



Family Violence Intervention Services



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Outline for today

- What is therapeutic jurisprudence?
- Outline of Court Intervention Programmes
- Family Violence Service
- Research findings
- Links with Family Court
- Future trends



Therapeutic Jurisprudence

Concentrates on the law's impact on emotional life and psychological well-being. It is a perspective that regards the law (rules of law, legal procedures, and roles of legal actors) itself as a social force that often produces therapeutic or anti-therapeutic consequences. It does not suggest that therapeutic concerns are more important than other consequences or factors, but it does suggest that the law's role as a potential therapeutic agent should be recognized and systematically studied.



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Therapeutic Jurisprudence

A therapeutic approach, as opposed to a punitive approach, can take that crisis point to encourage and facilitate rehabilitation. Studies have found that court intervention programs reduce reoffending and are more cost-effective than imprisonment.

Court intervention programs should no longer be considered as an innovative anomaly: their ability to decrease recidivism deserves greater support.

Chief Justice Wayne Martin 2009



Problem-Solving Courts

Problem-solving courts originated in the United States. WA has developed court intervention programmes;

- Drug & alcohol
- Family violence
- Mental impairment
- Costs \$16,210 per year
- Higher than community corrections (\$7,310)
- Substantially less than prison (\$93,075)



Problem-Solving Courts

There is general acceptance that therapeutic jurisprudence has become the underlying philosophy of these courts. It suggests processes that court team members can use to promote the therapeutic outcomes of the court.



Key elements of problem solving courts

- Judicial case management;
- Multi-disciplinary court team;
- Collaborative approach with participants;
- Involvement of government and community agencies in the development and running of the project;
- Use of therapeutic legal processes by the court and team members.



Family Violence Statistics for WA

- Half of all murders and attempted murders were related to domestic violence.
- Domestic violence was a factor in 25% of all aggravated sexual assaults and threatening behaviour;
- Over one-third of all aggravated and non-aggravated assaults;
- Over one-fifth of deprivation of liberty charges.
- 63.7 per cent of breaches of restraining order offences were related to domestic violence
- 34.7 per cent of breaches of bail

Western Australia Police statistics show that in 2005



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FVCs commenced operations within Metropolitan area

Joondalup	2000
Rockingham	June 2007
Fremantle	November 2007
Midland	January 2008
Armadale	July 2008
Central Law Courts	September 2008



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- **Family Violence Services are available to people who are:**
- Married or de facto
- Partners, living together or not
- In same sex relationships
- Family members
- Being mistreated by carers



Family Violence Courts

Family Violence Courts use a system of judicial monitoring, participant engagement in family violence perpetrator programmes and case management by a multi-disciplinary case management team to promote perpetrator accountability, prevent the recurrence of family violence and protect victims.



Family Violence Courts

Family Violence Court Programme

- Offender must plead guilty
- Assessed for suitability by programme provider and community corrections
- Bailed to attend behaviour change programme
- Contact maintained with victim by FVS
- Sentenced within 6 months



Family Violence Courts

Family Violence Court Programme

- Behaviour change programme delivered by Communicare, RA and Maarmin Whaart Goorling
- 24 weeks or 13 weeks (x2 p.w)
- Facilitator attends weekly case management meetings
- Case management involves FVS, DCP, police, Community Corrections
- Offender returns to court at breach, review or sentence (within 6 mths)



Victim involvement

- Essential to involve, consult and support
- Dangerous to provide treatment without victim's voice
- FVS provides advocacy
- Programme providers now required to consult victim



Victim Engagement

- A total of 4062 victims of family violence assisted by the Family Violence Service during the 2008/2009 financial year. 607 (15%) were Indigenous.
- Client surveys indicate the Family Violence Service is successful in engaging and assisting victims of family violence at each of the six sites
- Represents a 21% increase in the number of victims assisted compared to 2007/2008 financial year



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Links with Family Court of WA

- MOU developed between FVS, FCWA, LAWA and Corrective Services in February 2009
- Parties recognise they share common aims to protect victims of violence and to provide best possible outcomes for children
- Acknowledgement of need to share information
- Move towards FCWA obtaining VRO transcripts and PSRs
- VRO template amendments
- VROs including children referred to FCWA



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Indigenous service provision

- Maarman Whaart Goorling “*Men Going Forward*”
- Reinforces that Family Violence is a crime and is not acceptable
- Challenge the attitudes and behaviours that allow violence and abuse to occur
- Develops a capacity to accept responsibility for violence committed
- Develop the skills and strategies required to cease violent behaviours



Indigenous service provision

- Barndimalgu Court Geraldton
- Involves community approach
- Aboriginal members key members
- Oval table
- Multi agency
- Aboriginal specific group programme



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Research Findings

- Research on effectiveness of DV programmes inconclusive
- Risk of perpetrators getting worse before they get better
- Victim safety improves dramatically with dedicated victim support
- Indigenous programmes can lead to significant reduction in offending (Ngaanyatjarra Pitjantjatjara Yankunyatjara Family Violence Cross Border Project covering 24 communities in the NPY region. 70 per cent success rate in stopping reoffending)
- FV courts developing nationwide & internationally
- UK has 142 SDV courts



