

Guidelines for Better Practice Responses to Family Violence for the Essential Services Commission and essential service providers

May 2022

Acknowledgement of Traditional Owners

Safe and Equal acknowledges Aboriginal and Torres Strait Islander peoples as the traditional and ongoing custodians of the lands on which we live and work. We pay respects to Elders past and present. We acknowledge that sovereignty has never been ceded and recognise First Nations peoples' rights to self-determination and continuing connections to land, waters, community and culture.

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About Safe and Equal

Safe and Equal is the peak body for specialist family violence services that provide support to victim survivors in Victoria. The interests of people experiencing, recovering from, or at risk of, family violence is at the heart of everything we do. Our vision is a world beyond family and gender-based violence, where women, children and people from marginalised communities are safe, thriving, and respected. We recognise the gendered nature of violence in our society, and the multiple intersecting forms of power and oppression which can compound the impacts of violence and limit people's access to services, support, and safety. We work closely and collaboratively with other organisations and support the leadership of victim survivors to amplify their voices and create change.

We provide specialist expertise across primary prevention, early intervention, response and recovery approaches and the inter-connections between them. Our work is focused on developing and advancing specialist practice for responding to victim survivors, building the capability of specialist family violence services and allied workforces, organisations and sectors that come into contact with victim-survivors; building the capabilities of workforces focused on primary prevention; and leading and contributing to the translation of evidence and research, practice expertise, and lived experience into safe and effective policy, system design and law reform.

We develop family violence practice and support workforces to ensure that victim survivors are safe, their rights are upheld, and their needs are met. The prevalence and impact of family and gender-based violence will be reduced because we are building a strong and effective workforce responding to victim survivors that can meet the needs of the community we serve, while also having a growing and impactful workforce working to prevent violence.

We work to strengthen and connect organisations, sectors, and systems to achieve safe and just outcomes for victim survivors irrespective of entry point, jurisdiction and individual circumstances. Joining efforts across prevention, response, and recovery we work to ensure the family violence system is informed and supported by a well-resourced and sustainable specialist sector. Our contributions to primary prevention workforces, initiatives and alliances contribute to social change for a safer and more respectful community.

We are building momentum for social change that drives meaningful action across institutions, settings, and systems for a safer and more equal society. Our workforce and practice development efforts are coupled with a partnership approach that builds community awareness and commitment to change. Our expertise and efforts enable citizens across the community to recognise and respond to family and gendered violence, hold perpetrators to account and support the ongoing recovery and empowerment of victim survivors.

We are a strong peak organisation providing sustainable and influential leadership to achieve our vision. The work we do and the way we work are integrated and align with our values. This is achieved through inclusive culture, and a safe and accessible workplace supported by robust systems and processes.

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Project Background

Safe and Equal, the peak body for specialist family violence services responding to victim survivors in Victoria, has partnered with the University of Melbourne's Safer Families Centre and the University's WEAVERS (Women and children who have Experienced Abuse and Violence: Advisors and Researchers) lived experience group, to deliver this project, commissioned by the Essential Services Commission (the commission). The guidance brings together the principles in the commission's [Better Practice in Responding to Family Violence Guide](#) with the principles for working with survivor advocates from the [Family Violence Experts by Experience Framework](#), delivered by the University of Melbourne and the WEAVERS, and the principles for best practice responses to victim survivors outlined in the [Code of Practice for Specialist Family Violence Services for Victim Survivors](#).

Purpose and Audience

Since 2016, Essential Services Commission has played a leading role in the implementation of the Royal Commission into Family Violence recommendations linked to improving private sector responses to family violence and will have an ongoing role in this work. The commission identified the need for a guidance document to support staff across the commission to provide better practice responses to victim survivors of family violence, as well as better practice approaches to engaging with victim survivors in the design, delivery and evaluation of its family violence reforms and customer vulnerability work. This project provides practical guidance for the commission to inform the way it engages with survivor advocates and customers experiencing family violence, as well as provide practical guidance to organisations the commission works with. This guidance is divided into three sections:

- Part A Project report
- Part B Best Practice Responses to Victim Survivors of Family Violence
- Part C The Experts by Experience Implementation Plan for the commission

This guidance can be applied and adapted by essential service providers and other businesses to enable safe and appropriate responses to consumer's experiencing family violence and to support better practice engagement with survivor advocates.

