Acknowledgement of Country

The ACT Government acknowledges the traditional custodians of the ACT, the Ngunnawal People. The ACT Government acknowledges and respects their continuing culture and the contribution they make to the life of the city and this region.

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Director-General’s Message

We are all affected by violence against women and children. Collectively, domestic and family violence and sexual assault cause deep and lasting damage. The effects of this type of abuse are unspeakably serious — and yet they demand that we do, in fact, come together to speak openly about how we can share the responsibility for effecting real change.

The Community Services Directorate (the Directorate) has reflected this message in a Statement of Commitment, which articulates our aim to become an accredited White Ribbon Workplace. This expresses a shared belief that violence against women is a human rights issue which must be addressed in the workplace. The White Ribbon campaign works through primary prevention initiatives involving awareness raising and education, and programs with youth, schools, workplaces and across the broader community. It is underpinned by an understanding that domestic and family violence is an issue which demands joined-up responses and an unflagging commitment to making a difference.

In moving forward, we therefore need to consider how to further improve our understanding of the diverse experiences of violence — and how we can better respond to the needs of individuals, while providing an effective system response. This means, for example, a more nuanced appreciation of the particular needs and experiences of women from culturally and linguistically diverse backgrounds, and lesbian, gay, bisexual, transgender and intersex community members who experience domestic and family violence and sexual assault.

I welcome the leading role that Housing and Community Services has taken in reviewing its practices to identify and then respond to incidents of family and domestic violence in a timely and professional manner. Awareness raising, education and training are all critical to achieving these outcomes and I commend the production of this updated and contemporary version of the Housing and Community Services *Domestic and Family Violence Policy Manual*. It provides a strong practical example of the Directorate’s Statement of Commitment at work.

Natalie Howson
Director-General, Community Services Directorate
Foreword

Violence against women and children is one of the most serious issues we face as a community and has been described as a ‘global public health problem of epidemic proportions, requiring urgent action’.¹

Now, more than ever, family, domestic and sexual violence requires a coordinated response. This must start with prevention; address legal and crisis support services; continue through to post-crisis support for those affected by violence; and include interventions for people who use violence.

The Second Implementation Plan of the ACT Prevention of Violence against Women and Children Strategy 2011–2017 assigns priority to driving whole-of-community and government action to prevent violence and create an anti-violence culture in the ACT. This priority includes actions which focus on the development or review of domestic violence policies and guidelines within both the government and the community sector.

I welcome Housing and Community Services’ (HACS’) initiative to review and update its Domestic and Family Violence Policy Manual to better reflect contemporary approaches in responding to domestic and family violence, including jurisdictional and national strategies. I commend the work that has been done and the clear, consistent and coherent policy manual that has resulted.

As domestic and family violence remains the primary cause of women’s homelessness, safe and accessible housing is essential to the wellbeing of women and their children. Since the first Domestic Violence Policy Manual was produced in 2008, HACS has consolidated its role as a provider of front line services to people affected by domestic and family violence, in particular through the universal, targeted and integrated housing response to at risk women and children.

The updated manual includes a Domestic and Family Violence Service Delivery Framework, which outlines the pathways and responsibilities for each HACS business unit in responding to domestic and family violence. It does this in a way which does not prescribe a set outcome but, rather, enables support and assistance to be flexible, timely and appropriate to the needs of the person who has been affected by the violence. The Practice Guide section (Appendix A) also provides useful links to best practice service supports for staff.

It is important to note that HACS’ enhanced approach to responding to domestic and family violence is underpinned by a clear acceptance of the authenticity of a woman’s description of her experience of violence. This reflects an understanding that the effects of domestic and family violence may make it difficult for women to speak about their experiences. It also informs the commitment of all HACS staff to provide supportive, non-judgemental services to women and children. This understanding ensures that staff will place responsibility for domestic and family violence and its impacts on the person using violence.

I am pleased to endorse this updated Domestic and Family Violence Policy Manual and to reaffirm the commitment of the Domestic Violence Crisis Service to work collaboratively with HACS to provide a more integrated and efficient response to domestic violence in our community.

