



Community Housing
INDUSTRY ASSOCIATION **VICTORIA**

COMMUNITY HOUSING FAMILY VIOLENCE TOOLKIT

CHIA VIC 2020

ABOUT COMMUNITY HOUSING INDUSTRY VICTORIA

The Community Housing Industry Association Victoria (CHIA Vic) is the peak body representing the not-for-profit community housing sector in Victoria. CHIA Vic works to support the growth of community housing as the most effective and efficient means of ensuring more disadvantaged Victorians can enjoy the dignity of safe, secure and appropriate housing. CHIA Vic takes a key role in building the capacity of the sector, including developing best practice tools, resources and training.

WHO IS THIS TOOLKIT FOR?

The Family Violence Toolkit has been developed for all staff working in Community Housing Organisations (CHOs), including asset management, tenancy management, corporate services and administration. It is important for all people working in the community housing sector to have a shared understanding of family violence and an ability to recognise and respond to tenancies which are affected by family violence. This toolkit is separated into four sections:

PART A provides background, definitions, prevalence, and presentations of family violence.

PART B provides key information and checklists for staff identifying and responding to tenancies in which family violence is present.

PART C provides information for CHO leaders to appropriately support their workforce.

PART D provides key contacts and services for secondary consultation and referral.

WHY HAS THIS TOOLKIT BEEN DEVELOPED?

CHIA Vic has developed this toolkit in partnership with Domestic Violence Victoria (DV Vic) to build on existing good practices within Community Housing Organisations, and complements Victorian legislation, such as the Multi-Agency Risk Assessment and Management (MARAM) Framework, Family Violence Information Sharing Schemes and the Residential Tenancies Act. CHIA Vic would like to thank DV Vic's Anna Wark for her work on this project.

The toolkit's tailored information and resources, used in conjunction with family violence training, will strengthen CHOs capacity to identify and appropriately respond when tenancies are impacted by family violence and develop their practice as part of a coordinated multi-agency response to family violence.

A NOTE ON LANGUAGE

GENDER-INCLUSIVE LANGUAGE

In recognition of the complex spectrum of gender and sexual identities, this toolkit uses gender-inclusive language rather than binary gendered terms (i.e. women and men) or pronouns (i.e. she/her and he/him). At the same time, the toolkit also acknowledges it is men who predominately use family violence and those who identify as women and their children who are disproportionately harmed by it.

TENANCY LAW LANGUAGE

The terms Renter, Residential Rental Provider and Residential Rental Agreement are used throughout this document in preference to the terms Tenant, Landlord and Residential Tenancy Agreement to reflect the imminent changes to these terms in Victorian tenancy law.

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KEY TERMS

<p>Aboriginal definition of family violence</p>	<p>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.¹</p>
<p>Adolescent who uses family violence</p>	<p>A young person who chooses to use coercive and controlling techniques and violence against family members, including intimate partners. Adolescents who use family violence often coexist as victims of family violence and therapeutic responses should be explored.²</p>
<p>Cisgendered</p>	<p>People whose gender identity is in-line with the social expectations of their sex assigned at birth; i.e. those who are not transgender.³</p>
<p>Culturally safe responses</p>	<p>To practice in a culturally safe way means to carry out practice in collaboration with the service user, with care and insight for their culture, while being mindful of one’s own. A culturally safe environment is one where people feel safe and where there is no challenge or need for the denial of their identity.⁴</p>
<p>Diverse communities and at risk age groups</p>	<p>Diverse communities include 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 and queer/questioning (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 and young people (12-25 years of age).⁵</p>
<p>Elder abuse</p>	<p>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 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’.⁶</p>
<p>Family violence</p>	<p>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.⁷</p> <p>In relation to children, 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.</p> <p>This definition includes violence within a broader family context, such as extended families, kinship networks and communities.</p>

1 Department of Health and Human Services (2018).

2 Family Safety Victoria (2019a)

3 Ibid.

4 Ibid.

5 Ibid.

6 Ibid.

7 Family Violence Protection Act 2008 (Vic) s.5

FVISS	Family Violence Information Sharing Scheme, established under Part 5A of the <i>Family Violence Protection Act 2008</i> (Vic).
Framework organisation	An organisation prescribed by regulation to be a Framework organisation for the purposes of Part 11 of the Family Violence Protection Act 2008 (Vic) and required to align their policies, procedures, practice guidance and tools to it. ⁸
FVPA	<i>Family Violence Protection Act 2008</i> (Vic)
Intersectionality	A theory developed to examine how multiple forms of power, privilege and oppression overlap, or intersect, in people's lives in mutually reinforcing ways to produce power hierarchies, structural inequalities and systemic marginalisation. ⁹
Information Sharing Entity (ISE)	Information sharing entity as defined in the <i>Family Violence Protection Act 2008</i> (Vic) to be a person or body prescribed, or a class of person or body prescribed, to be an information sharing entity.
LGBTIQ	Lesbian, Gay, Bisexual, Transgender and Gender Diverse, Intersex and Queer/Questioning. ¹⁰
MARAM Framework	The Family Violence Multi-Agency Risk Assessment and Management Framework.
Misidentification	Where a victim of family violence is named or categorised as a perpetrator (or respondent in criminal proceedings) for their use of self-defence or violent resistance, or as a form of defence of another family member, or where they are identified based on a misinterpretation of their presentation due to the impact of violence, mental health issues, influence of alcohol or other drugs, aggression toward police, or initiation of police contact. ¹¹
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 the 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. ¹²
Perpetrator accountability	The process by which the perpetrator acknowledges and takes responsibility for their choice 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. ¹³
RTA	<i>Residential Tenancies Act 1997</i> (Vic)

9 African American Policy Forum (n.d.); Chen, J. (2017); Crenshaw, K. (1989); 'Intersectionality' (n.d).

10 Department of Premier and Cabinet (2016).

11 Family Safety Victoria (2019a)

12 Domestic Violence Victoria (2020).

13 Family Safety Victoria (2019a)

Risk Assessment	<p>The process of applying the model of Structured Professional Judgement (SPJ),¹⁴ to determine the level of family violence risk.</p> <p>SPJ is informed by:</p> <ul style="list-style-type: none"> ▪ the victim-survivor's self-assessed level of risk ▪ evidence-based risk factors (using the relevant assessment tool) ▪ information sharing with other professionals as appropriate, to inform decision-making ▪ intersectional analysis to ascertain any issues caused by discrimination and marginalisation.¹⁵
Risk Assessment Entity (RAE)	<p>Has the same meaning as set out in the <i>Family Violence Protection Act 2008 (Vic)</i>, being an information sharing entity that is prescribed to belong to the category of a risk assessment entity. Risk assessment entities can request and voluntarily receive information from an Information Sharing entity for a family violence assessment purpose.</p>
Risk factors	<p>Evidence-based factors that are associated with the likelihood of family violence occurring, or the severity of the risk of family violence.¹⁶</p>
Risk management	<p>Any action or intervention taken to reduce the level of risk posed to a victim and hold perpetrators to account. Actions taken and interventions that are implemented appropriate to the level of risk identified in the risk assessment stage.¹⁷</p>
Safety planning	<p>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.¹⁸</p>
Serious risk	<p>Evidence-based risk factors associated with the increased likelihood of the victim-survivor being killed or nearly killed, as per the MARAM Framework.¹⁹</p>
VCAT	<p>Victorian Civil and Administrative Tribunal</p>
Victim-survivor	<p>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.</p> <p>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 particular label or term at all.²⁰</p>

14 Family Safety Victoria (2019a)

15 Domestic Violence Victoria (2020).

16 Family Safety Victoria (2019a)

17 Ibid.

18 Ibid.

19 Ibid.

20 Domestic Violence Victoria (2020).



CHIA Vic acknowledges the support of the Victorian Government

PART A: INTRODUCTION AND BACKGROUND

DEFINING FAMILY VIOLENCE

Family violence is behaviour that controls or dominates a family member and causes them to fear for their own, or another person's, safety or wellbeing. It includes exposing a child to these behaviours, as well as their effects and impacts.²¹ Family violence presents across a spectrum of risk, ranging from subtle exploitation of power imbalances, through to escalating patterns of abuse over time.

The *Family Violence Protection Act 2008* (FVPA) defines family violence as behaviour by a person towards a family member or person that is:

- Physically or sexually abusive.
- Emotionally or psychologically abusive.
- Economically abusive.
- Threatening.
- Coercive.

In any other way controls or dominates the family member, causing them to fear for their safety or wellbeing, or that of another person.²²

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 or unwanted behaviour.
- Property damage.
- Verbal abuse, threatening behaviours, humiliation, blackmail, 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.
- Stalking, harassment, intimidation or coercion in order to cause fear or ongoing harassment, including through the use of electronic communication or social media.
- Unlawfully depriving a family member of their liberty.
- Killing or injuring an animal.

Family violence can occur in relationships between spouses, domestic or other current or former intimate partner relationships, in other relationships such as parent/carer-child, child-parent/carer, relationships of older people, siblings and other relatives, including between adult, extended family members and in-laws, kinship networks, and in family-like or carer relationships.²³

ABORIGINAL DEFINITION

Family violence against Aboriginal and Torres Strait Islander peoples carries its own self-determined definition that must be understood and embedded into broader systems and responses.²⁴

21 Family Safety Victoria (2019a).

22 FVPA (2008).

23 Family Safety Victoria (2019a).

24 Domestic Violence Victoria (2020).

Dhelk Dja (an Aboriginal-led Victorian agreement addressing family violence) acknowledges the spiritual and cultural perpetration of family violence by non-Aboriginal people against Aboriginal partners, children, young people and extended family members, abuse of Elders, and lateral violence within Aboriginal communities.²⁵

Family violence against Aboriginal people and communities is situated within the context of historic and ongoing impacts of colonisation, genocide, systemic violence, racism, family separation and intergenerational trauma.²⁶

FAMILY VIOLENCE THAT IS A CRIMINAL OFFENCE

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.

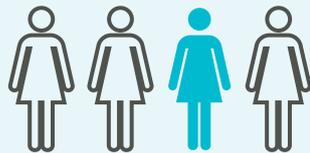
PREVALENCE AND DRIVERS OF FAMILY VIOLENCE

Family violence is underpinned by gender-based oppression, structural inequalities and an imbalance of power. The causes of family violence are complex and include gender inequality and community attitudes towards women.²⁷ 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.²⁸

Family violence produces highly detrimental individual and social outcomes:



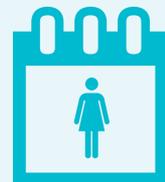
Intimate partner violence contributes to **more** death, disability, and illness in adult women than any other preventable risk factor.



Approximately **one in four women** has experienced intimate partner violence, compared to **one in 13 men**.



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).



On average, **one woman per week** is killed in Australia by a current or former male partner.²⁹

25 Department of Health and Human Services (2018).

26 Australian Institute of Health and Welfare (2019); Australia's National Research Organisation for Women's Safety (2018); Diemer, K. (2015).

27 Family Safety Victoria (2019a).

28 Family Safety Victoria (2019a).

29 Australia's National Research Organisation for Women's Safety (2018); Australian Institute of Criminology (2017).

Family violence can occur in a range of ways across different relationship types and communities, including, but not limited to:



Children and young people who, as victim-survivors in their own right, have unique experiences, vulnerabilities and needs.



Older people, whose experiences of family violence is often described as elder abuse by intimate partners, adult children or carers, or extended family members.



People from **Aboriginal** and **diverse** backgrounds and communities.

Perpetrators choose to use coercive tactics and violent and controlling behaviour to gain power over one or more victim-survivors. Responsibility for the use of violence rests solely with the perpetrator and it is important that they are held accountable for their behaviour through informal and formal social and legal sanctions.³⁰

Victim-survivors are never responsible for the perpetrator's use of violence, even if they maintain a relationship with the perpetrator, and should never be blamed.

PRESENTATIONS OF FAMILY VIOLENCE ACROSS

THE COMMUNITY

Importantly, family violence is not solely a gendered problem but also an intersectional problem, driven by complex hierarchies of power, privilege and oppression with far-reaching impacts that reinforce structural disadvantage and marginalisation.³¹

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.

FAMILY VIOLENCE AGAINST CHILDREN AND YOUNG PEOPLE

Family violence has significant consequences for infants, children and young people, whether they are directly targeted with abuse, witness abuse or violence towards their parent/carer, or are exposed to the effects of family violence in their environment.³²

Exposure to family violence negatively and cumulatively impacts the physical, neurological, and emotional development of children and young people.³³ It effects their sense of safety and security, cognitive and behavioural functioning, and ability to cope and adapt to different situations and environments.³⁴ There is strong evidence that physical and emotional violence and abuse experienced by women during pregnancy can impact their unborn child, including the child's brain development. Similarly, evidence shows negative experiences in the first three years of life have long-lasting effects on development and increase the risk of future intergenerational violence.³⁵

30 Family Safety Victoria (2019a).

31 Domestic Violence Victoria (2020).

32 Domestic Violence Victoria (2020); Department of Human Services (2014).

33 Domestic Violence Victoria (2020); MARAM.

34 Domestic Violence Victoria (2020); Family Safety Victoria (2019c).

35 Family Safety Victoria (2019a).

There are also circumstances where a child or young person may be using abusive and violent behaviours against their parents, grandparents, siblings, intimate partner, or other family members.³⁶ This is a complex area of service provision as often the children and young people using violence may concurrently be experiencing family violence as victim-survivors.³⁷

FAMILY VIOLENCE AGAINST ABORIGINAL PEOPLE AND COMMUNITIES

Aboriginal women experience significantly higher levels of family violence by both non-Aboriginal men and Aboriginal people than non-Aboriginal women;³⁸ they are 32 times more likely than other women to be hospitalised and 10 times more likely to die from violent assault.³⁹ This is due to a number of factors, many of which relate to the generational impact of colonisation, invasion and dispossession on Aboriginal culture and communities.⁴⁰

Family violence against Aboriginal people can include perpetrators denying or disconnecting victim-survivors from their cultural identity and connection to family and community.

