



SOUTHPORT SPECIALIST DOMESTIC AND FAMILY VIOLENCE COURT

PROCESS AND OUTCOMES EVALUATION 2017–21

**QUEENSLAND DEPARTMENT OF JUSTICE
AND ATTORNEY-GENERAL**

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ARTD consultancy team

Emily Verstege, Paula Shaw, Fiona Christian, Stephanie Quail, Sally Evans, Lia Oliver, Pravin Siriwardena, Jessica Nimmo, Jack Rutherford, Kerry Hart, Kate Sunners, Lucy Noble-Dickson, Thomas Kubler Shaw, and Moya Johansson

Murawin consultancy team

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ABBREVIATIONS AND ACRONYMS

AIC	Australian Institute of Criminology
ANROWS	Australia's National Research Organisation for Women's Safety
ATSILS	Aboriginal and Torres Strait Islander Legal Services
CALD	Culturally and linguistically diverse
CAP	Court Advocacy Program
CIP	Courts Innovations Program
CRASF	Common risk and Safety framework (CRASF)
CWG	Specialist Domestic and Family Violence Courts Working Group
DCSYW	Former Department of Child Safety, Youth and Women
DFV	Domestic and family violence
DJAG	Department of Justice and Attorney-General
DVDL	Domestic Violence Duty Lawyer
DVIR	Domestic Violence Integrated Response
DVPC	Domestic Violence Prevention Centre
DVO	Domestic violence order (temporary protection order or protection order)
DFV & VPU	Domestic and Family Violence and Vulnerable Persons Unit
GCDVIR	Gold Coast Domestic Violence Integrated Response
HRT	High Risk Team
IO	Intervention order
LAQ	Legal Aid Queensland
LGBTIQA+	Lesbian, gay, bisexual, transgender, intersex, queer, transsexual
MBCP	Men's Behaviour Change Program
MDVEIP	Men's Domestic Violence Education and Intervention Program

OWG	Operational Working Group
PPN	Police Protection Notice
PO	Protection Order
QPS	Queensland Police Service
QWIC	Queensland Wide Interlinked Courts database
ROGS	Report on Government Services
SARA	Support, Assessment, Referral Advocacy (CALD Women's DFV Support Service)
SSDFVC	Southport Specialist Domestic and Family Violence Court
SSDFVCJR	Southport Specialist Domestic and Family Violence Court Justice Response

GLOSSARY OF TERMS

We understand there are different perspectives on how to refer to people who experience domestic and family violence and those who cause domestic and family violence. This table summarises the terminology we are using, and in which context.

Term	Definition
Southport Specialist Domestic and Family Violence Court	Court proceedings in both the civil and/or criminal jurisdiction, presided over by a dedicated magistrate.
Southport Specialist Domestic and Family Violence Court Justice Response	The entirety of the coordinated justice response, including stakeholder participation and wraparound support services according to the Queensland Specialist Domestic and Family Violence Court model.
Applicant	Person applying for a domestic violence protection order
Aggrieved	The party/ person for whose benefit a domestic violence order or a police protection notice may be made or is in force, as per subsection 21(1) of the <i>Domestic and Family Violence Protection Act 2012</i> (Qld).
Respondent	The party/ person against whom a domestic violence order or a police protection notice is in force or may be made. This term is used for matters in the civil court, as per subsection 21(3) of the <i>Domestic and Family Violence Protection Act 2012</i> (Qld).
Defendant	The party/ person against whom criminal proceedings have been filed.
Perpetrator	The party/ person who has been found to have committed, or has admitted to committing, an act of domestic and family violence, and it is also used generically for people who use domestic and family violence.
Victim	The party/ person who has been subject to domestic and family violence (conduct and/or threats)
Breach/ contravention	Where the respondent (against whom a domestic violence order was made) contravenes the domestic violence order; or where the respondent in relation to whom a police protection notice is made, contravenes the police protection notice; or if the respondent is released from custody on release conditions and contravenes the release conditions.
Operational Working Group	The OWG is a collaborative and coordinated stakeholder group committed to the ongoing systems development and accountability of the specialist court model. The OWG is chaired by the Court Coordinator in each specialist court location.
Initiating Application	The first lodgement related to the domestic violence application. This includes all applications for protection and Police Protection Notices. Applications to vary are not included.

Domestic Violence Order	A general term including protection orders, temporary protection orders and varied orders
Protection Order	A protection order is made by a magistrate in court to protect people in domestic and family violence situations. Most orders last for five years but can be made for shorter and longer periods.
Temporary Protection Order	A temporary protection order is for a shorter time while an application for a protection order is being decided.

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EXECUTIVE SUMMARY

The Department of Justice and Attorney-General (DJAG) is responsible for delivering the Specialist Domestic and Family Violence Court Justice Response (SDFVCJR). This response includes specialist DFV courts in five Queensland locations: Southport, Beenleigh, Townsville, Mount Isa, and Palm Island. Southport was the first of these sites to commence operation (2015).

SSDFVCJR was established as a coordinated, respectful, and fair court-based justice response to domestic and family violence (DFV) that prioritises victim safety, holds perpetrators accountable and promotes innovation and continuous improvement. The Specialist Domestic and Family Violence Court model specifies the necessary components of the court justice response, including dedicated magistrates, dedicated DFV Registry, specialist Court Coordinator, specialist DFV support services, specialist police prosecutors, specialist domestic violence duty lawyers and dedicated specialist case community corrections case managers.

The SSDFVCJR is one component of the human services system response to domestic and family violence in Queensland.

THE EVALUATION

In 2019, the Department engaged ARTD Consultants (ARTD), partnering with Murawin, an Indigenous-owned consultancy, to complete a process, outcome, and social and economic benefits evaluation.

This is the final report for the evaluation. It covers the operation and delivery of the Southport SDFVCJR between 1 July 2017 and 30 April 2021.

The Bellberry Human Research Ethics Committee (HREC) reviewed and approved the application for the components of our evaluation that involve Southport Specialist DFV Court (SSDFVC) clients (client surveys, interviews and quantitative administrative data held by service providers) and selected stakeholder interviews on 24 September 2020 (Approval Reference 2019-11-1068).

METHODS

This was a mixed method evaluation, drawing on a range of primary and secondary qualitative and quantitative data sources to answer the process, outcome, and social and economic impact evaluation questions.

The key quantitative outcomes data source is the Queensland Wide Interlinked Courts (QWIC) dataset. We performed a descriptive analysis of all domestic and family violence specific and defendant specific data for the period 1 July 2017 to 31 March 2020 for applications and charges at the Southport Magistrates Court. We analysed the same data for two other Queensland magistrates courts, Caboolture and Cleveland, to highlight any

potential differences in outcomes between types of domestic and family violence court justice responses (specialist, enhanced and standard) in Queensland.

We were able to access quantitative data from Legal Aid Queensland with regard to the use of their duty lawyer services which included data from Southport SDFVC as well as the two comparison courts. In addition, the evaluation was granted access to outcomes data from the Queensland Corrective Services Integrated Offender Management System (IOMS), including perpetrator's level of risk and compliance with any relevant orders, however, some of the data quality was insufficient to use as an outcome measure. The Domestic Violence Prevention Centre provided aggregated outcomes data for its Court Advocacy Program for aggrieved clients and Centacare provided a data snapshot for its court assistance (information and referral service) for respondents. We were unable to access deidentified, quantitative outcomes data for the aggrieved and respondents who were supported by the partner agencies responsible for the non-court components of the SSDFVCJR or data from the Queensland Police Service. The available data were augmented by analysing the Southport Magistrates Court DFV Court Live List (a summary of the number and kinds of support services provided to aggrieved and respondents, 10 August 2020–28 January 2021).

The qualitative data available to the evaluation provides a solid evidence base for understanding the SSDFVCJR's processes and an indication of the outcomes for the aggrieved and respondents. These data sources include a targeted scan of relevant best practice policy and research literature (n=74), a review of policy and practice documents (including Operational Working Group minutes) (n=75) and key stakeholder interviews (30 interviews). Further primary data was collected through a survey (n=78) and interviews (n=17) with aggrieved and respondent clients of the court.

During the evaluation period, the practice of applying systems evaluation theories and associated methodologies to social policy has emerged.¹ In synthesising the evaluation data to answer the key evaluation questions, we have drawn on our systems evaluation expertise to apply a systems lens. This recognises that the Southport SDFVCJR represents a complex multi-agency response, which is a sub-system of the broader human services responses to DFV. To date, there have been no published systems evaluations of domestic and family violence responses or court justice responses. This positions the evaluation of the *Southport Specialist Domestic and Family Violence Court Justice Response* as amongst the first of its kind.

KEY FINDINGS

The Southport SDFVCJR is being implemented in accordance with the Queensland Specialist Domestic and Family Violence Court (SDFVC) model. The available evidence indicates the SSDFVCJR is fulfilling its purpose to ensure a coordinated, respectful, and fair justice response to DFV, which prioritises the safety of the victim and their children, holds perpetrators accountable and promotes changes in attitudes and behaviour.

¹ American Evaluation Society (2018) Principles for effective use of systems thinking in evaluation. Systems in Evaluation TIG.

The Southport SDFVCJR integrates its civil and criminal court responses and is able to respond to DFV in diverse relationship types. While intimate partner violence accounts for most of the DFV matters that are dealt with at the court, the model also caters for violence as it occurs in other family and domestic relationships, including violence towards older people and towards young people.

It is one component of the integrated human service system response to domestic and family violence in Queensland. The quantitative evidence base for the SSDFCJR's effectiveness is emerging, but there is strong qualitative evidence to support the SSDFCJR's contribution to improved processes and outcomes for victims and their children, particularly through maintaining safety at court and perpetrator accountability.

DETAILED FINDINGS

Between 1 July 2017 and 31 March 2020, 10,603 applications relating to 13,146 individuals (7,277 aggrieved and 7,239 respondents, including 1370 people in both categories) were lodged at Southport Court. This represents a high court workload, notable in comparison to other magistrates courts, including Caboolture and Cleveland Magistrates Courts.²

There were 11,521 initiating applications and applications to vary dealt with at the Southport Magistrates Court during the evaluation period resulting in 13,147 domestic violence orders (DVOs) for 7331 respondents. (See Table 2). Five percent (400) of respondents named on the initiating applications and applications to vary had a prior history of DFV related offences. Seven percent (484) were charged with DFV related offences while their application was in progress and 12 percent (866) were charged after the application had been completed (12%, 866), within the evaluation period to 31/3/2020 (See Table 25).

Over the evaluation period, half of the domestic violence orders made by the court were protection orders, with the remaining orders being temporary protection orders, vary protection orders and vary temporary protection orders. The court also made 722 intervention orders where the court requires the respondent to attend a program to address their behaviour.³

Nine percent (356) of the 3,994 DVOs issued by the Southport Magistrates Court, and approximately one in ten (219, 11%) of the 1,931 protection orders issued by the Southport Magistrates Court in 2017/18 resulted in a charge for a breach within at least 21 months of the order (See Table 22).⁴ This is broadly consistent with the breach rates at the comparison courts and with other Australian research indicating a minority of DVOs are breached.⁵ Our

² These courts were chosen to highlight any potential differences in outcomes between types of domestic and family violence court justice responses (specialist, enhanced and standard) in Queensland.

³ If a court makes or varies a domestic violence order it can also make an intervention order requiring the respondent to attend an intervention program, perpetrators' program, or counselling to address their behaviour. This order can only be made if the respondent is present in the court, agrees to the intervention order being made or varied, and agrees to comply.

⁴ Based on DVOs made in 2017-2018, that could be matched with a charge for a breach up to 31/3/2020. Over a period of 21 to 33 months from the order 64% of breaches were matched to DVOs by location, date and person identifier (See Appendix 1). Note that breaches of DVOs may not include occurrences when a person on an order is charged with a more serious offence deemed to relate to a domestic violence event (a flagged offence).

⁵ Poynton, S., Stavrou, E., Marott, N. and Fitzgerald, J. (2016). Breach rate of Apprehended Domestic Violence Orders in NSW (Bureau Brief No. 119). Sydney: NSW Bureau of Crime Statistics and Research.

analysis showed that 6% of those who are convicted of breaches of DVOs receive custodial sentences from the Southport SDFVC ranging from 7 days to 2.5 years.

IMPLEMENTED IN LINE WITH INTERNATIONAL BEST PRACTICE

The Southport SDFVCJR is nationally and internationally recognised as a sector-leading response to domestic and family violence. It draws on the national and international evidence base for specialist domestic and family violence courts, recognising that this evidence base is diverse and emerging. There are some areas in which the SSDFVCJR is leading practice, including the way it maximises opportunities to engage with clients, meets the needs of female respondents, works with respondents to protect the aggrieved and supports continuous quality improvement and innovation.

A COORDINATED, RESPECTFUL AND FAIR RESPONSE ACROSS THE HUMAN SERVICES SECTOR

In line with best practice, the SSDFVCJR is made up of a range of specialist and dedicated staff and partners. To maintain the SSDFVCJR as consistent and fair, key stakeholders emphasised the importance of all staff associated with the Southport SDFVCJR having a nuanced understanding of domestic and family violence.

The importance and value of collaboration between all SSDFVCJR partner agencies involved in the SSDFVCJR was universally noted in stakeholder interviews, with stakeholders suggesting this leads to improved outcomes for clients of the court. The Court Coordinator, Operational Working Group (OWG) and other governance structures are essential to ensure stakeholder engagement, ongoing system development and system accountability.

CONNECTING THE AGGRIEVED AND THE RESPONDENTS WITH SOCIAL SUPPORTS

The SSDFVC is a hub for people experiencing domestic and family violence, providing seamless connection to a suite of specialist supports, including the domestic and family duty lawyer service (delivered by Legal Aid Queensland), the Court Advocacy Program for aggrieved clients (provided by Domestic Violence Prevention Centre (DVPC) and court assistance (information and referral service) for respondents (provided by Centacare). Unlike other magistrates courts, these services are all co-located, which facilitates 'warm' referrals and enhances service engagement. For example, Live List data (10 August 2020 – 28 January 2021) indicates on average three-quarters (72%) of the aggrieved and two-thirds (65%) of the respondents who attended court were assisted by a specialist duty lawyer.

Women (aggrieved and respondents) are well served regardless of whether the matter for which they are appearing at SSDFVC is civil or criminal. Men (aggrieved and respondents) may have needs that would benefit from additional service support when appearing at SSDFVC in civil or criminal matters. The demand for Centacare's Court Assistance Program currently exceeds capacity. There are opportunities to increase the support available, both in terms of its availability throughout the week, and in respect to particularly vulnerable cohorts.

PRIORITISING THE SAFETY OF THE AGGRIEVED AND THEIR CHILDREN

There is emerging quantitative evidence that the Southport SDFVCJR is effective in keeping women safer. In the civil jurisdiction, the principal mechanism supporting perpetrator accountability is a domestic violence order.

Over the evaluation period, protection orders and temporary protection orders constituted 86% (50%, 36%) of the domestic family violence orders and the remainder were variations to orders. Three-quarters of orders (76%) were initiated by the Queensland Police Service. Police Protection Notices made up half (59%) of the initiating applications lodged over the evaluation period. One in four (27%) applications made by the Queensland Police Service were to vary existing orders. There are a similar proportion of private applications to vary orders (21%).

Temporary Protection orders, which are a critical mechanism by which to rapidly provide legal protections in response to urgent cases, made up a higher proportion of protection orders at Southport (36%) than at the comparison courts (34% at Caboolture, and 24% at Cleveland). The proportion of applications resulting in TPOs being made within one day at Southport is 28%, with 83% of applications for TPOs resulting in TPOs being made within five days.

The proportion of domestic violence orders breached may be an indication of both the courts' effectiveness and an indicator of women's safety. Approximately one in ten (11%) protection orders issued by the SSDFVC resulted in a charge for a breach of the order⁶. On average it took longer for orders made by the SSDFVC to be breached than for orders made at the comparison courts. This difference was evident for all order types, but particularly noticeable for breaches of protection orders, where the median time between protection orders being made and breached was over a month longer at Southport (120 days) compared with the comparison courts (Caboolture, 87 days; Cleveland 84 days). This suggests that while the Southport SDFVCJR does not *prevent* orders being breached, it may have effect in improving compliance with orders over a longer period.

Orders relating to applications lodged by private individuals were breached earlier than orders relating to applications lodged by QPS. This was evident at Southport and the comparison courts, suggesting that the trend of increasing police applications in Southport may contribute to keeping victims safer for longer. Further consideration of this practice and research to understand possible contributors to increased safety are warranted.

Beyond issuance of protection orders, the SSDFVC supports victim safety through early and ongoing risk assessment done by individual agencies and collaboratively across the SSDFVCJR partners, prioritising the most urgent matters before the court and identifying options and available pathways for related family law matters. Safety is reinforced through

⁶ For the full analysis please refer to Chapter 7. The proportion of domestic violence orders that resulted in a charge for a breach was calculated by connecting contravention charges to the specific order that was breached through extracting and using the date and location of the order breached as described in the offence wording, as well as using the unique person identifier code to match defendants/ respondents and their orders across the civil and criminal QWIC datasets. 64% of charges were matched. The analysis includes protection orders and temporary protection orders. Note that breaches of DVOs may not include occurrences when a person on an order is charged with a more serious offence deemed to relate to a domestic violence event (a flagged offence). The analysis is based on DVOs orders made in 2017-2018, charged with a breach by 31/3/2020.

the physical elements of court, including how people who are aggrieved are separated from the respondent while at court. All partner agencies understand that holding perpetrators to account is crucial to ensuring the safety of victims and their children.

There is limited quantitative data available to the evaluation describing how being supported by the SSDFVCJR affects the aggrieved parties' perceptions of safety. However, our extensive qualitative interviews with specialist support service providers and other key stakeholders, and interviews with and surveys of a limited sample of court clients point to the success of the collaborative court justice response in helping people who are aggrieved to feel safer.

Qualitative evidence suggests that with policy and system changes achieved through the DFV reforms there are increasing expectations that front-line registry staff and services state-wide will recognise and respond appropriately to persons affected by DFV. This is coupled with the increasing complexity of DFV presentations in court registries and demand pressures associated with high volumes of DFV civil and criminal proceedings.

SUPPORTING PERPETRATOR ACCOUNTABILITY

There is emerging quantitative evidence that the patterns of outcomes for respondents and perpetrators are stronger at the Southport SDFVCJR compared with the comparison courts.

Approximately 10% of matters at the SSDFVC resulted in intervention orders directing respondents to complete a behaviour change program. There was a general trending decrease in the number of intervention orders made, which may relate to the availability of places for respondents in the MBCP or the perceived effectiveness of these programs. Almost half (44%) the intervention orders made during the evaluation period were contravened. Only 13% of intervention orders were completed (i.e., the respondent met all program requirements), and a substantial proportion (42%) were not concluded (the order was ongoing, with the respondent not yet having met all program requirements) within 12 months. MBCPs do not receive feedback from the court about any consequences of contravention.

A very low proportion of respondents named on initiating applications at SSDFVC had a prior history of DFV related offences (5%) or were charged with any DFV flagged offences or contravention charges whilst their application was in progress (7%) or after the application had been completed (12%). More than three-quarters (79%) of respondents had no DFV related charges before, during or after the application. Respondents who had been charged with a DFV flagged offence or contravention charge prior to lodgement of an initiating application were more likely to offend after the completion of that application than respondents with no DFV offending history. This was consistently found across the three courts.

There was no difference in the prior DFV or contravention offending rates of respondents at Southport Magistrates Court compared with the rates at Cleveland and Caboolture Magistrates Courts, nor in the rate of DFV or contravention offences during the evaluation period. Further, there was no difference between Southport SDFVC and the comparison courts in the rates of respondents' subsequent offending after application completion.

There is emerging quantitative evidence that the patterns of outcomes for perpetrators are stronger at the Southport SDFVCJR compared with the comparison courts. Although the

proportion of orders that were breached and charged did not differ notably between SSDFVC and the comparison courts, on average it took longer for orders made by the SSDFVC to be breached. This suggests that while the Southport SDFVCJR does not *prevent* orders being breached, it may have effect in improving compliance with orders over a longer period.

Further analysis of the experiences of victims and perpetrators, and closer interrogation of lodgements at different locations would be required to better understand the key success factors that contribute to increasing the time without violence and improving women's safety.

A COST-EFFECTIVE HUMAN SERVICES SYSTEM RESPONSE

The available data indicates that the SSDFCJR is likely to be a cost-effective response to domestic and family violence, that confers benefits to the aggrieved, respondents, their families, to the broader human services system and to the Queensland Government. The total operating cost of the SSDFVCJR (excluding facilities and infrastructure costs) for the evaluation period is \$17.3 million. In that time, there have been 13,146 unique participants. This means the cost to the Queensland Government per unique participant is \$1,316. Three scenarios based on accounts of individual aggrieved persons, as presented in Chapter 8, show the rapid rise in both individual and public costs when people subject to domestic violence are not able to access specialised court and related supports effectively and experience serious consequences.

The true cost per participant may be higher because the funded service providers are leveraging resources across the other programs that they deliver to ensure the aggrieved and respondent clients receive a sufficient quality of services. This is not sustainable in the longer term, particularly given the increasing workload of the court.

SSDFVC generates value for the Queensland Government as a centre of innovation, which contributes to strengthening court justice responses to domestic and family violence across the state. It is also generating value for the Queensland Government in terms of maintaining victim safety, both directly and indirectly by holding perpetrators to account.

The benefits identified through the evaluation include the consistency and potential efficiency of a dedicated magistracy; and the duty lawyer service contributing to accountability and supporting respondents to better understand the conditions of their orders, which may lead to fewer breaches. In addition to this, the dedicated specialist Queensland Corrective Services case managers are successfully coordinating services and support to ensure safety is increased, and perpetrators are held to account as intended. The case managers are also working purposefully with perpetrators to challenge attitudes that underpin DFV. Continuity, expertise and consistency of decision making are key components of the successful model.

STRENGTHENING THE EVIDENCE BASE WITH A SYSTEMS PERSPECTIVE

The relatively recent emergence of applying systems thinking to social policy issues is coupled with the growth of systems evaluation theories and associated methodologies.⁷ These approaches take account of multiple interacting factors, multiple perspectives, and critical boundary judgements, making the whole system visible and discussable, with a view to learning about what will shift the system towards desired outcomes.⁸

Applying a systems perspective, the SSDFVCJR is a 'sub system' within the broader human service system. This means it is one part of the response to DFV, and its ability to achieve outcomes is partly determined by the functionality of the broader human services system.

The evaluation has limited access to reliable quantitative outcomes data beyond the court component of the integrated justice response. The paucity of data is not only because the intended outcomes and impacts beyond the court component of the justice response can be difficult to measure (for example, victims' perceived safety), but also because of the difficulties of securing these highly sensitive data sources from interagency stakeholders. There is an opportunity to develop a collective data management framework and to explore how data sources can be combined to increase operational and strategic efficiencies, without compromising privacy and safety. A coordinated, and collective data management framework also has the potential to support increased safety.

CONCLUSIONS

On the basis of the quantitative and qualitative evaluation data, we recommend the Department of Justice and Attorney-General consider the following recommendations.

RECOMMENDATION 1

Develop a state-wide plan to improve the Queensland court justice response to domestic and family violence in both specialist and non-specialist courts by expanding the use of best practice features observed in the SSDFVCJR, in response to local needs. The relevant best practice features identified in the research literature (see Appendix 3) include:

- a cross-agency governance group (similar to the Operational Working Group)
- court coordinator
- specialist registry (or key registry staff with specialist knowledge of DFV and capability to identify and respond to DFV risks)
- physical structures to support safety (including security officers)
- specialist domestic violence duty lawyers
- dedicated magistrates

⁷ American Evaluation Society (2018) Principles for effective use of systems thinking in evaluation. Systems in Evaluation TIG.

⁸ Foote J, Carswell S, Wood D, Nicholas G (2015) Measuring the effectiveness of 'whole of system' response to prevent family violence. Research Summary, December 2015. Social Police Evaluation and Research Unit (SuperU) and the Institute of Environmental Science and Research Limited (ESR), New Zealand.

- specialist prosecutors
- dedicated Queensland Corrective Services officers
- legal and social support services co-located at or near the court.

Implementing all these best practice features may have substantial funding implications, however, these need to be contextualised against the high priority of ending violence against women and with respect to local needs.

The plan should consider increasing demand and identified gaps in existing specialist and non-specialist courts and support continuous improvement in:

- identifying and responding to risk
- ensuring that the needs of vulnerable and diverse population groups, including people with disability, are being addressed
- managing busy DFV lists and providing reception, information and support on the day of court, including referrals to support agencies
- balancing the benefits of rotation with the benefits of consistency in the judicial decision maker, ensuring magistrates are sufficiently supported and have adequate professional education opportunities, support to address vicarious trauma, and relief support
- ensuring sufficient numbers of and training for other specialist staff such as prosecutors, duty lawyers and Corrective Services staff
- addressing the underlying factors which may contribute to offending and effect behaviour change.

Strategies should ensure that funding aligns with the true costs of delivering specialist supports and are not dependent on goodwill and investment (beyond the funding commitment) of agencies and non-government support services and allow for further evolution of the model.

RECOMMENDATION 2

Develop an overarching Specialist Domestic Family Violence Court Justice Response Manual, which is underpinned by research and legislation.

The manual should include a clear description of each specialist role agreed by the responsible agency (including how the role supports the assessment and management of risk and provides responses for aggrieved and respondent/defendant parties). It should also link to relevant resources.

It must strike a careful balance between being prescriptive enough to ensure continuity and the sustainability of each component of the SDFVC model, and flexible enough to tailor the court justice response to the diversity of local contexts in which specialist courts are implemented.

RECOMMENDATION 3

Leverage existing relationships between the SDFCJR and existing social support services who can deepen the court justice response by meeting the needs of specific client groups, both at court and in the community.

- **Male respondents**, by:
 - ensuring specialist and comprehensive court support is available for men facing civil and criminal charges, on all days of the week.
 - developing more capacity in the men's behaviour change programs and/or exploring opportunities for time-limited 'waitlist' interventions.
- **People with complex support needs**, including people who need help to address factors that may contribute to their offending behaviours (housing, employment, drug and alcohol, health and mental health, and social needs), by:
 - facilitating access and referral to appropriate treatment and support
 - in the civil jurisdiction, this may include services and programs that target the aggrieved—respondents at highest risk
 - in the criminal jurisdiction, this may include strengthening the relationship between the specialist DFV courts and the Court Link program.
- **People who experience violence differently or in different ways**, including Aboriginal and Torres Strait Islander people, culturally and linguistically diverse groups, young people, older people, people with disability and the LGBTIQ+ community.

RECOMMENDATION 4

Consistent with the literature, continue to support professional development of all specialist staff, ensuring they can express both interpersonal and social empathy to best pursue just solutions to the entrenched social problem of domestic and family violence. Training for all newly appointed staff should continue to focus on exposure to, and explanation of, the marginalised persons—which is most commonly female victims.⁹

In particular, there is an opportunity to support magistrates in their role as cultural leaders of the specialist domestic and family violence courts through:

- continuing professional development opportunities for all magistrates with respect to DFV
- ongoing development of induction and support resources for magistrates presiding in specialist court locations
- providing opportunities for experienced DFV magistrates to mentor newly appointed magistrates.

⁹ Department of Justice and Attorney General (2021). Practice principles, standards and guidance: Domestic and family violence services, <https://www.publications.qld.gov.au/dataset/domestic-and-family-violence-resources/resource/e75875e0-50a9-4fa2-acde-121dc4a3a804>

RECOMMENDATION 5

Investigate opportunities to further strengthen elements of the specialist response, including through policy and procedures and possible legislative amendments, for example,

- considering mechanisms to strengthen perpetrator accountability and behaviour change, including:
 - monitoring and review of outcomes of orders consented to without admission and of respondent/offender participation in specialised behaviour change programs, in particular, noting the rate at which breaches occur
 - revisions to the therapeutic jurisprudence framework for the SDFVC to drive perpetrator accountability through ongoing judicial monitoring in DFV civil and criminal proceedings. Subject to legislative review, in civil proceedings this could include a requirement for suitable respondents to make additional appearances during the term of their orders, however it is essential that this requirement does not contribute to re-victimisation
 - a detailed policy analysis of the research and any transferability from other specialist court models to inform these approaches and identify opportunities for improved practice
- sharing information about emerging trends in the police role in supporting private applications and providing relevant evidence to the court to inform court justice responses stakeholders.
- ensuring appropriate protection for vulnerable people and people from diverse population groups in different relationship types, for example, by expanding the definition of DFV to provide further protection and increased accessibility to a justice response for older people and people with disability; refining the procedures relating to accessibility, including for interpreter engagement, to ensure they provide suitable access for people with hearing impairment and allow for reasonable adjustments for people with other disabilities.

RECOMMENDATION 6

With partnering agencies, develop an integrated performance framework congruent with a systems perspective of domestic and family violence. This would support ongoing, cohesive, and holistic monitoring and reporting of the system's response to domestic and family violence (as distinct to individual agencies using different indicators, counting rules and reporting processes). It would also support future analysis and review of the specialist domestic and family violence court justice response to domestic and family violence.

This should include data from all relevant agencies across the human services system and be linked to the Domestic and Family Violence Prevention Strategy 2016–2026. To consider the system perspective, the framework should include events before, during and after court.

The integrated performance framework should include an ability to measure how indicators are sustained over time. Indicators could include, for example:

- Safety risks (both to the aggrieved and their children, and to the respondent) from the time of incident and throughout the court process, which could be drawn from

Queensland Police Service incident data, the courts, Queensland Corrective Services and from specialist domestic and family support service providers.

- Aggrieved safety and wellbeing (including the aggrieved person's perception of these), which could be drawn from sources including Queensland Police Service incident data and from specialist domestic and family support service providers.
- Respondent's criminogenic thinking, negative attitudes, and behaviours (including the respondent's perceptions of these), which could be drawn from sources including specialist domestic and family support service providers.
- Aggrieved and respondent needs and engagement with support service provision, which could be drawn from specialist domestic and family violence support service providers (including duty lawyers and corrective services case management)
- Respondents' compliance with intervention orders, and the consequences of failure to comply with these, which could be drawn from the courts, as well as from providers of mandated and voluntary MBCPs.
- Non-court related outcomes for the aggrieved, the respondent and their children, which could include wellbeing and behavioural measures as well as participation in education, training or employment, school attendance of children, or removal/restoration of children.

RECOMMENDATION 7

Improve mechanisms for formal sharing of data across agencies to monitor the performance of the whole of government justice response in order to determine the extent to which intended outcomes are being achieved and where further attention is needed at a system reform and monitoring level (rather than for the purposes of individual case management).

1. INTRODUCTION

In 2019, the Department of Justice and Attorney-General (DJAG) engaged ARTD Consultants (ARTD), partnering with Murawin, an Indigenous-owned consultancy, to complete a process, outcome, and social and economic benefits evaluation of the Southport Specialist Domestic and Family Violence Court Justice Response (SSDFVCJR).

This is the third evaluation of the SSDFVCJR. In May 2016 (three months after the trial court was established) the Department conducted an in-house interim evaluation. A second evaluation was completed by the Griffith Criminology Institute in 2017¹⁰. Both evaluations found that the court was providing a coordinated, consistent, and timely response and was on track to enhancing safety for the aggrieved.

The Department has responded to the recommendations from previous evaluations (see Appendix 1).

This document is the final report for the third evaluation. It covers the operation and delivery of the SSDFVCJR between 1 July 2017 and 30 April 2021.

A NOTE ON TERMINOLOGY

We understand there are different perspectives on how to refer to people who experience domestic and family violence and those who perpetrate domestic and family violence. The terms 'aggrieved' and 'respondent' are used throughout this report when referring to civil DFV proceedings and are intended to be consistent with the use of those terms under the *Domestic and Family Violence Protection Act 2012* (Qld)¹¹.

A 'defendant' is a person who has been charged with a criminal offence and is the defendant for the purposes of criminal proceedings.

In this report, the term 'perpetrator' is used generically for people who use domestic and family violence. Similarly, the term 'victim' is used where it is appropriate to refer to a person who is, or has been, a victim of domestic and family violence.

¹⁰ Bond, C., Holder, R., Jeffries, S., & Fleming, C. (2017). *Evaluation of the Specialist Domestic and Family Violence Court Trial in Southport*. Griffith Criminology Institute, Griffith University.
https://www.courts.qld.gov.au/data/assets/pdf_file/0007/515428/dfv-rpt-evaluation-dfv-court-southport-summary-and-final.pdf

¹¹ The term 'respondents' is used throughout Chapter 7 for both civil and criminal matters as the analysis is limited to respondents within the cohort of people who have completed DVO applications.

1.1 POLICY CONTEXT

Domestic and family violence is a complex issue involving interactions between societal, cultural, family, and individual factors.¹² Research indicates that although both men and women can be perpetrators of domestic and family violence,¹³ it is women who are predominantly the victims.¹⁴ From the age of 15 years, approximately one in four women (23% or 2.2 million women) compared to one in 13 men (7.8% or 703,700 men), have experienced at least one incident of violence by an intimate partner.¹⁵ One in five women (18% or 1.7 million women) have experienced sexual violence, compared to one in 20 men (4.7% or 428,000 men).¹⁶

Both victims and perpetrators of domestic and family violence may have diverse and complex needs, which must be addressed by a range of services to support their own wellbeing, and to uphold safety for women and their children.¹⁷ The complexity of these issues mean that simple interventions may not always achieve the best outcome for the individual, or the broader community.¹⁸

In Australia, integrated responses are generally accepted by government, policy makers and service providers alike as being best practice. All Australian jurisdictions have developed (or are developing) integrated responses to reduce violence against women.¹⁹

In 2015, the Queensland Premier received the report of the Special Taskforce on Domestic and Family Violence in Queensland, *Not Now, Not Ever: Putting an end to domestic and family violence in Queensland*. Tasked with examining Queensland's domestic and family violence support systems, the Special Taskforce, chaired by the Honourable Quentin Bryce AD CVO, former Governor-General of Australia, made 140 recommendations on how the system could be improved. These recommendations set the vision and direction for Queensland's strategy to end domestic and family violence, and to ensure those affected have access to safety and support.

In response, the Queensland Government established a Domestic and Family Violence Implementation Council to provide independent oversight of the implementation of the *Domestic and Family Violence Prevention Strategy 2016–2026* (the Strategy).

¹² O'Connor M, Cox J, Castle DJ (2014) What can psychiatrists do to better support victims of family violence? *Australasian Psychiatry*, 23(1), 59–62.

¹³ University of Queensland. (2020). *National domestic and family violence benchmark* (7th ed.).

¹⁴ Australia's National Research Organisation for Women's Safety. (2018). *Violence against women: Accurate use of key statistics* (ANROWS Insights 05/2018). Sydney, NSW: ANROWS.

¹⁵ Ibid.

¹⁶ Australia's National Research Organisation for Women's Safety. (2018). *Violence against women: Accurate use of key statistics* (ANROWS Insights 05/2018). Sydney, NSW: ANROWS.

¹⁷ Rees S & Silove D (2014) Why primary healthcare interventions for intimate partner violence do not work. *The Lancet*, 384, 229–229.

¹⁸ Verstege E, Sirawardena P (2021) How interagency stakeholders' understanding of evidence influences program outcomes in the criminal justice sector. Evidence and Implementation Summit 2021, 30–31 March, Sydney, Australia.

¹⁹ Breckenridge J, Rees S, valentine k, Murray S (2015) Meta evaluation of existing interagency partnerships, collaboration, coordination and/or integrated interventions and service responses to violence against women: State of knowledge paper, September 2015. Australia's National Research Organisation for Women's Safety (ANROWS), Sydney, Australia.

The Strategy specifies the collaborative actions Queensland will take to end domestic and family violence in Queensland, to encourage partnerships between the government, communities, and business. It aligns with the 12-year *National Plan to Reduce Violence against Women and their Children 2010–2022*.

The Strategy envisages Queensland free from domestic and family violence. The primary long-term outcome of the strategy is that all Queenslanders will feel safe in their own homes and children can grow and develop in safe and secure environments. One of the three foundational elements underpinning the strategy is a stronger justice system response that prioritises safety of the victims and holds perpetrators to account.

The First Action Plan (2015–16) identified that a specialist domestic and family violence court, with a dedicated magistrate, would be established and evaluated to inform any future rollout across Queensland. The Third Action Plan (2019–20 to 2021–22) sets out the Queensland Government's commitment to evolving the Specialist Domestic and Family Violence Court (SDFVC), and to enhance integrated service responses and service sector capacity to respond effectively to those who experience domestic and family violence.

1.2 THE SOUTHPORT SPECIALIST DOMESTIC AND FAMILY VIOLENCE COURT JUSTICE RESPONSE

The Southport Specialist Domestic and Family Violence Court Justice Response is one component of the integrated human service system response to domestic and family violence in Queensland.

It was established as a coordinated, respectful, and fair court response to domestic and family violence that prioritises the safety of the victim, holds perpetrators accountable and promotes change with:

- collaborative service provision before, during and after court; and
- court processes that are contemporary, client-centric, procedurally fair, and efficient.

The SSDFVCJR aims to:

- ensure a coordinated, respectful, and fair justice response to domestic and family violence
- enhance safety and wellbeing and provide a better court experience for people who are aggrieved and their children; and
- ensure that perpetrators are more accountable, comply with court orders and demonstrate behaviour change.

The Southport Specialist Domestic and Family Violence Court (SDFVC) is a fully integrated civil and criminal court, hearing both civil applications and criminal DFV proceedings.

The Southport SDFVC was established as a trial in September 2015 and has since been evaluated twice. The most recent evaluation (2017) recommended the court be continued. On 19 October 2017, the Honourable Yvette D'Ath MP, Attorney-General and Minister for Justice officially opened and launched the permanent specialist DFV Court at Southport. Funding has since been provided for specialist domestic and family violence courts in four other locations: Beenleigh, Townsville, Mount Isa, and Palm Island.

There are six principles underpinning the integrated, specialist court model, which reflect the current international and Australian best practice for domestic and family violence specialist courts. These are described in Figure 1. These underpinning principles are operationalised in the Specialist Domestic and Family Violence Court model. The model is delivered by a range of interagency stakeholders, including dedicated magistrates, specialist police prosecutors and duty lawyers, a specialist DFV registry and support services. The court acts as a hub, connecting people with specialist, wraparound support services before, during and after their matter has been heard in court.

FIGURE 1. BEST PRACTICE PRINCIPLES UNDERPINNING THE SOUTHPORT SPECIALIST DOMESTIC AND FAMILY VIOLENCE COURT JUSTICE RESPONSE

- **Safety of the aggrieved and their children.** Clients are at the centre, and their safety is paramount. Clients are connected with wraparound services while at the court, and the court is recognised as a touchpoint for people experiencing or exposed to DFV.
- **Perpetrator accountability.** Criminal and civil proceedings are linked where appropriate. This reduces the number of times an aggrieved is required to attend court, with the aim of reducing re-victimisation. This provides an opportunity, within the bounds of appropriate legal process, for magistrates supported by specialist prosecutors and duty lawyers to have the 'full' scope of a matter to provide a tailored response. Perpetrators are supported to address the underlying causes of their offending behaviour.
- **Evidence-based practice.** The justice response draws on, and is delivered in line with, Australian and international best practice.
- **Coordination and partnership.** The Court Coordinator and Operational Working Group (OWG) are essential to ensure stakeholder engagement, ongoing system development and system accountability.
- **Continuous improvement and innovation.** The OWG Group is a forum for sharing information, problem solving, innovating, and continually improving court processes and experience.
- **System accountability.** A commitment to continuous improvement.

1.3 THE EVALUATION

The **purpose of the evaluation** is to:

- determine if the Southport Specialist DFV Court Justice Response is operating according to the intended Queensland Domestic and Family Violence Specialist Court model
- measure progress in implementing the recommendations of the process evaluation²⁰
- identify areas for improvement in court-based justice responses to DFV
- identify outcomes for people who are aggrieved, their families and for respondents; and
- measure social and economic impacts connected with the SSDFVCJR.

The Evaluation Framework was developed by the Department of Justice and Attorney-General and partner agencies in 2018. It includes a program logic as the agreed foundation of the evaluation, a suite of key evaluation questions and associated methods designed to collected data against the key evaluation questions (Table 1).

During the evaluation period, the practice of applying systems evaluation theories and associated methodologies has risen to prominence.²¹ These concepts and methodologies are not captured in the evaluation framework. (A systems perspective on the SSDFVCJR is provided in Section 9).

TABLE 1. KEY EVALUATION QUESTION AND DATA SOURCES, BY EVALUATION STAGE

Stage	Question	Data source
PROCESS	Does the Southport SDFV Court Justice Response provide a quality service in accordance with the intended specialist court model?	Literature scan Document review Service delivery Stakeholder interviews
	To what extent does the Southport SDFV Court Justice Response deliver: <ul style="list-style-type: none"> • a safe environment (pre, during, post-court)? • coordinated, respectful and fair court processes? • support and information for parties involved in DFV proceedings? • an effective interface with programs for perpetrators to address underlying factors contributing to DFV offending? 	Client interviews and focus groups Court observations Client surveys Administrative data

²⁰ Bond, C., Holder, R., Jeffries, S., & Fleming, C. (2017). *Evaluation of the Specialist Domestic and Family Violence Court Trial in Southport*. Griffith Criminology Institute, Griffith University.
https://www.courts.qld.gov.au/data/assets/pdf_file/0007/515428/dfv-rpt-evaluation-dfv-court-southport-summary-and-final.pdf

²¹ American Evaluation Society (2018) Principles for effective use of systems thinking in evaluation. Systems in Evaluation TIG.

Stage	Question	Data source
	Is the Southport SDFV Court well-informed, timely, inclusive, client-centric, collaborative, consistent, accessible, integrated?	
OUTCOME	Is the Southport SDFV Court Justice Response effective? For whom, and in what contexts?	Service delivery Stakeholder focus groups
	To what extent do aggrieved people and their children feel:	Client interviews
	• safe and secure?	Administrative data
	• respected and empowered in the court process?	Client survey
	To what extent does aggrieved people's wellbeing and feelings of safety and security improve?	
	To what extent are perpetrators:	
	• held accountable?	
	• compliant with orders over time?	
	• able to reduce negative behaviours and attitudes?	
	• able to address identified underlying factors?	
	What are the impacts of accountability for DFV offences?	
	What are the impacts on safety and security for people who are aggrieved through Southport SDFV Court Justice Response processes?	
SOCIAL AND ECONOMIC IMPACT	Is the Southport SDFV Court Justice Response cost effective (cost per outcome)? For whom, and in what context?	Client interviews Administrative data Client survey
	Does the government get value for money?	
	What are the most significant outcomes and impacts attributed to the court program, by clients, court staff, service providers and the community?	
	What social and economic impacts can be linked to the Specialist DFV program? For example, changes in personal, institution and community costs and benefits?	

1.3.1 ETHICS APPROVAL

The Bellberry Human Research Ethics Committee (HREC) reviewed and approved the application for the components of our evaluation that involve SSDFVC clients (client surveys, interviews and quantitative administrative data held by service providers) and selected stakeholder interviews on 24 September 2020 (Approval Reference 2019-11-1068).

1.3.2 METHODS AND DATA SOURCES

This was a mixed method evaluation, drawing on a range of primary and secondary qualitative and quantitative data sources to answer the process, outcome, and social and economic impact evaluation questions. A detailed description of the evaluation data sources and methods is included in Appendix 1.

The key quantitative outcomes data source is the Queensland Wide Interlinked Courts (QWIC) dataset. We performed a descriptive analysis of all domestic and family violence specific and defendant specific data for the period 1 July 2017 to 31 March 2020 for applications and charges at the Southport Magistrates Court. We analysed the same data for two other Queensland magistrates courts to highlight any potential differences in outcomes between types of domestic and family violence court justice responses (specialist and non-specialist) in Queensland. Caboolture Magistrates Court is an example of a non-specialist magistrate court which has an enhanced duty lawyer service and operates a domestic and family violence civil list. Cleveland Magistrates Court is an example of a standard magistrates court, which offers a generalist duty lawyer service and approach to listing matters. Appendix 4 provides a table outlining the differences between the three courts. While the costings for the comparison sites will not be examined, it is important to note that these are not greenfield sites. DFV responses in these locations have benefited from investment since the report of the Special Taskforce on Domestic and Family Violence in Queensland, *Not Now, Not Ever: Putting an end to domestic and family violence in Queensland*.²²

Tables and figures throughout this report are derived from this data set. Appendix 5 provides additional detailed tables derived from the QWIC data set that are referred to throughout the report.

The Domestic Violence Prevention Centre provided aggregated data outcomes data for its Court Advocacy Program for aggrieved clients and Centacare provided a data snapshot for its court assistance (information and referral service) for respondents. These data were augmented by analysing the Southport Magistrates Court DFV Court Live List (a summary of the number and kinds of support services provided to aggrieved and respondents, 10 August 202–28 January 2021).

The qualitative data provides a sound evidence base for understanding the SSDFVCJR's processes and some indication of the outcomes for the aggrieved and respondents. In addition to a targeted scan of relevant best practice policy and research literature (74), and a review of policy and practice documents (75), we conducted primary qualitative research. This included: key stakeholder interviews (n=30), a survey (n=78) and interviews (n=17) with aggrieved and respondent clients of the court.

²² The total operating costs of courts and other relevant agencies at comparison sites have not been included in the evaluation, however, significant investment is noted including by DJAG: court services, LAQ duty lawyer services and DFV services. For example, funding for DFV court support and perpetrator intervention programs in the Caboolture region for three years from July 2017 was \$2M and in Cleveland for one year from July 2018 was \$0.35M.

During the evaluation period, the practice of applying systems evaluation theories and associated methodologies has emerged as a useful way of evaluating complex, human services interventions.²³ In synthesising the evaluation data to answer the key evaluation questions, we have drawn on our systems evaluation expertise to apply a systems lens. To date, there have been no published systems evaluations of domestic and family violence responses or court justice responses. This positions the evaluation of the *Southport Specialist Domestic and Family Violence Court Justice Response* as amongst the first of its kind.

1.3.3 LIMITATIONS

There are limitations to the quantitative and qualitative data available to the evaluation.

We were unable to access deidentified, quantitative outcomes data for the aggrieved and respondents who were supported by the partner agencies responsible for the non-court components of the SSDFVCJR. Although the evaluation was granted access to outcomes data from the Queensland Corrective Services Integrated Offender Management System (IOMS), including perpetrator's level of risk and compliance with relevant orders, the data related to compliance with intervention orders was insufficient to use as an outcome measure. While access to data from Centacare and the Domestic and Family Violence Prevention Centre received ethics approval, neither organisation was able to provide deidentified client level outcomes data. Both agencies were willing to assist, however were unable to, due to additional pressures of service delivery related to the impacts of COVID-19.

As such, our analysis of outcomes for aggrieved, victims, respondents and perpetrators is heavily reliant on the QWIC data and court-specific outcomes.

Maintaining potential participants' safety was our highest priority when inviting people to participate in the evaluation. Our primary method of recruiting participants to the evaluation was through the specialist DFV service providers, DVPC and Centacare. The service provider staff agreed to assist and applied the evaluation's inclusion and exclusion criteria, where people at high risk of harm, or in a state of emotional or mental distress were excluded. This approach is consistent with international best practice²⁴ but may have excluded people with valuable perspectives who may have wanted to participate. It may also have resulted in diverse groups being excluded from the evaluation at a greater rate.

Our methods for recruiting interviewees also have a strong bias towards clients of the court who have engaged with support services. A small number of clients of the court who chose not to engage with available services did respond to court-administered surveys, however, the perspectives of clients of the court who have not engaged with available services have not been captured extensively in this report. While stakeholders did raise some concerns

²³ American Evaluation Society (2018) Principles for effective use of systems thinking in evaluation. Systems in Evaluation TIG.

²⁴ Ellsberg M and Potts A (2018) Ethical considerations for research and evaluation on ending violence against women and girls. Guidance paper prepared by the *Global Women's Institute for the Department of Foreign Affairs and Trade*, Canberra. <https://www.dfat.gov.au/sites/default/files/ode-evawg-ethical-considerations-for-research-and-eval.pdf>

about the range of services available to women and those available to men, this concern did not feature in the qualitative data.

1.3.4 IMPACT OF COVID-19 RESTRICTIONS

It is important to note that the information gathering phase of this project took place during 'business as usual' operations. However, on 27 March 2020, the Magistrates Court of Queensland issued Practice Direction 3 (2020) covering court arrangements during the COVID-19 pandemic. From 30 March 2020 to 14 June 2020 there were no physical appearances in any matters except:

- by an applicant in urgent non-police, private domestic violence applications
- the media
- with leave of the Court.

During this time, all matters were conducted by telephone or video conference, including appearances by persons in custody. The matters heard were limited to urgent domestic violence applications (including applications to vary domestic violence orders) and domestic violence applications currently before the court which had not been heard. Most other civil and criminal matters were adjourned on the papers for an appearance date to be fixed by the magistrate.

Face to face delivery of the wraparound services and supports for clients of the Southport SDFVCJR were also suspended. These supports and services were delivered by telephone or video-link. Court staff noted that since the COVID-19 physical distancing restrictions were put in place and the support room closed, that warm referrals became even more important than usual.

Practice Direction 3 (2020) was repealed from 14 June 2020. The anecdotal evidence suggests patterns of court usage and engagement with support services changed while social distancing requirements were in place, and this will need to be considered in the analysis of QWIC data for this period.

Staff located at the court report that the COVID-safe plan for the court means that a small proportion of court appearances continue to be made over the phone or video-link. The court is otherwise operating much as usual. At Southport, there does not appear to have been a shift to clients preferring to not physically attend court. Given the opportunities afforded at the court site for clients to access support, having clients physically attend court is a preferred approach.

With the widespread changes to the court justice response during COVID-19, the evaluation management team decided to limit the period for which the quantitative outcomes data from the QWIC applications and charges dataset would be examined to exclude data after 1 April 2020.

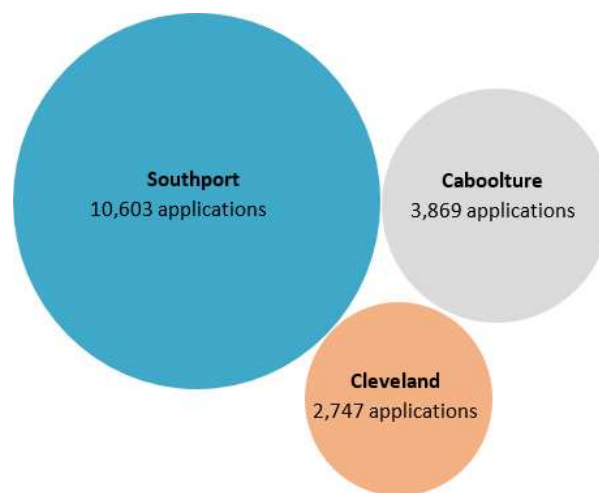
2. WORKLOAD SUMMARY OF THE SSDFVC

The Southport Specialist Domestic and Family Violence Court was Queensland's first domestic violence specialist court. There are now four more specialist domestic and family violence courts (Beenleigh, Townsville, Mount Isa, and Palm Island). This section provides some high-level statistics to describe the workload of the court in both the civil and criminal jurisdictions in the SDFVC. These data are detailed in later sections.

2.1 APPLICATIONS

Between 1 July 2017 and 31 March 2020, 10,603 applications relating to 13,146 individuals (7,277 aggrieved and 7,239 respondents including 1370 people in both categories) were lodged at the Southport Court (Figure 2). This represents a high court workload, notable in comparison to other magistrates courts, including Caboolture and Cleveland Magistrates Courts. As noted in Section 1.3.2, these courts were chosen to highlight any potential differences in outcomes between types of domestic and family violence court justice responses (specialist, enhanced and standard)²⁵ in Queensland.

FIGURE 2. THE NUMBER OF INITIATING DOMESTIC AND FAMILY VIOLENCE APPLICATIONS AND VARY APPLICATIONS LODGED AT SOUTHPORT MAGISTRATES COURT OVER THE EVALUATION PERIOD



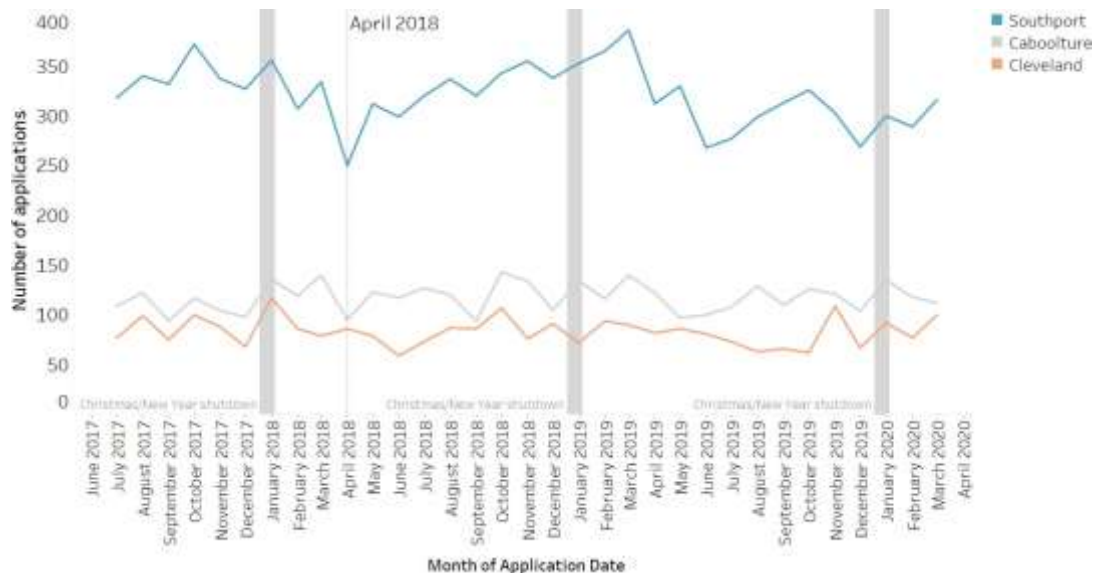
Source: QWIC DFV application data, 1/7/2017 to 31/3/2020. Court location: Southport, Caboolture, Cleveland.

Note: Applications include initiating applications, applications to vary.

²⁵ *Specialist* (Southport) has duty lawyers providing a wrap-around service facilitated by the model and OWG. *Enhanced* (Caboolture Magistrates Court) includes duty lawyers available to provide legal representation. *Standard* (Cleveland Magistrates Court) provides duty lawyers giving advice only.

The volume of applications and application events fluctuated across the evaluation period. As shown in Figure 3, the volume of applications lodged at the Southport Magistrates Court peaked in March 2019 (386 applications lodged).

FIGURE 3. THE NUMBER OF DOMESTIC AND FAMILY VIOLENCE INITIATING APPLICATIONS AND APPLICATIONS TO VARY LODGED AT SOUTHPORT MAGISTRATES COURT AND THE TWO COMPARISON COURTS



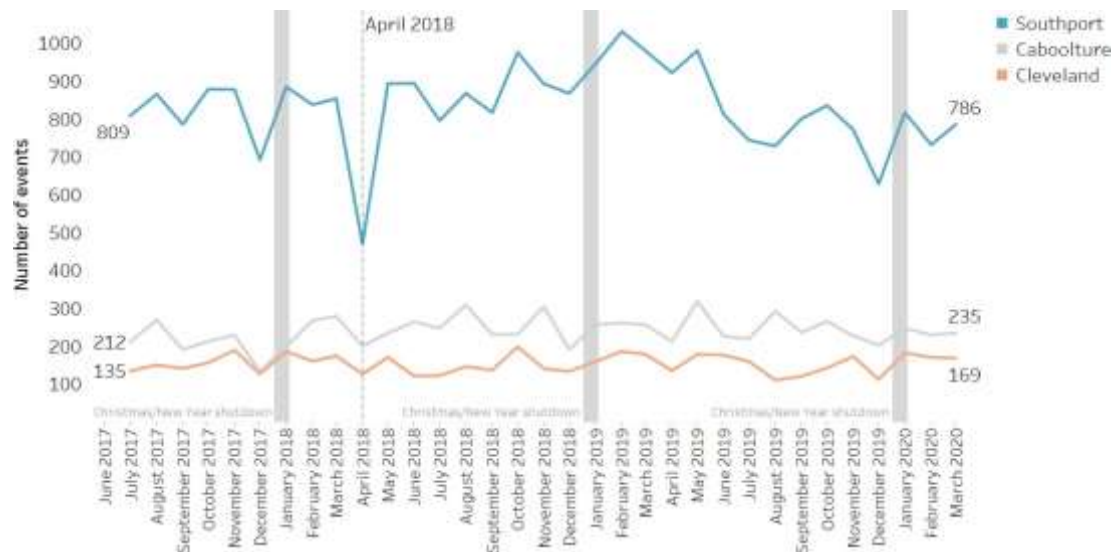
Source: QWIC Applications: 1/7/2017 to 31/3/2020. Court location: Southport, Caboolture, Cleveland Magistrates Courts.

Note: Applications includes initiating applications, applications to vary. Shaded bars indicate the Christmas-New year shutdown periods.

As shown in Figure 4, the volume of application events fluctuates across the year, for example, peaking immediately before and after Christmas/New Year, with workload implications for the court justice response partner agencies.²⁶ There was a substantial decrease in application events in April 2018, with 397 fewer events than average recorded in that month. This coincides with the 2018 Commonwealth Games, which were held on the Gold Coast. During this event, the SSDFVC and a number of other magistrates courts in Southeast Queensland were operating at limited capacity.

²⁶ The Court observes all public holidays. For example, it was closed from 23 December 2019 to 3 January 2020. During that time, people seeking to apply for an urgent domestic violence order under the *Domestic and Family Violence Protection Act 2012 (Qld)* are only able to do so by attending a Queensland Police station.

FIGURE 4. THE NUMBER OF EVENTS RELATING TO DOMESTIC AND FAMILY VIOLENCE INITIATING APPLICATIONS AND APPLICATIONS TO VARY LODGED AT SOUTHPORT MAGISTRATES COURT AND THE TWO COMPARISON COURTS



Source: QWIC Applications: 1/7/2017 to 31/3/2020. Court location: Southport, Caboolture, Cleveland Magistrates Courts.

Note: Applications includes initiating applications, applications to vary. Shaded bars indicate the Christmas-New year shutdown periods. Southport Magistrates Court operated at minimal capacity during April 2018 due to the Commonwealth Games.

2.2 DOMESTIC VIOLENCE ORDERS

The Southport Magistrates Court dealt with 11,521 initiating applications and applications to vary during the evaluation period, resulting in 13,147 domestic violence orders. The types of orders made are shown in Table 2. Over the evaluation period, half of the domestic and family violence orders made by the SSDVC were Protection Orders, 36% were Temporary Protection Orders and 14% were variations. The court also made 722 intervention orders where the court requires the respondent to attend a program to address their behaviour.²⁷ The data also shows that smaller proportion of vary protection orders were made at Southport (8%), compared with 12% at Caboolture and 19% at Cleveland Magistrates Courts. Temporary Protection orders, which are a critical mechanism by which to rapidly provide legal protections in response to urgent cases, made up a higher proportion of Protection Orders at Southport (36%) than at the comparison courts (34% at Caboolture, and 24% at Cleveland).

²⁷ If a court makes or varies a domestic violence order it can also make an intervention order requiring the respondent to attend an intervention program, perpetrators' program or counselling to address their behaviour. This order can only be made if the respondent is present in the court, agrees to the intervention order being made or varied, and agrees to comply.

TABLE 2. DOMESTIC AND FAMILY VIOLENCE ORDERS MADE AT SOUTHPORT MAGISTRATES COURT AND THE COMPARISON COURTS, BY TYPE

Order Type	Southport		Caboolture		Cleveland	
	N	%	N	%	N	%
Protection order	6,625	50%	2,258	52%	1,527	52%
Vary protection order	1,101	8%	502	12%	566	19%
Temporary protection order	4,673	36%	1,462	34%	705	24%
Vary temporary protection order	748	6%	86	2%	124	4%
Total	13,147	100%	4,308	100%	2,922	100%

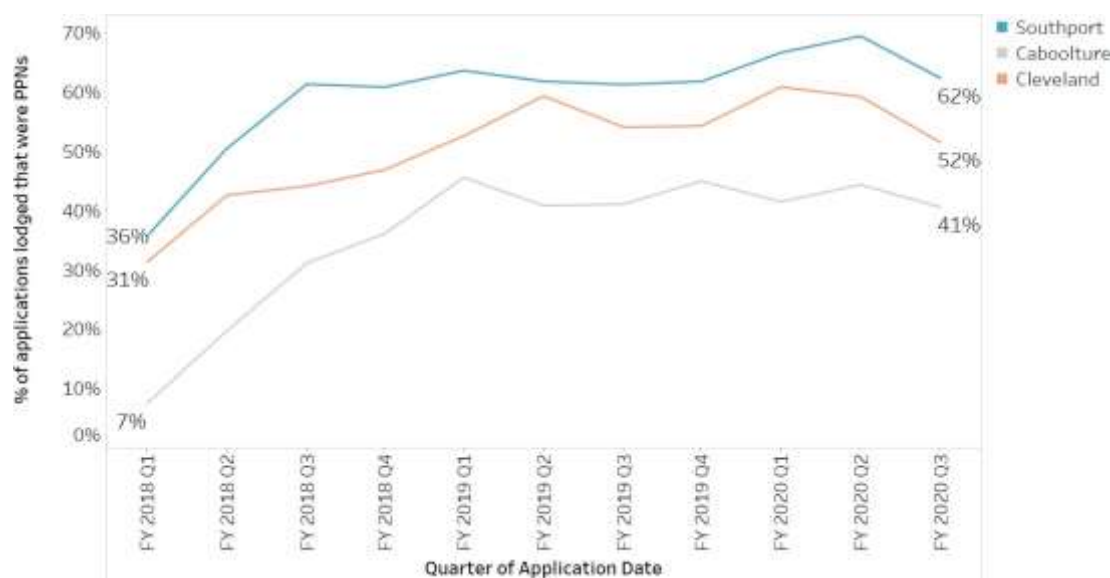
Source: QWIC - Applications: 1/7/2017 to 31/3/2020. Court location: Southport, Caboolture, Cleveland Magistrates Courts.

Note: Count includes orders made from all initiating applications and applications to vary heard at Southport Magistrates Court and the comparison courts during the date range of the evaluation, including applications that were lodged at Southport Magistrates Court or the comparison courts prior to 1/7/2017 and applications lodged at other courts where orders were made at Southport Magistrates Court or the comparison courts. Count is restricted to event and order dates within the date range of the evaluation.

Analysis of the QWIC Applications dataset shows that Police Protection Notices (PPNs) make up over half of initiating applications (59% or 4,661 applications) lodged over the evaluation period at Southport Magistrates Court (see Appendix 5, Table A6). While the proportion of PPNs was higher at Southport Magistrates Courts than the comparison courts, PPNs made up an increasing proportion of initiating applications at all three courts over the evaluation period. This is shown in Figure 5 and Table 3 below.

This may reflect amendments made to the *DFV Protection Act 2012* (Qld) in 2016 to the PPN provisions that were commenced in mid-2017. The amendments included the requirement that police consider issuing a PPN in certain circumstances.

FIGURE 5. THE PROPORTION OF INITIATING DOMESTIC AND FAMILY VIOLENCE APPLICATIONS LODGED THAT WERE POLICE PROTECTION NOTICES ACROSS SOUTHPORT MAGISTRATES COURT AND THE COMPARISON COURTS, BY QUARTER



Source: QWIC – Applications: 1/7/2017 to 31/3/2020. Court location: Southport, Caboolture, Cleveland.