Mirjana Wilson
Executive Director, Domestic Violence Crisis Service

¹ World Health Organization — Violence Against Women: Global Picture Health Response
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Section 1: Introduction

Through the lens of a multi-system approach, the impact of domestic and family violence on women, children and young people can be exacerbated or ameliorated by the structures, policies and procedures of a broad range of social and legal systems, including housing.

The positioning of women and children as the subjects of this policy is an explicit acknowledgement by Housing and Community Services (HACS) of the gendered nature of domestic and family violence. The overwhelming majority of people who experience domestic and family violence are women and children. The violence is generally perpetrated by men they know and often in their own home. As a result, women and children are, and will continue to be, the predominant users of domestic and family violence services, and their positioning in this policy manual is an important part of meeting the specific needs of women and children experiencing domestic and family violence in the ACT.

HACS acknowledges that a small percentage of men also experience domestic and family violence, most often committed by other men.

HACS is committed to supporting men who experience violence and men who use violence to address their behaviour. The policies and processes outlined in this document are applicable to all HACS clients, and the services referred to in this document, such as the Domestic Violence Crisis Service (DVCS), are available to anyone in the ACT. Men are also more likely than women to experience other forms of violence, like violence by other men in public places, which is outside of the scope of this policy manual.

Domestic and family violence is a whole-of-community issue and requires a whole-of-community and multi-system response. Both the National Plan to Reduce Violence against Women and their Children 2010–2022 and the ACT Prevention of Violence against Women and Children Strategy 2011–2017 acknowledge that coordinated, multi-agency and integrated responses in interventions targeting both women who experience violence, and men who use violence, are best practice in responding to violence against women.

Systems and services integration ensures that specialist responses for identifying and responding to violence against women and their children are effective. This means ensuring collaboration between the police, domestic and family violence and sexual assault services, housing and homelessness services, child protection, health and mental health services, income support and financial management support, interventions and programs for users of violence and, where necessary, culturally-specific support services.

The ACT’s response to domestic and family violence includes a range of services and strategies to provide efficient and coordinated criminal justice responses. The Family Violence Intervention Program (FVIP), established in 1998, and the Sexual Assault Reform Program (SARP), established in 2007, have improved cooperation between agencies and provided opportunities for offender accountability and rehabilitation, by significantly increasing the rate and timeliness of Family Violence (FV) matters progressing before the courts.

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In addition, the national and ACT strategies encompass responses to violence against women and children more broadly, including a focus on prevention and early intervention. Importantly, the ACT Second Implementation Plan sets out clear actions to improve programs, services and systems that support families experiencing or at risk of domestic and family violence, including sexual assault in non-domestic and family contexts.

The FVIP, and in particular the immediate post-incident response of the DVCS, are supported by the secondary-crisis response from the ACT’s accommodation services. Entry to the homelessness system is coordinated through First Point, the ACT’s central access service, which prioritises people experiencing homelessness so that people most in need gain access to the intensive supports provided by crisis accommodation services.

HACS has consciously positioned itself as the long-term accommodation response for women experiencing or at risk of homelessness. HACS also functions as an entry point to a range of community services, including early intervention and crisis and post-crisis support in relation to domestic and family violence, through the One Human Services Gateway, the integrated intake and case coordination service.

In recognition of its range of critical roles in responding to domestic and family violence and homelessness, HACS has developed a Domestic and Family Violence Service Delivery Framework. The framework confirms HACS’ commitment to delivering timely and effective responses to people subjected to domestic and family violence. By clearly stating a commitment to providing assistance to women and children experiencing domestic and family violence and by ensuring that policies and procedures are transparent and consistent, we are better placed to work with clients to ameliorate the immediate and longer-term effects of domestic and family violence.

In doing so, HACS recognises the importance of providing respectful, non-judgemental and culturally-sensitive support to women and children experiencing this type of violence. HACS acknowledges the complexity of domestic and family violence and, in particular, the vulnerable position of children and young people who are subjected to or witness this violence.