Aboriginal people experiencing family violence face many barriers to seeking help. This can include past and recent experiences of racism, judgement, or lack of cultural competency from services.⁴¹ Aboriginal people may be reluctant to seek help that involves leaving their families and communities, given previous government policies of dispossession and removal, including the Stolen Generations, and current high rates of child removal. Professionals should use an approach that values the strengths of Aboriginal individuals and the collective strengths of Aboriginal knowledge, systems and expertise.

FAMILY VIOLENCE AGAINST LESBIAN, GAY, BISEXUAL, TRANSGENDER, INTERSEX AND QUEER COMMUNITIES

Emerging evidence shows that the rates of intimate partner violence within same-sex relationships is as high as that experienced by cisgender women in heterosexual relationships, and possibly higher for bisexual, transgender and gender diverse people⁴² (there is a lack of research on the rates for those with an intersex variation). Violence from other family members may also be higher.⁴³

Some examples are:

- Young people subject to homo-/bi-/trans-phobia being kicked out of the home after coming out about their sexuality or gender identity.
- Gender diverse LGBTIQ people who rely on others for care and support because of age or disability having their means of gender affirmation denied, such as through the withholding of hormones.
- Older, dependent transgender people being denied access to hormone treatment by their children.

LGBTIQ communities experience systematic barriers to reporting and seeking support for family violence. The dominant understanding of family violence as only involving heterosexual cisgender people contributes to low levels of identification and reporting and is a key factor in the 'invisibility' of family violence against LGBTIQ people. Additionally, fear of isolation or losing community connections by reporting family violence, of historical discriminatory laws, beliefs and service responses contributes to a distrust of services.⁴⁴

FAMILY VIOLENCE AGAINST PEOPLE FROM CULTURALLY AND LINGUISTICALLY DIVERSE COMMUNITIES

Victim-survivors from culturally, linguistically and faith diverse communities can experience systemic barriers to seeking support, including:

- Speaking no or limited English or having limited access to interpreters (which may be more pronounced in rural and regional areas).
- Limited access to information about family violence and support services, particularly in their preferred language.

36 Domestic Violence Victoria (2020).

37 Campbell, E. (2018).

38 Family Safety Victoria (2019a).

39 Australian Institute of Health and Welfare (2018).

40 Family Safety Victoria (2019a).

41 Ibid.

42 Our Watch (2017).

43 Family Safety Victoria (2019a).

44 Ibid.

- Limited information about Australian laws and services.
- Reservations about engaging with authorities or services due to past experiences or fears and misconceptions.
- Fears relating to immigration, visa status and sponsorship. A person's culture and immigration status might also affect their experiences of family violence and willingness to disclose the violence.
- Fears relating to losing community ties and support.
- Lack of cultural awareness and safety from service providers.⁴⁵

It is important for services to consider the effects of racism and discrimination and be sensitive to fears about engaging with the justice and legal system.

FAMILY VIOLENCE AGAINST OLDER PEOPLE (ELDER ABUSE)

Elder abuse is a form of family violence. In Victoria, family violence is defined as any act occurring within any family or family-like (including unpaid carer) relationship where there is an implication of trust, which results in harm to an older person.⁴⁶

In addition to gender, the drivers of elder abuse can include ageism. When not perpetrated by an intimate partner or carer, elder abuse is most commonly perpetrated by adult children.⁴⁷ It often manifests as financial abuse from adult children or other family members who have ageist attitudes of entitlement to their parent or relative's assets.

Older people are recognised as an at-risk age group as they may also be in a period of transition from independence to dependence and face additional vulnerabilities and discrimination, including declining health (mental or physical), social marginalisation and isolation, loss of economic power and loss of access to information, services and resources.

FAMILY VIOLENCE AGAINST PEOPLE WITH A DISABILITY

Disabilities can be cognitive, physical, sensory, acquired brain injury, neurological, or related to mental illness.

Family violence is also the leading cause of death, disability and ill-health in women aged 18–44.⁴⁸ People of all genders with disabilities are at higher risk of experiencing family violence. However, the intersection of gender and disability increases the risk of violence against women and girls with disabilities.⁴⁹ Women with a disability experience violence more intensely and frequently than other women. People with disabilities are also impacted by current and historical practices of institutionalisation, and any trauma from this should be considered as a potential barrier to engaging with services.⁵⁰

People with disabilities can struggle to have their reports of violence taken serious as they can be the subject of negative stereotypes, discrimination and assumptions, such as:

- Poor perceptions of their capability as parents (children who have parents with disabilities are removed at a much higher rate than those whose parents do not have disabilities).
- Perceptions of the likelihood of the person lying or misunderstanding situations as violent.
- Perceptions of their capacity to provide evidence, including competent testimony in court.⁵¹

Whilst being respectful and taking a victim-survivor's experiences seriously is always important, it can be particularly important for people with disabilities in the context of these barriers, fears, assumptions and stereotypes.

RURAL, REGIONAL AND REMOTE COMMUNITIES

While there are many commonalities between victim-survivors experiencing family violence in non-urban communities and victim-survivors from other geographic locations, it is important to consider the compounding issue of isolation due to remote location:⁵²

- Limited means to leave; and societal and/or familial pressure to stay in the relationship.

45 Ibid.

46 Ibid.

47 Ibid.

48 Webster, K. (2016).

49 Women with disabilities Victoria (2014).

50 Family Safety Victoria (2019a).

51 Ibid

52 CHIA NSW (n.d).

- Heightened concerns relating to privacy and confidentiality due to living in a small community with a limited number of service providers.
- Lack of services, or a lack of appropriate services.
- Delayed response times (for example, by police) due to a lack of services and distance.
- Distance to services and transport access issues.
- Easy access to weapons and guns.
- Rural community norms/conservative or traditional norms, especially relating to family and gender roles.
- Lack of financial support or means to gain employment.

FAMILY VIOLENCE AGAINST MEN

Men generally experience family violence at lower rates and with less severe consequences than women,⁵³ however the Royal Commission into Family Violence acknowledged male victim-survivors are most likely to experience family violence from either female partners or another male family member (for example, a brother, son, father)⁵⁴. Men's experiences of family violence also occur in the context of same-sex relationships, in childhood or as a young person, and in the context of elder abuse.

MISIDENTIFICATION OF PERPETRATOR

In some instances, victim-survivors may be misidentified as perpetrators, with terrible consequences in relation to their experience of the service system and ability to seek and access help, their interaction with the justice system and criminalisation and, importantly, their risk and safety. We know some victim-survivors may be misidentified as a perpetrator for their use of self-defence or violent resistance during an incident or series of incidents of family violence, or for actions taken to defend other members of the family. Victim-survivors are also misidentified as a perpetrator based on misinterpretation of their presentation or behaviour.

Perpetrators may be misidentified as victim-survivors for a range of reasons. Perpetrators may use the criminal justice system to control the victim-survivor by contacting the police and making false accusations or may misrepresent themselves as the victim-survivor.⁵⁵

ESSENTIAL FAMILY VIOLENCE SYSTEMS RESOURCES

This toolkit is situated within a family violence response system that provides numerous other essential resources to guide family violence responses. These resources are considered 'essential' because they are either legislated or embedded as key system enablers to facilitate consistent, safe and quality responses to family violence in the community. CHOs must understand their obligations and requirements within each of these guiding documents, as well as any other resources not mentioned here, that are prescribed through government contracts.

MULTI-AGENCY RISK ASSESSMENT AND MANAGEMENT (MARAM) FRAMEWORK

The Family Violence Multi-Agency Risk Assessment and Management (MARAM) Framework⁵⁶ is legislated under the *Family Violence Protection Act 2008* (Vic). Its aim is to increase the safety and wellbeing of Victorians by ensuring that prescribed organisations can effectively identify, assess and manage family violence risk and keep perpetrators in view and hold them accountable for their actions and behaviours. There are a number of MARAM practice guides and resources to support organisations and professionals to understand their relevant responsibilities under the Framework.

Further information and practice guidance on the MARAM Framework is available here:

vic.gov.au/maram-practice-guides-and-resources

53 Australia's National Research Organisation for Women's Safety (2018).

54 Royal Commission into Family Violence (2016), Chapter 32.; Domestic Violence Victoria (2020).

55 Family Safety Victoria (2019).

56 Family Safety Victoria (2018).

KEY CONCEPTS TO INFORM PRACTICE

The MARAM Framework describes a number of key concepts that inform all practice responses to family violence. These are summarised below:

PERSON-CENTRED APPROACH

Understanding the profound impact violence has had on a victim-survivor can be addressed through a person-centred approach, which gives a person space to describe the violence they have experienced, allowing you to sensitively identify presenting and cumulative risk and trauma. As well as understanding the individual's experience with family violence, it is also important to identify other factors in the victim-survivor's life that may create barriers or increased risk.⁵⁷

A person-centred approach allows you to:

- **validate a victim-survivor's experience of violence and its ongoing impacts**
- **be aware of barriers and discrimination that may cause or exacerbate existing trauma.**

You will then be able to tailor your responses to empower victim-survivors to make informed choices and access services and supports they need. It is important to remember that victim-survivors will have a variety of views regarding their own risk, safety and support needs. They may also feel ashamed or afraid to disclose their experiences. Their views may change over the course of your assessment and engagement with them.

INTERSECTIONAL ANALYSIS

The process of examining how multiple forms of power, privilege and oppression overlap, or intersect, in people's lives in mutually reinforcing ways to produce power hierarchies, structural inequalities and systemic marginalisation is described as intersectional analysis.⁵⁸ Applying an intersectional lens means considering a person's whole, multi-layered identity and life experience, and reflecting on your own bias to be able to respond safely and appropriately in practice.

Experiences of structural inequality, barriers or discrimination can also alter the way an individual or community experiences family violence, and in many instances contribute to increased risk and amplify barriers to disclosure and service access.⁵⁹

TRAUMA AND VIOLENCE INFORMED APPROACH

Having a trauma-informed lens is essential when engaging in family violence risk assessment and management. Key practice considerations include the following:

- **Everyone experiences some level of trauma from family violence.**
- **Trauma affects each person differently.**

Trauma and violence informed services may not be directed at treating trauma, but work to ensure that the service experience will not cause further trauma, harm or distress by ensuring they provide safe environments for disclosure and understand the effects of trauma.⁶⁰

A PRINCIPLES-BASED APPROACH TO PRACTICE

Organisations and professionals who come into contact with victim-survivors and perpetrators of family violence in Victoria, including those working in community housing, are required to have a shared understanding of family violence and facilitate consistent, effective and safe responses for people experiencing family violence. The MARAM Framework sets out shared the principles for responding to family violence. The following principles, set out in the MARAM Framework, apply to all professionals working in CHOs.

57 Family Safety Victoria (2019a).

58 African American Policy Forum (n.d.); Chen, J. (2017); Crenshaw, K. (1989); 'Intersectionality' (n.d).

59 Family Safety Victoria (2019a).

60 Family Safety Victoria (2019a).

The ten principles are:



EVIDENCE-BASED RISK FACTORS

The family violence risk factors outlined in the MARAM Framework reflect the current and emerging evidence-base. International evidence-based reviews and consultation with academics and expert practitioners have informed the development of a range of evidence-based risk factors that signal that family violence may be occurring.

All professionals working in CHOs need to be familiar with the risk factors.

! Risk factors relevant to adult victim circumstances

- **Physical assault while pregnant/ following new birth***
- Self-assessed level of risk
- **Planning to leave or recent separation***
- **Escalation – increase in severity and/or frequency of violence**
- Financial abuse/difficulties
- Imminence

! Risk factors specific to children caused by perpetrator behaviours

- Exposure to family violence
- Sexualised behaviours towards a child by the perpetrator
- Child intervention in violence
- Behaviour indicating non-return of child
- Undermining the child-parent relationship
- Professional and statutory intervention

! Risk factors specific to children's circumstances

- History of professional involvement and/or statutory intervention
- Change in behaviour not explained by other causes
- Child as victim in other forms of harm

! Risk factors for adult or child victims caused by perpetrator behaviours

- **Controlling behaviours***
- **Access to weapons***
- **Use of weapon in most recent event***
- Has ever harmed or threatened to harm victim or family members
- **Has ever tried to strangle or choke the victim***
- **Has ever threatened to harm or kill pets or other animals***
- **Has ever threatened or tried to self harm or commit suicide***

- **Stalking of victim***
- **Sexual assault of victim***
- Previous or current breach of court orders/Intervention Order
- History of family violence
- History of violent behaviour (not family violence)
- **Obsession/jealous behaviour towards victim***
- **Unemployed/disengaged from education***
- **Drug and/or alcohol misuse/abuse***
- Mental illness/depression
- Isolation
- Physical harm
- Emotional abuse
- Property damage.

Note: **bold text** denotes increased risk of the victim being killed or almost killed. Risk assessment tools are designed from these evidence-based factors, using structured professional judgement to determine seriousness of presenting risk.

RISK ASSESSMENT THROUGH THE MODEL OF STRUCTURED PROFESSIONAL JUDGMENT

Understanding and identifying the level of family violence risk is important for professionals who come into contact with victim-survivors and perpetrators of family violence, including those working in community housing. This process involves the application of the model of Structured Professional Judgement,⁶¹ to determine the level of family violence risk. Professionals are asked to bring their experience, skills and knowledge to the risk assessment process to make an assessment.

Structured Professional Judgement is informed by:

- the victim-survivor's self-assessed level of risk
- evidence-based risk factors (see the **Screening Tool** at **Appendix 1**)
- information sharing with other professionals as appropriate, to inform decision-making
- intersectional analysis to ascertain any issues caused by discrimination and marginalisation.⁶²

Risk assessment is a point-in-time assessment and, as the level of risk can change over time, it should be regularly reviewed.

FAMILY VIOLENCE AND CHILD INFORMATION SHARING SCHEMES

The Family Violence Information Sharing Scheme (FVISS) authorises prescribed information sharing entities (ISEs) to share information for the purpose of a family violence assessment or family violence protection purpose.⁶³ The Child Information Sharing Scheme (CISS) authorises prescribed ISEs to share information for the purpose of promoting a child or group of children's wellbeing and safety.⁶⁴ In the context of family violence, both FVISS and CISS must be used in conjunction with the MARAM Framework.

