

QDVSN MEETING ISSUES PAPER

FOR DISTRIBUTION TO OTHER NETWORKS

KEY ISSUES ARISING FROM QDVSN MEETING ON

2ND & 3RD MARCH 2006 - CABOOLTURE

Background information

In the spirit of enhancing information sharing and collaboration between our networks, Queensland Domestic Violence Services Network (QDVSN) decided to distribute to other related and like networks and services, relevant issues arising from the QDVSN meetings. In addition, QDVSN recognizes that our networks are frequently responding to and discussing the same issues, and the strength that lies in coordinating and sharing information.

After each QDVSN meeting, the QDVSN Secretary can forward to your network/service the key relevant issues arising from the QDVSN meeting.

If you do not feel it is useful for your network/service to receive this information, please do not hesitate to let us know. In addition, if your network/service would like to similarly disseminate information relating to your network/service, we would certainly welcome this.

D&FV Prevention Month

It was agreed that there should be a QDVSN event and a poster focused on women. QDVSN will also keep a calendar of events to assist coordination.

- Remembrance Day event, 3rd May 2006 – To be held state-wide, late afternoon, early evening. Candles to be lit simultaneously at 5.15pm. Enquiries to Amanda Lee-Ross, Tel. 4040 6100.
- Posters and candle to be burnt all day will be mailed out by QDVSN reps to services in their local area.
- Media release to be sent out across the state to advertise the event.

DIMA meeting

- Annabelle had previously attended a meeting (2005) with DIMA around women with limited income. From 1st July 2005 they are going to introduce an 'external expert' in Centrelink who will assess 'doubtful' claims.
- Since then Mercedes has attended a consultation with DIMA and put forward issues around D&FV and that it should be addressed early in settlement. All QDVSN members that attend DIMA consultations in their area are urged to raise these issues.

Telephone link with Legal Aid – Lindy Morgan

- Lindy updated the group on staffing – Acting Coordinator is Lindy until end of July, Cinzia replacing Raquel while she is on leave until end of June. Lindy will email phone details out.
- Lindy is finalizing a review on DV refusals of aid for women. Perception that grants of aid for DV cases might have gone down doesn't appear to have happened on the figures. Some concerns that women have been refused when she thought they should have been granted. She will work on getting a more uniform approach to granting aid in her report which goes to senior managers on 3rd March 2006. Some of the recommendations:
 - If woman is indigenous or CALD, disabled, special needs – should be taken into account;

- Review of approval and refusal clauses to make them more standard across the state and better refusal letters to tell clients why they have been refused on merit. Will make it easier to appeal;
- Review over greater period of time to see if trends with particular offices or across the state;
- Statewide education campaign or networking or training programs for DV services and preferred suppliers about how to apply for grants of aid and how to appeal;
- Training on DV for LA staff including impacts of DV and what it means if not granted LA;
- LA working with DoC to update service agreement for court assistance workers.
- LA organizing some grants training for in house grants and lawyers to do with new FLC procedures with the new Bill being introduced.
- QDVSN asked Lindy for her legal opinion on the amended section 159N Child Protection Act and provisions of info sharing to dept. Lindy will follow up on this as it reads very broadly.
- After the link up there was a discussion about various FLC issues such as urgent recovery orders (UROs), subpoenas, ante ex-parte letters and interim residency orders. It was decided that QDVSN should keep note of who is researching into these areas and talk to Women's Legal Service about what can be done legally. Donna agreed to keep record of this.
- QDVSN may, in future, seek information from the Federal Police re how they deal with UROs.

Violence Prevention Team (VPT) – Natalie Siegel

- There was a long discussion around the potential DoC database. Natalie informed the group that they only collect JAG and CDFVR data at the moment. Purpose is to monitor how successfully the legislation is being used. It is not used for service development.
- QDVSN asked how long the CDFVR data needed to be collected. Natalie's understanding is that it is an ongoing process. Currently data is only about DVO applications and orders but DV goes well beyond legislative assistance. That is why DoC needs more broad issues discussed. Trying to measure the extent of DV more accurately.
- QDVSN raised the issue that a proper data tool needs to be developed that gives information in a better way rather than using the legislation evaluation tool because it can not be used to extract that type of information. Natalie informed the group that the VPT wanted to achieve this but the government wanted legislation information first and then to get more money to build another data tool.
- QDVSN asked how VPT was progressing the evaluation of the amendments. Natalie reported that without a database the next thing that can be done is to send out the surveys developed by the Legislation Evaluation Reference Group (LERG). Once the surveys are approved and responses received, they will meet with LERG to discuss their reaction to the survey responses.
- This lead into an additional issue that individual services are being asked to collect data but the department has not come up with a uniform set of questions they want answered, nor provided a data collection tool. QDVSN suggested that there should be one set of questions that meets everyone's data needs. Natalie agreed that we need to look at a different set of questions and involve more organisations.
- QDVSN members have been advised that services were going to be asked to provide data directly to the department with the new service agreements. Natalie had been told that was further down the track – she was not aware that services are being asked this now under the service agreement. Natalie will talk to the funding area responsible for the new service agreements.
- D&FVP Month – slogan with Minister at moment; one for ATSI and one for Non-ATSI communities. Advertising agency has done a lot of the work. Focus testing this year was large. Targeting men. Applied for extra funding for DVConnect's Men's line who may have extra calls as a result of the campaign.
- Selection panel for funding for D&FV events have sat – hoping to have results by end of month at latest.

