

# **Time for change:**

**tipping points for strategic responses to domestic  
and family violence related deaths**

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**Australian Domestic & Family Violence Clearinghouse**

**AIC International Conference on Homicide:  
domestic related homicide**

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# DYING TO BE HEARD

## Call for domestic homicide review

**Ruth Pollard**

A STATEWIDE domestic homicide review is being urged, driven by incoherent domestic violence policies and the failure of the legal system to help protect women from being killed by their violent partners.

Such reviews from the United States to Britain and Canada have documented inadequacies in service meant to help women and children, legal impediments, training gaps and patterns of violence that indicate to authorities a family is at increased risk.

The findings have forced changes in policy and practice and in many districts have resulted in large reductions in domestic violence homicides.

Monday's Victoria because the first state in Australia to establish a review more than a decade after a Californian county completed its first systemic examination of the high number of women and children being murdered in domestic violence attacks.

"Whether you are looking at a single death or a number of deaths over time, what research shows us is that clear patterns are able to be identified where the system is weak," said Betty Green, the convener of the NSW Domestic Violence Coalition.

"Maybe policy changes are needed, maybe it is increased resources for training police and magistrates - these are the kinds of changes that we have not really targeted, but we haven't really targeted resources or training towards what can we do to help victims to safely leave a perpetrator."

Another common factor that has come up in every review is poor communication between the agencies dealing with the victim and the offender, which often include social services and drug and alcohol programs, she said.

"These reviews help us to identify where some of the weaknesses in the system are, where resources need to be focused and to understand what is needed to implement change," Professor Dawson said.

In every death, there are what experts call "red flags" - actions that

### REDUCING THE DEATH TOLL

A success story from Santa Clara County, California

1997 51 murders

Policy review begins

2007 3 murders

Myra Dawson is an associate professor in public policy in criminal justice at the University of Guelph in Canada, and is a member of the Ontario domestic fatality review team.

"We make recommendations that are targeted at specific bodies who might be able to implement a change, such as education for health professionals, police or social services on the common risk factors," Professor Dawson said.

"Actual or pending separation is key... in almost 80 per cent of fatalities we have reviewed, separation has played a

role in some capacity, but we haven't really targeted resources or training towards what can we do to help victims to safely leave a perpetrator."

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# Dying to be heard

## Shameful secret of our family murder epidemic

Community Services had been notified there were problems in the family.



Rachael Young

Rachael was shot in the head by her estranged partner, Stephen Downey, in front of her six-year-old daughter in 2006. Downey had been sentenced to nine months' jail for breaching his apprehended violence order but was released on a good behaviour bond. He killed himself after he killed Rachael.



Jean Lennon

Jean's estranged husband, Hoss Madslaw, shot her five times on the steps of Parramatta Family Court in 1996, after two years of breaches of apprehended violence orders and threats of suicide. He was sentenced to a minimum of 14 years in jail for the crime, which was described as an execution.

# DYING

## at and mouse for women at risk

### REMEMBERING THE VICTIMS



Jack, Maddie and Bon Bell

# DYING

## Deadly game of cat and mouse for women at risk

# Despite her cries for help, Evelina was left to die



From Paper1  
set down to talk and Slobodan Gavrilovic laid down the law. If his wife left he would get nothing, he warned - no money, no house, nothing, a statement to police revealed.

Despite his threats, Evelina left, going to a refuge in south-west Sydney. On January 17 she went to her local police station seeking immediate apprehended violence order. It was denied.

On January 25, she rang police again, saying she feared for her safety and that she was scared of her husband. Two days later, Slobodan showed up at Granville, where she was registering a course.

To stay close to her, he too had rolled. Again, she reported it to police but again was told records could not be issued with an immediate protection order.

On January 29, he followed her to his friends' house in Cammeray. He was so scared she pulled into service station and hid behind a counter until police arrived.

Evelina appeared visibly wet and openly wept on camera... at times she hid and began to shake uncontrollably. An officer wrote



## Out of tragedy, hopefully some good may come

**INGRID POULSON**

Perhaps the only thing we can do is help

... pity, and our disgust because it shows us the dark potentialities in the human heart. To fight our enemy, we must understand it. And for me, this is really the most important role for the review team: using the painful lessons of our understanding, to shed light into the corners of our ignorance and children's lives.

# Deadly game of cat and mouse for women at risk

children murdered in violence is a 10-year high, prompting calls for an urgent review of the state's fractured legal, police and community service systems.

At least 74 women and dozens

granted that...  
A woman and her baby were brought to death in their home by her boyfriend - violence had been repeatedly reported to police.