The information sharing schemes do not affect the reporting obligations created under other legislation, such as mandatory reporting, and the schemes complement and build on existing permissions held by organisations and services to share information under other laws, such as the *Privacy and Data Protection Act 2014* (Vic), the *Health Records Act 2001* (Vic), and the *Children Youth and Families Act 2005* (Vic).

vic.gov.au/guides-templates-tools-for-information-sharing

vic.gov.au/child-information-sharing-scheme

See Appendix 2: Template Child and Family Information Sharing Scheme Procedure and Appendix 3: Template Information Sharing Scheme Record Keeping Form

61 Family Safety Victoria (2019a).

62 Domestic Violence Victoria (2020).

63 Family Safety Victoria (2018). *Family Violence Information Sharing Guidelines: Guidance for Information Sharing Entities*. Melbourne, Vic: State of Victoria.

64 Department of Health and Human Services (2018). *Child Information Sharing Scheme Ministerial Guidelines: Guidance for Information Sharing Entities*. Melbourne, Vic: State of Victoria.

ALIGNMENT TO THE MARAM FRAMEWORK

The MARAM Framework represents contemporary best practice for risk assessment and management and Community Housing Organisations should begin working towards aligning to the Framework in the lead up to being prescribed under the MARAM Framework and Child and Family Violence Information Sharing Schemes from early 2021.

Alignment to MARAM Framework requires incorporating relevant information from the following four pillars into policies, procedures, practice guidance and tools:

Pillar 1: shared understanding of family violence

Pillar 2: consistent and collaborative practice

Pillar 3: responsibilities for risk assessment and management

Pillar 4: systems, outcomes, and continuous improvement.

Each organisation will determine the MARAM responsibilities (and consequently roles and functions) that apply, assisted by available [MARAM resources and Organisational Embedding Guide](#). Managers can also use the MARAM responsibility mapping tool, available on our website.

Implementation of the MARAM Framework should lift the capability of all professionals working within prescribed framework organisations in respect of family violence identification, assessment and response, through capacity building, organisational-level system changes (policies and procedures) and cultural change.

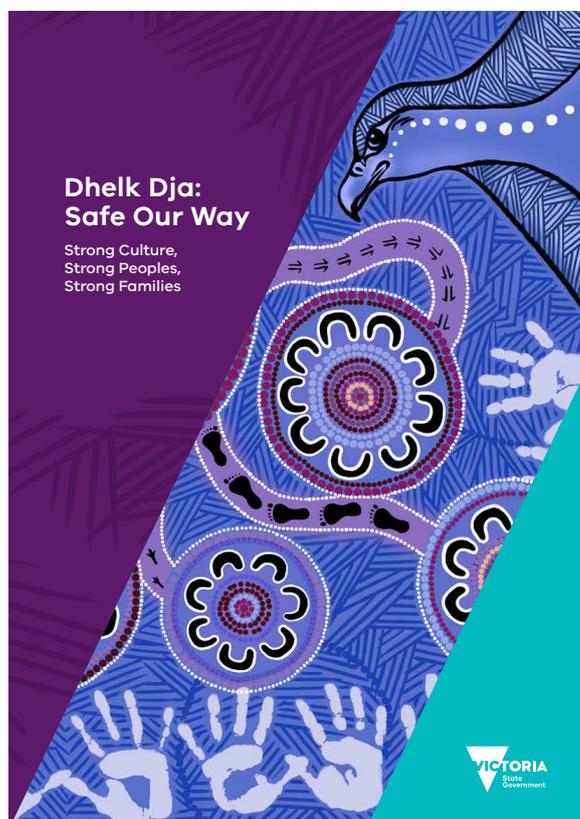
* The MARAM Framework is structured around four conceptual 'pillars' for leaders of organisations to align their policies, procedures, practice guidance and tools. Each pillar has its own objective and requirement for alignment. Pillar 1: shared understanding of family violence; Pillar 2: consistent and collaborative practice; Pillar 3: responsibilities for risk assessment and management; and, Pillar 4: systems, outcomes, and continuous improvement.

RESPONDING TO THE FAMILY VIOLENCE CAPABILITY FRAMEWORK

The Responding to Family Violence Capability Framework describes the knowledge and skills required to respond to all forms of family violence.⁶⁵ It covers four workforce tiers, spanning specialist family violence services, core support services and professionals, mainstream/social support services and universal services. Community Housing practitioners are situated within Tier 3 of the Framework as they work in mainstream services and non-family violence specific agencies. CHOs benefit from using this resource to promote a common language and shared understanding of key concepts and practices, and to shape training and professional development programs and qualifications to align with the desired capabilities for family violence practice.

DHELK DJA: SAFE OUR WAY - STRONG CULTURE, STRONG PEOPLES, STRONG FAMILIES (THE ABORIGINAL 10 YEAR FAMILY VIOLENCE AGREEMENT 2018-2028)

The Dhelk Dja: Safe Our Way - Strong Culture, Strong Peoples, Strong Families (the Aboriginal 10 Year Family Violence Agreement 2018-2028) is the key Aboriginal-led Victorian Agreement that commits the signatories - Aboriginal communities, Aboriginal services and government - to work together and be accountable for ensuring that Aboriginal people, families and communities are stronger, safer, thriving and living free from family violence.



65 Family Safety Victoria (2017). Responding to Family Violence Capability Framework. Melbourne, Vic: State of Victoria.

EVERYBODY MATTERS: INCLUSION AND EQUITY STATEMENT

The Everybody Matters: Inclusion and Equity Statement sets out the Victorian Government's long-term vision for the creation of a family violence system that is more inclusive, responsive and accessible to all Victorians. It acknowledges and recognises the diversity inherent within each of us, and the need for family violence and universal services to build a better understanding of the barriers that can prohibit inclusion and access through the understanding and application of an intersectionality framework. The statement's vision will mean that anyone seeking help for family violence will be able to choose what service they access to receive the help they need.

FAMILY VIOLENCE PROTECTION ACT 2008

The purpose of the *Family Violence Protection Act 2008* (Vic) is to: (a) maximise safety for children and adults who have experienced family violence; (b) prevent and reduce family violence to the greatest extent possible; and, (c) promote the accountability of perpetrators of family violence for their actions.

The Act aims to achieve its purpose by providing an effective and accessible system of family violence intervention orders and family violence safety notices. Whilst housing services are not legal or law enforcement services, they should be familiar with the Act and its functions to support victim-survivor safety and risk management planning.

CHILDREN, YOUTH AND FAMILIES ACT 2005

The purpose of the *Children, Youth and Families Act 2005* (Vic) is: (a) to provide for community services to support children and families; (b) to provide for the protection of children; (c) to make provision in relation to children who have been charged with, or who have been found guilty of, offences; and, (d) to continue the Children's Court of Victoria as a specialist court dealing with matters relating to children. CHOs should be familiar with the Act and guiding resources, including the Best Interests Framework for Vulnerable Children and Youth and the Best Interests Case Practice Model. These resources provide guidance on the developmental needs of infants, children and young people; children's rights to be protected from harm; and thresholds and decision-making for reporting concerns about child protection or wellbeing.

RESIDENTIAL TENANCIES ACT (RTA) 1997

The purpose of the *Residential Tenancies Act 1997* (RTA) is to provide protections for renters, while ensuring rental housing providers can still effectively manage their properties. If a tenancy is affected by family violence, renters, residential rental providers and property managers have specific rights and obligations under the RTA. CHOs should explore options, within the requirements of the RTA, which enable housing consequences to fall on the perpetrator of family violence, rather than the victim-survivor.

PART B: COMMUNITY HOUSING

ORGANISATIONS AND FAMILY VIOLENCE

Community Housing Organisations (CHOs) are in a unique position to identify and respond to family violence.

CHOs are committed to ensuring that they deliver an effective and sensitive response to renters and their dependents who experience family violence. The sector works collaboratively with other specialist services and government agencies to achieve the best outcomes for those affected. As residential rental providers in the social housing system, CHOs have a responsibility to support their renters to sustain their tenancies, prevent homelessness and have a duty of care to respond in a way that promotes safe and secure tenancies.

One in ten applicants on the Victorian Housing Register priority list identify family violence as a reason for seeking urgent housing assistance.²¹ Access to affordable, safe and secure housing is a key step towards recovering from the experience of family violence, and CHOs are uniquely placed to support safe housing for victim-survivors. CHOs have an opportunity to make a significant difference through the implementation of well-designed and evidenced family violence policies and procedures. Additionally, CHOs may be one of the first to become aware of a family violence situation and are well placed to identify risk and refer adult and child victim-survivors to appropriate support services. CHOs should work with victim-survivors in a way that emphasises listening to, partnering with, and believing victim-survivors.

In many cases, CHOs may house perpetrators of family violence. Providing housing to perpetrators is an important component of risk management as homelessness is a risk factor that may lead to further harm toward victim-survivors. Housing perpetrators of family violence also presents an opportunity to ensure they are visible and monitored within the service system. However, it is important to avoid acting in a way that removes perpetrator accountability, such as victim-blaming, punitive approaches to the victim-survivor, colluding with violence-supporting narratives and attitudes, or obscuring perpetrator responsibility.

ISSUES THAT COULD INDICATE FAMILY VIOLENCE

IS OCCURRING IN A TENANCY

UNDERSTANDING TACTICS OF CONTROL

Family violence involves a pattern of abusive behaviour that aims to control, dominate, and cause fear towards victim-survivors.²² It's important to understand coercive control and its impacts as more than a 'fight'. It is a pattern of behaviour that seeks to take away the victim-survivor's freedom and sense of self. While all forms of abuse are about power and control, coercive control is a strategic form of ongoing oppression that can affect many areas of a victim-survivor's activity by limiting access to money and other basic resources. Coercive control is a violation of 'rights and liberties' such as right to physical security, to live without fear, to dignity and respect, to social engagement and to personal autonomy.

Examples that may indicate coercive control include:

- The perpetrator always speaking over, or for, the victim-survivor (including for people with limited English language or people with a disability).
- The perpetrator undermining or complaining about the victim-survivor.
- The victim-survivor being fearful and anxious in the presence of the perpetrator, or being concerned about being away from them.²³

21 premier.vic.gov.au/wp-content/uploads/2018/03/180311-More-Rapid-Housing-For-Victims-Of-Family-Violence.pdf

22 Family Safety Victoria (2019a).

23 Ibid.

POTENTIAL IMPACT OF COERCIVE CONTROL ON A TENANCY

The effects of coercive control can have a lasting negative impact on the psychological and emotional wellbeing of victim-survivors and can impact in the short-term by placing their tenancy at risk.²⁴

The following information highlights some of the tenancy difficulties victim-survivors might experience in sustaining a tenancy because of family violence. Understanding the complex and coercive dynamics will assist CHO's to apply a flexible approach by adapting their policies and procedures to respond to the needs of a renter's circumstances.²⁵

What might initially be perceived as a tenancy breach may, in fact, be a result of coercive and controlling family violence behaviours. In such instances, a CHO should adopt a sensitive approach that does not act punitively or re-victimize the victim-survivor. Involving a support worker to assist in determining how to respond may be appropriate. If the renter/s are not linked with supports, it would be appropriate to seek secondary consultation from your local family violence service. Information can be shared in a generic manner if the renter/s have not given consent to share their information, or in accordance with relevant information sharing legislation.²⁶

RENT ARREARS

Exerting control over household or family income by preventing or withholding the victim-survivor's access to financial resources may result in accumulated rent arrears and potentially place the tenancy at risk. Tactics of intimidation, blame and guilt make the victim-survivor vulnerable and dependant on the perpetrator. This indicator of family violence can be particularly difficult to identify and understand if the victim-survivor is the sole occupant of the tenancy and the CHO is not aware of an existing partnership or relationship. It is important to be aware that the perpetrator does not need to be residing in the property to exert control over the victim-survivor's finances.

ACTION: If family violence is identified as the cause of rent arrears, consider a referral to a specialist service and/or family violence financial counsellor.

INABILITY TO ATTEND APPOINTMENTS

A victim-survivor may have reduced ability to attend appointments as a result of the perpetrator monitoring or controlling their movements or withholding access to finances or modes of transport. Non-attendance can be misinterpreted as disinterest and service providers may begin to question the renter's commitment to sustaining their tenancy and maintaining positive relationships. It is important that CHO's consider this possibility if a renter is missing appointments.

ACTION: If non-attendance becomes an issue, and if it is safe to do so, attempt to engage with the renter in an easily accessible location, such as your office, a local library or community centre.

DAMAGE TO PROPERTY

Damage to property can be an indicator of family violence with perpetrators often using it as an intimidation tactic. Contractors and asset staff should report damage to tenancy staff for further investigation as it can be difficult to determine whether it has been caused by family violence or other means.

The following list of issues could indicate family violence:

- broken door
- broken lock
- damage to bathroom door (often the bathroom is the only room in the house with a lock that can provide some protection)
- smashed lights
- hole punched in the wall
- lost keys
- broken windows
- any other damage that appears to have been caused by violence.

ACTION: Refer these damage reports to Tenancy Management for investigation with the renter and further planning.

24 CHIA NSW (n.d).

25 Ibid.

26 Such as Child and Family Violence Information Sharing Schemes.

NOT REPORTING MAINTENANCE AND REPAIRS

A victim-survivor may be reluctant to report repairs and maintenance due to fear, guilt and shame of being questioned about how the damage was caused, or by the perpetrator preventing external people or services from entering the property.

ACTION: Scheduled property inspections or rent reviews provide an opportunity to check in with the renter about maintenance and repairs and their safety.

RESTRICTIONS ON EXTERNAL CONTACT

The perpetrator may prevent the victim-survivor from contact with external services as a tactic to reinforce isolation and to maintain the dynamic of family violence as a private issue. Fear of possible disclosure and the perpetrator's potential reprisal intensifies the victim-survivor's isolation and exacerbates their limited sense of control.