Notes: This graph considers the proportion of initiating domestic and family violence applications lodged which were Police Protection Notices over quarters (compared to months, as for Figure 3 and Figure 4). Court shutdown periods are less relevant and are not shown in this figure.

TABLE 3. THE NUMBER AND PROPORTION OF INITIATING APPLICATIONS LODGED BY QPS AND PRIVATE INDIVIDUALS

Lodgement Authority	Short Title	Southport		Caboolture		Cleveland	
		N	%	N	%	N	%
QPS	DV protection order application	1,176	20%	769	43%	291	23%
	Police protection notice	4,659	80%	1,039	57%	957	77%
	Subtotal	5,835	74%	1,808	63%	1,248	66%
Private individual	DV protection order application	1,999	26%	1,074	37%	654	34%
Other	DV protection order application	3	0%	3	0%	3	0%
Total		7,837	100%	2,885	100%	1,905	100%

Source: QWIC- Applications: 1/7/2017 to 31/3/2020.

Notes: 'Other' lodgement authorities include, for example, Department of Child Safety, Youth and Women, Department of Communities, Child Safety & Disability Services, Department of Justice, Justice Services.

2.3 CONTRAVENTION CHARGES

Contravention charges are made when a respondent breaches a protection order²⁸. The number of contravention charges fluctuated across months, over the duration of the evaluation period (Table 4). Generally, Southport Magistrates Court dealt with a higher number of contravention charges than the two comparison courts, apart from the high number of charges on three occasions at Cleveland Magistrates Court in July 2018, February 2019, and June 2019 (Figure 6).

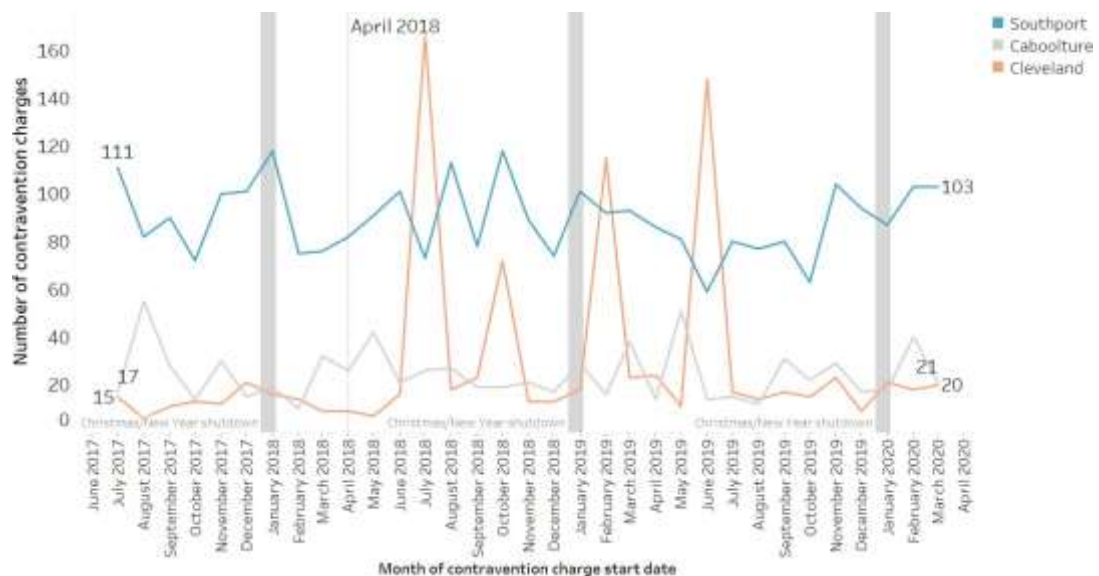
TABLE 4. NUMBER OF CONTRAVENTION CHARGES ACROSS THE COURTS

Court location	N
Southport	2,694
Caboolture	852
Cleveland	741

Source: QWIC – Applications: 1/7/2017 to 31/3/2020. Court location: Southport, Caboolture, Cleveland Magistrates Courts.

Note: Count includes contravention charges where the first event associated with the charge was heard at Southport Magistrates Court or the comparison courts during the date range of the evaluation. The first event associated with a contravention charge was used to define the charge start date.

FIGURE 6. THE NUMBER OF CONTRAVENTION CHARGES DEALT WITH AT SOUTHPORT MAGISTRATES COURT AND THE TWO COMPARISON COURTS OVER TIME



Source: QWIC – Applications: 1/7/2017 to 31/3/2020. Court location: Southport, Caboolture, Cleveland Magistrates Courts.

²⁸A person on a DVO charged with an offence deemed to be related to a domestic violence incident may only be charged with the most serious offences (e.g., assault) and not be charged with a contravention of a DVO.)

Note: Count includes contravention charges where the first event associated with the charge was heard at Southport Magistrates Court or the comparison courts during the date range of the evaluation. The first event associated with a contravention charge was used to define the charge start date. The three high points for Cleveland Magistrates Court include three individual cases with a very high number of charges.

There were 2,384 unique defendants with contravention charges at the Southport SDFVC from 1 July 2017 to 31 March 2020 of whom 86% (n=2,046) were male, 4% (n=105) were Aboriginal and/or Torres Strait Islander and 81% (n=1,943) were aged between 26 and 55.

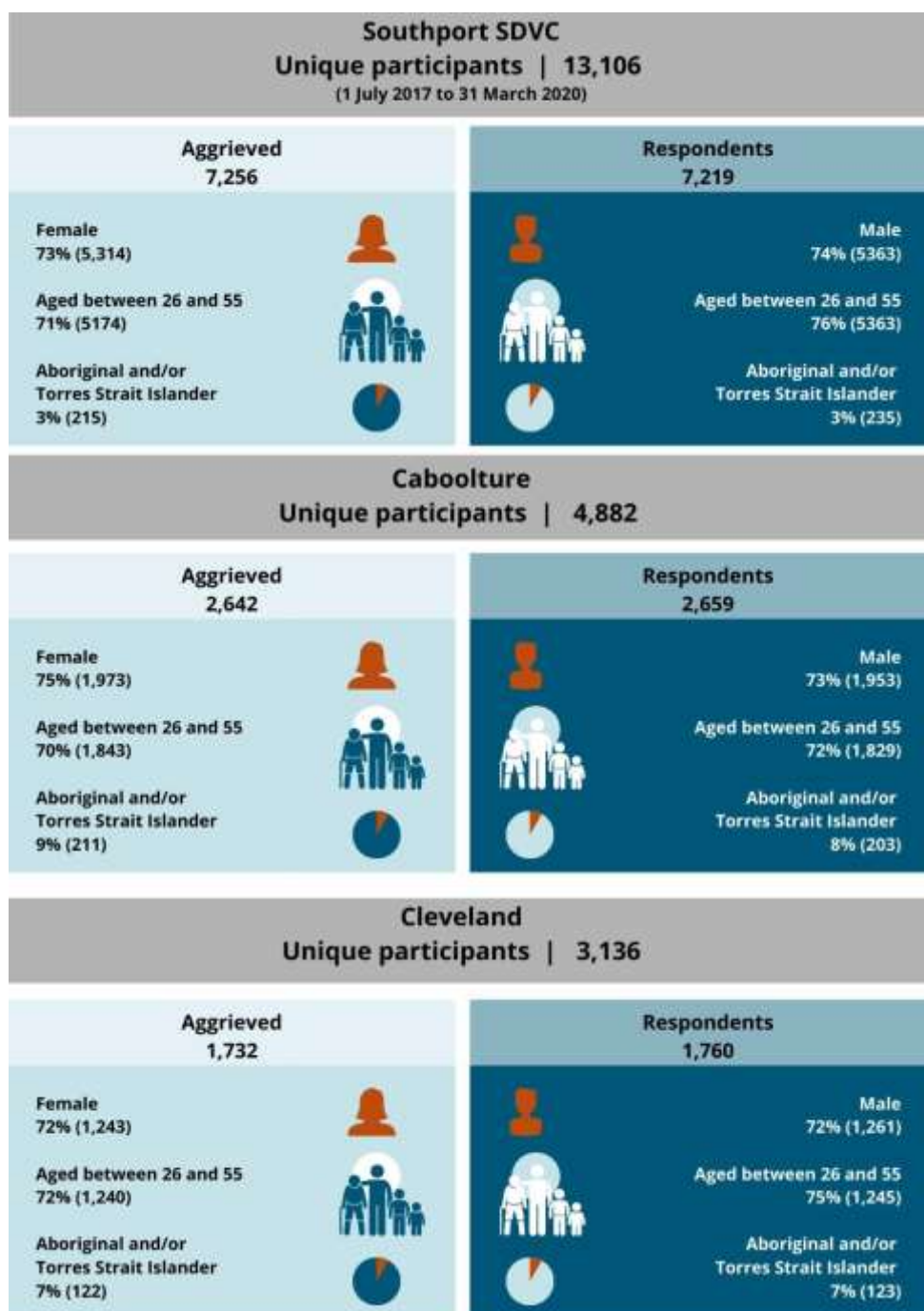
2.4 DEMOGRAPHIC PROFILE OF COURT CLIENTS

The patterns of court use were very similar across the comparison courts (Figure 7). Most aggrieved were female and most respondents were male (from 72 to 75%). Most participants were between 26 and 55 years (70 to 76%). A fifth (22%) of applications were related to family violence. Of these, 37% of aggrieved were males and 32% were over 55 years. Appendix 5 provides detailed tables presenting this data (See Tables A8-A15). The overall data shows that across the comparison courts, a very small proportion of aggrieved are aged under 18 (1%) and a more substantial proportion of aggrieved are aged over 56 years (between 11–13%).

There was a slightly higher proportion of Aboriginal and Torres Strait Islander court clients recorded in Cleveland and Caboolture than in Southport, which is consistent with local demographics as per ABS Census data from 2016. The most recent (2016) Census data shows only 1.7% of people living in the Gold Coast Local Government Area identify as Aboriginal or Torres Strait Islander.²⁹

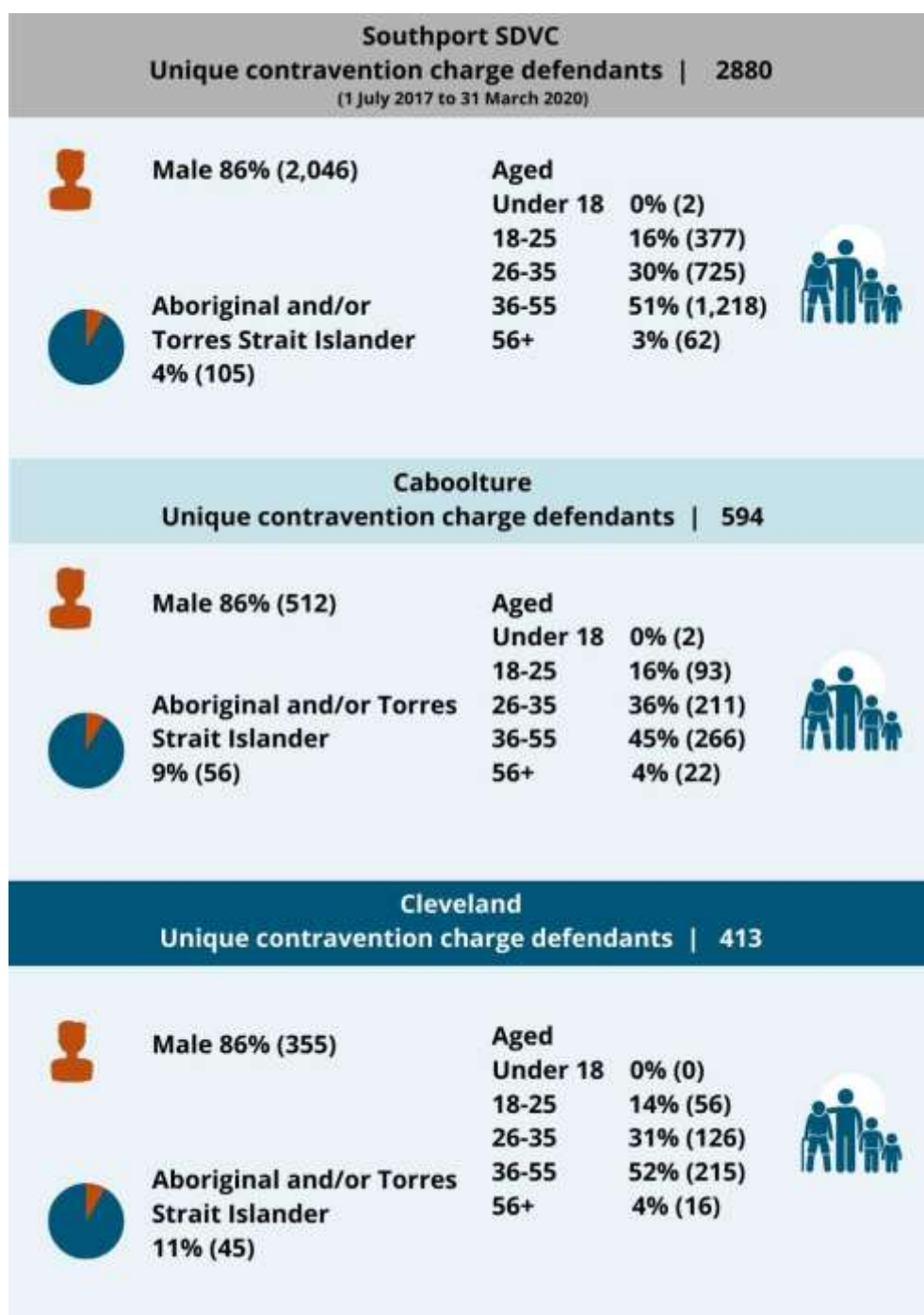
²⁹ Australian Bureau of Statistics. (2016). *2016 Census QuickStats, Southport (Qld)*.
https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/SSC32636

FIGURE 7: DEMOGRAPHIC PROFILE OF AGGRIEVED AND RESPONDENTS AT THE SOUTHPORT MAGISTRATES COURT AND COMPARISON COURTS, 1 JULY 2017 TO 31 MARCH 2020



The profiles of defendants with contravention charges were similar across the comparison courts, with the exception of a higher proportion of people who identify as Aboriginal and Torres Strait Islander defendants in Cleveland and Caboolture Magistrates Court, consistent with local demographics. (Contravention charges are further explored in Chapter 7).

FIGURE 8. CONTRAVENTION CHARGE DEFENDANTS – DEMOGRAPHIC FEATURES ACROSS COMPARISON COURTS



3. IMPLEMENTATION OF THE SSDFVCJR IS CONSISTENT WITH THE SSDFVC MODEL

This Chapter responds to the key evaluation question about whether the Southport Specialist Domestic and Family Violence Court Justice Response is being delivered in line with the Queensland Specialist Domestic and Family Violence Court model.

There is clear evidence across the qualitative evaluation data sources that the SSDFVCJR is:

- prioritising the safety of the aggrieved and their children
- working to ensure perpetrator accountability
- being delivered collaboratively and in partnership
- continuously improving and innovating drawing on Australian and international best practice.

Each of these aspects is discussed individually in subsequent chapters.

The SSDFVCJR is an integrated justice response and achieves the above objectives within the context of a broader human services system. It contributes to the overall capacity of the human services system to ensure the safety of the aggrieved and their children, and to hold perpetrators to account.

3.1 PRIORITISING THE SAFETY OF THE AGGRIEVED AND THEIR CHILDREN

There is strong evidence that the Southport SDFVCJR holds the safety of victims as its central priority, in line with the Queensland Specialist Domestic and Family Violence Court model. It does this in several ways, including through court processes, risk assessments completed by Southport SDFVCJR partners, the physical structures of the Southport SDFVC itself and the specialist staff. Each of these is discussed in detail in this section.

3.1.1 ASSESSING RISKS REGULARLY AND THOROUGHLY

As noted in the *National Risk Assessment Principles*, all domestic and family violence should be considered a risk that requires a response. This document also notes that 'risk assessment is a complex, ongoing and evaluative process, rather than a one-off event, and should include an examination of static and dynamic risk factors, patterns of perpetrator behaviour, patterns of violence and use of coercive control.'³⁰

³⁰ Toivonen, C., & Backhouse, C. (2018). *National Risk Assessment Principles for domestic and family violence* (ANROWS Insights 07/2018). ANROWS. https://20ian81kynqg38bl3l3eh8bf-wpengine.netdna-ssl.com/wp-content/uploads/2018/07/ANROWS_NRAP_National-Risk-Assessment-Principles.1.pdf

In line with recommendations made by the *Not Now, Not Ever* report, the Office for Women and Violence Prevention (previously as part of DCSYW, now part of DJAG) is operating eight High Risk Teams (HRTs) as a core component of Queensland's integrated response to domestic and family violence. The HRTs comprise officers from all agencies with a role in keeping victims safe and perpetrators accountable and include police, health, corrective services, housing, and domestic violence services. Team members collaborate to provide integrated, culturally appropriate safety responses to victims and their children who are at high risk of serious harm or lethality. There is an HRT at Logan-Beenleigh, but no funded HRT on the Gold Coast. However, the long-established Gold Coast Domestic Violence Integrated Response and QPS DFV Vulnerable Persons Unit (previously the DFV Taskforce) provide a high-risk response which operates in a similar manner.

The former Department of Child Safety, Youth and Women (DCSYW) commissioned Australia's National Research Organisation for Women's Safety (ANROWS) to co-design a suite of tools to support the HRT's work. These are evidence based and consistent with the *National Risk Assessment Principles* for domestic and family violence.³¹ Practitioners across the Southport SDFVCJR may refer to the common risk and safety framework (CRASF) and other resources during their risk assessment processes. The CRASF, initially only available and in use in the Integrated Service Response/ HRT locations, is now more broadly available in locations across the state. These tools also informed the development of registry procedures (for specialist court registry staff) in the Southport SDFVCJR, which are documented in the Specialist DFV Registry Manual. The level of risk is determined by the presence of one or more high risk factors or 'red flags' including but not limited to:

- pending separation;
- separation of less than six months;
- threats to kill;
- stalking, including following, unwanted calls or texts, online or other forms of surveillance;
- intimate partner sexual violence;
- attempts to strangle, smother, drown or choke;
- assaults with a weapon, or threats involving weapons;
- escalation in the frequency of violence within the previous six months;
- increasing severity of violence within the previous six months;
- coercive controlling behaviours;
- injuries from domestic and family violence requiring hospitalisation in the previous 12 months;
- pregnancy, or history of violence during pregnancy;
- actual or threatened harm (physical, emotional, or other) to children; and
- attempted or threatened suicide.³²

³¹ Toivonen, C., & Backhouse, C. (2018). *National Risk Assessment Principles for domestic and family violence* (ANROWS Insights 07/2018). ANROWS. https://20ian81kynqg38bl3l3eh8bf-wpengine.netdna-ssl.com/wp-content/uploads/2018/07/ANROWS_NRAP_National-Risk-Assessment-Principles.1.pdf

³² Queensland Government. (2019 Unpublished). *Manual for Specialist Domestic & Family Violence Court Registries*. Department of Justice and Attorney-General. For internal use only.

Although there is not a shared risk assessment tool for all stakeholders, there is very strong evidence that there is a common understanding of risk, and the Southport SDFVCJR is making regular and thorough assessments of an aggrieved person's risks. Volunteer staff at the Level 1 reception desk, while not making a formal assessment of the clients' needs, are directed to advise the Deputy Registrar or Court Coordinator if they are concerned about a client's behaviour. Similarly, the counter staff at the Specialist DFV Registry know to alert the Deputy Registrar or Court Coordinator to any concerning behaviours evident when clients present at the counter. The Specialist DFV registry can address aggressive or other concerning behaviours quickly through security, or contact police, where necessary.

The Specialist DFV Registry counter staff review risks for all clients but are particularly conscious of risk for aggrieved people whose Domestic and Family Violence Application (Form 1) indicates that a temporary protection order is sought. In these situations, the counter staff explore the client's reasons for seeking an urgent order and, if one or more high risk factors are in the application, the application is referred directly to the Deputy Registrar or Deputy Senior Registrar to consider the aggrieved person's risk and the urgency with which matters should be listed.

Through this process, the Registrar may connect with QPS, specialist DFV service providers (Centacare or DVPC) to share or obtain additional information related to risk. This process may inform comprehensive risk assessments by specialist DFV service providers or QPS and help identify the small cohort of clients who, sometimes unbeknown to them, may be at risk of lethal assault. These cases would normally go unnoticed if the client has made no contact with other DFV services or government agencies. In this instance, the local policy supports identifying these cases and referring them to the QPS Gold Coast DFV and Vulnerable Persons Unit (DFV and VPU) (formerly the QPS Taskforce) or DVPC for consideration as part of their high-risk response.

The Deputy Registrar and Deputy Senior Registrar may refer cases to the Queensland Police Service DFV and VPU where concerning behaviour has been observed, and in some circumstances may do so with or without the aggrieved person's consent. These practices not only ensure the victim's ongoing safety is supported, but also reflect the registry staffs' understanding that the client may be in court for the first time, and are negotiating an unfamiliar, intimidating environment, that they are emotionally overwhelmed and—for victims of DFV—may be disclosing a very personal situation for the first time.

During interviews, Registry staff talked about respondents using intimidation tactics within the court to make it difficult for women to access support. They noted that their staff are sensitive to the presentation of these potentially dangerous, coercive, or controlling behaviours, and consider them when assessing risk and determining a matter's urgency.

3.1.2 PRIORITISING THE MOST URGENT MATTERS BEFORE THE COURT

In many Magistrates Courts, civil and criminal domestic and family violence court matters are dealt with separately and as part of the general court listings. For example, matters are separated by the civil list and the general criminal list. Many Magistrates Courts arrange their

DFV civil applications on a single day of the week, which is coordinated with the attendance of DFV duty lawyers and court support services. However, initial listing of matters in the Southport SDFVC is informed by clients' level of risk. For aggrieved who are seeking immediate protection and do not currently have orders in place, their matters are marked urgent. Listing practices reflect and enhance the way in which the dedicated lists are operating in other locations and recognise that an aggrieved person's level of risk may change between filing a private application and appearing in court.

The Specialist DFV Registry staff are sensitive to the presence of high-risk factors on applications, and these applications are listed before the court on the same day they are made or on the next day. The court will then determine whether it is appropriate to make a temporary protection order.

The task of listing matters is complex and dynamic. Separate to the considerations for urgent listing, on any day in court, the order of appearance will be determined by a range of factors, including the safety of all parties (including children), the availability of interpreters, video link booking to correctional centres and other relevant considerations.³³

Where a matter has high-risk factors present but is not listed for mention in the court immediately, the Specialist DFV Registry may share information under the *Domestic and Family Violence Act 2012* (Qld) information sharing provisions with other agencies, including with QPS. This ensures QPS are made aware of the potential risks to the aggrieved person, even though the aggrieved will not have the benefit of wraparound service provision until they attend court for the first mention.

The Specialist DFV Registry has developed local guidelines to assist in determining when a matter should be listed. In some cases, the private applicant will express a preference for the matter to be listed on a particular day, and this will be considered.

3.1.3 DEVELOPING A SAFETY PLAN TO SUPPORT THE AGGRIEVED AT COURT

Any person appearing in a Queensland court can complete a Domestic and Family Violence Court Safety Form. These are used to mitigate any form of ongoing domestic and family violence when arriving at court, being in court or leaving court. This includes, but is not limited to, verbal abuse or threats, intimidation by the respondent or their support persons. Court staff assess the request for additional safety measures at court and will inform the relevant parties of the safety measures that will be implemented before attending court.³⁴

³³ Advice on order of appearances from meeting with Southport SDFVC Court Coordinator and Registrar, May 2021.

³⁴ Sempre Vero Lawyers. (n.d.). *Domestic and family violence – Court safety form (Part A)*. https://www.semprevrolawyers.com.au/downloads/Safety_Form.pdf

The Specialist DFV Registry worked with OWG member stakeholders to adapt the standard Court Services Queensland safety planning process to better meet the needs of its clients.³⁵ The following safety planning steps apply to all matters.

1. **Every client can have a safety plan, every time they go to court.** The Specialist DFV Registry can develop a plan for any client appearing in court. Every time the client comes to court, they are given the option to develop a new plan.
2. **Multiple agencies can contribute to the safety plan.** The Specialist DFV Registry consults with the QPS Domestic Violence Module Manager, QPS DFV and VPU (formerly DFV Taskforce), Southport Protective Services and DVPC to develop an appropriate court safety plan. When it is complete, the plan is provided to all agencies involved.
3. **Police are responsible for planning (for QPS hearings/trials).** QPS Prosecutions are responsible for safety planning, and for ensuring DVPC safe rooms are available for female aggrieved witnesses who are appearing in court.
4. **Safety is important in all matters.** Clients appearing at the Southport Magistrates Court on non-DFV matters before the court, but who are also involved in a domestic and family violence related matter (completed or continuing) can explain any concern about appearing in court to the Southport Magistrates Court registry. The Deputy Registrar (who may be assisted by the Court Coordinator) is then responsible for consulting with the QPS Domestic Violence Module Manager and Southport Protective Services to assess and manage the risk.³⁶

Data from the Southport Magistrates Court DFV Court Live List³⁷ (10 August 2020–28 January 2021) indicates that court safety forms are filled out on average only once per day (range 0 to 3 court safety forms completed each day), with a total of 51 forms completed in the relevant period. This reflects that the forms are used only for specific concerns about coming to court for an event. For example, the client of the court might have needed an early entrance to the building or police escort to their car park. Other safety responses also occur at court on an ad hoc basis as situations arise through liaising with QPS and security. Court safety plans are a component part of the overall safety plans that are developed by advocates or support service staff and by the aggrieved themselves.

None of the women we interviewed could recall working with staff to complete a court safety plan but given the women we interviewed were at relatively low risk of harm, this is not surprising. However, women did tell us about broader safety planning conversations with DVPC, particularly how to stay safe at home, and what to do if they felt they were in danger. Some said they had been given numbers to call if they needed urgent assistance. Of the survey participants who were aggrieved, 20 females (91% of those who responded to the question) agreed with the statement 'I was able to make plans to keep myself safe.'

³⁵ Queensland Government. (2019). *Manual for Specialist Domestic & Family Violence Court Registries*. Department of Justice and Attorney-General.

³⁶ Queensland Government. (2019). *Manual for Specialist Domestic & Family Violence Court Registries*. Department of Justice and Attorney-General.

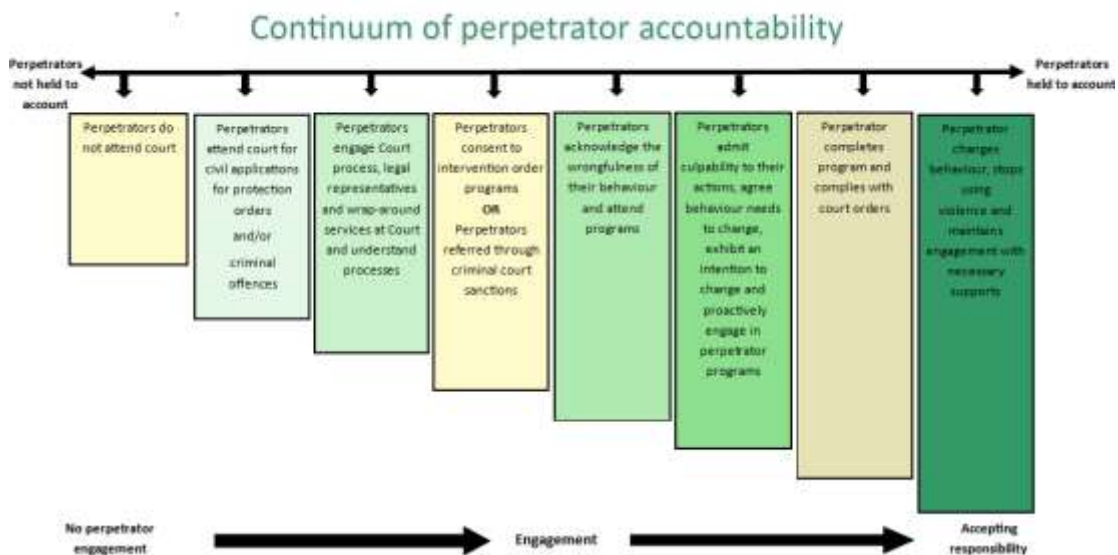
³⁷ Data about court safety forms is kept by the Deputy Registrar. The live list spreadsheet was used to record the data about the safety forms that the Deputy Registrar keeps.

Overall, the clients of the court who participated in the survey or in interviews responded that they felt safe at court and that going through the court process did ultimately support them to feel safer in their daily lives (see Chapter 6).

3.2 WORKING TO ENSURE PERPETRATOR ACCOUNTABILITY

The SSDFVCJR uses three primary mechanisms to support perpetrator accountability across the civil and criminal response: court appearances, issuance of domestic and family violence orders and other monetary, community-based, and custodial orders sanctions (including Queensland Corrective Services supervision orders) and intervention orders, which direct male and female respondents to behaviour change programs. The perpetrator continuum in Figure 9 was developed as part of the Evaluation Framework and illustrates how processes at the court are intended to support perpetrator accountability.

FIGURE 9. CONTINUUM OF PERPETRATOR³⁸ ACCOUNTABILITY



3.2.1 APPEARING IN COURT

There is an underlying assumption in the Southport SDFVCJR model that the very act of having to appear at court is a mechanism for holding perpetrators to account. Research literature aligns with the opinion of stakeholders (including duty lawyers and Centacare staff) we interviewed who felt that perpetrators are often at their most remorseful on the day that they are appearing at court.

³⁸ The Continuum is intended to document how the SDFVCJR contributes to the accountability of perpetrators and does not suggest all respondents are perpetrators.

As noted in Section 1.3.4, COVID-19 has changed the pattern of court appearances. The COVID-safe plan for the court means that a small proportion of court appearances continue to be made over the phone or video-link. The court is otherwise operating much as usual. At Southport, there does not appear to have been a shift to clients preferring to not physically attend court. Please note however that the QWIC data analysed in this report only presents data from the pre-covid affected period.

Given the opportunities afforded at the court site for clients to access support, having clients physically attend court is a preferred approach. At SSDFVC, parties may attend the court precinct but not appear in the courtroom and can therefore access wrap-around support including access to legal representation. For a police application, where the aggrieved is not the applicant, it may be safer, or the aggrieved may feel safer, if they do not physically appear in the court room. Some aggrieved may also choose not to attend if they have a legal representative appearing on their behalf.

In the pre-Covid period for which QWIC data has been analysed, aggrieved were *less* likely to attend events relating to initiating applications at Southport Magistrates Court than at the two comparison courts (Table 5).

TABLE 5. PROPORTION OF AGGRIEVED APPEARING IN PERSON AT SOUTHPORT MAGISTRATES COURT AND THE COMPARISON COURTS

Event Appearances	Southport		Caboolture		Cleveland	
	N	%	N	%	N	%
Did not appear	12,421	61%	3,091	53%	1,793	51%
In person	7,515	37%	2,648	46%	1,546	44%
Telephone	216	1%	26	0%	144	4%
Not recorded	196	1%	31	1%	13	0%
Video link	33	0%	19	0%	12	0%
Total	20,366	100%	5,815	100%	3,508	100%

Source: QWIC - Applications: 1/7/2017 to 31/3/2020

This may relate to the overall lower rate of appearances for Police initiated applications, and that Southport DFVC has a higher proportion of these relative to the comparison courts (74% compared with 63% in Caboolture and 66% in Cleveland). Staff and stakeholders advise that specialist support and advice including from DVPC, is available to aggrieved from SSDFVC before appearing.

Figure 10 below shows that across the comparison courts, aggrieved were much less likely to appear in person at court when the application is made by Police than for private applications.

FIGURE 10. AGGRIEVED ATTENDING COURT IN PERSON AT SOUTHPORT, CABOOLTURE, AND THE CLEVELAND COURTS, BY APPLICATION TYPE

By contrast, in person attendance for respondents named on initiating applications did not differ across the three courts (Table 6).

TABLE 6. THE NUMBER AND PROPORTION OF EVENTS FOR INITIATING APPLICATIONS BY RESPONDENT ATTENDANCE TYPE

	Southport		Caboolture		Cleveland	
Event appearances	N	%	N	%	N	%
Did not appear	11,194	55%	3,395	58%	1,841	52%
In person	8,717	42%	2,273	39%	1,503	43%
Telephone	283	1%	63	1%	95	3%
Video link	234	1%	108	2%	83	2%
Not recorded	110	1%	32	1%	4	0%
Total	20,534	100%	5,870	100%	3,526	100%

Source: QWIC- Applications: 1/7/2017 to 31/3/2020

A factor which may affect the proportion of respondents who appear at their court events is that there may have been delays or difficulties in serving the application to the respondent who may therefore be unaware that they were required to attend court.

Some stakeholders observed that incorporating practices used by other specialist courts operating within the therapeutic jurisprudence framework could be a way of further ensuring the Southport SDFVCJR achieves its objective of perpetrator accountability. For example, the Queensland Drug and Alcohol Court (QDAC) drives participant accountability through ongoing judicial monitoring. A few stakeholders noted the potential of this mechanism for the SDFVCJR, suggesting some respondents could be required to make additional appearances throughout their participation in a behaviour change program as a means of accountability. Utilising this kind of approach would require careful consideration of the potential for this approach to impact adversely on the aggrieved should it result in any delay of proceedings. Conducting a detailed policy analysis of any transferability and learnings from other specialist court models such as QDAC is beyond the scope of this evaluation.

3.2.2 ISSUING DOMESTIC VIOLENCE ORDERS

In the civil jurisdiction, the principal mechanism supporting perpetrator accountability is a domestic violence order. The court does not need to be satisfied that domestic violence has occurred or that the order is necessary or desirable to protect the aggrieved from domestic violence for a consent order to be made.³⁹

As shown in Table 2 (see Section 2.2) there have been 13,147 domestic violence orders made associated with the 11,521 initiating applications and applications to vary dealt with by the Southport Magistrates Court.⁴⁰

A respondent may either consent to or contest these orders. Consent may be provided with admissions, or without admissions. The latter is intended to expedite issuance of the protection order and therefore, quickly respond to the aggrieved person's safety concerns of the aggrieved, in a way that is acceptable to the respondent.⁴¹

The proportion of orders consented to without admission at the Southport Magistrates Court has increased from one-third (38%) of orders made (July 2017) to almost half (49%) of orders made (March 2020) (Figure 11). The proportion of orders consented to without admission is higher at Southport Magistrates Court than at the comparison courts, though there has been a marked increase in the use of orders without admissions at the Caboolture Court from just 14% in July 2017, to 40% in March 2020. This may reflect the increasing investment in the provision of domestic violence duty lawyer advice at this location. Some stakeholders and

³⁹ *Domestic and Family Violence Protection Act 2012* (Qld) s 51.

⁴⁰ The number of applications heard by the Southport Magistrates Court differs from the number of applications lodged at the court during the 2017–18 and 2018–19 financial years. This is because in addition to applications lodged at Southport Magistrates Court during the evaluation period, this count also includes applications that were lodged at Southport Magistrates Court before 1/7/2017 and applications lodged at other courts where orders were made at Southport Magistrates Court. These applications have been included in the count of orders made at Southport Magistrates Court to reflect the work of the court.

⁴¹ Chung et al, 2020, Improved accountability: The role of perpetrator intervention systems, ANROWS research report, Issue 20, June 2020.

women we interviewed questioned the extent to which respondents who consent to orders without admission are being held to account. DJAG should consider further investigating the efficacy of this approach and monitor the outcomes (in particular, the rate at which breaches occur) of orders consented to without admissions.

FIGURE 11. THE PROPORTION OF ORDERS MADE THAT WERE CONSENT ORDERS WITHOUT ADMISSIONS



Source: QWIC – Applications: 1/7/2017 to 31/3/2020

Another mechanism of the court to respond to an application for a protection order is to gain an undertaking from the respondent for good behaviour into the future. This is effectively a promise made either verbally or in writing to the court, whereby the respondent promises to cease the abusive behaviour. An undertaking will be accepted by the court where the aggrieved party agrees to the undertaking being provided, generally on the basis that the application is withdrawn. Where it is a police application, the QPS will usually not agree to an undertaking being provided. An undertaking does not hold the same legal weight as a protection order, and breaching an undertaking is not a criminal offence. In contrast to orders accepted without admission, there is a risk that an undertaking may be less effective in terms of victim safety.

3.2.3 INTERVENTION ORDERS

Beyond imposing protection orders, the court also supports perpetrator accountability through intervention orders that connect respondents with a relevant behaviour change program. The program is designed to support sustainable changes in respondent's criminogenic thinking. Approximately 10% of matters at Southport Magistrates Court

resulted in intervention orders directing respondents to complete a behaviour change program.⁴²

Centacare is currently the only service delivering a Men's Behaviour Change Program to male respondents who receive an intervention order. All respondents referred to the program are subject to thorough suitability assessments before they are assigned to a group.

Data supplied by Centacare shows that most men assessed for the program are found to be suitable to participate.⁴³ When it is evident to the assessor that a man is not motivated to change his attitudes or offending behaviours, he may also be deemed unsuitable for the MBCP. The court is advised of the outcome of each man's suitability assessment. A man who is not suitable for the program is not considered to have contravened his order.

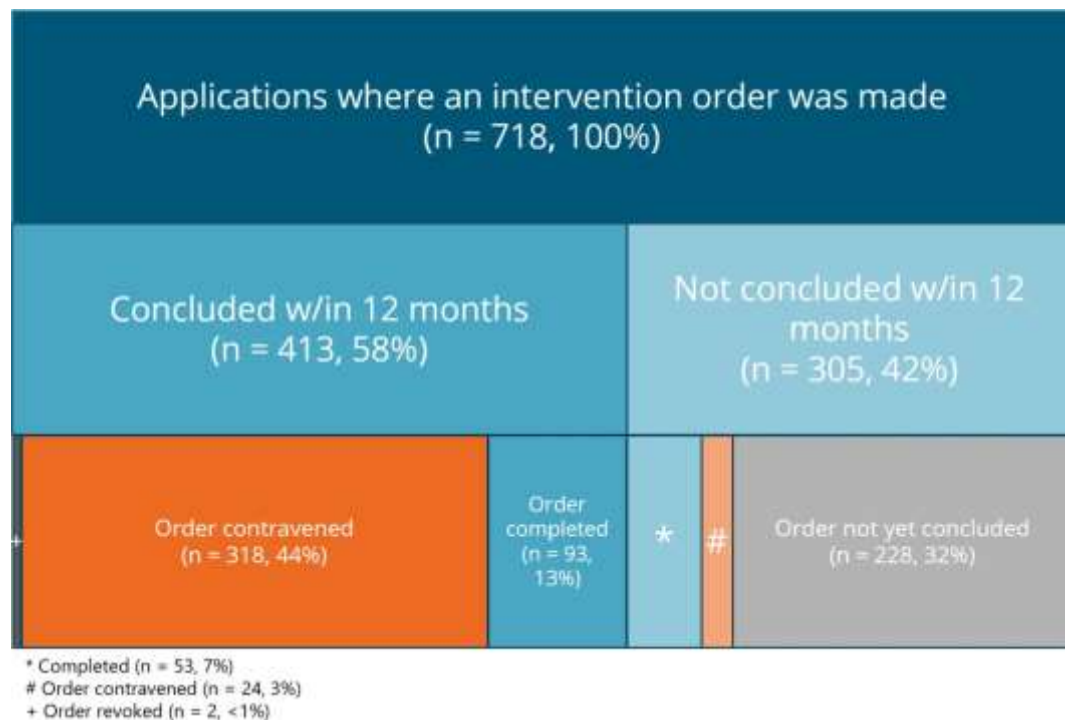
Occasionally, a man is deemed suitable for the program, but not in a group setting. For example, he may be a Police Officer or require a translator, in which instance he will be offered an opportunity to do the course through private counselling sessions.

Men who are ordered to complete a behaviour change program are considered to have contravened the Intervention Order if they fail to contact Centacare within a prescribed timeframe, or if they are absent for two or more sessions without explanation. As shown in Figure 12, almost half (44%) the intervention orders made during were contravened.

⁴² Of the 7,239 respondents where at least one order was made, 718 intervention orders were made between 1 July 2017 and 31 March 2020.

⁴³ Data supplied by Centacare.

FIGURE 12. OUTCOME OF INTERVENTION ORDERS ISSUED AT SOUTHPORT MAGISTRATES COURT FROM 1 JULY 2017-31 MARCH 2020



Source: QWIC – Applications: 1/7/2017 to 31/3/2020.

Notes: A small number of applications had more than one intervention order made. For applications with more than one intervention order the earliest intervention order made was used for this analysis. 'Order not yet concluded' includes those that have been in place for less than 12 months.

Centacare noted that many men contravene orders when they fail to attend two or more sessions without explanation. Centacare advises the court when this occurs, and the magistrates may take the contravention into account if the respondent's matter is not yet finalised. Centacare receives no subsequent advice on how the matter has proceeded, which they note would be useful for their work with the respondent.

Figure 12 also shows that only 13% of intervention orders were completed (the respondent met all program requirements), and a substantial proportion (42%) were not concluded (the order was ongoing, with the respondent not yet having met all program requirements) within 12 months.

There are several reasons for the relatively small number of completed orders within a 12-month period. Firstly, the demand for the MBCP exceeds Centacare's capacity. The organisation cannot scale up the program within their current funding. Interviews with Centacare staff indicated it is common for men to wait several months (up to nine) before being offered a place in the MBCP. This is a very common issue for providers of MBCPs

across Australia.⁴⁴ Centacare tries to maintain contact with waitlisted men but notes that men's motivation to participate tends to wane the longer they wait.

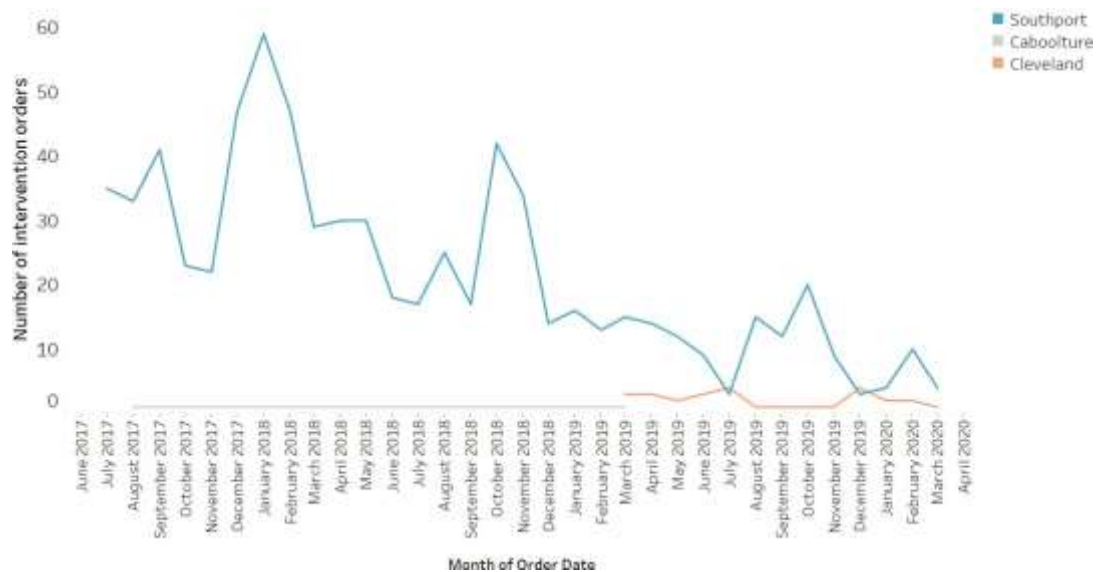
The number of intervention orders made each month at Southport and the comparison courts is shown in Figure 13. There was substantial fluctuation with a general trending decrease in the number of intervention orders made at the Southport Magistrates Court from a high point of 59 intervention orders made in January 2018.

There was another notable peak in intervention orders in October 2018 (42 intervention orders). This trending decrease in intervention orders made at Southport may relate to the availability of places for respondents in the MBCP. Although it is beyond the scope of the evaluation period, it has been noted that recently the waitlist times for places in MBCP has decreased and with that the use of intervention orders has begun to increase again.

Figure 13 also illustrates that the number of intervention orders is low overall, and especially at the two comparison courts. Across the entire evaluation period there were only three intervention orders made at the Caboolture Magistrates Courts, and only 23 intervention orders made at the Cleveland Magistrates Court. By contrast, there were 722 intervention orders made at Southport Magistrates Court. Increasing the uptake of intervention orders requires effort across support service providers, including duty lawyers for the respondent providing information about the purpose and requirements of an intervention order, of service providers having sufficient program capacity and for judicial officers being aware of any program capacity issues. Aligning this effort is easier in a coordinated response with sophisticated interagency governance, such as the one at SSDFVC.

⁴⁴ Vlasis R, Ridley S, Green D and Chung D (Stopping Family Violence Inc.) (2017) Family and domestic violence perpetrator programs: Issues paper of current and emerging trends, developments, and expectations [Online Document], Stopping Family Violence Inc., accessed 16 February 2021. <https://sfv.org.au/wp-content/uploads/2017/05/FDV-perpetrator-programs-issues-paper.pdf>.

FIGURE 13. THE NUMBER OF INTERVENTION ORDERS MADE AT SOUTHPORT MAGISTRATES COURT AND COMPARISON COURTS, FROM 1 JULY 2017- 31 MARCH 2020, BY MONTH



Source: QWIC – Applications: 1/7/2017 to 31/3/2020

Ultimately however, making an intervention order is a matter for the Magistrate and practices may vary between individuals. It is also important to note that the data relating to the effectiveness of behaviour change programs remains equivocal⁴⁵. Completion reports written by the program provider were not available for the evaluation. These may include important information about participation, engagement and indications of change or responsibility for consideration by the magistrate when making or varying a protection order. It is beyond the scope of the evaluation to consider the effectiveness of programs and intersection with the Justice response in Queensland, however, the evaluation suggests that further consideration of how the information could be made available is required.

3.2.4 SANCTIONS FOR CRIMINAL DOMESTIC AND FAMILY VIOLENCE OFFENDING

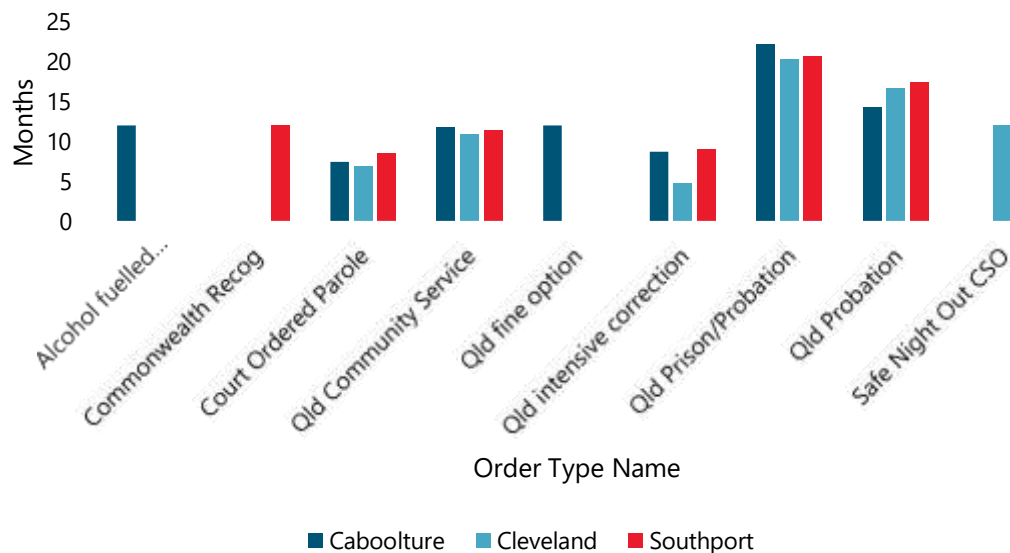
Criminal DFV offending includes contraventions of orders made in the civil jurisdiction as well as specific flagged DFV offences. The court has a range of penalties it is able to apply as a means of sanction against these offences including financial penalties, community service, community-based supervision and imprisonment.

Queensland Corrective Services has provided data to the evaluation relating to the kinds of orders made in criminal proceedings and the length of supervision periods for DFV offences across the comparison courts (Figure 14). In keeping with the QWIC data, the Queensland Corrective Services data shows that there is no clear trend apparent that differentiates between outcomes originating from the Southport SDFVC or the comparison courts. While there are some order types that appear only to be used at some court locations (for example,

⁴⁵ ANROWS (Australia's National Research Organisation for Women's Safety) (2019) *Engaging men who use violence: Research Report* [online document], ANROWS, Accessed 16 April 2021.

alcohol fuelled violence order are used at Caboolture but not elsewhere), when orders of the same type are being made, similar supervision periods are given across all three court locations.

FIGURE 14. LENGTH OF QUEENSLAND CORRECTIVE SERVICES SUPERVISION PERIOD BY ORDER TYPE



Source: Queensland Corrective Services Integrated Offender Management System (IOMS) data, DFV offenders 1 July 2017 to 31 March 2020.

Notes: The categories of order included above represent the full extent of the data provided by Queensland Corrective Services. We note these are the sentencing options under a community-based order only, and that other sentencing options (custodial orders and monetary orders) are available.

3.3 WELL-COORDINATED AND DELIVERED IN PARTNERSHIP

The most powerful theme that emerged throughout the service provider stakeholder interviews was the importance and value of collaboration between all agencies and the individual people working at the court. The strength of the collaboration was universally noted in stakeholder interviews, with stakeholders suggesting this leads to improved outcomes for clients of the court. Many examples were given of how the collaboration made a difference every day in keeping the aggrieved safe and holding perpetrators to account.

The best practice literature describes the importance of 'working in partnership' across agencies to deliver outcomes in human service provision. There have been numerous attempts made, using a range of tools, to describe what 'working in partnership' looks like in practice.⁴⁶

⁴⁶ Gomez-Bonnet, F., & Thomas, M. (2015). A three-way approach to evaluating partnerships: Partnership survey, integration measures and social network analysis. *Evaluation Journal of Australasia*, 15(1), 28-37. https://vocational-rehab.com/wp-content/uploads/SuRGE-6_Evaluating-Partnerships.pdf

We have identified four collaborative mechanisms underpinning collaboration in the SSDFVCJR:

- effective governance structures
- legislative and policy-base that supports information sharing and risk management
- stakeholders working within their scope of practice to achieve common goals with the support of a dedicated coordinator role,
- highly functional human services system, supporting the court justice response.

3.3.1 EFFECTIVE GOVERNANCE STRUCTURES

The governance structures in place to support the Southport SDFVCJR are supported by senior executives in the Department of Justice and Attorney-General and the Department of Premier and Cabinet which is committed to delivering against its ten-year strategy to reduce violence against women. Many agencies have dedicated policy and performance teams committed to this work, reflecting its high priority for the Queensland Government.

There are two interagency governance groups supporting the SSDFVCJR: the Specialist DFV Courts Working Group (CWG) and the Operational Working Group (OWG). Agencies participate at both governance levels, although the representatives they put forward for each group is different and reflect the different purpose of each group. The OWG has oversight of matters affecting delivery in the local context, whereas the CWG serves a broader strategic role, with oversight of matters relevant to all DFV specialist courts.

Analysis of key stakeholder interviews as well as meeting documentation (Court Working Group minutes (n=21), Operational Working Group minutes (n=18), position descriptions and supporting documents (n=11) and policies, procedures and manuals outlining the Court's operation (n=9) shows these governance structures support the SDFVCJR's effective operation and are essential to ensure stakeholder engagement, ongoing system development and system accountability. These groups meet regularly and are forums for interagency partners to discuss how issues within and across agencies affect the SDFVCJR's operation. Stakeholders at both levels are strongly engaged and actively contributing to the agenda and group discussion, driving continuous improvement of both policy and practice.

OPERATIONAL WORKING GROUP

The Operational Working Group (OWG) is a regular forum designed to bring together interagency stakeholders responsible for implementing the SDFVCJR (Table 7). Its membership includes representatives of each of the interagency partners, as well as other relevant human services system stakeholders. It also includes the Magistrates.

It is evident that OWG members are sufficiently close to the Southport SDFVCJR's operation to bring detailed understanding of the issues affecting it to the group discussion but are also removed enough to understand the broader implications of operational decisions taken.

The group meets regularly; scheduling has been adjusted over the implementation period to support the changing operational context. At times of dynamic change, the group has met

more frequently. It is currently meeting fortnightly to support the effective operation of the court.

The group's agenda is adjusted to reflect the current operating context and emerging issues. For example, it may include discussion of staffing, managing urgent applications, and upcoming or necessary changes in court processes. It also drives quality improvement at the court. For example, the Numala Yalnun program was established in response to conversations at the OWG about improving court accessibility for Aboriginal and Torres Strait Islander people.

TABLE 7. OPERATIONAL WORKING GROUP MEMBERS AND STAKEHOLDERS

Partner agencies	Human services system stakeholders
Department of Justice and Attorney-General (Courts)	Women's Legal Service
Queensland Police Service (Prosecutions, Domestic and Family Violence and Vulnerable Persons Unit)	Aboriginal and Torres Strait Islander Legal Service
Legal Aid Queensland	Gold Coast Community Legal Centre
Queensland Corrective Services (Community Corrections)	Support Assessment Referral, Advocacy Program (SARA)
Domestic Violence Prevention Centre	
Centacare	
Court Network	

The OWG meetings are also an opportunity for members to engage with industry experts and for presentations of sector services or community trends. OWG meetings are chaired by the Court Coordinator. During interviews, stakeholders noted that the Court Coordinator plays a crucial role in maintaining the relationships between agencies at the operational level. The coordinator is responsible for working individually and with smaller groups of stakeholders outside the OWG meetings to understand and explore issues affecting the court's operation. Agencies are each operating within their own frameworks and practice orientations, and this can sometimes lead to operational inconsistencies or contradictions. The Court Coordinator works with stakeholders to resolve these, within and beyond the OWG.

SPECIALIST DOMESTIC AND FAMILY VIOLENCE COURTS WORKING GROUP

The Specialist DFV Courts Working Group (CWG) meets monthly to discuss the delivery of the specialist DFV courts in Southport, Beenleigh, Townsville, Mount Isa, and Palm Island. Where necessary, members are in touch out of session.

Like the OWG, its membership includes representatives of each of the interagency partners, as well as other relevant human services system stakeholders such as Queensland Treasury and the Department of Seniors, Disability and Aboriginal and Torres Strait Islander Partnerships. The CWG membership is limited to government departments and Legal Aid Queensland. The meeting is a forum for escalation and strategic discussion of the issues affecting each of the courts, including staffing, listing arrangements, tenders, interactions with community organisations, changes in court processes and any successes or challenges that have arisen. It is an opportunity for shared learning, consideration of policy issues and disseminating emerging best practices between specialist courts. For example, the Southport SDFVC registry maintains a live-list record of the supports and services that parties of each matter are receiving, and when the matter is ready for court. Potential efficiencies in managing this process electronically have emerged in other specialist DFV court locations during the COVID-19 response.

The CWG also has responsibility for overseeing and ensuring the integrity of the specialist DFV court program across all sites, as well as driving innovation and best practice. The CWG may respond to concerns about demand for services and systems issues by escalating issues to senior government decision makers. Or, if the issue is agency-specific, by ensuring measures are taken to address the issue, for example, rolling out specific training relevant to the issues for frontline workers. During interviews, stakeholders noted that the OWG members are committed to, and take pride in, developing local solutions to local issues, rather than relying on the CWG to give direction on these. Nevertheless, in a limited number of instances, the OWG may escalate an issue to the CWG seeking a solution.

Within DJAG there is a Program Manager who manages the DFV Court Coordinators in each location, chairs the CWG and otherwise oversees the operations of the specialist DFV Courts. The Program Manager is supported by a policy team in the Courts Innovation Program. Most other members of the CWG have similar policy and corporate support, together with leadership from executives and/or boards of management. The DFV reforms are supported by cross agency reporting and senior executive working groups and committees.

3.3.2 LEGISLATIVE FRAMEWORK SUPPORTING INFORMATION SHARING

Each of the interagency partners share a common language and understanding of what factors and behaviours represent a risk for the aggrieved. Developing an accurate perspective of the risks requires information to be shared between interagency stakeholders in a timely way. This is possible because of a supportive legislative base (Figure 15), which is well understood by the interagency partners and supported by a suite of information sharing guidelines.

All stakeholders also identified the importance of having a good knowledge of the DFV legislation and hence understanding the implications of any orders made. While this was seen as important knowledge for all stakeholders, including for service support providers such as the DVPC, there was a clear appreciation that legal practitioners working in the court had detailed and in-depth knowledge of the legislation, which supported them to be able to assist in meeting the common goals of the court. Having a high degree of knowledge of the legislation was critical to being able to offer good quality and prompt advice. Having this knowledge also means that service providers can support clients of the court to ensure they have correctly understood the conditions of any orders made. Stakeholders believed that when this occurred, there was an increased likelihood that the aggrieved were 'safer' than if they or the respondent did not fully understand the conditions of the orders made.

FIGURE 15. SUMMARY OF THE LEGISLATIVE BASE SUPPORTING INFORMATION SHARING FOR DOMESTIC AND FAMILY VIOLENCE

Part 5A of the *Domestic and Family Violence Protection Act 2012* (Qld) governs the sharing of confidential information between agencies. The guiding principles of these provisions prioritise the safety and protection of those who fear, or are experiencing, DFV over a respondent's right to privacy concerning personal information.⁴⁷ Information sharing is permitted between:

- **specialist DFV service providers funded by government;**
- **prescribed entities (government departments which provide services to people who may experience or commit DFV such as DJAG, Corrective Services and QPS); and**
- **in some circumstances support services (non-government entities that aid people who may experience or commit DFV such as counselling and legal services).⁴⁸**

The Act facilitates information sharing without consent in two circumstances: when assessing a domestic or family violence threat or responding to a serious threat. Information can only be shared between prescribed entities and specialist DFV service providers for the purpose of conducting a risk assessment. To provide information, the entity or specialist provider must reasonably believe a person fears or is experiencing DFV. The information shared must be relevant to assessing if there is a serious threat to the life, health, or safety of a person because of DFV.⁴⁹

Information can be shared between prescribed entities, specialist DFV services and other support services to manage a serious threat. The entity or service provider must reasonably believe a person fears or is experiencing DFV and that providing the information may help the other organisation to lessen or prevent a serious threat to the person's life, health, or safety because of the DFV.⁵⁰

⁴⁷ Pt 5A div 2 s169B State of Queensland. (2017). *Domestic and Family Violence Protection Act 2012*. <https://www.legislation.qld.gov.au/view/pdf/2017-05-30/act-2012-005>

⁴⁸ Pt 5A div 2 s169C State of Queensland. (2017). *Domestic and Family Violence Protection Act 2012*. <https://www.legislation.qld.gov.au/view/pdf/2017-05-30/act-2012-005>

⁴⁹ Pt 5A div 2 s169D State of Queensland. (2017). *Domestic and Family Violence Protection Act 2012*. <https://www.legislation.qld.gov.au/view/pdf/2017-05-30/act-2012-005>

⁵⁰ Pt 5A div 2 s169E State of Queensland. (2017). *Domestic and Family Violence Protection Act 2012*. <https://www.legislation.qld.gov.au/view/pdf/2017-05-30/act-2012-005>

3.3.3 COMMON GOALS WITHIN THE SCOPE OF USUAL PRACTICE

While the staff from all agencies who work in the Southport SDFVCJR have all undertaken specialist training, they are working within the scope of the usual practice for their roles as determined by their agency's policies and legislation. Apart from the Court Coordinator, all other roles at work at the court are essentially the same as the roles at work in many other courts. The specialisation of the court relates specifically to the knowledge and understanding of the staff as well as the extent of their collaboration, rather than having differently defined roles.

Each of the stakeholder agencies is working within its own best practice framework or guideline for supporting people experiencing domestic and family violence. These documents differ in their scope and depth, and their orientation reflects the agency's own. For example, Legal Aid Queensland's best practice guidelines emphasise procedural fairness, whereas the Domestic Violence Prevention Centre's emphasise advocacy for the aggrieved. None of these documents are in direct opposition. However, there is potential scope for misinterpretation or tension at the interface between these frameworks.

A good example is the balance between the objectives of client-centred practice and safety. While all agencies' guidelines reference and direct practitioners to put clients at the centre of their work, this looks different in practice for each agency and can result in tension. For instance, this tension occurs when a woman's goal for herself is to remain in a relationship despite its violence, but the agency sees its primary role as maintaining her safety. This was discussed during consultation with police stakeholders who, in such examples, described the goal of safety as overriding the aggrieved person's own intentions, which might include remaining in the relationship and cohabiting with the respondent. This was particularly true when a respondent's behaviours (e.g., strangulation offences) indicate the aggrieved person is at risk of ongoing and potentially lethal harm. Police, in such instances were more likely to understand their role as to advocate for the protection of the aggrieved through pursuit of non-contact orders, even against the expressed wishes of the aggrieved.⁵¹

There is an opportunity for SSDFVC partner agencies to develop the information on roles collected for the evaluation into a more comprehensive set of role descriptions for each agency stakeholder, including the court registry, noting the growing recognition of the complexity of DFV matters. Since the Griffith evaluation,⁵² the model has matured and expectations about the way that the SSDFVC registry can identify and respond to risks have changed. These changes reflect the intention of the model, research evidence on best practice and the SDFVJR's shared commitment to supporting safety.

⁵¹ This position is consistent with the *Not Now, Not Ever* recommendation that the Queensland Police Service 'adopt a proactive investigation and protection policy', which considers the safety of the victim as paramount when deciding the course of action to be taken against the perpetrator and prioritises arrest where risk assessment indicates this action is appropriate.

⁵² Bond, C., Holder, R., Jeffries, S., & Fleming, C. (2017). *Evaluation of the Specialist Domestic and Family Violence Court Trial in Southport*. Griffith Criminology Institute, Griffith University.
https://www.courts.qld.gov.au/_data/assets/pdf_file/0007/515428/dfv-rpt-evaluation-dfv-court-southport-summary-and-final.pdf

It may also be useful to document the emerging specialist elements of roles, such as working with respondents, responding to risk, and prioritising client safety, and informing the court process (e.g., file preparation). It could point to the relevant research and legislation underpinning the SDFVCJR, and approaches to supporting clients. This will ensure the ongoing strength and depth of the collaborative interagency working relationships.

3.3.4 HIGHLY FUNCTIONAL HUMAN SERVICES SYSTEM SUPPORTING THE COURT JUSTICE RESPONSE

Locating the trial of the specialist DFV court at Southport ensured that the response benefited from the already established and well-functioning local service system. There are two important elements of the service system that support the effective operation of the Southport SDFVCJR: The Gold Coast Domestic Violence Integrated Response (GCDVIR) and the QPS DFV and VPU (formerly the Taskforce), which was established after the trial commenced.