Project Approach

The development of this guidance was informed by:

- A literature review
- Consultation with key stakeholders

The project team thanks those representatives from the Essential Services Commission, the water and energy providers, allied sector representatives and community sector representatives who contributed to the project and guidance development. The project team would like to extend special thanks to the survivor advocates who contributed to the project research and guidance development, including Lisa McAdams, Sapphire Sol and Rebeca Carro, and members from the WEAVERS, Amanda, Fiona and Georgina.

Key Terms

Aboriginal definition of family violence	The Victorian Indigenous Family Violence Task Force defined family violence in the context of Aboriginal communities as ‘an issue focused around a wide range of physical, emotional, sexual, social, spiritual, cultural, psychological and economic abuses that occur within families, intimate relationships, extended families, kinship networks and communities. It extends to one-on-one fighting, abuse of Indigenous community workers as well as self-harm, injury and suicide.’ The definition also acknowledges the spiritual and cultural perpetration of violence by non-Aboriginal people against Aboriginal partners which manifests as exclusion or isolation from Aboriginal culture and/or community. [DHHS, 2018]
Consumer participation	The process of ensuring that people with a lived experience are meaningfully involved in the planning, design and evaluation of programs, services, policies, and systems.
Diverse communities and at risk age groups	This includes the following groups: diverse cultural, linguistic and faith communities; people with a disability; people experiencing mental health issues; lesbian, gay, bisexual, transgender and gender diverse, intersex, queer/questioning, and asexual (LGBTIQ+) people; women in or exiting prison or forensic institutions; people who work in the sex industry; people living in regional, remote and rural communities; male victims; older people, infants, children and young people (12–25 years of age). [FSV, 2021]
Elder abuse	Is any harm or mistreatment of an older person that is committed by someone with whom the older person has a relationship of trust. In the context of family violence, this may be elder abuse by any person who is a family member (such as their partner or adult children) or carer. Elder abuse may take any of the forms defined under ‘family violence’. [FSV, 2021]
Essential services	The electricity and gas, water, local government, and transport sectors.
Family Violence	Any behaviour that occurs in family, domestic or intimate relationships that is physically or sexually abusive; emotionally or psychologically abusive; economically abusive; threatening or coercive; or is in any other way controlling that causes a person to live in fear for their safety or wellbeing or that of another person. It includes any person that causes a child to hear or witness or otherwise be exposed to the effects of family violence. [FVPA, 2008]
FVPA	<i>Family Violence Protection Act 2008 (Vic)</i>
LGBTIQ+ people	Lesbian, Gay, Bisexual, Transgender and Gender Diverse, Intersex, Queer/Questioning, and Asexual people.
Perpetrator	The person who uses family violence. In some cases, there may be multiple perpetrators (and multiple victim-survivors) in the family. This term signifies the importance of placing responsibility with the person(s) who chooses to use violent, abusive and controlling behaviours to intimidate, harm and cause fear in another person. It is important to acknowledge that this term may not be preferred by some people and communities. Other expressions such as ‘person using (or choosing to use) family violence’ might be preferred instead, depending on context. Additionally, some victim-survivors may not relate to this term or find it alienating, and it is not a term that should be used in cases where an adolescent or young person is using violence against parents/carers or other family members. [Domestic Violence Victoria, 2020]
Perpetrator accountability	The process by which the perpetrator themselves acknowledges and takes responsibility for their choices to use family violence and works to change

	their behaviour. It sits with all practitioners, organisations and systems through their collective, consistent response to promote perpetrators' capacity to take responsibility for their actions and impacts, through formal or informal services response mechanisms. [FSV, 2021]
Risk factors	Evidence-based factors that are associated with the likelihood of family violence occurring or the severity of the risk of family violence. [FSV, 2021]
Safety planning	A plan developed by the victim-survivor, typically with the support of a specialist family violence practitioner (or other professional), to help manage their own safety in the short to medium term, while other risk management actions and interventions are being organised. Safety plans should use a strengths-based approach and identify protective factors that build on what the victim-survivor is already doing and what works for their circumstances. [FSV, 2021]
Survivor Advocate	Victim survivors of family violence who are engaged in formal co-production activities and mechanisms to influence policy development, service planning and practice.
Victim-survivor	The person, including adults, infants, children and young people, who has experienced family violence. This term acknowledges that the person subjected to family violence is both a victim of a crime and a human rights violation, and they are also a survivor with respect to their autonomy, strength and resilience. The term must not be used to wholly define a person. Experiencing family violence is a part of someone's life amongst many other experiences. Some people may prefer the term 'person experiencing (or has experienced) family violence'. Some people may prefer other terms or may not prefer any label or term at all. [Domestic Violence Victoria, 2020]

Part B: Better Practice Responses to Victim Survivors of Family Violence

This current guidance compliments and builds on the commission's Better Practice Guide (2019). The better practice guide aims to help regulated businesses and affiliated organisations implement safe and effective family violence responses and it pitched at whole of organisation level. The advice contained in this section of the report is tailored specifically at the staff and customer service level and has been developed to inform their decision making. It also can be used as a starting point for training and advice a business may implement.