ACTION: If limited external contact is observed, make a referral to Tenancy Management for investigation with the renter and further planning. CHOs can check in with renters and could use scheduled property inspections or rent reviews as an opportunity to engage victim-survivors and check in around their safety.

NOISE DISTURBANCES

Reporting of noise disturbances can be an indicator of family violence. Family violence is different from an argument and there can be a risk of mistaking the situation as such, or misidentifying the perpetrator, for example if the victim-survivor is yelling or shouting back. It is not uncommon for victim-survivors to deny the existence of family violence or that they are at risk of harm as they fear the perpetrator will retaliate. In such a situation the victim-survivor's tenancy may be at risk.

The following renter complaints or concerns might indicate family violence:

- Nuisance and annoyance complaints.
- Phone calls received expressing concern about renter safety or some other issue.

ACTION: If one of these complaints or concerns is notified, make a referral to Tenancy Management for investigation with the renter and further planning.

CHILD SAFETY AND WELLBEING

Children are often used to coerce, threaten, and intimidate the victim-survivor. Such tactics can prevent victim-survivors from seeking assistance due to fear for their children's safety and/or fear that the children may be removed from their care. CHOs are mandatory reporters, where a child is at significant risk of harm. In line with a person-centred approach, where safe and appropriate, it is best to have a conversation with the victim-survivor about what you have observed and your concerns for child wellbeing and safety. This includes sensitively discussing the potential impact of the perpetrator's behaviour on children and young people in the family, and providing an opportunity to understand their lived experience, decisions and actions to support child safety.

ACTION: If risk to children is identified, follow organisational policies and procedures for reporting child wellbeing and safety concerns to statutory services. Ensure you highlight the perpetrator's pattern of violent behaviour and risk to children, and the protective actions and parenting strengths of the victim-survivor.

TENANCY MANAGER OBSERVATION

The following observations might indicate family violence is occurring within the tenancy. These indicators may be observed during sign up, check-ins shortly after the renter moves, regular tenancy inspections and lease reviews.

- Obvious signs of trauma in adults, including bruising, chronic pain, depression, sleep problems, fear and shame, isolation, financial difficulties, parenting difficulties.²⁷
- Signs of trauma in children or young people, including wariness or distrust of adults, bruises/burns/fractured bones, excessively clinginess, excessively wariness, unclear boundaries, poor sleep and emotional dis-regulation.²⁸
- Rent arrears, missed appointments, property damage, failure to report property damage and noise disturbances.
- Other recurring tenancy issues.

²⁷ Family Safety Victoria (2019c).

²⁸ Family Safety Victoria (2019c).

It is important not to dismiss or attribute these indicators to other support needs, such as disability, mental health or drug and alcohol use rather than exploring family violence. Pre-existing disabilities and mental illnesses may be exacerbated by experiences of family violence.²⁹ Additionally, it is common for perpetrators to seek to undermine a victim-survivor's credibility with evidence they are 'crazy' or 'an addict'. Victim-survivors with multiple presenting needs, such as a mental illness and alcohol or drug issues, are more likely to experience barriers to service responses unless professionals are well linked and understand the interrelated nature of their presenting needs.

ACTION: If Tenancy Management identifies any of these issues, they should screen for family violence and follow their responsibilities under the MARAM Framework. This includes seeking secondary consultation, identifying risk relevant information that could be shared with other services, and making referrals with victim-survivor consent.

See Appendix 4: Responding to renters identified at risk of experiencing family violence within community housing flowchart

STARTING A CONVERSATION ABOUT FAMILY VIOLENCE

Every interaction with a renter is an opportunity to identify family violence, this includes sign up, property inspections and rent reviews.

Remember: *It is critical that you do not ask about family violence in the presence of a perpetrator. Doing so could increase risk. Create opportunities to meet with the renter separately. If this is difficult, state it is your organisational policy to see people privately in your offices or another safe location.*

ASK

Ask direct questions. Tailor your communication, be flexible and not overly prescriptive in how you ask questions. This can include allowing people to tell their story as a way of gathering relevant information. Be aware that trauma, stress and even head injuries can impact a person's ability to communicate clearly.³⁰

- "Has anyone in your family done something to make you (or your children) feel unsafe or afraid?"
 - ▶ **If yes, complete the Family Violence Screening Tool at Appendix 1**

LISTEN

Listen and show empathy without judgement. Acknowledge the courage it has taken to share this information and let them know they are believed. Let them take a break if needed.

- "Thank you for telling me, I know it can be really difficult to share. I believe you."

NAME IT

Acknowledge what they have said and name it. Reinforce that it is not the victim-survivor's fault. Place the responsibility for the violence on the perpetrator. Perpetrators often lead victim-survivors to believe they caused or provoked the violence.

- "No one should be made to feel afraid. It is not your fault, using violence is a choice"
- "You and your children have a right to safety."
- "What you have just described is family violence and support is available."

Remember: *Engage in a culturally sensitive and respectful manner by listening and learning with regard for another's culture and being mindful of your own potential biases.³¹ Arrange access to an accredited interpreter as required, or an Auslan interpreter for people who are deaf or hard of hearing. For communities with smaller populations, an interpreter may be known to the victim-survivor or perpetrator. You can avoid identifying names or use an interstate interpreter. Offer an interpreter of the same gender as them. Children, family members and non-professional interpreters should not be used.*

29 Family Safety Victoria (2019a).

30 Family Safety Victoria (2019b).

31 Family Safety Victoria (2019b).

FAMILY VIOLENCE SCREENING AND IDENTIFICATION

This resource includes a Family Violence Screening Tool at **Appendix 1** that should be used:

- When you suspect that someone may be experiencing family violence and have observed signs/indicators of family violence.
- To start the conversation if someone discloses they are experiencing family violence.
- If your organisation requires you to screen all renters for family violence.³²

Your objective is to encourage the person to tell their story in their own words. The tool can be used as a prompt and be completed after your conversation with the victim-survivor. How you use the tool will depend on the situation and your organisation's procedures.

See Appendix 5: Family Violence Procedure Template and Appendix 6: Family Violence Policy Template.

QUESTION		YES	NO	COMMENTS (OR NOT KNOWN)
Has anyone in your family done something that made you or your children feel unsafe or afraid?		<input type="checkbox"/>	<input type="checkbox"/>	
Is there more than one person in your family that is making you or your children feel unsafe or afraid? (Are there multiple perpetrators)		<input type="checkbox"/>	<input type="checkbox"/>	
The following risk related questions refer to the perpetrator:				
QUESTION		YES	NO	COMMENTS (OR NOT KNOWN)
PERPETRATOR ACTIONS	<i>Have they...</i>			
	controlled your day-to-day activities (e.g. who you see, where you go) or put you down?*	<input type="checkbox"/>	<input type="checkbox"/>	
	threatened to hurt you in any way?	<input type="checkbox"/>	<input type="checkbox"/>	
	physically hurt you in any way (hit, slapped, kicked or otherwise physically hurt you)?	<input type="checkbox"/>	<input type="checkbox"/>	
SELF-ASSESSMENT	Do you have any immediate concerns about the safety of your children or someone else in your family?	<input type="checkbox"/>	<input type="checkbox"/>	
	Do you feel safe when you leave here today?	<input type="checkbox"/>	<input type="checkbox"/>	
	Would you engage with a trusted person or police if you felt unsafe or in danger?	<input type="checkbox"/>	<input type="checkbox"/>	
	(Note: if lack of trust in police is identified risk management must address this)			

32 Family Safety Victoria (2019c).

IF IT SEEMS FAMILY VIOLENCE IS NOT OCCURRING

If responses to the screening questions indicate that no family violence is occurring, you must respect this. The renter might not be ready or not feel comfortable to talk to you about the family violence they are experiencing. They may also not be experiencing family violence.³³

Thank the renter for answering the questions and inform them about the help that is available and that they can contact the CHO in future should they ever experience family violence.

IF FAMILY VIOLENCE IS OCCURRING

If the renter's responses indicate that they are experiencing family violence:

- Listen and reassure the person that you believe them and state clearly that the violence is not their fault, and that all people have a right to be, and feel, safe.
- Acknowledge any challenges and difficulties they have spoken of and validate their efforts to protect themselves and their family members.
- Let them know that there are different services and options for people who experience family violence.
- Ask if they would like your help.

IF FAMILY VIOLENCE IS OCCURRING AND AN IMMEDIATE RESPONSE IS REQUIRED

If family violence is identified and, through applying the model of structured professional judgement, you have determined there is an immediate threat to a person's life, health, safety or welfare, you must contact the police or ambulance by **calling 000** or contact other emergency or crisis services for assistance.

INFORMATION SHARING, SECONDARY CONSULTATION

AND REFERRAL

Effective information sharing between services supports risk assessment and management by bringing together information that would otherwise be unknown. Information can be shared proactively or in response to a request for information. This information can be used by relevant professionals to remove or reduce risk (as far as possible) or prevent escalation.

LEGAL AUTHORISATIONS TO SHARE RELEVANT INFORMATION

The Family Violence Information Sharing Scheme authorises organisations and services, prescribed through regulations, to share relevant information with other Information Sharing Entities (ISE) to assess and manage family violence risk. Details of this scheme are outlined in the Family Violence Information Sharing Ministerial Guidelines vic.gov.au/family-violence-information-sharing-scheme

The Child Information Sharing (CIS) Scheme also allows organisations and services prescribed under that scheme to share information with each other to promote children's wellbeing and safety. Details of this scheme are outlined in the Child Information Sharing Ministerial Guidelines vic.gov.au/child-information-sharing-scheme

A database of Information Sharing Entities and Risk Assessment Entities prescribed under the Family Violence Information Sharing Scheme and Child Information Sharing Scheme is available here: iselist.www.vic.gov.au/ise/list/

It is important to document information shared in your organisation's record management system in line with your organisational policy and procedures.

See Appendix 2: Child and Family Information Sharing Scheme Procedure and Appendix 3: Information Sharing Scheme Record Keeping Template

33 Ibid.

INFORMATION SHARING WITH OTHER SERVICES

Effective information sharing is crucial in keeping victim-survivors safe and holding perpetrators to account. Information can also be shared to promote the broader wellbeing and safety of children, which may or may not relate to their experience of family violence. Many organisations, including CHOs, hold information relevant to assessing and managing family violence risk or to promote the safety or wellbeing of a child.

For example, if there is a Family Violence Intervention Order excluding the perpetrator from the property, and the tenancy manager observes the perpetrator at the house, it would be important to share this information with other services.

SECONDARY CONSULTATION

Secondary consultation is another key aspect of building a shared understanding of family violence and developing system-wide consistent and collaborative practice.

Secondary consultation can take place for a range of reasons, including using the skills and knowledge of specialist family violence services to help you gain a further understanding of family violence risk and possible referral options. Secondary consultation can also occur with mainstream and other specialist services that have expertise to address wide-ranging needs.³⁴

REFERRAL

Referral is the process of connecting victim-survivors (adults and/or children) or perpetrators to information or services that are outside your organisation's practice area.

Where providing support is outside of your role, you have a responsibility to refer the renter to an appropriate service that can support their needs.

Where you have identified a victim-survivor to be at elevated or serious risk, and they consent, you should facilitate a referral to a specialist family violence service for comprehensive risk assessment and management support.³⁵ Specialist family violence services triage responses to referrals, with actions taken for higher risk cases as a priority. Where you have an ongoing service engagement with a victim-survivor and you have referred them to a specialist family violence service, you should continue to engage with the agency to monitor their level of risk, and provide support as needed.

Referrals can also support individual's wellbeing needs or strengthen protective factors, such as financial security, connection to professional advocacy or therapeutic services, responding to health, child developmental or social issues.

For a list of possible secondary consultation and referral options, refer to **Part D of this Toolkit**.

WORKING WITH PERPETRATORS OF FAMILY VIOLENCE

It is important to be aware of the possibility that a renter could be using violence. The identification of perpetrators can be complex.

CHO staff will come into contact with people who they believe may be perpetrating family violence because of:

- The person's words or actions or behaviour towards family members, for example, speaking or answering for the family member, preventing access to an interpreter, blaming or undermining, property damage particularly to doors and locks.
- Disclosures from family members, for example adult or child victim-survivors sharing that they are fearful and/or have experience family violence from the perpetrator.
- Reports through another source of information, such as reports of noise disturbances or concerns from neighbours or information from other service providers.

In any circumstance, a CHO worker's objective is to identify behaviours that may present a risk to victim-survivors, and to contribute to their safety and risk management.

³⁴ Family Safety Victoria (2019d).

³⁵ Ibid.

A CHO practitioner and/or tenancy manager should:

- Recognise the presence of observable signs and indicators of family violence. For example, violence-supporting attitudes or narratives.
- Practice in a way that provides consistent information and messages to indicate violence will not be tolerated or accepted. This should be a principle guiding practice rather than influencing direct conversation with perpetrators about violence being unacceptable, which may come across as escalate the risk for a victim-survivor.
- Engage the perpetrator in a manner that does not escalate risk to a victim-survivor (which requires specific training) or support collusion, including by using appropriate language and skills to provide information about supports available for the perpetrator and not disclosing information from the victim-survivor or another source.
- Monitor a perpetrator's use of violence.
- Seek secondary consultation and share risk-relevant information (in accordance with relevant legislation, such as FVISS) with a service that specialises in risk assessment and management, including services that work with perpetrators of violence (for example, the Men's Referral Service).
- Report concerns about the impact of the perpetrator's violence on any children to Child Protection or other relevant authorities.

It is possible that a renter may disclose that they are perpetrating or using family violence against others. It is important to not ignore a disclosure from a perpetrator, but it is not recommended that workers challenge perpetrators about their use of violence without the appropriate training and expertise as this could increase risk to the victim-survivor/s. Acknowledge what has been discussed and offer to make a referral to an appropriate service such as the Men's Referral Service. If a person is in immediate danger, call 000.

SAFETY MODIFICATIONS TO A PROPERTY

The most appropriate housing outcome for many victim-survivors of family violence is to be supported to stay in their own home.³⁶ Homelessness as a result of family violence often leads to a lifetime of disadvantage, discrimination and poverty.³⁷ Enabling adult and child victim-survivors to stay in their home prevents them from needing to spend prolonged periods of time in crisis accommodation and having to navigate a complicated housing and homelessness system.