GOLD COAST DOMESTIC VIOLENCE INTEGRATED RESPONSE

This community-based network was established in 1997 to provide an integrated and coordinated multi-agency response to domestic and family violence.⁵³ The work of the GCDVIR and its collaborative approach underpins the service model for the SSDFVCJR. The GCDVIR continues to operate and is concerned with all aspects of the service system that responds to DFV including health, housing, child protection, perpetrator responses, women's shelters, and support services as well as court and justice system responses. The GCDVIR includes duty lawyers (through LAQ), police, court support workers, respondent information workers, providers of perpetrator programs and specialist domestic violence counselling. The GCDVIR includes the Southport DFV Court Coordinator and representatives from:

- Domestic Violence Prevention Centre Gold Coast Inc. – Lead Agency
- Department of Communities
- Department of Child Safety, Youth and Women⁵⁴
- Queensland Police Service
- Queensland Corrective Services
- Macleod Women's Refuge
- Majella House Women's Refuge
- Legal Aid Queensland
- Department of Housing and Public Works

⁵³ Breckenridge J, Rees S, valentine k, Murray S (2015) Meta evaluation of existing interagency partnerships, collaboration, coordination and/or integrated interventions and service responses to violence against women: State of knowledge paper, September 2015. Australia's National Research Organisation for Women's Safety (ANROWS), Sydney, Australia.

⁵⁴ Following the 2020 State Government election, a machinery of government change was implemented transferring certain functions of the former Department of Child Safety Youth and Women to the Department of Justice and Attorney-General. This includes the Office for Women and Violence Prevention which is responsible for administering funding for DFV support services, including court support and behaviour change programs.

- Gold Coast Hospitals - Southport and Robina
- Centacare - Men's Behaviour Change Program and Family Relationship Centre
- Beenleigh Domestic Violence Court Advocacy Program.

QUEENSLAND POLICE SERVICE DOMESTIC AND FAMILY VIOLENCE AND VULNERABLE PERSONS UNIT

The Queensland Police Service established the Gold Coast Domestic Violence Prevention Taskforce in January 2016 following several high-profile homicides involving domestic and family violence. The Taskforce is now a permanent unit known as the Domestic and Family Violence and Vulnerable Persons Unit (DFV&VPU). Its purpose is to provide a professional response to domestic and family violence and matters involving vulnerable people, and to make the community safer through interagency collaboration. The Taskforce also led cultural change across the partnering agencies and within the Queensland Police Service. In 2018, the Taskforce received the Australian Crime and Violence Prevention Gold Award for its work.

3.4 CONTINUOUSLY IMPROVING AND INNOVATING, DRAWING ON BEST PRACTICE EVIDENCE BASE

The Southport SDFVCJR's governance structures support and enable continuous improvement and innovation. There is strong evidence from stakeholder interviews as well as from documentation from meetings, that these governance structures support the SDFVCJR's effective operation and are essential to ensure stakeholder engagement, ongoing system development and system accountability. These groups meet regularly and are forums for interagency partners to discuss how issues within and across agencies affect the SDFVCJR's operation. Stakeholders at both levels are strongly engaged and actively contributing to the agenda and group discussion, driving continuous improvement of both policy and practice. The high quality of this collaboration, as well as the collaboration between the CWG and the OWG, have resulted in practice improvements and innovations that have been shared across other specialist and non-specialist domestic and family violence courts across Queensland. The value this generates for the Queensland Government is articulated in Chapter 8.

As Queensland's first specialist domestic and family violence court, the Southport SDFVCJR is nationally and internationally recognised as a sector-leading response to domestic and family violence, and regularly hosts visitors keen to understand and emulate the model in their own contexts. Many of the changes to the Queensland SDFVC model originated at Southport, and practices from the SSDFVCJR are being incorporated into other non-specialist courts. For example, the domestic violence duty lawyer service was enhanced at other magistrates court locations across Queensland.

The SSDFVCJR draws on the national and interventional evidence base for specialist domestic and family violence courts, recognising that this evidence base is diverse and emerging and diverse. It is less mature than for other types of specialist courts, including drug and/or alcohol courts.

There are some areas where the SSDFVCJR is leading practice, including the way it maximises opportunities to engage with clients, meets the needs of female respondents, works with respondents to protect the aggrieved and supports continuous quality improvement and innovation.

3.4.1 MAXIMISING OPPORTUNITIES TO ENGAGE WITH CLIENTS

All the justice response stakeholders, including the Specialist DFV Registry, have developed processes to take every opportunity in the court process to effectively engage all parties involved in domestic and family violence matters.

The opportunities to engage with clients are enhanced because the support services are co-located within the Southport Magistrates Court building. Women who choose to use the safe room are exposed to the DVPC staff and, although they may not engage with support, they become aware that support is available. The physical design of the court, which offers an alternative entry or exit from the court room via the safe room, means that women who did not access the safe room prior to their appearance in the court room can be discreetly directed towards it afterwards.

Stakeholders described how the women's advocacy and support services and safe room make an enormous difference to the court experience for women. They noted that for some women, the safe room is a rare chance to be physically separated from the respondent and, therefore, is a rare opportunity for staff to understand the woman's needs and develop an appropriate response.

The general waiting area, used mostly by men attending court, is adjacent to multiple smaller meeting rooms which are used flexibly to offer a private space for consulting with duty lawyers, as safe spaces for men who may be feeling unsafe or who are in heightened emotional states. The presence of Centacare's skilled DFV social worker also means that 'brief interventions' as well as referrals can be offered to men as part of their court experience.

Opportunities to provide specialised services to men also provide opportunities to encourage men to engage with the service system, address underlying issues, and create potential for behaviour change and improved safety for victims.

3.4.2 SPECIALIST COURT COORDINATOR ROLE ENSURES SMOOTH FUNCTION

A best practice feature described extensively in the literature is the importance of creating effective links with other key domestic and family violence services and using a designated domestic and family violence court coordinator to forge those linkages. As described in the literature, domestic and family violence court coordinators act as a central hub within a 'wheel' of key stakeholders, which includes court personnel, service providers, aggrieved people, and respondents, with the coordinators collecting and sharing relevant and

necessary information with relevant stakeholders.⁵⁵ Using a designated staff member to coordinate services is supported in the good practice literature. Research found that aggrieved people viewed this positively, as it supports them to understand their journey through the courts from start to finish.⁵⁶ The literature also shows that using a coordinator helps aggrieved people to access services more promptly, and achieve better outcomes associated with more effective information sharing between courts and service providers.⁵⁷

In the Southport SDFVCJR, the Court Coordinator is responsible for establishing and maintaining relationships with and between key stakeholders. Coordinators have a lead role in local service delivery and day to day court operations but do not get involved in the details of matters before the court in the same manner as suggested above. Their role is to support the integrity of the model and identify opportunities to innovate. They also act as an intermediary, managing relationships within Courts (i.e., between the general registry and the specialist registry and with DJAG policy staff and more senior organisational leaders). The Court Coordinator role also assists in maintaining a work culture across all agencies that values positive communication and ensures that issues are raised and dealt with in a professional and mutually respectful way. An effective Court Coordinator can trouble shoot issues early so that they do not escalate and works with stakeholders on issues as they arise.

The Court Coordinator also has responsibility for stakeholder coordination, including chairing the OWG and ensuring the forum is fostering continuous improvement in service delivery and supporting the development and formalisation of new procedures. The Court Coordinator is the expert on the operation of the specialist DFV court justice response model and works closely with the Deputy Registrar of the specialist DFV registry who is the expert in the operational aspects of the registry. The Court Coordinator is a key point of contact between stakeholders and the key conduit between the OWG and the CWG. The Court Coordinator also has a role in implementing and maintaining data collection processes for the purposes of reporting, monitoring, and evaluating the operation of the Specialist DFV court.

More recently, the Court Coordinator has been instrumental in re-establishing connections with Kalwun, a local Aboriginal and Torres Strait Islander service provider, and facilitating their connection into the OWG. In addition, the Court Coordinator has taken responsibility for developing tools for new magistrates including a magistrates' manual. Under the current model for the more frequent rotation of magistrates, the role of the Court Coordinator in offering continuity in the model is particularly critical.

3.4.3 PRIORITISING VICTIM SAFETY

All agencies involved in the SSDFVCJR give clear priority to victim safety. This means that aggrieved parties are listened to attentively and that their perceptions of what will be riskiest

⁵⁵ Hill, N. R., & Kleist, D. M. (2008). *Evaluation of the Idaho Supreme Court OVW grant to encourage arrest policies and enforcement of protection orders*. https://isc.idaho.gov/dv_courts/6th_7th_Dist_Evaluation.pdf

⁵⁶ Hill, N. R., & Kleist, D. M. (2008). *Evaluation of the Idaho Supreme Court OVW grant to encourage arrest policies and enforcement of protection orders*. https://isc.idaho.gov/dv_courts/6th_7th_Dist_Evaluation.pdf

⁵⁷ Hill, N. R., & Kleist, D. M. (2008). *Evaluation of the Idaho Supreme Court OVW grant to encourage arrest policies and enforcement of protection orders*. https://isc.idaho.gov/dv_courts/6th_7th_Dist_Evaluation.pdf

for themselves are carefully considered in the advice given to them by the support and advocacy services. In some instances, this might include supporting a person's decision to withdraw an application but providing some safety planning advice to support them via other means than through a court order.

We have also observed a slight increase in the proportion of consent orders without admission over the evaluation period at Southport Magistrates Court and Caboolture Magistrate Court (See Figure 11 in Section 3.2.2), although the frequency of use tended to be higher for both SSDFVC and Cleveland Magistrates Court. Considering the potential positive or negative implications for safety of the aggrieved, the evaluation suggests the incidence of orders by consent without admission is further monitored.

Protection orders made at Southport were less likely to have ouster conditions than protection orders made at the comparison courts (see Table 8).

TABLE 8. THE NUMBER AND PROPORTION OF DOMESTIC VIOLENCE ORDERS WITH OUSTER CONDITIONS, ACROSS THE COURTS

Order condition type	Southport		Caboolture		Cleveland	
	N	%	N	%	N	%
Ouster condition	2,893	23%	1,847	44%	1,150	40%
Ouster condition - other	897	7%	247	6%	607	21%
Ouster condition - police	193	2%	29	1%	230	8%
Named person - ouster	145	1%	428	10%	59	2%
Ouster condition - return	117	1%	36	1%	0	0%
Total	12,589	100%	4,212	100%	2,844	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

Stakeholders advised that this may be due to the nuanced understanding of the specialist court staff of the risks associated with ouster orders but needs to be contextualised against the range of available alternatives (such as emergency accommodation for aggrieved parties) in different locations. In Cleveland and Caboolture, ouster orders may be being used at a higher rate because there are fewer alternatives available in those locations than at Southport. Further analysis of this trend is beyond the scope of this evaluation; however, some additional research may help to understand the particular strengths and challenges of the broader social support systems in the various court locations as well as mechanisms for effectively connecting clients of the court with the relevant services.

The qualitative data collected through interviews with women indicated that they felt supported to make their own decisions, and that they felt safer because of their court experience.

The support services have adapted their practices to better meet the needs of clients. For example, the role of duty lawyers at the Southport SDFVCJR has evolved from the original 'advice only' model, to advice and in-court representation; conferencing in criminal proceedings to support the early resolution of matters; and opportunities for duty lawyers and prosecutors to engage in a more coordinated way outside the courtroom, that ensures only issues that are still contentious are dealt with by the magistrate. The duty lawyers are also well placed to identify related issues, such as family law issues and make appropriate referrals for parties to obtain specialised advice and assistance.

3.4.4 KEEPING VICTIMS SAFE BY SUPPORTING PERPETRATOR ACCOUNTABILITY

Many stakeholders described an evolution in their understanding—and hence their practice—about the relationship between perpetrator accountability and victim safety. This is consistent with the evidence base, which shows that services for women alone are inadequate to break the cycles of gendered abuse (See Appendix 3). Services which assist perpetrators to better understand their abusive behaviours, and which seek to support them to reform their attitudes and behaviours were understood to be more likely to be effective than punitive measures alone. The approach of Queensland Corrective Services at SSDFVC is to address the causes of offending and to reinforce the content of the men's behaviour change programs.

We note (and as discussed in Section 5.3), the approaches to support perpetrator accountability must be sensitive to the perpetrator's needs, including the cultural identity and the context of their offending.

3.4.5 SUPPORTING FEMALE PERPETRATORS

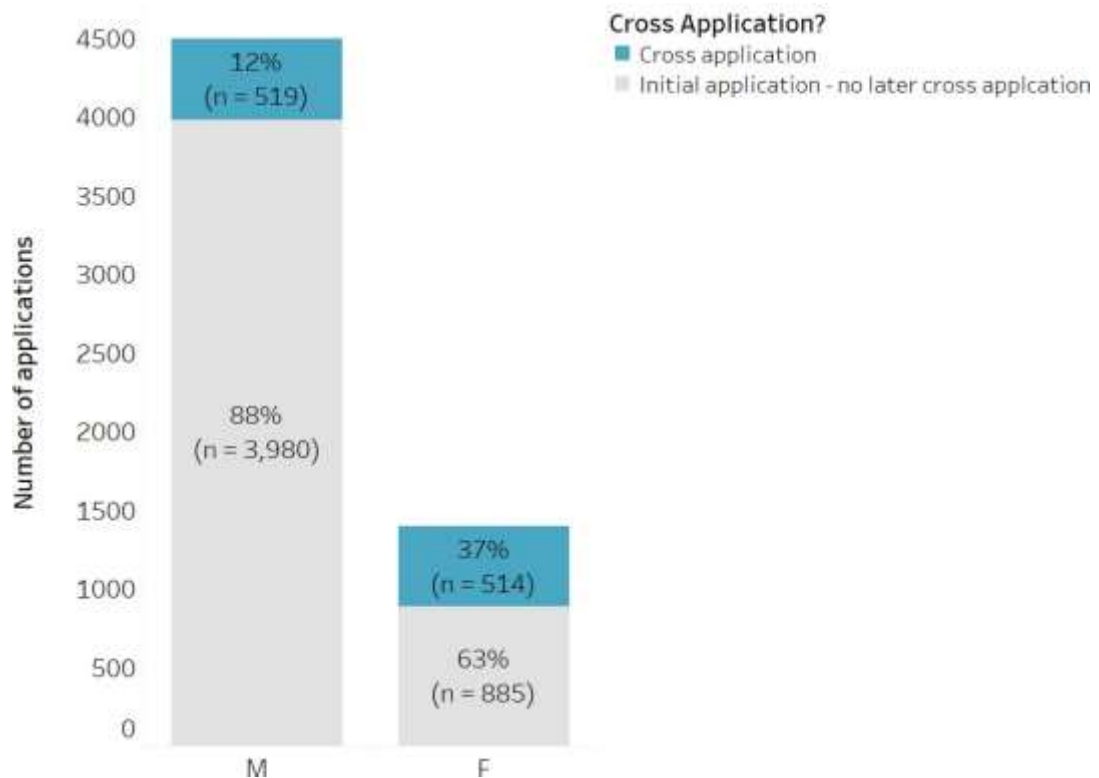
Although the proportion of respondents who are female is substantially less than the proportion who are male, the number of female respondents is sufficiently large for the SSDFVCJR to warrant tailored support provision. Most stakeholders believed that the processes and services available to female respondents through the SSDFVCJR are leading practice. Female respondents have access to a range of support services through the DVPC both at court and in the community including the DVPC *Turning Points* program (see section 4.4.3 for further detail).

Most stakeholders believed that the processes and services available to female respondents through the specialist court are sound and sufficiently tailored to their needs. Female respondents can access the services of the DVPC including the women's safe space, counselling, court support and in-court advocacy and legal advice/ representation.

Stakeholders noted the very high proportion of female respondents who are the subject of cross-applications. The overrepresentation of cross-applications with female respondents was observed in the QWIC applications data (Figure 16). More than one-third (37%) of initiating applications with a female respondent lodged at Southport were cross applications, with this pattern also found in the comparison courts (see Figure A1, Appendix 5). This is

consistent with the research literature, for example, a recent Australian Institute of Criminology study which found that half of the police-attended domestic violence incidents involving a female person of interest included in the study involved either self-defensive or retaliatory violence.⁵⁸

FIGURE 16. THE NUMBER AND PROPORTION OF APPLICATIONS WHERE THE RESPONDENT WAS INVOLVED IN A CROSS APPLICATION, BY RESPONDENT SEX AT SOUTHPORT SDFVC



Source: QWIC - Applications: 1/7/2017 to 31/3/2020. Note: Cross applications include applications that were an initiating application where a later cross application was made, cross applications made subsequent to an earlier initiating application, and contemporaneous cross applications. Only applications where the respondent and aggrieved were in a mixed-sex intimate personal relationship were included in this analysis.

QPS were less likely to lodge cross applications than private individuals at Southport and the comparison courts (Table 9). At Southport, QPS were less likely to lodge sequential cross applications than private individuals.

⁵⁸ Boxall H, Dowling C, Morgan A (2020) Female-perpetrated domestic violence: Prevalence of self-defensive and retaliatory violence. *Trends and Issues in Crime and Criminal Justice, No 584* (January 2020), Australian Institute of Criminology, Canberra. https://www.aic.gov.au/sites/default/files/2020-05/ti584_female_perpetrated_domestic_violence-v2.pdf

TABLE 9. THE NUMBER AND PROPORTION OF CROSS APPLICATIONS BY LODGEMENT AUTHORITY

Lodgement Authority	Cross Application?	Southport		Caboolture		Cleveland	
		N	%	N	%	N	%
Private individual	Initial application with no later cross application	1,585	79%	916	85%	541	83%
	Initiating application with a later cross application	131	7%	65	6%	43	7%
	Cross application - Subsequent application	279	14%	94	9%	71	11%
	Cross application - Contemporaneous	17	1%	4	0%	4	1%
	Total	2,001	100%	1,076	100%	654	100%
QPS	Initial application with no later cross application	5,062	87%	1,601	89%	1,058	85%
	Initiating application with a later cross application	360	6%	84	5%	70	6%
	Cross application - Subsequent application	230	4%	59	3%	44	4%
	Cross application - Contemporaneous	195	3%	70	4%	78	6%
	Total	5,835	100%	1,808	100%	1,248	100%
Total		7,836	100%	2,884	100%	1,902	100%

Source: QWIC - Applications: 1/7/2017 to 31/3/2020

3.5 IMPLICATIONS AND OPPORTUNITIES

Risk assessment. Common understanding and approach to assessing risks is critical to supporting victim safety. Although there is not a shared risk assessment tool for all stakeholders, there is very strong evidence that there is a common understanding of risk, and the Southport SDFVCJR is making regular and thorough assessments of an aggrieved person's risks. Formally documenting the risk assessment processes across all agencies working at the court would strengthen practice.

Listing matters. The Specialist DFV Registry has developed local guidelines for consideration to assist in determining when a matter should be listed noting that listing is a matter for the

magistrate. In some cases, the private applicant will express a preference for the matter to be listed on a particular day, and this will be considered. These guidelines could be used to form the basis of a template for similar guidelines for use in other specialist and non-specialist courts across the state.

Strengthen perpetrator accountability. There are opportunities to further develop the therapeutic jurisprudence framework for the SDFVCs to encourage engagement and drive participant accountability through ongoing judicial monitoring and therapeutic techniques. This could include a requirement for suitable respondents to make additional appearances during the term of their orders, however it is essential that this requirement does not contribute to re-victimisation. A detailed policy analysis of any transferability from other specialist court models would inform how this approach could be implemented.

DJAG should consider further investigating the efficacy of this approach and monitor the outcomes (in particular, the rate at which breaches occur) of orders consented to without admissions. It is also important to consider further investigating the efficacy of and monitoring the outcomes of orders consented to without admissions.

Further consideration is required of the effectiveness of behaviour change programs and their intersection with the Justice response in Queensland.

Information about available options and service supports to ensure perpetrator accountability. Collaboration and information sharing (where appropriate) across stakeholders may contribute to enhancing accountability and improving victim safety.

Providing information to court justice response stakeholders through the CWG and/or OWG about emerging trends in the police role in supporting private applications and providing relevant evidence to inform the court's decision. Further investigation of impact of the enhanced duty lawyer model and IO's on accountability, order compliance and improved victim safety may be warranted.

Data (such as is available in behaviour change program completion reports) relating to respondent participation and outcomes achieved needs to be effectively shared with relevant stakeholders to inform both future program design as well as ensuring all relevant information is available to assist the court with decision-making.

Role definition. There is an opportunity to develop the information on roles collected for the evaluation into a more comprehensive set of role descriptions for each agency stakeholder. It may also be useful to document the specialist elements of roles, such as working with respondents, responding to risk, and prioritising client safety. It could point to the relevant research and legislation underpinning the SDFVCJR, and approaches to supporting clients. This will ensure the ongoing strength and depth of the collaborative interagency working relationships. We note that work is currently underway through the Courts Innovation Program to develop DFV Court Guidelines which will capture many of the above-mentioned tasks.

Coordination. Having a designated role for coordination across all agencies involved in the Southport SDFVCJR strongly supports a culture of collaboration. This role is a keystone of the

Southport SDFVCJR and could be replicated in other specialist DFV courts and in courts with an enhanced duty lawyer service is available.

Ensuring data sharing. Feedback loops between the Court and men's behaviour change programs would allow providers to further tailor their responses to men who have failed to attend the program, and to manage any emerging risks.

Facilitated and formalised collaboration. The collaboration between the CWG and the OWG has resulted in practice improvements and innovations that have been shared across other specialist and non-specialist domestic and family violence courts across Queensland. Establishment of similar groups at more specialist and non-specialist courts across Queensland will support practice improvements in more locations across the state.

4. A SAFE, COORDINATED, RESPECTFUL AND FAIR COURT JUSTICE RESPONSE

This Chapter answers the key evaluation question about whether the Southport Specialist Domestic and Family Violence Court Justice Response is delivering:

- a safe environment (before, during and after court)
- a coordinated, respectful, and fair court process
- support and information for parties involved in domestic and family violence proceedings
- an effective interface with programs for perpetrators to address underlying factors contributing to DFV offending.

The available evidence indicates the Southport Specialist Domestic and Family Violence Court is fulfilling its purpose to ensure a coordinated, respectful, and fair response to domestic and family violence, which prioritises safety and holds perpetrators accountable.

4.1 A SAFE ENVIRONMENT

During interviews, stakeholders suggested that the physical layout of the court is fundamental to maintaining safety. The Southport SDFVC is located on the first floor of the Southport Magistrates Court. Clients access the specialist court by passing through general security on the ground floor and taking the stairs or lift to Level 1. When clients reach Level 1, they are greeted by specialist Court Network volunteers at reception, 'checked in' and directed to the relevant waiting area. During interviews, stakeholders described the specialist reception as the Court's 'eyes and ears', with its staff often the first to notice safety risks. Volunteers described how, by closely observing clients' behaviours, they can 'get a sense' of a client's level of agitation, aggression, or motivation. For example, a volunteer described how some respondents will attempt to distract the reception staff with conversation while trying to see whether the aggrieved has been checked in on the attendance register. To ensure safety, the attendance list is coded and when not being used it is kept out of sight.

Reception volunteers direct respondents to the waiting area outside the DFV court room, whereas aggrieved persons are directed to the Specialist DFV Registry. Aggrieved women (and sometimes respondent women, where the aggrieved is not also a woman) are offered the option of waiting in the safe room, where the duty lawyer and support worker are available. In some cases, such as when the respondent is part of a same-sex male couple, or when the respondent is displaying aggressive or other unsafe behaviours, male respondents are directed to wait in secure, private interview rooms. Similarly, a male aggrieved may be offered a private room.

Some specialist DFV court sites including Southport have been renovated to ensure the physical structures enhance the safety of the aggrieved. For example, aggrieved people and respondents can enter and leave the court through separate entrances to avoid any chance

of contact when arriving at or leaving the court. These physical modifications are not uniform across specialist and non-specialist courts, and an audit of the physical safety at Magistrates Courts across Queensland is important in identifying priority sites for additional investment. This activity is already underway.

In line with the Specialist DFV Registry manual, the Deputy Registrar may implement different safety mechanisms to eliminate any potential contact between the parties. Measures include ensuring alternate court entry and exits, requesting a police escort, or accompanying an aggrieved person from the court. During interviews DFV Registry staff described the 'creativity' sometimes required to maintain the safety of the aggrieved.

Some Specialist DFV Registry staff noted that although coming to court can be a safety risk for the aggrieved, with the security measures and wraparound support services in place, aggrieved people are often safer within the court than they are in the community.

4.2 COORDINATED, RESPECTFUL AND FAIR

4.2.1 CRITICAL ROLE OF THE SPECIALIST COURT COORDINATOR

The Southport SDFVCJR Court Coordinator is seen as essential to the justice response and efficiency of the court process. The role is a key point of contact between stakeholders, which creates both operational and strategic efficiencies. For example, the Court Coordinator contributed to developing the Specialist DFV Registry role for working with wraparound services to convey key risk information between partner agencies and orchestrating relevant security responses. The Court Coordinator is responsible for brokering solutions and facilitating conversations between stakeholders from partner agencies at the OWG and contributing to the development of systemic changes at the CWG level.

The critical role of the Court Coordinator was described in detail in Section 3.3.2.

4.2.2 RESPECTFUL

The qualitative data clearly shows that the Southport SDFVCJR is putting its clients—the aggrieved, respondents and their children—at the centre. This client focus is facilitated by an attitude of understanding and unconditional positive regard amongst staff members, who are united in their prioritisation of victim safety. This respect is particularly apparent in stakeholders' willingness to uphold clients' goals for their safety and their relationship.

They're all very friendly and professional and communicate and share information in a way that is respectful of my privacy. It is great that I don't have to repeat my story over and over." Interviewee 15, female

"They were good, they listened to me and when the whole process went on, they listened." Interviewee 6, male

4.2.3 FAIR

Procedural fairness is an underpinning principle of the Australian Judicial system and the SDFVC model. Appointed magistrates ensure judicial independence and procedural fairness of the court, and judicial continuity through dedicated magistrates in the SDFVC model contributes to client safety and perpetrator accountability. In turn, this will ensure civil and criminal justice responses will be tailored and appropriate for individual matters. Clients' court experience will be improved, and they will be engaged in the service system. The role of the magistrates is further discussed in Section 5.1.1.

Another way in which fairness is maintained as part of the SSDFCJR is by funding domestic and family violence duty lawyers. As discussed in Section 4.3.3, both aggrieved and respondents at Southport Magistrates Court were more likely to have legal representation at events relating to initiating applications than aggrieved and respondents at the two comparison courts.

4.3 SUPPORT AND INFORMATION

The SSDFVC is a hub for people experiencing domestic and family violence, providing seamless connection to a suite of specialist supports, including the domestic and family duty lawyer service (delivered by Legal Aid Queensland), the Court Advocacy Program for aggrieved clients (provided by DVPC) and court assistance (information and referral service) for respondents (provided by Centacare). Unlike other magistrates courts, these services are all co-located.

The Southport SDFVC operates each day of the week and ensures that social support services are available to both the aggrieved and the respondent appearing in both civil and criminal matters. This is different to other locations, where support services are available only on days when there is a domestic and family violence civil list.

While the social support services associated with the Southport SDFVCJR are available to all clients, we understand from our key stakeholder interviews that not all clients choose to engage with them. Our methods for recruiting interviewees, which were designed to ensure ethical practice, have meant that the qualitative data we have collected is from clients of the court who have engaged with support services. While client surveys were able to be completed by clients of the court who have not engaged with services at the court, responses from these clients were few. As such, the voices of clients of the court who choose not to engage with available services have not been highly visible to this evaluation.

Further, there are differences in the social support services available for women and men. Women (aggrieved, respondents, victims, defendants) are well served regardless of whether the matter for they are appearing at SSDFVC in relation to a civil or criminal matter. This is an important feature of the SDFVC model and may be useful to replicate at other non-specialist court locations.

Men (aggrieved and respondents) may have needs that would benefit from additional service support when appearing at SSDFVC in civil or criminal matters. There are opportunities to increase the support available, both in terms of its availability throughout the week, and in respect to particularly vulnerable cohorts, including men who receive ouster orders.

4.3.1 ASSISTANCE FOR WOMEN: COURT ADVOCACY PROGRAM

The Court Advocacy Program (CAP) is delivered by the Domestic Violence Prevention Centre and is designed to provide specialist wraparound support for women who are clients of the court. The program works with both aggrieved and respondent women, providing individual, tailored responses to the needs and goals identified by their clients. The program is provided in accordance with the *Practice Standards for Working with Women Affected by Domestic and Family Violence*⁵⁹, now replaced by the *Domestic and Family Violence Practice principles, standards and guidance*, in January 2021⁶⁰.

Women can be referred to the program by staff at reception, the Specialist DFV Registry, or by duty lawyers. Police attending DFV incidents can also refer women to the services provided by DVPC, including the CAP. This can occur concurrently with a Police Application for a protection order.

The CAP services include:

- risk assessments;
- safety planning, both at court and in the community;
- assistance to prepare domestic and family violence order applications, including variations to existing orders and information regarding interstate orders;
- explaining the conditions and enforcement of domestic violence orders and their implications;
- providing emotional support and advocacy, including attending court with clients;
- providing information and referral to other support services;
- liaising with court staff, police, police prosecution, duty lawyers and advocating on behalf of women;
- developing and promoting resources specifically designed for women to support their applications for protection orders and their understanding of court processes;
- assessing risk and safety planning, including information about how and when the court may be safely entered and exited, and the extent and limitation to the support that can be offered by court security;
- support considerations and protocols before, during and after court; and
- seeking meaningful feedback from, and participation by, women in service planning, design, and evaluation.

⁵⁹ Department of Families. (2002). *Practice standards for working with women affected by domestic and family violence*. <https://www.publications.qld.gov.au/dataset/domestic-and-family-violence-resources/resource/117eea90-7a83-4abf-aa43-c0d9716c0f8c>

⁶⁰ Department of Justice and Attorney General (2021). *Practice principles, standards and guidance*. <https://www.publications.qld.gov.au/dataset/dopolicy-assistance-and-family-violence-resources/resource/e75875e0-50a9-4fa2-acde-121dc4a3a804>

CAP staff interviewed shared a clear vision of their role in supporting women to meet the goals that they set for themselves. All other stakeholders who work with aggrieved parties believed that the colocation and quality of the CAP service provided by the DVPC was a major factor supporting the effectiveness of the Southport SDFVCJR.

DVPC provided data to the review for the period between July 1 July 2017 and 31 December 2019. During this period, the CAP had contact with 3,049 distinct individuals and had 6,812 face to face contacts and 3,164 telephone contacts⁶¹. The Live List data shows that on average the CAP is assisting 10 women each day during court operations.

4.3.2 ASSISTANCE FOR MEN: COURT ASSISTANCE FOR RESPONDENTS

The Centacare Family and Relationship Service (Centacare) is funded to provide a men's behaviour change program to male respondents (where appropriate). Associated with this, as part of the Southport SDFVCJR a male Centacare support worker is available to men in the Level 1 waiting room four days per week (Monday to Thursday). It is not available on Fridays, when the criminal list operates. This may mean some male respondents (who do not also have to attend court for civil matters) may not receive in-person support, though there is contact information for the Centacare service available for male respondents who attend on Fridays.

When Centacare's court support service was initially established, it was planned that this would be delivered by trained volunteers. However, it quickly became evident that the skills and expertise necessary required a specialist DFV social worker. The support at court involves helping men manage their emotions in that moment and attempting to deescalate situations where men are highly distressed or angry. It requires skills in identifying risks and quickly assessing who might need attention most urgently. In this work, the staff are drawing on their thorough knowledge of DFV as well as the court processes to provide efficient assistance.

The service provides referral, information and brief intervention supports.⁶² Although they are working to short timeframes, the Centacare staff we spoke to noted they draw on case work approaches, including strategies for engaging with men with drug and alcohol addiction or mental health problems.

Centacare staff recognised that the work required a well-informed attitude on the part of workers to build rapport with men and provide them with a sense of trust and support without colluding or justifying abusive behaviour. Staff need an excellent grasp of the DFV legal processes so that they can quickly understand what stage of the legal process the male they are supporting is at and then offer appropriate guidance or referral. Centacare staff believed that they have an important role in guiding men to see a duty lawyer and explaining

⁶¹ Contact report for DVPC-Southport for period 01/07/2017 to 31/12/2019, supplied to ARTD by DVPC

⁶² In other Magistrates Courts in Queensland, Centacare delivers a standalone court support program for women and men, which offers similar supports and services to DVPC's Court Advocacy Program.

the importance of having legal support. Similarly, staff noted that duty lawyers will refer clients to them for support.

The demand for the Centacare service currently exceeds its capacity. The SSDFVC hears an average of 44 matters per day⁶³. 42% (see Table 4) of respondents appear in person in the court room (approximately 18 men on average). However, analysis of the Live List data (10 August 2020–28 January 2021) shows only four men per day are seen by the Centacare worker on average (see Appendix 5, Table A24).

Within the broader additional needs of men at the court, Centacare staff were concerned that men who receive ouster orders are particularly vulnerable, posing risks to themselves, the aggrieved and the community. Centacare can refer these men to the homelessness hub but are not resourced to be able to follow up with these men once they have left the court building.

The Centacare staff also noted that there is no organisation funded specifically to support the male aggrieved, but that they do 'brief interventions' with men at court and refer wherever possible, noting the limited specific services available.

Men (aggrieved and respondents) may have needs that would benefit from additional service support when appearing at SSDFVC in civil or criminal matters. There are opportunities to increase the support available, both in terms of its availability throughout the week, and in respect to particularly vulnerable cohorts, including men who receive ouster orders.

4.3.3 DOMESTIC AND FAMILY VIOLENCE DUTY LAWYER SERVICE

Legal Aid Queensland provides a domestic and family violence duty lawyer service at selected courts throughout Queensland. This is to help people appearing in court to apply for, or respond to, a domestic violence protection order. The scope of the domestic and family violence duty lawyers' practice and availability depends on the court's location and operating model. For example, the domestic violence duty lawyer service at the Caboolture Magistrates Court is a gendered service (i.e., different lawyers for men and for women), which commenced in March 2015 as an enhanced service model, providing specialist advice and representation in the civil jurisdiction. By contrast, the Domestic Violence Duty Lawyer services at Cleveland Magistrates Court started in April 2019 and is a standard service providing advice only.

Under the SDFVCJR model, the duty lawyer service at Southport is available every day of the week for aggrieved and respondent parties appearing in civil matters. This service allows domestic and family violence duty lawyers to provide legal advice and support to parties before, during or after their court appearance. It also allows the duty lawyers to appear in the courtroom on behalf of any aggrieved or respondent seeking representation for mentions in the civil and criminal court. A person can seek a grant of aid for legal representation for a

⁶³ From Live List Data (10 August 2020 to 28 January 2021)

hearing where the matter is contested and cannot be resolved by consent. This service is means tested.

The domestic and family duty lawyer service is led by Legal Aid Queensland practitioners. Legal Aid Queensland has a preferred supplier relationship with organisations including the Women's Legal Service and Gold Coast Community Legal Centre, and with other local firms contracted by LAQ to provide support on a rostered basis.

Duty lawyers offer free advice and information about legal matters, discussing clients' individual situations and the options available to them. They can explain to parties what will happen in court and negotiate on the client's behalf with the other party and their duty lawyer or appointed solicitor. Duty lawyers can also speak with Police prosecutors on behalf of their clients. Where it is appropriate, duty lawyers also provide advice on family law or other relevant legal matters. For more complex matters, the duty lawyers can make relevant referrals with the client's consent to other appropriate services, including the Aboriginal and Torres Strait Islander Legal Service (ATSILS) or the Family Relationship Centre.

Both aggrieved and respondents at Southport Magistrates Court were more likely to have legal representation (from a duty lawyer, a private lawyer or through ATSILS) at events relating to initiating applications where the parties appeared than aggrieved and respondents at the two comparison courts (Table 10).

TABLE 10. THE NUMBER AND PROPORTION OF EVENTS ATTENDED BY AGGRIEVED AND RESPONDENTS BY LEGAL REPRESENTATION TYPE

		Southport		Caboolture		Cleveland	
	Legal Rep Type	N	%	N	%	N	%
Aggrieved	Legal Rep	6,331	82%	1,251	46%	689	40%
	No legal rep. & self-represented	1,434	18%	1,442	54%	1,013	60%
	Total	7,764	100%	2,693	100%	1,702	100%
Respondent	Legal Rep	7,774	84%	1,443	59%	522	31%
	No legal rep. & self-represented	1,460	16%	1,001	41%	1,161	69%
	Total	9,234	100%	2,444	100%	1,683	100%

Source: QWIC - Applications: 1/7/2017 to 31/3/2020

Note: Includes events where parties appeared in person, by telephone, or by video link. Legal representation is not broken down by type. No legal representation and self-represented types of legal representation have been aggregated for this analysis, due to likely inconsistencies in the application of these two categories in data

Live List data indicates that, on average, the duty lawyers assist 13 aggrieved and 13 respondent clients each day (Table 11). That is, on average three-quarters (72%) of the aggrieved and two-thirds (65%) of the respondents who attend court daily can be assisted by a specialist duty lawyer.

TABLE 11. USE OF THE DOMESTIC VIOLENCE DUTY LAWYER SERVICE AT THE SOUTHPORT SDFVC

Duty lawyer use	Daily average number assisted	Average as a proportion of daily clients attending court
Aggrieved clients	13	72%
Respondent clients	13	65%
Total	26	

Source: Southport SDFVC Live List Data 10 August 2020 to 28 January 2021

EXTENT OF SUPPORT

In line with the specialist court model and the higher volume of matters at the SDFVC, the hours of support provided by civil domestic and family violence duty lawyers is considerably higher than at the comparison courts (Table 12). Most (98%) of the domestic violence duty lawyer role in the civil jurisdiction at Southport is performed by subcontracted legal practitioners. The volume of work at the SSDFVC does not appear to affect the amount of time being provided for each matter.

TABLE 12. TOTAL HOURS OF SUPPORT PROVIDED BY CIVIL DOMESTIC VIOLENCE DUTY LAWYER SERVICE

Court	Civil DV Duty Lawyer hours	Civil DV duty lawyer (In house only) hours	Civil DV duty lawyer average minutes per client (average time per matter)
Southport	13,343	248	56.4
Caboolture	2,620	8	59.6
Cleveland	492	216	47.5

Source: LAQ Duty Lawyer Data - Southport DFV Court Evaluation: 4/07/2017 to 12/03/2020

Note: Average time per matter may include multiple sessions of support.

In addition to providing advice and representation, duty lawyers are an important part of the integrated response to DFV, referring their clients to other human services supports. Considering the different workloads of the SSDFVC and comparison courts, the number of referrals duty lawyers make at all locations is substantial (Table 13).

TABLE 13. NUMBER OF REFERRALS TO SUPPORT SERVICES MADE BY CIVIL DOMESTIC AND FAMILY VIOLENCE DUTY LAWYERS AND CRIMINAL DOMESTIC AND FAMILY VIOLENCE DUTY LAWYERS

Court	DV referrals	Assoc. Family Referrals	Other Referrals
Southport	2,980	654	77
Caboolture	783	401	24
Cleveland	137	79	17

Source: LAQ Duty Lawyer Data - Southport DFV Court Evaluation: 4/07/2017 to 12/03/2020

All 17 clients of the court we interviewed had received support from a duty lawyer on at least one occasion, indicating that our interviewees received a relatively high level of service at court. Although people's experiences varied, most interviewees (n=14) reported a very positive experience.

"The duty lawyer was helpful. I didn't know what to expect. She sat me down and explained what was going to happen and it put me at ease. I went in feeling very ashamed and embarrassed, but their professionalism took away the embarrassment."
[Interviewee 12, male]

"I felt confident and safe with this last duty lawyer I saw." [Interviewee 16, female]

Some interviewees (n=4) were positive about seeing the same duty lawyer across a series of court appearances for the same matter, whereas others (n=3) were frustrated because they had different duty lawyers at each appearance. One aggrieved woman wrote on the survey that having a small pool of duty lawyers sometimes created a conflict of interest when the available lawyers had already met with the other party.

4.4 AN EFFECTIVE INTERFACE WITH BEHAVIOUR CHANGE PROGRAMS

4.4.1 MEN'S BEHAVIOUR CHANGE PROGRAM

Centacare is funded to deliver the Men's Behaviour Change Program (MBCP) to respondents who are willing to engage with it, including by agreeing to an intervention order. It is designed to help men to stop engaging in abuse and violence and to develop and maintain non-violent and respectful relationships. The Men's Behaviour Change program is delivered to a cohort of up to 16 men in weekly, two-hour sessions over 16 weeks. Men are required to attend every session to be marked as having completed it. Where more than two sessions are missed without explanation, an intervention order is deemed to have been breached and Centacare will inform the courts that this has occurred.

The program is co-facilitated by a male and a female worker who assist to guide and moderate the discussions taking place during the sessions. There are also women's advocates associated with the program, whose responsibility it is to connect with the

partners of respondents. It is a requirement of men's participation that they agree to having their partner or ex-partner contacted by the women's advocate. The initial assessment conducted with women is an opportunity for rapport building as well as domestic and family violence risk assessment. The advocates will assess risk, support women to develop safety plans and connect women with relevant supports. Centacare staff indicated that some women aggrieved are not interested in participating as they are keen to move on with their lives. However, where they are still co-habiting with the respondent or have on-going co-parenting responsibilities, women appreciate being updated.

The MBCP covers a range of topics, including:

- understanding domestic violence and the use of power and control in relationships
- understanding attitudes, thoughts, and feelings
- time-out strategies
- understanding and respecting boundaries
- understanding thoughts and emotions
- the impact and consequences of abusive behaviour on families
- developing constructive communication
- understanding the cycle and processes of abuse/ violence
- being accountable for actions; and
- maintaining the change process to establish and maintain respectful, caring, and non-violent relationships.

The program has been adapted over time to maximise men's engagement, with the focus of early sessions being on developing rapport. This is quickly followed by providing men with strategies to recognise when they are in an elevated state and learning how to regulate their emotions and respond more rationally.

The best practice evidence base indicates that group programs allow men to create therapeutic alliances with one another.⁶⁴ This dynamic has been observed by Centacare staff, who note that men are learning alongside and from one another. This assists with creating a non-confrontational environment which invites men to explore multiple and contradictory stories with each other. Centacare has received feedback from participants that they appreciate coming together with other men. While the research is equivocal on the success and impact of programs, Centacare also noted that with 16 men in each group, there is an extent to which the program is designed so that participants may hold one another to account.

All the Southport SDFVCJR stakeholders can refer men to the Centacare program. While the program is voluntary, the magistrate may tell respondents from the bench about the program, and suggest they consider participating in it. During interviews, the duty lawyers

⁶⁴ ANROWS (Australia's National Research Organisation for Women's Safety) (2019) *Engaging men who use violence: Research Report* [online document], ANROWS, Accessed 16 April 2021.

noted they are particularly diligent in referring men who indicate their willingness to engage with the MBCP.

To maximise accessibility, there are groups available on every weekday. Some of these sessions are run during the day, while others are delivered after hours. All participants begin the program at the same time. Centacare has explored the idea of rolling delivery but in their experience, this compromises outcomes. With a fluctuating cohort of participants, who are at different stages of their journey to accountability, the potency of the program is diluted, and it is difficult for group norms to develop.

Centacare receives the application forms and the orders from the court when men are referred to ensure they are well informed about the types of violence the men have been engaging in. This allows Centacare to manage any emerging risks.

Each session of the MBCP has a feedback component and men or Centacare staff can request follow-up if the participant needs additional support. Sometimes men drop out of the group and instead do individual sessions. They may be reintroduced to the group later if appropriate.

Men participating in the program do mid-term and exit evaluations that aim to assess risk, and changes in attitude or behaviour. Centacare developed and ran a maintenance program, which provided 10 additional sessions, as a response to demand from participants. Participation in the maintenance program was entirely voluntary. The experience of the Centacare facilitators was that where participation was completely voluntary, attendance was much poorer than when intervention orders were in place. As a result, the Maintenance Program was ceased due to poor attendance rates.

The facilitators of the MBCP will often refer men to other programs offered by a range of different service providers as relevant, particularly parenting programs offered by Centacare such as *Keeping Kids in Mind*, *123 Magic* or the *Caring Dad's* program.

CATERING FOR DIVERSITY

Where men have certain needs or cannot participate in the MBCP group sessions because of their work commitments, they can have one-on-one sessions with one of the facilitators. This approach is sometimes taken for Culturally and Linguistically Diverse (CALD) men where language is a barrier. It has also been taken for police officers, because other men can find it uncomfortable to have a police officer in the room and it may give mixed messages about the role of police in intervening in DFV incidents. Men who identify as being part of the LGBTIQ+ community are given a choice about group participation, with some men comfortable to participate in the group and others preferring individual counselling.

The MBCP staff had not had any transgender clients at the time of their interview. However, the facilitators suggested that these clients could be accommodated for in a similar way, by offering an option of individual counselling.

GAPS IN THE SERVICE SYSTEM

Historically, across Australia, behaviour change programs have operated within very limiting funding constraints. Investments in behaviour change programs and associated studies of their effectiveness is a sensitive issue in a fixed resource environment, where directing funding towards these programs and studies can limit investment in keeping women safe, with dire consequences.⁶⁵

Despite this, expectations about the desired impact of these programs are often very high. The outcomes most often used to measure the effectiveness of these programs are reductions in recidivism or reoffending, which can be extremely difficult to attribute to the perpetrator program intervention, especially when these are a part of an integrated response system.⁶⁶ As a result, the growing number of studies of behaviour change programs provide mixed evidence of program success.⁶⁷

While all stakeholders talked about the importance of behaviour change programs as contributing to accountability, they also voiced concerns about the limited availability of these programs and other supports for respondents. All stakeholders raised the need for more of these services and programs to reduce waiting times and improve men's engagement with them. The literature points to the need for programs specifically for Indigenous perpetrators, which acknowledge the different causes of family violence in Indigenous communities. Such causes include loss of culture and kinship relations, the impact of colonialism and entrenched poverty. Some mainstream programs are specifically tailored to and run with local Indigenous communities (see Appendix 3).⁶⁸

Stakeholders also noted the opportunity to develop different kinds of interventions which can be delivered to men who are waiting to commence the MBCP so as to respond in a timelier manner to engage men when their sentiments of remorse are at their peak, often at the time of their appearance at court.

Stakeholders from Centacare and other agencies noted that there are very few services available for young perpetrators where their parents or other family members are the aggrieved. Stakeholders were also concerned that adolescents perpetrating DFV in intimate partner relationships required interventions tailored to their individual needs.

Stakeholders also noted the high degree of concurrence of DFV with drug and alcohol misuse and noted that more support services for clients to manage addictions are needed.

⁶⁶ Mackay, E., Gibson, A., Lam, H., & Beecham, D. (2015). *Perpetrator interventions in Australia: Part one – Literature review* (ANROWS Landscapes, PP01/2015). <https://20ian81kynqg38bl3l3eh8bf-wpengine.netdna-ssl.com/wp-content/uploads/2019/02/Landscapes-Perpetrators-Part-ONE.pdf>

⁶⁷ Vlasis R, Ridley S, Green D and Chung D (2017) *Family and Domestic Violence Perpetrator Programs: Issues Paper of Current and Emerging Trends, Developments and Expectations*, Stopping Family Violence Inc.

⁶⁸ Marchetti, E., & Daly, K. (2017). Indigenous partner violence, Indigenous sentencing courts, and pathways to desistance. *Violence against women*, 23(12), 1513-1535. <https://doi.org/10.1177%2F1077801216662341>

RECONCEPTUALISING PERPETRATOR ACCOUNTABILITY AND SUPPORT TO MAINTAIN VICTIMS' SAFETY

Staff and stakeholders whose work is primarily with perpetrators, articulated compassion for their clients, in terms of understanding that many of them were perpetuating patterns they learned throughout their own childhoods and that many had a very poor understanding of the patterns and behaviours that constitute DFV. As such, they also understood that breaking the cycle of violence required some substantial shifts in attitude for these individuals.

Many stakeholders noted their thinking about the 'right' way to achieve perpetrator accountability has shifted. Stakeholders reflected the understanding that intervention and support services for men are a critical factor in improving women's safety. This is consistent with the knowledge that services for women alone are inadequate to break the cycles of gendered abuse or keep women safe. Services which assist men to better understand their abusive behaviours, monitor risk and which seek to support them to reform their attitudes and behaviours, were understood to be more likely to be effective than punitive measures alone. This needs to occur without colluding or justifying abusive behaviour or minimising the seriousness of the abusive and violent behaviour and the impact on the aggrieved.

Stakeholders identified differences between the services available to women and those available to men and potential issues with this. For example, the safe room space available to women and their children is very highly valued and is seen as a critical component of the justice response because women may be unsafe in the court precinct if the respondent or their associates are also present at court. There is no designated safe room for male respondents or aggrieved parties. Stakeholders identified this has meant a lack of privacy for male respondents and aggrieved parties and indicated this may be an impediment to service provision. Private interview rooms can currently be arranged for men on request. However, for most men attending the court, the space available to them is not private. Although the duty lawyer services available are good, several stakeholders interviewed felt that the difference in service, often perceived as a disparity, was immediately evident to men entering the specialist court because of the space and design of the spaces provided for women compared with those available to men.

4.4.2 MEN'S DOMESTIC VIOLENCE EDUCATION AND INTERVENTION PROGRAM (MDVEIP)

The Domestic Violence Prevention Centre is working with Queensland Corrective Services through the Domestic Violence Integrated Response to deliver the Men's Domestic Violence Education and Intervention Program (MDVEIP). The program facilitated by DVPC, supports perpetrator accountability but also prioritises safety. Specifically, the program prioritises the safety of victims of offenders charged with criminal offences related to DFV who have been placed on an order supervised by Queensland Corrective Services. The DVPC has ongoing contact with the female partners of participants, through telephone contact, counselling, and information sessions.

The MDVEIP program is designed to support perpetrators to stop their use of violence by assisting them to understand its causes, and by stimulating the perpetrator's willingness to change (Table 14). It is a 'rolling' program, delivered over 27 weeks. Each session is 90 minutes long and participants accrue 40.5 hours of contact across the program. Men are asked to complete a 60-minute induction session with both the Queensland Corrective Services officers and group facilitators before joining the program. Often, this is done as a group session with several new participants together. Across the program, participants also do at least three review sessions (approximately 30 minutes) one-on-one with a facilitator.

TABLE 14. HOW THE MEN'S DOMESTIC VIOLENCE EDUCATION AND INTERVENTION PROGRAM SUPPORTS PERPETRATOR ACCOUNTABILITY

Intended outcome	How the program will achieve the outcome
Assisting men to understand their acts of violence as a means of controlling the aggrieved person's actions, thoughts, and feelings.	Examining the intent of his acts of abuse, and the belief systems from which he operates.
Increasing the participant's willingness to change his actions.	Examining the negative effects of his behaviour on his relationships, his partner, his children, his friends, and himself.
Increasing the participant's understanding of the causes of his violence.	Examining the cultural and social contexts in which he uses violence against his partner.
Providing the participant with practical information on how to change abusive behaviour.	Exploring non-controlling and non-violent ways of relating to women.
Encouraging the participant to become accountable to those he has hurt through his use of violence.	Encouraging men to acknowledge their abuse and accept responsibility for its impact on their partner and others.

Some men enter the program voluntarily, through being granted an intervention order through the civil process at Southport SDFVC. For an intervention order to be granted, there must be a current domestic violence order against the respondent. For other men, participation is mandatory and is ordered by the court when a man has been convicted of a breach of a domestic violence protection order or for other domestic violence-related criminal offences. Participation in, and completion of, the program is set down as a condition of the defendant's orders. Men are required to attend all sessions to complete the program.

While Queensland Corrective Services provided a quantitative dataset extracted from IOMS, which included participation of offenders in the MDVEIP, we have been advised that the data quality is not sufficient to be reported on.

4.4.3 BEHAVIOUR CHANGE PROGRAM FOR FEMALE RESPONDENTS - TURNING POINTS

The *Turning Points* program is designed for female respondents and is facilitated by staff from the Domestic Violence Prevention Centre. The purpose of the program is to help women understand the violence that they experience and use and take concrete steps to end it. The *Turning Points* curriculum has three parts. The first focuses on understanding the violence, the second focuses on using a log to analyse vignettes and stories, and the third part explores themes in women's lives through group exercises.⁶⁹

The program normally runs for 12-weeks, but DVPC has condensed it to ten weeks to align with school terms. Each of the sessions is between two and two-and-a-half hours long.⁷⁰ Unlike the MDVEIP, women are not required to complete all the sessions to be recognised as having completed it. DVPC provides women with an attendance report that can be tendered to the court, and the magistrate may consider this as part of a matter's progress.

4.5 IMPLICATIONS AND OPPORTUNITIES

Safe environment. The design of the physical space at the Southport SDFVC, including the separation of the aggrieved and respondents before, during and after matters are heard in court, as well as the presence of security contributes to clients feeling safe at court. An audit of the physical safety at Magistrates Courts across Queensland could assist in identifying priority sites for additional investment.

Specialist support available every day. Women (aggrieved, respondents, defendants, perpetrators and victims) are well served regardless of whether they are appearing at SSDFVC in relation to a civil or criminal matter. This is an important feature of the SDFVC model and may be useful to replicate at other non-specialist court locations. Men (aggrieved and respondents) may have needs that would benefit from additional specialist service support when appearing at SSDFVC in civil or criminal matters. There are opportunities to increase the support available, in terms of its scope, availability throughout the week, and in respect to particularly vulnerable cohorts, including men who receive ouster orders.

Availability of behaviour change programs. Increasing the availability of these services and programs will reduce waiting times. The potential benefits of Intervention orders and other specialist men's services in supporting safety for women is an important consideration. Additional programs could be developed to better meet the needs of particular groups, for example, for Aboriginal and Torres Strait Islander perpetrators and adolescent perpetrators. There is also scope for developing additional types of interventions which can engage men who are waiting to commence a behaviour change program.

⁶⁹ Pence, E., Connelly, L., & Scaia, M. (2011). *Turning points: A non-violence curriculum for women*. Domestic Violence Turning Points. <https://www.theduluthmodel.org/wp-content/uploads/2017/03/Turning-Points-Curricula-for-Women-Who-Use-Violence-Preview.pdf>

⁷⁰ All group programs were suspended during COVID-19 social distancing requirements. Women were participating in one on one counselling during this time instead.

5. THE SOUTHPORT SPECIALIST DOMESTIC AND FAMILY VIOLENCE COURT

This Chapter answers the key evaluation question about whether the Southport Specialist Domestic and Family Violence Court is:

- well informed
- timely
- inclusive
- client centric
- collaborative
- consistent
- accessible
- integrated

The available evidence indicates the SSDFVC is centred around clients' need, providing a well-informed, timely and inclusive response to domestic and family violence. As an integrated court justice response, the SSDFVC take a consistent approach to maintaining victim safety and perpetrator accountability.

5.1 WELL INFORMED

The Southport SDFVCJR is delivered in line with a therapeutic jurisprudence approach, which emphasises the importance of trained, specialist staff. In Southport, the SDFVCJR is made up of a range of specialist staff and partners, including:

- Dedicated Magistrates
- Dedicated DFV Registry
- Specialist DFV Court Coordinator
- Specialist DFV Support services
- Specialist Police prosecutors
- Specialist Duty Lawyers
- Dedicated specialist case managers, Queensland Corrective Services
- Gold Coast Domestic and Family Violence Taskforce; and
- Operational Working Group.

Throughout interviews, and consistent with the best practice evidence base, stakeholders indicated a clear understanding of their role and its articulation with others at the court.⁷¹ The SSDFVC partners in the court justice response, their roles, the intended benefits and what we perceive to be the actual benefits of the partnerships are included in Table 15.

⁷¹ Department of Families. (2002). *Practice standards for working with women affected by domestic and family violence*. <https://www.publications.qld.gov.au/dataset/domestic-and-family-violence-resources/resource/117eea90-7a83-4abf-aa43-c0d9716c0f8c>

TABLE 15. SUMMARY OF THE SOUTHPORT SPECIALIST DOMESTIC AND FAMILY VIOLENCE COURT JUSTICE RESPONSE PARTNERS

Component	Description	Intended benefits	Perceived actual benefits
Dedicated magistrates	DFV dedicated magistrates preside over DFV matters. They provide continuity and expertise in DFV court proceedings. This reflects a broader commitment to ongoing judicial education state-wide, which may include education on evidence-based best practice justice responses to DFV.	Dedicated magistrates will ensure judicial independence and procedural fairness are upheld, and judicial continuity will contribute to client safety and perpetrator accountability. Civil and criminal justice responses will be tailored and appropriate for individual matters. Clients' court experience will be improved, and they will be engaged in the service system.	Dedicated magistrates contribute to the efficient functioning of the court. Their specialist knowledge of DFV contributes to client safety and perpetrator accountability. Civil and criminal justice responses are integrated and tailored to be appropriate for individual matters. Clients' court experiences are perceived to be improved.
Dedicated DFV Registry	Delivered by trained staff and accessible through a dedicated phone and email address, as well as in-person services at the court, the registry offers a responsive and supportive, client-focused approach which includes: <ul style="list-style-type: none"> • their core function of administering the civil and criminal processes of the court; • connecting clients with on-site court support services; and • making referrals to specialist DFV support services. 	The dedicated DFV registry facilitates a client focussed, coordinated response, improving clients' confidence in the court, and improving safety and the appropriateness of referrals for aggrieved people. It fosters collaborative stakeholder relationships and contributes to motivation for continuous improvement. There is a commitment to an integrated response and strong relationships between stakeholders to continue to enhance the DFV court.	As intended.
Specialist DFV Court Coordinator	Duties include: <ul style="list-style-type: none"> • overseeing the specialist DFV court operations • engaging with stakeholders • chairing Operational Working Group meetings. 	The role facilitates a client focussed, coordinated response, which supports clients' improved safety and experience of the court. The role is fundamental to developing and maintaining collaborative stakeholder relationships and a focus on continuous improvement.	As intended.

Component	Description	Intended benefits	Perceived actual benefits
Support services	<p>Specialist workers provide support for all DFV court matters before, during and after court including:</p> <ul style="list-style-type: none"> • a women's support room • risk assessments • safety planning; and • referral to ongoing support services, including encouraging respondents to consider intervention orders and behaviour change programs. 	<p>Clients are supported through the court process and engage more with services. This enables better identification of issues such as safety, risk, and wellbeing, leading to increased safety and access to appropriate programs to address peripheral concerns. Clients' confidence in the court system will increase, and secondary victimisation will decrease.</p>	<p>As intended. There is some concern about the range of services available to women and those available to men, with the range of support more limited for male respondents compared to women.</p>
Specialist police prosecutors	<p>Specialist Police prosecutors appear on all police applications for civil matters and prosecute on behalf of the QPS for criminal offences arising from DFV matters. They are also available to assist any aggrieved person who makes a private application and is otherwise not legally represented.</p>	<p>Police involvement increases client safety and perpetrator accountability through securing Protection Orders. Police provide timely and relevant information to the court to ensure the court and support services have a full picture of the issues, allowing for a coordinated and appropriate QPS response.</p>	<p>As intended.</p>
Legal representatives	<p>Specialised legal support is provided through enhanced legal representation by duty lawyers for:</p> <ul style="list-style-type: none"> • aggrieved people and respondents in civil matters; and • defendants in criminal matters (except hearings). 	<p>Clients are supported through the court process. Legal representatives provide accurate and timely advice and ensure clients have a clear understanding of the legal implications and court orders. This should provide aggrieved people and respondents with confidence in the court and ensure a coordinated response, while reducing the number of matters listed for contested hearing.</p>	<p>As intended. Legal representatives assist clients to better understand the reasons for, and conditions of, any orders made. This means breaches of orders due to not fully understanding them should be reduced.</p>
Dedicated specialist case managers, Queensland Corrective Services	<p>Their role encompasses:</p> <ul style="list-style-type: none"> • the coordination of services between other government and non-government agencies for 	<p>Safety is increased, and perpetrators are held accountable for their actions, contributing to clients' increased confidence in the court system. High-risk respondents are actively managed. It will contribute</p>	<p>As intended. The dedicated case managers work purposefully with perpetrators to challenge attitudes that underpin DFV.</p>

Component	Description	Intended benefits	Perceived actual benefits
	<p>individuals subject to community-based supervision.</p> <ul style="list-style-type: none"> providing an advisory service to the Courts for criminal matters including prosecution of matters relating to breaches of community-based orders, and regarding sentencing of perpetrators of DFV. 	to the provision of information sharing and enable informed decisions, while also instilling confidence in the justice system for clients.	
Gold Coast DFV and Vulnerable Persons Unit. (Previously the Gold Coast Domestic and Family Violence Taskforce)	Responsible for the strategic coordination and oversight of the operational policing response to DFV within the Gold Coast District. The taskforce works with key stakeholders to case manage, collaborate, and provide integrated responses aimed at improving the safety for aggrieved people and their children, while holding perpetrators to account for their violence.	Safety and perpetrator accountability are increased, and risks (particularly the highest-level risks) are actively managed. It will contribute to the provision of information sharing and enable informed decisions.	As intended.
Operational Working Group	Consists of local stakeholders including non-government and government service providers, who coordinate the response to identify service delivery gaps and develop local solutions.	Facilitates a client-focussed, coordinated response, which supports improved safety and experience of the court. Collaborative stakeholder relationships drive timely information sharing and foster continuous improvement.	As intended.

5.1.1 DEDICATED MAGISTRATES

In each of the five Queensland specialist domestic and family violence courts, the magistrates are the leaders of the court response. They have specific training in domestic and family violence, and a high degree of knowledge of, and experience with, the legal frameworks underpinning domestic and family violence. The rationale for having DFV dedicated magistrates as part of the court response is to provide continuity and expertise for both aggrieved and respondent parties in DFV court proceedings, which in turn ensures they are afforded procedural fairness and achieve better outcomes.

The literature supports assigning specialist judicial officers to domestic and family violence specialist courts. This is because magistrates need to be fully aware of the complex social dynamics and potential consequences of an order, before it is made.⁷² This was reinforced by the report of the Queensland Premier's Special Taskforce on Domestic and Family Violence, which found magistrates with specialist training in domestic and family violence provide fairer and safer outcomes for aggrieved people.⁷³

There is an expectation that the magistracy participates in ongoing judicial education, to ensure dispensation of evidence-based best practice judicial responses to domestic and family violence. There are several areas of professional education that judicial officers presiding over a specialist DFV court may benefit from.

- **Understanding the cycle of abuse.** In the interest of safety, magistrates need to make decisions that support aggrieved people to break the cycle of abuse. This can be a complex process if aggrieved people are in dependent relationships as offenders might resort to other forms of abuse to regain control where the parties are required to separate.⁷⁴ Deciding on appropriate orders requires expertise specific to domestic and family violence.⁷⁵
- **Cultural perceptions of violence.** Another reason that magistrates and prosecutors need specialised education is to help them more effectively address the needs of groups or individuals from culturally diverse backgrounds or marginalised groups.⁷⁶ Without this there is a risk of specialist domestic and family violence courts being only able to address

⁷² Cleveland, A. (2010). Specialization has the potential to lead to uneven justice: Domestic violence cases in the juvenile and domestic violence courts, *The Modern American*, 6(1), 17-24.

<https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1004&context=tma>

⁷³ Special Taskforce on Domestic and Family Violence in Queensland. (2015). *Not now, not ever: Putting an end to domestic and family violence in Queensland*. <https://www.csyw.qld.gov.au/resources/campaign/end-violence/about/dfv-report-vol-one.pdf>

⁷⁴ Cleveland, A. (2010). Specialization has the potential to lead to uneven justice: Domestic violence cases in the juvenile and domestic violence courts, *The Modern American*, 6(1), 17-24.

<https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1004&context=tma>

⁷⁵ Cleveland, A. (2010). Specialization has the potential to lead to uneven justice: Domestic violence cases in the juvenile and domestic violence courts, *The Modern American*, 6(1), 17-24.