HACS acknowledges the specialist work and expertise of our community sector partners who provide a range of supports to women and children experiencing domestic and family violence, including crisis counselling, safety planning and information, accommodation and case-management. Community organisations such as DVCS also provide a range of supports to men who experience and use violence, and work in partnership with other organisations to support men in addressing their use of violence. These organisations play a critical role in the whole-of-community response to domestic and family violence in the ACT. HACS is committed to continuing to work in partnership with these organisations to ensure effective responses to domestic and family violence that improve the safety of women and children and also benefit the entire community.
Definition

According to Article 1 of the United Nations Declaration on the Elimination of Violence against Women, “the term ‘violence against women’ means any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm, or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life”.

In Australia, violence against women is commonly understood as referring to domestic and family violence, and sexual assault of women. Although there is overlap between different forms of violence against women, sexual assault is committed in a broader range of contexts than just intimate partner and family relationships, which is beyond the scope of this policy manual.

This policy deals specifically with domestic and family violence, reflecting the nature of this form of violence and its intersection with homelessness, and the position and commitments of HACS in this context.

Domestic and family violence is fundamentally characterised as an ongoing pattern of coercive controlling behaviour whereas adult sexual assault (excluding intimate partner sexual assault) can be a one-off attack or series of incidents. In domestic and family violence, the victim is often forced to engage with the perpetrator in an ongoing way outside of the criminal justice system even following separation through institutional structures such as family law, children’s schooling and family contacts. Safety is a critical and a persistent issue for victims of domestic and family violence.

The definition of domestic violence contained in the National Plan (Council of Australian Governments [COAG], 2011) is:

Domestic violence refers to acts of violence that occur between people who have, or have had, an intimate relationship. While there is no single definition, the central element of domestic violence is an ongoing pattern of behaviour aimed at controlling a partner through fear, for example by using behaviour which is violent and threatening. In most cases, the violent behaviour is part of a range of tactics to exercise power and control over women and their children, and can be both criminal and non-criminal. Domestic violence includes physical, sexual, emotional and psychological abuse. (COAG, 2011, p2)

Family violence is a more inclusive term and refers to violence between family members, as well as violence between intimate partners, and involves the same types of behaviours as described for domestic violence. The term ‘family violence’ is the most widely used term to identify the experiences of Indigenous people, because it includes the broad range of marital and kinship relationships in which violence may occur.

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6 Ibid, p5.
7 Ibid, p3.
8 COAG 2011, National plan to reduce violence against women and their children: Including the first three-year action plan, p2, FAHCSIA, Canberra.
Domestic and family violence takes many physical and non-physical forms, such as:

- **Physical abuse**
  The use of violence to hurt, control or intimidate. This may include hitting, punching, slapping, kicking, strangling or using weapons.

- **Sexual abuse**
  The use of sex as a way to control, hurt, and intimidate. This may include sexual assault, forcing a woman to view pornography or to participate in unwanted sexual acts.

- **Psychological or emotional abuse**
  Attempts to make a woman feel worthless or afraid. This may include using intimidation, threats of suicide or threats to hurt a woman, her children or her pets.

- **Financial abuse**
  This includes restricting access to money, threatening to withdraw financial support or making a woman responsible for debts that are not her own. This can affect her ability to care for her family or to leave a violent relationship.

- **Social control**
  This includes isolating a woman from family, friends, and the community by restricting access to family or cultural events and activities such as religious meetings or education.

- **Stalking**
  This is when a person follows or watches a woman or visits places where they know she will be, to try to monitor her whereabouts and intimidate her.

- **Intimidation**
  This is violent behaviour to make a woman fearful. It can be obvious or subtle. It includes threatening statements, looks, gestures, or other behaviour that makes her feel afraid.

- **Harassment**
  This is repeated unwanted contact by the violent person. It can include contact made directly, by phone, email, text messaging, or on social networking websites or through another person.\(^9\)

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\(^9\) Women’s Legal Centre, *Your Court Your Safety.*
Understandings

As noted earlier, domestic and family violence is a gendered form of violence. Women are at least three times more likely than men to experience violence from an intimate partner, and women are five times more likely to report fearing for their lives.\(^\text{10}\)

In most cases where a woman commits domestic and family violence against a man, the man has previously engaged in domestic and family violence against the woman. A person’s use of violence or the occurrence of mutual violence between parties does not preclude them from support to address their use of violence. HACS acknowledges that no form of violence is acceptable, and is committed to supporting men who experience violence and men who use violence to address their behaviour, through its various community sector partnerships.