See Appendix 7: Supporting decision making about housing choices by a renter who is a victim-survivor

If family violence is identified, a safety upgrade to the property might be appropriate to support the victim-survivor to remain safely in the property. **Victim-survivors may be able to access home security safety upgrades through a local family violence service.** Services that provide home security safety upgrades work with the victim-survivor to assess safety and risk and may provide access to a range of modifications or devices as part of this safety and risk assessment. This may include changing locks and keys, and installing security screens, sensor lights and CCTV cameras. **As a CHO, you may be contacted by a local family violence service and asked to allow property modifications. These should be approved in order to improve victim-survivor safety.**

CHOs can refer to the contact list at the end of this toolkit for advice on what services may be available to their renter to support them to assess safety modifications.

HOW TO MAKE A PROPERTY SAFER FOR VICTIM-SURVIVORS

This checklist outlines some practical ways the safety of a property could be improved, including simple things the tenant can do, such as ensure they do not leave keys in locks. Specialist family violence services, rather than a general repair person or builder, should undertake home safety assessments to ensure any modifications will contribute to risk mitigation and not just provide a false sense of safety (for instance, CCTV cameras that are not monitored in real time). To gain access to a Home Safety Modification expert, contact your local specialist family violence service.

36 Royal Commission into Family Violence (2016) v2 p38.

37 Phillips, J. & Vandenbroek, P. (2014). Domestic, family and sexual violence in Australia: an overview of the issues, retrieved from aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1415/ViolenceAust#_Toc401045316.

HOME SAFETY CHECKLIST

STREET NUMBER

- The property number should be easily visible day and night.

LANDSCAPING

- Trees and shrubs should be trimmed to increase visibility to and from the street.
- Branches should be trimmed to prevent them being used to access the property (for example, using a tree to get to an upper level of the property).
- Items such as trestles, birdbaths, pots and bins should be secured to prevent them being used to break into windows.*

SENSOR LIGHTING

- Sensor lighting should be installed around the perimeter of the property and particularly over entry/exit points.
- Sensor lighting should be checked and maintained in good working order.
- Consider using timers to turn lights on/off when not at home.
- Timer globes are also available.

LETTERBOX AND POWER BOARD

- The letterbox should be fitted with a suitable lock set to restrict access to mail.
- The power board should be housed within a box to restrict tampering with the power supply.
- The box should be secured with a lock set approved by the electricity authority.

GARAGE AND GARDEN SHED

- The garage should be locked to restrict access and theft.
- Roller, tilt and panel lift doors can be secured with additional lock sets in the form of hasp and staple or padlocks.
- The garden shed should also be fitted with a suitable lock set, to restrict access.
- Windows within garages and garden sheds should be fitted with locks or practical dowel to restrict access.
- Garden tools, equipment and ladders should be locked away when not in use to prevent them being used to gain access to the home.*

DOORS

- External doors and frames should be of solid construction.
- These doors should be fitted with quality deadlocks, which comply with the Australia/New Zealand Standards and Fire Regulations (Australian Building Code) to enable occupants to escape in emergency situations, such as fires.
- Chain/bolt locks are preferred.
- Consider having a peephole installed in the entry/exit doors.
- Locks should be checked and maintained on a regular basis.*
- Keys should be removed from locks while the renter is absent to prevent intruders entering or leaving the home.*
- Security/screen doors can be used to provide additional protection.
- Security/screen doors should be designed and installed to the Australia/New Zealand Standards.
- Where there is a screen door, install some Perspex around the main door handle so if anyone cuts the screen it's much harder to access the main door lock.
- Consider installing patio bolts on sliding doors.
- Under home access points should be secured.

WINDOWS

- External windows and frames should be of solid construction.
- Window frames should be anchored to the buildings to prevent easy removal.
- Windows should be fitted with quality key-operated lock sets and kept locked when not in use.
- An intruder may break glass to unlock windows. Don't leave keys in the locks.*
- Some styles of windows can be locked in a partially open position. A practical application of a piece of dowel or timber can prevent windows opening.
- Any skylights should be kept suitably secured.
- Glass within doors and windows may also be reinforced to restrict unauthorised access.
- The existing glass can be reinforced internally with a shatter-resistant adhesive film.
- The existing glass may be replaced with laminated glass, to reduce attacks and restrict access.
- Metal security grilles or shutters may be installed to restrict access and reduce attacks. Caution should be exercised if you decide to install metal security grilles or screens. If they are not properly installed, they can trap occupants in an emergency such as a fire.
- Louvre windows should be fixed in position if possible.

TELEPHONES

- Pre-program the speed dial function on the phone with the emergency number 000.*
- Place a sticker on the telephone with the emergency number and local police number.*
- Change the phone number to silent.*

KEYS

- Spare keys should not be hidden outside the home but left with trusted friends or neighbours.*
- Keys should not be left in locks or in view but should be kept in a safe location.*
- Locks should be replaced when a perpetrator has moved from the property.*

MONITORING SYSTEMS

- A camera system can enhance security.
- The system should be designed to provide maximum coverage of the home and garage.
- Remember to regularly check the battery and test the system.
- Window alarms can be fitted.

OBLIGATIONS UNDER THE RESIDENTIAL TENANCIES ACT

If a tenancy is affected by family violence, renters, residential rental providers and property managers have specific rights and obligations under the *Residential Tenancies Act 1997 (RTA)*. A number of provisions in the RTA have been amended to provide greater protections and flexibility to the victim-survivor of family violence. CHOs should apply a principle to explore options, within the requirements of the RTA, which enable housing consequences to fall on the perpetrator of family violence, rather than the victim-survivor.

The below table provides a summary of possible scenarios, renter and residential rental provider obligations under the RTA and best practice approaches.

	VICTIM-SURVIVOR ACTIONS	COMMUNITY HOUSING ORGANISATION ACTIONS
A victim-survivor wants to change the locks	<p>The victim-survivor has a safety notice or intervention order that excludes the perpetrator from the property:</p> <ul style="list-style-type: none"> ▪ The victim-survivor can change the locks without permission, even if there is a master key system in place. ▪ The victim-survivor does not have to be on the agreement. <p>Or</p> <p>The victim-survivor does not have a safety notice or intervention order excluding the perpetrator,</p> <ul style="list-style-type: none"> ▪ The victim-survivor will require permission to change the locks. ▪ The residential rental provider cannot say no without a good reason. <p>The victim-survivor must give a copy of any new key to the residential rental provider.</p>	<p>Do not provide keys to perpetrator if you have received a copy of a safety notice or intervention order.</p> <p>Manage victim-survivor information in a secure way and include a family violence alert on the system. Maintain privacy of any intervention orders provided by the victim-survivor in line with privacy and information sharing legislation.</p> <p>Adopt an organisational policy to provide financial assistance for lock changes. Alternatively, the victim-survivor may be able to get financial assistance from Victims of Crime or a local family violence service. However, it is important to recognise the need to quickly change the locks, and that delays could jeopardise the victim-survivor's safety.</p>

	VICTIM-SURVIVOR ACTIONS	COMMUNITY HOUSING ORGANISATION ACTIONS
A victim-survivor wants to install additional security	<p>The victim-survivor who is a renter can install additional security with the residential rental provider's consent.</p>	<p>The residential rental provider cannot unreasonably refuse modifications related to the safety and security of family violence victim-survivors.</p> <p>Adopt an organisational policy that provides consent for property safety modifications.</p> <p>Where the victim-survivor is not receiving support from a local family violence service, offer a referral to a specialist family violence service for a home safety assessment to ensure modifications are appropriately monitored, of high quality and increase safety.</p> <p>The consent should be in writing and should outline if there is an expectation to remove the modifications at the end of the tenancy, or whether they will be retained in recognition the modification will add value to the property. This should be negotiated on a case by case basis and should apply a principle that cost are not incurred by the victim-survivor.</p>
A victim-survivor wants to stay in the property and have the perpetrator removed from the residential rental agreement	<p>The victim-survivor and the perpetrator are co-renters, the victim-survivor can remove the perpetrator from the residential rental agreement by:</p> <ul style="list-style-type: none"> ▪ Consent of the perpetrator; or ▪ A Victorian Civil and Administrative Tribunal (VCAT) order for an end of an existing lease and order for a new lease. <p>Or</p> <p>The victim-survivor is a resident and the perpetrator is a renter. The victim-survivors can apply to VCAT to have a new agreement created in their name by:</p> <ul style="list-style-type: none"> ▪ Consent of the perpetrator; or ▪ VCAT order for an end of an existing lease and order for a new lease. 	<p>Assist the victim-survivor to obtain consent of the perpetrator (if safe and appropriate to do so).</p> <p>Refer the victim-survivor to an appropriate legal service for support in applying to have the tenancy transferred solely into their name.</p> <p>In circumstances where a perpetrator has been excluded from the property or removed from the residential rental agreement, they can be referred to Men's Referral Service for support around their use of violence and/ or a Specialist Homelessness Service for assistance with securing housing options.</p>

	VICTIM-SURVIVOR ACTIONS	COMMUNITY HOUSING ORGANISATION ACTIONS
A victim-survivor wants to leave the property	The victim-survivor who is a renter can end the residential rental agreement by notice or by consent.	<p>Adopt an organisational policy that establishes circumstances in which the organisation will waive notice periods for a victim-survivor renter to terminate an agreement.</p> <p>Assist the victim-survivor to access the property safely to retrieve their belongings.</p> <p>Manage victim-survivor information in a secure way and include a family violence alert on the system.</p> <p>Offer a referral to a family violence financial counsellor to support a victim-survivor to ensure that creditors are contacted at the time of re-location, to ensure they apply hardship provisions and or payment plans (if relevant) and are given sufficient relevant information so they do not share information on the victim-survivor's whereabouts with the perpetrator at a later date.</p>
A victim-survivor wants to be absent from property temporarily	The victim-survivor may seek a temporary reduction from rent.	Ensure your hardship policy provides for circumstances where victim-survivors may need to be away from the property and that tenancies are sustained without causing financial hardship in such circumstances.
A victim-survivor wants to transfer to another social housing property.	The victim-survivor can apply for a property transfer through the Victorian Housing Register.	<p>Assist the victim-survivor, or refer to an agency that can, with an application to the Victorian Housing Register for a priority property transfer.</p> <p>Adopt an organisational policy to assist victim-survivors to transfer to another property within your housing stock if possible and appropriate.</p>

	VICTIM-SURVIVOR ACTIONS	COMMUNITY HOUSING ORGANISATION ACTIONS
Rental arrears or property damage that are believed to be the result of family violence.	The victim-survivor can ask VCAT for an order asking for liability between renters to be apportioned differently because of family violence.	<p>Adopt an organisational policy to ensure that victim-survivors of family violence are not liable for the costs of remediation and are not pursued for costs. A policy of this nature should reduce the need for a victim-survivor to apply to VCAT for relief.</p> <p>CHOs have a role to proactively inquire into whether family violence is a contributing factor to rent arrears and property damage. Property managers should not rely only on Intervention Orders as evidence, rather should accept a range of evidence including information from the victim-survivor and information from a support worker.</p> <p>Refer victim-survivor to appropriate supports, including specialist family violence service, legal services and financial counsellor.</p>

For additional information on obligations under the Residential Tenancies Act, refer to Tenants Victoria or Consumer Affairs Victoria.

IDENTIFYING FAMILY VIOLENCE AND SUPPORTING

SAFER TENANCIES

Chen is a Tenancy Manager at a Community Housing Organisation (CHO). She has received neighbour complaints of yelling and smashing occurring in the unit of one of her renters, Nancy. Chen has tried to contact Nancy by phone a couple of times, but Nancy has not answered. Chen wonders if there is property damage that Nancy is not reporting. The Assets Team advise that Nancy has fallen into rent arrears. Nancy has been a renter for six years and has occasionally fallen into rent arrears when she has been experiencing mental health issues.

Chen arranges for Nancy to come into the office to discuss the rent arrears but hopes it will also provide an opportunity to check on her safety at home. Nancy attends the appointment. Chen notices she has a flat demeanour and seems anxious. Nancy says she can't stay long because her partner is in the car and he will be mad if she isn't out shortly.

Chen discusses the rent arrears with Nancy and asks if anything has changed that has impacted her ability to pay the rent. Nancy tells Chen nothing has changed; she's just working less so that she can be a better partner. Chen asks if everything is okay at home. Nancy is dismissive and advises she is fine, she just isn't sleeping well. Chen explains that there have been a number of reports of yelling coming from the unit, and asks, "Has anyone done anything to make you feel unsafe or afraid?" Nancy says, "My boyfriend doesn't hit me if that's what you're thinking!"

Chen explains to Nancy that not all family violence is physical - it can include many things such as verbal threats, emotional violence, financial abuse and controlling who you see and where you go. Chen explains that Nancy has a right to live free from violence and fear and explains there are supports and help available. Nancy says she has to go but will pay extra rent in the next fortnight to address the rent arrears.

Chen continues to monitor the situation. A neighbour advises the police attended the unit over the weekend because the disturbance was so loud and concerning. Chen contacts Nancy and asks if she is free to talk privately. Using the Family Violence Screening Tool as a prompt, Chen explains that she is calling to check if Nancy is okay following the police incident, and whether she is feeling safe at home. Nancy discloses that she is fearful of her partner, Jimmy, and that his controlling behaviour and threats and violence are getting worse.

Chen acknowledges the courage it takes to share this information and offers to facilitate a referral to a service that can provide support for family violence. Nancy consents to the referral. Chen explains that Nancy's safety is the most important thing and if she feels like she needs to go away for a while to be safe, that it's ok and that she won't lose her property. She explains that some basic changes can be made to her property to help keep her safe. She explains that changing the locks and installing security doors may make Nancy more secure. She explains the family violence service may also be able to do a safety audit of the property to see what else can be done to keep Nancy's home secure.