<https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1004&context=tma>

⁷⁶ Koshan, J. (2014). Investigating integrated domestic violence courts: Lessons from New York. *Osgoode Hall Law Journal*, 51(3), 989-1036. <https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=2762&context=ohlj>

cases rooted in Anglo-centric contexts at the expense of addressing domestic and family violence across different parts of society.⁷⁷

- **Impact of coercion and control.** There needs to be an awareness of how presentation of domestic violence victims and offenders can affect judgements being delivered.⁷⁸ People who experience intimate partner violence may be timid or nervous in court and might be perceived as being suspect or dishonest before a magistrate. Conversely, an offender might present as confident and self-controlled, giving an appearance of reliability and honesty in a court room setting.⁷⁹ A lack of clarity around these dynamics between the aggrieved and respondent can potentially allow for a misuse of the justice system by perpetrators, if the judicial officer is unaware of these subtle complexities.⁸⁰
- **Family law.** Magistrates' decisions may impact on, or need to be made with respect to, custody of children and will need to consider the nature of the relationships between family members. This is discussed further in Section 5.8.1.

There are, however, limitations to this approach. For example, some magistrates noted that it is important to maintain currency of practice in general and criminal court matters alongside specialist areas of practice. This is particularly important given the complexity of the DFV criminal matters, and where magistrates are also required to circuit to regional locations and preside over a variety of matters (including general criminal matters) in the court list. Failure to provide adequate rotation of Magistrates so that the court benefits from the variety of skills and experiences may also undermine opportunities for continuous improvement.

It is important to note that in Queensland, domestic and family violence lists occur in closed courts. It could be argued that in a closed court environment, periodic rotation of magistrates provides a layer of transparency to the operation of the court and helps to maintain public confidence in decision-making.

Magistrates also raised the issue of burn out and felt that domestic and family violence practice can be emotionally intense and draining, notwithstanding their access to funded regular vicarious trauma counselling. This may be in part due to the volume and severe nature of matters heard. It may be particularly difficult for judicial officers in the civil jurisdiction, where the evidentiary threshold is lower, but the consequences of decision-making can be severe for individuals, families and communities.

Since December 2020, magistrates have been appointed to the dedicated SSDFVC role for a six-month term, rather than a two-year term as was initially the case. This approach in part

⁷⁷ Koshan, J. (2014). Investigating integrated domestic violence courts: Lessons from New York. *Osgoode Hall Law Journal*, 51(3), 989-1036. <https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=2762&context=ohlj>

⁷⁸ Wakefield, S., & Taylor, A. (2015). *Judicial education for domestic and family violence: State of knowledge paper* (ANROWS Landscapes, 02/2015). <https://20ian81kynqg38bl3l3eh8bf-wpengine.netdna-ssl.com/wp-content/uploads/2019/02/QCDFVR-Revised-edition-150908.pdf>

⁷⁹ Cleveland, A. (2010). Specialization has the potential to lead to uneven justice: Domestic violence cases in the juvenile and domestic violence courts, *The Modern American*, 6(1), 17-24. <https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1004&context=tma>

⁸⁰ Wakefield, S., & Taylor, A. (2015). *Judicial education for domestic and family violence: State of knowledge paper* (ANROWS Landscapes, 02/2015). <https://20ian81kynqg38bl3l3eh8bf-wpengine.netdna-ssl.com/wp-content/uploads/2019/02/QCDFVR-Revised-edition-150908.pdf>

addresses some of the issues raised above and ensures a greater number of magistrates have an opportunity to gain specialist DFV knowledge and experience.

The Coordinating Magistrate for Southport Magistrates Court has a role in ensuring that appointed magistrates have the appropriate experience to work within the specialist domestic and family violence court model. The Court Coordinator plays an important role in ensuring that new magistrates who are rotated into the specialist DFV court are supported and have information about the support services available as part of the SSDFVJCR. There are also efforts being made to facilitate opportunities for experienced DFV magistrates to mentor newly appointed magistrates.

Notwithstanding the imperative to develop the DFV experience of a broader pool of magistrates and to mitigate potential vicarious trauma, some stakeholders raised concerns about the extent to which a rotational system contradicts the best practice principle of judicial continuity. They cited the importance of maintaining continuity to mitigate against systems abuse, and to ensure consistent leadership of the court justice response.

Magistrates, on the other hand, pointed to the legal imperative of making judicial decisions in accordance with legislation and only on the available evidence. They also pointed to the practical limitations of a dedicated magistrate model, noting that judicial officers will inevitably take leave or be otherwise absent from the court. These magistrates suggested that the principle of judicial continuity may also be addressed from a practical perspective, which ensures that registry and court recordkeeping is sufficiently modern to support timely access to relevant information on file.

5.1.2 SPECIALIST DFV REGISTRY

The Specialist DFV Registry staff are a primary point of contact for many clients of the court. As such, considerable effort and investment has been made in training staff to ensure they have a strong understanding of the importance of that initial contact as a means by which to connect clients with appropriate services— both the aggrieved and respondents. Registry staff have received training to further develop their knowledge and understanding of the dynamics of domestic and family violence. Therefore, when they receive applications, they can scan for any indicators that may suggest a person is likely to be at risk of imminent harm and will alert the appropriate agency staff wherever they are able to, and as is appropriate.

The Specialist DFV Registry manual reflects the enhancements to the usual court registry processes for engaging with clients, processing court documents, court file preparation and record keeping. It provides very detailed information about the kinds of services that are available and how to make effective referrals. When listing matters, staff work closely with other agencies to ensure that cases where the risk is assessed as being high are prioritised and listed as soon as possible to reduce risk to all parties.

Stakeholders commented on the evolution of registry services from simply processing paperwork to potentially acting as the first point of contact a person experiencing domestic and family violence has with the service system. Reflecting this, DFV awareness training for staff has been developed and is being rolled out to registry staff across the state. This

training leverages the best-practice approaches developed in the Specialist Registry at Southport.

Registry and court security are actively involved in supporting and facilitating safety planning for parties attending court for a DFV matter and may need assistance to enter and exit the court safely. Registry staff are trained to be able to identify signs of when an aggrieved may be at particular risk and have procedures in place to inform relevant stakeholders so they can be alert to the situation.

Few of the clients of the court we interviewed were very aware that they had interacted with the Specialist Registry. This is indicative that the work of the Specialist Registry contributes to seamless transitions from and access to service providers including duty lawyers, DVPC and Police Prosecutors.

5.1.3 COURT COORDINATOR

A best practice feature described extensively in the literature is the importance of creating effective links with other key domestic and family violence services and using a designated domestic and family violence court coordinator to forge those linkages.

The Specialist Court Coordinator role is essential to the function of the SSDFVCJR. This role has been described Section 3.3.2 and Section 4.2.1

5.1.4 SPECIALIST POLICE PROSECUTORS

The Police prosecutors working in the Southport SDFVC are all provided with specialist DFV training. The prosecutors can be sworn officers or civilians. A Police prosecutor will appear on all police applications for criminal matters.

They prosecute criminal offences for 'DFV related' matters including:

- breaches of orders;
- domestic violence offences; and
- objections to Bail for DFV related matters.

Police prosecutors may also assist an aggrieved party in court who has made a private application and is otherwise not legally represented at a mention. For this to occur, the aggrieved must make a specific application.

In the Southport SDFVCJR, police prosecutors may refer women to the DVPC. Where police initiate an application or PPN, they represent the aggrieved's interests in court and make the case for an order to be made. Where a contested matter goes to a contested hearing (trial), Police are responsible for preparing the case and presenting it to the court.

Because the aggrieved do not have to appear at the court when police represent their interests, they may not access the supports available through the DVPC's Court Advocacy Program. For this reason, police refer women to DVPC directly.

As shown in Section 2, Police Protection Notices (PPNs) make up over half of initiating applications (59% or 4,661 applications) lodged over the evaluation period at Southport Magistrates Court. While the use of PPNs was higher at Southport Magistrates Courts than the comparison courts, PPNs made up an increasing proportion of initiating applications at all three courts over the evaluation period.

It is likely that the increasing proportion of PPNs reflects both legislative changes and a potential positive change in policing practices at Southport, where DFV is considered more seriously. Increasing complexity of cases and expectations in relation to risk, may have implications for the workload of all service providers including the SSDFVCJR and it is important to ensure adequate resources (financial and staffing) are available to manage the workload effectively.

5.1.5 DOMESTIC VIOLENCE DUTY LAWYER SERVICES

As described in Section 4.3.3, the duty lawyer service at Southport is available every day of the week for aggrieved and respondent parties appearing in civil matters. This service allows domestic and family violence duty lawyers to provide legal advice and support to parties before, during or after their court appearance. It also allows the duty lawyers to appear in the courtroom on behalf of any aggrieved or respondent seeking representation. It is also available to defendants in criminal matters (except hearings).

The service is delivered in line with Legal Aid Queensland's best practice guidelines for working with clients affected by domestic and family violence.⁸¹ The importance of the duty lawyers' specialist domestic and family violence knowledge to achieving client outcomes is discussed further in Section 8.

The duty lawyers appearing at the Southport SDFVC, though practising for a range of law firms, share a consistent understanding of their role in serving the Southport SDFVC. This is because Legal Aid Queensland offers regular training to assist contracted practitioners to understand their role in increasing victim safety and perpetrator accountability. Duty lawyers participate and collaborate as part of the OWG and work closely with reception, the Specialist DFV Registry, as well as with DVPC and Centacare.

5.1.6 QUEENSLAND CORRECTIVE SERVICES CASE MANAGERS

Queensland Corrective Services provide specialist case managers who are responsible for supervising individuals who are sentenced to community-based supervision orders, some of whom may in fact be victims of DFV and some who are perpetrators. The case managers work with perpetrators to encourage attitudinal and behavioural changes, both through their own work as well as by devising pathways for perpetrators to undertake behaviour change programs. Case managers' role encompasses the coordination of services between other

⁸¹ Legal Aid Queensland & Queensland Law Society. (2020). *Domestic and family violence best practice framework for legal and non-legal practitioners*. http://www.legalaid.qld.gov.au/files/assets/public/publications/about-us/best-practice-guidelines/bpgframework_sept12.pdf

government and non-government agencies for individuals subject to community-based supervision.

The Queensland Corrective Services case managers also provide an advisory service to the Courts, for criminal matters only, including prosecution of matters relating to breaches of community-based orders, and advice around the sentencing of perpetrators of DFV. Queensland Corrective Services engages in collaborative case management as part of the Southport integrated response for both perpetrators and aggrieved persons.

Case managers interviewed believed that Men's Domestic Violence Education and Intervention Programs (MDVEIPs) had an important role in affecting attitudinal and behavioural change. However, they were concerned about the waiting lists and waiting time for participation due to the limited number of such programs available in the region. While case managers reported that they have developed approaches to try and ensure that their clients could access and complete these programs during the period of their supervision order, they also reported that this was not always possible and that wait times significantly reduced the extent to which clients were engaging in the programs.

5.2 TIMELY

The best practice evidence base indicates that efficient resolution of domestic and family violence matters contributes to reducing secondary victimisation.⁸² There is a clear sense among SSDFVC staff and stakeholders that providing the right response at the right time and with the right level of care is fundamental to achieving good outcomes for clients.

On average, matters at Southport Magistrates Court require more events to reach a resolution than at the comparison courts. The number of events associated with an application was similar across the three courts, with the bulk of applications concluded in three events or less (Table 16).

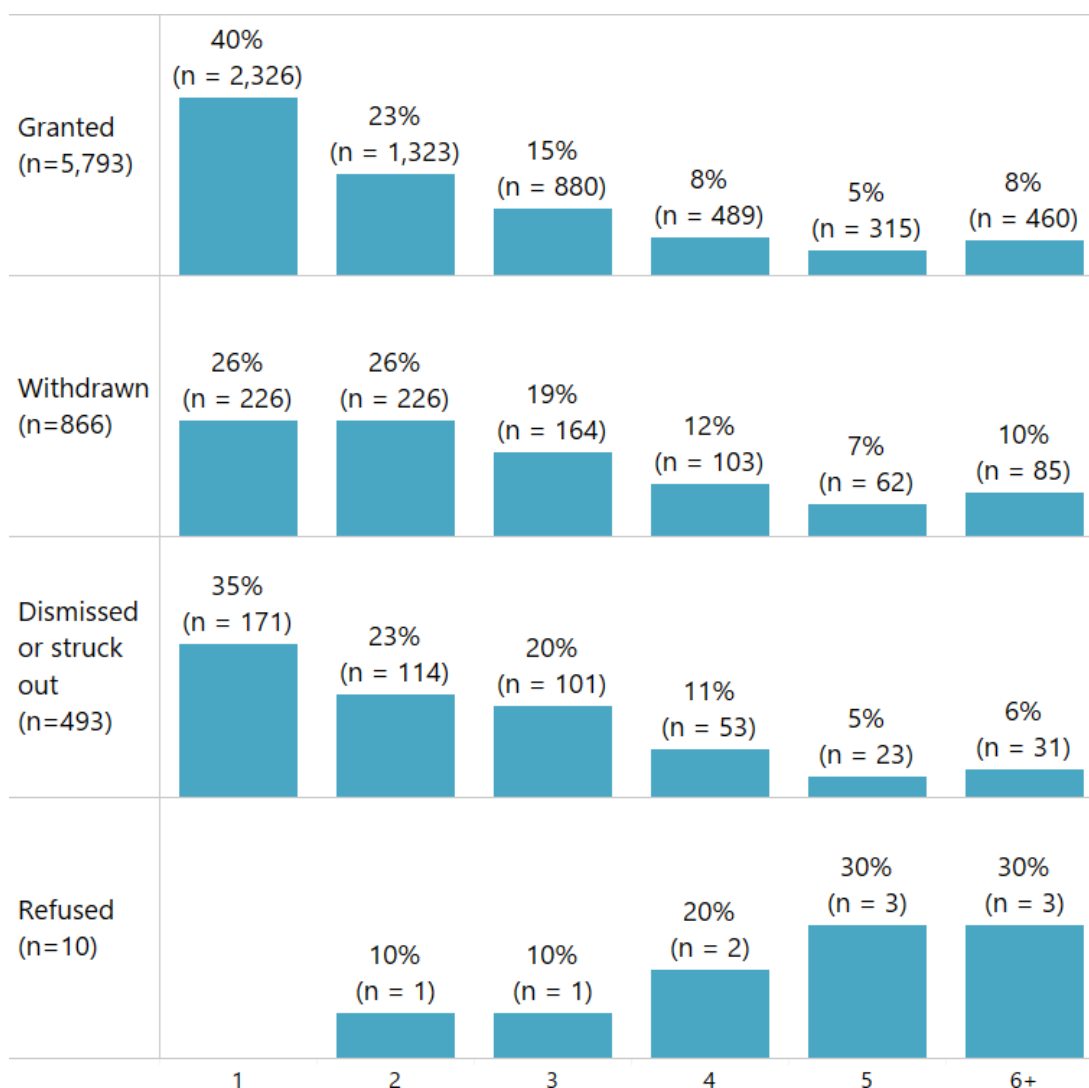
However, some applications took much longer to conclude, as indicated in Figure 17. At the Southport Magistrates Court, for example, one application took 24 events to be granted. The number of events could be impacted by factors such as consideration of a temporary order, whether the application is served, whether the parties appeared, or variation of a temporary order.

⁸² Department of Social Services (2018) [National Plan to Reduce Violence Against Women and their Children: Fourth Action Plan \(2019–2022\) Background and Evidence Summary](#), Australian Government, Canberra.

TABLE 16. NUMBER OF EVENTS PER APPLICATION AT SOUTHPORT MAGISTRATES COURT AND THE COMPARISON COURTS, BY APPLICATION RESULT

		Court Location		
Type of Result		Southport	Caboolture	Cleveland
Granted	N applications	5,793	2,162	1,430
	Median N events per application	2	2	1
	Min. N events per application	1	1	1
	Max. N events per application	24	11	18
Withdrawn	N applications	866	288	161
	Median N events per application	2	2	2
	Min. N events per application	1	1	1
	Max. N events per application	19	11	7
Dismissed or struck out	N applications	493	277	168
	Median N events per application	2	2	2
	Min. N events per application	1	1	1
	Max. N events per application	15	10	11
Refused	N applications	10	1	0
	Median N events per application	5	1	0
	Min. N events per application	2	1	0
	Max. N events per application	8	1	0

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

FIGURE 17. NUMBER OF EVENTS FOR INITIATING APPLICATIONS AT SOUTHPORT MAGISTRATES COURT, BY OUTCOME OF APPLICATION

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

TABLE 17. THE NUMBER AND PROPORTION OF EVENTS PER INITIATING APPLICATION BY RESULT OF APPLICATION AND LODGEMENT AUTHORITY AT SOUTHPORT MAGISTRATES COURT

Result of application	N events	N	QPS		Private individual	
			%		N	%
Granted	1	2,243	45%		82	10%
	2	1,007	20%		316	39%
	3	673	14%		207	25%

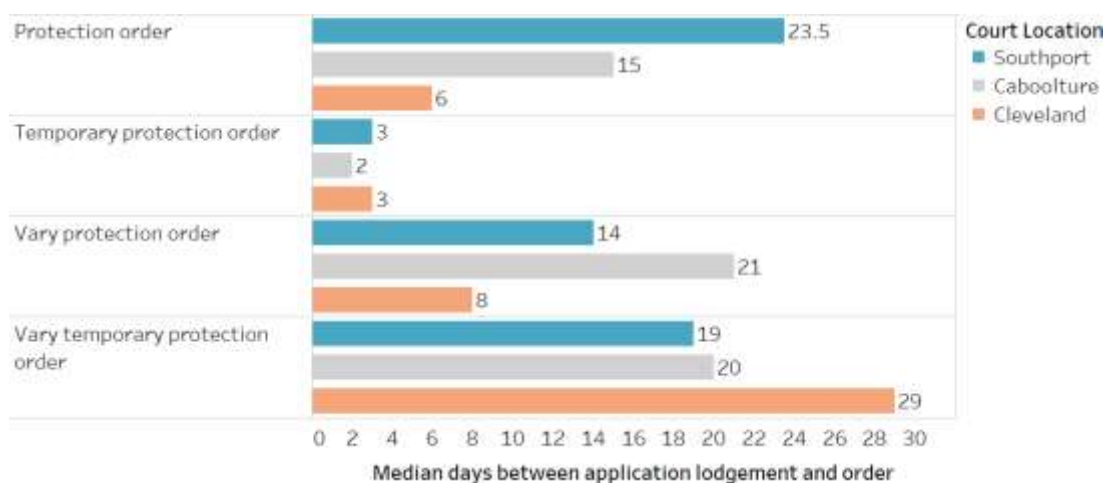
Result of application	N events	QPS		Private individual	
		N	%	N	%
	4	389	8%	99	12%
	5	254	5%	61	7%
	6+	408	8%	52	6%
	Total	4,974	100%	817	100%
Dismissed or struck out	1	65	48%	106	30%
	2	15	11%	98	28%
	3	20	15%	81	23%
	4	17	13%	36	10%
	5	6	4%	17	5%
	6+	13	10%	18	5%
	Total	136	100%	356	100%
Withdrawn	1	28	10%	198	34%
	2	54	20%	172	29%
	3	50	18%	114	19%
	4	45	16%	58	10%
	5	30	11%	32	5%
	6+	68	25%	17	3%
	Total	275	100%	591	100%
Refused	2			1	17%
	3	1	25%		
	4	1	25%	1	17%
	5	1	25%	2	33%
	6+	1	25%	2	33%
	Total	4	100%	6	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

Note: Three applications were made by unspecified lodging authorities.

As shown in Figure 18, the median time from application lodgement to a protection order being made was 23.5 days. This was considerably longer than at either comparison court. Temporary protection orders were made shortly after application lodgement and took a similar time across all three courts.

FIGURE 18. TIME BETWEEN APPLICATION LODGEMENT AND ORDER AT SOUTHPORT MAGISTRATES COURT 1 JULY 2017-31 MARCH 2020, BY ORDER TYPE



Source: QWIC – Applications: 1/7/2017 to 31/3/2020

The issuing of Temporary Protection Orders within a short timeframe (for example, within one to three days) gives an indication of the urgency of the situation. Table 18 shows that TPOs are being made within one day of an application being lodged in 46% of cases. The proportion of applications resulting in TPOs being made within one day at Southport is considerably lower at 28%, however, it is important to note that in terms of the actual number of TPOs being made, the number at Southport is nearly double the number being made at Caboolture. 83% of applications for TPOs result in TPOs being made within five days at Southport, compared with 75% at Caboolture and 66% at Cleveland.

TABLE 18. THE NUMBER OF DAYS BETWEEN APPLICATION LODGEMENT AND ORDER FOR TEMPORARY PROTECTION ORDERS

	Southport		Caboolture		Cleveland	
Number of days between application lodgement and order	N	%	N	%	N	%
0 - 1	1,107	28%	599	46%	174	30%
2 - 3	1,184	30%	210	16%	132	23%
4 - 5	1,026	26%	181	14%	73	13%
6+	697	17%	328	25%	197	34%
Total	4,003	100%	1,311	100%	576	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

Many stakeholders also commented on the time efficiency of having one magistrate, which can directly impact on safety by reducing the need for adjournments and providing aggrieved parties with active protection orders sooner. Some legal practitioners also noted that procedures that allowed them to provide additional information and affidavits on the same day contributed to expediting orders being made.

While it appears that for the most part, matters can be finalised reasonably efficiently, some stakeholders expressed concerns that some clients of the court may be misusing court processes as a form of control over the other party. Use of the court processes as a means of coercion and control is an emerging area of research, for which governments are considering legislative and policy responses.

5.3 INCLUSIVE

The research literature, as well as interviews with court staff and stakeholders highlighted that people from diverse groups can be particularly vulnerable to domestic and family violence, may experience violence in a different way, and may face additional barriers to getting support that meets their needs. This includes Aboriginal and Torres Strait Islander people, people with disability, older people, young people, people from culturally and linguistically diverse backgrounds and people from LGBTIQ+ communities.⁸³

The *Third Action Plan 2019–20 to 2021–22* specifies a range of actions to better support members of the community who may be more vulnerable to domestic and family violence.

⁸³ Queensland Government. (2019). *Third Action Plan of the domestic and family violence prevention strategy 2019–20 to 2021–22*. Department of Child Safety, Youth and Women.

<https://www.csw.qld.gov.au/resources/campaign/end-violence/third-action-plan.pdf>

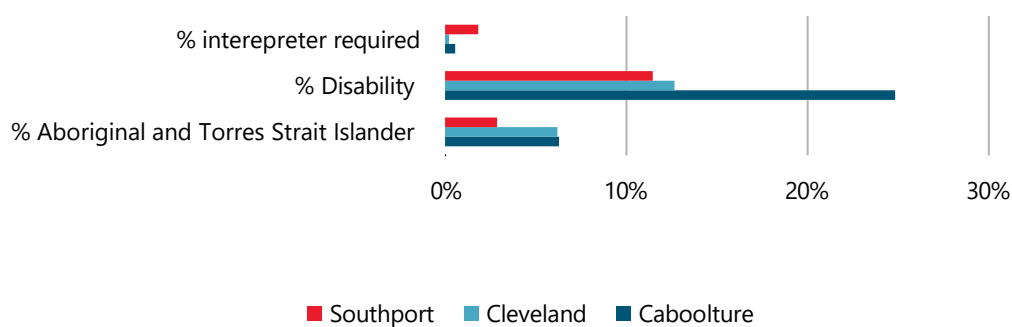
The specific needs of diverse client groups and the best practice responses to these issues (Appendix 3).

While policies, procedures and staff attitudes appear to be inclusive of all court users, this evaluation has little view of the extent to which that is evidenced in the experiences of diverse court users. In part, this is because it is difficult gain visibility of the proportion of clients at the Southport SDFVC who have diverse needs. While Indigenous status is held in QWIC, this relies on a person identifying as Aboriginal or Torres Strait Islander (see Section 5.3.1). Likewise, application forms allow people to indicate that they have a disability, but this data is not collected electronically. There is no QWIC data collected on CALD status, disability or LGBTIQIA+ status, but stakeholders estimate people in these groups represent a very small proportion of all SSDFVCJR clients. While we were able to interview some men and women from CALD backgrounds, none of our interviewees were Aboriginal, LGBTQIA+ or identified as having a disability.⁸⁴

LEGAL AID QUEENSLAND DOMESTIC AND FAMILY VIOLENCE DUTY LAWYER SERVICE

Legal Aid Queensland collects demographic data on the clients they assist (Figure 19). This data shows that duty lawyers are engaging with Aboriginal and Torres Strait Islander clients, people with disabilities and people from CALD backgrounds at variable rates across the comparison courts. The data shows that the diverse groups are either disclosing to the duty lawyers or the duty lawyers are drawing on their own observations. These same individuals may not disclose on an application, or if they are the respondent, there is no avenue for a disclosure to be recorded at all. There is potential to improve the court's data by sharing the information gathered by LAQ with regards to ethnicity and disability.

FIGURE 19. CLIENT DEMOGRAPHICS AS PERCENTAGE OF ALL CLIENTS: AVERAGE (2018-2020)



Source: LAQ Domestic Violence Duty Lawyer Service data, Southport DFV Court evaluation: 4/7/2017 to 12/3/2021

⁸⁴ One female interviewee did identify that she was hearing impaired.

Overall, as described above, there is evidence that SDFVCJR tailors its service delivery to meet clients' needs and innovates to meet the needs of its clients. The Southport SDFVCJR is limited by the local availability of specialist services for diverse client groups, such as interpreters, and resourcing for specialist staff.

5.3.1 ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE AND COMMUNITIES

The patterns and experiences of domestic and family violence among Indigenous people and communities is often different to non-Indigenous people. Best practice is to develop specific domestic and family violence responses for Aboriginal and Torres Strait Islander people, which acknowledge the different causes of family violence in Indigenous communities. Such causes include loss of culture and kinship relations, the impact of colonialism and entrenched poverty. Some mainstream programs are specifically tailored to and with local Indigenous communities.⁸⁵ These issues are discussed in detail in Appendix 3.

There is evidence that Queensland Courts are working towards meeting the needs of Aboriginal and Torres Strait Islander clients. For example, the Magistrates Court of Queensland worked with Reconciliation Australia to develop its Reconciliation Action Plan, 2018–21. Court Services Queensland has also developed 'Reach out for help', a domestic and family violence information package for Aboriginal and Torres Strait Islander people.⁸⁶ The Department of Child Safety, Youth and Women⁸⁷ has released a specific plan to respond to domestic and family violence in Aboriginal and Torres Strait Islander communities.⁸⁸

THE NUMALA YALNUN PROGRAM

At Southport, there is clear evidence of what a culturally appropriate response looks like. The Department of Justice and Attorney-General funded the Domestic Violence Prevention Centre to deliver the Numala Yalnun program, as a six-month trial from January to June 2019. The program provided intensive and individualised support and referrals for Aboriginal and Torres Strait Islander clients of the court attending for civil and criminal domestic and family violence matters. Ongoing funding was not available and, in its recent final report, the Domestic and Family Violence Implementation Council identified the need for funding to continue.⁸⁹

⁸⁵ Marchetti E (2019) Indigenous courts, culture and partner violence, Palgrave Studies in Race, Ethnicity, Indigeneity and Criminal Justice, Palgrave McMillan.

⁸⁶ Queensland Courts. (2019). *Reach out for help*. <https://www.courts.qld.gov.au/going-to-court/domestic-violence/reach-out-for-help>

⁸⁷ Following the 2020 State Government election, a machinery of government change was implemented transferring certain functions of the former Department of Child Safety Youth and Women to the Department of Justice and Attorney-General. This includes the Office for Women and Violence Prevention which is responsible for administering funding for DFV support services, including court support and behaviour change programs.

⁸⁸ Queensland Government. (2019). *Queensland's framework for action: Reshaping our approach to Aboriginal and Torres Strait Islander domestic and family violence*. Department of Child Safety, Youth and Women. <https://www.csyw.qld.gov.au/campaign/end-domestic-family-violence/our-progress/enhancing-service-responses/reshaping-our-approach-aboriginal-torres-strait-islander-domestic-family-violence>

⁸⁹ Domestic and Family Violence Implementation Council. (2019). *Final report*. <https://www.csyw.qld.gov.au/resources/campaign/end-violence/council/dfvi-council-final-report.pdf>

The program made Aboriginal and Torres Strait Islander staff more visible and, in doing so, made the Court a more welcoming environment for Aboriginal and Torres Strait Islander people. Accordingly, Aboriginal and Torres Strait Islander clients became more visible to the court.

A breakdown of applications by relationship type is provided in Appendix 5 (Table A13). It shows that a slightly higher proportion of matters involving Aboriginal and Torres Strait Islander people involve family relationships (26% as compared with 22% for non-Indigenous court users). This figure should be interpreted with caution however as the actual number of applications is small (n=244).

Numala Yalnun data, as well as the Applications data set indicate that Aboriginal and Torres Strait Islander people are making use of the court at a higher rate than is proportionate to their representation in the population in the Southport community. The most recent (2016) Census data shows only 1.7% of people living in the Gold Coast Local Government Area identify as Aboriginal or Torres Strait Islander,⁹⁰ while analysis of the Applications dataset found that over the evaluation period, around 3% of aggrieved and respondents identified as Aboriginal and Torres Strait Islander on applications to the Southport Magistrates Court (Table 19).

TABLE 19. THE NUMBER AND PROPORTION OF ABORIGINAL AND TORRES STRAIT ISLANDER AGGRIEVED AND RESPONDENTS ACROSS THE COURTS

Party	Ethnicity	Southport		Caboolture		Cleveland	
		N	%	N	%	N	%
Aggrieved	Aboriginal and Torres Strait Islander	215	3%	211	9%	122	7%
	No / neither	6,996	97%	2,278	92%	1,598	93%
	Subtotal	7,189	100%	2,473	100%	1,710	100%
	Not provided	99		193		34	
Respondent	Aboriginal and Torres Strait Islander	235	3%	203	8%	123	7%
	No / neither	6,896	97%	2,256	92%	1,603	93%
	Subtotal	7,106	100%	2,443	100%	1,719	100%
	Refused/ Not provided	163		247		45	
Total unique participants		12,968	100%	4,564	100%	3,087	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

⁹⁰ Australian Bureau of Statistics. (2016). 2016 Census QuickStats, Southport (Qld).
https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/SSC32636

Note: This is a count of unique individuals. As some individuals have participated in the court as both an aggrieved and a respondent the total number of unique court participants does not equal the sum of the unique number of aggrieved and respondents

During the first three months of the program (January to March 2019), the proportion of clients identifying as Aboriginal or Torres Strait Islander on office consent forms increased by 300% (approximately 200 clients). Another 50 clients either engaged with the Aboriginal and Torres Strait Islander Legal Service (ATSILS) but did not sign consent forms, and 37 non-Indigenous clients identified on behalf of 81 Aboriginal and Torres Strait Islander children.

Being welcomed at court by people who identify as Indigenous can help First Nations court clients feel safe to identify their heritage⁹¹. There are many reasons why an Aboriginal or Torres Strait Islander person may not feel safe identifying their heritage: they may not know or be connected to their people or their land, or their experiences of trauma associated with being known as Aboriginal or Torres Strait Islander may make them feel unsafe to identify. Stakeholders noted that in the six months since the Numala Yalnun program finished, there was a notable decrease in the number of clients identifying as Aboriginal and Torres Strait Islander.

Numala Yalnun supported Aboriginal and Torres Strait Islander clients' recovery by increasing their engagement with services to respond to their legal, social, health and financial needs more holistically. The program made 105 warm referrals to support services including ATSILS, the Department of Housing and Public Works, the Gold Coast University Hospital Indigenous Unit, Centrelink, and others. Some stakeholders, including the Aboriginal and Torres Strait Islander Legal Service, noted that the increase in referrals challenged the system's capacity to respond.

Since the Numala Yalnun program finished, no Aboriginal specific programs have been operating at the court. The program demonstrated that there is potential for substantially more Aboriginal and Torres Strait Islander people to identify and engage more fully with the services available at the court.

KALWUN: AN ABORIGINAL AND TORRES STRAIGHT ISLANDER SPECIALIST SERVICE

Kalwun, a local Indigenous service provider agency has recently (since April 2021) re-joined the SSFVDC Operational Working Group. While Kalwun was part of the OWG during the SSFVDCJR pilot, its participation ceased due to funding changes. Offering a broad suite of health and well-being services for Aboriginal and Torres Strait Islander people, the organisation also supports Aboriginal and Torres Strait Islander women attending court through their new DFV program which has been running since approximately April 2020. In an interview with a representative of the organisation, it was noted that the court does not provide court users with the outward indicators that the court is a culturally safe environment. While there are Aboriginal and Torres Strait Islander staff in both the DVPC

⁹¹ Morgan, A., & Louis, E. (2010). *Evaluation of the Queensland Murri Court: Final report*. Australian Institute of Criminology. <https://apo.org.au/sites/default/files/resource-files/2010-10/apo-nid23026.pdf>

CAP and the Registry, there are no visible strategies or programs evident at the court, as had been the case during the Numala Yalnun trial.

As a new member of the OWG, Kalwun hopes to be able to collaborate with other members to ensure that the court is working in more culturally respectful ways. Kalwun has identified that there is an opportunity for them to support the improved cultural capacity of all of the SSDFVCJR stakeholders and for Kalwun and other service provider agencies to also offer education programs for Aboriginal people with the aim of improving community understanding of DFV and the role of the courts and supports available.

Kalwun identified opportunities to support more culturally appropriate service delivery through:

- providing magistrates with cultural awareness training “on country”, to assist with their greater understanding of Aboriginal people, their perceptions of courts and the judicial system;
- better integration of the Aboriginal support workers into the court’s existing service system; and
- developing a culturally appropriate Aboriginal men’s behaviour change program. This was also recommended in the Domestic and Family Violence Implementation Council Final Report (2019).

The partnership with Kalwun offers the Southport SDFVCJR an important opportunity to improve its service accessibility and engagement with Aboriginal and Torres Strait Islander people. In addition to taking some simple steps such as flying or displaying the Aboriginal and Torres Strait Islander flags or hanging Indigenous art, providing additional funding to support culturally appropriate responses, in collaboration with Aboriginal service providers would better meet Aboriginal and Torres Strait Islander clients’ needs.

IMPLICATION: There is more work required to make the court equally accessible and responsive to the needs of vulnerable client groups. This includes Aboriginal and Torres Strait Islander people.

5.3.2 PEOPLE FROM CULTURALLY AND LINGUISTICALLY DIVERSE BACKGROUNDS

As noted in the Specialist Registry Manual, ‘identifying and responding to the needs of parties from culturally and linguistically diverse backgrounds has traditionally been a challenge for courts, particularly when dealing with domestic and family violence matters.’ Currently QWIC does not record whether a participant comes from a culturally and linguistically diverse background, preventing the court experiences and outcomes for this group to be examined through the quantitative analysis of courts data.

There is good evidence that the SSDFVCJR understands that different dynamics impact on a person’s experience of domestic and family violence, including for women and men from culturally and linguistically diverse backgrounds. The Specialist Registry Manual provides a range of tips for responding to the needs of CALD clients. It highlights that some of the

generalist best practices, such as making warm referrals, are also helpful for clients from CALD backgrounds. It also provides detailed case studies to help court staff understand how the experience of violence might be different for women from culturally and linguistically diverse backgrounds and includes specific responses staff could take.

There is evidence that SSDFVCJR tailors its service delivery to better meet culturally and linguistically diverse clients' needs. During the evaluation period, interpreters were engaged 346 times.⁹² However, the SSDFVCJR is limited by the local availability of specialist services, including interpreters. One of the first innovations of the SSDFVCJR was adopting a new system that requires court staff to engage interpreters if required at a first appearance in court. Where interpreters are not available face to face, a telephone interpreter should be engaged. While this represents a positive step, stakeholders noted the difficulty of securing timely access to an appropriate interpreter. That is, someone who is sufficiently fluent in English to interpret legal terminology and to understand and explain the outcomes of the court process, who is an appropriate gender, and who is not part of the same community as the client (which could compromise their privacy.) Although stakeholders were very positive about the interpreter services, some were concerned that it was difficult to check that their clients left with a clear understanding of what was required of them, or of what had happened in the courtroom.

Stakeholders indicated that the Support, Assessment, Referral Advocacy (SARA) specialist program, operated by the Multicultural Families Organisation is a critical component of their capacity to respond appropriately to the needs of CALD women. The SARA services include DFV counselling, court support and referral to the Women's Legal Service.

Most SSDFVCJR stakeholders agreed that the court provides an appropriate response to clients from culturally and linguistically diverse backgrounds. However, as for many human services programs, more work is required to make the court equally accessible to clients from culturally and linguistically diverse backgrounds. This includes ensuring programs for perpetrators of domestic and family violence are appropriate for culturally and linguistically diverse groups.

Centacare staff noted that while CALD men are engaging with the MBCP, that there can be some substantial challenges in navigating differing cultural norms. The MBCP is sometimes offered to men in an individual counselling format for CALD men who require an interpreter.

IMPLICATION: There is more work required to make the court equally accessible and responsive to the needs of vulnerable client groups. This includes people from culturally and linguistically diverse backgrounds.

⁹² Includes Southport Registry records only, noting that when appropriate, QPS organise interpreters for first appearances for police initiated applications and interpreters may also have been organised by duty lawyers to support their service provision.

5.3.3 PEOPLE WHO IDENTIFY AS LESBIAN, GAY, BISEXUAL, TRANSGENDER, INTERSEX, QUEER OR ASEXUAL

People who are lesbian, gay, bisexual, transgender, intersex, queer or asexual (LGBTIQA+) have reported feeling that specialist courts do not appropriately understand their circumstances and therefore cannot adequately address them.⁹³ In particular, the literature suggests a lack of awareness of patterns of domestic violence specific to LGBTIQA+, including that LGBTIQA+ partner violence can be mutual.⁹⁴ There are also low levels of awareness of how violence manifests in these relationships, such as the practice of threatening to 'out' the aggrieved's sexuality, identify their HIV status, or using homophobia or transphobia to isolate the aggrieved person and prevent them from receiving support.⁹⁵

For domestic and family violence applications, and applications to vary, the sex of the aggrieved and respondent is recorded as well as the nature of the relationship between the aggrieved and respondents. Using these variables, we were able to identify applications relating to same sex aggrieved and respondents in intimate personal relationships. Same-sex couples as identified using this measure, made up a small proportion (2%) of aggrieved-respondent pairs in an intimate personal relationship named on initiating applications lodged at Southport Magistrates Court (Table 20). This is like the proportion of aggrieved and respondents in same-sex intimate relationships found at the comparison courts. Due to the constraints of participant data collected in QWIC, we are unable to examine the number of LGBTIQA+ individuals involved in applications relating to non-intimate domestic and family violence or identify the number of LGBTIQA+ individuals involved in applications relating to mixed-sex intimate personal relationships.

TABLE 20. THE NUMBER AND PROPORTION OF AGGRIEVED-RESPONDENT PAIRS IN SAME-SEX INTIMATE RELATIONSHIPS

Same sex intimate relationship?	Southport		Caboolture		Cleveland	
	N	%	N	%	N	%
No	5,760	98%	2,039	98%	1,281	97%
Yes – Female	70	1%	36	2%	26	2%
Yes – Male	64	1%	11	1%	12	1%
Total	5,894	100%	2,086	100%	1,319	100%

Source: QWIC - Applications data: 1/7/2017 to 31/3/2020

⁹³ Neave, M., Faulkner, P., & Nicholson, T. (2016). *Royal commission into family violence: Final report* (Parl Paper No 132, 2014–2016). State of Victoria. https://apo.org.au/sites/default/files/resource-files/2016-03/apo-nid62334_59.pdf

⁹⁴ Campo, M., & Tayton, S. (2015). *Intimate partner violence in lesbian, gay, bisexual, trans, intersex and queer communities*. Child Family Community Australia. <https://aifs.gov.au/cfca/publications/intimate-partner-violence-lgbtqi-communities>

⁹⁵ Campo, M., & Tayton, S. (2015). *Intimate partner violence in lesbian, gay, bisexual, trans, intersex and queer communities*. Child Family Community Australia. <https://aifs.gov.au/cfca/publications/intimate-partner-violence-lgbtqi-communities>

There is some evidence that the Southport SDFVCJR is tailoring its response for LGBTIQ+ clients, but there is more work to do. The Specialist Registry Manual directs its staff to ensure that people in same-sex relationships are provided with an appropriate, secure place to wait. However, for same-sex women, only one of the parties can access the support room. DVPC aims to provide the same service, in a private and secure room, to the other party. There are similar considerations for men in same-sex relationships, where it may not be appropriate for both the aggrieved and respondent to wait in the Level 1 waiting area. When a man is provided with the option of waiting in a secure, private room, service providers including duty lawyers and Centacare will be directed to go to the room the man is waiting in, minimising any need for the man to have to walk past the other party in the general waiting area. These responses are facilitated through the live list. Nevertheless, some stakeholders suggested that improving the court's accessibility for men overall may also improve its accessibility for gay men.

The prevalence of domestic and family violence among transgender people is high,⁹⁶ but stakeholders reported very few transgender clients at the Southport SDFVC. While the DVPC provides its services to anyone who identifies as female, the very marked gender division of space at the court and the way resources are framed and presented, may have unintended consequences for LGBTIQ+ people who do not identify within the binary terms of male and female gender.

Several reports have recommended courts need to be linked with programs that are tailored to the needs of LGBTIQ+ groups,^{97,98} and the SSDFVC is no exception to this. While court staff are encouraged to make referrals to support services, there are very few DFV-specific programs available on the Gold Coast for people who identify as LGBTIQ+. In the absence of specific services, delivering the right response for domestic and family violence within the LGBTIQ+ community rests with generalist DFV support services being adequately skilled to do so. The Queensland Aids Council's '*Queer without Fear—Domestic and Family Violence in the LGBTIQ+ Community*' is an important resource for upskilling domestic and family violence support service staff in the court and beyond.

No LGBTIQ+ people were interviewed for this evaluation, as the sample of clients we spoke to was small and, for ethical reasons we specifically excluded clients of the court deemed to be at high risk. Further research that seeks to understand the experiences of this client cohort is needed and would require engaging a specific LGBTIQ+ service provider to assist with recruiting participants.

IMPLICATION: There is more work required to make the court equally accessible for, and responsive to, the needs of people who identify as LGBTIQ+, including making

⁹⁶ Yerke, A. F., & DeFeo, J. (2016) Redefining intimate partner violence beyond the binary to include transgender people. *Journal of Family Violence*, 31, 975–970. <https://doi.org/10.1007/s10896-016-9887-y>

⁹⁷ Campo, M., & Tayton, S. (2015). *Intimate partner violence in lesbian, gay, bisexual, trans, intersex and queer communities*. Child Family Community Australia. <https://aifs.gov.au/cfca/publications/intimate-partner-violence-lgbtig-communities>

⁹⁸ Neave, M., Faulkner, P., & Nicholson, T. (2016). *Royal commission into family violence: Final report* (Parl Paper No 132, 2014–2016). State of Victoria. https://apo.org.au/sites/default/files/resource-files/2016-03/apo-nid62334_59.pdf

sure there are sufficient programs available, which are appropriate for perpetrators of domestic and family violence within this client group.

5.3.4 PEOPLE WITH DISABILITY

The recently published *Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability* found that people with disability are overrepresented in criminal justice systems in Australia. People with disability were also found to be disproportionately the aggrieved in instances of abuse and violence.⁹⁹ The criminal justice system has been often criticised for not fully recognising people with disabilities as assuming they are not in relationships (including sexual relationships). Currently, support for domestic and family violence available to this group is unlikely to meet their needs. In recognition of these, and other related issues, the former Department of Child Safety, Youth and Women¹⁰⁰ released a specific plan to respond to domestic and family violence against people with disability.¹⁰¹

While stakeholders generally support that the court is reasonably well equipped to support people with disabilities, there was consensus among stakeholders that this group often faces considerable barriers to accessing the court. Beyond being delivered in a building that is physically accessible to people with disability, there is very little evidence of how the court addresses the needs of this group. For example, there is no specific information in the Specialist DFV Registry Manual on how staff should support people with disability, nor a list of specific organisations for these clients to be referred to. While this may to some extent reflect an absence of appropriate, local service providers, there is an opportunity for the Southport SDFVCJR to begin addressing this area of its practice immediately.

One interviewee, who identified that she was hearing impaired, noted that she found it difficult to understand proceedings in the court. However, she also noted that the support staff from DVPC, as well as her duty lawyer, were very mindful of her needs and assisted her with written summaries and post-court explanations.

We were unable to identify people with disability who have been involved with the court in the QWIC datasets, which prevented quantitative analysis of court experiences and outcomes for this group.

IMPLICATION: There is more work required to make the court equally accessible for, and responsive to, the needs of people with disability.

⁹⁹ Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. (2020). *The criminal justice system - Issues paper*. <https://disability.royalcommission.gov.au/system/files/2020-07/Issues-paper-Criminal-justice-system.pdf>

¹⁰⁰ Following the 2020 State Government election, a machinery of government change was implemented transferring certain functions of the former Department of Child Safety Youth and Women to the Department of Justice and Attorney-General. This includes the Office for Women and Violence Prevention which is responsible for administering funding for DFV support services, including court support and behaviour change programs.

¹⁰¹ Queensland Government. (2019). *Queensland's plan to respond to domestic and family violence against people with disability*. Department of Child Safety, Youth and Women. *Domestic and family violence against people with a disability plan* (publications.qld.gov.au)

5.3.5 PEOPLE MISUSING ALCOHOL AND OTHER DRUGS

It has been noted that drug and alcohol issues are often present in domestic and family violence. Research does not support that substance abuse *causes* domestic violence, but rather that the relationship between the two issues is extremely complex.¹⁰² Despite high levels of co-occurrence, there is a tendency to treat substance abuse and domestic violence separately. This is evident at the governmental level with separate specialist courts, and the service level with separate programs for substance abuse and perpetrator intervention programs.¹⁰³

We are unable to identify applications where drug and alcohol misuse co-occurs with DFV in the QWIC datasets. However, stakeholders observed that many clients of the court report this as an issue, and that the prevalence of methamphetamine misuse appears to be linked to domestic and family violence. This is consistent with contemporary drug and alcohol research, which shows that methamphetamine users are more likely than non-users to perpetrate domestic violence. However, because methamphetamine use is often present with other risk factors, methamphetamine use probably exacerbates an existing predisposition to violence, rather than causing violent behaviour.¹⁰⁴

It was noted as a critical gap in the local service landscape that there were insufficient services available to refer clients needing assistance with drug and alcohol issues. The *Queensland Mental Health, Alcohol and Other Drugs Strategic Plan 2018–23* notes the importance of working across agencies and sectors to reduce alcohol and drug related harm, including domestic and family violence.¹⁰⁵

There is opportunity for the Southport SDFVCJR to connect aggrieved people and respondents to appropriate treatment and support services. In the civil, jurisdiction, this may include developing programs that target the aggrieved–respondent pairs at the highest risk. The Family Court of Australia and the Federal Circuit Court of Australia are trialling the ‘Light House Project’, which applies a screening process to identify risks that co-occur with violence, including mental health issues and drug and alcohol misuse.¹⁰⁶ A team of professionals, including counsellors, is responsible for reviewing the risks to triage matters into high, moderate, and low risk case management pathways.

In the criminal jurisdiction, this may include strengthening the relationship between the Southport SDFVCJR and the Court Link program, which is a 12-week bail-based voluntary program with judicial monitoring that aims to address issues contributing to criminal

¹⁰² Crane, C. A., & Easton, C. J. (2017). Integrated treatment options for male perpetrators of intimate partner violence. *Drug and Alcohol Review*, 36(1), 24–33. <https://doi.org/10.1111/dar.12496>

¹⁰³ Freiberg, A., Payne, J., Gelb, K., Morgan, A., & Makkai, T. (2016). *Queensland Drug and Specialist Courts review - Final report*. Queensland Courts. https://www.courts.qld.gov.au/data/assets/pdf_file/0004/514714/dc-rpt-dscr-final-full-report.pdf

¹⁰⁴ Dowling C & Morgan A (2018) Is methamphetamine use associated with domestic violence? *Trends and Issues in crime and criminal justice* no. 563. Canberra, Australian Institute of Criminology, [Is methamphetamine use associated with domestic violence? | Australian Institute of Criminology \(aic.gov.au\)](https://www.aic.gov.au/publications/tandi/563-is-methamphetamine-use-associated-with-domestic-violence/)

¹⁰⁵ Queensland Mental Health Commission. (2018). *Shifting minds: Queensland Mental Health, Alcohol and Other Drugs Strategic Plan, 2018–2023*. https://www.qmhc.qld.gov.au/sites/default/files/files/qmhc_2018_strategic_plan.pdf

¹⁰⁶ <http://www.familycourt.gov.au/wps/wcm/connect/fcoaweb/family-law-matters/family-violence/lighthouse-project/lighthouse-project>

offending behaviours.¹⁰⁷ It is a mechanism for facilitating therapeutic jurisprudential approach, through which offenders are also connected with support and intervention services as relevant.

There is more work required to ensure people experiencing issues with alcohol and other drugs are referred to appropriate supports and services to ensure they can address the issues that may contribute to offending behaviours.

5.3.6 OLDER PEOPLE WHO EXPERIENCE VIOLENCE PERPETRATED BY A FAMILY MEMBER OR CARERS

One fifth of the applications in SSDFVC were classified as family-related violence. The proportion of aggrieved people over 55 years is higher for family-related violence than for intimate family violence. This section considers the age relationship between aggrieved and respondents when there is more than 14 years difference and when they are within the same 14 year age group. The analysis does not include intimate partner violence for older people.

The abuse of older people is a complex health and social problem, with devastating physical, emotional and social consequences for older people, families, and communities. It is a multi-faceted problem that can be challenging to identify and, therefore, difficult to respond to. Beyond allocating funding to train health care and social workers associated with the justice system to identify vulnerable or at-risk individuals and refer them to the courts for support, the *National Plan to Respond to the Abuse of Older Australians (Elder Abuse) 2019–23* does not advise on how courts can or should respond to abuse of older people.

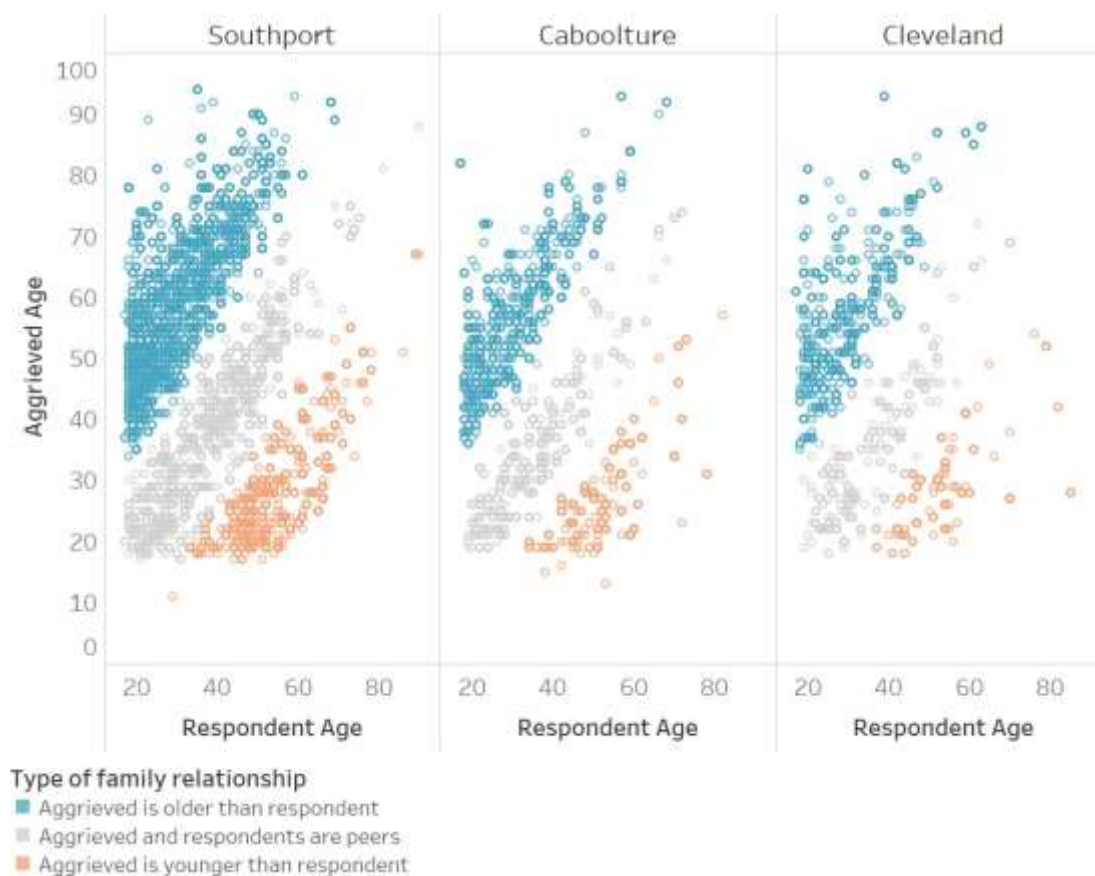
In our quantitative analysis of the QWIC applications dataset, we were able to identify three distinct groups of family-based aggrieved-respondent pairs based on their ages, which we have been able to use to estimate the proportion of applications relating to family relationships where an older person has experienced violence perpetrated by a younger family member (Figure 20).

We categorised family-based aggrieved-respondent pairs whose ages were within 14 years of each other as ‘peer aggrieved’, then those who were not peer aggrieved by whether the aggrieved was older or younger than the respondent. However, care must be taken in interpreting findings using this measure, as these categories are not based on data collected by the courts but are instead estimated through group-level patterns.

Figure 20 shows that out of the 1,613 initiating applications relating to non-intimate partner relationships the largest proportion involved an older person experiencing violence allegedly perpetrated by a younger respondent. This pattern was seen across the comparison courts. See Table 21 for additional detail.

¹⁰⁷ Department of Justice and Attorney-General, Court Link program, [Court Link | Queensland Courts](#)

FIGURE 20. AGGRIEVED AND RESPONDENT AGE FOR APPLICATIONS RELATING TO FAMILY RELATIONSHIPS



Source: QWIC- Applications: 1/7/2017 to 31/3/2020

Note: Aggrieved and respondents are peers means they are within 14 years of each other; other family relationships have more than 14 years age difference. Southport: N = 1,613; Caboolture: N = 610; Cleveland: N = 471.

Table 21 also shows that abuse of older people by younger people is the most frequent form of family violence being seen across all of the courts, accounting for at least 55% of matters (based on the age analysis of aggrieved and respondent pairs).

TABLE 21. THE NUMBER AND PROPORTION OF AGGRIEVED-RESPONDENT PAIRS BY THE TYPE OF FAMILY RELATIONSHIP

Type of family relationship	Southport		Caboolture		Cleveland	
	N	%	N	%	N	%
Aggrieved is older than respondent	886	55%	345	57%	274	58%
Aggrieved and respondent are peers	480	30%	176	29%	137	29%
Aggrieved is younger than respondent	247	15%	89	15%	60	13%
Total	1,613	100%	610	100%	471	100%
Missing	69		54		43	

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

Note: 'Aggrieved and respondent are peers' indicates their ages are within 14 years of each other. Other family relationships show more than 14 years age difference.

Interviews with stakeholders indicated that when older people are accessing the SSDFVC, the Specialist Registry and other court staff made sure they were well supported. However, as for people with disabilities, stakeholders felt that older people faced substantial barriers in being able to access the court in the first instance; either physically or to lodge an online application. There is very little evidence of how the Specialist Registry and other court staff are guided to respond to older people experiencing domestic and family violence. For example, there is no specific information in the Specialist Registry manual on how the staff should support older people and their families, nor a list of organisations providing dedicated or specialised services to older people to which referrals could be made. As is also the case for people with disability, there is an opportunity for the Southport SDFVCJR to begin addressing this area of its practice immediately.

Nevertheless, the two women we interviewed whose matters involved a respondent who was their adult child, both spoke very positively about the support and assistance they received at court.

"DVPC were excellent. They helped me understand what had been happening to me and made me feel okay and not just blame myself and feel like I'm a failure as a mother."
[Interviewee 10, female].

We note that the *National Plan to Respond to the Abuse of Older Australians (Elder Abuse) 2019-2023* has made reviewing state and territory legislation to identify gaps in safeguarding provisions a priority (priority number 5).

IMPLICATION: There is more work required to make the court equally accessible for, and responsive to, the needs of older people who experience violence.

5.3.7 YOUNG PEOPLE EXPERIENCING VIOLENCE IN INTIMATE PARTNER RELATIONSHIPS.

Although the numbers of young people (aged less than 18 years) utilising the SDFVC are small (currently fewer than 1% of clients of the court), several stakeholders were concerned that this cohort has specific needs that are not able to be met by the existing services. In particular, perpetrator programs were mentioned as not being designed to meet the needs of those aged under 18 years.

IMPLICATION: There is an opportunity to develop the accessibility of the Southport DFVCJR to young people by building relationships with existing local youth services and ensuring all staff working at the court are aware of these service and able to refer young people to them for support.

5.4 CLIENT CENTRIC

There is clear evidence across evaluation data sources that the Southport SDFVCJR is putting its clients—the aggrieved, respondents and their families—at the centre. This client focus is achieved through physical elements of the court, including how people who are aggrieved are separated from the respondent while at court, and by connecting clients with wraparound supports. It is facilitated by developing an attitude of understanding and unconditional positive regard amongst staff members, who are united in their prioritisation of victim safety.

It is strengthened by the physical colocation of specialist support services, including the domestic and family violence duty lawyer service (delivered by Legal Aid Queensland), the Court Advocacy Program (CAP) for aggrieved clients (Domestic and Family Violence Prevention Centre, DVPC), and court assistance for respondents (Centacare).

Clients' needs are clearly highlighted and prioritised in the SSDFVCJR processes and procedures. This is particularly true for the Specialist Domestic and Family Violence Registry, which is often a client's first point of contact with the court. Reflecting the Specialist Registry's centrality to clients' experience, the Specialist Registry Manual takes great care to describe good practice for assisting clients. As detailed in the manual, registry staff are expected to assist clients by:

- clearly explaining the court process, avoiding legal jargon;
- giving accurate procedural information and providing clear answers to questions;
- assessing the need for an interpreter where relevant;
- advising clients of available court support services; and
- making warm referrals to other services where appropriate.

The wraparound services and supports are also offered in a client-centred manner. For example, the Court Advocacy Program (CAP), provided by the Domestic Violence Prevention Centre (DVPC) is centred on, and seeks to understand, women and children's lived

experience of domestic and family violence and how this is manifested in women's unique needs for support and service.

The available evidence suggests the Southport SDFVCJR prioritises the safety of aggrieved people and their children, while respecting clients' goals for their safety and their relationship. There was no evidence of staff or volunteers entertaining the view of 'Why don't they just leave?' On the contrary, staff and volunteers demonstrated a nuanced understanding of the reasons why an aggrieved person might stay in a violent relationship, including their love for the respondent, fears for their safety and that of their children, and concerns about becoming homeless or their ability to achieve financial independence.

"DVPC and my duty lawyer were very respectful that the decision was up to me about how to proceed, but I felt supported in my decision not to accept an undertaking from my ex." [Interviewee 2, female]

The court's stakeholders also indicated a willingness to support clients' autonomy and goals for achieving safety. The exception was Queensland Police Service stakeholders, who identified the safety of the aggrieved as their primary goal. These stakeholders described the goal of safety as overriding the aggrieved person's own intentions, where that includes remaining in the relationship and cohabiting with the respondent. This was particularly true when a respondent's behaviours (e.g., non-fatal strangulation) indicate the aggrieved person was at risk of ongoing and potentially lethal harm. Police, in such instances were more likely to understand their role as being to advocate for the protection of the aggrieved through pursuit of non-contact orders, even against the aggrieved person's expressed wishes. This position is consistent with the *Not Now, Not Ever* recommendation that the Queensland Police Service 'adopt a proactive investigation and protection policy, which requires consideration of safety of the aggrieved person as paramount when deciding the course of action to be taken against the respondent and prioritises arrest where risk assessment indicates this action is appropriate.'¹⁰⁸

However, the *Not Now, Not Ever* report also recommended the Queensland Police Service seek an 'independent audit and review of training packages currently available to officers, with a view to assessing the appropriateness and frequency of compulsory professional development opportunities relevant to domestic and family violence', suggesting appropriate training should enhance 'officers' conceptual understanding of the dynamics of domestic and family violence, communication skills, as well as cultural awareness and sensitivities.'¹⁰⁹ The Queensland Police Service has since invested in education and training programs, including a specialist domestic and family violence course.¹¹⁰ This training has

¹⁰⁸ Recommendation 134 from Special Taskforce on Domestic and Family Violence in Queensland. (2015). *Not now, not ever: Putting an end to domestic and family violence in Queensland*.

<https://www.csyw.qld.gov.au/resources/campaign/end-violence/about/dfv-report-vol-one.pdf>

¹⁰⁹ Recommendation 138 from Special Taskforce on Domestic and Family Violence in Queensland. (2015). *Not now, not ever: Putting an end to domestic and family violence in Queensland*.

<https://www.csyw.qld.gov.au/resources/campaign/end-violence/about/dfv-report-vol-one.pdf>

¹¹⁰ Domestic and Family Violence Implementation Council. (2019). *Final report*.

<https://www.csyw.qld.gov.au/resources/campaign/end-violence/council/dfvi-council-final-report.pdf>

been made available to officers at Southport and, according to stakeholders, is contributing to a broad attitudinal shift about domestic and family violence.

Our interviews with and surveys of court clients strongly support that their needs were at the centre of the support they received. The interviewees also agreed they had been treated with respect, listened to, and understood. More than 90% of survey participants 'strongly agreed' that they had been treated with respect¹¹¹. The document review and interviews with key stakeholders showed that the way clients are assisted at SSDFVCJR is underpinned by a deep and specialist understanding of domestic and family violence. The court staff and stakeholders are clearly aware of the broad patterns of domestic and family violence, but also appreciate that the experience of violence is nuanced for every client of the court.

"Kitty (DVPC worker) came in and said hi. I'd only ever had phone and email contact with her, so it was nice to meet her. She was approachable. I didn't feel any doubt or fear. I trusted her and she was listening to me. If I needed to, I could off-load, and if I needed to know something, she would either tell me or get me the info I needed. She helped me with the wording of the application which made it so easy for me to send it again. The fact that she followed up showed that she cared. It was nice to know I had someone there."* [Interviewee 3, female]

"I felt seen by them. They recognised the severity of my situation and validated my feelings without pitying me. They're very supportive." [Interviewee 15, female]

5.5 COLLABORATIVE

The most powerful theme that emerged throughout the service provider stakeholder interviews was the importance and value of collaboration between all agencies and the individual people working at the court. The strength of the collaboration was universally noted in stakeholder interviews, with stakeholders suggesting this leads to improved outcomes for clients of the court.

5.6 CONSISTENT

The stakeholder interviews explored the role of dedicated DFV magistrates within the integrated court context, and the associated outcomes for people who access the Southport SDFVC. Stakeholder interview data revealed most stakeholders believed that having consistent magistrates is a critical factor in the ultimate success of the court meeting its aims—to protect victims and to hold perpetrators to account.

"A fuller picture always gives a better outcome" [Magistrate, 25.02.2020]

Most stakeholders recognised that having consistent Magistrates contributed to perpetrator accountability because perpetrators are aware that the Magistrate is aware of all elements of their matters at the DFV court. The information Magistrates have about particular individuals

¹¹¹ Department of Justice and Attorney-General client survey. This was a rating scale response from 0 to 100 for agreeing with the statement "I felt respected today". The average rating provided was 98 out of 100.

is considered within the limitations of the model and aligned with rules of evidence for criminal proceedings.