Defining Family Violence

The Family Violence Protection Act 2008 (Vic) defines family violence as any behaviour that occurs in family, domestic or intimate relationships that is physically or sexually abusive; emotionally or psychologically abusive; economically abusive; threatening or coercive; or is in any other way controlling, that causes a person to live in fear for their safety or wellbeing or that of another person. Family violence is also defined as behaviour by any person that causes a child to hear or witness or otherwise be exposed to the effects of the above behaviour [FVPA, 2008].

Family violence can occur in a range of relationships, including between current and former spouses or partners, parent/carer-child relationships, and relationships between siblings and other relatives, such as grandparents or extended family members. It also includes 'family-like' relationships such as paid or unpaid carers for people with disability, families of choice for LGBTIQ+ people, and cultural kinship networks in multicultural and Aboriginal communities. Because of the different relationships and contexts in which family violence occurs, the concept of family violence is an umbrella term and includes other related terms such as intimate partner violence, elder abuse, child abuse and adolescent family violence.¹

Family violence includes a continuum of behaviours, some of which are criminal offences, such as stalking, physical assault, sexual assault, threats, pet abuse, property damage and theft. Some risk factors that are recognised as family violence (both criminal and non-criminal behaviours) may be the subject of a family violence intervention order. A breach of an intervention order could also result in criminal charges. [FSV, 2021].

Examples of family violence include carrying out the actions below, or threatening to do so:

- Assault or causing personal injury.
- Sexual assault or engaging in another form of sexually coercive behaviour.
- Property damage.
- Verbal abuse, threatening behaviors, and emotional manipulation.
- Preventing victim-survivors from participating in their religion, cultural practices, or language of preference.
- Isolating a victim-survivor from their family, friends, and support networks.
- Denying reasonable financial autonomy or financial support.

¹ See the key terms for definitions of these terms.

- Stalking, harassment, intimidation, or coercion to cause fear or ongoing harassment, including by a third party, electronic communication or social media.
- Unlawfully depriving a family member of their liberty.
- Killing or injuring an animal.

Drivers and Prevalence

The causes of family violence are complex and include gender inequality and community attitudes towards women [FSV, 2021]. While people of any gender can be perpetrators or victim-survivors of family violence, overwhelmingly, it is men who are the perpetrators and women and children who are the victim-survivors [FSV, 2021].

Family violence occurs in all cultures, communities and across all demographics including age, gender and socioeconomic status. While there are many similar factors across many groups, specific groups experience unique impacts and systematic barriers due to factors such as ableism, ageism, criminal history, homophobia, racism, and other forms of discrimination.

Key statistics

- Intimate partner violence contributes to more death, disability, and illness in adult women than any other preventable risk factor [ANROWS, 2018].
- On average, one woman per week is killed in Australia by a current or former male partner [AIC, 2017].
- Approximately one in four women has experienced intimate partner violence, compared to one in 13 men [ABS, 2017].
- Almost two in five women with a disability have experienced intimate partner violence since the age of 15 [CREDH, 2021].
- 92 per cent of women who are physically assaulted are assaulted by a man they know, most commonly a former intimate partner (42 per cent) [ABS, 2017].
- Family violence is the leading cause of homelessness for women and children in Australia [AIHW, 2019].
- One in three refugee and migrant women living in Australia have experienced domestic and family violence [Segrave et al, 2021].
- Three in five Aboriginal and/or Torres Strait Islander women have experience physical or sexual violence perpetrated by a male intimate partner. This violence is perpetrated by men from many cultural backgrounds, including indigenous and non-indigenous men. [Our Watch, 2018].
- Two in five LGBTIQ+ people who have been in intimate relationships felt they were abused in some way by their partner/s. For intersex, transgender and gender diverse people these numbers are even higher [Hill et al, 2020].