- Developing a kid's and men's help card. Poster competition in schools being channeled by Education Qld. VPT have been working with Western Australia and looking at the resources for community education with young people. These are on the website www.youthsayno.wa.gov.au.
- D&FV Prevention Month launch looking set for Townsville.
- Dept has got 'Future Investment' strategy – looking at additional resources for those services working with women only.
- Natalie updated the group on the VPT's role. Program separated from policy – VPT sit in program directorate. Main responsibility is to develop awareness programs, comment on legislation and work with other departments in developing their legislation around D&FV and to convene things like Men's Worker Forum to review standards and provide 'content' to other depts. around D&FV issues. Review service system as a whole eg. Analyzing Duluth model. Policy makers are meant to consult VPT around D&FV strategic policies they may come up with. Working with Corrections regarding DV counselling in prisons. Annabelle urged that the issue of translators was addressed in prisons too.

Centrelink policies re clients in DV who are subject to fraud investigations

- Issue for Ipswich service recently. Supported a woman being investigated who was in DV in very dangerous situation including attempted strangulation, too fearful to involve the police. Her perpetrator often comes and goes and she cannot stop him from doing this. Centrelink considered her to be 'partnered' still. At no stage, even when DV was disclosed to Centrelink, was there more social work response to her. Continued the investigation in a legal framework and she has to pay back a large amount of money.
- Ipswich worker will contact Kathy Peut at Centrelink to find out what processes should have happened.

Family Law Court subpoenas of client files

- Amy explained a recent situation where the child worker was working with a young girl whose father was no longer the residential parent and was harassing their worker, trying to get her to release information about the child's counseling. His solicitor subpoenaed the file for a FLC matter. The service was concerned about releasing the file. In the past the service usually attached a letter specifically asking for the file not to be released to the other party but there is no guarantee whether that actually happens. This time the service engaged a barrister to contest the file being released. It went before federal Judge Rimmer and she said they did not have immunity and had to release the file to the legal reps of both sides. In this situation there is no guarantee that a perpetrator does not have access to the files – reps can leave things unsupervised.
- Outcome - made the service more cognisant of confidentiality of files.
- Amy wondered whether it would be an option for QDVSN to engage a barrister to apply for blanket immunity as a group of services to the FLC for notes on file. Eg. RA has immunity but have to be approved by Attorney General.
- Gabriele stated that under Section 19N you can still be subpoenaed and if you do object you have to be there in court.
- Amanda mentioned that only three weeks ago they had been subpoenaed and were asked by the woman's rep to use section 19N to ask that only the registrar saw the file.

Co-case management with DCS

- Aware that the practice framework/guidelines being developed for DCS are not 'policy' and they may not be read. Gold Coast is looking at co-case management on the counselling side with DCS and whether the DCS can direct men to attend a group.

- Heather mentioned that there is a DV Child safety protocol in Mackay which probably needs updating but could be a starting point.
- Caboolture are negotiating protocols with their local DCS managers to deal with ‘involuntary’ clients.
- Chris noted the importance of establishing clear protocols with Child Safety because if something goes wrong and child is further abused the case will be reviewed and all actions/responsibility will be under scrutiny.

Service Agreements/Enhancing existing services

- It was raised that a service in the process of signing a new service agreement with DoC was expected to have an individual agreement for every program that they have. Therefore would need to sign 4 service agreements. It was also unclear how the budget had been worked out.
- Services were concerned about the whole process and whether there was any money available for enhancing existing services. Some reported that they had added extra to their agreement even though the CSOs did not want them to do that. However, many had been told that if they were not currently funded for a program/service they should not include it in the agreement.
- There was a discussion around perpetrator service funding being set at SACS 6. The general agreement was that this was inequitable and that a letter should be sent to Warren Pitt, VPT, Desley Murphy Community Funding, Linda Apelt and Desley Boyle regarding this.
- *Action: Amanda to find previous letter that had been written regarding SACS 5 funding for legislation amendments and redraft.*

Women’s Legal Service (WLS) Law reform

- Donna spoke to this. At the back of the document is an information document and explanation of their submission. Pam Godsell would like QDVSN to endorse this document.
- *Action: QDVSN members need to read the document and provide endorsement by Friday 10th March by email to Amanda. As soon as we get half plus one, Amanda will send letter of endorsement.*

QCOSS Peak representative meetings

- QDVSN had been contacted by Kym Daly, who had been contacted by Lyndall Hulme about a peak meeting being run by QCOSS on 16th February 2006. Diane had attended on behalf of QDVSN.
- Diane updated QDVSN that the purpose of the meeting was to consider whether to apply for funding as a large peak to research how the welfare sector could work better in Australia. Have split up into working parties to look at this.

Update regarding payment for TIS

- QDVSN sent a letter to Kay Patterson and Warren Pitt supporting IWSS and other SAAP funded services that require interpreter services. A response was received from Clare Wall, Housing Support Branch. Commonwealth is saying that it is a state responsibility but DoC is saying it is a commonwealth responsibility.
- Annabelle informed the group that DoC gave IWSS a one-off funding to assist with TIS fees, whereas Qld Health gave recurrent funding for TIS fees for their services. There is, therefore, inconsistency between government departments.
- Community Cabinet in Mackay at end of March – Heather suggested local services should lobby at this regarding the TIS issue.
- *Action: Follow up for a response from Warren Pitt to our letter sent last year.*
- *Action: QDVSN to seek a meeting with Christopher Cummings, Minister for MAQ. Annabelle to draft a letter. Chris, Diane and Annabelle were interested in attending this.*