Some stakeholders asserted that it should make no difference who the Magistrate is, as their role is to objectively make judgements based on the information with which they are provided. However, the majority believed that having consistent Magistrates who are well informed about the dynamics of DFV was critical to the success of the Southport SDFVCJR, as the court can make more orders that are tailored to the needs of the matters before them.

Several legal representatives spoke of the advantages for their clients in having consistent magistracy, because it allowed them to tailor their advice to clients with an understanding of the preferred approach. For these legal stakeholders interviewed, it was considered a significant advantage to be aware of the systems and processes that a Magistrate preferred, as this resulted in a more efficient functioning of the court as no time was wasted preparing materials that would not be of use.

5.7 ACCESSIBLE

The specialist services and supports are physically wrapped around Southport SDFVC clients, with all co-located at the Southport Magistrates Court precinct. While similar specialist supports and services are available to clients making domestic and family violence court applications in other magistrates courts, they are rarely co-located at the court.

Stakeholders noted that being co-located helps them to make 'warm' referrals. In line with the best practice evidence base, these assisted or 'warm' referrals between the Southport SDFVCJR partners are a crucial component of ensuring clients receive wraparound support. Warm referrals require service providers to facilitate a connection between their client and another specialist support agency. A warm referral might involve an in-person introduction between the support worker, the court client, and a worker from the service the client is being referred to. In other cases, a warm referral can involve making a call on behalf of the client, assisting with setting up their first appointment and providing detailed information about how to get to the service location.

Warm referrals not only facilitate clients' safety, but also make it more likely clients will engage with the supports and services to which they are referred. Physical colocation may encourage engagement with support services. For example, some stakeholders described how when women waiting in the secure support room see other women engaging with DVPC support staff, they feel encouraged to accept support for themselves.

Facilitating 'warm' referrals requires staff to have a strong understanding of local support services for both respondents and aggrieved parties. It also requires strong relationships between the stakeholders involved in the Southport SDFVCJR and local support services. The strength of the relationship between the Southport SDFVCJR and the local service system is an obvious feature of the model. Through its Operational Working Group (OWG), the Southport SDFVCJR has negotiated simplified referral processes for many local support services, further reducing the burden on court users.

Client interviews indicate that the warm referrals process is occurring regularly and seamlessly. All the 17 interviewees were very positive about the way that staff from various agencies worked together respectfully and efficiently to support them.

"They're all very friendly and professional and communicate and share information in a way that is respectful of my privacy. It is great that I don't have to repeat my story over and over." [Interviewee 15, female]

"They worked really well together. They included me and they shared information." [Interviewee 2, female]

"Everyone seemed to work together well – they were all helpful. The duty lawyer and the Police prosecutor worked really well together." [Interviewee 7, female]

"They were good, they listened to me and when the whole process went on, they listened." [Interviewee 6, male]

While COVID-19 social distancing restrictions were in place (27 March 2020 and 14 June 2020) there were no physical appearances in any matters except by an applicant in urgent non-police, private domestic violence applications, the media or with leave of the Court (see Section 1.3.4). During this time, the Registry continued to refer clients to relevant service providers, who provided virtual (telephone or secure online consultation) support. There was some concern by Registry staff that fewer clients were taking up these referrals. Anecdotal evidence provided by DVPC suggests that some women who were being supported by their services disengaged from support whilst COVID-19 restrictions were in place out of concerns for their safety.

This is consistent with recent Australian Institute of Criminology research on help-seeking for domestic and family violence during COVID-19, which found that more than a third of women (36.9%) who experienced either physical or sexual violence or coercive control said that, on at least one occasion, they wanted to seek advice or support but could not because of safety concerns. More than half (58.1%) of those women who experienced both physical or sexual violence and coercive control from a current or former cohabiting partner said that on at least one occasion they did not seek help due to safety concerns.¹¹²

5.8 INTEGRATED

In dealing with civil DFV applications and criminal DFV charges, the specialist DFV court at Southport operates under the same legislation and rules of evidence as other magistrates courts around the state. For example, domestic violence applications are heard and determined on their individual merits, applying the civil standard of proof (which is on the 'balance of probabilities'). Defendants who are charged with contraventions of domestic

¹¹² Boxall H, Morgan A, Brown R (2020) The prevalence of domestic violence among women during the COVID-19 pandemic. *Statistical Bulletin 28* (July 2020), Australian Institute of Criminology, Canberra. [The prevalence of domestic violence among women during the COVID-19 pandemic \(aic.gov.au\)](https://aic.gov.au/publications/statistical-bulletin/28-the-prevalence-of-domestic-violence-among-women-during-the-covid-19-pandemic)

violence orders and 'flagged offences' are prosecuted in the criminal jurisdiction by Police prosecutors applying the criminal standard of proof (which is 'beyond reasonable doubt').

Unlike other specialist courts and programs operating in Queensland, e.g., the Murri Court or the Queensland Drug and Alcohol Court, the aggrieved and respondent parties do not have the opportunity to volunteer or opt-in to their matter being heard in the specialist DFV court. The specialist DFV court generally deals with all DFV matters in Southport.

There are limitations on the extent to which a matter can be fully integrated (and considered at the same time) in Southport SDFVC because of the different rules of evidence applying in the civil and criminal jurisdiction and the overarching requirements for procedural fairness. In general, criminal, and civil matters are only linked where the civil application has been brought by QPS.

Operationalisation of the integrated model requires a nuanced approach to ensure that the law is properly applied in court proceedings. In this respect, the proper conduct of proceedings is overseen and determined by the specialist court's dedicated DFV magistrates, who may preside where appropriate over the relevant civil and criminal matters. The magistrate is supported by the legal stakeholders who respect and observe the relevant rules of evidence, procedural fairness, and the decisions of the magistrate.

The integration of the courts is focussed on the way the justice system interacts with the respondent. As such, some stakeholders are concerned that there may be a gap in service provision as it relates to the aggrieved. As mentioned in Section 4.3, support services for women are available every day of the week at Southport, however, at other locations such services are available only on days when the court is responding to civil matters.

5.8.1 COERCION AND CONTROL AND FAMILY LAW

Integration may also limit a respondent's ability to use court processes as a means of coercion and control.^{113 114} There are examples in the literature of ways respondents can misuse the legal system, including by continually 'firing and hiring' legal representatives, making complaints against lawyers and judicial officers, appealing decisions, or applying for variations to domestic violence orders. All these abuses of process are done with the intention of drawing out the proceedings, draining the victim's resources, and thereby exerting some level of control over the aggrieved and forcing encounters with the respondent.¹¹⁵

When legal processes are misused in these ways (as a form of systems abuse), the impact on the aggrieved is described as a form of secondary victimisation. One of the reasons why it is difficult to prevent this type of abuse is because it is not the respondent's actions—using

¹¹³ Birnbaum, R., Saini, M., & Bala, N. (2017). Canada's first integrated domestic violence court: Examining family and criminal court outcomes at the Toronto IDVC. *Journal of Family Violence*, 32, 621-631.

<https://doi.org/10.1007/s10896-016-9886-z>

¹¹⁴ Douglas, H. (2018). Legal systems abuse and coercive control. *Criminology & Criminal Justice*, 18(1), 84-99.

<https://doi.org/10.1177/1748895817728380>

¹¹⁵ Miller, S. L., & Smolter, N. L. (2011). "Paper Abuse": When all else fails, batterers use procedural stalking. *Violence Against Women*, 17(5), 637-650. <https://doi.org/10.1177/1077801211407290>.

legal engagement to exercise and protect their rights—which is problematic, but the context in which they take place. That is, as a tool of domestic violence.¹¹⁶

There are suggestions in the literature that the very structure of the Australian legal system, which has several jurisdictions operating alongside each other, can exacerbate system abuse in this instance. This is because while family law in Australia operates at a Commonwealth level, legislation for child protection, domestic violence and criminal offences are at a state-level.¹¹⁷

Stakeholders noted the high likelihood of domestic and family violence cases having associated family law court matters at the Federal level, and the complications that this can involve. Some stakeholders were concerned, however, that there may be a tendency amongst the magistracy in generalist courts to minimise the DFV issues raised in the belief that the DFV would cease once custody issues were resolved through the Family Court. Concerns were also raised by some stakeholders that because Family Law falls under the jurisdiction of Federal Circuit Judges, that DVOs made by Magistrates may be given little credence.

Other stakeholders were of the view that it may be the case that in civil DFV matters (applications for protection orders) where known and adjacent family law proceedings are close to finalising, the DFV proceedings may be adjourned pending the outcomes from the Family Court of Australia or Federal Circuit Court. This may be because there is a view that the outcomes from the federal jurisdiction in the form of parenting orders and arrangements (interim and final) will affect or have some impact on any permanent protection order that may be made in the DFV court.

There are certain protocols established at Southport SDFVC that are now state-wide practice. These protocols allow for magistrates in the SSDFVC to quickly access information from the Family Law Court, such that orders made by the magistrate are made cognisant of the contact arrangements in place under family law orders. However, the process for information sharing from the specialist court to the Family Law courts is less well established.

Stakeholders reported mechanisms were introduced to fast-track suitable matters to the Family Law Court in July 2019. These procedures are well documented with supporting referral forms and pathway mapping. Despite these measures, evidence from the interviews and surveys with clients of the court indicate that, for some people, the processes of the court are being misused as a form of coercion and control.

Several people we spoke to—particularly those with concurrent family law matters—noted their concern about systems abuse. This was mostly raised by women (n=4), but also by one man.

“He’s gone through court before and he knows how to play the system, so he’s fighting the TPO”. [Interviewee 14, female]

¹¹⁶ Douglas, H. (2018). Legal systems abuse and coercive control. *Criminology & Criminal Justice*, 18(1), 84-99. <https://doi:10.1177/1748895817728380>

¹¹⁷ Douglas, H. (2018). Legal systems abuse and coercive control. *Criminology & Criminal Justice*, 18(1), 84-99. <https://doi:10.1177/1748895817728380>

Some interviewees told us they believed the other party in their matter was using the court system to inconvenience and control them. These interviewees felt that the other party was manipulating the system and deliberately drawing out the legal process by asking for multiple variations, failing to appear, and seeking adjournments for a wide array of reasons. Our sample is too small to draw definitive conclusions, however interviewees with matters at the DFV court and at the family law court were more likely to report this kind of systems abuse.

5.9 IMPLICATIONS AND OPPORTUNITIES

Dedicated magistracy: The Southport SDFVCJR provides magistrates with an important opportunity to develop specialist DFV court experience. Magistrates who have completed a rotation at the Southport DFVC need to be encouraged and supported to mentor others and to share their experiences in other locations and contexts.

It is important that the length of rotations for magistrates balances the need to develop the DFV experience of a broader pool of magistrates and mitigate potential vicarious trauma, with maintaining continuity to mitigate against systems abuse, and to ensure consistent leadership of the court justice response.

Specialist Registry: The specialist registry at the Southport SDFVCJR led by a dedicated DFV registrar, plays a critical role in considering risk and linking clients of the court with other services as well as supporting the operation of the court, including record keeping, data entry, file preparation and in court. Resourcing, staffing and specialist DFV training of registry staff (in recognition of the complexity of DFV) in other locations will support improved access to other service providers including duty lawyers in those sites.

Inclusion for diverse court users: There is an opportunity for the Southport SDFVCJR to begin addressing this area of its practice immediately, by consulting with specialist service providers for diverse user groups, in particular, people with disability, older people, young people and people who identify as LGBTIQ+. Contact information for specialist service providers, and key considerations for working with particular user groups needs to be incorporated into the Specialist Registry manual.

Ensuring appropriate protection for vulnerable people and people from diverse population groups. This may include expanding the definition of DFV to provide further protection and increased accessibility to a justice response for older people and people with disability; refining the procedures relating to accessibility, including for interpreter engagement, to ensure they provide suitable access for people with hearing impairment and allow for reasonable adjustments for people with other disabilities.

There is also potential to improve the court's data by sharing the information gathered by LAQ with regards to ethnicity and disability.

Case management support. Some clients of the court (both aggrieved people and respondents) have substantial unmet social support needs including drug and alcohol misuse, mental health concerns and unstable housing. There is an opportunity to develop

case management support capacity at the court. In the civil jurisdiction, this may include innovative specialist services and programs that target aggrieved–respondents at highest risk to further develop responses to safety and accountability. In the criminal jurisdiction, this may include strengthening the relationship between the SDFVCJR and the Court Link program.

Coordination role. The court coordinator role is responsible for establishing and maintaining relationships with and between key stakeholders and facilitating a forum to drive continuous improvement in service delivery, development and formalisation of new procedures. The role supports access to and coordination of services for clients of the court. Having a similar role in large or high volume non-specialist courts would support improved access to and coordination of services for clients of the court.

6. OUTCOMES FOR VICTIMS

This Chapter answers the key evaluation question relating to the patterns of outcomes for people who are aggrieved and their children who are supported by the Southport Specialist Domestic and Family Violence Court Justice Response. Here we recognise that the court response in civil and criminal matters is part of broader multi-agency responses that may improve safety post court/order, including safety planning, economic supports, and the reporting of breaches and policing response.

The key evaluation questions addressed in this chapter are:

- To what extent do aggrieved people and their children feel:
 - Safe and secure?
 - Respected and empowered?
- To what extent does aggrieved people's wellbeing and feelings of safety and security improve?
- What are the impacts on safety and security for people who are aggrieved through SSDFVCJR processes?

There is emerging quantitative evidence that victims supported by the Southport SDFVCJR are safer because perpetrators are held to account. Further, our extensive qualitative interviews with specialist support service providers and other key stakeholders, and interviews with and surveys of a limited sample of court clients point to the success of the court justice response in helping people who are aggrieved to feel safer and more empowered.

We note that court justice response to both civil and criminal matters is part of a broader multi-agency response that seeks to improve outcomes for victims and their children. It both contributes to and depends upon the broader human services system to effect change.

6.1 PERCEPTIONS OF SAFETY AND EMPOWERMENT

There are many ways in which the Southport SDFVCJR provides for the physical as well as emotional and mental safety of the aggrieved. In addition to the key safety output of providing protection orders, the court contributes to the safety of the aggrieved through the provision of security guards and safe rooms and safe spaces. In addition, the court provides for the safety of the aggrieved by connecting them directly to service supports that they can access whilst at court.

There is limited quantitative data available to the evaluation describing how being supported by the SSDFVCJR affects the aggrieved parties' perceptions of safety. However, our extensive qualitative interviews with specialist support service providers and other key stakeholders, and interviews with and surveys of a limited sample of court clients point to the success of the court justice response in helping people who are aggrieved to feel safer.

Female interviewees, particularly those appearing at court for the first time, reported feeling very nervous, anxious, and unsure about what to expect. Three women explicitly said they feared for their safety coming to court because they were concerned about being near the respondent.

"I asked the police to walk me to the courthouse and they did; I asked whether there was a back way to enter. It is daunting having to go through the front door and face all the uniforms and everything." [Interviewee 14, female, aggrieved]

Women told us that they felt safe as soon as they were within view of the court security guards and made largely very positive comments in relation to their presence. Several aggrieved female survey participants (n=7, 64% of participants who responded to the question) noted that seeing 'security guards close by' helped them to feel safer.

"I appreciated the security guards being there – I felt safe because they were there."
[Interviewee 1, female, respondent]

All the women interviewed spoke about the women's safe room, and that they felt safe when in it. Women appreciated that their respondents could not see them there, and that they could go directly to and from the court room without having to cross paths with the respondent.

"The support room was very comfortable. I felt completely safe there." [Interviewee 10, female, aggrieved]

"I felt safe in the safe room as I didn't have to see the person." [Interviewee 3, female, aggrieved]

"The women's safe area was really good. I knew I was in a secure place with locked doors."
[Interviewee 7, female, aggrieved]

Women also noted that the safe room was physically comfortable and that the support provided by DVPC and other workers at the court, including duty lawyers, helped them to feel somewhat more emotionally comfortable— despite their anxiety or nervousness about being at court.

This is consistent with the pattern of survey responses, where "I had support from a domestic violence service and "I was able to keep separate from the other party" were two of the most commonly-chosen responses to questions about safety. Survey participants also identified that having a duty lawyer in court with them (9, all female), and being shown where to go (n=8, all female) helped them to feel safer while they were at court.

The court client survey showed that male clients were much less likely to raise concerns for their safety at court or in the community than were female clients. Five of the 29 male participants in the survey were aggrieved parties. One of the males aggrieved indicated he had a safety plan in place for his court attendance and another two men indicated that being able to see a duty lawyer in a safe place assisted them to feel safe at court. However, none of the male aggrieved survey participants indicated that they required any support with finding

a safe place to live or safety planning. This is compared with 20 female survey participants who indicated they required support with safety planning. Four of the five men who were aggrieved indicated that they saw a support service (Centacare) for support.

All of the 10 women we interviewed, and seven female survey respondents indicated they were assisted by DVPC. Their comments about the service were nearly unanimously positive, and illustrated that they felt listened to, understood, respected, and helped.

"I have nothing but the best words to say for every single one of the DVPC angels up there. They have been in court room with me. If it wasn't for their support, I don't know how I would have got through the last two years. I cried on them so many times. They comforted me. I was so appreciative, and I wanted to express my gratitude, so I brought them chocolates." [Interviewee 9, female]

We note that other jurisdictions, including Victoria, are considering ways to continuously monitor how physically and emotionally safe and well aggrieved people feel and other outcomes data (e.g., participation in employment, changes to parenting responsibilities). Incorporating victims' voices is seen as an important way of ensuring interventions are meeting the needs of the people who receive them, but there are a range of important ethical and safety considerations.

We understand that social support services, including the Court Advocacy Program provided by DVPC, do collect a range of data about their clients' perceived wellbeing. This information was not available to the evaluation for a range of ethical and practical reasons but would allow for a more thorough appraisal of the outcomes associated with the court justice response.

The DJAG administered court client survey which has been drawn from in this evaluation is also intended to be a tool for regularly monitoring clients' perceptions about their perceptions of their safety and wellbeing both at court and as a result of the court's intervention.

6.2 IMPACTS OF SAFETY AND SECURITY

In the civil jurisdiction, the principal mechanism supporting perpetrator accountability is a domestic violence protection order.¹¹⁸ As shown in Table 3, Section 2.2 there have been 13,147 protection orders and vary protection orders made associated with the 11,521 initiating applications and applications to vary dealt with at the Southport Magistrates Court.

The court may make a protection order with a range of conditions,¹¹⁹ which restrict the respondent's right to interact with or be near the persons named on the order. Breaches of the conditions associated with protection orders are a criminal offence and may invoke sanctions such as financial penalty or imprisonment.

¹¹⁸ Domestic and Family Violence Protection Act 2012 (Qld) s 51.

¹¹⁹ A detailed analysis of the range of conditions is beyond the scope of this evaluation.

The proportion of domestic violence protection orders breached may be an indication of the courts' impact in protecting women's physical, mental and emotional safety. It has been difficult for previous evaluations to calculate breach rates because contravention charges are not specifically linked to the original orders in QWIC. We developed a methodology to identify protection orders made at Southport Magistrates Court or the two comparison courts that were later charged with a breach at least once. Importantly, breaches of these orders could be identified regardless of where in Queensland the breach was charged.

For this evaluation we linked contravention charges in the criminal QWIC dataset to the specific order that was breached in the civil QWIC dataset using three variables – the date and court location of the order issued, and the unique person identifier code of the respondent/ defendant. To provide a more accurate estimate of the breach rate, we only examined the number and proportion of orders issued by the Southport Magistrates Court and the comparison courts in the 2017-18 financial year that were later charged with at least one breach during the evaluation period. This maximised the time available (at least 21 months for all orders issued) for any breach of the order to occur within the evaluation period.

This matching approach allowed for contravention charges to be linked with the particular order that was breached across the civil and criminal QWIC datasets, however details of the order breached were not able to be identified or matched for all contravention charges in this dataset. The date and location of the order breached was not able to be extracted from the offence wording for some contravention charges, and there was a subset of contravention charges relating to orders issued by the Southport Magistrates Court and the comparison courts in the 2017-18 FY that were unable to be matched to the details of the orders made in the civil QWIC dataset based on order date, court location, and respondent/ defendant's unique person identifier code (see Appendix 1 for additional detail regarding this matching process). As this approach was not able to match all contravention charges to the relevant order issued, it is important to note that the breach rate is indicative and that some orders issued may have associated contravention charges that have not been identified in this analysis. It is important also to note that breaches of DVOs may not include occurrences when a person on an order is charged with a more serious offence deemed to relate to a domestic violence event (a flagged offence).

Nine percent (356) of the 3,994 DVOs issued by the Southport Magistrates Court, and approximately one in ten (219, 11%) of the 1,931 protection orders issued by the Southport Magistrates Court in 2017/18 resulted in a charge for a breach within a minimum of 21 months of the order (Table 22).¹²⁰ This is broadly consistent with the breach rates at the comparison courts and with other Australian research indicating a minority of DVOs are breached.¹²¹ Of the various order types, vary protection orders were more likely to have an associated charge for a breach, with a notably higher breach rate at Southport Magistrates

¹²⁰ Based on DVOs made in 2017-2018, that could be matched with a charge for a breach up to 31/3/2020. Over a period of 21 to 33 months from the order 64% of breaches were matched to DVOs by location, date and person identifier (see Appendix 1). Note that breaches of DVOs may not include occurrences when a person on an order is charged with a more serious offence deemed to relate to a domestic violence event (a flagged offence).

¹²¹ Poynton, S., Stavrou, E., Marott, N. and Fitzgerald, J. (2016). Breach rate of Apprehended Domestic Violence Orders in NSW (Bureau Brief No. 119). Sydney: NSW Bureau of Crime Statistics and Research

Court (18% of vary protection orders breached), compared with Caboolture (13% of vary protection orders breached) and Cleveland (9% of vary protection orders breached).

TABLE 22. PROPORTION OF ORDERS THAT RESULTED IN A CONTRAVENTION CHARGE, BY ORDER TYPE

		Southport		Caboolture		Cleveland	
Order Type	Order breached and charged?	N	%	N	%	N	%
Protection order	No	1,712	89%	639	91%	490	90%
	Yes	219	11%	64	9%	54	10%
Vary protection order	No	215	82%	104	87%	117	91%
	Yes	47	18%	15	13%	12	9%
Temporary protection order	No	1,499	95%	413	96%	223	96%
	Yes	74	5%	18	4%	10	4%
Vary temporary protection order	No	212	93%	24	96%	34	94%
	Yes	16	7%	1	4%	2	6%
Total		3,994	100%	1,278	100%	942	100%

Source: QWIC – Applications: 1/7/2017 to 30/6/2018; QWIC- Charges: 1/7/2017 to 31/3/2020

Note: Shows orders and breaches that could be matched (See Appendix 1.) Orders include all DVOs made at Southport Magistrates Court and the two comparison courts during the 2017-18 financial year. Breaches include contravention charges linked to orders made in Southport Magistrates Court and the two comparison courts by the date and location of the protection order, and respondent/ defendant SPI. Court location is the court where the protection order was made. Breaches of these orders charged at any court in Queensland were included in this analysis.

The rate of breaches was similar for both intimate partner orders and family relationship orders. (See Table A37 in Appendix 5).

The strongest evidence of the value of the SSDFVCJR to enhancing victim safety is drawn from our interviews and surveys with clients, and from the key stakeholders whose day-to-day practice is focussed on understanding women's particular safety needs and responding to them.

There is a general assumption that when a person engages with 'a social responder', this will lead to an increase in their safety and well-being. However, research also acknowledges that the actions of a 'social responder' can have the effect of decreasing a person's safety and wellbeing as the interaction may lead to a person disengaging with a service, or to no longer

disclose their experiences.¹²² The DVPC shared internal client satisfaction data which corroborates our interviews with women, who almost universally say that they feel safer and more supported since engaging with the SSDFVCJR's wraparound supports.¹²³ As a result of their contact with the SSDFVCJR, the women know how to seek help, which contributes to their future safety. For example, the DVPC staff noted that during the COVID-19 lockdown when domestic and family violence risks were heightened for many people,¹²⁴ women who had been disengaged with the service reconnected with it. Some of the women who re-engaged at this time had been disengaged from the service for up to seven years. This anecdotal data suggests that women who interact with the support available through the SSDFVCJR are better equipped in the longer term to seek help to keep them safe.

6.3 IMPLICATIONS AND OPPORTUNITIES

Continuous monitoring of perceived wellbeing and safety. Incorporating victims' voices is seen as an important way of ensuring interventions are meeting the needs of the people who receive them, but there are a range of important ethical and safety considerations. Exploring ways to do this safely and thoroughly is warranted.

Ensuring data sharing arrangements are in place with social support service providers.

We understand that social support services, including the Court Advocacy Program (DVPC) collects a range of data about their clients' perceived wellbeing and other outcomes data (e.g., participation in employment, changes to parenting responsibilities). This information was not available to the evaluation for a range of practical reasons (i.e., the capacity of the provider's data system to easily generate useful reports and the availability of appropriately senior and skilled staff to be able to extract and redact identifying elements without compromising service delivery) but would allow for a more thorough appraisal of the outcomes associated with the court justice response.

¹²² Domestic Violence Services Management, Sightlines Professional Services Division (2018) *Project Report: Concepts of Safety*. https://dvnswsm.org.au/wp-content/uploads/2019/06/Concepts-of-Safety-Report-with-appendix-20June_2018-eCopy.pdf

¹²³ From recorded focus group session conducted with DVPC, 24 March 2021

¹²⁴ Boxall H, Morgan A, Brown R (2020) The prevalence of domestic violence among women during the COVID-19 pandemic. Statistical Bulletin 28 (July 2020), Australian Institute of Criminology, Canberra. [The prevalence of domestic violence among women during the COVID-19 pandemic \(aic.gov.au\)](https://www.aic.gov.au/publications/statistical_bulletin/28_july_2020/the_prevalence_of_domestic_violence_among_women_during_the_covid-19_pandemic)

7. OUTCOMES FOR RESPONDENTS

The term 'respondents' is used throughout this chapter to avoid adding the complexity of using different terms in the civil and criminal jurisdictions.

This Chapter answers the key evaluation questions relating to the patterns of outcomes for respondents and perpetrators who are associated with Southport Specialist Domestic and Family Violence Court Justice Response.

- To what extent are perpetrators:
 - Held accountable
 - Compliant with orders over time
 - Able to reduce negative behaviour and attitudes
 - Able to address identified underlying factors
- What are the impacts of accountability for DFV offences?

There is emerging quantitative evidence that the patterns of outcomes for perpetrators are stronger at the Southport SDFVCJR compared with the comparison courts. Although the proportion of orders that were breached and had later associated criminal charges did not differ notably between SSDFVC and the comparison courts, on average it took longer for orders made by the SSDFVC to be breached. This suggests that while the Southport SDFVCJR does not *prevent* orders being breached, it may have effect in improving compliance with orders and contribute to safety over a longer period.

We recognise that the court response to both civil and criminal matters is part of a broader multi-agency response that seeks to improve perpetrator accountability through a range of services and supports including services to address underlying issues, mechanisms to support reporting of breaches as well as policing responses. It both contributes to and depends upon the broader human services system to effect change.

7.1 COURT ORDERS AND PERPETRATOR ACCOUNTABILITY

As shown in Table 2 (see Section 2.2) there have been 13,147 domestic violence orders made associated with the 11,521 initiating applications and applications to vary dealt with at the Southport Magistrates Court.¹²⁵ Of the 1,913 protection orders issued by the Southport Magistrates Court in 2017/18, approximately 11% resulted in a breach within a minimum of 21 months of the order (see Section 6.2).¹²⁶

¹²⁵ Applications *dealt with* includes those *lodged* in the location in the year plus those continuing from previous year and those transferring from other locations.

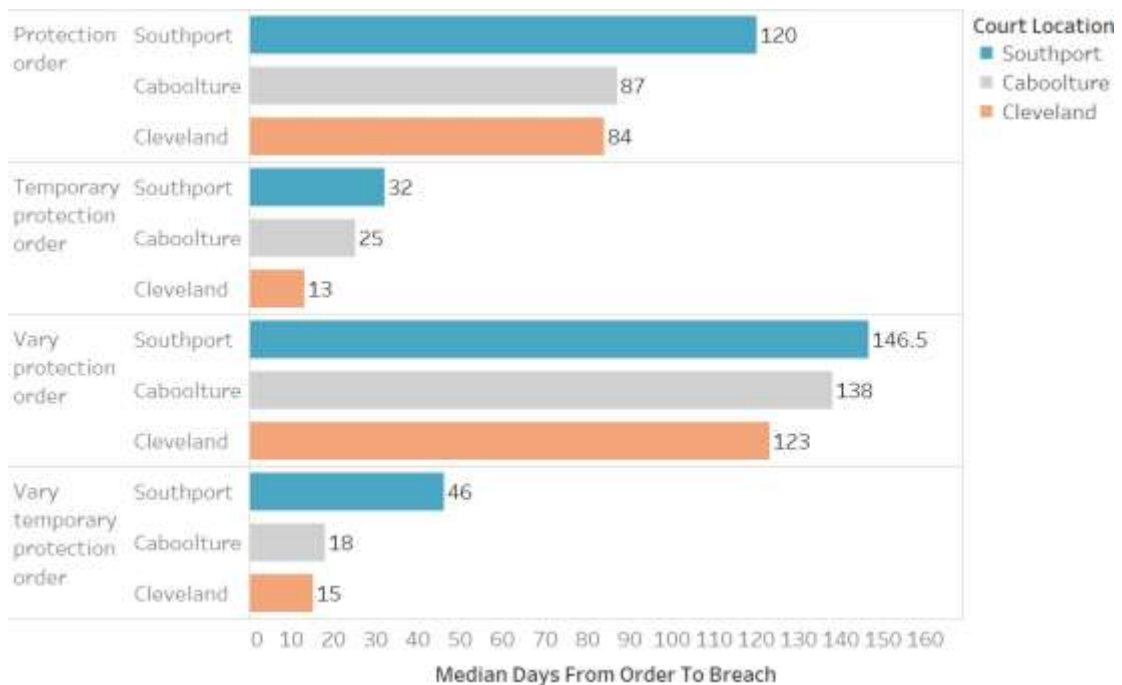
¹²⁶ Note that breaches of DVOs may not include occurrences when a person on an order is charged with a more serious offence deemed to relate to a domestic violence event (a flagged offence). Based on DVOs orders made in 2017-2018, charged with a breach by 31/3/2020.

Beyond imposing protection orders, the court also supports perpetrator accountability through intervention orders that connect respondents with a relevant behaviour change program. Approximately 10% of matters at Southport Magistrates Court resulted in intervention orders directing respondents to complete a behaviour change program. As discussed in section 3.2.2, almost half (44%) the intervention orders made during the evaluation period were contravened. Only 13% of intervention orders were completed (the respondent met all program requirements), and a substantial proportion (42%) were not concluded (the order was ongoing, with the respondent not yet having met all program requirements) within 12 months of the Intervention Order being made. In addition, the data presented in Section 3.2.2 shows the number of intervention orders is low overall, and especially at the two comparison courts.

7.1.1 BREACHES OF ORDERS MADE

In this section, we have interrogated the quantitative data to find evidence of patterns of changed offending as a result of the orders made at court. Although the proportion of orders where respondents were charged with a breach did not differ notably between SSDFVC and the comparison courts, on average it took longer for domestic violence orders made by the SSDFVC to be breached (Figure 21). This difference was evident for all domestic violence orders, but particularly noticeable for breaches of protection orders, where the median time between protection orders being made and breached was over a month longer at Southport (120 days) compared with the comparison courts (Caboolture, 87 days; Cleveland 84 days).

FIGURE 21. MEDIAN NUMBER OF DAYS FROM ORDER TO BREACH, BY ORDER TYPE



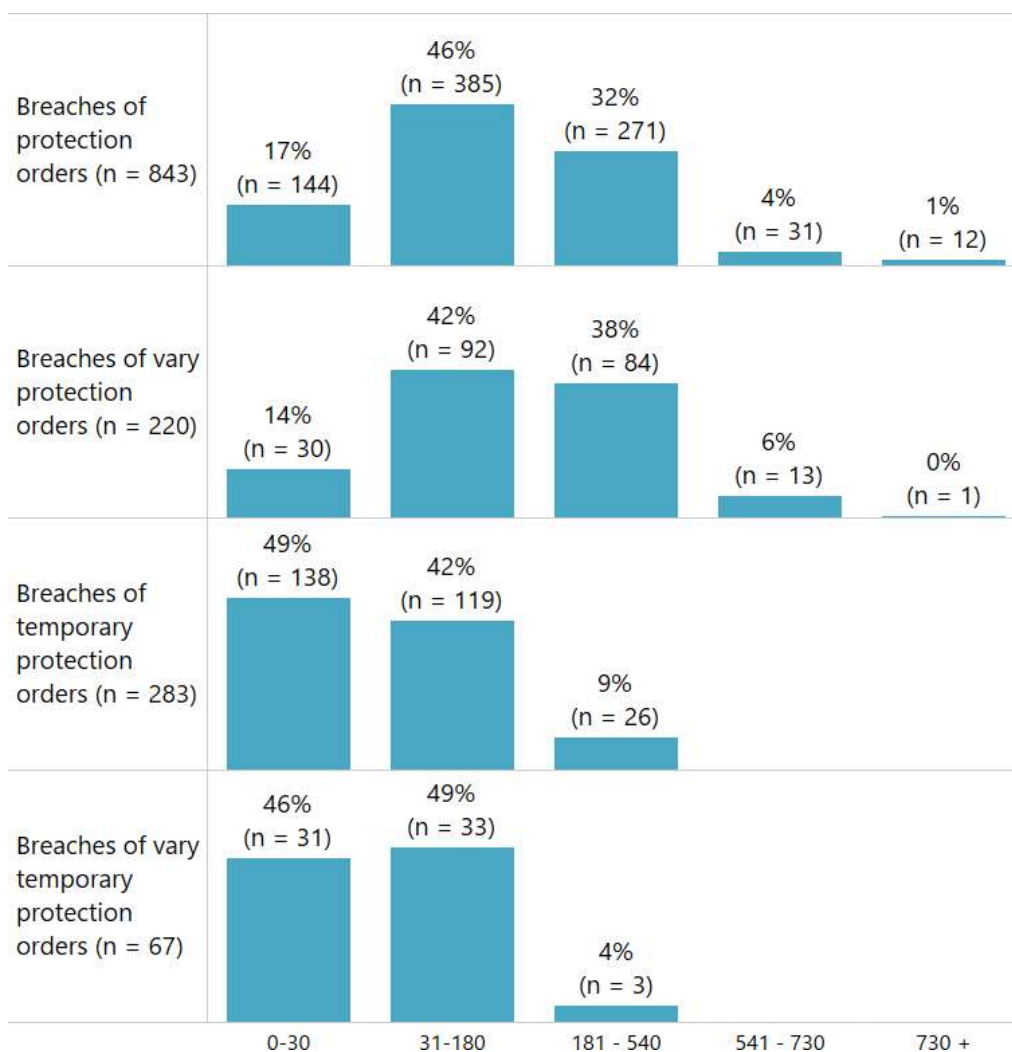
Source: QWIC- Applications and Charges: 1/7/2017 to 31/3/2020.

Note: Includes breaches of orders relating to initiating applications and applications to vary as shown in Table 22

This suggests that while the Southport SDFVCJR does not *prevent* orders being breached, it may have effect in improving compliance with orders over a longer period. This may indicate that orders made by the SSDFVC are more closely tailored to the needs of the clients making compliance easier or that the specialised collaborative service response adds to safety. It may also indicate the SSDFVCJR offers clients more opportunity to have the conditions of their order explained to them, and hence, understand better what is required to comply with them. Qualitative longitudinal studies involving respondents and victims could provide insight into the conditions that trigger and mitigate against further offending

Some orders had more than one associated breach charge. Figure 22 shows the number of breaches occurring within each time point at Southport. Sixty-one percent of breaches occurred within six months.

FIGURE 22. NUMBER OF BREACHES BY DAYS FROM ORDER AT SOUTHPORT MAGISTRATES COURT



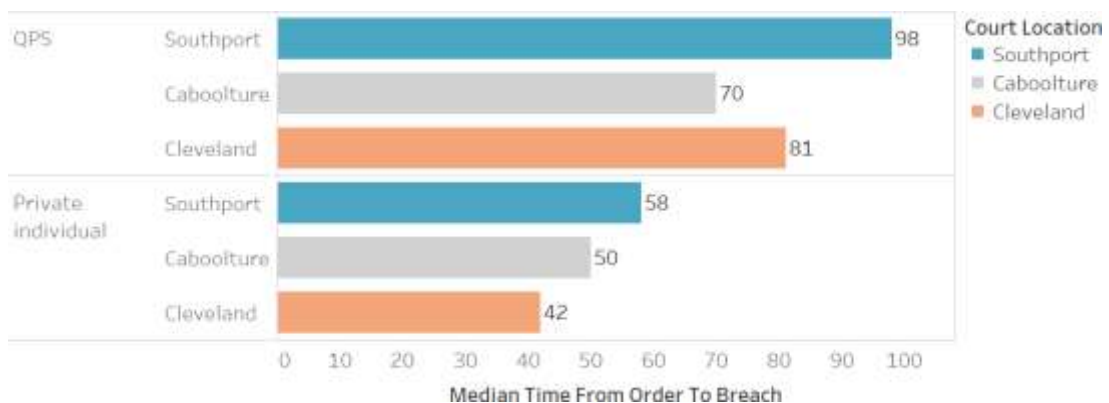
Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Includes breaches of orders relating to initiating applications and applications to vary. A respondent may breach an order multiple times.

Orders relating to applications lodged by private individuals resulted in a charge for a breach earlier than orders relating to applications lodged by QPS (Figure 23). This was evident at Southport Magistrates Court and the comparison courts, suggesting that the trend of increasing police applications (see Section 2.1) may contribute to keeping victims safer for longer.

Further analysis with closer interrogation of lodgements and client support at different locations is warranted in order to better understand the key success factors that contribute to increasing the time without violence and improving women's safety.

FIGURE 23. MEDIAN NUMBER OF DAYS FROM ORDER TO BREACH, BY APPLICATION LODGEMENT AUTHORITY



Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Includes breaches of orders relating to initiating applications and applications to vary.

7.1.2 SANCTIONS IMPOSED FOR BREACHES

The court may also impose other sanctions, including financial penalties and custodial sentences. Overall, we found similar patterns in monetary orders and custodial sentences made for respondents who offended after having a domestic violence order made at one of the three courts. We found no notable differences between the courts in term of the types of penalties applied.

Table 23 shows the average monetary amount ordered for respondents at Southport who were later charged with breaching a domestic violence order is \$235, and Table 24 shows the average duration of imprisonment associated with charges relating to respondents with orders made at Southport is 127 days (142 defendants).

TABLE 23. MONETARY ORDERS FOR RESPONDENTS WITH COMPLETE APPLICATIONS AND POST APPLICATION CONTRAVENTIONS

	Southport	Caboolture	Cleveland
Number of respondent/ defendants who contravened	771	272	183
N charges	1,625	519	450
% of post application contravention charges	100%	100%	100%
Avg. amount	\$235	\$242	\$146
Median amount	\$126	\$126	\$126
Min. amount	\$119	\$100	\$119

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Lodged and completed applications and related charges. Court location refers to the location of the initiating application or application to vary. The data extracted does not distinguish between the individual types of monetary orders (e.g., fine, restitution, compensation, moiety).

There were similar patterns of imprisonment penalties for respondents who were charged with breaching a domestic violence order after the completion of an application at Southport and the comparison courts during the evaluation period (Table 24). Two percent (142) of all respondents with completed applications were sentenced to imprisonment for contraventions of orders. At Southport, this represented 18% of those who contravened orders whereas for the two comparison courts, closer to a third of those who contravened were given a custodial sentence.

TABLE 24. IMPRISONMENT DAYS SENTENCED FOR RESPONDENTS WITH COMPLETE APPLICATIONS AND POST APPLICATION CONTRAVENTIONS

	Southport	Caboolture	Cleveland
Number of respondent/ defendants imprisoned	142	90	55
% imprisoned of all respondents with completed applications	2%	3%	3%
% imprisoned of respondents with post application contravention	18%	33%	30%
Number of charges	335	178	120
% of post application contravention charges	21%	34%	27%
Avg. Imprisonment duration (days)	127	158	121
Median Imprisonment duration (days)	90	120	99
Min. Imprisonment duration (days)	7	7	7
Max. Imprisonment duration (days)	730	540	910

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Lodged and completed applications and related charges. Court location refers to the location of the initiating application or application to vary. Contravention charges included in this analysis could be dealt with at any Queensland Magistrates Court.

7.2 CHANGES IN ATTITUDES

There is insufficient quantitative data to determine the extent to which participation in a perpetrator program associated with the SSDFVCJR is associated with changes in criminogenic thinking and negative attitudes.

While completion reports are documented by all providers delivering behaviour change programs, these were unable to be viewed during the evaluation for a variety of practical reasons. The completion reports are a potentially important source of data relating to both participation and engagement in programs as well as indications of change in attitudes over time.

We note that other jurisdictions, including Victoria, are considering ways to continuously monitor how perpetrators' criminogenic thoughts and attitudes change with participation in interventions. Incorporating perpetrators' voices is seen as an important way of ensuring interventions are meeting the needs of the people who receive them, but there are a range of important ethical and safety considerations.

We understand that social support services, including those provided by Centacare, do collect a range of data about their clients' perceived wellbeing and progress. This information was not available to the evaluation for a range of reasons but would allow for a more thorough appraisal of the outcomes associated with the court justice response.

7.3 CHANGES IN OFFENDING BEHAVIOURS

A very low proportion of respondents named on initiating applications at Southport Magistrates Court had a prior history of DFV related offences (against any person) or were charged with any DFV flagged offences or contravention charges whilst their application was in progress, or after the application had been finalised (Table 25).

Post application offending was defined as a respondent being charged with a DV-flagged offence or a contravention charge after the finalisation of the initiating application or application to vary, *during the evaluation period up to 31/3/2020*. Additional respondents may have been charged after the data capture period; however, these offences have not been included in this analysis.

Five percent of respondents had been charged with a DFV related offence prior to the lodgement of the first initiating application they were named on at Southport court. DFV flagged offences were only introduced in December 2015, this type of offending cannot be associated with respondents prior to this date.

TABLE 25. DFV RELATED OFFENDING FOR RESPONDENTS WITH A COMPLETED APPLICATION AT SOUTHPORT MAGISTRATES COURT

Timing of charge	N Respondents	% Respondents
Before application lodged	400	5%
During application	484	7%
After application result	866	12%
No charge	5,826	79%
Total unique respondents	7,331	

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Respondents with initiating applications (7219 respondents) and applications to vary (112 respondents) lodged and completed during the evaluation period are included in this analysis. Charges before application included DFV flagged offences or contravention charges prior to the lodgement date of the respondents' earliest initiating application or application to vary. Charges after application included DFV flagged offences or contravention charges charged after the concluding event of the respondents' earliest initiating application. Charges included in this count could be lodged at any Queensland court. As a respondent may be associated with a charge at multiple timepoints, the percent of respondents does not sum to 100%.

Sixty percent of contravention charges and 41% of charges for DFV flagged offences occurred after the application was finalised at Southport Magistrates Court (Table 26). Around a quarter of charges for DFV related offences occurred before the application was lodged.

TABLE 26. THE TYPES OF DFV OFFENCES RESPONDENTS AT SOUTHPORT MAGISTRATES COURT WERE CHARGED WITH BEFORE, DURING AND AFTER THEIR APPLICATION

	Before application lodged		During application		After application result	
Charge Type	N charges	% charges	N charges	% charges	N charges	% charges
Contravention charge	605	22%	464	17%	1,625	60%
DFV-flagged offence	357	26%	470	34%	567	41%
Total charges	962	24%	934	23%	2,192	54%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Charges before application included DFV flagged offences or contravention charges charged prior to the lodgement date of the respondents' earliest initiating application or application to vary. Charges after application included DFV flagged offences or contravention charges charged after the concluding event of the respondents' earliest initiating application. Charges included in this count could be lodged at any Queensland court.

Of those respondents who were charged with a DFV offence, most were charged once or twice. A small proportion of respondents had much higher levels of offending (Table 27). It was more common for respondents to be charged with DFV offences prior to the reference application being lodged, or after it was finalised. (The median number of charges is two for both these time periods).

TABLE 27. THE NUMBER OF DFV RELATED CHARGES ASSOCIATED WITH RESPONDENTS BEFORE, DURING AND AFTER THE COMPLETION OF AN APPLICATION AT SOUTHPORT MAGISTRATES COURT

	Charges before application	Charges during application	Charges after application
N respondents	400	484	866
Median number of charges per respondent	2	1	2
Minimum number of charges per respondent	1	1	1
Maximum number of charges per respondent	16	19	25

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Court location refers to the location of the initiating application or application to vary. Charges before application included DFV flagged offences or contravention charges charged prior to the lodgement date of the respondents' earliest initiating application or application to vary. Charges after application included DFV flagged offences or contravention charges charged after the concluding event of the respondents' earliest initiating application or application to vary. Charges included in this count could be lodged at any Queensland court.

Table 28 shows that the vast majority (over 90%) of respondents with charges associated had between one and five charges.

TABLE 28. THE NUMBER AND PROPORTION OF CHARGES ASSOCIATED WITH RESPONDENTS BEFORE, DURING AND AFTER THE COMPLETION OF AN APPLICATION AT SOUTHPORT MAGISTRATES COURT

Number of charges per respondent	Charge before application		Charge during application		Charge after application	
	N	%	N	%	N	%
1 - 5	367	92%	468	97%	790	91%
6 - 10	30	8%	12	2%	54	6%
11 - 15	2	1%	3	1%	16	2%
16 +	1	0%	1	0%	6	1%
Total number of respondents	400	100%	484	100%	866	100%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Court location refers to the location of the initiating application or application to vary. Charges before application included DFV flagged offences or contravention charges charged prior to the lodgement date of the respondents' earliest initiating application or application to vary. Charges after application included DFV flagged offences or contravention charges charged after the concluding event of the respondents' earliest initiating application or application to vary. Charges included in this count could be lodged at any Queensland court.

There were no notable differences across the three courts in the rate that respondents were charged with DFV flagged offences or contravention charges before, during, or after their application (see Tables A34-A36, Appendix 5).

Respondents who were charged with a DFV flagged offence or contravention charge prior to lodgement of an initiating application were more likely to offend after the completion of that application than respondents with no DFV offending history. This was consistently found across the three courts (Table 29). With a low base rate of offending (only a small proportion of respondents with initiating applications had a contravention charge or were charged with a DFV flagged offence prior to the lodgement of the application), reductions in offence rates post-application are difficult to detect in this sample. There was no difference in the prior DFV or contravention offending rates of respondents at Southport court compared with the rates at Cleveland and Caboolture courts.

TABLE 29. PROPORTION OF RESPONDENTS WITH AN APPLICATION LODGED AND FINALISED WHO REOFFENDED, BY COURT LOCATION

		Southport		Caboolture		Cleveland	
Charge before application	Charge after application	N	%	N	%	N	%
No	No	6,172	89%	2,361	89%	1,539	90%
	Yes	759	11%	283	11%	177	10%
	Subtotal	6,931	100%	2,644	100%	1,716	100%
Yes	No	293	73%	80	75%	55	75%
	Yes	107	27%	27	25%	18	25%
	Subtotal	400	100%	107	100%	73	100%
Total respondents		7,331	100%	2,751	100%	1,789	100%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Court location refers to the location of the initiating application or application to vary. Charges before application included DFV flagged offences or contravention charges charged prior to the lodgement date of the respondents' earliest initiating application or application to vary. Charges after application included DFV flagged offences or contravention charges charged after the concluding event of the respondents' earliest initiating application or application to vary. Charges included in this count could be lodged at any Queensland court.

As shown in Table 30, charges for acts intended to cause injury made up a substantially lower proportion of charges that occurred *after* the conclusion of the respondent's application at Southport court. Charges post-application were most likely to be offences against justice procedures, government security and government operations, which includes contravention charges for breaching protection orders.

TABLE 30. SEVERITY OF DFV FLAGGED OFFENCES RELATED OFFENDING FOR RESPONDENTS WITH APPLICATIONS LODGED AND COMPLETED AT SOUTHPORT MAGISTRATES COURT, BY CHARGE TIMING

ASOC category	Before application lodged		During application		After application result	
	N charges	% charges	N charges	% charges	N charges	% charges
1 – Homicide and related offences	0	0%	1	0%	0	0%
2 – Acts intended to cause injury	198	21%	283	30%	318	15%
3 – Sexual assault and related offences	1	0%	7	1%	12	1%

4 – Dangerous or negligent acts endangering persons	5	1%	8	1%	13	1%
5 – Abduction, harassment, and other offences against the person	11	1%	18	2%	36	2%
6 – Robbery, extortion, and related offences	9	1%	11	1%	22	1%
7 – Unlawful entry with intent / burglary, break and enter	5	1%	16	2%	15	1%
8 – Theft and related offences	1	0%	3	0%	7	0%
9 – Fraud, deception, and related offences	3	0%	0	0%	1	0%
10 – Illicit drug offences	4	0%	0	0%	0	0%
11 – Prohibited and regulated weapons and explosives offenses	3	0%	4	0%	0	0%
12 – Property damage and environmental pollution	87	9%	101	11%	135	6%
13 – Public order offences	0	0%	1	0%	2	0%
14 – Traffic and vehicle regulatory offences	2	0%	3	0%	0	0%
15 – Offences against justice procedures, government security and government operations	631	66%	476	51%	1,630	74%
16 – Miscellaneous offences	1	0%	2	0%	1	0%
Total	961	100%	934	100%	2,192	100%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Severity of the charge was categorised using the Australian Standard Offence Classification (Qld extension), which provides a uniform national statistical framework for classifying offences. Offence categories are presented in decreasing order of severity.

Three of the five most common charges for DFV flagged offences showed little change in proportion across the duration of the initiating application (Table 31).

TABLE 31. THE FIVE MOST COMMON DFV-FLAGGED OFFENCES RESPONDENTS AT SOUTHPORT MAGISTRATES COURT WERE CHARGED WITH, BY TIMING OF CHARGE

Charge title	Before application lodged			During application			After application result		
	N resps	N charge	% charge	N resps	N charge	% charge	N resps	N charge	% charge
Wilful damage - domestic violence offence	72	85	24%	86	100	21%	112	134	24%
Assaults occasioning bodily harm - domestic violence offence	85	99	28%	100	114	24%	103	122	22%
Common assault - domestic violence offence	57	63	18%	71	82	17%	82	106	19%
Choking suffocation strangulation domestic relationship - domestic violence offence	8	9	3%	31	35	7%	35	40	7%
Deprivation of liberty - unlawfully detain/confine - domestic violence offence	8	8	2%	9	10	2%	18	18	3%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

7.3.1 PENALTIES FOR DFV FLAGGED OFFENCES

Table 32 shows the average monetary amount ordered for respondents at Southport who were later charged with a DFV flagged offence is \$267, and Table 33 shows the average duration of imprisonment associated with charges relating to respondents with orders made at Southport is 169 days (65 defendants).

All respondents who were charged with a DFV flagged offence post-application received a monetary penalty. These penalties were broadly similar for respondents with applications completed at Southport and the comparison courts.

TABLE 32. MONETARY ORDERS FOR RESPONDENTS WITH COMPLETE APPLICATIONS AND POST APPLICATION DFV-FLAGGED OFFENCE CHARGES

	Southport	Caboolture	Cleveland
N respondent/ defendants	313	98	45
N charges	567	149	79
% of post application DFV flagged offences	100%	100%	100%
Avg. Monetary Amount	\$267	\$239	\$1,769
Median Monetary Amount	\$123	\$123	\$123
Min. Monetary Amount	\$60	\$119	\$119
Max. Monetary Amount	\$8,656	\$1,750	\$22,500

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Court location refers to the location of the initiating application. The data extracted does not distinguish between the individual types of monetary orders (e.g., fine, restitution, compensation, moiety etc.).

Fifteen percent of the DFV flagged offences that respondents from Southport Magistrates Court were charged with post-application received the penalty of imprisonment (Table 33).

TABLE 33. IMPRISONMENT DAYS SENTENCED FOR RESPONDENTS WITH COMPLETE APPLICATIONS AND POST APPLICATION DFV-FLAGGED OFFENCE CHARGES

	Southport	Caboolture	Cleveland
Number of respondent/ defendants	65	31	5
Number of charges	83	38	10
% of post application DFV flagged offence charges	15%	26%	13%
Avg. Imprisonment duration (days)	169	211	173
Median Imprisonment duration (days)	120	120	90
Min. Imprisonment duration (days)	7	21	30
Max. Imprisonment duration (days)	910	720	540

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Court location refers to the location of the initiating application.

7.4 ABLE TO ADDRESS UNDERLYING FACTORS

A recent study conducted by ANROWS¹²⁷ provides some nuanced insights into what accountability means and how it can be achieved. Their study found that, for perpetrators, being 'held to account' may be qualitatively different from taking personal responsibility for their actions. Their report highlights that the external sanctions imposed by courts, even including mandated referral to behaviour change programs do not necessarily correlate with any internal personal reckoning of responsibility. This finding is in keeping with information provided by Centacare and DVPC staff about the varying degrees of motivation of program participants.

The range of behaviour change programs accessible via the Southport SDFVCJR are of varying intensity and duration ranging from 26 weeks for the MDVIEP to just 10 weeks for the Turning Points program (for women). Each program is designed for participants at different stages of contemplation and also considers the practical issues and needs of the particular group of participants. The programs also vary in the extent to which participation is voluntary or mandated. Research literature regarding the most effective intensity and duration of interventions is inconclusive¹²⁸. This is important to consider in the roll out of any future such programs as more still needs to be known about effective behaviour change program design. Outcomes data from behaviour change programs should inform the broader service system so that interventions can be targeted appropriately and effectively.

DVPC, Centacare and other stakeholders discussed whether the intervention 'dose' of each of these programs is sufficient to change a lifelong pattern of thinking and behaving. While the program facilitators we interviewed were hesitant to claim the programs could result in profound and permanent changes in attitudes and behaviours, they believed that the courses provide an opportunity to 'sow the seeds' of behaviour change. Facilitators of the Centacare MBCP believed the primary outcome that can be achieved within the parameters of the 16-week intervention is to assist men to develop their help-seeking behaviours. Similarly, DVPC staff indicated that a key outcome of the Turning Points program was that women better understood the dynamics of DFV.

For the Centacare MBCP, many men provide feedback informally as well as on their formal exit assessments indicating an appreciation for the emotional self-management tools they have learned.

"The content, and how they explained domestic violence was really good. They give us the tools and the skills to deal with frustration." [Interviewee 12, male, respondent]

"I have learned steps for taking responsibility for my own actions and behaviour. Also learned to control my emotions and anger. I have developed a caring respect for myself"

¹²⁷ Chung et al, 2020, Improved accountability: The role of perpetrator intervention systems, ANROWS research report, Issue 20, June 2020.

¹²⁸ Mackay, E., Gibson, A., Lam, H., & Beecham, D. (2015). *Perpetrator interventions in Australia: Part two- Perpetrator pathways and mapping* (ANROWS Landscapes, PP01/2015). <https://20ian81kyngg38bl3l3eh8bf-wpengine.netdna-ssl.com/wp-content/uploads/2019/02/Landscapes-Perpetrators-Part-TWO-RevEd2016.pdf>.

and for others around me". [MBCP participant - Redacted MBCP assessment form, provided by Centacare].

"Centacare representative helps with tools on managing myself as a person and in my relationship," [Respondent survey participant]

There are signs the overall environment and culture at Southport may further encourage perpetrators to take up opportunities to make behaviour changes. Importantly, service providers, duty lawyers and the judiciary prompt them towards other sources of help to address underlying factors which may contribute to offending.

7.5 IMPLICATIONS AND OPPORTUNITIES

Extending the length of compliance with orders. The contraventions data suggests that while the Southport SDFVCJR does not *prevent* orders being breached, it may have effect in improving compliance with orders over a longer period. There is a highly complex interplay between multiple supports, services and interventions contributing to this outcome, which includes the policing response and relatively high proportion of Police Applications (both PPNs and DV1s) occurring at Southport. However, this outcome may be an early indication that orders made by the SSDFVC are more closely tailored to the needs of the clients making compliance easier. It may also indicate the SSDFVCJR offers clients more opportunity to have the conditions of their order explained to them, and hence, understand better what is required to comply with them as well as link them to services. Qualitative longitudinal studies involving victims and respondents would help to identify the personal and systemic factors that contribute to desistence.

Police applications may keep aggrieved safer for longer. Outcomes data shows that orders relating to applications lodged by private individuals were breached earlier than orders relating to applications lodged by QPS at Southport and at the comparison courts. This suggests that the trend of increasing police applications may contribute to keeping victims safer for longer. Additional exploration of the impacts of this trend is warranted and some caution needs to be applied. Specialist DV providers including DVPC advise that aggrieved agency and autonomy in choosing whether to pursue a protection order must be respected, as these individuals are uniquely expert in their own situation and gauging what poses a risk for them. This finding may also have some implications for the role of QPS in supporting private applications and providing relevant evidence to the court.

Continuous monitoring of criminogenic thinking and negative attitudes. Incorporating perpetrators' voices is seen as an important way of ensuring interventions are meeting the needs of the people who receive them, but there are a range of important ethical and safety considerations. Exploring ways to do this safely and thoroughly is warranted.

Ensuring data sharing arrangements are in place with social support service providers.

We understand that social support services, including those provided by Centacare, do collect a range of data about their clients' perceived wellbeing. This information was not available to the evaluation for a range of reasons but would allow for a more thorough appraisal of the outcomes associated with the court justice response.

8. SOCIAL AND ECONOMIC BENEFITS

This Chapter addresses the key evaluation question about costs to operate the Southport Specialist Domestic and Family Violence Court Justice Response and whether there are any associated social and economic benefits, specifically;

- Is the SSDFVCJR cost effective (cost per outcomes)? For whom, and in what context?
- Does the Queensland Government get value for money?
- What social and economic benefits can be linked to the Specialist DFV program?

The available data indicates that the SSDFVCJR is a cost-effective response to domestic and family violence, that confers benefits to the aggrieved, respondents, their families, to the broader human services system and to the Queensland Government. It generates value for the Queensland Government as a centre of innovation, which contributes to strengthening court justice responses to domestic and family violence across the state.

It is important to note that evaluations of specialist courts operating under a therapeutic jurisprudence model should be evaluated not just in terms of their impact on reoffending, but also in terms of the wellbeing of people who are involved in the court. This evaluation includes interviews with clients (aggrieved and respondents) and explores their non-judicial outcomes as the result of involvement with the court, for example, improved connection to support services, resilience, and changes to cognition and behaviours.

8.1 COST

The total operational cost of the SSDFVCJR (excluding facilities and infrastructure costs) for the evaluation period is \$17.3 million (Table 34). This includes staff costs (judicial officers, staff from the Department of Justice and Attorney-General and other partner agencies (Queensland Corrective Services, Legal Aid Queensland and QPS), general administration (DJAG), recording and transcription (DJAG), corporate overhead (DJAG) and specialist support services and programs (Office for Women and Violence Prevention, DJAG). It does not include infrastructure and facilities costs, as these could not be disaggregated from Report on Government Services (ROGS) data.

TABLE 34. OPERATIONAL COST OF THE SOUTHPORT SPECIALIST DOMESTIC AND FAMILY VIOLENCE COURT, 2017–18 TO 2019–20

Costs	2017–18	2018–19	2019–20
	\$6,191,156	\$6,356,836	\$4,785,400
Grand total			\$17,333,392

Source: Data provided by DJAG on behalf of DJAG, Queensland Corrective Services, LAQ, QPS, and DCSYW. Funding for the period 1 July 2017 to 31 March 2020,

Notes: This total does not include infrastructure and facilities costs as these were unable to be disaggregated from ROGS data

During the evaluation period there have been 13,146 unique participants in initiating applications. This means the cost to the Queensland Government per unique participant in the civil jurisdiction is \$1,316. We anticipate that the true cost per participant may be somewhat lower when including matters in the criminal jurisdiction. These costs are offset because the funded service providers are leveraging resources across their programs that sit outside the DCSYW funding to ensure they provide a high level of service to their clients. This may not be sustainable with the current funding in the longer term, particularly as the workload of the court continues to increase.

8.2 COST EFFECTIVENESS

Our assessments indicate that the Southport SDRFVCJR is a cost-effective criminal justice response, although it is difficult to find a comparison in the literature. We found only two published evaluations of specialist domestic and family violence courts which included cost effectiveness or cost benefit components. The findings of these studies were inconclusive (see Appendix 1, Table A1).

8.3 SOCIAL AND ECONOMIC BENEFITS

We developed an approach to monetising the social and economic benefits of the Southport SDFVCJR. Standard cost benefit analyses require that all costs and benefits are appropriately identified and quantified. Given the intangible nature of the benefits we are seeking to assess such as aggrieved wellbeing and perceptions of safety, any quantification of these benefits is likely to be highly subjective. The approach we have taken allows for benefits to be monetised at a scenario-based level, removing the likelihood of multiplied subjective error. We have calculated the direct and indirect costs for the aggrieved and respondents in three illustrative examples (case stories). These stories present the costing likely to occur without an effective wrap-around response such as that available at the Southport SDFVCJR. While fictional, these stories are grounded in the reality of the experiences the aggrieved and respondents related to us during qualitative interviews. We have also drawn on the substantial practice wisdom of the support service providers and other experts involved in the court justice response. Reflecting the low-risk profile of the aggrieved and respondents we interviewed, the case stories are conservative. They do not attempt to illustrate the costs of morbidity, premature mortality or serious injury as the result of domestic and family violence.

These case stories draw out the costs of violence in a similar hierarchy to those presented in contemporary costs analyses, that is, they consider the costs of pain and suffering, healthcare costs, productivity loss, consumption, the impact on children, costs to the justice and broader human services system, and transfer payments.¹²⁹

¹²⁹ KPMG (2016) The cost of violence against women and their children in Australia: Final Report, Department of Social Services, Canberra.

Our scenario-driven costs analysis places the cost of ineffective domestic and family violence interventions as substantially (30 to 80 times) higher than the cost per SSDFVCJR participant of \$1,316. In S's case, the total cost is approximately \$88,300; in L's case the total cost is approximately \$32,200, in J's case, the total cost is approximately \$15,600. While some of these costs are borne by the aggrieved individuals, most are costs to the state. These include costs to corrective services, health, welfare, and education. In other scenarios, the costs may extend to child protection services or, in the most serious of cases, the cost of coroner's reports and homicide investigations.

It should be noted that these are illustrative examples from which it is impossible to generalise or use to predict or measure costs and benefits. They do, however, provide a perspective of the value for money in social and economic terms. For future reviews, costs data for comparison courts would be important.

S's story

S is in her mid-forties and having separated from her husband some years ago, is looking to re-partner. Through an online dating app, she meets D. They go on a few dates, and he is very attentive and seems very interested in S, which she finds flattering. They enter an intimate relationship, but after a month or so, S is beginning to find his attentions a bit suffocating and her two young children are very uncomfortable around him, so she seeks to break things off with him. D doesn't seem to want to accept that the relationship is over, and S finds him often waiting in his car for her outside her house, and outside her workplace. He seems to be trying hard to be friendly and charming, but S feels more and more uncomfortable about the situation. Eventually, after three more months, she tells him to leave her alone and that she doesn't want to see him at all in any context anymore and that he should stay away from her. He responds by telling her she'll regret that in a very menacing way. S feels quite scared and calls the police seeking their assistance. As there is no immediate threat, they let her know she can go to the Court House and apply for protection privately if she wishes.