Family violence risk and supporting safety

Family violence is a pattern of behaviour intended to coerce and control the victim survivor, that can cause long term psychological, physical and financial damage to the victim survivor. This cycle of behaviour can erode the victim-survivor's sense of self-worth and agency and can lead the victim survivor to be in a permanent state of hyper-vigilance that can impact the way they process information, communicate and make decisions. The victim survivor is the expert of their experience and is often best placed to assess the risk posed to them by the

perpetrator. Leaving an abusive relationship is often the most high-risk time for a victim survivor, and for this reason it can take many years and many repeated attempts to leave a relationship before the victim survivor is able to regain safety, control and autonomy in their lives. For this reason, it is critical that all responses to family violence are trauma informed, give choice and control to victim survivors wherever possible, and understand the risks and indicators.

Family violence impacts and indicators in the context of the commission's work

Economic abuse is recognised as a form of family violence, and the short- and long-term financial impacts of family violence is well documented [Royal Commission into Family Violence, 2016]. Victim survivors may accrue debt with utilities providers due to increased financial instability through leaving an abusive relationship, and/or as a result of concerted efforts from abusers to intentionally accrue debt in the victim survivors' name [Consumer Utilities Advocacy Centre, 2014]. Victim survivors may contact utilities providers in the course of relocation in fleeing from an abusive relationship, in order to change contract details and conceal their whereabouts from perpetrators [Bond & Ulbrick, 2019]. The responses from utilities providers can support victim survivors to regain safety and stability and can also increase risk or inadvertently perpetuate abuse [Economic Abuse Reference Group, 2018; The Essential Services Commission, 2018]. Additionally, some victim survivors face increased structural barriers to support and social discrimination based on their identity and social position, such as: socio-economic status; cultural identity; language and literacy; sexual orientation; physical and/or intellectual abilities; mental health; and age [Essential Services Commission, 2019; Thriving Communities Partnership, 2019].

Principles for better practice responses to family violence

Professionals who come into contact with victim survivors in the course of their work, including those working in frontline roles in regulated sectors have an opportunity to support and facilitate consistent and safe responses and referrals for people experiencing family violence. Utility providers are committed to ensuring that they deliver an effective and sensitive responses to customers experiencing hardship and vulnerabilities, such as family violence. The principles outlined below will guide professionals in this work and are consistent with service system responses to family violence and key reforms underway across Victoria.

It is important to remember that:

- Victim survivors are experts in understanding their own safety and risk.
- Victim survivors will have a variety of views regarding their own risk, safety and support needs.
- Victim survivors may feel ashamed or afraid to disclose their experiences.
- Victim survivor views may change over the course of engagement.
- Victim survivors experience different risks, impacts, and barriers to accessing support and safety depending on the person perpetrating family violence, the victim survivor's social context and circumstances, and factors such as social discrimination based on the individual's age, disability, gender, sexuality, race, or immigration status.

1. Family violence is unacceptable in any form.

This means:

- Professionals understand there are many forms of family violence, and all of them are taken seriously.
- Responses provided to diverse communities and at-risk age groups are accessible, culturally responsive and safe.

2. Professionals are aware of the drivers of family violence, predominantly gender inequality.

This means:

- Understanding family violence is a choice by a person to use behaviours for the purposes of power and control. Responsibility for the use of violence rests solely with the person perpetrating violence, and victim survivors are not to be blamed, held responsible or placed at fault [FSV, 2021]. See the key terms section for further definition of perpetrator.

3. The agency and dignity of victim survivors must be respected.

This means:

- Believing victim survivors, not requiring undue burden of evidence, and giving choice and control over their options wherever possible.
- Removing the need for victim survivors to repeat their story unnecessarily.

- Demonstrating empathy through active listening, asking open questions, and using a calm and patient tone.
- Proactively providing clear, accessible and inclusive information.
- Providing meaningful opportunities for victim survivors to give feedback about the responses offered, and this may mean gathering feedback later or through an anonymous platform.

4. Professionals provide clear referral information for specialist support

This means:

- Proactively asking the victim survivor about their immediate safety
- Coordinating with other people within your organisation, and external organisations where appropriate, within the context of your role. In an emergency, call 000.
- Professionals are clear about their role and responsibilities, including the relevant policies and processes within their context for responding to family violence, and the external referrals and options available to support victim survivors.
- Professionals responding to disclosures of family violence in the course of their work receive support and debriefing. This may take the form of debriefing with a supervisor, taking a break, or having access to Employee Assistance Program

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