Violence against women, of which domestic and family violence is one form, is underpinned and enabled by three important factors:

- **gender inequality** — the fact that women and men do not have equal power or resources and that their voices, ideas and work are not valued in the same way
- **rigid adherence to gender roles** — for example, the idea that women and men should act in certain ways or are better at certain things based on their sex
- **attitudes, norms, behaviours and practices that support violence** — for example, the idea that violent acts are ok in certain circumstances, the idea that some violent acts are not serious and that violence is a normal way of resolving conflict.\(^\text{11}\)

The term domestic and family violence is used in this document in recognition of its more inclusive connotations and its growing usage in government and community sectors. The use of varied terminology in this document reflects the language used in the original publication or document.

Domestic and family violence and homelessness

HACS acknowledges the need for a range of housing options to meet the diverse needs of women and children experiencing domestic and family violence. These include social, affordable and community housing, as well as access to the private rental market.

Domestic and family violence is the leading cause of homelessness for women and children in the ACT. A DVCS report, *Staying Home after Domestic Violence*, found that for the 35 women whose case files were analysed, more than 37 per cent were ultimately not able to sustain long-term residency in their family homes following the end of the violent relationship. Well over half of the women who were homeowners or private renters had lost their homes within 12 months of the separation.\(^\text{12}\)

Domestic and family violence can lead to primary and secondary homelessness, as the violence may make it unsafe for a woman and children to reside in the home with the person using violence. The lack of affordable and safe accommodation means that many women and children remain in violent environments or resort to insecure and potentially unsafe accommodation to escape the violence. After leaving the violent relationship, ongoing harassment and intimidation may lead a woman to return to the violent relationship, or require numerous relocations to escape ongoing violence. The emotional and psychological impact of domestic and family violence may mean that it is not safe for the woman and children to continue living in the place where the violence occurred, even after the user of violence has left the property.

HACS recognises that particular groups of women, including women with disabilities, Aboriginal and/or Torres Strait Islander women, women of diverse sexual orientations and gender identities, older women and women from culturally and linguistically diverse backgrounds face additional challenges and barriers to accessing safe,


\(^\text{12}\) Domestic Violence Crisis Service (January 2015), *Staying Home after Domestic Violence*. 
secure and affordable accommodation. HACS engages in ongoing service evaluation and improvement, and collaborates with its community sector partners to improve the accessibility of its services.

The impact of domestic and family violence on women is diverse. However, some common effects of domestic and family violence include: homelessness; poverty; dislocation; fear and anxiety; isolation and lack of social supports; shame; loss of confidence; loss of a sense of self; and difficulty in making decisions.

The impact of domestic and family violence on children is also diverse. Some common effects on children include: withdrawal; attachment issues; hyperactivity; poor socialisation skills; and fear and insecurity.

For more see Page 20, Appendix A, Practice Guide, provides information on the impact of domestic and family violence.
Roles and responsibilities within HACS and related units within the Directorate

Each business unit of HACS has a range of responsibilities in relation to domestic and family violence along the continuum of support, from early and crisis intervention to post-crisis support.

- **Social Housing and Homelessness Services (SHHS)** is responsible for social housing and homelessness policy, planning, research and the management of service funding agreements and grants with a broad range of community services, in line with ACT and Commonwealth Government strategic directions for homelessness service provision. This includes managing service partnership agreements and relationships with our community sector partners who provide crisis support and accommodation services to people who have experienced domestic and family violence and/or homelessness. SHHS works to ensure that there are appropriate and responsive services available for people experiencing domestic and family violence through a continuum of support including early intervention, crisis and post-crisis support and accommodation, and longer-term support.

- **Gateway Services** is responsible for the management and provision of respectful, non-judgemental application and assessment processes and the allocation (including early allocation) of safe and secure housing to women and children escaping domestic and family violence. Gateway Services also has a role to play in assisting and facilitating women to access supports in their community through the provision of case conferences.