Ineffective intervention: \$88,270

S's experience at the court is overwhelming. She doesn't really understand what to do. The registry suggest she goes to a DV service, but she doesn't know where it is or how to find one. Over the next weeks and months, D begins doing some strange things, including turning up at her daughter's school, slashing her tyres and posting flyers at the local shops calling her a 'slut' and accusing her of being a prostitute. She visits her health clinic as she is very stressed and is referred to a DFV service. They help her apply for a protection order. The court grants the order, but this is quickly breached with little consequence. D's behaviour becomes more threatening, and he uses more and more anonymous techniques so that it is almost impossible to prove that he is the one making the threats.

The DFV service helps S with a safety plan and so she tries to change her habits, she changes locks and changes all her contact information. She also moves to a new house. That seems to work for a while, but soon the threatening letters start again. S and her children are very distressed by these and start counselling. S is diagnosed with PTSD and can no longer continue working. After several years, S is eventually able to prove that it is D making the threats and he is eventually sentenced to 8 months prison time for breaching his order and stalking.

FIGURE 24. S'S STORY: ESTIMATED COST OF AN INEFFECTIVE DOMESTIC AND FAMILY VIOLENCE INTERVENTION



L's story

L is in her mid-fifties and has found her relationship with her daughter has become increasingly difficult over the past few years. Her daughter A is 26 and her behaviour towards her mother has become increasingly volatile and angry, involving a lot of yelling verbal abuse. Recently, A physically shoved L so hard that she fell to the ground, injuring her arm. L feels very conflicted – she feels as though she's somehow failed to teach her daughter how to be a decent human being, but she is also scared of her and doesn't want her turning up at her house in a rage again. She doesn't know where to turn to for help. She decides to go to court and seek a protection order for herself and for her grandson (A's son, E), who comes to stay with her every second week.

Ineffective intervention: \$32,207

L goes to a magistrates court but finds the whole process very alien and daunting. She decides to withdraw her application because she feels as though everybody thinks she is a bad mother. A's violent behaviour escalates, and L notices that her grandson appears to be copying the behaviour. L is concerned by E's behaviour but is unable to get A to communicate with her calmly about it. E develops a range of developmental problems and keeps getting suspended from school. A's temper continues to get the better of her and means she is unable to hold down a job. She finds she is increasingly planning her life around trying to keep A and E happy and is struggling keeping E engaged with schoolwork that A is not attending to. She reduces her work hours so that she can be more available to care for her grandson. At a school meeting about E's return to school she is referred to specialist DFV services and arranges for specialist counselling for herself and her grandson.

FIGURE 25. L'S STORY: ESTIMATED COST OF AN INEFFECTIVE DOMESTIC AND FAMILY VIOLENCE INTERVENTION



J's story

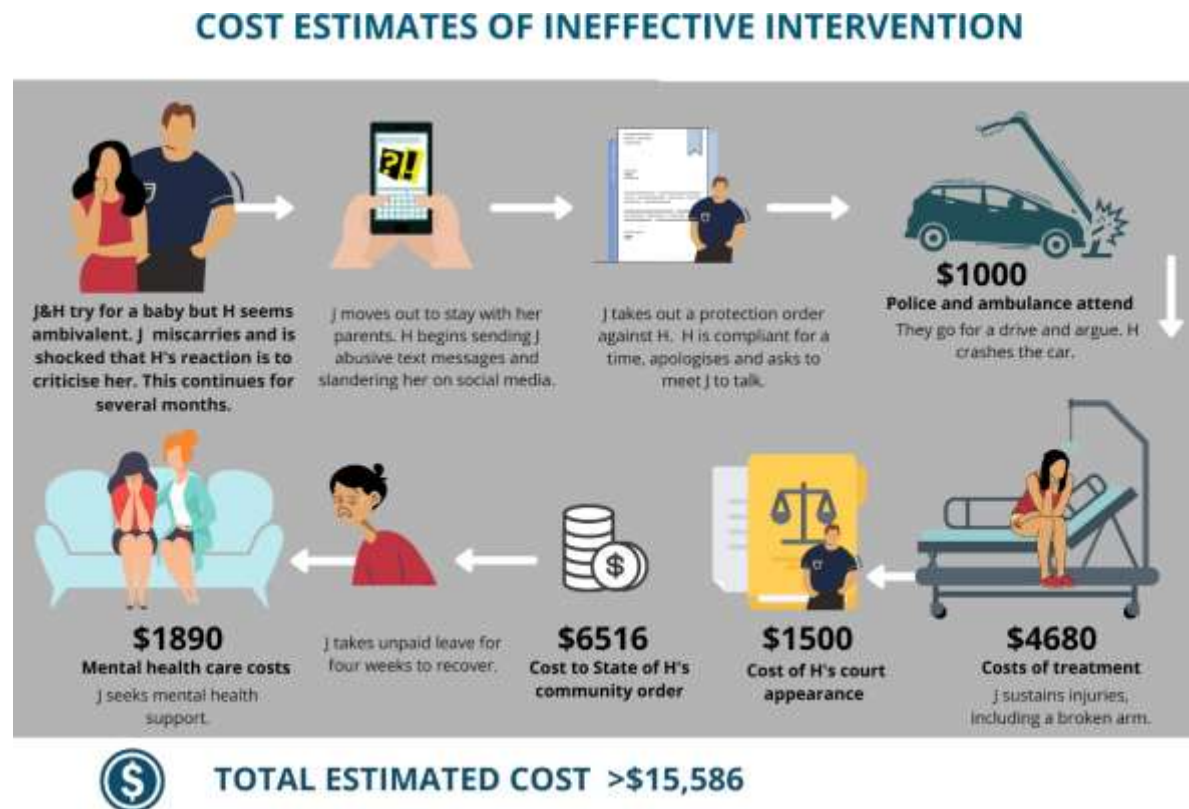
J and H started dating when they were in high school and moved in together when they were just 19. They had spent more than 10 years as a couple, living together and travelling together, when J suggested that they try for a baby. After nearly a year, J falls pregnant and although she is very happy about this, she is concerned that H seems ambivalent. At 12 weeks, J miscarries and is very upset and takes some time off work to recover. J is a bit shocked that H's reaction seems to be to criticise her for taking time off and blame her for the miscarriage occurring. J hopes it is just his way of processing his grief, as she knows he has always tended to blame and criticise others when things don't go his way. H's behaviour escalates and he starts to criticise and put J down daily. During a serious fight, H threatens to 'bash her head in'. J is scared by H's behaviour and decides to move in with her parents and with their support, takes out a protection order against him. It takes three court mentions, with H not showing up for the first two, but eventually H consents to the order and for several weeks he is compliant.

Ineffective intervention: \$15,586

H then begins sending J text messages several times a day that become progressively more abusive, blaming her for tricking him into getting her pregnant and destroying their relationship. He also begins posting negative comments about her on social media and calling J's friends to tell them how badly she has hurt him. J is aware that the texts and social media posts contravene the protection order and reports this to the police. H is convicted with breaching the order and in the following weeks he stops texting her and posting online.

When he contacts J again, it is to offer an apology. J reflects on the many years they had together and agrees to meet with him and go for a drive so they can talk. While they're driving, H starts again with the blaming and criticising. J tells him she wants to go home and asks him to please turn around. Angrily H agrees, but he's driving fast and oversteers, and they crash into a pylon. J is injured and has an overnight stay in hospital to assess and treat shock and a broken arm. H is charged with a further breach of the protection order and is given a community service order. J is very shaken by the experience and takes unpaid leave from work for four weeks and seeks out mental health support.

FIGURE 26. J'S STORY: ESTIMATED COST OF AN INEFFECTIVE DOMESTIC AND FAMILY VIOLENCE INTERVENTION



8.4 ATTRIBUTABLE BENEFITS

Our analysis indicates that the SSDFCJR is a cost-effective response to domestic and family violence, that confers benefits to the aggrieved, respondents, their families, to the broader human services system and to the Queensland Government. It generates value for the Queensland Government as a centre of innovation, which contributes to strengthening court justice responses to domestic and family violence across the state.

It is also generating value for the Queensland Government in terms of maintaining victim safety, both directly and indirectly by holding perpetrators to account.

The benefits identified through the evaluation include the potential efficiency of a dedicated magistracy; and the duty lawyer service supporting respondents to better understand the conditions of their orders, which may lead to fewer breaches. In addition to this, the specialist Queensland Corrective Services case managers are successfully coordinating services and support to ensure safety is increased, and perpetrators are held to account as intended. The case managers are also working purposefully with perpetrators to challenge attitudes that underpin DFV.

Given the quantitative data constraints, and the influence of systems-level factors, it is not possible to directly attribute social and economic benefits to the specialist DFV program. However, the qualitative data supports a range of social and economic benefits, including reduced costs to the courts, corrective services, health, connection to services, welfare, and education.

8.4.1 VICTIM SAFETY

The Southport SDFVCJR seeks to provide nuanced responses that consider an individual's needs. Finding appropriate ways to measure victim safety is therefore as complex as the issue of domestic and family violence itself.

Other evaluations of domestic and family violence specialist courts have attempted to measure the social and economic impact using court outcomes (See Appendix 1 Table A1). This can be problematic, because almost all court outcome measures can be viewed both as positive and negative outcomes in terms of victim safety. For example, increased reporting of domestic violence can result in both favourable and unfavourable outcomes for society. On one hand, increased reporting could mean that the community's trust in the police force is higher than it otherwise was. On the other hand, however, if increased reporting leads police to prosecute the offender without the victim's consent, then this could result in further violence.

Another outcome which has been used as a measure of victim safety is decreased incidence of applications being withdrawn. However, this may also be flawed: some of the SSDFVCJR stakeholders were definite that in certain situations, withdrawal of an application is the safest option for a woman in the short term.

Like other published evaluations, our analysis of court data shows very little firm quantitative evidence of improving victim safety at the SSDFVC. We have noted an increasing proportion of PPNs relative to private applications, and the longer time for orders relating to applications lodged by QPS to be breached compared. This may indicate the trend of increasing police applications may contribute to keeping victims safer for longer in Southport.

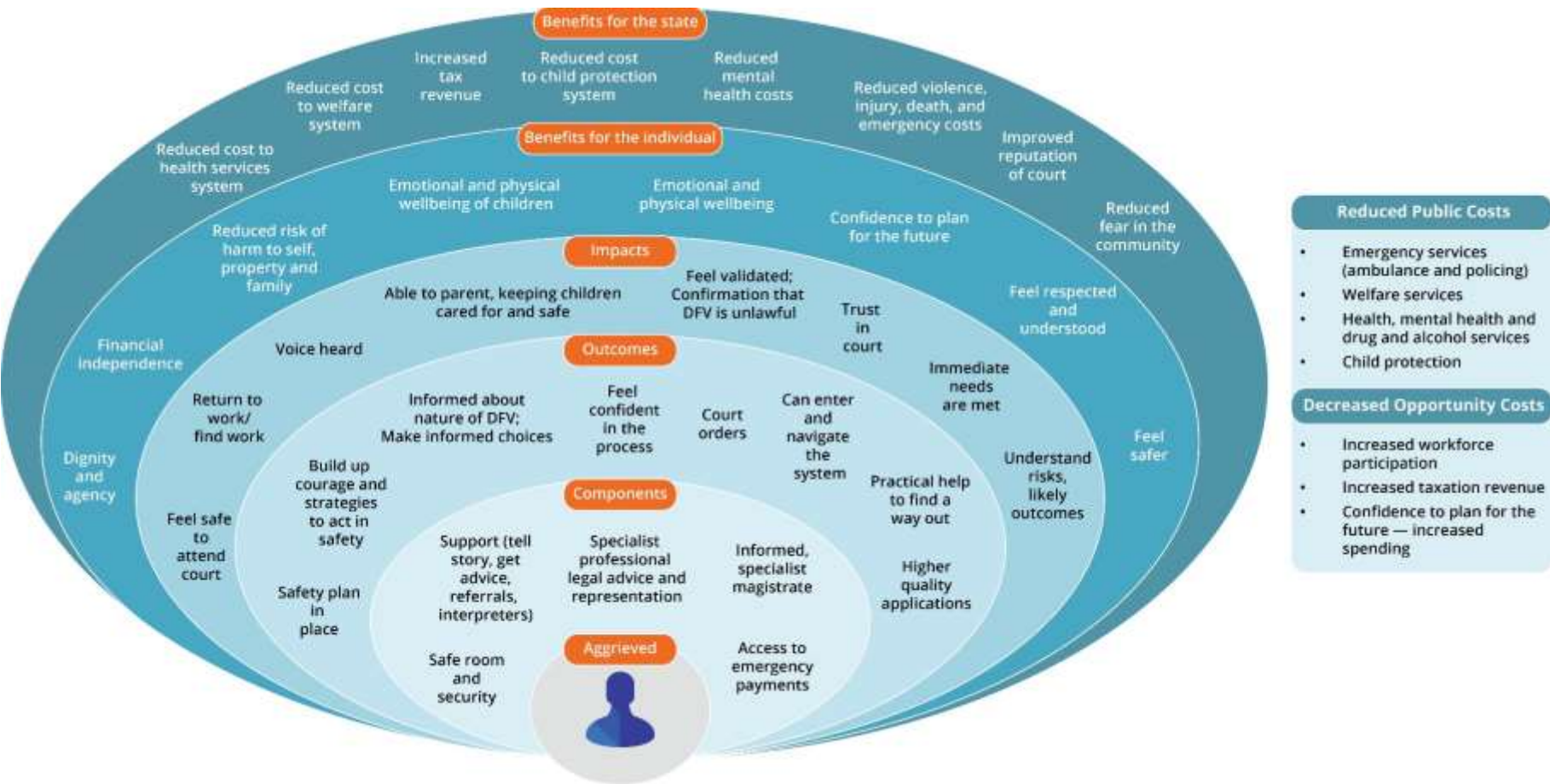
We have also observed a slight increase in the proportion of consent orders without admission over the evaluation period at Southport Magistrates Court and the comparison sites. A notable increase in consent orders without admission is also evident at the Caboolture Magistrates Court. This may indicate the specialist and enhanced domestic and family violence knowledge base of these two courts and a greater contribution to victim safety.

The strongest evidence of the value of the SSDFVCJR to enhancing victim safety is drawn from our interviews and surveys with clients, and from the key stakeholders (service providers and duty lawyers) whose day-to-day practice is so obviously focussed on understanding women's particular safety needs and responding to them.

The Southport SDFVCJR offers multiple points of access through the integration of services working together to connect women with support. This evaluation in consultation with key stakeholders has considered the way that each of the components of the justice response available at Southport contributes towards positive outcomes for the aggrieved at a personal level addressing safety as well general welfare needs, and then to the community more broadly.

Their work is illustrated in Figure 27 below. It shows that aggrieved who are effectively supported through the court justice response benefit at a personal level by having increased confidence in the processes and feeling safe to attend court. They have a better understanding of the risks and are better prepared to manage them. This has the potential to support aggrieved to be better placed to access help and support, maintain their employment and to be able to continue to care for their children. As a result of these things, the broader community, and the state stand to gain by having reduced costs to the health and mental health system, potential increases in revenue gained through income taxes as well as reduced costs to the welfare and child protection system.

FIGURE 27. POTENTIAL BENEFITS OF INCREASING VICTIM SAFETY THROUGH THE SSDFVCJR



8.4.2 PERPETRATOR ACCOUNTABILITY

It is also difficult to determine sensitive and appropriate outcome measures for perpetrator accountability. Other published evaluations have attempted to measure accountability using court outcomes data, relating to the way matters are finalised. Many of these can be viewed both as positive and negative outcomes in terms of perpetrator accountability.

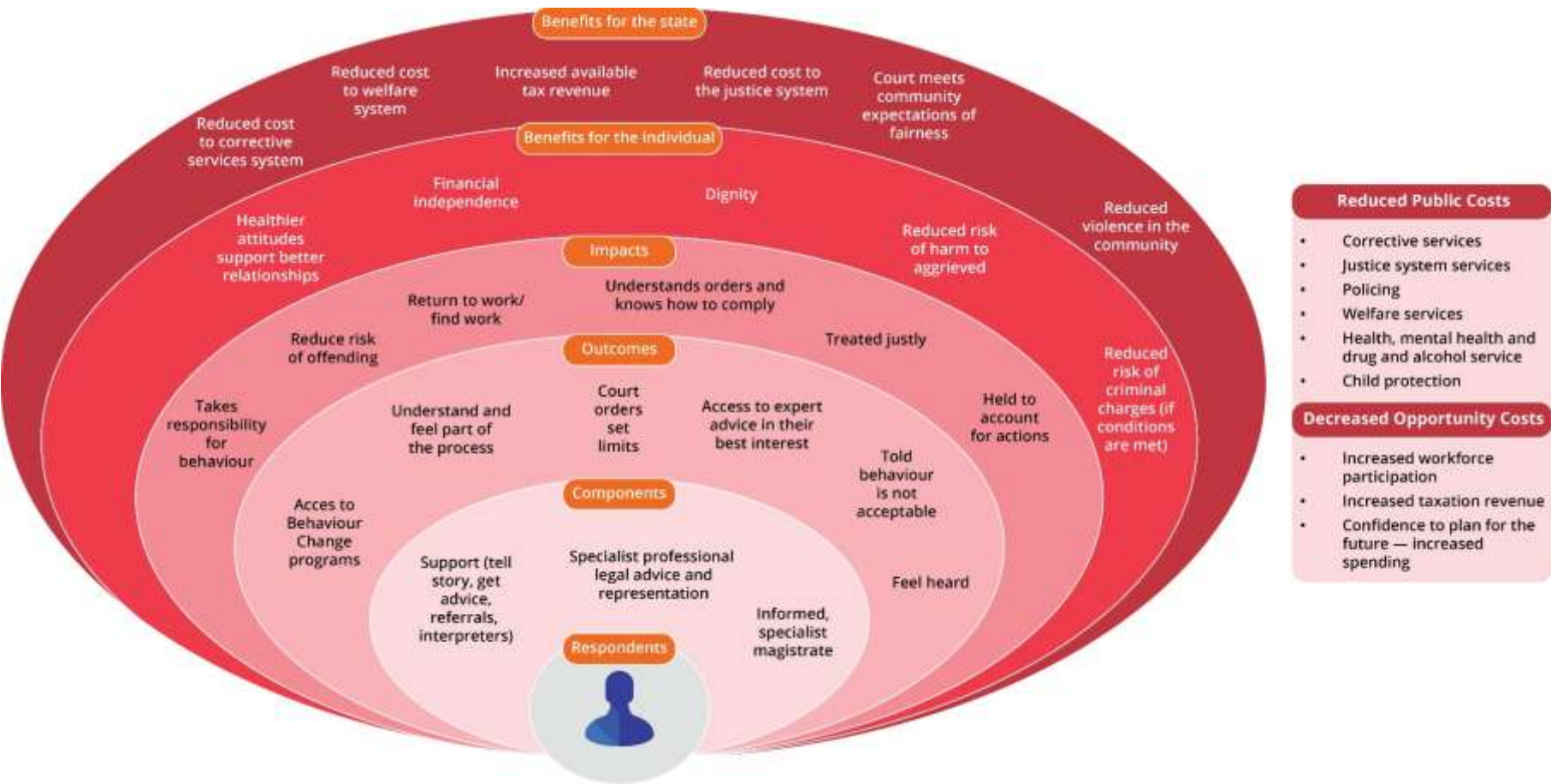
The SSDFVCJR supports perpetrator accountability by being an integrated civil and criminal court, operating within a therapeutic jurisprudential framework. The 'wraparound' approach offers respondents an opportunity to engage with support services and interventions—although these have limited capacity—to help them understand the impact of their behaviour on others and to develop better self-regulation to enable them to change their violent behaviours.

The evaluation, and key stakeholders also considered the way that each of the components of the SSDFVCJR contributes towards positive outcomes for respondents at a personal level, and then to the community more broadly. Their work is illustrated in the infographic below (Figure 28).

It shows that where an effective intervention is made for respondents, they stand to benefit on a personal level by better understanding the impact of their behaviour on others and being able to access behaviour change programs. This in turn may help them to develop healthier attitudes which can support better relationships in the future. They have a better understanding of the judicial processes and are more able to comply with the conditions of their orders, and hence have a greater chance of avoiding criminal charges and maintaining their employment. The broader community and the state stand to gain by having reduced costs to the corrective services, judicial system, health, and mental health system, as well as potential increases in revenue gained through income taxes as well as reduced costs to the welfare and child protection system.

The infographic shows direct court-related benefits. An additional important outcome from wrap-around-services in the context of the specialist DFV court is the opportunity to build engagement and provide assisted referrals to specialist programs to address underlying conditions that contribute to the use of violence e.g., substance misuse, physical and mental health, housing, disability, employment and financial distress.

FIGURE 28. POTENTIAL BENEFITS OF INCREASING PERPETRATOR ACCOUNTABILITY THROUGH THE SSDFVCJR



8.4.3 HUMAN SERVICES SYSTEM

The evaluation, in consultation with key stakeholders also considered the way that each of the components of the justice response at Southport contributes towards positive outcomes for staff and partner agencies as an individual level, and then to the community more broadly. Their work is illustrated in Figure 29. For illustrative purposes we have placed the staff of the Southport SDFVCJR at the centre as a means by which to understand benefits of the approach to the service system more broadly.

The SSDFVCJR is nationally and internationally recognised as a sector-leading response to DFV, and regularly hosts visitors keen to understand and emulate the model in their own contexts. Many of the changes to the Queensland SSDFVC model originated at Southport, and practices from the SSDFVCJR are being incorporated into other specialist courts. The SSDFVCJR creates value as a demonstration site in several ways.

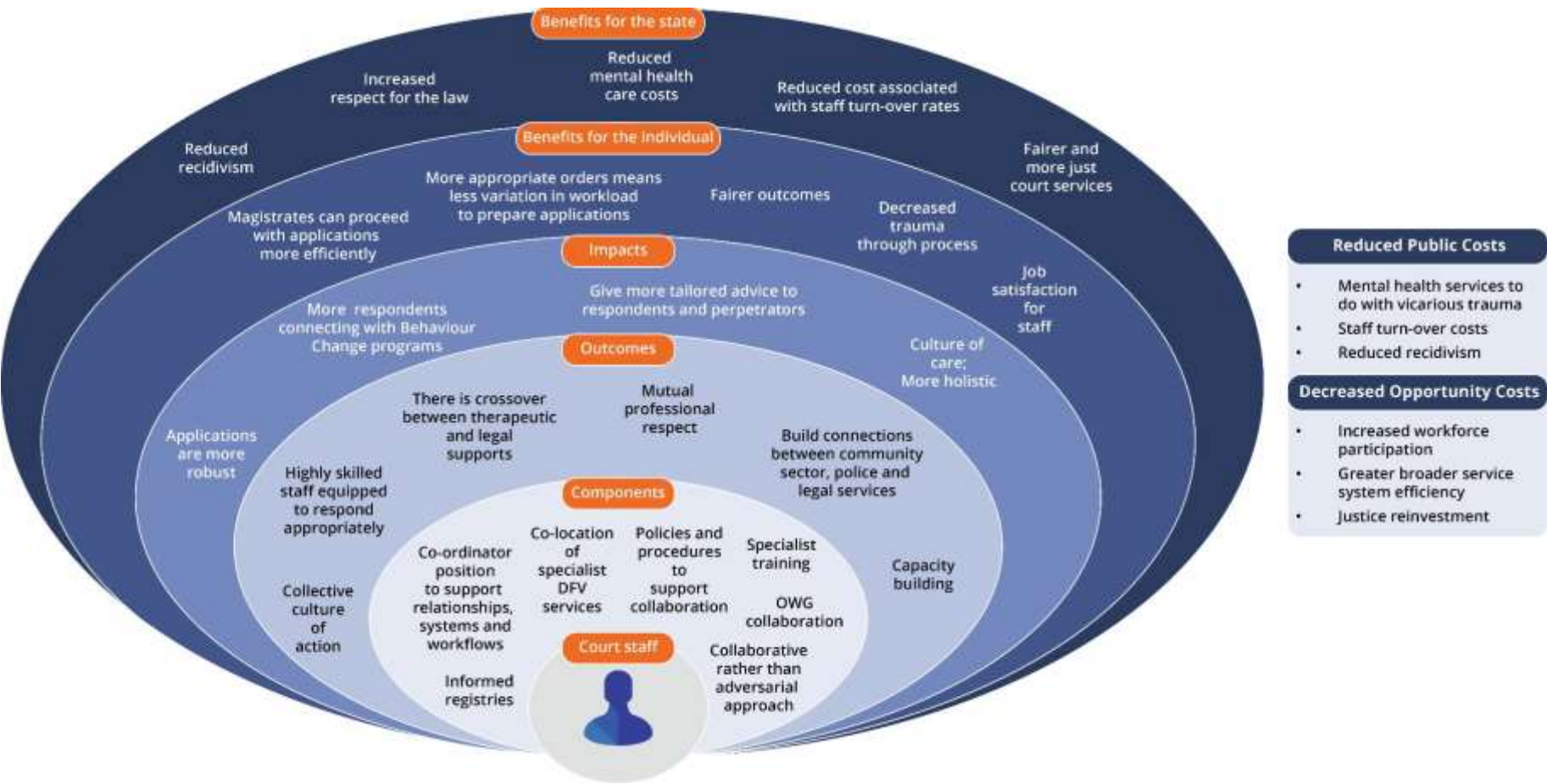
For staff of the courts to be able to work in an environment of mutual professional respect with access to specialist training, as well as facilitated coordination between roles, this contributes to a strong collective culture of action, and more efficient processing of matters, delivering fairer outcomes. At a personal level for employees, these elements support job satisfaction. For the state this can translate into costs savings because of reduced costs associated with staff turnover. The collaborative work culture is also likely to decrease vicarious trauma and mental health care costs for employees. For the wider community and the state, there are benefits in seeing fairer and more just court services and reductions in violence in the community, and in seeing the personal benefits through service supports for aggrieved and respondents involved in proceedings.

As described in a workshop with stakeholder service providers and consistent with the systems literature¹³⁰¹³¹, at Southport SDFVCJR, the 'sum of the parts is greater than the whole.' In addition, because staff from each partner agency understands the others' roles, each of the parts is also more effective and efficient in the way they work with clients.

¹³⁰ Meadows D and Wright D (2008) Thinking in systems: A primer. Earthscan, London.

¹³¹ Stroh DP (2015) Systems thinking for social change: A practical guide to solving complex problems, avoiding unintended consequences, and achieving lasting results. Chelsea Green, White River Junction, Vermont.

FIGURE 29. POTENTIAL BENEFITS TO THE QUEENSLAND JUSTICE SYSTEM THROUGH THE SSDFVCJR



8.5 IMPLICATIONS AND OPPORTUNITIES

Ongoing program development. Consider if the outcome measures for SDFVCJR should include other personal benefits to aggrieved, respondents, victims and perpetrators, such as improved connection and engagement with support services, wellbeing, and opportunities to change cognition and behaviours.

An integrated, systems-oriented performance monitoring framework. Development of a performance framework congruent with systems perspective on domestic and family violence would be useful for future cost effectiveness analysis. This should include data from all relevant partner agencies and be linked to Queensland's Domestic and Family Strategy. This could be extended to other agencies in the human services system, for example health. It should also ensure comparable costs data is available for other courts (specialist and non-specialist).

9. APPLYING A SYSTEMS LENS TO THE SOUTHPORT SDFVCJR

Domestic and family violence is a complex issue involving interactions between societal, cultural, family, and individual factors.¹³² Both victims and perpetrators of domestic and family violence may have diverse and complex needs, which must be addressed by a range of services to support their own wellbeing, and also to uphold safety for women and their children.¹³³ The complexity of these issues mean that simple interventions may not always achieve the best outcome for the individual, or the broader community.¹³⁴

In Australia, integrated responses are generally accepted by government, policy makers and service providers alike as being best practice, and all Australian jurisdictions have developed (or are developing) integrated responses to reduce violence against women.¹³⁵ The assumption underpinning the responses is that it improves outcomes for victims, reduces secondary victimisation, and can address gaps between services.¹³⁶

There are substantive challenges to achieving integration, including the financial cost of doing so. Other barriers to integrated responses include different organisational cultures across participating agencies, privacy concerns, workforce capacity, trust, and institutional inertia.¹³⁷ Partly because of these implementation challenges, the evidence base for the effectiveness of integrated domestic and family violence responses is very limited. Relatively few robust evaluation studies of integrated responses have been carried out.¹³⁸

The absence of evidence supporting integrated responses to domestic and family violence is also likely to be a result of the evaluation approaches applied.¹³⁹ Many evaluation approaches seek to control for the effects of context, to reach some judgement about the 'average' independent impact of a program. These methodologies are insensitive to the complexity of integrated responses, which set out to address the complex social problem of

¹³² O'Connor M, Cox J, Castle DJ (2014) What can psychiatrists do to better support victims of family violence? *Australasian Psychiatry*, 23(1), 59–62.

¹³³ Rees S & Silove D (2014) Why primary healthcare interventions for intimate partner violence do not work. *The Lancet*, 384, 229–229.

¹³⁴ Verstege E, Sirawardena P (2021) How interagency stakeholders' understanding of evidence influences program outcomes in the criminal justice sector. Evidence and Implementation Summit 2021, 30–31 March, Sydney, Australia,

¹³⁵ Breckenridge J, Rees S, valentine k, Murray S (2015) Meta evaluation of existing interagency partnerships, collaboration, coordination and/or integrated interventions and service responses to violence against women: State of knowledge paper, September 2015. Australia's National Research Organisation for Women's Safety (ANROWS), Sydney, Australia.

¹³⁶ Mulroney J (2003) Trends in interagency work, Sydney: Australian Domestic and Family Violence Clearinghouse, University of New South Wales.

¹³⁷ Price-Robertson R (2012) Interagency collaboration: Good in theory, but... *DVRCV Quarterly* 3, 26–29.

¹³⁸ Breckenridge J, Rees S, valentine k, Murray S (2015) Meta evaluation of existing interagency partnerships, collaboration, coordination and/or integrated interventions and service responses to violence against women: State of knowledge paper, September 2015. Australia's National Research Organisation for Women's Safety (ANROWS), Sydney, Australia.

¹³⁹ Foote J, Carswell S, Wood D, Nicholas G (2015) Measuring the effectiveness of 'whole of system' response to prevent family violence. Research Summary, December 2015. Social Police Evaluation and Research Unit (SuperU) and the Institute of Environmental Science and Research Limited (ESR), New Zealand.

domestic and family violence, within a social system where context should be part of the causal equation.

Social systems comprise a 'set of interrelated elements that interact to achieve an inherent ascribed purpose'.¹⁴⁰ They are complex and adaptive, demonstrating non-linear effects. This means that the effect of any inputs is determined by other systems variables, and unanticipated changes can change the state of the system very rapidly. These properties mean that systems are literally more than the sum of their parts.¹⁴¹

High-functioning systems have four core attributes.¹⁴²

1. **Competent and capable system operators.** Individuals ('system actors') interacting with the system have the necessary competency and capabilities to efficiently operate the system.
2. **Committed leadership.** Leaders ensure the system receives the inputs necessary for survival and success.
3. **Necessary information technology infrastructure.** The flow of information and feedback mechanisms is dependent on technology.
4. **Organisational culture.** The shared norms, values and operating assumptions of an organisation that ultimately guide its members' internal and external behaviours.¹⁴³ Where leadership is evident, a healthy culture is more likely to follow.¹⁴⁴

The relatively recent emergence of applying systems thinking to social policy issues is coupled with the growth of systems evaluation theories and associated methodologies.¹⁴⁵ These approaches take account of multiple interacting factors, multiple perspectives, and critical boundary judgements, making the whole system visible and discussable, with a view to learning about what will shift the system towards desired outcomes.¹⁴⁶

To a systems evaluator, context is the starting point.¹⁴⁷ It is the main thing that needs to be understood prior to considering the value of any intervention. Here there is often little use for the search for stable and cause-and-effect relations—the focus is on real-time data collection and decision making to improve the efficiency of the system, and sometimes to change it in fundamental ways.¹⁴⁸

¹⁴⁰ Meadows D and Wright D (2008) Thinking in systems: A primer. Earthscan, London.

¹⁴¹ Stroh DP (2015) Systems thinking for social change: A practical guide to solving complex problems, avoiding unintended consequences, and achieving lasting results. Chelsea Green, White River Junction, Vermont.

¹⁴² Renger R (2015) System evaluation theory (SET): A practical framework for evaluators to meet the challenges of system evaluation. Evaluation Journal of Australasia, 15(4), 16–28.

¹⁴³ Schein EH (1990) Organisational culture. American Psychologist, 45(2) 109–119.

¹⁴⁴ Kotter JP (2001) What leaders really do. Harvard Business Review, 71(11), 3–11.

¹⁴⁵ American Evaluation Society (2018) Principles for effective use of systems thinking in evaluation. Systems in Evaluation TIG.

¹⁴⁶ Foote J, Carswell S, Wood D, Nicholas G (2015) Measuring the effectiveness of 'whole of system' response to prevent family violence. Research Summary, December 2015. Social Police Evaluation and Research Unit (SuperU) and the Institute of Environmental Science and Research Limited (ESR), New Zealand.

¹⁴⁷ Renger R (2015) System evaluation theory (SET): A practical framework for evaluators to meet the challenges of system evaluation. Evaluation Journal of Australasia, 15(4), 16–28.

¹⁴⁸ Renger R, Renger J, Donaldson SI, Renger J, Hart G and Hawkins A (2020) [Comparing and contrasting a program versus system approach to evaluation: The example of a cardiac care system](#). Canadian Journal of Program Evaluation, doi: 10.3138/cjpe.68127

The Southport Specialist Domestic and Family Violence Court Justice Response is one component of the integrated human service system response to domestic and family violence in Queensland. The Specialist Domestic and Family Violence Court model specifies the necessary components of the court justice response.

A recent inquiry into how the Magistrates Court of Western Australia manages matters involved family and domestic violence notes that 'The court system alone cannot stop FDV, but it plays an important role as part of an integrated response to family violence, and as an opportunity for early intervention.'¹⁴⁹

Applying a systems perspective, the SSDFVCJR is a 'sub system' within the broader human service system. This means it is one part of the response to DFV, and its ability to achieve outcomes is partly determined by the functionality of the broader human services system.

To date, there have been no published systems evaluations of domestic and family violence responses. The exception is a published 'proof of concept' for a systems evaluation of the *Te Rito: New Zealand Family Violence Prevention Strategy and Taskforce for Action on Violence within Families*. In addition to being a proof of concept, rather than a completed project, the *Te Rito* considers the entire domestic and family violence system, rather than a subsystem of it (such as the associated court justice response).

The evaluation framework and associated methodology for this evaluation was designed by the Department of Justice and Attorney-General in late 2018, when systems evaluation theory was in its infancy. As such, it was not designed with a systems evaluation lens.

In this Chapter, we have drawn on our systems evaluation expertise to apply a systems lens post hoc. In synthesising the evidence to answer the key evaluation questions, we have considered the four attributes of systems. This positions the evaluation of the *Southport Specialist Domestic and Family Violence Court Justice Response* as amongst the first of its kind.

9.1 COMPETENT AND CAPABLE SYSTEMS OPERATORS

A core role of systems evaluation is to validate whether the individuals interacting with the system have the necessary competency and capability to efficiently operate the system.¹⁵⁰ The Southport SDFVCJR is delivered in line with a therapeutic jurisprudence approach, which also emphasises the importance of trained, specialist staff. The qualitative data clearly supports the competency and capability of the staff and volunteers involved in the SSDFVCJR.

It is also determined by the functionality of the human services system that surrounds it. It is crucial that this broader system is well understood prior to implementation of a specialist domestic and family violence court justice response. For example, the strength and

¹⁴⁹ Katsambanis P (2020) Opening doors to justice: Supporting victims by improving the management of family and domestic violence matters in the Magistrates Court of Western Australia. Report 8, Community Development and Justice Standing Committee, Legislative Assembly of Western Australia.

¹⁵⁰ Renger R (2015) System evaluation theory (SET): A practical framework for evaluators to meet the challenges of system evaluation. *Evaluation Journal of Australasia*, 15(4), 16–28.

functionality of the Gold Coast human services system (and the associated interagency domestic and family violence response) pre-dates the court justice response and has undoubtedly enabled the court justice response's success. For example, the GDFVIR not only supports the widespread, shared understanding of risk and appropriate responses to preserve safety for women and children, but also means the human services system actors have established ways of collaborating. This service system maturity means the court justice response is likely to be more efficient and effective, more quickly, and with less effort. This context may not be replicable in other areas of Queensland, and therefore the implementation of further specialist domestic and family violence court justice responses and the pattern of outcomes associated with them may also differ.

9.2 COMMITTED LEADERSHIP

Leadership is another attribute critical to system efficiency and effectiveness.¹⁵¹ It is a leader's role to provide necessary direction, motivate, leverage, delegate, and influence others in the system to ensure the system receives the necessary inputs for survival and success.¹⁵²

A system evaluator's role is to determine whether the leadership exists at the different system levels for efficient and effective system functioning.¹⁵³

There is clear evidence across the qualitative evaluation data that the SSDFVCJR has a committed, capable leadership across the group of partner agencies, and that this contributes to the successful operation of the court. The SSDFVCJR is championed by senior executives in the partner agencies, and the Department of Premier and Cabinet, which is committed to delivering against its ten-year strategy to reduce violence against women. Many agencies have dedicated policy and performance teams committed to this work, reflecting its high priority across the Queensland Government.

The court coordinator plays a pivotal role not just in ensuring the smooth function of the court justice response, but also the functionality of the broader human service systems. This is an example of a positive feedback loop that occurs in complex systems; the coordinator's investment into the broader human services system functionality will strengthen the functionality of the Southport Specialist Domestic and Family Violence Court Justice Response.

Equally, the dedicated magistrates serve an important role as leaders of culture, particularly within the court justice response, but also as mentors of the broader cohort of judicial officers.

¹⁵¹ Renger R (2015) System evaluation theory (SET): A practical framework for evaluators to meet the challenges of system evaluation. *Evaluation Journal of Australasia*, 15(4), 16–28.

¹⁵² Adair J (2009) *Not bosses, but leaders: How to lead the way to success*. Kogan Page, London

¹⁵³ Curphy GJ, Hogan J and Hogan R (1994) What we know about leadership: Effectiveness and personality, *American Psychologist*, 49(6): 493.

9.3 NECESSARY INFORMATION TECHNOLOGY

Information technology is an important determinant of the success of any system.¹⁵⁴ Systems evaluators are tasked with determining whether the flow of information is sufficient, and whether there are any potential bottlenecks that require addressing.

While this evaluation has not considered information technology that supports the courts justice response, it has considered the sufficiency of the data available for monitoring and evaluation, and the sufficiency of evaluation and monitoring performance indicators.

9.3.1 ACCESS TO HUMAN SERVICES SYSTEM OUTCOMES DATA

The primary quantitative outcomes dataset for this evaluation is the Queensland Wide Interlinked Courts database. This is a high-quality comprehensive source of participant outcomes data as they relate to court decisions (i.e., orders and sentencing).

The evaluation has limited access to reliable quantitative outcomes data beyond the court component of the integrated justice response. The paucity of data is not only because the intended outcomes and impacts beyond the court component of the justice response can be difficult to measure (for example, victims' perceived safety), but also because of the difficulties of securing these highly sensitive data sources from interagency stakeholders. The absence of data is also not unique to this evaluation. The National Plan identifies the need for a bigger, better evidence base to inform policy decisions on a state, territory, and national level.^{155, 156}

There are a range of legislative and technical considerations to ensuring sufficient impact and outcomes data is available. Different systems actors (agencies) have different responsibilities for data collection, and work within different aspects of the overarching legislation directing how information is collected and stored and the circumstances in which it can be shared, and with whom. There is an opportunity to develop a collective data management framework and to explore how data sources can be combined to increase operational and strategic efficiencies, without compromising privacy and safety.

9.3.1 PROGRAM LOGIC SUPPORTED BY SYSTEMS MAPPING

Effective measurement starts with a program logic that drives development of an integrated evaluation framework, where qualitative and quantitative evidence play equally important roles. When dealing with complex systems, it is important to continually revisit the program logic and its associated evaluation framework. The process evaluation conducted in 2016–17 recommended that the program logic for the Southport Specialist Domestic and Family Court Justice Response should be reviewed, and that performance indicators for routine monitoring should be identified. Currently, the program logic does not articulate the

¹⁵⁴ Renger R (2015) System evaluation theory (SET): A practical framework for evaluators to meet the challenges of system evaluation. *Evaluation Journal of Australasia*, 15(4), 16–28.

¹⁵⁵ Department of Social Services (2018) [National Plan to Reduce Violence Against Women and their Children: Fourth Action Plan \(2019–2022\) Background and Evidence Summary](#), Australian Government, Canberra.

¹⁵⁶ [Australian Bureau of Statistics](#) (2014) Defining the data challenge for family, domestic and sexual violence. Australian Government, Canberra.

underlying theory of change for the SSDFVCJR. Detailed data elements were identified (see Appendix 2), but as noted elsewhere in this report, availability of these data has been an issue for this evaluation.

The logic model (and associated evaluation framework) has not been reviewed as part of this evaluation. In part, this was in acknowledgement of the extensive consultation across agencies required to reach agreement on the existing logic and evaluation framework that was developed by DJAG to inform this evaluation. It also reflects our view that the Southport Specialist Domestic and Family Violence Court Justice Response operates as a sub-system within the broader human services system integrated response to domestic and family violence. Recent critiques and the emerging systems evaluation literature suggests that logic modelling is sometimes 'illogical'¹⁵⁷ and does not always adequately capture the complexity of a human services system.¹⁵⁸

As a result, it is the opinion of this evaluation that a systems perspective may offer a more useful investment of the Department's resources than searching for clear cause and effect relationships or the 'signal in the noise' of the interactions between the court justice system and the complex lives of people accessing it.

9.3.2 A MEASUREMENT FRAMEWORK INCORPORATING SYSTEMS CONCEPTS

The current view of the necessary data to define 'success' of domestic and family violence responses is narrow. For example, the Australian Bureau of Statistics notes that 'in conducting research and evaluation, and developing and delivering programs, information about the following units of analysis may be useful: people (victims and perpetrators), behaviours and programs'¹⁵⁹. This does not reflect the true complexity of DFV itself, nor the range of supports and services across the DFV system that are required to respond effectively.

In its most recent estimation of the cost of violence to Australia, KPMG notes that, 'we should strengthen our understanding of the links between, and the impacts of, violence on the broader services system. Recognition of how the experience of violence intersects with other areas of the service system will help identify the broader demand for services and opportunities for prevention. For example, service provision for homelessness, mental health and the justice sector is important to better inform integrated policy decision-making.'¹⁶⁰

Within the family violence system there are a range of:

¹⁵⁷ Hawkins Andrew J. Program Logic Foundations: Putting the Logic Back into Program Logic. *Journal of Multidisciplinary Evaluation*, [S.L.], v. 16, n. 37, p. 38-57

¹⁵⁸ Renger R, Renger J, Donaldson SI, Renger J, Hart G and Hawkins A (2020) [Comparing and contrasting a program versus system approach to evaluation: The example of a cardiac care system](#). Canadian Journal of Program Evaluation, doi: 10.3138/cjpe.68127

¹⁵⁹ Australian Bureau of Statistics, 2013 Defining the data challenge for Family, Domestic and Sexual Violence. Retrieved from: <https://www.abs.gov.au/statistics/people/crime-and-justice/defining-data-challenge-family-domestic-and-sexual-violence/2013>

¹⁶⁰ KPMG (2016) The cost of violence against women and their children in Australia: Final Report, Department of Social Services, Canberra.

- 'actors', including victims and perpetrators
- 'states', including individuals and families at risk of violence, individuals and families actively experiencing violence, and individuals and families transitioning between the two
- risk and protective factors for families, including poverty, family history, substance abuse, community, and broader supports
- interventions by government and non-government organisations
- factors influencing the effect of interventions, such as their efficacy, implementation, and resourcing.¹⁶¹

Not all these elements can be measured. Further, where there are metrics, data is often scarce, subject to bias or uses different definitions of outcome variables. However, there are emerging examples, particularly in New Zealand, of frameworks that consider measures of success for individual 'actors' and for the systems themselves.¹⁶²

It is our view that development of a performance framework congruent with systems perspective on domestic and family violence would be useful. As a priority, this should include data from all court justice response partner agencies and be linked to Queensland's Domestic and Family Violence Strategy. It may also be extended to other agencies, for example, health. It is likely that this will require formal data sharing agreements between all partner agencies and social support providers.

9.4 ORGANISATIONAL CULTURE

The culture of an organisation is intertwined with leadership: where leadership is present, a healthy culture is likely to follow.¹⁶³ Culture is intangible but is often easy for an external evaluator to detect. The culture at the SSDFVC is immediately obvious. The positive, cooperative culture has been observed and described by its many domestic and international visitors.¹⁶⁴

Much of the work of this evaluation has been to describe, explore and unpack the somewhat intangible elements of the collaboration that exists in the SSDFVCJR. The best practice literature describes the importance of 'working in partnership' across agencies to deliver outcomes in human service provision. There have been numerous attempts made, using a range of tools, to describe what 'working in partnership' looks like in practice.¹⁶⁵

As noted earlier in the report, the collaborative culture amongst the SSDFVCJR partner agencies is underpinned by effective governance, a strong legislative framework, and professional respect in the pursuit of a shared goal. Stakeholders consistently described

¹⁶¹ Foote J, Carswell S, Wood D and Nicholas G (2019) Measuring the effectiveness of 'whole of systems' response to prevent family violence: research summary, Social Policy Evaluation and Research Unit (Superu), Wellington, New Zealand.

¹⁶² The Glenn Inquiry (2014) [The People's Blueprint: Transforming the way we deal with child abuse and domestic violence in New Zealand](#).

¹⁶³ Kotter J (2001) What leaders really do, Harvard Business Review, 71(11): 3–11.

¹⁶⁴ Katsambanis P (2020) Opening doors to justice: Supporting victims by improving the management of family and domestic violence matters in the Magistrates Court of Western Australia. Report 8, Community Development and Justice Standing Committee, Legislative Assembly of Western Australia.

¹⁶⁵ Gomez-Bonnet, F., & Thomas, M. (2015). A three-way approach to evaluating partnerships: Partnership survey, integration measures and social network analysis. *Evaluation Journal of Australasia*, 15(1), 28-37. https://vocational-rehab.com/wp-content/uploads/SuRGE-6_Evaluating-Partnerships.pdf

professional respect as including first and foremost, the understanding that each of them is working towards the common goals of keeping the victim safe (both throughout their court experience as well as through the orders which are in place to that end) and holding perpetrators accountable.

Professional respect is also achieved through having a thorough knowledge and understanding of the role of each of the agencies involved and a clear appreciation for the limitations of what they can do based on those roles, as well as on the policies and procedures to which they must adhere. Strong interpersonal professional relationships exist between the people working at the court; however, the strong culture of professional respect means that while the particular people in the workplace clearly do make a difference, the practices are not entirely dependent on those individuals.

Stakeholders highlighted the importance of having transparency in the way that they work and being clear about the limitations associated with their roles. They have a strong workplace culture of common understanding and appreciation of the importance and value of each other's roles.

9.5 IMPLICATIONS AND OPPORTUNITIES

Adopting a systems lens. A systems perspective may offer a more useful investment of the Department's resources than searching for clear cause and effect relationships or the 'signal in the noise' of the interactions between the court justice system and the complex lives of people accessing it.

An integrated, systems-oriented performance monitoring framework. Development of a performance framework congruent with systems perspective on domestic and family violence would be useful for future cost effectiveness analysis. This should include data from all relevant partner agencies and be linked to Queensland's Domestic and Family Strategy. This could be extended to other agencies in the human services system, for example health. It should also ensure comparable costs data is available for other courts (specialist and non-specialist).

Development of data sharing agreements. Increase the formal sharing of data across agencies to monitor the performance of the whole of government justice response in order to determine the extent to which intended outcomes are being achieved and where further attention is needed at a system reform and monitoring level (rather than for the purposes of individual case management).

10. CONCLUSIONS AND RECOMMENDATIONS

The Southport Specialist Domestic and Family Violence Court Justice Response is one component of the integrated human service system response to domestic and family violence in Queensland. The Specialist Domestic and Family Violence Court model specifies the necessary components of the court justice response.

There is clear evidence across the qualitative evaluation data sources that the Southport Specialist Domestic and Family Violence Court Justice Response is providing a quality service, in line with the Specialist Domestic and Family Violence Court model.

As Queensland's first specialist domestic and family violence court, the Southport SDFVCJR is nationally and internationally recognised as a sector-leading response to domestic and family violence, and regularly hosts visitors keen to understand and emulate the model in their own contexts. The SSDFVCJR draws on the national and interventional evidence base for specialist domestic and family violence courts, recognising that this evidence base is diverse and emerging.

There are some areas in which the SSDFVCJR is leading practice, including the way it maximises opportunities to engage with clients, meets the needs of female respondents, works with respondents to protect the aggrieved and supports continuous quality improvement and innovation.

On the basis of the quantitative and qualitative evaluation data, we recommend the Department of Justice and Attorney-General consider the following recommendations.

RECOMMENDATION 1

Develop a state-wide plan to improve the Queensland court justice response to domestic and family violence in both specialist and non-specialist courts by expanding the use of best practice features observed in the SSDFVCJR, in response to local needs. The relevant best practice features identified in the research literature (see Appendix 3) include:

- a cross-agency governance group (similar to the Operational Working Group)
- court coordinator
- specialist registry (or key registry staff with specialist knowledge of DFV and capability to identify and respond to DFV risks)
- physical structures to support safety (including security officers)
- specialist domestic violence duty lawyers
- dedicated magistrates
- specialist prosecutors
- dedicated Queensland Corrective Services officers
- legal and social support services co-located at or near the court.

Implementing all these best practice features may have substantial funding implications, however, these need to be contextualised against the high priority of ending violence against women and with respect to local needs.

The plan should consider increasing demand and identified gaps in existing specialist and non-specialist courts and support continuous improvement in:

- identifying and responding to risk
- ensuring that the needs of vulnerable and diverse population groups, including people with disability, are being addressed
- managing busy DFV lists and providing reception, information and support on the day of court, including referrals to support agencies
- balancing the benefits of rotation with the benefits of consistency in the judicial decision maker, ensuring magistrates are sufficiently supported and have adequate professional education opportunities, support to address vicarious trauma, and relief support
- ensuring sufficient numbers of and training for other specialist staff such as prosecutors, duty lawyers and Corrective Services staff
- addressing the underlying factors which may contribute to offending and effect behaviour change.

Strategies should ensure that funding aligns with the true costs of delivering specialist supports and are not dependent on goodwill and investment (beyond the funding commitment) of agencies and non-government support services and allow for further evolution of the model.

RECOMMENDATION 2

Develop an overarching Specialist Domestic Family Violence Court Justice Response Manual, which is underpinned by research and legislation.

The manual should include a clear description of each specialist role agreed by the responsible agency (including how the role supports the assessment and management of risk and provides responses for aggrieved and respondent/defendant parties). It should also link to relevant resources.

It must strike a careful balance between being prescriptive enough to ensure continuity and the sustainability of each component of the SDFVC model, and flexible enough to tailor the court justice response to the diversity of local contexts in which specialist courts are implemented.

RECOMMENDATION 3

Leverage existing relationships between the SDFCJR and existing social support services who can deepen the court justice response by meeting the needs of specific client groups, both at court and in the community.

- **Male respondents**, by:
 - ensuring specialist and comprehensive court support is available for men facing civil and criminal charges, on all days of the week.
 - developing more capacity in the men's behaviour change programs and/or exploring opportunities for time-limited 'waitlist' interventions.
- **People with complex support needs**, including people who need help to address factors that may contribute to their offending behaviours (housing, employment, drug and alcohol, health and mental health, and social needs), by:
 - facilitating access and referral to appropriate treatment and support
 - in the civil jurisdiction, this may include services and programs that target the aggrieved—respondents at highest risk
 - in the criminal jurisdiction, this may include strengthening the relationship between the specialist DFV courts and the Court Link program.
- **People who experience violence differently or in different ways**, including Aboriginal and Torres Strait Islander people, culturally and linguistically diverse groups, young people, older people, people with disability and the LGBTIQ+ community.

RECOMMENDATION 4

Consistent with the literature, continue to support professional development of all specialist staff, ensuring they can express both interpersonal and social empathy to best pursue just solutions to the entrenched social problem of domestic and family violence. Training for all newly appointed staff should continue to focus on exposure to, and explanation of, the marginalised persons—which is most commonly female victims.¹⁶⁶

In particular, there is an opportunity to support magistrates in their role as cultural leaders of the specialist domestic and family violence courts through:

- continuing professional development opportunities for all magistrates with respect to DFV
- ongoing development of induction and support resources for magistrates presiding in specialist court locations
- providing opportunities for experienced DFV magistrates to mentor newly appointed magistrates.

RECOMMENDATION 5

Investigate opportunities to further strengthen elements of the specialist response, including through policy and procedures and possible legislative amendments, for example,

- considering mechanisms to strengthen perpetrator accountability and behaviour change, including:

¹⁶⁶ Department of Justice and Attorney General (2021). Practice principles, standards and guidance: Domestic and family violence services, <https://www.publications.qld.gov.au/dataset/domestic-and-family-violence-resources/resource/e75875e0-50a9-4fa2-acde-121dc4a3a804>

- monitoring and review of outcomes of orders consented to without admission and of respondent/offender participation in specialised behaviour change programs, in particular, noting the rate at which breaches occur
- revisions to the therapeutic jurisprudence framework for the SDFVC to drive perpetrator accountability through ongoing judicial monitoring in DFV civil and criminal proceedings. Subject to legislative review, in civil proceedings this could include a requirement for suitable respondents to make additional appearances during the term of their orders, however it is essential that this requirement does not contribute to re-victimisation
- a detailed policy analysis of the research and any transferability from other specialist court models to inform these approaches and identify opportunities for improved practice
- sharing information about emerging trends in the police role in supporting private applications and providing relevant evidence to the court to inform court justice responses stakeholders.
- ensuring appropriate protection for vulnerable people and people from diverse population groups in different relationship types, for example, by expanding the definition of DFV to provide further protection and increased accessibility to a justice response for older people and people with disability; refining the procedures relating to accessibility, including for interpreter engagement, to ensure they provide suitable access for people with hearing impairment and allow for reasonable adjustments for people with other disabilities.

RECOMMENDATION 6

With partnering agencies, develop an integrated performance framework congruent with a systems perspective of domestic and family violence. This would support ongoing, cohesive, and holistic monitoring and reporting of the system's response to domestic and family violence (as distinct to individual agencies using different indicators, counting rules and reporting processes). It would also support future analysis and review of the specialist domestic and family violence court justice response to domestic and family violence.

This should include data from all relevant agencies across the human services system and be linked to the Domestic and Family Violence Prevention Strategy 2016–2026. To consider the system perspective, the framework should include events before, during and after court.

The integrated performance framework should include an ability to measure how indicators are sustained over time. Indicators could include, for example:

- Safety risks (both to the aggrieved and their children, and to the respondent) from the time of incident and throughout the court process, which could be drawn from Queensland Police Service incident data, the courts, Queensland Corrective Services and from specialist domestic and family support service providers.
- Aggrieved safety and wellbeing (including the aggrieved person's perception of these), which could be drawn from sources including Queensland Police Service incident data and from specialist domestic and family support service providers.

- Respondent's criminogenic thinking, negative attitudes, and behaviours (including the respondent's perceptions of these), which could be drawn from sources including specialist domestic and family support service providers.
- Aggrieved and respondent needs and engagement with support service provision, which could be drawn from specialist domestic and family violence support service providers (including duty lawyers and corrective services case management)
- Respondents' compliance with intervention orders, and the consequences of failure to comply with these, which could be drawn from the courts, as well as from providers of mandated and voluntary MBCPs.
- Non-court related outcomes for the aggrieved, the respondent and their children, which could include wellbeing and behavioural measures as well as participation in education, training or employment, school attendance of children, or removal/restoration of children.

RECOMMENDATION 7

Improve mechanisms for formal sharing of data across agencies to monitor the performance of the whole of government justice response in order to determine the extent to which intended outcomes are being achieved and where further attention is needed at a system reform and monitoring level (rather than for the purposes of individual case management).

APPENDIX 1: SUMMARY OF METHODS

The evidence reported in this document is drawn from a range of qualitative and quantitative data sources.

- Targeted scan of relevant best practice policy and research literature (74 documents).
- **Document review** (75 documents): including Court Working Group minutes (n=21), Operational Working Group minutes (n=18), position descriptions and supporting documents (n=11), policies, procedures and manuals outlining the Court's operation (n=9), summaries of literature or other relevant background information (n=8), documents describing current or past evaluations (n=5), data request forms or qualitative data (n=2) and specific documents from agencies (n=1).
- **Interviews with key stakeholders** (n=30): from participating agencies including Department of Justice and Attorney-General (DJAG), the Domestic Violence Prevention Centre (DVPC), Legal Aid Queensland (LAQ), the Queensland Police Service (QPS), Queensland Corrective Services (Queensland Corrective Services) and the former Department of Child Safety Youth and Women (DCSYW)¹⁶⁷.
- **Descriptive analysis of Queensland Wide Interlinked Courts (QWIC) data:** All defendant and domestic and family violence specific data for the period 1 July 2017 to 31 March 2020.
- **Comparative analysis of QWIC data:** all defendant and domestic and family violence specific data for the period 1 July 2017 to 31 March 2020 for the comparison courts of Caboolture and Cleveland courts.
- **Interviews with clients of the court:** between November 2020 and January 2021. A total of 17 interviews (10 with women and 7 with men) were conducted and analysed using a coding framework in NVivo.
- **Survey of clients of the court:** between September 30, 2020 and January 22, 2021, a total of 78 people participated in the survey designed by DJAG and administered by service providers at the court.
- **Live list data:** A spreadsheet documenting the numbers and kinds of work being undertaken at the SSDFVC daily between 10 August 2020 to 28 January 2021.
- **Service use data provided by DVPC:** Data was provided to ARTD which showed aggregated information relating to services delivered. Ethics and consent limitations meant that we were unable to access some individual level outcomes data.
- **Redacted sample individual level data provided by Centacare:** Centacare as able to provide a small number of redacted internal client assessment documents. These were provided for the evaluation to give insight into the kinds of data maintained and that could be available to future evaluations if suitable data management systems and reporting processes were in place.

¹⁶⁷ Following the 2020 State Government election, a machinery of government change was implemented transferring certain functions of the former Department of Child Safety Youth and Women to the Department of Justice and Attorney-General. This includes the Office for Women and Violence Prevention which is responsible for administering funding for DFV support services, including court support and behaviour change programs.

- **Data from the Integrated Offender Management System:** Queensland Corrective Services provided data relating the DFV offences for the period 1 July 2017 to 31 March 2020 from each of the comparison courts.
- **Data sources to establish costs and outcomes:** This includes data about costs for delivery, administration, staffing, in kind contributions, and any other costs involved in implementing the Southport SDFVCJR to measure the social and economic impacts. It also includes Victim Assist Queensland (VAQ) payments data.

DOCUMENT REVIEW AND TARGETED LITERATURE SCAN

The review provided contextual information about the Queensland criminal justice system and reform environment. In addition, the review illustrated how the SSDFVCJR is intended to operate. To date, we have reviewed 75 documents, including those listed below. The literature is emerging, and we will incorporate additional, relevant literature into our final evaluation report.

- **Domestic and family violence legislation and associated legal materials:** *Domestic and Family Violence Protection Act 2012* (Qld); Domestic and Family Violence Protection Regulation (the Regulation), Domestic and Family Violence Protection Rules 2014 (the Rules), Domestic and Family Violence Protection Act Benchbook (7th Edition, June 2020); National Domestic Violence Order Scheme.
- **Domestic and family violence reports, strategies and action plans:** *Not Now, Not Ever: Putting an end to domestic and family violence in Queensland*; the Domestic and Family Violence Prevention Strategy 2016–26, First Action Plan (2015–16), Second Action Plan (2016–19), Domestic and Family Violence Implementation Council Progress Report (2017 to 2018), Queensland Domestic and Family Violence Death Review and Advisory Board Annual Report 2017–18, Domestic and Family Violence Information Sharing Guidelines (former Department of Child Safety, Youth and Women, 2017), National Plan to Reduce Violence Against Women and their Children 2010–2022, National Risk Assessment Principles for Domestic and Family Violence (ANROWS).
- **Southport Specialist Domestic and Family Violence Court documents:** Report on the interim evaluation of the Domestic and Family Violence Court in Southport, Evaluation of the Specialist Domestic and Family Violence Court Trial in Southport—Summary and final report (Griffith University, 2017), Southport Evaluation Report.
- **Domestic violence applications, standards and supporting documents:** Forms including the application form for a domestic violence protection order, domestic and family violence statistics (Queensland Courts), list of approved providers and approved intervention programs, *Professional Practice Standards: Working with women/men who perpetrate domestic and family violence* (former Department of Child Safety, Youth and Women, documents under review), National Outcome Standards for Perpetrator Intervention, Interpreter support in domestic and family violence court proceedings, Queensland Courts Interpreters Hub. The Standards were replaced by the *Practice principles, standards and guidance* in January 2021¹⁶⁸:

¹⁶⁸ DJAG (2021) *Practice principles, standards and guidance*, <https://www.justice.qld.gov.au/about-us/services/women-violence-prevention/violence-prevention/service-providers/practice-principles-standards-guidance>

- **Documents supporting operation of the Southport court:** Components of a Domestic and Family Violence Specialist Court (working document, July 2019), Civil List Court Reception Mapping, Family Law Pilot Registry Procedures, Family Law Pilot Mapping Document (working document), Section 55 requests (former Department of Child Safety, Youth and Women), Court Working Group Terms of Reference, Court Coordinator Position Description and Role Analysis, Court Reception Function, Operational Working Group Terms of Reference (working document), Domestic and Family Violence Specialist Registry Safety Plan Guidelines, Southport Specialist Court Listing Arrangements, Southport Urgent Listing Arrangements, Specialist Court Registry Manual (working document). We will also do a targeted review of operational and management documents, including Operational Working Group minutes and communications with stakeholders.

KEY STAKEHOLDER INTERVIEWS AND FOCUS GROUPS

We completed a comprehensive series of interviews and focus groups with SSDFVCJR service delivery stakeholders to deeply understand the mechanisms that support (or inhibit) outcomes for individuals and the court, and to contribute hypothesis development about who the court works for and why, which factors contribute to changes in behaviour that result in positive short and long-term outcomes, and for which groups of people.

The interviews were semi-structured and done according to an interview guide. Most interviews took between 60 and 90 minutes. With the participants' permission, the interviews were audio-recorded and transcribed for analysis.

QUANTITATIVE DATA ANALYSIS OF COURTS DATA

The data included in this report is a descriptive analysis of all defendant and domestic and family violence specific data for the period 1 July 2017 to 31 March 2020 from the Queensland Wide Interlinked Courts (QWIC) dataset for applications and charges. This period was chosen to ensure minimal overlap with the analyses already done by the Griffith University Evaluation (2017). The analysis provides a descriptive quantitative analysis of the patterns of applications, charges, and breaches in three types of justice responses to domestic and family violence: the specialist domestic and family violence court model (Southport), an enhanced model (Caboolture Magistrates Court) and a standard Magistrates Court (Cleveland Magistrates Court).

