation of the DVSAT. The evaluation of the DVSAT is planned for 2017/2018.</p>
11	<p>That the <b>Department of Family and Community Services – Housing NSW</b> work collaboratively with the <b>NSW Police Force</b> to develop an information bulletin regarding the rights and rules pertaining to social housing tenants. This bulletin should be circulated state-wide within 12 months.</p>	Department of Family and Community Services (Housing NSW), NSW Police Force	<p>Supported</p> <p>FACS will collaborate with the NSW Police Force to determine what information would be most useful to include in a bulletin or fact sheet.</p> <p>NSWPF is actively collaborating with Housing NSW. Officers from the NSWPF will be meeting with FACS officers to discuss the development of the information bulletin. Once the bulletin is available, the NSWPF will disseminate the bulletin. Copies will also be provided to the NSW Police Education and Training command for use in training in relation to domestic violence.</p>
12	<p>That the <b>Department of Family and Community Services – Housing NSW</b> develop a z-card for tenants that identify their status as a “head” tenant with the right to request removal of unauthorised occupants of the property. This z-card should be distributed by Housing NSW to new and existing tenants.</p>	Department of Family and Community Services (Housing NSW)	<p>Not supported</p> <p>FACS has investigated the feasibility and effectiveness of a z-card through a pilot and in discussions with NSW Police Force has agreed that it is not feasible. The NSW Police</p>

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			Force have indicated that they already have the necessary powers to remove offenders. FACS is in the process of releasing an app which would provide more up to date information about tenancy status.
13	That the <b>Minister for Domestic and Family Violence</b> convene an interfaith roundtable within the next 12 months with a view to progressing <i>Recommendation 12</i> of the Team's <i>11/12 Report</i> .	Minister for the Prevention of Domestic Violence and Sexual Assault (Women NSW)	Supported  An interfaith roundtable will be held in 2016. Planning for the roundtable is currently underway.
14	That the <b>Family Court of Australia</b> and the <b>Federal Circuit Court of Australia</b> :  a) update their webpages concerning family violence to incorporate a quick close button to facilitate the safe and rapid exit from the webpage; b) give consideration to updating information in relation to safety and separation included on their respective websites; and c) give consideration to including family violence referral information in their brochures ' <i>Marriage, Families &amp; Separation</i> ' (prescribed brochure) and ' <i>Separated but living under one roof?</i> '. d) This referral information should be reflected in both the online and hardcopy versions of these brochures, and should include referrals to 1800 RESPECT.	Women NSW	Supported  Women NSW has written to the Family Court of Australia and the Federal Circuit Court of Australia and the letters were sent on 30/03/2016.
15	That the <b>NSW Ombudsman</b> gives consideration to developing a protocol which will enable deaths involving both domestic violence and child protection issues to be subject to a joint meeting between the NSW Ombudsman's Office and the NSW Domestic Violence Death Review Team. The purpose of this meeting will be to share learnings in relation to child protection and domestic violence issues.	NSW Ombudsman	Supported in principle  The NSW Ombudsman suggests enhanced collaboration between death review functions to minimise overlap and potential duplication of functions between agencies.