

IMPLEMENTING '*NOT NOW, NOT EVER*': THE BRYCE REPORT ON DOMESTIC VIOLENCE IN QUEENSLAND¹

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'Queensland has had only four projects that even mention domestic violence funded since 2001. Only one of these, a current Future Fellowship, is primarily focused on domestic violence.

In contrast, 905 ARC grants have been made since 2001 on mining. Ultimately, effectively responding to and preventing violence will require multiple changes and interventions across education, research, law, policy, and practice.³

At least 45% of Queensland homicides are related to domestic violence as are one in every three police responses. Service providers cannot keep up with demand for service. There is plenty of room for improvement in the state.

As a scholar who does research and teaches about domestic violence, I am pleased to see the government making commitments to do something to improve Queensland's response to the problem.

A pilot project: the Southport domestic violence court

One of the key actions in response to the *Not Now, Not Ever* report has already been implemented. A pilot specialised domestic violence court is due to open in Southport in September. The court will focus on breaches of Apprehended Domestic Violence Orders.

Domestic violence courts incorporate a range of features to enhance victim safety, reduce reoffending, and offender accountability. As of 2010, there were at least 208 DV courts in the United States and 150 in other countries (Labriola et al, 2010).

The international research findings on the effectiveness of various domestic violence interventions are mixed.⁴

¹ <https://www.qld.gov.au/community/getting-support-health-social-issue/dfv-read-report-recommendation/index.htm>

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³ See conclusions to this paper.

⁴ (See for example Buzawa & Buzawa, 1996; Dugan, Nagin & Rosenfeld, 1999; Farmer & Tiefenthaler, 2003; MacFarlane et al. 2004).

However, it appears that domestic violence orders and charges leading to criminal justice penalties are effective at reducing violence and abuse for most survivors (Holt, 2004; Logan 2010; Tromboli, 2015; Tromboli & Bonney, 1997).

The pilot provides an excellent opportunity for much-needed research about the implementation and impact of Queensland's domestic violence laws. The extant research makes clear that reported reoffending is a poor measure of the full impact of criminal justice interventions (see for example Logan, 2010). As with other measures of domestic violence, research asking only if conditions have ever or never been met (such as was there ever any behavior on a domestic violence measure or not? Was there another breach or not? Was there another arrest or not? Was there another report to police or not?) is often incomplete and misleading.

To really understand what is going on, the best research goes beyond official reports to ask those involved questions like what happened? How many times? What was the impact on you? Why did you do what you did? Studies that include these questions find that even where there is another breach or assault, the overall harm and abuse is usually reduced following criminal justice interventions when they are followed through (Holt, 2004; Logan, 2010; MacFarlane et al. 2004).

Apprehended Domestic Violence Orders are currently the standard justice system response to domestic violence in Australia. Yet breaches have historically been ignored. Tromboli and Bonney (1997) found that 73% breaches reported to police, they took no action. Research in Queensland and New Zealand has documented poor treatment of women seeking DV orders and trivialization of their concerns in court (Douglas, 2008; Robertson et al., 2007). Specialized courts have the potential to ameliorate these problems.

Criminal justice responses have also led to unintended consequences. For example, some police officers who are encouraged to pursue arrests but have not been trained to identify the primary aggressor have arrested both the perpetrator and victim of violence. In other countries, we have observed enhanced penalties intended to protect victims applied to women who use physical force or weapons to defend themselves and their children from domestic violence. As in other areas of criminal justice, members of already marginalized groups are likely to bear the disproportionate brunt of enforcement efforts, potentially increasing community alienation on the whole. Both the utility of criminal justice responses and their disproportionate impact on already marginalized people, including but not limited to abused women and Aboriginal and Torres Strait Islanders, need to be considered in assessing changes to policy and practice.

Implementation of any recommendations from the *Not Now Not Ever* report will require improved education and training of those who come into contact with perpetrators and victims of domestic violence. There are few opportunities for tertiary education about domestic and family violence in Australia. Specialised domestic violence service providers offer training for staff who work with domestic violence but they are inadequately funded to provide extensive training and technical assistance alongside their service provision mandates. Other trainings are available intermittently, but these are voluntary and those who need them the most are probably least likely to attend. Training and education have serious ramifications for responding to domestic violence (Saunders, 2015).

Australia lags behind Europe and North America in domestic violence education. Numerous dedicated university units and degrees are offered in the United States, Canada, and the UK but only about a dozen of elective units exist across Australia.

For example, I established the first interdisciplinary domestic violence elective unit at a university in Queensland in 2015 [JSB286 Domestic Violence](#). Students are interested. The unit drew an enrolment of about 230 students from across the university on the first offering, making it our most popular elective.

To further contribute to the education of DV workers and future scholars, the School of Justice in the Faculty of Law at QUT is launching a Graduate Certificate in Domestic Violence in 2016. This will be the first Graduate Certificate on Domestic Violence in Australia.

[JS12 Graduate Certificate in Domestic Violence](#)

The course contains four units.

<u>JSN201</u>	<u>Dynamics of Domestic Violence</u>
<u>JSN202</u>	<u>Children and Family Violence</u>
<u>JSN203</u>	<u>Reducing Lethal Risk</u>
<u>JSN204</u>	<u>Working With Domestic Violence Victims</u>

Many people would be shocked to learn that although social work, law, and psychology degrees are the preferred educational qualifications for workers who respond to domestic violence, no psychology, law, or social work program in Australia currently offers a required unit on domestic violence. In lieu of university education about domestic violence, graduates are forced to rely on stereotypes about domestic violence unless they seek out supplementary training.

This failure to adequately educate university students who will go on to work in the field has serious consequences. For example, a study of family report writers in the US found that low levels of training and education were related to unsafe practices like assuming reports of domestic violence are false and recommending substantially shared parenting for survivors of violence with abusive fathers (Saunders, 2015). In addition, domestic violence death review panels worldwide have identified separation as a risk factor for serious and lethal domestic violence rather than a panacea for it. Yet many who have professional responsibilities to respond to domestic violence still believe that 'just leaving' will fix the problem.

The other casualty of under-investment in domestic violence education is Australian scholarship. Students who do not have the opportunity to learn about domestic violence at their university are less likely to go on to complete PhDs on the topic. For those scholars who would like to study domestic violence, funding will be a challenge.

Ongoing independent research on domestic violence will be necessary to evaluate the implementation and impact of any changes to law and practice. Official records alone will miss or obscure many of the most salient details. Strategic research funding has made all the difference to the research on domestic violence in the US and UK. Large, government funded studies are among the best sources of data to inform policy in those locations. Datasets are often publicly available for other scholars to increase the impact of the research that is conducted there.

Despite lots of talk about how seriously the Australian government takes domestic violence, ARC provided only one linkage grant to study the production of news about domestic violence in 2015. ARC has funded 18 projects containing the words 'domestic violence' since 2001. Only eight of these were Discovery Grants.

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Resources

[International Journal for Crime, Justice and Social Democracy](#)
[Crime, Justice and Social Democracy International Conference](#)
[Crime and Justice Research Centre \(CJRC\)](#)
[CJRC BLOG](#)

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