- **Property Services** is responsible for assisting women and children to feel safer in their homes via the provision of additional safety and security measures where required. This process is supported by a memorandum of understanding between domestic and family violence support services and HACS. A Domestic Violence Modifications Business Rule permits all HACS officers to seek modifications to improve safety for clients who experience domestic and family violence.

- **Tenancy Services** is responsible for the ongoing tenancy management of properties (including safety). Tenancy managers are often pivotal in the early identification of domestic and family violence through the course of routine property visits and management of tenancies. Tenancy managers also play a role in facilitating priority transfers to improve the safety of women and children who have experienced domestic and family violence. Tenancy managers are responsible for providing referrals to additional supports, including referrals to the Client Support Coordinators (CSCs). The CSCs are responsible for early intervention and the provision of support and to ensure appropriate referrals are offered to the family. The CSCs have a significant role to play in the assessment and recommendation for transfers.

- **Policy and Participation** is responsible for the development and ongoing revision of policies for HACS business units, to ensure these are up-to-date and reflecting best practice responses.

- **Business Development** is responsible for systems support, particularly the use of Homenet to support and record actions related to domestic and family violence.

- **Operational Services** is responsible for supporting applications for changes to tenancies, to allow women and children who are subjected to domestic and family violence to stay in their property.

- **Financial Unit** (with advice from business units) is responsible for considering the dynamics and impacts of domestic and family violence when making an assessment of debt (both from Tenant Responsible Maintenance and rental debt), including the longer-term effects of poverty which often affect women and children who have experienced domestic and family violence.
Learning and Community Education is responsible for the provision of staff training and education regarding issues related to domestic and family violence. This includes working in partnership with DVCS (or another specialist organisation) for the provision of mandatory training and providing training related to the HACS Domestic and Family Violence Policy Manual.

The Office for Women, part of the Community Participation Group of the Directorate, works to enhance the status of women in the ACT and in doing so, assists in the creation of a community where women are safe, healthy, equally represented, and valued.

The Offices for Aboriginal and Torres Strait Islander Affairs and Multicultural Affairs are responsible for ensuring that the specific needs of Aboriginal and/or Torres Strait Islander people and people from culturally and linguistically diverse (CALD) backgrounds are considered in the development of policy related to domestic and family violence. They are responsible for ensuring that the policy direction of the Directorate in relation to domestic and family violence is communicated to the relevant communities and forums with which they interact.

Management at all levels of the Directorate is responsible for the sensitive implementation of procedures in relation to domestic and family violence. Managers are responsible for ensuring that staff are appropriately trained, and that staff attitudes and actions reflect the commitments and principles of the Directorate in relation to domestic and family violence. Management is responsible for ensuring strategic coordination and representation on relevant committees.

Collectively, these roles and responsibilities create a coordinated and integrated response to domestic and family violence within HACS, which aims to ameliorate the impact of domestic and family violence on women, children and young people.
Section 2: Domestic and Family Violence Service Delivery Framework

Purpose

This framework outlines the commitments and principles that inform the work of HACS in relation to domestic and family violence. It also sets out the broader context within which HACS responds to and makes decisions about situations of domestic and family violence.

The framework is more than a policy statement. It is a practical document that translates policy into practice. In this, it is a tool to assist workers with decision-making and the application of discretion by the Commissioner for Social Housing in matters related to domestic and family violence. All decision-making in relation to situations of domestic and family violence should be considered in light of its consistency with the principles, commitments and understandings articulated in this document.

Community and government need to work together to create an integrated service system that addresses the needs of women and children experiencing domestic and family violence. This manual will assist our community sector partners to understand our principles, policies and procedures, and the role of HACS in the continuum of support in relation to domestic and family violence.

These principles will be considered in all decision-making, including any determination and application of discretion by the Commissioner for Social Housing and in the development and application of policies and procedures related to domestic and family violence within the Directorate.