Nancy receives support from a family violence service. Together, the worker and Nancy contact Chen to advise that Jimmy and Nancy have separated and there is an Intervention Order in place that excludes Jimmy from the property. They share the safety plan with Chen and, following a home safety audit, request permission to make safety modifications to the property, including installation of sensor lights, and a home alarm system. Chen responds to the request, enabling Nancy to have the modifications installed quickly to keep her safe.

Nancy is supported to feel safe in her property and maintain the tenancy. Chen arranges for maintenance to fix the damage Jimmy has done to the property. In line with organisational policy, the CHO will not hold Nancy financially responsible for the repairs. Chen continues to monitor for signs of family violence and is aware of Nancy's safety plan.

PART C: SUPPORTING COMMUNITY HOUSING

ORGANISATION STAFF

TRAINING

It is important that CHOs provide family violence training during induction and as part of ongoing professional development to all staff. Depending on their role, staff should be trained on:

- **Foundation Knowledge:** The causes, impacts and indicators of family violence.
- **Identification and screening:** Understanding how to appropriately identify and respond to a disclosure of family violence.
- **Collaborative Practice:** Working collaboratively with other services to manage family violence risk.
- **Information Sharing Schemes.**

Additionally, it is recommended that managers, Human Resource staff and designated Family Violence Officers (if relevant) be provided with training and supervision on:

- Referring an employee experiencing family violence to appropriate support services.
- Providing support to employees on attendance and performance at work.
- Supporting employees to put a Workplace Safety Plan in place.
- Accessing support for their own self-care (recognising the impact providing family violence support can have on their own wellbeing).

Check [CHIA Vic's training calendar](#) or the [Victorian Government's MARAM page](#) for available training.

SUPPORTING STAFF WELLBEING

Workplaces have a duty of care to maintain the health, safety and wellbeing of their staff.

It is important to have policies and procedures in place to support the workforce when employees are responding to family violence. Staff members may experience vicarious trauma when responding to, or working with, people experiencing crisis and or trauma. Vicarious trauma is not 'burn out' and staff should be supported with a trauma-informed response.

Organisations can support staff through:

- **Debriefing:** staff should be encouraged to participate in debriefing. This should be timely, can be formal or informal, and can be done with a colleague, the team or an organisational leader.
- **Supervision:** staff should be provided with formal supervision that provides opportunities to discuss and reflect on their practice with a renter experiencing or perpetrating family violence and its impact on their wellbeing. This can be with a team leader or manager, as part of group supervision, or with an external provider.
- **Employee Assistance Program (EAP):** staff should be aware of their organisation's EAP arrangements and know how to access it. CHOs should foster a culture where staff are encouraged to access EAP if they have been impacted by their work with tenancies impacted by family violence.

STAFF DISCLOSURES OF FAMILY VIOLENCE

CHOs must have appropriate responses to disclosures of family violence from staff. An increased awareness, training and focus on family violence responses to renters within organisations may prompt staff disclosures of family violence.

- **Victim-survivor disclosures:** Disclosing experiences of family violence can be difficult. It is essential that staff who disclose their experience of family violence are listened to, believed, and given complete control over how to manage their situation, including accessing the support options available to them. Any disclosure of family violence must be managed sensitively and confidentially.
- **Perpetrator disclosures:** Engaging with a perpetrator on their use of violence can be complex and fraught with risks if not approached in a skilled and appropriate way. For this reason, organisations are encouraged to contact the Men's Referral Service on 1300 766 491 for advice and support.

RESPONDING TO DISCLOSURES

In addition to providing a safe and supportive environment, organisations should ensure leaders and people likely to receive disclosures of family violence receive appropriate guidance and training.

Those receiving the disclosure can support employees in the following ways:

- Providing information on the Employee Assistance Program (EAP).
- Providing information on external family violence resources and support services.
- Providing information on the organisation's family violence leave options and supporting employees to access them.
- Supporting changes to duties and responsibilities when requested.
- Supporting changes such as relocation, change of hours and change of contact details to enhance the staff member's safety.
- Supporting the employee to develop a workplace safety plan.

EMPLOYEE FAMILY VIOLENCE LEAVE POLICY

Family violence can result in significant trauma and harm to victim-survivors and can impact on a person's ability to conduct work. Responding to the impacts of family violence can require victim-survivors attending legal, housing, health and support appointments. Organisations should promote a culture in which staff experiencing family violence feel supported to seek assistance without fear of workplace repercussions. Additionally, perpetrators of family violence may be required to attend court dates or men's behaviour change programs, and may be worried about the impact on their job if their employer finds out.

WHAT TO INCLUDE IN A FAMILY VIOLENCE LEAVE POLICY³⁸

The following is a non-exhaustive checklist of information that could be included in a family violence leave policy:

- Definition of family violence consistent with MARAM and the Family Violence Protection Act 2008.
- Impact of structural barriers and oppression, applying an intersectional lens to family violence.
- Who is covered by the policy (i.e. permanent employees, fixed term employees, casual staff).
- What support the organisation can provide, which can include:
 - leave options (paid/unpaid, number of days, alternatives to family violence leave)
 - workplace support (referrals to support services, employment assistance programs, workplace support plan, change in working conditions for safety, any other appropriate measures).
- How to apply for family violence and/or workplace supports - including whom to disclose to, where to disclose if uncomfortable disclosing to a direct manager, and HR processes.

38 Family Safety Victoria (2020).

- What happens when a request is made and how decisions to grant leave and/or alter workplace arrangements will be made.
- Evidence requirements (i.e. court orders, medical notes, statutory declarations - note that evidence requirements should be kept to a minimum, given the trauma and stress already likely experienced by the victim-survivor).
- Confidentiality - how the organisation will ensure the employee's disclosures will remain confidential and when confidentiality may be overridden.
- Reporting obligations - setting out the legal requirements an organisation has to report disclosures (i.e. Occupational Health and Safety Act 2004, Child Wellbeing and Safety Act 2005).
- Impact of family violence on performance and/or attendance - reaffirming that no adverse action will be taken against an employee where performance and/or attendance is affected by family violence.
- How a perpetrator's use of family violence will be responded to by the organisation - whether leave is available (such as for limited purposes such as attending behavioural change activities), misusing work equipment or time to commit family violence.
- Useful contacts - an appendix containing contact details of suitable support services.
- Links to related policies or documents.

LEGAL CONSIDERATIONS

Community Housing Organisations must ensure any family violence leave policy complies with legal and industry requirements, including those outlined on the government's [Fair Work website](#).

PART D: LIST OF SERVICE CONTACTS AND REFERRAL OPTIONS

The following list includes organisations and services that may be appropriate to contact for secondary consultation or referrals, depending on the circumstance. This list is not exhaustive and other agencies may exist that provide similar services.

SERVICE	CONTACT DETAILS
<p>Police Emergency response</p>	<p>000</p>
<p>National 1800 Respect line Provides national free advice and counselling for people experiencing family violence and sexual assault and professionals responding to family violence (24 hours).</p>	<p>1800 737 732 1800respect.org.au</p>
<p>Safe Steps Victoria's 24/7 Family Violence Crisis Response Centre. Contact safe steps for specialist family violence risk assessment and safety planning, as well as information, referrals and access to crisis accommodation for those who need to flee their home.</p>	<p>1800 015 188 Email: safesteps@safesteps.org.au safesteps.org.au/</p>
<p>Court Network A voluntary non-legal court support service operating throughout Victoria providing support, information and referral to people attending court, and advocates for all court users.</p>	<p>1800 681 614 (head office) courtnetwork.com.au</p>
<p>Dardi Munwurro Dardi Munwurro is a statewide Aboriginal organisation delivering a range of family violence, healing and behaviour change programs and services, to break the cycle of intergenerational trauma with Aboriginal men, their partners, families and communities, by empowering and inspiring individuals to heal the past, acknowledge the present and create a positive vision for the future.</p>	<p>1800 435 799 dardimunwurro.com.au</p>
<p>Djirra <i>Previously Aboriginal Family Violence Prevention and Legal Service</i> Advice and assistance for Aboriginal women experiencing family violence now or in the past, including specialist legal services, case management and counselling, with cultural connection and practical support provided by the Koori Women's Place.</p>	<p>1800 105 303 djirra.org.au</p>

<p>Elizabeth Morgan House Aboriginal Women's Family Violence Services EMH provides refuge and family violence support for Aboriginal women and their children including Sistagirls, trans women and anyone who identifies as non-binary. It also supports non-Aboriginal people with Aboriginal (ex)partners.</p>	<p>1800 796 112 emhaws.org.au</p>
<p>InTouch Multicultural Centre Against Family Violence A statewide service that provides services, programs and responses to issues of family violence in culturally and linguistically diverse (CALD) communities.</p>	<p>1800 755 988 intouch.org.au</p>
<p>The Lookout Online information, resources and services aimed at preventing and responding to family violence.</p>	<p>thelookout.org.au</p>
<p>National Debt Helpline A telephone financial counselling service that can provide initial advice and referrals to family violence financial counsellors.</p>	<p>1800 007 007 ndh.org.au</p>
<p>No To Violence / Men's Referral Service No to Violence provides telephone counselling via the Men's Referral Service, workplace development and training, policy advice and advocacy to end men's use of family violence.</p>	<p>1300 766 491 ntv.org.au</p>
<p>Pets in Peril Domestic Violence Service This service is provided by Animal Aid and Eastern Domestic Violence Outreach Service (EDVOS) and can assist in emergency situations. You must obtain a referral from a caseworker through EDVOS, an emergency housing program, or a community health service.</p>	<p>(03) 9259 4200</p>
<p>Sexual Assault Crisis and Counselling Line The Sexual Assault Crisis Line Victoria (SACL) is a statewide, after-hours, confidential, telephone crisis counselling service for victim/survivors of both past and recent sexual assault.</p>	<p>1800 806 292 sacl.com.au</p>
<p>The Orange Door This service is for adults, children and young people who are experiencing or have experienced family violence. It also offers services for perpetrators of family violence.</p>	<p>1800 319 355 orangedoor.vic.gov.au</p>
<p>Victims Support Agency The helpline can advise on reporting crimes, court processes, and applying for compensation and financial assistance. It is open from 8am to 11pm, 7 days a week.</p>	<p>1800 819 817 Text 0427 767 891 Email vsa@justice.vic.gov.au justice.vic.gov.au/contact-us/victims-support-agency</p>
<p>Victorian Housing Access Point Housing Access Points provide housing support and information to people experiencing homelessness or at risk of becoming homeless.</p>	<p>1800 825 955</p>

<p>Victoria Legal Aid Victoria Legal Aid can assist with free information about family violence intervention orders.</p>	<p>1300 792 387 legalaid.vic.gov.au</p>
<p>WithRespect WithRespect provides resources, tips and advice for LGBTIQ+ people on having and maintaining healthy relationships. It also provides support for LGBTIQ+ people of all ages and their families experiencing difficulty in their relationships, including family violence.</p>	<p>1800 542 847 withrespect.org.au</p>
<p>Women's Legal Service Phone advice and appointments for women in Victoria who need of legal advice, information or referral, irrespective of income or assets.</p>	<p>1800 133 302 (03) 8622 0600 womenslegal.org.au</p>

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APPENDICES: TOOLS AND TEMPLATES

Appendix 1: Screening Tool

Appendix 2: Template child and family information sharing scheme procedure

Appendix 3: Template information sharing scheme record keeping form

Appendix 4: Responding to renters identified at risk of experiencing family violence within community housing flowchart

Appendix 5: Family Violence Procedure Template

Appendix 6: Family Violence Policy Template

Appendix 7: Supporting decision making about housing choices by a renter who is a victim-survivor

SCREENING TOOL TEMPLATE

DEMOGRAPHIC QUESTIONS

This Screening Tool includes demographic questions as this information can assist to understand the risks and the response, secondary consultation or referral provided.

It is important to ask a person how they identify rather than make assumptions about gender or sexuality. You can support disclosure by never assuming how the person identifies based on their voice or appearance. You can ask if a person identifies as LGBTIQ and if there is a way you can support them to engage with your service, or if there are external supports available to ensure they are comfortable engaging with you.

ASSESSING CHILDREN

A separate risk assessment must be completed for each child. If there are more than one child, make copies for each child.

DETAILS OF STAFF MEMBER COMPLETING THE FORM:

NAME

POSITION

DATE

ADULT VICTIM SURVIVOR SCREENING AND IDENTIFICATION TOOL

VICTIM SURVIVOR DETAILS	
Full Name:	Alias:
Date of Birth:	Also known as:
Gender: <input type="checkbox"/> Woman/Girl <input type="checkbox"/> Man/Boy <input type="checkbox"/> Self-described (please specify) <input type="checkbox"/> Client preferred not to say <input type="checkbox"/> Unknown	
Primary address:	Current Location:
Contact number:	Comments:
Aboriginal and/or Torres Strait Islander: <input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Both Aboriginal and Torres Strait Islander <input type="checkbox"/> Client preferred not to say <input type="checkbox"/> Neither <input type="checkbox"/> Not known	CALD: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known LGBTIQ: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known People with disabilities: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known Rural: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known Older person: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known
Was an interpreter used during this assessment?	<input type="checkbox"/> Yes <input type="checkbox"/> No (If yes, what language):
Country of birth:	Year of arrival in Australia:
Bridging or Temporary Visa?	<input type="checkbox"/> Yes <input type="checkbox"/> No (If yes, what type):
Language mainly spoken at home:	Service provider client ID:
Emergency contact	Name:
Relationship to victim survivor:	Contact Number:

CHILD DETAILS*		*Complete a form for each individual child	
Full Name:	Alias:		
Date of Birth:	Also known as:		
Gender: <input type="checkbox"/> Woman/Girl <input type="checkbox"/> Man/Boy <input type="checkbox"/> Self-described (please specify) <input type="checkbox"/> Client preferred not to say <input type="checkbox"/> Unknown			
Primary address:	Current Location:		
Contact number:	Comments:		
Relationship to victim survivor:	Relationship to perpetrator:		
Aboriginal and/or Torres Strait Islander: <input type="checkbox"/> Aboriginal <input type="checkbox"/> Torres Strait Islander <input type="checkbox"/> Both Aboriginal and Torres Strait Islander <input type="checkbox"/> Client preferred not to say <input type="checkbox"/> Neither <input type="checkbox"/> Not known	CALD: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known LGBTIQ: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known People with disabilities: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known Rural: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known		

QUESTION	YES	NO	COMMENTS (OR NOT KNOWN)
Has anyone in your family done something that made you or your children feel unsafe or afraid?	<input type="checkbox"/>	<input type="checkbox"/>	
Is there more than one person in your family that is making you or your children feel unsafe or afraid? (Are there multiple perpetrators)	<input type="checkbox"/>	<input type="checkbox"/>	
The following risk related questions refer to the perpetrator:			

QUESTION		YES	NO	COMMENTS (OR NOT KNOWN)
PERPETRATOR ACTIONS	<i>Have they...</i>			
	controlled your day-to-day activities (e.g. who you see, where you go) or put you down?*	<input type="checkbox"/>	<input type="checkbox"/>	
	threatened to hurt you in any way?	<input type="checkbox"/>	<input type="checkbox"/>	
	physically hurt you in any way (hit, slapped, kicked or otherwise physically hurt you)?	<input type="checkbox"/>	<input type="checkbox"/>	
SELF-ASSESSMENT	Do you have any immediate concerns about the safety of your children or someone else in your family?	<input type="checkbox"/>	<input type="checkbox"/>	
	Do you feel safe when you leave here today?	<input type="checkbox"/>	<input type="checkbox"/>	
	Would you engage with a trusted person or police if you felt unsafe or in danger? (Note: if lack of trust in police is identified risk management must address this)	<input type="checkbox"/>	<input type="checkbox"/>	
Further details:				

* May indicate an increased risk of the victim being killed or almost killed (serious risk factors).