QWIC - APPLICATIONS

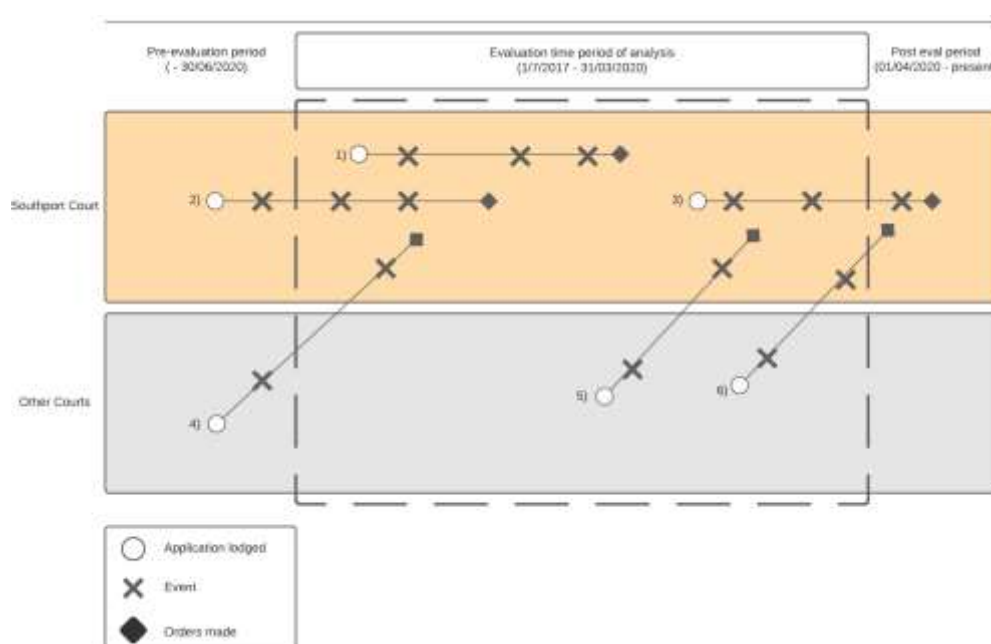
The kinds of applications that are found in the QWIC – Applications dataset are illustrated in Figure A1. For Southport, and each of the comparison courts, many types of applications were included in the QWIC extract. These include:

1. Applications lodged and concluded in Southport (or Cleveland or Caboolture) court, within the evaluation period
2. Applications lodged and concluded in Southport (or one of the comparison courts), with part of the application dealt with prior to the evaluation period

3. Applications lodged and concluded in Southport (or one of the comparison courts), with the application concluding after the extraction date used for this analysis (post 31/03/2020)
- 4,5,6. Applications lodged in another court, then later dealt with in Southport (or one of the comparison courts)

All these types of applications were included in the QWIC- Applications dataset, with only events that took place during at Southport (or the comparison courts) during the evaluation period were included for analysis.

FIGURE A1. TYPES OF APPLICATIONS INCLUDED IN THE APPLICATIONS DATASET



QWIC – CHARGES

This dataset includes contravention charges and charges relating to DFV flagged offences that had at least one event at Southport, Cleveland, or Caboolture court during the evaluation period.

QWIC APPLICATIONS - LODGED AND COMPLETED APPLICATIONS

Only applications that were lodged and concluded at Southport or the comparison courts during the evaluation period were included in this dataset (e.g., only Type 1 applications shown in Figure A2). The Event Result field in the Events subset of the Applications dataset was used to determine if/when an application has concluded. For this analysis event results that marked the conclusion of an application included:

- Granted
- Withdrawn
- Struck out

- Dismissed
- Refused

A subset of the applications lodged and completed was used in the analysis regarding breaches of orders made during the evaluation period. We only included applications lodged and completed within the 2017-18 FY when assessing the proportion of orders made that were later breached, and the time between the order and breach to ensure that all applications had at least a 15-month period after the order was made in which contravention charges could be identified in the charges dataset used for this evaluation.

CHARGES FOR LODGED AND COMPLETED APPLICATIONS

Any contravention charges or charges relating to DFV flagged offences, both prior and subsequent to engagement with Southport, Cleveland and Caboolture courts for respondents with a lodged and completed application were included in this dataset, regardless of the location of the charges. The court location in this dataset refers to the location that the respondent/defendant's application (either initiating application, or application to vary) was lodged and completed.

CONTRAVENTION CHARGES MATCHED TO ORDERS ISSUED

There were 6713 contravention charges in the QWIC – Charges dataset. These included all contravention charges during the evaluation period (1 July 2017 to 31 March 2020) as well as historical contravention charges (from October 2006 to March 2020) for respondents named on orders issued at Southport Magistrates Court and the comparison courts. For 6125 (91%) of these charges, the location where the breached order was issued could be extracted from the offence wording. Of these, the number of contravention charges relating to orders issued in these courts were:

Southport: n = 3023
Caboolture: n = 785
Cleveland: n = 924
Total: 4732

From the 4732 contravention charges relating to orders issued at Southport Magistrates Court and the comparison courts, 97% (n = 4622) were also able to have the date that the order breached was issued. These contravention charges related to orders that were issued between from December 2007 – March 2020. The number of contravention charges relating to orders issued at Southport Magistrates Court and the comparison courts during the 2017-18 financial year were:

Southport: n = 851
Caboolture: n = 208
Cleveland: n = 312
Total: 1371

We then attempted to match these 1371 contravention charges from the criminal QWIC dataset to orders issued at Southport Magistrates Court and the comparison court during the

same time period to identify the proportion of orders that were subsequently breached and charged.

Applications lodged at Southport Magistrates Court and the comparison courts resulted in 6223 orders (protection orders, vary protection orders, temporary orders, vary temporary protection orders) issued during the 2017-18 financial year as follows:

Southport: n = 3994
Caboolture: n = 1287
Cleveland: n = 942
Total: 6223

The 1371 contravention charges from the criminal QWIC dataset and the 6223 orders issued across the three courts in the 2017-18 financial year in the civil QWIC dataset were matched based on the location and date the order was issued, and the defendant/ respondent's unique person identifier. Sixty-four percent (878) of contravention charges relating to an order issued at Southport Magistrates Court and the comparison courts matched an order issued in the civil QWIC dataset based on these three criteria. This consisted of:

- Southport: 579 contravention charges relating to 356 of the 3,994 orders issued
- Caboolture: 139 contravention charges relating to 98 of the 1,287 orders issued
- Cleveland: 160 contravention charges relating to 78 of the 942 orders issued

Of the 439 contravention charges that could not be matched to orders issued, 97 per cent (n = 427) matched orders in the civil QWIC dataset based on the date and location the order was issued, but the respondent and defendant person identifiers did not match.

QUANTITATIVE DATA FROM OTHER AGENCIES:

LIVE LIST DATA

ARTD was provided with an excel spreadsheet documenting the numbers and kinds of work being undertaken at the SSDFVC on a daily basis between 10 August 2020 – 28 January 2021. This included daily counts of the numbers of matters being heard, utilisation of duty lawyer services, the administration of safety plans, numbers of men and women supported by support service staff as well as other data relating to the daily operations. This has been drawn from to better understand the information derived from interviews and surveys with clients.

SERVICE USE DATA PROVIDED BY DVPC:

Data was provided to ARTD which showed aggregated information relating to services delivered. Ethics and consent limitations meant that we were unable to access some individual level outcomes data.

REDACTED SAMPLE INDIVIDUAL LEVEL DATA PROVIDED BY CENTACARE:

Centacare as able to provide a small number of redacted internal client assessment documents. These were provided for the evaluation to give insight into the kinds of data

maintained and that could be available to future evaluations if suitable data management systems and reporting processes were in place.

DATA FROM THE INTEGRATED OFFENDER MANAGEMENT SYSTEM

Queensland Corrective Services provided data relating to DFV offences for the period 1 July 2017 to 31 March 2020 from each of the comparison courts. While data was also provided related to the MDVEIP, we were advised that the data quality was considered to be too poor to draw from.

VCTIMS OF CRIME DATA

ARTD was provided with data from Victim Assist Queensland with regard to compensation payments made to victims of DFV offences. This data was considered in developing the costings in our social and economic analysis.

INTERVIEWS WITH CLIENTS OF THE COURT

ARTD interviewed 17 clients of the court in alignment with the research protocol approved by the Bellberry Ethics Human Research Ethics Committee (Approval number 2019-11-1068). Our aim was to gain qualitative data to help us better understand what parts of the SSDFVCJR were working, for whom and under what circumstances, as per the realist frame of the evaluation.

We approached DVPC and Centacare to assist ARTD to connect with individuals who had used the court who they believed would be suitable for an interview. The key condition for suitability was that participating in an interview would not present any risk other than inconvenience to any person participating.

DVPC staff who work at the court asked women that they identified as being suitable whether they would consent to be contacted by ARTD to participate in an interview. In order to connect with male users of the court, we were assisted by the facilitators of Centacare's Men's Behaviour Change Program (MBCP), who asked suitable men whether they would consent to be contacted for by ARTD to participate in an interview.

Limitations

There were some limitations inherent in the sample with whom we were able to have contact because of the difficulty of finding an ethical, appropriate, and convenient ways of gaining consent from clients of the court to participate in our interviews. The men with whom we spoke, were participants in the Centacare Men's Behaviour Change Program. This program is only available to clients of the court who are men who are respondents in their matters and who have been assessed as being suitable for participation in the program. This means that our sample has not included any aggrieved men, and the respondent men who participated are not representative of all respondent men. It is important to note here that of 704 men who received intervention orders for them to participate in the MBCP, only 356 were assessed as being suitable for the program, as such, the cohort from which our sample is drawn is not to be considered representative of all male clients of the SSDFVC.

The women who participated were recruited by staff of DVPC who assist women at court. Because DVPC works with all women, whether aggrieved or respondents, we were able to interview one woman who is a respondent and one who is the subject of a cross-application. DVPC did not approach women who were in high risk or crisis situations for consent to be contacted for interview. As such, women at the highest levels of risk are not represented in the interviewee sample.

More people consented to be interviewed than those with whom we were able to successfully complete an interview. DVPC provided ARTD with a list of 22 women who agreed to be contacted for interviews. ARTD made at least three attempts to contact every woman who consented to be contacted, and successfully completed 10 interviews with women.

Centacare provided ARTD with a list of eight men who indicated they consented to be contacted for an interview. One of these men was not able to be contacted after three attempts to do so. Seven interviews with men were successfully completed.

SURVEY OF CLIENTS OF THE COURT

The surveys which have been included for analysis here were designed by DJAG in consultation with ARTD. The surveys were designed both to provide data for inclusion in this evaluation as well as to inform continuous improvement activities for all the specialist DFV courts in Queensland. As such, the questions asked in the survey do not align precisely with the questions asked in interviews. Nevertheless, the data from both sources has been synthesised so that relevant data is considered from both sources under the various areas of analysis.

Between September 30, 2020, and January 22nd, 2021, a total of 78 people participated in the survey designed by DJAG and administered service providers at the court. Separate surveys were designed for aggrieved and respondents and were administered as Survey A (for aggrieved parties), and Survey B (for respondents). These surveys were administered by Court Network volunteers for people waiting at court outside the support room (to both men and women), and by DVPC staff for people inside the support room (women only).

ADDITIONAL FOCUS GROUP SESSIONS WITH DVPC AND CENTACARE

As a means by which to check the qualitative findings from surveys and interviews with participants, and in lieu of disaggregated outcomes data being available from NGO service provider agencies, ARTD conducted additional on-line workshops with the staff of DVPC, and the staff of Centacare involved in delivering the court support and related programs. These workshops, held on March 24th, 2021, involved discussions of the perceived efficacy of the support and intervention programs. We asked staff to make informed estimates about the extent of positive outcomes for the clients they supported.

COSTS ANALYSIS

We have drawn on data from a range of sources, both quantitative and qualitative. We developed an outcomes matrix (available in the technical appendices volume of this report), which set out the *quantitative* administrative data that we hoped to use to assess the achievement of outcomes and impacts of the Southport Specialist Domestic and Family Violence Court, in line with the program logic and evaluation framework. For a range of reasons, three of the five key sources of quantitative data were not accessible to this evaluation. This highlights an important area for the future development of the interagency response, where having greater access to shared data would allow opportunities for more effective program monitoring and development.

The Queensland Wide Interlinked Courts (QWIC) database is the key outcomes data source. Queensland Corrective Services (Queensland Corrective Services) has also provided access to a data set from their Integrated Offender Management System (IOMS). Available outcomes data for social and economic impact analysis

Source	Planned analysis	Availability	Quality	Counterfactual
Queensland Wide Interlinked Courts (QWIC)	All defendant data and domestic and family violence specific data for the period 1 July 2017 to 30 June 2019. This period was chosen to ensure minimal overlap with the Griffith University evaluation (2017). Defendant's offence history (matched on Single Person Identifier (SPI) for the period 1 July 2015 to 30 June 2017. This period was chosen to correlate with the use of a domestic violence 'flag', which was introduced as part of the first Action Plan.	●	●	●
Queensland Corrective Services	For orders for linked to the Southport Magistrates Court, Cleveland Magistrates Court and Caboolture Magistrates Courts from 1 July 2017 to 31 March 2020: <ul style="list-style-type: none"> i) Client ID or SPI ii) Order (e.g., community-based order by type) iii) Breach of order (date and type) iv) Benchmark assessment (level of risk) v) MDVEIP start date vi) MDVEIP end date (or blank if incomplete) vii) Completion (Y/N) viii) Engagement 	●	●	●

The evaluation has limited view of quantitative outcomes for individual victims or perpetrators who receive support from the Domestic and Family Violence Prevention Centre (DVPC) or Centacare. Our inability to access this data is both logistical and structural. It is logistical because, despite our evaluation receiving ethical approval from the Bellberry Human Research Ethics Committee (Approval Reference 2019-11-1068, 24 September 2020), the service providers' privacy and confidentiality undertakings to service recipients did not (until October 2020) specify our evaluation as a reason for releasing information. It is structural in the sense that the databases the individual organisations maintain cannot easily generate the individual-level information the evaluation requires.

Other data sources that have been drawn from to develop the findings for this section of the evaluation include:

- Costs data provided by DJAG, QPS, Queensland Corrective Services, and LAQ
- Victims of Crime Queensland: The value and type of assistance provided to victims of DFV
- Workshops with specialist service providers (to support the findings of our qualitative data collected through interviews),
- notes from an internal Department of Justice and Attorney-General workshop which included experienced evaluation and DFV legal specialists.

The approach taken in some studies has been to identify measures that indicate success. The context of DFV legal proceedings and the complexity and nuance involved in defining measures that are desirable outcomes is very difficult. For example, some studies have taken increasing rates of imprisonment of perpetrators as successful outcome, however, in a context where other interventions may be more appropriate, this measure becomes less meaningful. It is also problematic as the measure may also broadly correlate with an increase in serious violent DFV crimes. Other studies focused their research on cost per outcome, where interpretation varies based on the definition of these measures.

TABLE A1. HOW OTHER EVALUATION STUDIES HAVE APPROACH SOCIAL AND ECONOMIC BENEFITS ANALYSIS

Study	Type of court	Outcome measured	Finding
The domestic violence intervention court model: a follow-up study (https://www.bocsar.nsw.gov.au/Publications/CJB/cjb155.pdf)	Domestic Violence Court	<ul style="list-style-type: none"> • POIs charged • Sentenced after a plea of guilty • Defended hearing with all charges dismissed • All charges dismissed without hearing • Bond with supervision • Imprisonment • Court delay • Finalised within three weeks of a guilty plea • Finalised within 12 weeks of the police event date 	Succeeded in achieving some, not all of its aims. The primary aim of the paper was not to determine cost-effectiveness but to find whether there was any change in court outcomes.

Study	Type of court	Outcome measured	Finding
An evaluation of the NSW domestic violence intervention court model (https://www.bocsar.nsw.gov.au/Publications/Legislative/l19.pdf)	Domestic violence court	<ul style="list-style-type: none"> • Number of DFV related reports to police • Number of events • Proportion of alleged DFV offenders brought before court • Time taken to finalise matters 	No cost analysis but findings of the evaluation included: There was no evidence to suggest that the DVICM had a uniform impact on DV-related incidents reported to the NSW Police Force. Overall, the results indicated the victims were satisfied with the various aspects of the process. They found the support provided by the Victims' Advocates valuable and critical to their ability to handle and understand the court process.

TABLE A2. BENEFITS DATA AVAILABLE TO THE SOCIAL AND ECONOMIC IMPACT ANALYSIS

Source/Study	Relevant information	Use in economic and social outcomes
<u>Cost of violence against women and their children in Australia</u> KPMG, 2016	General costs data and background on the direct and indirect costs of DFV on the Australian economy.	Can use for generalised costs and savings. (Not specific to Queensland).
<u>Domestic, Family and Sexual Violence in Australia: an overview of the issues</u> (Phillips and Vandenbroek, 2014)	Includes a breakdown of the social and economic costs of DFV in Australia.	
Data Sources		
<u>Current court statistics, including civil/criminal jurisdiction</u>	This may offer some useful comparison data on breach rates	Useful in the cost-effective comparison calculations.
<u>Personal Safety</u> (ABS, 2016)	Most recent release of the personal safety survey. It includes data on the number of children witnessing DFV. Has data directly relating to Queensland.	Useful for framing analysis on the number of children affected.
Victim Assist Queensland	Dataset includes the number and value of assistance payments made to victims of domestic and family violence in Queensland, across the three comparison courts.	Useful for describing the current costs to Queensland Government which could be reduced if the specialist court model is effective.

TABLE A3. S* SCENARIO COSTINGS

Item	Cost	Source	Calculation
Police time	\$430	KPMG report used the Productivity Commissions Report on Government Services. https://www.dss.gov.au/sites/default/files/documents/08_2016/the_cost_of_violence_against_women_and_their_children_in_australia_-_final_report_may_2016.pdf	\$430.00 per unit cost of policing
Court costs	\$480	Deloitte report: https://www.dss.gov.au/sites/default/files/documents/05_2012/cost_of_dv_to_australian_economy_ii_2.pdf KPMG report	\$16 (AVO) + \$35 (court system costs) = admin cost. Additional \$430 for staffing costs
Personal safety measures	\$1700	KPMG report used the 2015–2016 release of ABS 6523.0 (household income and wealth) https://www.fourwallssecurity.com.au/blog/how-much-does-it-cost-to-install-a-cctv-system#:~:text=The%20average%20CCTV%20installation%20cost,for%20professional%20installation%20in%20Queensland.	Average per victim cost of property damage of \$1646.90 \$75 per hour on average to install security cameras.
Court and police time	\$1360	KPMG report used the Productivity Commissions Report on Government Services.	per unit cost of finalisation in criminal matters of \$930.00.
Counselling	\$800	https://thepsychologyhub.com.au/fees-rebates/	Gap payment for a 10-visit mental health care plan which is around \$80 for each session according to this site. (10 * \$80 = \$800) per person

Item	Cost	Source	Calculation
Longer term personal safety measures	>\$11,500	https://www.canstar.com.au/home-loans/moving-interstate-costs/ https://www.qld.gov.au/law/births-deaths-marriages-and-divorces/changing-your-name/changing-your-name KPMG report used the Productivity Commissions Report on Government Services.	Moving interstate: Between \$5,100 and \$11,550 Changing name: \$190.90 The cost of moving schools per victim: \$27.89
Perpetrator sentenced to prison	\$72,000	KPMG report used the Productivity Commissions Report on Government Services.	Per day cost of incarceration is \$300.88

TABLE A4. L* SCENARIO COSTINGS

Item	Cost	Source	Calculation
Court and police costs	\$71	Deloitte report	Court system costs per victim: \$35. Family court custody orders per victim: \$27. Police costs per victim: \$9 As it's withdrawn additional court staffing costs have not been included
Suspension from school (second generation costs)	\$232	Deloitte report	short term (1 year) generation costs = \$232 per victim. This figure includes child protection services, out-of-home care, childcare, special/remedial education and changing schools. This doesn't consider the increased likelihood of juvenile crime and the costs associated with that
Unemployment	\$16,020	https://www.servicesaustralia.gov.au/individuals/services/Centrelink/jobseeker-payment/how-much-you-can-get	Cost to the government in terms of the job seeker rate for the daughters lost employment. \$667.70 per fortnight for single with dependent child → \$16,020 for a year
Counselling	\$1600	https://thepsychologyhub.com.au/fees-rebates/	Gap payment for a 10-visit mental health care plan which is around \$80 for each session according to this site. (10 * \$80 = \$800) per person
Reduced work hours for grandparents	\$14,284	https://www.abs.gov.au/statistics/labour/earnings-and-work-hours/employee-earnings-and-hours-australia/latest-release	The Australian average salary for 55yr+ reduced to 0.8FTE. Average weekly earnings: \$1,373.40. Average yearly salary: \$71,417 (X 0.8 = \$57,133 – so a salary loss annually of \$14,284)

TABLE A5. J* SCENARIO COSTINGS

Item	Cost	Source	Calculation
Mental health care plan	\$1890	https://northbrisbanepsychologists.com.au/fees-and-rebates/ Chosen as a relatively inexpensive benchmark across a range of providers in SEQ.	10 sessions at a cost of \$129 (bulk bill subsidy) and \$60 cost to individual for each session. \$1890 per block of 10 sessions.
Community Service Order	\$6516	https://www.aic.gov.au/sites/default/files/2020-05/rr_05_240418_2.pdf	Average cost of a community service order to the State \$6516
Ambulance attendance	\$1000	https://www.moneymag.com.au/cost-ambulance	Approximately \$1000 cost to state in subsidising ambulance fee based on call out costs in other states.
Hospital treatment	\$4680	https://www.aihw.gov.au/news-media/media-releases/2018/november/similar-treatment-but-costs-vary-greatly-across-ho	Average cost to treat acute admitted patients (admitted for surgery, diagnostic or therapeutic procedures) \$4680

APPENDIX 2: STATUS OF RECOMMENDATIONS FROM 2017 EVALUATION

Recommendation	Status	Comment
<p>Recommendation 1: The Southport specialist court should continue, with a role as a hub of innovation in developing initiatives in the processing of domestic and family violence matters through the courts.</p> <p>In enhancing the Southport model, it is timely:</p> <ul style="list-style-type: none"> review short-, medium- and long-term outcomes in light of the evaluation results specify core service deliverables to victims and perpetrators within the civil justice processes 	<p>Ongoing</p> <p>Complete</p> <p>Ongoing</p>	<p>The SSDFVC was established as a permanent court in October 2017. In 2017-18, additional specialist courts were rolled out in Beenleigh, Townsville, Mount Isa, and Palm Island adapted to suit local needs and conditions. Innovations developed at SSDFVC are incorporated at other specialist courts sites in response to local need.</p> <p>The Southport Specialist DFV Court Evaluation Framework was developed in 2017. The current evaluation recommends the framework consider a systems perspective.</p> <p>Core service deliverables to victim and perpetrators in the civil justice process have been well established during the development of the Southport evaluation framework and during roll out of the model. Service delivery is measured through program monitoring and oversight and via indicators set out in ongoing reporting under the Third Action Plan of the <i>Domestic and Family Violence Prevention Strategy 2016-2026</i>.</p> <p>This evaluation recommends continuous monitoring of client performance indicators be considered utilising the multi-agency guidelines, currently under development by CIP.</p>

Recommendation	Status	Comment
<ul style="list-style-type: none"> develop routine ongoing monitoring measures from existing data systems, and in relation to these core deliverables 	Ongoing	This evaluation recommends continuous monitoring of client performance indicators be considered.
<ul style="list-style-type: none"> consider redeveloping the coordinator role from responding and managing problems emerging from the trial, to one which focuses on developing and coordinating innovations. 	Complete	The Southport SDFVCJR Court Coordinator is seen as essential to the justice response and supports the efficiency of the court process. The Court Coordinator is responsible for establishing and maintaining relationships with and between key stakeholders. Coordinators have a lead role in coordinating agencies in the provision of local service delivery and day to day court operations. Their role supports the integrity of the model and identifies opportunities for innovation.
The long-term outcomes of the Southport specialist court should be evaluated in a further three years from 30 June 2017	Complete	This document is the final report for the third evaluation of the SSDFVCJR.
Recommendation 2: To further enhance the criminal jurisdiction within the Southport SDFVC, its role and purpose, initial focus should be on an early referral approach. Consideration should be given to formally evaluating a conditional bail approach in the criminal jurisdiction, including screening and assessment processes as well as linking to broader court treatment and referral pathways (such as the Queensland Integrated Court Referral (QICR) pathway).	Ongoing	<p>The Department has developed the Court Link program. Court Link operates at Southport and is a court assessment, referral and support program which provides individualised case management support to eligible participants. Court Link assists participants with their health and social needs by addressing the underlying causes of offending.</p> <p>This evaluation recommends opportunities for linkages with Court Link continue to be explored.</p>
More broadly, in exercising criminal jurisdiction, further development should include:	Ongoing.	QPS has invested in developing their strategies for early referral and refining screening processes and evidence collection practices. Ongoing development of

Recommendation	Status	Comment
<ul style="list-style-type: none"> building further on the work of the Queensland Police Service at Southport in strengthening the collection of evidence in domestic and family violence cases and increasing charging for substantive criminal offences. building on the current specialist prosecutorial model, to identify core components that may contribute to developing specialised police prosecution of domestic violence criminal matters. refining of protocols about where non-domestic violence-related charges, that may be before the court at the same time, are heard. to specify core service deliverables to victims and perpetrators within the criminal justice processes, and identifying short-, medium- and longer-term outcomes for each to consider what makes effective post-sentence practice in the supervision of offenders on community-based orders, in the context of domestic and family violence offending. 		<p>case conferencing processes supports efficient, timely and tailored outcomes for victims and perpetrators.</p> <p>Work on post-sentence practices in the supervision of DFV offenders is ongoing.</p> <p>Case conferencing and streamlined listing arrangements have reduced wait times in criminal hearings.</p> <p>This evaluation recommends continuous monitoring of client performance indicators be considered.</p>
Recommendation 3. To better ensure information about family law orders and child safety matters is before the court, further strategies need to be developed that allow the identification of this information before court appearances. To monitor the issue, consideration should be given to the tracking of the proportion and profile of cases affected.	Ongoing	Protocols established at Southport SDFVC allow for magistrates in the SSDFVC to quickly access information from the Family Law Court so that the magistrate is made aware of the contact arrangements in place under family law orders when making an order. The protocol is established state-wide. The process for information sharing from the specialist court to the Family Law courts is less well established.
Recommendation 4. To assist victims and perpetrators in preparing for, and understanding, the civil and criminal court processes, develop and implement a broader pro-active assistance and preparation service (see also recommendation 7).	Ongoing	Legal Aid Queensland provides a domestic and family violence duty lawyer (DVDL) service at selected courts throughout Queensland. The duty lawyer service at Southport is available every day of the week for aggrieved and respondent parties appearing in civil matters. This service allows domestic and

Recommendation	Status	Comment
		<p>family violence duty lawyers to provide legal advice and support to parties before, during or after their court appearance. It also allows the duty lawyers to appear in the courtroom on behalf of any aggrieved or respondent seeking representation. It is also available to defendants in criminal matters (except hearings).</p> <p>Support provided to women by DVPC also assists victims and perpetrators in preparing for and understanding court processes.</p>
<p>Recommendation 5. A clear risk screening and assessment framework for use at court should be developed</p>	Complete.	<p>Screening and/or assessment tools are now in place both at court and more broadly in the service network including the Common Risk Assessment and Safety Framework through High Risk Teams which is now generally available for use state-wide.</p>
<p>Recommendation 6. To further improve the appropriateness of outcomes, and the effectiveness and efficiency of the court experience for perpetrators and victims, strategies that provide more engagement with perpetrators and victims in the process, including court attendance and increased participation, should be developed (see also recommendation 7).</p>	Ongoing.	<p>Parties appear at Southport in one-third (39%) of matters. Live List data and qualitative interview data indicates that COVID-19 had a substantive impact on the pattern of court appearances. The COVID-safe plan for the court means that a small proportion of court appearances continue to be made over the phone or video-link. The court is otherwise operating much as usual.</p> <p>Court reception is now recurrently funded at high volume court locations and facilitates wrap around support to ensure parties are referred to specialist support services, legal representatives, and are ready for their appearance before the magistrate.</p>

Recommendation	Status	Comment
<p>Recommendation 7. To provide more proactive structured contact with, and support for, victims and perpetrators, a “client”-focused service framework for providing information assistance prior, during and after court should be developed and trialled. The specification of a client service framework will require the development of clear policy and procedures about what matters are included, timeframes for first and subsequent contact, the precise nature of the deliverables, and criteria for individuals to opt out. A second step beyond the service framework will require specification of standards that clients can expect. The service framework would need to:</p> <ul style="list-style-type: none"> • recognise diversity in victim/aggrieved and perpetrator/respondents (such as gender, type of violence, culture) • provide precise court information about their upcoming case(s) and service information should they wish to opt out of the assistance service and make their own arrangements. • provide, or give a referral to, assistance with the completion of required paperwork. • provide clear referrals or pathways to legal personnel (police prosecutors, duty lawyers) to ensure that the wishes of the client are communicated in a clear and timely manner for decision-making within the civil and/or criminal process. • provide follow-up information to victims and perpetrators about the progress, any decisions, and the final outcomes of their cases. This should include checking whether victims and perpetrators have understood court decisions, and any referrals to relevant resources to assist them. The Southport specialist court would be an appropriate location for the trialling of this information assistance service. 	Ongoing.	<p>The OWG and CWG have established good practices in response to this recommendation and are working toward improving accessibility of the services to diverse groups.</p> <p>During the rollout of the model, work was completed with the CWG to articulate the roles of agencies in assisting clients before, during and after court.</p> <p>This evaluation recommends development of a Specialist Domestic and Family Violence Court Manual.</p>

Recommendation	Status	Comment
<p>Recommendation 8.</p> <p>(1) To improve experiences at court for both victims and perpetrators, pre-court preparation must include clear communication of expectations on the day (including wait times), as part of the provision of support to victims and perpetrators (see also recommendation 7).</p> <p>(2) Given the vital importance of the volunteer coordinator role in managing the parties through the process at the courthouse, consideration should be given to creating this as a registry position. This will provide continuity to the position.</p>	Ongoing	<p>Specialist court staff are actively working towards improving their communication so that clients have realistic expectations. Wait times continue to be noted as an issue.</p> <p>As above, court reception is now recurrently funded to high volume court locations.</p>
<p>Recommendation 9. As the state agency responsible for perpetrator program funding in the community, the Department of Communities, Child Safety and Disabilities Services should:</p> <ul style="list-style-type: none"> • examine the type of programs currently available in Queensland for responses to perpetrators. These may include group-based or one-to-one responses. These should be reviewed for the nature of the response, its appropriateness for the behaviour, the profile of those undertaking the programs, and their connections (if any) with domestic violence service providers. • based on this review, consider the availability of these resources across the state, and their use by courts. It may be that the distribution and availability need to be increased. However, this must be considered in conjunction with domestic violence service providers. 	Complete	<p>The Office for Women and Violence Prevention within the then-DCSYW has recently become a part of DJAG as a result of machinery of government changes. Work towards review of perpetrator programs has been initiated and is ongoing. Professional practice standards were developed for those working with men who perpetrate domestic and family violence.</p>
<p>Recommendation 10: To enhance the criminal jurisdiction of the Southport specialist court, broader existing voluntary programs, and interventions referral pathways (such as the Queensland Integrated Court Referral (QICR) pathway) should include a pathway from the domestic and family violence</p>	Ongoing	<p>The Department has developed Court Link, a 12-week bail-based voluntary program with judicial monitoring, that aims to address issues contributing to criminal offending behaviours. Opportunities remain to strengthen the</p>

Recommendation	Status	Comment
specialist court. This will embed a specialist approach within broader court strategies		relationship between the Southport SDFVCJR and the Court Link program in Southport for criminal offenders.
Recommendation 11. To clarify the issues around family law orders and protection orders, discussions between family law courts and Magistrates Court to develop a clear protocol should be initiated (see also recommendation 3).	Ongoing	There are certain protocols established at Southport SDFVC that are now state-wide practice. These protocols allow for magistrates in the SSDFVC to quickly access information from the Family Law Court, such that orders made by the magistrate are made cognisant of the contact arrangements in place under family law orders. However, the process for information sharing from the specialist court to the Family Law courts is less well established.
Recommendation 12. To improve the court processing of domestic and family violence cases, the fast tracking of interpreter requests protocol should be implemented across other locations and courts.	Complete	Practice Direction 6/2017 outlines for the engagement of interpreters in DFV civil proceedings in Magistrates Courts establishing consistency and best practice regarding interpreter engagement across Queensland courts and is supported by the <i>Procedure - Engaging an Interpreter for a Domestic Violence Proceeding</i> .
Recommendation 13. In developing the client service framework (see recommendation 7), culturally appropriate, as well as ability-appropriate, engagement and support strategies must be developed, in consultation with relevant service providers and community stakeholders	Ongoing	Although accessibility issues continue to be identified, there is high awareness across policy and operational staff of these issues and considerable effort being made to address them including the establishment of a targeted funded project to increase the accessibility of courts for diverse and disadvantaged groups.
Recommendation 14. Further action research is needed to develop specialist court/justice models or interventions for domestic and family violence matters involving Aboriginal and/or Torres Strait Islander persons, using appropriate and respectful research methodology, discussions that are specific to victim,	Ongoing.	The Numala Yalnun project provided a partial achievement of this recommendation. It assisted in expanding information available in relation to overcoming barriers to access for Aboriginal and Torres Strait Islander users of the court. Recently, a local organisation (Kalwun) has re-joined the OWG and

Recommendation	Status	Comment
perpetrators as well as the wider community, and collaborative engagement with communities		<p>will support the court to further the actions required under this recommendation.</p> <p>The Magistrates Court Service is working to develop and improve access to culturally appropriate justice models for Aboriginal and Torres Strait Islander court users with a focus on the specialist DFV courts in Townsville, Mount Isa and Palm Island, following action research initiated in response to this recommendation. Work continues to implement projects to improve access to justice, Statewide, for Aboriginal and Torres Strait Islander people.</p>
<p>Recommendation 15. Using the above principles as a guide, a tiered approach to specialisation of justice responses to domestic and family violence throughout the state should be adopted:</p> <ul style="list-style-type: none"> • where possible, specialisation and support should be embedded in existing broader court structures and victim networks so that it is broadly and consistently available across the state. • develop a framework for the core deliverables to victims and perpetrators from justice agencies and specialist justice support services within which local areas may specify and advance according to local needs and local priorities (recommendation 6) • consider the need for continuing the development of enhanced police evidence-gathering in domestic and family violence cases, as well as the role of specialist domestic and family violence police prosecutors. • develop a framework from these core deliverables for their ongoing routine monitoring. In developing a tiered approach: • in high volume locations, the adoption of the Southport model, adapted to local circumstances and needs, should be considered. 	Ongoing.	Significant work has been completed towards realising the actions recommended here. The roll out of the SCDFVCJR in five court locations has been tailored to take into consideration the particular contextual features of each location and related needs.

Recommendation	Status	Comment
<ul style="list-style-type: none"> in other urban/regional locations, civil application list and/or a sentencing list for cases involving guilty pleas with wraparound services available at court, adapted to local needs, should be considered. in rural and remote locations, a strategy for the use of technology for access to courts and support and legal services for civil applications should be developed, and a specialist circuit court for other matters (especially criminal) trialled. <p>(2) To allow for continuous improvement, a staged implementation process should be used:</p> <ul style="list-style-type: none"> to introduce specialist courts in high volume locations to introduce civil and sentencing lists in regional locations to introduce video and circuit courts in rural locations. <p>(3) In implementing specialist processes, the provision of safe courthouses should be ensured. Safe courthouses include increased or dedicated security, safe waiting places (room or other arrangements) for victims, and safe entry and exit points (both the courtroom itself as well as the courthouse), as well as appropriate rooms for legal and support services.</p> <p>(4) To ensure fidelity of implementation, continual innovation, and flexibility to changing conditions, central coordination, including the establishment of a Domestic and Family Violence Court Implementation team, should be considered.</p>		
<p>Recommendation 16: To allow for continuous improvement and the embedding of cultural change within the court, implementation processes should include:</p> <ul style="list-style-type: none"> consulting and collaborating with communities and relevant stakeholders building partnerships to share the design of specialised responses 		<p>The Courts Working Group drives continuous improvement of service delivery under the SDFVCJR. The CWG continue to meet on a regular basis to problem solve and provide strategy, leadership and oversight of the specialist DFV court response in Queensland.</p>

Recommendation	Status	Comment
<ul style="list-style-type: none">• scoping existing support resources, both specialist and generic• ensuring mechanisms for regular interaction between key stakeholders in the court process (e.g., regular court-led stakeholder meetings)• scoping problems, concerns and issues for parties, and related system problems• continuing education and training for all stakeholders, including joint professional development recognising best practice activities within the courts.		<p>At a local level, the OWG continues to facilitate consultation and collaboration to support ongoing improvement and development, capacity building, troubleshooting and professional development opportunities. Terms of Reference were signed off in November 2019 to support the functions of the OWG. The TOR were then updated in November 2020 and being are updated annually with any new members formally added at this time.</p>

APPENDIX 3: SUMMARY OF EVIDENCE FOR BEST PRACTICE IN DOMESTIC AND FAMILY VIOLENCE SPECIALIST COURTS

This literature review builds on and updates the evidence base for domestic and family violence specialist courts, and their interactions with other services responding to domestic and family violence, with an aim to identify best practices. It draws on evidence from both national and international contexts: the international evidence is mostly from the United States and Canada, given both already implement specialist courts and operate within a similar legal context to Australia.

The review focuses particularly on evidence that emerged after Griffith University's evaluation of the Southport Specialist Court trial.¹⁶⁹ One of the conclusions of the literature scan done as part of that evaluation was that best practice principles were only just beginning to emerge.¹⁷⁰ The authors observed that the paucity of evidence was due to the much greater focus of courts internationally on the criminal rather than the civil jurisdiction, a lack of consensus on the structure and goals of specialist domestic and family violence courts, and the different ways specialist courts are implemented to reflect local needs and priorities.¹⁷¹

Our review found that the national and international evidence for best practice in specialist domestic and family violence courts has deepened as more jurisdictions adopt a therapeutic jurisprudence approach. There is a more detailed description of specialist domestic and family violence courts' intentions, and description of how they operate. It is our view that the Southport Specialist Domestic and Family Violence Court model was designed to be consistent with best practice, and our evaluation will test the extent to which the court is being *implemented* in line with best practice.

A full list of the literature considered for the review is included at Appendix 6. The following section makes specific reference to a selection of these articles where relevant.

¹⁶⁹ Bond, C., Holder, R., Jeffries, S., & Fleming, C. (2017). *Evaluation of the Specialist Domestic and Family Violence Court Trial in Southport*. Griffith Criminology Institute, Griffith University.

https://www.courts.qld.gov.au/data/assets/pdf_file/0007/515428/dfv-rpt-evaluation-dfv-court-southport-summary-and-final.pdf

¹⁷⁰ Bond, C., Holder, R., Jeffries, S., & Fleming, C. (2017). *Evaluation of the Specialist Domestic and Family Violence Court Trial in Southport*. Griffith Criminology Institute, Griffith University.

https://www.courts.qld.gov.au/data/assets/pdf_file/0007/515428/dfv-rpt-evaluation-dfv-court-southport-summary-and-final.pdf

¹⁷¹ Bond, C., Holder, R., Jeffries, S., & Fleming, C. (2017). *Evaluation of the Specialist Domestic and Family Violence Court Trial in Southport*. Griffith Criminology Institute, Griffith University.

https://www.courts.qld.gov.au/data/assets/pdf_file/0007/515428/dfv-rpt-evaluation-dfv-court-southport-summary-and-final.pdf

WHAT IS A DOMESTIC AND FAMILY VIOLENCE SPECIALIST COURT?

Specialist domestic and family violence courts exist in a number of common law countries, including Australia, Canada and the United States of America. The intent of these courts is consistent—to address the underlying causes of crime—although the implementation of the courts varies depending on the jurisdiction, social and political framings of domestic and family violence, and local needs and priorities. For example, courts may be integrated (make decisions on criminal and civil matters relating to domestic and family violence), or they may consider only criminal matters. Specialist domestic and family violence courts may provide links to relevant aggrieved support organisations or perpetrator programs, and the availability and structure of these programs is different across courts.¹⁷² For example, certain courts have focused on prioritising aggrieved safety and ensuring offender accountability;¹⁷³ others are more interested in achieving early intervention by facilitating respondents' entry into treatment programs.¹⁷⁴

The literature documents a list of best practice features that indicate what a specialist court *does*.¹⁷⁵ According to the literature, specialist domestic and family violence courts:

- allocate cases to specialised judicial officers
- hear matters as part of a dedicated domestic and family violence list
- use specialist prosecutors and court support staff
- ensure court staff are equipped to manage the court list, including risk assessment and management.

These best practice features are described in greater detail below.

THERAPEUTIC JURISPRUDENCE: SUPPORTING BEHAVIOUR CHANGE TO REDUCE OFFENDING

Some specialist domestic and family violence courts—and specialist courts more broadly—are adopting a therapeutic jurisprudence approach.¹⁷⁶ Therapeutic jurisprudence seeks not to *punish* offenders, but rather to *treat* them using the law as a therapeutic agent of change. In these courts, the law is not perceived as just a set of legal principles, but as a social force that 'produces behaviours and consequences', with the goal of promoting therapeutic outcomes

¹⁷² Schaefer, L., & Beriman, M. (2019). Problem-solving courts in Australia: A review of problems and solutions. *Victims & Offenders*, 14(3), 344–359. <https://doi.org/10.1080/15564886.2019.1595245>

¹⁷³ Johnsen, P., & Robertson, E. (2015). Protecting, restoring, improving: Incorporating therapeutic jurisprudence and restorative justice concepts into civil domestic violence cases. *University of Pennsylvania Law Review*, 164(1557), 1557–1586. https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=9533&context=penn_law_review

¹⁷⁴ Johnsen, P., & Robertson, E. (2015). Protecting, restoring, improving: Incorporating therapeutic jurisprudence and restorative justice concepts into civil domestic violence cases. *University of Pennsylvania Law Review*, 164(1557), 1557–1586. https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=9533&context=penn_law_review

¹⁷⁵ Brown, T., & Hampson, R. (2009). *An evaluation of interventions with domestic violence perpetrators*. The Family Violence Prevention Foundation of Australia. <https://www.violencefreefamilies.org.au/web/wp-content/uploads/2015/09/ResearchReportWeb.pdf>

¹⁷⁶ Johnsen, P., & Robertson, E. (2015). Protecting, restoring, improving: Incorporating therapeutic jurisprudence and restorative justice concepts into civil domestic violence cases. *University of Pennsylvania Law Review*, 164(1557), 1557–1586. https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=9533&context=penn_law_review

and reducing non-therapeutic outcomes for all parties involved.¹⁷⁷ It is important to note that evaluations of specialist courts operating under a therapeutic jurisprudence model should be evaluated not just in terms of their impact on reoffending, but also in terms of the wellbeing of people who are involved in the court. This evaluation includes interviews with clients (aggrieved and respondents) and will explore their non-judicial outcomes as the result of involvement with the court, for example, improved connection to support services, resilience, and changes to cognition and behaviours.

Within the broader therapeutic jurisprudence approach, there are different ways of defining the 'problem' (in this case, domestic and family violence) and the nature of the response. These are described in detail below.

PROBLEM SOLVING OR PROBLEM ORIENTED?

Therapeutic jurisprudence methods tend to adopt either a problem-solving or problem-oriented approach to managing domestic and family violence matters. Courts which adopt a problem-solving approach are characterised by bringing together key domestic and family violence treatment and support services, with a judicial officer at the centre, facilitating the rehabilitation process.¹⁷⁸ In a problem-solving court, there may also be monitoring of offender's activity engaging with treatment, combined with a team-based approach in implementing the intervention.¹⁷⁹

Problem-oriented specialist courts place the problem as the central issue. The approach involves the court acting as a central hub that can connect with other key domestic and family violence related services such as community interventions, drug and alcohol services and others.¹⁸⁰ These types of courts are ultimately concerned with the social issues that underly the offences rather than the legal consequences. These courts aim to do more than punish offenders; they aim to reduce future harm occurring.¹⁸¹ The Southport Domestic and Family Violence Court and justice response is an example of a problem-oriented specialist court.

¹⁷⁷ Johnsen, P., & Robertson, E. (2015). Protecting, restoring, improving: Incorporating therapeutic jurisprudence and restorative justice concepts into civil domestic violence cases. *University of Pennsylvania Law Review*, 164(1557), 1557-1586. https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=9533&context=penn_law_review

¹⁷⁸ Blagg, H. (2008). *Problem-oriented courts*. Law Reform Commission of Western Australia. <https://www.lrc.justice.wa.gov.au/files/p96-blaggrrp.pdf>

¹⁷⁹ Bond, C., Holder, R., Jeffries, S., & Fleming, C. (2017). *Evaluation of the Specialist Domestic and Family Violence Court Trial in Southport*. Griffith Criminology Institute, Griffith University. https://www.courts.qld.gov.au/data/assets/pdf_file/0007/515428/dfv-rpt-evaluation-dfv-court-southport-summary-and-final.pdf

¹⁸⁰ Blagg, H. (2008). *Problem-oriented courts*. Law Reform Commission of Western Australia. <https://www.lrc.justice.wa.gov.au/files/p96-blaggrrp.pdf>

¹⁸¹ Blagg, H. (2008). *Problem-oriented courts*. Law Reform Commission of Western Australia. <https://www.lrc.justice.wa.gov.au/files/p96-blaggrrp.pdf>

INTEGRATED OR INTERVENTIONIST?

An *integrated* approach involves courts having strong linkages with other domestic and family violence services.¹⁸² In certain situations, the relationships between the specialist court and other services can extend to both the aggrieved and respondents. This model generally involves proactive referral and prosecution from police, not requiring the aggrieved to initiate the process. This approach is consistent with the problem-oriented approach outlined earlier. The Southport Domestic and Family Violence Court Justice Response is an example of an integrated court response.

An *interventionist* approach focuses on the offender, with the aim to rehabilitate rather than punish. This model will typically involve ongoing monitoring of a perpetrator's treatment, similar to the problem-solving approach mentioned before, underpinned by a therapeutic jurisprudence approach.

PERPETRATOR ACCOUNTABILITY

Many specialist domestic and family violence courts set out to ensure perpetrator accountability. Perpetrator accountability is typically defined in one of three ways, reflecting either a focus on the individual or the system. Traditionally, it has been understood as the justice system 'holding' offenders accountable by imposing sanctions, often in the form of arrest or imprisonment.¹⁸³ The other common approach is victim-oriented and focuses on the individual perpetrator accepting responsibility for their actions and expressing an intention to change. In particular, the literature suggests that for the aggrieved, perpetrator accountability requires an acknowledgement of the wrongfulness of the actions, an admission of culpability for those actions and the intention to change their behaviour.¹⁸⁴

A third model of accountability emerging in Victoria has sought to combine these two approaches by defining perpetrator accountability in terms of both the role of the system *and* the individual.¹⁸⁵ This involves the perpetrator internalising their accountability and making the changes deemed necessary by those affected by their violence, while also having a broader system in place to support them to make these changes. The support system imposes restraints on the perpetrator's behaviour (such as through incarceration or community-based supervision) and mandating their involvement in behaviour change

¹⁸² Bond, C., Holder, R., Jeffries, S., & Fleming, C. (2017). *Evaluation of the Specialist Domestic and Family Violence Court Trial in Southport*. Griffith Criminology Institute, Griffith University.

https://www.courts.qld.gov.au/data/assets/pdf_file/0007/515428/dfv-rpt-evaluation-dfv-court-southport-summary-and-final.pdf

¹⁸³ Bond, C., Holder, R., Jeffries, S., & Fleming, C. (2017). *Evaluation of the Specialist Domestic and Family Violence Court Trial in Southport*. Griffith Criminology Institute, Griffith University.

https://www.courts.qld.gov.au/data/assets/pdf_file/0007/515428/dfv-rpt-evaluation-dfv-court-southport-summary-and-final.pdf

¹⁸⁴ Bond, C., Holder, R., Jeffries, S., & Fleming, C. (2017). *Evaluation of the Specialist Domestic and Family Violence Court Trial in Southport*. Griffith Criminology Institute, Griffith University.

https://www.courts.qld.gov.au/data/assets/pdf_file/0007/515428/dfv-rpt-evaluation-dfv-court-southport-summary-and-final.pdf; Holder, R. (2016). Untangling the meanings of justice: a longitudinal mixed method study. *Journal of Mixed Methods Research*, 12(2), 204-220. <https://journals.sagepub.com/doi/10.1177/1558689816653308>

¹⁸⁵ Vlasi, R., & Campbell, E. (2019). *Bringing pathways towards accountability together – Perpetrator journeys and system roles and responsibilities*. RMIT University. <https://cij.org.au/cms/wp-content/uploads/2018/08/bringing-pathways-towards-accountability-together-perpetrator-experiences-and-system-roles-and-responsibilities-170519.pdf>

programs, thus ‘keeping’ them on their journey towards accountability.¹⁸⁶ According to this approach, offender accountability is considered a journey, because for offenders to successfully desist from violence requires a broader shift in mindset, attitude and sometimes living situation.¹⁸⁷ Arguably, it is this third approach which has been embraced by the Southport specialist domestic and family violence court.

ACHIEVING PERPETRATOR ACCOUNTABILITY

The way that perpetrators are held to account differs between the criminal and civil jurisdiction. In both, the court is often a point of contact, but delivery of accountability mechanisms also extends beyond the specialist domestic and family violence court.

In the civil context, the primary sanction is a protection order. Such orders signify the justice system holding the perpetrator accountable for their behaviour. This is particularly so, given that a breach of a protection order is considered an offence, exposing the perpetrator to a variety of additional sanctions including both custodial and non-custodial sentences.¹⁸⁸ A protection order can also encompass the more collaborative definition of perpetrator accountability, as its conditions can include referral to other services or programs designed to support the perpetrator on their journey to accountability.

The court may also impose an intervention order in civil domestic and family violence proceedings, which may include the direction for a respondent to complete a behaviour change program. These programs focus on the perpetrator’s accountability as an *individual* and reflect the aggrieved-oriented and collaborative understanding of perpetrator accountability. These programs are underpinned by a variety of different theoretical understandings relating to the causes of domestic and family violence and how to encourage perpetrator accountability. Therapeutic alliances formed in such programs have contributed to high levels of engagement by perpetrators.¹⁸⁹

Perpetrator accountability is also imposed by the justice system in a criminal context, where defendants are found guilty of offences, such as assault, associated with their acts of violence. The criminal jurisdiction may also impose sanctions for perpetrators, which direct their involvement in a behaviour change program.

The extent to which a perpetrator can be, or is willing to be, accountable and the likelihood of rehabilitation differs. However, the literature on levels of accountability and reoffending is limited. One way in which the extent of perpetrator accountability can be understood is through specialised behaviour change programs. The Risks, Needs and Responsivity (RNR)

¹⁸⁶ Vlasis, R., & Campbell, E. (2019). *Bringing pathways towards accountability together – Perpetrator journeys and system roles and responsibilities*. RMIT University. <https://cij.org.au/cms/wp-content/uploads/2018/08/bringing-pathways-towards-accountability-together-perpetrator-experiences-and-system-roles-and-responsibilities-170519.pdf>

¹⁸⁷ Vlasis, R., & Campbell, E. (2019). *Bringing pathways towards accountability together – Perpetrator journeys and system roles and responsibilities*. RMIT University. <https://cij.org.au/cms/wp-content/uploads/2018/08/bringing-pathways-towards-accountability-together-perpetrator-experiences-and-system-roles-and-responsibilities-170519.pdf>

¹⁸⁸ Mackay, E., Gibson, A., Lam, H., & Beecham, D. (2015). *Perpetrator interventions in Australia: Part two- Perpetrator pathways and mapping* (ANROWS Landscapes, PP01/2015). <https://20ian81kynqg38bl3l3eh8bf-wpengine.netdna-ssl.com/wp-content/uploads/2019/02/Landscapes-Perpetrators-Part-TWO-RevEd2016.pdf>

¹⁸⁹ ANROWS (Australia’s National Research Organisation for Women’s Safety) (2019) *Engaging men who use violence: Research Report* [online document], ANROWS, Accessed 16 April 2021.

framework requires programs to be tailored to the specific perpetrator with the intensity reflecting their risk of re-offending, while also taking into account the perpetrator's rehabilitation needs and their learning style.¹⁹⁰ Another model for behaviour change programs to allow flexibility in perpetrator accountability is the multi-level approach which modifies the program intensity based on the perpetrator's characteristics including the nature and severity of their most recent offence.¹⁹¹

WHAT IS BEST PRACTICE IN DOMESTIC AND FAMILY VIOLENCE SPECIALIST COURTS?

This section summarises emerging best practices for domestic and family violence specialist courts, identified from the research and evaluation literature.

It should be noted that the evidence includes evaluations of courts in different jurisdictions, and what works needs to be understood with respect to the criminal justice system in that jurisdiction. Some specialist court evaluations focus predominantly on criminal outcomes rather than civil and criminal outcomes together.¹⁹² Finally, the observed elements of best practice are contingent on the goal of the court, particularly whether it is more focused on offender accountability or offender focused treatment or a combination of both.

DELIVERED BY SPECIALIST STAFF

The literature supports assigning specialist judicial officers to domestic and family violence specialist courts.¹⁹³ This is because magistrates need to be fully aware of the complex social dynamics and potential consequences of making an order, before it is finalised.¹⁹⁴ This was reinforced by the report of the Queensland's Premier's Special Taskforce on Domestic and Family Violence, which found specially trained magistrates can provide fairer and safer outcomes for victims.¹⁹⁵

¹⁹⁰ Mackay, E., Gibson, A., Lam, H., & Beecham, D. (2015). *Perpetrator interventions in Australia: Part one – Literature review* (ANROWS Landscapes, PP01/2015). <https://20ian81kynngg38bl3l3eh8bf-wpengine.netdna-ssl.com/wp-content/uploads/2019/02/Landscapes-Perpetrators-Part-ONE.pdf>

¹⁹¹ Grealy, C., Wallace, A., Wilczynski, A., Lai, S., Bodiam, T., Dowler, B., & Jones, L. (2013). *Literature review on domestic violence perpetrators*. Urbis Pty Ltd. https://www.dss.gov.au/sites/default/files/documents/09_2013/literature_review_on_domestic_violence_perpetrators.pdf

¹⁹² Birnbaum, R., Saini, M., & Bala, N. (2017). Canada's first integrated domestic violence court: Examining family and criminal court outcomes at the Toronto IDVC. *Journal of Family Violence*, 32, 621-631. <https://doi.org/10.1007/s10896-016-9886-z>

¹⁹³ Cleveland, A. (2010). Specialization has the potential to lead to uneven justice: Domestic violence cases in the juvenile and domestic violence courts, *The Modern American*, 6(1), 17-24. <https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1004&context=tma>

¹⁹⁴ Cleveland, A. (2010). Specialization has the potential to lead to uneven justice: Domestic violence cases in the juvenile and domestic violence courts, *The Modern American*, 6(1), 17-24. <https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1004&context=tma>

¹⁹⁵ Special Taskforce on Domestic and Family Violence in Queensland. (2015). *Not now, not ever: Putting an end to domestic and family violence in Queensland*. <https://www.csyw.qld.gov.au/resources/campaign/end-violence/about/dfv-report-vol-one.pdf>

There are several areas of extra education that judicial officers presiding over a specialist domestic and family violence court may need.

- **Understanding the cycle of abuse.** In the interest of victims' safety, magistrates need to make decisions that support the aggrieved to break the cycle of abuse. This can be a complex process if the aggrieved are in dependent relationships and, if separation occurs, respondents might resort to other forms of abuse to regain control.¹⁹⁶ Deciding on appropriate orders requires expertise specific to domestic and family violence.¹⁹⁷
- **Cultural perceptions of violence.** Another reason that a specialised judicial education needs to be provided is that it can help a magistrate more effectively address the needs of groups or individual from culturally diverse backgrounds or marginalised groups.¹⁹⁸ Otherwise there is a risk of specialist domestic and family violence courts being only able to address cases rooted in Anglo-centric contexts at the expense of addressing domestic and family violence across different parts of society.¹⁹⁹
- **Impact of coercion and control.** There needs to be an awareness of how profiles of domestic violence aggrieved, and respondents can affect judgements being delivered.²⁰⁰ Aggrieved parties of intimate partner violence may be timid or nervous in court and might be perceived as suspect or dishonest before a magistrate. Conversely, a respondent might present as confident and self-controlled, giving an appearance of reliability and honesty in a court room setting.²⁰¹ A lack of clarity around these dynamics can potentially allow for misuse of justice system by perpetrators as the judge is unaware of these subtle complexities.²⁰²
- **Family law.** Magistrates' decisions may impact on, or need to be made with respect to, the custody of children, and they will need to understand the nature of the relationship between family members.

The evaluation will explore the role of specialist staff within the integrated court context, and the associated outcomes for people who access the court.

¹⁹⁶ Cleveland, A. (2010). Specialization has the potential to lead to uneven justice: Domestic violence cases in the juvenile and domestic violence courts, *The Modern American*, 6(1), 17-24.

<https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1004&context=tma>

¹⁹⁷ Cleveland, A. (2010). Specialization has the potential to lead to uneven justice: Domestic violence cases in the juvenile and domestic violence courts, *The Modern American*, 6(1), 17-24.

<https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1004&context=tma>

¹⁹⁸ Koshan, J. (2014). Investigating integrated domestic violence courts: Lessons from New York. *Osgoode Hall Law Journal*, 51(3), 989-1036. <https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=2762&context=ohlj>

¹⁹⁹ Koshan, J. (2014). Investigating integrated domestic violence courts: Lessons from New York. *Osgoode Hall Law Journal*, 51(3), 989-1036. <https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=2762&context=ohlj>

²⁰⁰ Wakefield, S., & Taylor, A. (2015). *Judicial education for domestic and family violence: State of knowledge paper* (ANROWS Landscapes, 02/2015). <https://20ian81kynqg38bl3l3eh8bf-wpengine.netdna-ssl.com/wp-content/uploads/2019/02/QCDFVR-Revised-edition-150908.pdf>

²⁰¹ Cleveland, A. (2010). Specialization has the potential to lead to uneven justice: Domestic violence cases in the juvenile and domestic violence courts, *The Modern American*, 6(1), 17-24.

<https://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1004&context=tma>

²⁰² Wakefield, S., & Taylor, A. (2015). *Judicial education for domestic and family violence: State of knowledge paper* (ANROWS Landscapes, 02/2015). <https://20ian81kynqg38bl3l3eh8bf-wpengine.netdna-ssl.com/wp-content/uploads/2019/02/QCDFVR-Revised-edition-150908.pdf>

ENSURES JUDICIAL CONTINUITY

The policy and practice evidence base supports judicial continuity across the civil and criminal jurisdictions. The broad rationale for this practice is that respondents will be conscious of having the same magistrate hearing both the civil and criminal aspects of their case, which may make them more likely to comply with the court's directions for both sets of matters. Further, consistent monitoring of perpetrators may lead to stronger outcomes. Judicial continuity is also associated with stronger outcomes for perpetrators, due to consistent monitoring.

Judicial continuity reduces the risk of inconsistent and sometimes conflicting decisions that could arise if two separate magistrates deliberate on civil and criminal matters separately.²⁰³ It also acknowledges the relatedness between civil and criminal jurisdictions, and ensures matters are viewed holistically.²⁰⁴ A single judicial perspective reduces the risk of respondents 'judge shopping' or bringing multiple proceedings across different courts as a way of harassing an aggrieved party. This helps to avoid stress and costs for the aggrieved and their families.²⁰⁵

COORDINATED SERVICE DELIVERY

A best practice feature described extensively in the literature was the creation of effective links with other key domestic and family violence services, using a designated domestic and family violence court coordinator to drive those linkages. As described in the literature, domestic and family violence court coordinators act as a central hub within a 'wheel' of key stakeholders, which includes court personnel, service providers, the aggrieved and respondents, with the court coordinator collecting and sharing relevant and necessary information with relevant stakeholders.²⁰⁶ Using a designated staff member to coordinate services is viewed positively by aggrieved parties, as it supports them to understand their journey through the courts from start to finish.²⁰⁷ The literature also shows that using a coordinator helps the aggrieved to access services more promptly, and achieve better outcomes associated with more effective information sharing between courts and service providers.²⁰⁸

The Southport Specialist DFV Court has three elements of service coordination—specialist court registry staff, a specialist Deputy Registrar and Court Coordinator. The evaluation will describe these, the impact on service coordination and any associated benefits for people who access the Court.

²⁰³ Koshan, J. (2014). Investigating integrated domestic violence courts: Lessons from New York. *Osgoode Hall Law Journal*, 51(3), 989-1036. <https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=2762&context=ohlj>

²⁰⁴ Koshan, J. (2014). Investigating integrated domestic violence courts: Lessons from New York. *Osgoode Hall Law Journal*, 51(3), 989-1036. <https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=2762&context=ohlj>

²⁰⁵ Koshan, J. (2014). Investigating integrated domestic violence courts: Lessons from New York. *Osgoode Hall Law Journal*, 51(3), 989-1036. <https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=2762&context=ohlj>

²⁰⁶ Hill, N. R., & Kleist, D. M. (2008). *Evaluation of the Idaho Supreme Court OVW grant to encourage arrest policies and enforcement of protection orders*. https://isc.idaho.gov/dv_courts/6th_7th_Dist_Evaluation.pdf

²⁰⁷ Hill, N. R., & Kleist, D. M. (2008). *Evaluation of the Idaho Supreme Court OVW grant to encourage arrest policies and enforcement of protection orders*. https://isc.idaho.gov/dv_courts/6th_7th_Dist_Evaluation.pdf

²⁰⁸ Hill, N. R., & Kleist, D. M. (2008). *Evaluation of the Idaho Supreme Court OVW grant to encourage arrest policies and enforcement of protection orders*. https://isc.idaho.gov/dv_courts/6th_7th_Dist_Evaluation.pdf

TYPES OF SUPPORT SPECIALIST COURTS CAN LINK PARTICIPANTS WITH

Under a therapeutic jurisprudence model, specialist domestic and family violence courts act as a link to external services and programs through judicial ordering of programs for respondents, or interactions with support staff as a referral point for the aggrieved. Some of the services described in the literature to which aggrieved parties, and respondents are referred are summarised below. Elements of these programs have been criticised in the literature: a full review of the effectiveness of individual program is beyond the scope of this review.