Principles

Housing and Community Services, in its decision-making, policy implementation and daily practices related to domestic and family violence, is guided by four fundamental principles:

- the immediate and long-term safety of women and children is paramount
- the best interests of the child must be maintained
- a woman’s personal account of domestic and family violence, including her understanding of its impact and associated safety risks, will be accepted
- the responsibility for violence always rests with the person using violence
Commitments

HACS is committed to promoting the safety of women and children experiencing domestic and family violence through the provision of safe, secure and affordable housing.

Domestic and family violence is the leading cause of homelessness for women and children in the ACT and throughout Australia. Addressing homelessness as a result of domestic and family violence requires a long-term integrated approach that includes a range of interventions, from primary prevention and early intervention, to crisis and post-crisis responses and long-term initiatives. Two types of assistance are critical in supporting women affected by domestic and family violence:

- provision of safe, secure and affordable housing
- provision of a range of crisis and post-crisis supports including outreach, and assistance with accommodation, health, legal, counselling and other supports for as long as required.

HACS is committed to its role in working with community and government partners to ensure an integrated response for women and children experiencing domestic and family violence.

HACS is committed to providing sensitive, non-judgemental and responsive support to women and children who experience domestic and family violence. This commitment is underpinned by the belief that responsibility for violence always rests with the person using violence.

HACS is committed to ensuring that staff are provided with training that will facilitate sensitive and effective responses to domestic and family violence. This commitment will also be reflected in an ongoing partnership with DVCS or another specialist organisation to provide training. In addition, specific procedural training within HACS (such as tenant responsible maintenance, property standards etc.) will include information specifically related to domestic and family violence.

A refreshed training approach

- HACS will work with DVCS (or another specialist organisation) to ensure that training is contemporary, evidence-based and consistent with the policy position. This approach will strengthen the relationship between HACS and our community sector partners such as DVCS and contribute to an integrated and effective response to domestic and family violence in our community.
- Mandatory training related to the *Domestic and Family Violence Policy Manual* will be rolled out for all HACS staff as part of the policy implementation. Subsequent training will be made available to ensure that all staff maintain a best practice approach.
Privacy and confidentiality

HACS recognises the importance of confidentiality and privacy for all clients and recognises the increased vulnerability of women and children escaping domestic and family violence.

A range of policy documents, including the Information Privacy Act 2014, the Freedom of Information Act 1989, the ACT Public Service Code of Conduct, and the Public Sector Management Act 1994, guide confidentiality and privacy of information within HACS.

The Information Privacy Act makes clear a number of points particularly relevant to confidentiality and privacy for women and children experiencing domestic and family violence. These include ensuring that:

- staff and clients understand the purpose for which information is being collected
- the information collected is relevant
- the collection of the information does not ‘intrude to an unreasonable extent upon the personal affairs of the individual concerned’.

HACS can make notifications to the police or child protection services where issues of safety are concerned. This is an important part of the policy, reflecting HACS’ responsibility to ensure the safety of our clients where ‘the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or of another person’.

Confidentiality and domestic and family violence

In exceptional circumstances, HACS has the capacity to implement additional confidentiality measures in the interests of safety. These include changing identifiers on files or storing files with managers.
Commissioner discretion and hardship

HACS recognises that responding effectively to women and children experiencing domestic and family violence, to meet their immediate need for safety and their long-term need for housing stability, may require a range of standard operating procedures to be implemented flexibly. In these cases it is likely that the discretion of the delegate for the Commissioner for Social Housing will be called on.

Using the hardship discretion, under 10(1) of the Housing Assistance Public Rental Housing Assistance Program 2013 (No 1), the Commissioner for Social Housing can waive all criteria for housing assistance except for the minimum age criterion. To ensure equity to all applicants for housing assistance, discretion shall only be applied to cases where it can be determined there is ‘severe hardship that cannot be alleviated by any other means’.

Severe hardship — applies in circumstances where an applicant may be experiencing deprivation of the necessities of life, such as safety, food, shelter and essential medical treatment. Women and children experiencing domestic and family violence will often meet the criteria in relation to the need for safety and shelter.

By any other means — requires the Commissioner to be satisfied that access to other resources to alleviate the hardship is not available, such as the ability to afford private rental or the capacity to access finances that may be withheld by the person using violence.