NEEDS AND SAFETY
Needs assessment:
Safety plan has been completed? (see separate template) <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not known

Child and Family Information Sharing Scheme Procedure – Template

(*Name of Organisation*) is committed to ensuring the safety and wellbeing of victim-survivors of family violence and perpetrators are visible and held accountable for their actions.

[*Name of Organisation*] is a prescribed under Part 5a of the Family Violence Protection Act 2008 and as a result must comply with the Child Information Sharing Scheme (CISS) and the Family Violence Information Sharing Scheme (FVISS). The Child and Family Violence Information Sharing Schemes allow the sharing of relevant information to assess or manage risk of family violence and support the safety and wellbeing of children.

Purpose

The objective of this procedure is to provide information about:

- responding to requests for information sharing,
- making requests information from another agency,
- proactively sharing information with another agency,
- the consent requirements in sharing information, and
- the information that is excluded from the Information Sharing Scheme.

Procedure scope

This procedure applies to all Client Services staff/ programs prescribed under the Child and Family Violence Information Sharing Schemes.

Information Sharing Entity

An Information Sharing Entity (ISE) is a state funded agency that holds information that is relevant to establishing, assessing or managing risk of family violence.

As a state funded Community Housing Organisation, [*Name of Organisation*] is an ISE.

This means that (*Name of Organisation*) mandated to comply with Part 5A of the Family Violence Protection Act, 2008, which allows any personal, health or sensitive information that is relevant to assessing and/or managing family violence risk to be shared, under the circumstances outlined in the Act.

Part 5A does not negate other privacy laws, but allows information sharing between ISEs related to perpetrators or where the information relates to a child; and allows information sharing related to victim survivors where serious risk is present.

The Child Information Sharing Scheme (CISS) authorises prescribed organisations to share information under Part 6A of the Child Wellbeing and Safety Act 2005 for the purpose of promoting child wellbeing and safety.

Information sharing

- Information relevant to assessing and/or managing family violence risk can be shared, provided:
 - the information is not excluded, (see **Excluded information** on page 3)
 - sharing information does not contravene another law, and
 - applicable consent requirements have been met.
- The information may relate to:
 - a victim survivor (adult or child),
 - an alleged perpetrator,
 - a perpetrator, or
 - a third party.

Note: Different consent requirements apply to each of these groups.

For more information: vic.gov.au/guides-templates-tools-for-information-sharing

Consent to share information

There are times when consent must be obtained before sharing information, but this is not always the case. The table below outlines relevant consent thresholds.

Person	Consent threshold
Adult Victim	Consent is required from the victim prior to sharing information, unless there is a serious threat to their safety
Child Victim	No consent is required from any person if the information is relevant to establishing, assessing or managing risk of family violence
Perpetrator	No consent is required from the perpetrator prior to sharing information to establish or assess risk of family violence
Alleged Perpetrator	No consent is required from the alleged perpetrator prior to sharing information to establish or assess risk of family violence
Third Party	Consent is required from the third party prior to sharing information, unless there is a serious threat

Sharing information sharing (voluntarily or in response to a request)

(Name of Organisation) is permitted to voluntarily, or in response to a request, share information related to the assessment and management of family violence risk with prescribed Risk Assessment Entities (RAEs). Additionally *(Name of Organisation)* is permitted to share information relevant to the management of family violence risk, or related to the safety and wellbeing of children with prescribed ISEs.

When an external agency requests information under the Information Sharing Schemes,

For more information: vic.gov.au/guides-templates-tools-for-information-sharing

(Name of Organisation) will take the following actions:

- Ensure the person requesting the information is from a prescribed ISE. <https://iselist.www.vic.gov.au/ise/list/>
- Make sure the request complies with legislative requirements - that the information is being collected for a family violence assessment or family violence protection purpose; or for the purpose of child safety and wellbeing.
- Ensure the information is not excluded information.
- Obtain consent from the relevant person/s, if required.
- Collate the requested information, from review of the file and discussion with relevant staff.
- Provide the collated information to the requesting ISE.

Declining a request for information sharing

If the information sharing request does not comply with the legislation, or is excluded information, *(Name of Organisation)* will inform the requesting ISE of the reason that they do not feel it complies, and record the request and the reason for declining on the Information Sharing Record Keeping Form.

If the ISE requesting the information disagrees, and feels the information is important for risk assessment of management, discuss with management.

Requesting information from an external ISE

Additionally, *(Name of Organisation)* can request information relevant to the management of family violence risk, or related to the safety and wellbeing of children with prescribed ISEs.

Refusal to share information

If the ISE believes that the request for information does not meet the requirements, and refuses to share the information, discuss with management.

If necessary, re-contact the ISE and explain why the information is essential for assessing or managing risk.

Record Keeping

(Name of Organisation) will follow record keeping requirements

- documented on the Information Sharing Provisions Record Keeping Form (See Appendix X),
- and/or record on a in the client's file

Exceptions to the Information Sharing Provisions

(Name of Organisation) is not permitted to share excluded information. This is because there is a range of circumstances where confidential information should not be permitted to be shared under Part 5A.

Excluded information

Information that is excluded and should not be shared is information could be reasonably expected to result in any of the following outcomes:

- Endanger a person's life or result in physical injury. *(e.g. the address of the victim-survivor could alert a person known to pose a threat to their whereabouts, then this info should not be shared.)*
- Prejudice the investigation of a breach or possible breach of the law, or the enforcement or proper administration of the law in a particular instance. *(e.g. information reveals the details of a police investigation.)*
- Prejudice a coronial inquest or inquiry, the fair trial of a person or the impartial adjudication of a particular case. *(e.g. information was cited as evidence in a closed session of the court.)*
- Disclose the contents of a document or a communication that would be privileged from production in legal proceedings on the ground of legal professional privilege or client legal privilege.
- Disclose, or enable a person to ascertain, the identity of a confidential source of information in relation to the enforcement or administration of the law. *(e.g. information is known only to a particular person, their identity as a confidential source could be ascertained if that information was shared.)*
- Contravene a court order or law that prohibits or restricts the publication or other disclosure of information in connection with any proceeding.

For more information: vic.gov.au/guides-templates-tools-for-information-sharing

- Contravene the public interest (*e.g. information that could reveal covert investigative techniques.*).

Relevant legislation and standards

- Family Violence Protection Act (FVPA), 2008
- Family Violence Information Sharing Scheme Ministerial Guidelines
- Child Information Sharing Ministerial Guidelines

Related documents

- Family Violence Policy
- Family Violence Procedure
- Privacy and Confidentiality Policy
- Tenancy Management Policy

Document details

Document number	
Procedure name	
<i>Child and Family Violence Information Sharing Procedure</i>	
Scope	
Version	
Date approved	
Date Reviewed	
Specific responsibilities	

For more information: vic.gov.au/guides-templates-tools-for-information-sharing

Information Sharing Scheme Record Keeping Form – Template

As Information Sharing Entities (ISEs), you have specific record keeping obligations under the Family Violence Information Sharing Scheme (FVISS) and the Child Information Sharing Scheme (CISS). Many ISEs will already be recording much of this information as part of your existing record keeping and case noting practices. However, you can also choose to use a template such as this one, depending on the needs and requirements of your organisation or service.

Scheme (tick all that apply) FVISS CISS

Sharing Information

Who did you share information about? (tick all that apply)

Perpetrator Alleged Perpetrator Adult Victim-Survivor Child Victim-Survivor Adult Third Party

Date the information was disclosed (DD/MM/YYYY)

Which organisation was the information disclosed to?

Please attach:

- A record of the information that was disclosed
- A family violence risk assessment or safety plan for the victim-survivor or member of their family (if made by your organisation).

Requesting Information

Was this information shared in response to a request? Yes No

- If **yes**, what was the date of the request? (DD/MM/YYYY)

- If **yes**, what information was requested?

Information shared about an adult victim-survivor or third party (where no child is at risk)

Was this information shared with consent? Yes No

If **yes**, please attach record of consent

If **no**, what is the reason why information was shared without consent? (i.e. serious threat)

Information shared about an adult victim-survivor or third party to assess or manage risk to a child victim survivor

Was the adult victim-survivor/third party informed that their information was disclosed? Yes No

If **no**, did you seek the views of the adult victim-survivor/third party? Yes No

If **no**, why were the views of the adult victim-survivor not sought?

Information shared about a child victim-survivor (under 18 years)

Did you seek the views of the child/person (under 18) or their guardian (who is not a perpetrator or alleged perpetrator) about sharing their information? Yes No

For more information: vic.gov.au/guides-templates-tools-for-information-sharing

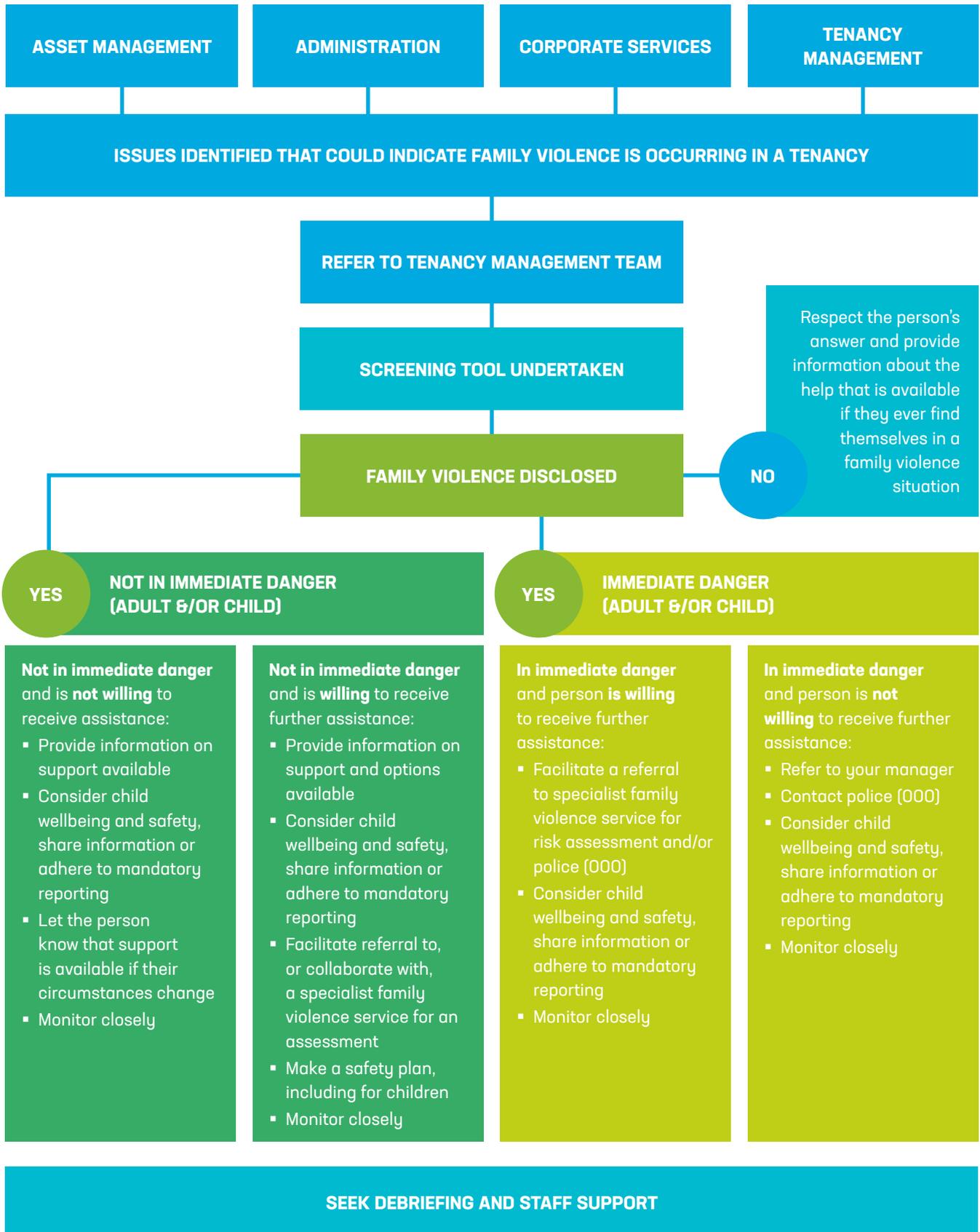
If **no**, why were the views of the child/young person or their guardian not sought?