- Individual programs for perpetrators.** These programs typically adopt either a psychoeducational or psychotherapeutic approach. The *psychoeducational approach* is informed by an understanding of domestic and family violence being the result of socio-political factors including gender inequality, with violence being 'a deliberate and intentional tactic used by men to control and dominate women'.²⁰⁹ Programs thus focus on getting perpetrators to accept responsibility and educating them about patriarchal power in society. Criticisms of this approach stem from its one-size-fits-all nature, with its failure to account for same-sex violence and the complexity and individuality of perpetrators. In contrast, the *psychotherapeutic approach* is based on the theory that family violence is caused by personal dysfunction such as behavioural deficits, trauma and psychopathology. Programs are individualised based on information shared with a therapist and are conducted by psychologists.
- Family therapy or couples counselling.** This has been proposed as an alternative to group programs, which may not be suitable for some perpetrators. Therapists perceive family violence as a result of dysfunctional relationships and provide support for both perpetrator and the aggrieved. However, concerns have been raised about the appropriateness of this approach, particularly from the perspective of the aggrieved's safety.
- Matched interventions.** Matched interventions recognise domestic and family violence as having multiple causes including psychological, psychiatric, and sociological. Treatment is consequently individualised based on a variety of factors including level of risk the perpetrator poses and their willingness to change. Firstly, identifying the risk level a perpetrator poses requires a strong understanding of the different domestic violence typologies to classify diverse groups into subgroups. Conversely other typologies examine factors besides the nature of family violence such as personality traits, attitude towards women and psychiatric history.²¹⁰ Secondly, a perpetrator's willingness to change can help in tailoring an intervention depending on their currently level of motivation. Approaches such as the Transtheoretical Model (TTM) break down perpetrator motivation into various stages, that can help tailor the best approach to change behaviour. Similar to TTM, Motivational Interviewing (MI) recognised individuals are at different stages of willingness and is based on a relationship between the

²¹⁰ Begun, A. L., Shelley, G., Strodthoff, T., & Short, L. (2001). Adopting a stages of change approach for individuals who are violent with their intimate partners. *Journal of Aggression, Maltreatment & Trauma*, 5(2), 105-127. https://doi.org/10.1300/J146v05n02_07

therapist and client.²¹¹ However, it should be noted that the evidence regarding MI's impact on changing behaviour either as a standalone intervention or part of wide sets of programs is inconclusive.²¹²

Programs are increasingly adopting elements of multiple theoretical understandings, particularly merging both a psychotherapeutic and psychoeducational approach.²¹³ There is no evidence to support one type of intervention program or approach being best practice or more effective than others in reducing recidivism.²¹⁴ Nonetheless, state governments have introduced practice standards concerning the delivery of perpetrator intervention programs.²¹⁵

SUPPORTS DIVERSE COMMUNITIES

Our stakeholder consultation during the co-design phase of the evaluation highlighted their interest in understanding the extent to which the court supports diverse population groups. The group is particularly interested in how the court supports people who are Aboriginal or Torres Strait Islander, who are LGBTIQ+, and experiencing diverse types of domestic and family violence (including sibling violence, elder abuse and intimate partner violence where the aggrieved and respondent are young people).

We have used the literature review to uncover issues for these diverse communities and to describe best practice specialist court responses, where they exist. The evaluation will explore the extent to which the Southport SDFV Court supports diverse communities, and the role that role specialisation plays in ensuring these people and communities are appropriately and adequately served.

INDIGENOUS PEOPLE AND COMMUNITIES

In some jurisdictions, including Queensland, Indigenous people who are experiencing domestic and family violence can nominate to have their matter heard in a Murri Court. These sentencing courts incorporate the principles of restorative justice, which focus on aggrieved involvement and empowerment, and providing culturally appropriate forums for resolving cases (for example, magistrates sitting in a circle with participants, rather than at an

²¹¹ Mackay, E., Gibson, A., Lam, H., & Beecham, D. (2015). *Perpetrator interventions in Australia: Part one – Literature review* (ANROWS Landscapes, PP01/2015). <https://20ian81kynqg38bl3l3eh8bf-wpengine.netdna-ssl.com/wp-content/uploads/2019/02/Landscapes-Perpetrators-Part-ONE.pdf>

²¹² Mackay, E., Gibson, A., Lam, H., & Beecham, D. (2015). *Perpetrator interventions in Australia: Part one – Literature review* (ANROWS Landscapes, PP01/2015). <https://20ian81kynqg38bl3l3eh8bf-wpengine.netdna-ssl.com/wp-content/uploads/2019/02/Landscapes-Perpetrators-Part-ONE.pdf>

²¹³ Grealy, C., Wallace, A., Wilczynski, A., Lai, S., Bodiam, T., Dowler, B., & Jones, L. (2013). *Literature review on domestic violence perpetrators*. Urbis Pty Ltd. https://www.dss.gov.au/sites/default/files/documents/09_2013/literature_review_on_domestic_violence_perpetrators.pdf

²¹⁴ Grealy, C., Wallace, A., Wilczynski, A., Lai, S., Bodiam, T., Dowler, B., & Jones, L. (2013). *Literature review on domestic violence perpetrators*. Urbis Pty Ltd. https://www.dss.gov.au/sites/default/files/documents/09_2013/literature_review_on_domestic_violence_perpetrators.pdf

²¹⁵ See for example Department of Communities. (2018). *Professional practice standards — Working with men who perpetrate domestic and family violence*. <https://www.publications.qld.gov.au/dataset/domestic-and-family-violence-resources/resource/8e4ac12b-e578-4abc-9e42-2cbdf7fda989>

elevated bench), and focusing on both parties volunteering to take part in the process.²¹⁶ The Murri Court also involves Elders and respected community members in administering justice, recognising their knowledge and cultural practice in sentencing.²¹⁷

These courts are an attempt to better meet the needs of Indigenous people but may add a layer of complexity for people who are vulnerable. For example, some Murri Courts may not hear domestic and family violence cases, leaving them to the specialist domestic violence courts, while others may hear such cases where incarceration is likely.²¹⁸ This can create confusion for both aggrieved and respondent parties as multiple courts can be engaged to resolve the one matter. The complexity of parallel systems predates the introduction of the specialist domestic and family violence courts, being a broader problem with a fragmented court system.²¹⁹

Programs have also been developed for Indigenous perpetrators, which acknowledge the different causes of family violence in Indigenous communities. Such causes include loss of culture and kinship relations, the impact of colonialism and entrenched poverty. Some mainstream programs are specifically tailored to, and developed and delivered in consultation with, local Indigenous communities.

The literature notes that the cultural competence of people working in the criminal justice system and providing support services to Indigenous people who experience domestic and family violence, is crucial to ensure fair and equal access to the criminal justice system and domestic and family violence support services.²²⁰

Indigenous women are overrepresented at each stage of the protection order process. This includes representing one in five (22%) of female respondents, one in three (33%) breaches by female respondents and almost one in two (44%) females jailed for domestic and family violence breaches in 2017–18 in Queensland.²²¹ Some research has suggested that Indigenous women are more likely to respond to being subjected to domestic and family violence by fighting back with physical violence. The use of violence increases the likelihood of a domestic violence order being made, a breach being committed and a higher sentence with the inclusion of incarceration against the female Indigenous perpetrator.²²²

²¹⁶ Blagg, H. (2008). *Problem-oriented courts*. Law Reform Commission of Western Australia.

<https://www.lrc.justice.wa.gov.au/files/p96-blagggrp.pdf>

²¹⁷ Morgan, A., & Louis, E. (2010). *Evaluation of the Queensland Murri Court: Final report*. Australian Institute of Criminology. <https://apo.org.au/sites/default/files/resource-files/2010-10/apo-nid23026.pdf>

²¹⁸ Morgan, A., & Louis, E. (2010). *Evaluation of the Queensland Murri Court: Final report*. Australian Institute of Criminology. <https://apo.org.au/sites/default/files/resource-files/2010-10/apo-nid23026.pdf>

²¹⁹ Marchetti, E. (2010). Indigenous sentencing courts and partner violence: Perspectives of court practitioners and elders on gender power imbalances during the sentencing hearing. *Australian & New Zealand Journal of Criminology*, 43(2), 263–281. <https://doi.org/10.1375/acri.43.2.263>

²²⁰ Neave, M., Faulkner, P., & Nicholson, T. (2016). *Royal Commission into Family Violence: Final Report* (Parl Paper No 132, 2014–2016). State of Victoria. https://apo.org.au/sites/default/files/resource-files/2016-03/apo-nid62334_59.pdf

²²¹ Gleeson, H. (2019). *What happens when an abused woman fights back?* ABC News. <https://www.abc.net.au/news/2019-07-30/the-women-behind-bars-breaching-domestic-violence-order/11330408?nw=0>

²²² Douglas, H., & Fitzgerald, R. (2018). The domestic violence protection order system as entry to the criminal justice system for Aboriginal and Torres Strait Islander People. *International Journal for Crime, Justice and Social Democracy*, 7(3), 41–57. <https://doi.org/10.5204/ijcsd.v7i3.499>

The literature indicates a number of reasons why Indigenous women may have an increased likelihood of using violence. These include Indigenous women provoking fights defensively to resolve problems and the legacy of colonisation, including Indigenous women feeling a sense of powerlessness and a lack of trust in the police. Poor relations between Indigenous communities and the police and the 'formulaic application of domestic violence legislation'²²³ by the police without considering whether there was a pattern of coercive control are also linked to Indigenous female perpetrators.²²⁴ A further reason for Indigenous women in rural communities to use violence is their limited access to services, including both aggrieved support services and the police, due to their remote location.²²⁵

PEOPLE FROM CULTURALLY AND LINGUISTICALLY DIVERSE BACKGROUNDS

The literature suggests that for individuals and families from culturally and linguistically diverse backgrounds (CALD), language is an important barrier to accessing the criminal justice system and that there needs to be more interpreters present at court to overcome this.²²⁶ But it is not simply having an interpreter available that will overcome this barrier: the literature shows interpreters' level of English proficiency is variable and may not support successful outcomes for the aggrieved or respondents. There may be additional problems for some aggrieved parties or respondents, when the interpreter is a different gender or observes a different religion.²²⁷ In the Australian literature, there is specific mention of the lack of opportunities for perpetrators to engage in behaviour change programs that are culturally tailored or in their own language.

There may be also barriers for people from culturally and linguistically diverse backgrounds if the specialist court does not appropriately respond to cultural perceptions of violence. A considered understanding of how culturally diverse groups normalise violence is required if specialist courts are to address domestic and family violence across different parts of society.²²⁸

PEOPLE WHO IDENTIFY AS LESBIAN, GAY, BISEXUAL, TRANSGENDER, INTERSEX, QUEER OR ASEXUAL

People who are lesbian, gay, bisexual, transgender, intersex, queer or asexual (LGBTIQA+) have reported feeling that specialist courts do not appropriately understand their circumstances and therefore cannot address them.²²⁹ In particular, the literature suggests a

²²³ Nancarrow, H. R. (2016). *Legal responses to intimate partner violence: Gendered aspirations and racialised realities*. PhD Thesis, Griffith University. <https://doi.org/10.25904/1912/3545>

²²⁴ Douglas, H., & Fitzgerald, R. (2018). The domestic violence protection order system as entry to the criminal justice system for Aboriginal and Torres Strait Islander People. *International Journal for Crime, Justice and Social Democracy*, 7(3), 41-57. <https://doi.org/10.5204/ijcsd.v7i3.499>

²²⁵ Douglas, H., & Fitzgerald, R. (2018). The domestic violence protection order system as entry to the criminal justice system for Aboriginal and Torres Strait Islander People. *International Journal for Crime, Justice and Social Democracy*, 7(3), 41-57. <https://doi.org/10.5204/ijcsd.v7i3.499>

²²⁶ Tutty, L. M., & Koshan, J. (2012). Calgary's specialized domestic violence court: An evaluation of a unique model. *Alberta Law Review*, 50(4), 731-755. <https://doi.org/10.29173/alr74>

²²⁷ Tutty, L. M., & Koshan, J. (2012). Calgary's specialized domestic violence court: An evaluation of a unique model. *Alberta Law Review*, 50(4), 731-755. <https://doi.org/10.29173/alr74>

²²⁸ Koshan, J. (2014). Investigating integrated domestic violence courts: Lessons from New York. *Osgoode Hall Law Journal*, 51(3), 989-1036. <https://digitalcommons.osgoode.yorku.ca/cgi/viewcontent.cgi?article=2762&context=ohlj>

²²⁹ Neave, M., Faulkner, P., & Nicholson, T. (2016). *Royal Commission into Family Violence: Final Report* (Parl Paper No 132, 2014–2016). State of Victoria. https://apo.org.au/sites/default/files/resource-files/2016-03/apo-nid62334_59.pdf

lack of awareness of patterns of domestic violence specific to LGBTIQ+ relationships, such as the practice of threatening to 'out' the victim's sexuality, identity or HIV status or the assumption that LGBTIQ+ partner violence is mutual.²³⁰ Perpetrators may also use homophobia or transphobia as a vehicle of control to isolate victims and prevent them from receiving support by suggesting that they will be discriminated against or won't be believed.²³¹ Several reports have recommended courts need to be linked with programs that are tailored to the needs of LGBTIQ+ groups.

PEOPLE WITH DISABILITIES

The criminal justice system has often been criticised for not fully recognising people with disabilities as sexual, or assuming they are not in relationships. Both these assumptions mean the support for domestic and family violence available to this group is unlikely to meet their needs.

Another concern is that domestic and family violence services may not appreciate the complexity of the relationship between the victim and perpetrator, for example, where a victim is dependent on the respondent for their care. In the event that they do lodge a complaint, they might find it difficult to convey their version of events or appear less credible, particularly if the respondent is articulate.²³² There are also concerns about how the system can support people with cognitive impairments, or whose disability is 'invisible', but relevant to their offending behaviour, or people who deliberately disguise their disability, for example, poor vision or dyslexia. Some victims who used legal representation to lodge their application have experienced unsatisfactory outcomes, and believe their lawyer settled as opposed to obtaining long term protection orders.²³³

The literature calls for domestic and family violence supports and services to be more accessible for people with disabilities. Simplifying the system and processes and the information is an important part of this. There was a recurring suggestion that domestic and family violence services need to better understand what disability means to better support people with disabilities.

PEOPLE MISUSING ALCOHOL AND OTHER DRUGS

It has been noted that drug and alcohol issues are often also present in domestic and family violence.²³⁴ Research does not support that substance abuse *causes* domestic violence, but rather that the relationship between the two issues is extremely complex.²³⁵ Despite high

²³⁰ Campo, M., & Tayton, S. (2015). *Intimate partner violence in lesbian, gay, bisexual, trans, intersex and queer communities*. Child Family Community Australia. <https://aifs.gov.au/cfca/publications/intimate-partner-violence-lgbtq-communities>

²³¹ Campo, M., & Tayton, S. (2015). *Intimate partner violence in lesbian, gay, bisexual, trans, intersex and queer communities*. Child Family Community Australia. <https://aifs.gov.au/cfca/publications/intimate-partner-violence-lgbtq-communities>

²³² Harpur, P., & Douglas, H. (2014). Disability and domestic violence: Protecting survivors' human rights. *Griffith Law Review*, 23(3), 405-433. <https://doi.org/10.1080/10383441.2014.1000241>

²³³ Harpur, P., & Douglas, H. (2014). Disability and domestic violence: Protecting survivors' human rights. *Griffith Law Review*, 23(3), 405-433. <https://doi.org/10.1080/10383441.2014.1000241>

²³⁴ Stathopoulos M & Jenkinson R (2016) Intervention linking services response for sexual assault with drug or alcohol use/abuse: Final report (ANROWS Horizons, 02/2016). Sydney, NSW: ANROWS.

²³⁵ Quadara A, Stathopoulos M & Jenkinson R (2015) Establishing the Connection [between alcohol and other drugs and sexual victimisation]: State of knowledge paper. ANROWS Landscapes, 06/2015, ANROWS: Sydney.

levels of co-occurrence, there is a tendency to treat substance abuse and domestic violence separately. This is evident at the governmental level with separate specialist courts and at the service level with separate programs for substance abuse and perpetrator intervention programs.²³⁶

RESPONDS TO DIFFERENT TYPES OF VIOLENCE

Stakeholders expressed an interest in understanding the extent to which the Southport Specialist Domestic and Family Violence Court Justice Response recognises and responds to family violence, particularly violence perpetrated by children or adolescents against their parents, and by the adult children or carers of elderly people. Stakeholders also want to know more about intimate partner violence where it occurs between two adolescent partners, or between people not in heterosexual partnerships. We have used the literature review to describe best practice specialist court responses to non-intimate partner violence, where they exist.

ELDERLY PEOPLE WHO EXPERIENCE VIOLENCE PERPETRATED BY A FAMILY MEMBER OR CARER

People who are elderly may experience intimate partner violence or violence perpetrated by a family member or carer. Elderly people might hesitate to report violence perpetrated by their family or carers out of worry that, without care, they will be institutionalised; or they may not be able to adequately express the violence.²³⁷

When deliberating on whether to make a DVO, the courts need to understand the family dynamics and whether future abuse will be curtailed. It has been found that when protection orders are used, elderly victims had reported that they were still living with the respondent.²³⁸ A particular concern for elderly victims who request a DVO, is that perpetrators might become more violent towards the victim.²³⁹ There have been studies that have identified acute precipitants such as intoxication and substance abuse that can lead to an escalation of violence.²⁴⁰ This then requires linking affected family members to relevant

²³⁷ Blundell, B. B., & Clare, M. (2012). *Elder abuse in culturally and linguistically diverse communities: Developing best practice*. [https://toolkit.seniorsrights.org.au/wp-content/uploads/2013/09/Elder Abuse in CALD Communities - Developing best practice.pdf](https://toolkit.seniorsrights.org.au/wp-content/uploads/2013/09/Elder%20Abuse%20in%20CALD%20Communities%20-%20Developing%20best%20practice.pdf)

²³⁸ Rosen, T., Bloemen, E. M., LoFaso, V. M., Clark, S., Flomenbaum, N. E., Breckman, R., Markarian, A., Riffin, C., Lachs, M. S., & Pillemer, K. (2019). Acute precipitants of physical elder abuse: qualitative analysis of legal records from highly adjudicated cases. *Journal of Interpersonal Violence*, 34(12), 2599-2623. <https://doi.org/10.1177/0886260516662305>

²³⁹ Rosen, T., Bloemen, E. M., LoFaso, V. M., Clark, S., Flomenbaum, N. E., Breckman, R., Markarian, A., Riffin, C., Lachs, M. S., & Pillemer, K. (2019). Acute precipitants of physical elder abuse: qualitative analysis of legal records from highly adjudicated cases. *Journal of Interpersonal Violence*, 34(12), 2599-2623. <https://doi.org/10.1177/0886260516662305>

²⁴⁰ Rosen, T., Bloemen, E. M., LoFaso, V. M., Clark, S., Flomenbaum, N. E., Breckman, R., Markarian, A., Riffin, C., Lachs, M. S., & Pillemer, K. (2019). Acute precipitants of physical elder abuse: qualitative analysis of legal records from highly adjudicated cases. *Journal of Interpersonal Violence*, 34(12), 2599-2623. <https://doi.org/10.1177/0886260516662305>

substance abuse treatment programs as well as screening the families of known substance abusers for any existing abuse.²⁴¹

There is even more complexity when deciding on how to resolve domestic and family violence cases involving elderly victims from CALD backgrounds. Not only might they be physically dependent on the respondent, they might also have limited English that prevents them from accessing information or understanding important documents.²⁴² Additionally, elderly victims might have come from CALD communities where it is more culturally acceptable to seek help through informal social channels than to call and access formal services.²⁴³ In these situations, services may need to distribute information through a variety of media such as the community newspaper, web and ethnic radio.²⁴⁴ Elderly people from CALD backgrounds often require very intense assistance from interpreters to access mainstream domestic violent services and the interpreter may have to act as an intermediary when working with clients and DFV service workers.²⁴⁵

CHILDREN OR ADOLESCENTS WHO PERPETRATE VIOLENCE AGAINST A PARENT

Within the Queensland context, there is no law that recognises and regulates adolescent family violence (violence committed by an adolescent against a family member) as a distinct behaviour. This means there is no tailored legal response that currently provides a way to deal with this specific type of violence.²⁴⁶ Adopting the right approach can become more complicated given the age of the perpetrator. The law states that children under the age of 14 years are not criminally responsible for an act unless it can be proved that they have the capacity to know they should not engage in the offensive activity.²⁴⁷ Children under the age of 10 years are not criminally responsible for any act they engage in.

²⁴¹ Pillemer, K. (2019)

²⁴² Blundell, B. B., & Clare, M. (2012). *Elder abuse in culturally and linguistically diverse communities: Developing best practice*.[https://toolkit.seniorsrights.org.au/wp-content/uploads/2013/09/Elder Abuse in CALD Communities - Developing best practice.pdf](https://toolkit.seniorsrights.org.au/wp-content/uploads/2013/09/Elder%20Abuse%20in%20CALD%20Communities%20-%20Developing%20best%20practice.pdf)

²⁴³ Blundell, B. B., & Clare, M. (2012). *Elder abuse in culturally and linguistically diverse communities: Developing best practice*.[https://toolkit.seniorsrights.org.au/wp-content/uploads/2013/09/Elder Abuse in CALD Communities - Developing best practice.pdf](https://toolkit.seniorsrights.org.au/wp-content/uploads/2013/09/Elder%20Abuse%20in%20CALD%20Communities%20-%20Developing%20best%20practice.pdf)

²⁴⁴ Blundell, B. B., & Clare, M. (2012). *Elder abuse in culturally and linguistically diverse communities: Developing best practice*.[https://toolkit.seniorsrights.org.au/wp-content/uploads/2013/09/Elder Abuse in CALD Communities - Developing best practice.pdf](https://toolkit.seniorsrights.org.au/wp-content/uploads/2013/09/Elder%20Abuse%20in%20CALD%20Communities%20-%20Developing%20best%20practice.pdf)

²⁴⁵ Blundell, B. B., & Clare, M. (2012). *Elder abuse in culturally and linguistically diverse communities: Developing best practice*.[https://toolkit.seniorsrights.org.au/wp-content/uploads/2013/09/Elder Abuse in CALD Communities - Developing best practice.pdf](https://toolkit.seniorsrights.org.au/wp-content/uploads/2013/09/Elder%20Abuse%20in%20CALD%20Communities%20-%20Developing%20best%20practice.pdf)

²⁴⁶ Douglas, H., & Walsh, T. (2018). Adolescent family violence: What is the role for legal responses? *The Sydney Law Review*, 40, 499-526.
[https://www.researchgate.net/publication/329735999 Adolescent Family Violence What is the Role for Legal Responses](https://www.researchgate.net/publication/329735999_Adolescent_Family_Violence_What_is_the_Role_for_Legal_Responses)

²⁴⁷ Douglas, H., & Walsh, T. (2018). Adolescent family violence: What is the role for legal responses? *The Sydney Law Review*, 40, 499-526.
[https://www.researchgate.net/publication/329735999 Adolescent Family Violence What is the Role for Legal Responses](https://www.researchgate.net/publication/329735999_Adolescent_Family_Violence_What_is_the_Role_for_Legal_Responses)

Currently, the legal approach to managing domestic and family violence matters perpetrated by children or adolescents include:

- criminalisation
- family law orders,
- protection orders
- referrals to or interventions by the child protection system.

However, these approaches do not necessarily address the nuances around adolescent family violence. The fundamental difference between intimate partner violence and violence perpetrated by a child against a parent is the strength and depth of the bond between the aggrieved and perpetrator. Parents hold strong moral and legal responsibility for their children and are highly reluctant to sever ties.²⁴⁸

There are also legal particularities associated with child–parent violence. For example, domestic violence protection orders can only be applied to adolescents as a protected person and not as respondents.²⁴⁹ This might be unhelpful in situations where another family member uses their adolescent child to help commit further violence within the family. Further, in accordance with section 68Q of the *Family Law Act* where an order is made that allows for a child/ children to spend time with a parent and the order is inconsistent with an existing DVO, then the DVO is invalid.²⁵⁰ However, this process happens by way of an application to the court, whereby the court hears and determines the application and whether such a declaration is appropriate.

Further, when deciding to make or vary a DVO, the domestic and family violence court must have regard to any family law orders and, if the family law order allows for contact between a respondent and a child that may be restricted under the proposed DVO, then the court may exercise its power to revise, vary, discharge or suspend the family law order. Section 78(2) also says that the court must not diminish the standard of protection given by a DVO for the purpose of facilitating consistency with the family law order.

Therefore, both the Federal Circuit Court of Australia and the Queensland Domestic and Family Violence Court has the power to override orders made in other jurisdictions, in certain circumstances, where it is necessary to protect a child or children from domestic and family violence.

Furthermore, if the DVOs do lead to criminalising an adolescent's offence there are parental concerns around the enforcement of the order, especially if the respondents have a mental health issue or cognitive impairment. This means that adolescents are punished but their

²⁴⁸ Miles, C., & Condry, R. (2015). Responding to adolescent to parent violence: Challenges for policy and practice. *British Journal of Criminology*, 55(6), 1076-1095. <https://doi.org/10.1093/bjc/azv095>

²⁴⁹ Douglas, H., & Walsh, T. (2018). Adolescent family violence: What is the role for legal responses? *The Sydney Law Review*, 40, 499-526. https://www.researchgate.net/publication/329735999_Adolescent_Family_Violence_What_is_the_Role_for_Legal_Responses

²⁵⁰ Douglas, H., & Walsh, T. (2018). Adolescent family violence: What is the role for legal responses? *The Sydney Law Review*, 40, 499-526. https://www.researchgate.net/publication/329735999_Adolescent_Family_Violence_What_is_the_Role_for_Legal_Responses

behaviours still remain the same and they might likely reoffend. This reflects the aggrieved-centric nature of protection orders that focus on aggrieved safety but not necessarily perpetrator behaviour.²⁵¹

There has been an attempt to examine more innovative approaches to adolescent family violence, such as youth justice conferencing.²⁵² Youth conferencing involves bringing together young offenders, their families, their supports and police to discuss the offence and its impact on the affected.²⁵³ Youth conferencing, instead of examining adolescent violence as an issue that requires collecting evidence and prosecuting, has a restorative justice focus – the aggrieved seeking acknowledgment of wrongdoing and the need for redress.²⁵⁴

However, there are reservations with such approaches as they may not be able to address complex dynamics if the aggrieved is a family member and the perpetrator is their adolescent child. Conferencing requires an assumption of what constitutes normal, acceptable family behaviour but adolescents may have never been exposed to this family dynamic.

UNINTENDED CONSEQUENCES OF SPECIALIST COURT INTERVENTION

Stakeholders who participated in the co-design phase of the evaluation expressed an interest in understanding how well the court is identifying and responding to the potential misuse of the court system by perpetrators.

USING THE LEGAL SYSTEM AS A MECHANISM OF COERCION AND CONTROL

There is some new literature describing abuse of the legal system (also referred to as ‘paper abuse’ or ‘procedural stalking’), where a perpetrator uses litigation to continue perpetrating domestic and family violence during or after family separation. The two primary ways perpetrators tend to misuse the legal system is through the family court (with vexatious family proceedings) and in the specialist domestic and family violence court (with domestic violence orders).²⁵⁵

²⁵¹ Miles, C., & Condry, R. (2015). Responding to adolescent to parent violence: Challenges for policy and practice. *British Journal of Criminology*, 55(6), 1076-1095. <https://doi.org/10.1093/bjc/azv095>

²⁵² Douglas, H., & Walsh, T. (2018). Adolescent family violence: What is the role for legal responses? *The Sydney Law Review*, 40, 499-526. https://www.researchgate.net/publication/329735999_Adolescent_Family_Violence_What_is_the_Role_for_Legal_Responses

²⁵³ Douglas, H., & Walsh, T. (2018). Adolescent family violence: What is the role for legal responses? *The Sydney Law Review*, 40, 499-526. https://www.researchgate.net/publication/329735999_Adolescent_Family_Violence_What_is_the_Role_for_Legal_Responses

²⁵⁴ Douglas, H., & Walsh, T. (2018). Adolescent family violence: What is the role for legal responses? *The Sydney Law Review*, 40, 499-526. https://www.researchgate.net/publication/329735999_Adolescent_Family_Violence_What_is_the_Role_for_Legal_Responses

²⁵⁵ Douglas, H., (2018). Legal systems abuse and coercive control. *Criminology & Criminal Justice*, 18(1), 84-99. <https://doi.org/10.1177/1748895817728380>

Proceedings by perpetrators in the specialist domestic and family violence court take the form of either applications for protection orders or as cross-applications in response to an originating protection order application made by an aggrieved. There was concern among stakeholders—and also reflected in the literature—that applicants can use cross-applications to delay or otherwise influence family court proceedings and as a mechanism of coercion and control. There are concerns surrounding the rise in cross-application orders of civil protection orders as being used as a means for perpetrators to engage in ‘systems abuse’ to the disadvantage of victims. The research suggests cross-application orders disproportionately affect culturally and linguistically diverse women, Aboriginal and Torres Strait Islander women, women experiencing homelessness, mental health issues, substance abuse and disability.²⁵⁶

Other ways the legal system can be misused is by the respondent continually ‘firing and hiring’ legal representatives, making complaints against lawyers and judicial officers, appealing decisions or applying for variations to domestic violence orders. All of these abuses of process are done with the intention of drawing out the proceedings, draining the resources of the aggrieved, exerting some level of control over the aggrieved and forcing encounters with them.²⁵⁷

When legal processes are misused in these ways, the impact on the aggrieved is described as a form of secondary victimisation. One of the reasons why it is difficult to prevent this type of abuse is because it is not the responder’s actions—using legal engagement to exercise and protect their rights—which is problematic, but the context in which they take place: as a tool of domestic violence.²⁵⁸ There are suggestions in the literature that the structure of the Australian legal system exacerbates system abuses. This is due to the distribution of legal governing over multiple jurisdictions, with national legislation for family and property law and state-level statutes for child protection, domestic violence and criminal offences.²⁵⁹

POTENTIAL INCARCERATION OF WOMEN FOR ACTS OF RETALIATORY VIOLENCE

There was a concern among stakeholders that the rise in Australia’s female prisoner population may be related to the increase in numbers of women respondents who are also victims of domestic and family violence, and whose retaliatory violence constitutes a breach of domestic and family violence orders that leads to their imprisonment. Incarceration rates for women have increased by 85 percent in the ten years to 2018, while the proportion of women sentenced to a term of imprisonment for breaching a domestic violence order increased from 13 per cent to 15 percent between 2014 and 2018.²⁶⁰ Anecdotal research collected from lawyers and women’s advocates suggests that this could partially be due to

²⁵⁶ Reeves E (2020) ‘Family violence, protection orders and systems abuse: views of legal practitioners’, *Current Issues in Criminal Justice*, 32(1):91-110.

²⁵⁷ Miller, S. L., & Smolter, N. L. (2011). “Paper Abuse”: When all else fails, batterers use procedural stalking. *Violence Against Women*, 17(5), 637-650. <https://doi.org/10.1177/1077801211407290>

²⁵⁸ Douglas, H., (2018). Legal systems abuse and coercive control. *Criminology & Criminal Justice*, 18(1), 84-99. <https://doi.org/10.1177/1748895817728380>

²⁵⁹ Douglas, H., (2018). Legal systems abuse and coercive control. *Criminology & Criminal Justice*, 18(1), 84-99. <https://doi.org/10.1177/1748895817728380>

²⁶⁰ Gleeson, H., & Baird, J. (2019). *Why are our prisons full of domestic violence victims?* ABC News. <https://www.abc.net.au/news/2018-12-20/womens-prisons-full-of-domestic-violence-victims/10599232?nw=0>

women being inappropriately identified as respondents on domestic violence orders by police officers.²⁶¹ While there is very limited academic research currently available to support this assertion, a study by Women's Legal Service Victoria found that between January and May 2018, of the 55 women named as respondents on family violence intervention orders, 32 had been incorrectly identified.²⁶²

With most applications for domestic violence orders lodged by the police, it has been suggested that these misidentifications are a result of officers taking an incident-based approach. The consequence of this approach is officers failing to recognise the dynamics of control within the relationship, and incorrectly identifying the female as the respondent rather than as the primary aggrieved of abuse who is potentially lashing out in self-defence.²⁶³ The naming of female victims as respondents on domestic violence orders can also be a source of systems abuse by the other party. New research done by ANROWS to support accurate identification of the 'person most in need of protection' in domestic and family violence law will be reviewed for the final evaluation.²⁶⁴

CONCLUSION

The literature base for specialist domestic and family violence courts is less well developed than for other specialist courts (for example, drug and alcohol courts). More literature has emerged throughout the evaluation period, and we have incorporated it throughout this report.

It is our view that the Southport Specialist Domestic and Family Violence Court Justice Response was designed to be consistent with best practice and is being implemented in line with those best practice principles.

²⁶¹ Gleeson, H., & Baird, J. (2019). *Why are our prisons full of domestic violence victims?* ABC News. <https://www.abc.net.au/news/2018-12-20/womens-prisons-full-of-domestic-violence-victims/10599232?nw=0>

²⁶² Women's Legal Service Victoria. (2018). *Snapshot of police family violence intervention order applications*. [https://www.womenslegal.org.au/files/file/Snapshot%20of%20Police%20Family%20Violence%20Intervention%20Order%20applications%2029.10%20\(002\).pdf](https://www.womenslegal.org.au/files/file/Snapshot%20of%20Police%20Family%20Violence%20Intervention%20Order%20applications%2029.10%20(002).pdf)

²⁶³ Gleeson, H. (2019). *What happens when an abused woman fights back?* ABC News. <https://www.abc.net.au/news/2019-07-30/the-women-behind-bars-breaching-domestic-violence-order/11330408?nw=0>

²⁶⁴ Nancarrow, H., Thomas, K., Ringland, V., & Modini, T. (2020) *Accurately identifying the 'person most in need of protection' in domestic and family violence law* (Research Report, 23), ANROWS. <https://20ian81kynqg38bl3l3eh8bf-wpengine.netdna-ssl.com/wp-content/uploads/2019/10/Nancarrow-PMINOP-RR.3.pdf>

APPENDIX 4: COMPARISON COURT BACKGROUND INFORMATION

Southport SDFVC	Caboolture	Cleveland
Magistracy Dedicated magistrates preside over DFV matters, have well-developed understanding of the DFV service sector and referral opportunities (i.e., men's behaviour change programs)	3 magistrates, split cases between them.	Single magistrate who conducts DFV criminal proceedings in Cleveland on a Wednesday where necessary (due to volume, and it usually being a single magistrate court).
Dedicated DFV Registry Operated by trained staff and accessible through a dedicated phone and email address, they administer the civil and criminal processes of the court, and: <ul style="list-style-type: none"> connect clients with on-site court support services make referrals to specialist DFV support and other specialist services run a dedicated DFV call over with identified DFV list days support service or registry operate court reception 	Separate DFV list. Hearings and private applications on Monday, police applications on Thursday.	DFV hearings on Wednesdays, all listed together – separate DFV list. Support services attend court on this day.
Specialist DFV Court Coordinator <ul style="list-style-type: none"> oversee the specialist DFV court operations engages with stakeholders chairs Operational Working Group meetings. 	Nil	Nil
Support services Specialist men's and women's DFV support workers provide support before, during and after court including: <ul style="list-style-type: none"> coordination of a women's support room risk assessments safety planning 	Centre Against Domestic Abuse (CADA) funded for 1 day – Monday. Will sometimes come on Thursday too, though often aggrieved will not attend on Thursdays. Just received funding to engage a male support worker. DFV HRT also based in Caboolture, will come to court where needed. HRT will be presenting to registry staff as	Centre for Women and Co comes to courthouse on Wednesday with 2-4 workers, including a men's worker for respondents. This service also operates at Beenleigh. Specific safety room with secure access to court.

Southport SDFVC	Caboolture	Cleveland
<ul style="list-style-type: none"> referral to ongoing support services, including encouraging respondents to consider intervention orders and behaviour change programs 	<p>to when clients should be referred to them (to further utilise this service). Separate safe room for aggrieved to wait where necessary.</p> <p>3 security officers on site to escort aggrieved where necessary.</p> <p>Triaging at door so only those who are involved in the hearings are let in.</p> <p>1 safe room with secure access to courtroom. Aggrieved can also apply to appear by phone when anxious about safety risk of in-person appearance.</p>	<p>Security on site (1 fulltime, 1 extra in mornings).</p> <p>Duress buttons in court, registry, and safe room.</p> <p>DFV safety forms available where necessary (though not often used).</p>
<p>Specialist Police Prosecutors</p> <p>Appear on behalf of the QPS for all police civil applications relating to Domestic Violence Protection Orders and applications to vary orders. They also prosecute proceedings for criminal offences arising from domestic and family violence matters. Specialist police prosecutors will assist an aggrieved who has made a private application for a protection order or an application to vary a protection order when requested and appear on their behalf. However, this does not occur frequently as there are duty lawyers who provide adequate legal representation.</p>	<p>General Police Prosecutors</p> <p>There are no 'specialist' DFV prosecutors. Police prosecutors are rotated through DFV court matters on a weekly basis wherein they appear on all police civil applications relating to Domestic Violence Protection Orders and applications to vary orders. They also prosecute on behalf of the QPS for criminal offences arising from DFV matters. They are available to assist any aggrieved person who makes a private application and is otherwise not legally represented.</p>	<p>General Police Prosecutors</p> <p>There are no 'specialist' DFV prosecutors and only one magistrate. Whichever prosecutor is allocated to court will appear on any listed DFV matters, including all police civil applications relating to Domestic Violence Protection Orders and applications to vary orders. They also prosecute on behalf of the QPS for criminal offences arising from DFV matters. They will assist an aggrieved person who makes a private application and is otherwise not legally represented, when the respondent has associated criminal charges or where it is an application to vary an order made on a police application.</p>
<p>Legal representatives</p>	<p>Gendered enhanced (advice and representation) DFV duty lawyer commenced March 2015.</p>	<p>DFV duty lawyer (advice) commenced April 2019.</p>

Southport SDFVC	Caboolture	Cleveland
Enhanced legal representation by duty lawyers for aggrieved people and respondents in civil matters defendants in criminal matters (except hearings).		
Dedicated specialist case managers, Queensland Corrective Services <ul style="list-style-type: none"> the coordination of services between other government and non-government agencies providing an advisory service to the Courts including prosecution of matters relating to breaches of community-based orders, and also regarding sentencing 	No funded position	No funded position
Gold Coast Domestic, Family Violence and Vulnerable Person's Unit (QPS) Responsible for the strategic coordination and oversight of the operational policing response to DFV within the Gold Coast District. The unit works with key stakeholders to case manage, collaborate and provide integrated responses aimed at improving the safety for aggrieved people and their children, while holding perpetrators to account for their violence. The unit undertakes risk assessment in relation to the attendance at court of aggrieved and respondents.	Caboolture Domestic Violence Investigative Response Team Oversees every application which comes through the court (police or private). They are proactive in identifying and responding to vulnerable aggrieved. There is a DV case worker who case manages the matters and provides court support along with the local DV service. Any high-risk matter is referred to the local High-Risk Team.	South Brisbane District Domestic, Family Violence and Vulnerable Person's Unit (QPS) Responsible for the strategic coordination and oversight of the operational policing response to DFV within the South Brisbane District (Cleveland, Holland Park, Richlands & Brisbane courts). The unit works with key stakeholders to case manage, collaborate and provide integrated responses aimed at improving the safety for aggrieved people and their children, while holding perpetrators to account for their violence. Imbedded within the unit is social worker from the Brisbane Domestic Violence Service.
Operational Working Group	Nil. A new general court stakeholder group will be commencing in 2021.	General court stakeholder group (not specific to DFV) that DFV stakeholders have

Southport SDFVC	Caboolture	Cleveland
<p>Consists of local stakeholders including non-government and government service providers, who coordinate the response to identify service delivery gaps and develop local solutions.</p>		<p>a role in. Meets annually but can be gathered/contacted for any ad hoc concerns.</p> <p>Local DFV stakeholder meetings known as 'Bayside Integrated Service Response meetings' are run by The Centre for Women and Co. Magistrate is invited to these meetings and attended once.</p> <p>Includes Centre for Women and Co, CSYW, Centre against Sexual Violence, Benevolent Society, Queensland Corrective Services, Redlands City Council, HPW, Capalaba Community Centre and other relevant parties (based on Feb 2020 minutes).</p>

APPENDIX 5: DETAILED DATA TABLES

TABLE A6. THE NUMBER AND PROPORTION OF APPLICATIONS THAT WERE PPNS ACROSS THE COURTS

Application type	Southport		Caboolture		Cleveland	
	N	%	N	%	N	%
Police Protection Notice	4,659	59%	1,039	36%	957	50%
DV Protection Order Application	3,178	41%	1,846	64%	948	50%
Total	7,837	100%	2,885	100%	1,905	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

TABLE A7. THE NUMBER AND PROPORTION OF AGGRIEVED AND RESPONDENTS PARTICIPATING IN INITIATING DV APPLICATIONS OR POLICE PROTECTION NOTICES ACROSS THE COURTS, BY SEX

Relationship to Matter	Sex	Southport		Caboolture		Cleveland	
		N	%	N	%	N	%
Aggrieved	Female	5,314	73%	1,973	75%	1,243	72%
	Male	1,942	27%	669	25%	489	28%
	Sub-total	7,256	100%	2,642	100%	1,732	100%
	Unspecified	21		4		4	
Respondent	Female	1,856	26%	706	27%	499	28%
	Male	5,363	74%	1,953	73%	1,261	72%
	Sub-total	7,219	100%	2,659	100%	1,760	100%
	Unspecified	20		11		2	
Total unique participants		13,106	100%	4,882	100%	3,136	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

Note: This is a count of unique individuals. As some individuals have participated in the court as both an aggrieved and a respondent the total number of unique court participants does not equal the sum of the unique number of aggrieved and respondents

TABLE A8. THE NUMBER AND PROPORTION OF INITIATING APPLICATIONS BY RELATIONSHIP TYPE, ACROSS THE COURTS

	Southport		Caboolture		Cleveland	
Relationship to Aggrieved	N	%	N	%	N	%
Intimate personal relationship	6,051	78%	2,136	75%	1,355	72%
Family relationship	1,711	22%	677	24%	522	28%
Informal care relationship	18	0%	23	1%	6	0%
Total	7,779	100%	2,836	100%	1,883	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

TABLE A9. THE NUMBER AND PROPORTION OF INITIATING APPLICATIONS BY RELATIONSHIP TYPE AND APPLICATION TYPE, ACROSS THE COURTS

		Southport		Caboolture		Cleveland	
Short Title	Relationship to Aggrieved	N	%	N	%	N	%
DV protection order application	Intimate personal relationship	2,528	81%	1,362	76%	712	76%
	Family relationship	597	19%	417	23%	217	23%
	Informal care relationship	12	0%	21	1%	4	0%
	Total	3,136	100%	1,800	100%	933	100%
Police protection notice	Intimate personal relationship	3,523	76%	774	75%	643	68%
	Family relationship	1,114	24%	260	25%	305	32%
	Informal care relationship	6	0%	2	0%	2	0%
	Total	4,643	100%	1,036	100%	950	100%
Total		7,779	100%	2,836	100%	1,883	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

TABLE A10. THE NUMBER AND PROPORTION OF INITIATING APPLICATIONS BY RELATIONSHIP TYPE AND LODGEMENT AUTHORITY, ACROSS THE COURTS

Lodgement Authority	Relationship to Aggrieved	Southport		Caboolture		Cleveland	
		N	%	N	%	N	%
Private individual	Intimate personal relationship	1,611	82%	797	77%	492	77%
	Family relationship	340	17%	215	21%	144	23%
	Informal care relationship	10	1%	21	2%	4	1%
QPS	Intimate personal relationship	4,438	76%	1,336	74%	860	69%
	Family relationship	1,370	24%	462	26%	378	30%
	Informal care relationship	8	0%	2	0%	2	0%
Other	Intimate personal relationship	2	67%	3	100%	3	100%
	Family relationship	1	33%				
Total		7,779	100%	2,836	100%	1,883	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

TABLE A11. THE NUMBER AND PROPORTION OF AGGRIEVED-RESPONDENT PAIRS WITH INITIATING APPLICATIONS BY AGGRIEVED SEX AND RELATIONSHIP TYPE

Aggrieved Sex	Intimate personal relationship		Family relationship		Informal care relationship	
	N	%	N	%	N	%
Female	4,468	76%	1,064	63%	13	72%
Male	1,410	24%	613	37%	5	28%
Total	5,878	100%	1,677	100%	18	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020.

TABLE A12. THE NUMBER AND PROPORTION OF AGGRIEVED-RESPONDENT PAIRS WITH INITIATING APPLICATIONS BY RESPONDENT SEX AND RELATIONSHIP TYPE

Respondent Sex	Intimate personal relationship		Family relationship		Informal care relationship	
	N	%	N	%	N	%
Female	1,415	24%	498	30%	6	33%
Male	4,462	76%	1,181	70%	12	67%
Total	5,877	100%	1,679	100%	18	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020.

TABLE A13. THE NUMBER AND PROPORTION OF ABORIGINAL AND/OR TORRES STRAIT ISLANDER AGGRIEVED WITH INITIATING APPLICATIONS BY RELATIONSHIP TYPE AT SOUTHPORT COURT

Relationship to Aggrieved	Aboriginal and/or Torres Strait Islander		No / neither	
	N	%	N	%
Intimate personal relationship	165	74%	5,653	78%
Family relationship	58	26%	1,611	22%
Informal care relationship	1	0%	17	0%
Total	224	100%	7,279	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020.

TABLE A14. THE NUMBER AND PROPORTION OF AGGRIEVED WITH INITIATING APPLICATIONS BY AGE GROUP AND RELATIONSHIP TYPE AT SOUTHPORT COURT

Aggrieved age group	Intimate personal relationship		Family relationship		Informal care relationship	
	N	%	N	%	N	%
< 18	53	1%	6	0%	0	0%
18-25	995	17%	245	15%	2	11%
26-35	1,932	33%	208	12%	2	11%
36-55	2,584	44%	671	40%	8	44%
56+	306	5%	544	32%	6	33%
Total	5,870	100%	1,674	100%	18	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020.

TABLE A15. THE NUMBER AND PROPORTION OF RESPONDENTS WITH INITIATING APPLICATIONS BY AGE GROUP AND RELATIONSHIP TYPE AT SOUTHPORT COURT

Respondent age group	Intimate personal relationship		Family relationship		Informal care relationship	
	N	%	N	%	N	%
< 18	28	0%	3	0%	0	%
18-25	808	14%	458	28%	2	13%
26-35	1,814	31%	427	26%	2	13%
36-55	2,775	48%	590	37%	8	50%
56+	370	6%	138	9%	4	25%
Total	5,795	100%	1,616	100%	16	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020.

TABLE A16. THE NUMBER AND PROPORTION OF ABORIGINAL AND/OR TORRES STRAIT ISLANDER AGGRIEVED AND RESPONDENTS ACROSS THE COURTS

Rel To Matter	Ethnicity	Southport		Caboolture		Cleveland	
		N	%	N	%	N	%
Aggrieved	Aboriginal and/or Torres Strait Islander	215	3%	211	9%	122	7%
	No / neither	6,996	97%	2,278	92%	1,598	93%
	Sub-Total	7,189	100%	2,473	100%	1,710	100%
Respondent	Refused/ Not provided	99		193		34	
	Aboriginal and/or Torres Strait Islander	235	3%	203	8%	123	7%
	No / neither	6,896	97%	2,256	92%	1,603	93%
	Sub-Total	7,106	100%	2,443	100%	1,719	100%
	Refused/ Not provided	163		247		45	
Total unique participants		12,968	100%	4,564	100%	3,087	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020.

Note: This is a count of unique individuals. As some individuals have participated in the court as both an aggrieved and a respondent the total number of unique court participants does not equal the sum of the unique number of aggrieved and respondents

TABLE A17. THE PROPORTION OF AGGRIEVED WITH INITIATING APPLICATIONS BY AGGRIEVED AGE

	Southport		Caboolture		Cleveland	
Aggrieved age group	N	%	N	%	N	%
< 18	56	1%	36	1%	16	1%
18-25	1,190	16%	467	18%	243	14%
26-35	2,049	28%	794	30%	453	26%
36-55	3,125	43%	1,049	40%	787	46%
56+	825	11%	276	11%	226	13%
Total	7,245	100%	2,622	100%	1,725	100%
Missing	32		24		11	

Source: QWIC – Applications: 1/7/2017 to 31/3/2020.

Note: Age was calculated at application lodgement date. For individuals associated with more than one application, age at first application lodgement is used for this analysis.

TABLE A18. THE PROPORTION OF INITIATING APPLICATION RESPONDENTS BY RESPONDENT AGE

	Southport		Caboolture		Cleveland	
Respondent age group	N	%	N	%	N	%
< 18	31	0%	20	1%	10	1%
18-25	1,167	17%	515	20%	301	18%
26-35	2,115	30%	813	32%	483	29%
36-55	3,229	46%	1,016	40%	762	46%
56+	506	7%	159	6%	115	7%
Total	7,048	100%	2,523	100%	1,671	100%
Missing	191		147		91	

Source: QWIC – Applications: 1/7/2017 to 31/3/2020.

Note: Age was calculated at application lodgement date. For individuals associated with more than one application, age at first application lodgement is used for this analysis.

TABLE A19. THE NUMBER AND PROPORTION OF EVENTS FOR INITIATING APPLICATIONS BY AGGRIEVED ATTENDANCE TYPE

Event Appearances	Southport		Caboolture		Cleveland	
	N	%	N	%	N	%
Did not appear	12,421	61%	3,091	53%	1,793	51%
In person	7,515	37%	2,648	46%	1,546	44%
Telephone	216	1%	26	0%	144	4%
Not recorded	196	1%	31	1%	13	0%
Video link	33	0%	19	0%	12	0%
Total	20,366	100%	5,815	100%	3,508	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

TABLE A20. THE PROPORTION OF CONTRAVENTION CHARGE DEFENDANTS BY DEFENDANT SEX

Sex	Southport		Caboolture		Cleveland	
	N	%	N	%	N	%
Male	2,046	86%	512	86%	355	86%
Female	338	14%	82	14%	58	14%
Total	2,384	100%	594	100%	413	100%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

TABLE A21. THE PROPORTION OF CONTRAVENTION CHARGE DEFENDANTS BY DEFENDANT ETHNICITY

Ethnicity	Southport		Caboolture		Cleveland	
	N	%	N	%	N	%
Aboriginal and/or Torres Strait Islander	105	4%	56	9%	45	11%
No / Neither	2,269	96%	534	91%	367	89%
Total	2,374	100%	590	100%	412	100%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

TABLE A22. THE PROPORTION OF CONTRAVENTION CHARGE DEFENDANTS BY DEFENDANT AGE

	Southport		Caboolture		Cleveland	
Age group	N	%	N	%	N	%
< 18	2	0%	2	0%		
18-25	377	16%	93	16%	56	14%
26-35	725	30%	211	36%	126	31%
36-55	1,218	51%	266	45%	215	52%
56+	62	3%	22	4%	16	4%
Total	2,384	100%	594	100%	413	100%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

TABLE A23. THE PROPORTION OF CONTRAVENTION CHARGE DEFENDANTS AT SOUTHPORT MAGISTRATES COURT BY DEFENDANT SEX AND ETHNICITY

	Aboriginal and/or Torres Strait Islander		No / neither	
Sex	N	%	N	%
Female	17	16%	321	14%
Male	88	84%	1,948	86%
Total	105	100%	2,269	100%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

TABLE A24. THE PROPORTION OF CONTRAVENTION CHARGE DEFENDANTS AT SOUTHPORT MAGISTRATES COURT BY DEFENDANT SEX AND AGE

Age group	Female		Male	
	N	%	N	%
< 18			2	0%
18-25	67	20%	310	15%
26-35	98	29%	627	31%
36-55	166	49%	1,052	51%
56+	7	2%	55	3%
Total	338	100%	2,046	100%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

TABLE A25. THE PROPORTION OF CONTRAVENTION CHARGE DEFENDANTS AT SOUTHPORT MAGISTRATES COURT BY DEFENDANT ETHNICITY AND AGE

Age group	Aboriginal and/or Torres Strait Islander		No / neither	
	N	%	N	%
< 18			1	0%
18-25	20	19%	357	16%
26-35	36	34%	687	30%
36-55	48	46%	1,164	51%
56+	1	1%	60	3%
Total	105	100%	2,269	100%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

TABLE A26. THE MOST COMMON CRIMINAL ORDERS MADE FOR CONTRAVENTION CHARGES OR DFV FLAGGED OFFENCES WHERE THE RESPONDENT/ DEFENDANT PLEADED GUILTY OR WAS FOUND GUILTY AT SOUTHPORT MAGISTRATES COURT (CRIMINAL)

Order Type	Before application lodged		During application		After application result	
	N	%	N	%	N	%
Offender levy*	643	98%	528	99%	1,167	99%
Probation order	304	46%	190	36%	357	30%
Imprisonment	168	25%	117	22%	367	31%
Monetary (adult)	96	15%	126	24%	260	22%
Domestic violence order made on conviction	173	26%	129	24%	166	14%
Total charges	659	100%	534	100%	1,175	100%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Lodged and completed applications and related charges. Only the five most common orders made for charges where the defendant pleaded guilty or was found guilty are shown. As charges can have more than one type of order made, percentages do not sum to 100%.

*Offender levies are administrative fees applied to help pay for law enforcement and administrative costs. More information is available at <https://www.courts.qld.gov.au/about/offender-levy>

TABLE A27. TYPES OF SUPPORT USED BY RESPONDENT SURVEY PARTICIPANTS WHILE AT COURT

	Count
Getting advice from a duty lawyer in a private room	15
Having a lawyer in the court room with me	10
Being shown where to go	10
Speaking to people about what I am going through	6
Hearing my side of the story	6
Explaining what I have to do next	6
Talking about programs I can do to help me	5
Getting help filling out the forms	5
Explaining what happened in court	5
Total number for respondents	19
<i>Missing</i>	<i>16</i>

Source: DJAG Survey B

TABLE A28. THE NUMBER AND PROPORTION OF AGGRIEVED-RESPONDENT PAIRS BY THE TYPE OF FAMILY RELATIONSHIP

	Southport		Caboolture		Cleveland	
Type of family relationship	N	%	N	%	N	%
Aggrieved is older than respondent	886	55%	345	57%	274	58%
Aggrieved and respondent are peers	480	30%	176	29%	137	29%
Aggrieved is younger than respondent	247	15%	89	15%	60	13%
Total	1,613	100%	610	100%	471	100%
Missing	69		54		43	

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

TABLE A29. THE NUMBER AND PROPORTION OF INITIATING APPLICATIONS LODGED ACROSS THE SOUTHPORT MAGISTRATES COURT AND THE COMPARISON COURTS, BY APPLICATION TYPE

Initiating application	Southport		Caboolture		Cleveland	
	N	%	N	%	N	%
Police protection notice	4,661	59%	1,041	36%	957	50%
DV protection order application	3,178	41%	1,846	64%	948	50%
Total	7,839	100%	2,887	100%	1,905	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020. Court location: Southport, Caboolture, Cleveland.

TABLE A30. THE NUMBER AND PROPORTION OF INITIATING APPLICATIONS LODGED BY QPS AND PRIVATE INDIVIDUALS

Lodgement Authority	Short Title	Southport		Caboolture		Cleveland	
		N	%	N	%	N	%
QPS	DV protection order application	1,176	20%	769	43%	291	23%
	Police protection notice	4,659	80%	1,039	57%	957	77%
	Subtotal	5,835	74%	1,808	63%	1,248	66%
Private individual	DV protection order application	1,999	26%	1,074	37%	654	34%
Other	DV protection order application	3	0%	3	0%	3	0%
Total		7,837	100%	2,885	100%	1,905	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

Note: 'Other' lodgement authorities, for example, include Department of Child Safety, Youth and Women, Department of Communities, Child Safety & Disability Services, Department of Justice, Justice Services,

TABLE A31. THE NUMBER AND PROPORTION OF EVENTS FOR INITIATING APPLICATIONS BY AGGRIEVED ATTENDANCE TYPE AND LODGEMENT AUTHORITY

Lodgement Authority	Event Appearances	Southport		Caboolture		Cleveland	
		N	%	N	%	N	%
QPS	Did not appear	11,162	73%	2,475	75%	1,486	69%
	In person	3,818	25%	816	25%	621	29%
	Telephone	81	1%	2	0%	23	1%
	Video link	21	0%	9	0%	7	0%
	Not recorded	158	1%	20	1%	11	1%
	Total	15,227	100%	3,322	100%	2,148	100%
Private Individual	Did not appear	1,254	24%	609	24%	304	22%
	In person	3,695	72%	1,832	74%	922	68%
	Telephone	135	3%	24	1%	121	9%
	Video link	12	0%	10	0%	5	0%
	Not recorded	38	1%	11	0%	2	0%
	Total	5,132	100%	2,486	100%	1,354	100%
Other	Did not appear	5	71%	7	100%	3	50%
	In person	2	29%	0	0%	3	50%
	Total	7	100%	7	100%	6	100%
Total		20,366	100%	5,815	100%	3,508	100%

Source: QWIC – Applications: 1/7/2017 to 31/3/2020

Note: 'Other' lodgement authorities include Department of Child Safety, Youth and Women, Department of Communities, Child Safety & Disability Services, Department of Justice, Justice Services, Miscellaneous, Paroo Shire Council, Queensland Building and Construction Commission.

TABLE A32. NUMBER OF MEN BEING SEEN BY CENTACARE PER DAY

Average	4
Minimum	0
Maximum	11
Median	4
Total seen in reporting period	336

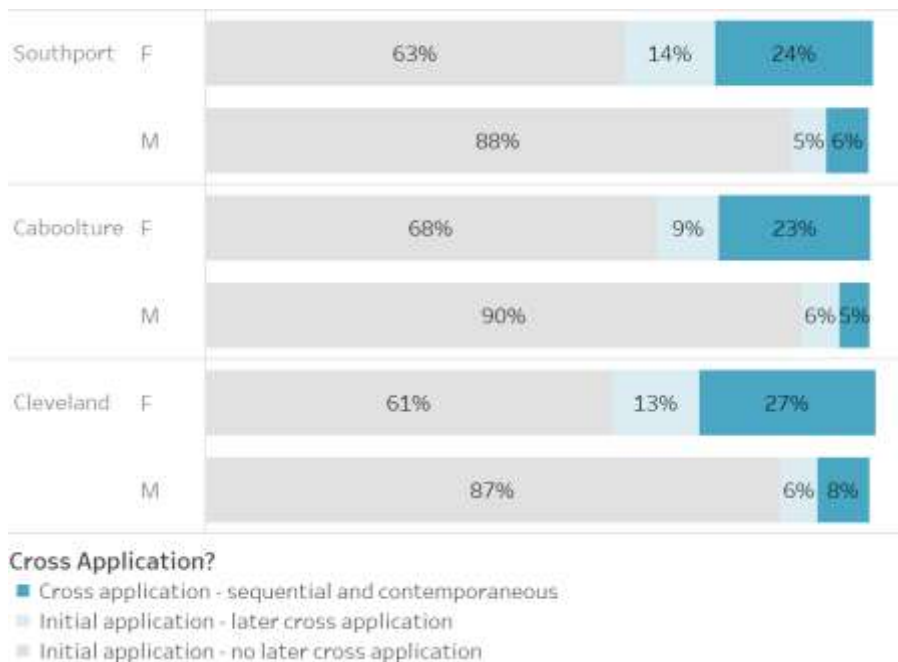
Source: Southport SDFVC Live List Data 10 August 2020 to 28 January 2021

TABLE A33. THE NUMBER AND PROPORTION OF DOMESTIC VIOLENCE ORDERS MADE AT SOUTHPORT MAGISTRATES COURT BY RELATIONSHIP TYPE

Order Type	Order breached and charged?	Intimate personal relationship		Family relationship		Informal care relationship	
		N	%	N	%	N	%
Protection order	No	1,319	88%	391	90%	2	100%
	Yes	174	12%	45	10%	0	0%
Vary protection order	No	175	82%	40	83%	0	0%
	Yes	39	18%	8	17%	0	0%
Temporary protection order	No	1,204	95%	291	98%	4	80%
	Yes	66	5%	7	2%	1	20%
Vary temporary protection order	No	182	93%	29	91%	1	100%
	Yes	13	7%	3	9%	0	0%
Total		3,172	100%	814	100%	8	100%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Orders include all protection and vary protection orders made at Southport Magistrates Court and the two comparison courts during the 2017-18 financial year. Breaches include all contravention charges linked to orders made in Southport Magistrates Court and the two comparison courts by the date and location of the protection order, and respondent/ defendant SPI. Court location is the court where the protection order was made. Breaches of these orders charged at any court in Queensland were included in this analysis.

FIGURE A2. THE PROPORTION OF APPLICATIONS THAT ARE CROSS-APPLICATIONS, BY RESPONDENT SEX

Source: QWIC – Applications: 1/7/2017 to 31/3/2020.

Note: Applications to vary excluded from this analysis.

TABLE A34. PRIOR OFFENDING HISTORY OF RESPONDENTS WITH AN INITIATING APPLICATION LODGED AND COMPLETED AT THE THREE COURTS

	Southport		Caboolture		Cleveland	
Charge before application	N	%	N	%	N	%
No	6,931	95%	2,644	96%	1,716	96%
Yes	400	5%	107	4%	73	4%
Total	7,331	100%	2,751	100%	1,789	100%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Lodged and completed applications and related charges. Court location refers to the location of the initiating application. Offence history included DFV flagged offences or contravention charges charged prior to the lodgement date of the respondents' earliest initiating application. Charges included in this count could be lodged at any Queensland court.

There were no notable differences between Southport and the two comparison courts in the rate of DFV or contravention offences respondents were charged with during the evaluation period.

TABLE A35. RESPONDENTS CHARGED WITH DFV OR CONTRAVENTION CHARGES DURING THE APPLICATION

	Southport		Caboolture		Cleveland	
Charge during application	N	%	N	%	N	%
No	6,847	93%	2,643	96%	1,733	97%
Yes	484	7%	108	4%	56	3%
Total	7,331	100%	2,751	100%	1,789	100%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Lodged and completed applications and related charges. Court location refers to the location of the initiating application. Offending during the application included DFV flagged offences or contravention charges charged after to the lodgement date of the respondents' earliest initiating application and before the concluding event of the respondents' earliest initiating application. Charges included in this count could be lodged at any Queensland court.

TABLE A36. POST APPLICATION OFFENDING OF RESPONDENTS WITH AN INITIATING APPLICATION LODGED AND COMPLETED AT SOUTHPORT MAGISTRATES COURT AND THE COMPARISON COURTS

	Southport		Caboolture		Cleveland	
Charge after application	N	%	N	%	N	%
No	6,465	88%	2,441	89%	1,594	89%
Yes	866	12%	310	11%	195	11%
Total	7,331	100%	2,751	100%	1,789	100%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Lodged and completed applications and related charges. Court location refers to the location of the initiating application. Post application offences history included DFV flagged offences or contravention charges charged after the concluding event of the respondents' earliest initiating application. Charges included in this count could be lodged at any Queensland court.

TABLE A37. RESPONDENTS CHARGED WITH DFV OR CONTRAVENTION CHARGES DURING THEIR APPLICATION AT SOUTHPORT MAGISTRATES COURT BY RELATIONSHIP TYPE

	Intimate personal relationship		Family relationship		Informal care relationship	
Charge during application	N	%	N	%	N	%
No	5,405	93%	1,426	95%	16	94%
Yes	401	7%	82	5%	1	6%
Total	5,806	100%	1,508	100%	17	100%

Source: QWIC- Applications and Charges; 1/7/2017 to 31/3/2020

Note: Lodged and completed applications and related charges. Court location refers to the location of the initiating application. Charges before application included DFV flagged offences or contravention charges charged prior to the lodgement date of the respondents' earliest initiating application. Charges after application included DFV flagged offences or contravention charges charged after the concluding event.

APPENDIX 6: BIBLIOGRAPHY

This is a list of all sources considered throughout the evaluation. Some of these sources are not cited in the evaluation or literature review. We have listed them here to help readers build relevant context.

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