The delegation to exercise the Commissioner’s discretion varies according to the matter to be determined, as outlined in the Housing Assistance Public Rental Housing Assistance Program Delegation 2013 (No 1).

For more see
Page 20, Section 3, Procedures
Supporting documentation

HACS’s response to domestic and family violence is underpinned by an acceptance of a woman’s disclosed experience of domestic and family violence, including her understanding of its impact and associated safety risks.

Where supporting documentation is required, this will be requested in a respectful and non-judgemental manner, which acknowledges that the impact of domestic and family violence may make it difficult for a woman to speak about her experience of violence and that obtaining supporting documentation may be challenging for her or may exacerbate an existing unsafe and stressful situation.

HACS recognises that some women, particularly women with disabilities, Aboriginal and/or Torres Strait Islander women, women of diverse sexual orientations and gender identities, older women and women from CALD backgrounds may face additional barriers to obtaining supporting documentation. These barriers include social and cultural stigma, language, lack of information about or access to services, and lack of client-specific and culturally-sensitive services.

If a client is unable to provide supporting documentation, particularly where there are concerns for safety, an interview will be undertaken by a senior officer in Gateway Services or a person nominated by the Senior Manager Gateway Services. If the Senior Manager supports the application, it will from that point be treated as having provided proof of domestic and family violence.

Supporting documentation in relation to domestic and family violence does not need to contain explicit details. It might broadly outline the situation and the impact of the domestic and family violence to support claims made by the applicant or tenant. HACS will endeavour to ensure that supporting documentation only needs to be presented once; however, in some cases additional information may be required to support a particular claim. For example, the documentation presented for a priority transfer may not contain the information required to assess domestic and family violence-related property damage. Letters from support services (consistent with accepted documentation listed below) will be accepted as supporting documentation.

HACS maintains strong working relationships with the community organisations that provide support and accommodation to women and children experiencing domestic and family violence, through forums such as the Joint Pathways Group. The robust relationship between HACS and the community sector is reflected in the One Human Services Gateway (1HSG), a co-location model which forms a single access point for people to connect with a range of supports and services. Similarly, the Multi-Disciplinary Panel (MDP) draws on the experience and expertise of a range of community sector partners who collaborate to assess applications for priority housing.

Accepted supporting documentation

HACS will accept ONE of the following as adequate supporting documentation:

- A current Domestic Violence Order (DVO) from any jurisdiction within Australia.
- A letter from:
  - the police
  - DVCS
  - Canberra Rape Crisis Centre
  - Beryl Women’s Refuge
  - Doris Women’s Refuge
  - Toora Women Incorporated
  - YWCA of Canberra
- other recognised domestic and family violence/homelessness support or accommodation service. Where there is a lack of clarity about who is a ‘recognised’ service provider, the issue will be resolved by the Senior Manager of the area involved, in consultation with the Senior Manager SHHS Office for Children, Youth and Family Support.

HACS will accept **TWO** of the following as adequate supporting documentation:

- A letter from a:
  - solicitor
  - relevant community welfare support worker
  - relevant government support worker
  - social worker
  - psychiatrist
  - family doctor
  - drug and alcohol service.

**Additional supporting documentation**

Where any additional information is required, HACS will contact the support services not the client, clearly indicating the information required.
Section 3: Procedures

Principle icons key
The following icons are used throughout this section to identify the key principle(s) underpinning the procedure described.

- Safety
- Best interests of the child
- Acceptance of a woman’s account
- Responsibility rests with the person using violence

Gateway Services

Eligibility
All applicants applying for housing assistance must meet the social housing eligibility criteria. Discretion can be applied in relation to issues such as assets, income and debt in situations that clearly fall within the hardship category as outlined above. Any waivers of the eligibility criteria require supporting documentation (consistent with the Supporting documentation section, page 18), this supporting documentation will be considered in relation to the immediate safety and security of the family and the long-term interests of children.