Was the child/young person or their guardian informed that their information was disclosed? Yes No

For more information: vic.gov.au/guides-templates-tools-for-information-sharing

RESPONDING TO RENTERS IDENTIFIED AT RISK OF EXPERIENCING FAMILY VIOLENCE WITHIN COMMUNITY HOUSING

This flowchart has been developed to assist all staff employed across community housing organisations to understand their role in identifying and responding to family violence in community housing tenancies.



Identifying and Responding to Family Violence Procedure- Template

(Name of Organisation) will support and resource our staff across all aspects of community housing provision to have a shared understanding of family violence. Staff will utilise the Multi-Agency Risk Assessment and Management (MARAM) Framework Family Violence Screening Tool to identify family violence. Through understanding our role in identifying indicators of family violence and referring to tenancy management staff for further investigation, *(Name of Organisation)* will develop and enhance their early intervention approach to vulnerable tenancies and victims.

In order for *(Name of Organisation)* to effectively identify and respond to family violence we will:

- » Ensure all staff across receive training on foundational knowledge and identifying and responding appropriately to family violence.
- » Inform renters that assistance is available to those affected by family violence by displaying posters, pamphlets and information on website.
- » Enable renters to report family violence to us in different ways, including in person, in writing, over the phone and online.
- » Investigate all reports of family violence that we receive. Recognising that reports of antisocial behaviour might also be related to incidents of family violence and will also be investigated.
- » Give victim-survivors the opportunity to opt for a staff member of the same gender to deal with their case wherever practicable.
- » Ensure that victim-survivors know that they can meet staff in confidence at *(Name of Organisation)* offices or at an agreed safe place. We will also agree to the method of contact that the victim-survivor wishes us to use to stay in contact with them.
- » Work with partner agencies to ensure co-ordinated services to prioritise the victim-survivor's (including children's) safety.

Adapted from Community Housing Industry Association NSW Strengthening practice in responding to domestic and family violence: A toolkit for community housing providers

» Advise victim-survivors of external agencies who can offer further advice and support (for advice on tenancy issues, legal advice for example) and make facilitated referrals on their behalf and with their consent if required.

» Encourage victim-survivors to engage with family violence support and advocacy services and make referrals on their behalf and with their consent if required.

The Residential Tenancies Act has provisions aimed at increasing protections and outcomes for victim-survivors of family violence.

Maintaining a tenancy

(Name of Organisation) acknowledges the right of victim-survivors to live in safety and free from family violence. The appropriate response to the maintain the victim-survivor's tenancy will depend on the situation and the victim-survivor's choices. This may include:

- » Making referrals as appropriate to allow victim-survivors to apply to VCAT to have an agreement transferred into their name (excluding a perpetrator) and also to protect themselves from the debt created by the perpetrator due to damage to the property or unpaid rent.
- » Providing consent for property safety modifications. Where the victim-survivor is not receiving support from a local family violence service, offer a referral to a specialist family violence service for a home safety assessment to ensure modifications are appropriately monitored, of high quality and act to increase safety.
- » Ensuring in circumstances where victim-survivors need to be away from the property that tenancies are sustained without causing financial hardship in such circumstances.

Ending a tenancy

(Name of Organisation) acknowledges that victim-survivors may choose to end their tenancy for a number of reasons, including for their safety. *(Name of Organisation)* will assist with this process by:

- » Making referrals as appropriate to allow victim-survivors to apply to VCAT to remove themselves from the agreement and also to protect themselves from the debt created by the perpetrator due to damage to the property or unpaid rent.
- » Ensuring debt or property damage is appropriately managed and the victim-survivor is not being charged for debt that is the result of family violence
- » Waiving notice periods for victim-survivor renter to terminate an agreement.
- » Assisting the victim-survivor/s to access the property safely retrieve their belongings.
- » Offering a referral to a family violence financial counsellor to support a victim-survivor to ensure that creditors are contacted at the time of relocation, to ensure they apply hardship provisions and or payment plans (if relevant) and are given sufficient relevant information so they do not share information on the victim-survivor's whereabouts with the perpetrator at a later date.
- » Offering a referral to a support agency to assist with an application to the Victorian Housing Register for a priority property transfer.

Working with perpetrators

(Name of Organisation) will take appropriate action against anyone responsible for perpetrating family violence. The appropriate response to the perpetrator will depend on the situation. This may include:

- » Contacting the Police and other emergency services if the situation requires an immediate response due to safety or in circumstances where a crime has been committed.
- » Referring to support workers who provide specialist services to perpetrators to assist them to gain support in addressing their issues, such as *Men's Referral Service or WithRespect*.
- » Seeking secondary consultation and share risk relevant information (in accordance with relevant

Adapted from Community Housing Industry Association NSW Strengthening practice in responding to domestic and family violence: A toolkit for community housing providers

legislation e.g Information Sharing Schemes) with other services.

- » Reporting concerns about the impact of the perpetrator's violence on any children to Child Protection or other relevant authorities.
- » If the perpetrator is the head renter or co-renter, negotiate with the perpetrator to relocate them to another property if this is the desire of the victim-survivor and if it is safe to do so, which will require the perpetrator to agree to being relocated.
- » If it is not considered appropriate/safe to relocate the perpetrator and if the RTA supports the situation, refer the victim-survivor to an appropriate legal service for support in applying to have the tenancy transferred solely into their name.
- » If it is not considered appropriate/safe to relocate the perpetrator or terminate the perpetrator's tenancy, relocate the victim-survivor(s) to a safe property. Due to the circumstances, this may be to crisis or transitional accommodation with a plan in place with support worker(s) to obtain long term, stable and affordable accommodation. Contact *Safe Steps* for a family violence risk assessment and emergency accommodation options.

(Name of Organisation) will monitor family violence incidences across our housing portfolios to support identification of perpetrators and monitor the success of our actions in supporting victim-survivors. This will assist *(Name of Organisation)* by prioritising areas or individuals affected by repeated family violence.

Work health and safety

(Name of Organisation) utilise a robust risk assessment process to maintain safety for all staff and contractors. We ensure that all workers and contractors check renter alert registers before conducting any home visits to manage renters or their visitors who may pose a risk to staff and contractors.

Collaborative responses to family violence

(Name of Organisation) collaborates with a range of partners across the service system in a variety of ways to support and better assess and manage family violence risk. Through the Multi-Agency Risk Assessment and Management (MARAM) Framework, we have an important role in the identification and management of family violence and providing safe tenancies.

We will seek advice and guidance from local specialist family violence services. This can assist to explore options that are available locally. Victim-survivor anonymity can be used if issues are discussed in generic terms. As an Information Sharing Entity (ISE), we are always able to share information about perpetrators without their consent, and in cases where victim-survivors are deemed at serious threat, without their consent, within a legal framework (Part 5A of the Family Violence Protection Act).

Related documents

- Family Violence Policy
- Privacy and Confidentiality Policy
- Work Health and Safety Policy
- Tenancy Management Policy
- Application and Allocation Policy

Review

Procedure number	
Procedure name	
<i>Identifying and responding to family violence procedure</i>	
Scope	
Version	
Date approved	
Date Reviewed	
Specific responsibilities	

Adapted from Community Housing Industry Association NSW Strengthening practice in responding to domestic and family violence: A toolkit for community housing providers

Identifying and Responding to Family Violence Policy Template

The Victorian Government worked with Government Agencies and community organisations to develop the Family Violence Multi-Agency Risk Assessment and Management (MARAM) Framework legislated under the Family Violence Protection Act 2008 (Vic) (the FVPA).

Community Housing Organisations are a key component of the coordinated and multi-agency response to family violence.

(Name of Organisation) recognises that family violence can happen to anyone, regardless of social background, disability, age, gender, religion, sexuality or ethnicity.

(Name of Organisation) acknowledges that particular groups experience family violence in different ways, e.g. Aboriginal people, LGBTIQ people, people with disabilities, children and young people, older people and people from diverse communities. Staff apply this knowledge during service delivery, and wherever possible, seek to tailor services to these cohorts.

(Name of Organisation) takes family violence seriously and is committed to providing a sensitive response to anyone approaching us for assistance in cases of family violence. *(Name of Organisation)* complies with all relevant legislation relating to family violence.

(Name of Organisation) is committed to building our skills, capacity and practice to identify indicators of family violence and to work with victim-survivors to assist them to manage their housing and support situation.

(Name of Organisation) acknowledges the right of victim-survivors to live in safety and free from violence and will take appropriate action that balances the rights and wishes of the victim-survivor with the responsibility of the landlord to protect the property and the safety and wellbeing of all household members and neighbours.

(Name of Organisation) does not prevent perpetrators from accessing services, unless this is necessary for victim-survivor safety. However, we will never condone or collude with their use of violence.

(Name of Organisation) recognises that responding to family violence requires a multi-agency response and is committed to working collaboratively with other services to ensure perpetrators are kept in view and accountable for their use of violence.

This policy covers all tenants and applicants of *(Name of Provider)*.

Policy number	
Policy name	
<i>Identifying and responding to family violence</i>	
Scope	
Version	
Date approved	
Date Reviewed	
Specific responsibilities	

References

- Family Violence Protection Act 2008 (Vic) (FVPA)
- Family Violence Multi-Agency Risk Assessment and Management (MARAM) Framework
- Ministerial Guidelines Family Violence Information Sharing Schemes (FVISS)
- Residential Tenancies Act (VIC)

Adapted from Community Housing Industry Association NSW Strengthening practice in responding to domestic and family violence: A toolkit for community housing providers

SUPPORTING DECISION MAKING ABOUT HOUSING CHOICES BY A RENTER WHO IS A VICTIM-SURVIVOR

ISSUES INDICATING FAMILY VIOLENCE IDENTIFIED

SCREENING TOOL COMPLETED WITH VICTIM-SURVIVOR | family violence risk present and victim-survivor willing to receive support. Refer to Refer to Toolkit **Page 28** for further guidance.

FACILITATED REFERRAL MADE FOR VICTIM-SURVIVOR TO SUPPORT SERVICE | Refer to Toolkit **Page 44** 'List of contacts and referral options' for further guidance.

VICTIM-SURVIVOR ENGAGED WITH SUPPORT SERVICE | Family violence risk assessment completed by support service and shared with CHO

MEETING | VICTIM-SURVIVOR AND SUPPORT SERVICE REQUEST MEETING WITH CHO TO DISCUSS HOUSING SAFETY AND OPTIONS

- Advise victim-survivor of housing rights and options available
- collaborate with services to assist victim-survivor to maintain/secure housing
- clarify victim-survivor needs and goals
- develop a coordinated response and strategies to manage family violence risk

VICTIM-SURVIVOR NOT ENGAGED WITH SUPPORT SERVICE | A referral will not always result in an engagement with a support service or specialist family violence service (SFVS). In this case:

- Seek a secondary consultation from the service
- Coordinate with the support service if they identify you as best placed to lead support or arrange financial brokerage to the victim-survivor at this time.
- Continue to monitor family violence risk, and re-refer if risk or situation changes.

WHO IS THE PERPETRATOR?

If safe, consider the following for the perpetrator:

- Identify if the perpetrator is a renter or co-renter
- Police involvement
- Identify other housing options
- Secondary consultation or referral to Men's Referral Service or With Respect
- Refer to organisational family violence policy

Do not challenge perpetrators about their use of violence as this could increase risk the victim-survivor/s. See Toolkit **Page 31** 'Working with Perpetrators' for further guidance.

VICTIM-SURVIVOR DECIDES TO LEAVE

RISK MANAGEMENT PLAN DEVELOPED

- Explore intervention order options
- Safety plan developed by support service and shared with CHO
- Termination process explained
- Alternative accommodation explored, including property transfer, family and friends, private rental.

FOLLOW END OF TENANCY PROCEDURES | Ensure debt or property damage is appropriately managed and the victim-survivor is not being charged for debt that is the result of family violence. Refer to Toolkit **Page 35** 'Obligations under the RTA' for further guidance.

IF THE VICTIM-SURVIVOR DECIDES TO STAY | If the victim-survivor renter decides to stay after giving notice to terminate the tenancy:

- Support service to advocate for property termination to be revoked.
- Follow STAY steps

VICTIM-SURVIVOR DECIDES TO APPLY FOR A TRANSFER

RISK MANAGEMENT PLAN DEVELOPED

- Explore intervention order options
- Safety plan developed by support service and shared with CHO
- Transfer process explained
- Options explored for transfer including: location needs, victim-survivor safety and support needs, safety assessed for the adult and child/ren victim-survivors, safety assessed for the community within a housing complex. Refer to Toolkit **Page 35** 'Obligations under the RTA' for further guidance.
- Consider safe housing options while waiting for a transfer.

ASSIST VICTIM-SURVIVOR TO APPLY FOR A PRIORITY TRANSFER THROUGH THE VICTORIAN HOUSING REGISTER

VICTIM-SURVIVOR APPROVED AND PROPERTY TRANSFER SECURED | updated safety plan & safety modification may be required

VICTIM-SURVIVOR DECIDES TO STAY

RISK MANAGEMENT PLAN DEVELOPED

- Explore intervention order options
- Safety plan developed by support service and shared with CHO
- Explore home safety modification options, including undertaking a home safety assessment (by specialist family violence service), urgency/timelines identified, modifications approved in line with organisational family violence policy. Refer to Toolkit **Page 35** 'Obligations under the RTA' for further guidance.
- Consider whether the victim-survivors requires alternative/crisis accommodation while modifications are undertaken.

Be aware that a victim-survivor may not wish to end the relationship with the perpetrator (who may be a partner, adult child, or other family member) and the perpetrator may continue to reside in the property. The victim-survivor should never be judged or blamed.

SAFETY MODIFICATIONS UNDERTAKEN | Continue to monitor safety

VICTIM-SURVIVOR WANTS TO LEAVE | If victim-survivor renter decides they want to leave due to family violence

- Engage with victim-survivor to explore what has changed
- Facilitate referral to support to undertake comprehensive risk assessment
- Follow leave steps



Community Housing
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