Research on victim support- UK

- In 70% of cases, the abuse was reported to have ceased.
- The IDVA perceived that in 45% of those cases, the abuse had ceased permanently
- 76% of survivors felt safer (47% felt 'much safer')
- At intake, 82% of survivors reported experiencing at least one type of abuse that was severe or extreme in nature, as compared to 23% at review
- At intake, 75% of survivors reported experiencing more than one type of abuse, as compared to 20% at review
- At intake, 66% of survivors reported that abuse was escalating compared to around 5% at review



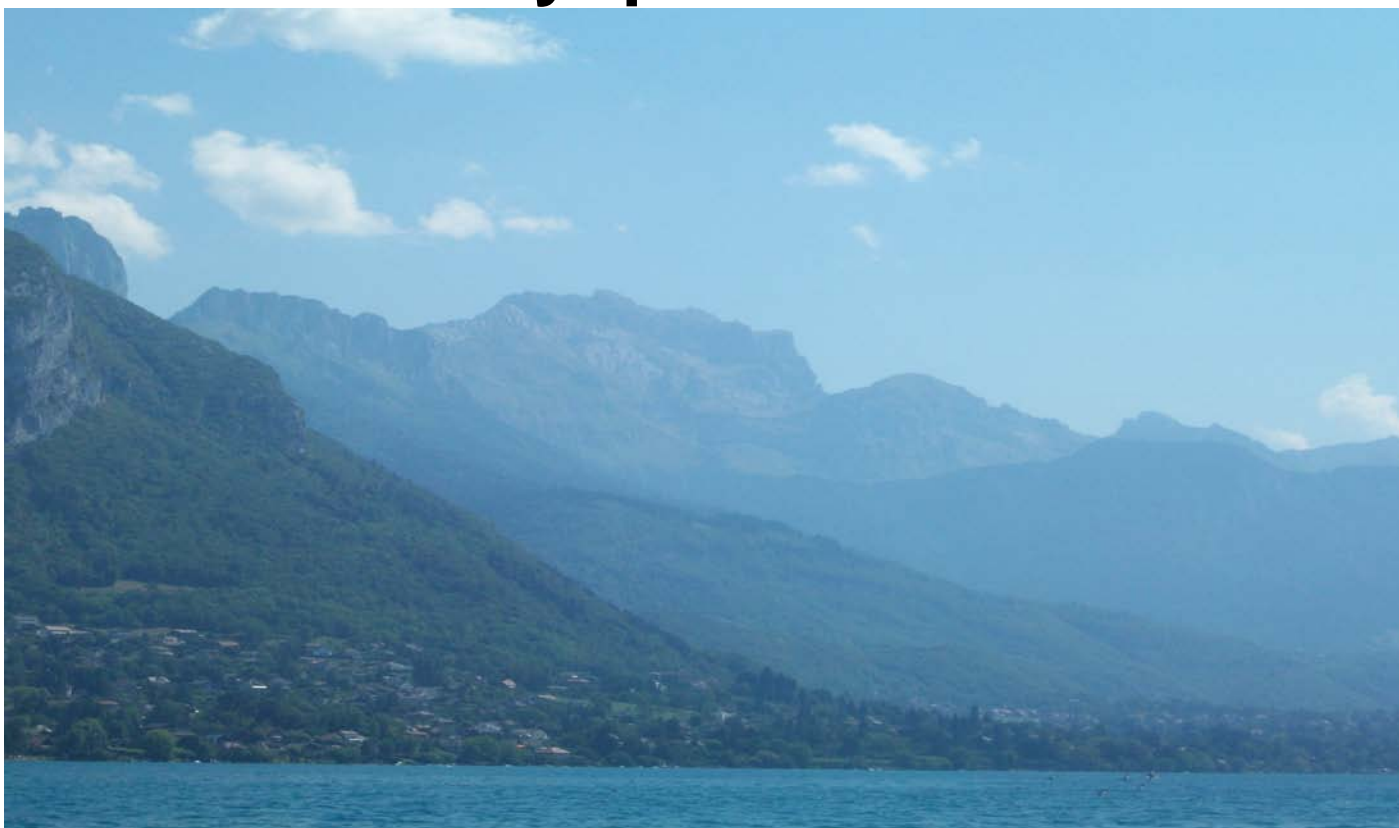
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Research on victim support- UK

- 71% of survivors who sought support relating to a criminal court case proceeded to court
- 52% of those who sought support obtained a positive outcome (perpetrator plead or was found guilty).
- 73% of survivors made a noteworthy change in their lifestyle that the IDVA thought had positively impacted on their safety
- 76% of survivors had improved coping strategies including knowing how to get help
- 48% of survivors had an improvement in their housing arrangements



Any questions?





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