The NSW Ombudsman, Bruce

ical and...  
and suspend the perpetrator to own a weapon.

behalf of a woman...  
domestic homicide...  
to inform...  
and pre...

predictable act of violence...  
husband's behavior...  
now know better...

to check her...  
day from...  
completely different response

# When does change come?

## US - Joseph Charan

- 15 January 1990, shot dead his wife, then himself
- had history of violence
- prior to murder, was convicted of assault, given probation and four days' jail

Became a watershed case in the US

A detailed investigation:

- establishment of Domestic Violence Fatality Review Teams across USA



# When does change come?

## New Zealand - Alan Bristol

- 4 February 1994, killed his three children, then himself
- deaths followed a bitter custody battle
- despite violence to his ex partner, was awarded contact with his three children

Questioned view that a violent partner could be a good parent

Independent enquiry into NZ Family Court proceedings

- ➔ rebuttable presumption against contact or unsupervised contact for violent partners



# When does change come?

## Northern Territory - Trenton Cunningham

- May 2005, Trenton Cunningham beat his wife to death
  - was on parole for an earlier assault

Case exposed serious failings in supervision and enforcement of parole

Coroner investigation:

→ enforcement of greater supervision of parolees

draft of new bill:

- obligation for all adults in the NT to report to police, certain incidents of domestic and family violence



**We need to take action  
now**



# DV related homicides not declining

***AIC National Homicide Monitoring Program – total homicides, → decline of one third in last 6 years***

- 2006 – 2007: **266**
- 2005 - 2006: **283**
- 2004 - 2005: **249**
- 2003 - 2004: **288**
- 2002 - 2003: **381**
- 2001 - 2002: **317**

***AIC NHMP - intimate partner related homicide, → stable, not declining***

- 2006 – 2007: **65**
- 2005 – 2006: **74**
- 2004 – 2005: **66**
- 2003 – 2004: **71**
- 2002 – 2003: **57**
- 2001 – 2002: **92**



# DV related homicides not declining

## *NSW BOCSAR, Domestic violence related homicides in NSW*

- 2007 – 2008: **29**
- 2006 – 2007: **16**
- 2005 – 2006: **22**
- 2004 – 2005: **21**
- 2003 – 2004: **20**
- 2002 – 2003: **23**
- 2001 – 2002: **27**
- 2000 – 2001: **26**

- strong linear downward trend for all homicides in NSW  
(from **100** in 2000 – 01 to **86** in 2007 – 08)

- trend is stable for domestic violence related homicides



# Not getting the full picture

## ***NHMP – intimate partner homicides***

- Excludes DV related suicide
- Excludes other deaths outside the intimate relationship
- Includes child homicide separately, doesn't indicate if DV was a factor\*

### **\* DV is important in child homicide**

NSW cases from 1996 – 2005:

- **96** children and young people died from assault - almost all by family members, DV definitely present in **50%** of families

## ***BOCSAR data***

- Includes male, female and child DV related homicide, not suicides



# Not getting the full picture

## *DV homicide statistics don't include:*

- abuse-related miscarriage
- fetuses of murdered pregnant women
- victims who suicide to exit the relationship
- suicide of perpetrator
- deaths from by-products of DV
  - e.g. drug or alcohol use, HIV/AIDS, deaths occurring on the streets for homeless women, violent deaths of sex workers
- attempted homicides or suicides



**Relatively low domestic  
violence homicide statistics  
are deceptive**



# Terrible toll of DV deaths

*Statistics do not capture pain and suffering of families, communities or workers; e.g. feelings of:*

- betrayal
  - guilt
  - anger
  - depression
  - helplessness
  - terror
- Or trauma for victims of witnessing murders, hearing murders being carried out or discovering the bodies



# In their own words

- Ingrid Poulson

(photo, *Kate Geraghty*, SMH, 9 August 2009)



# In their own words

- Karen Bell
- (60 Minutes, Channel 9, 6 July 2008)



# Are these deaths preventable?

## *Wholly preventable deaths*

- Deaths not isolated events
- Families often known to agencies
- Low conviction rates for DV, dangerous offenders often receive bail
- Many murders result over disputes re separation or child contact
- Despite DV allegations, violent parent often awarded contact, unsupervised



# When families are not known to agencies – UK review

## What the informal networks (family & friends) knew

- knew far more than agencies
- did not consider the risk of serious violence
- victim blaming and excusing perpetrators
- limited understanding of the dynamics of DV
- did not view coercive control as DV or dangerous
- lacked knowledge and resources to interpret what they knew

## Informal networks:

- where women are most likely to seek help



# When families are not known to agencies – UK review

## What agencies knew:

- Few cases had any contact with agencies or GPs
- GPs had the least knowledge about DV and risk
  - concerning, as only agency having any contact with either party
- Limited knowledge of RA
- Different agencies used different assessments & risk factors
- Problems with information sharing, coordinated RA or risk management
- Little confidence in RA tools or ability to predict lethality



**What can we do, based on the  
information and experience  
that we have right now?**



# Clearinghouse recommends

- Establish a death reduction target
- National Homicide Monitoring Program to count all DV related deaths
- Utilise information from different agencies; have coordinated, multi-agency responses
- Develop standardised, multi-agency risk assessment processes, training, evaluation and review of tools
- Integrated responses to DV, minimum service standards & annual review process



# Clearinghouse recommends

- Develop targeted information about DV and lethal risk to doctors, families and friends of victims
- Consider DV perpetrator's lethal risk when policing breaches, considering bail applications, monitoring parole
- Introduce a presumption in family law that men who are violent to their partners or children are not awarded child contact, or must have supervised contact
- Introduce DV death review processes to identify system failures & points of intervention



# Final thought

**Ingrid Poulson:**

We have the facts, the infrastructure, the support and the models to put this into place.

Lives are at stake.

The question is no longer “what if?” but,

**“What are we waiting for?”**