Priority/early allocation
Under the Housing Assistance Public Rental Housing Assistance Program (Housing Needs Categories) Determination 2011 (No 1), women with or without children experiencing domestic and family violence are eligible for priority needs assessment. Applicants seeking assistance on the basis of domestic and family violence are required to provide supporting documentation along with their application (but note the exception in the Supporting documentation section above for situations where a client is unable to provide supporting documentation).

The ongoing use of the MDP, consisting of community and government representatives with relevant expertise, ensures that issues such as domestic and family violence are given due consideration for priority classification.

Interstate residents
Interstate residents may apply for priority housing if they are eligible for social housing AND can demonstrate a compelling need to move to the ACT, such as location of family and support systems, or where they were a prior long-term resident of the ACT.

- Supporting documentation — as outlined in this policy.
- Procedure — an assessing officer in Gateway Services will make an assessment and recommendation to be
determined by the Senior Manager Gateway Services.

For women who live in some areas of regional NSW, the ACT is the closest city centre and may be the only accessible source of support, particularly where there is an imminent threat to the safety of the woman and her children.

Refugees or sponsored migrants

A sponsored migrant or refugee may be eligible for assistance if it can be demonstrated that an Assurance of Support arrangement has broken down because of domestic and family violence and the applicant has been granted a Statutory Income or where a refugee awaiting permanent residency is escaping domestic and family violence.

- Supporting documentation — as outlined in this policy.
- Procedure — an assessing officer in Gateway Services will make an assessment and recommendation to be determined by the Senior Manager Gateway Services.

Assets

For women escaping domestic and family violence, the outcome of property settlement may take some time, particularly if it is delayed by the person using violence as part of a pattern of power and control. In the interests of safety or because of the ongoing impact of the domestic and family violence, women escaping violence may forego any attempt to recoup interest in a property.

Any application of discretion will be applied with consideration to safety, security and the best interests of children. Housing Assistance Public Rental Housing Assistance Program (Eligibility criteria for assistance) Operation Guideline 2008 (No 1) specifically recognises that in cases of domestic and family violence, access to part ownership in a property may be waived when determining hardship.

- Supporting documentation — as outlined in this policy.
- Procedure — an assessing officer in Gateway Services will make an assessment and recommendation to be determined by the Senior Manager Gateway Services.

Property allocations

Allocation of properties within the priority housing category is based on a needs and suitability basis rather than chronological order. This allows HACS to match properties to the needs of the applicant.

Senior Assessing Officers work with Allocations Officers to monitor available properties and match these to suitable applicants. Allocations are based on stock availability and portfolio limitations.

Ongoing support from both community and government services to create a sense of safety, including the provision of security upgrades to a property, is an integral part of supporting women and children who have experienced domestic and family violence.

HACS recognises the immediate and long-term impacts of domestic and family violence on women and children and, where possible, takes into account issues such as neighbourhood violence and known domestic and family violence in an adjacent or nearby property.
Tenancy

Priority transfer

A tenant may apply for, or be identified as appropriate for, a priority transfer due to domestic and family violence. While HACS will take issues of safety into account, it may still be necessary for a tenant to find temporary safe accommodation while a suitable property is identified.

HACT recognises both the immediate and the long-term negative effects for people subjected to domestic and family violence and on those who have witnessed violence, such as children. HACS understands that sometimes the need to transfer may be based on the need for women and/or children to live somewhere other than the location where the violence occurred. A transfer may occur within the area of the original property, or to a different area.

- **Supporting documentation** — as outlined in this policy.

- **Procedure** — Housing Managers are to refer all issues related to priority transfer and domestic and family violence to a CSC. The CSC will convene a case conference attended by the applicant, an assessing officer from Gateway Services and any community support services. If it is determined by the CSC that a transfer is appropriate, the Gateway Services officer will write up and progress a recommendation to the MDP for approval.
Remaining in the property

HACS is committed to assisting people subjected to domestic and family violence to remain in their homes following domestic and family violence, where it is safe to do so and that is the wish of the tenant. This is consistent with the strategic directions outlined by the Commonwealth Government through the National Housing and Homelessness Agreement (NAHA) and other policy. Through these strategic policies, the Commonwealth Government has made clear that each state and territory must explore and implement policy and procedures that work to increase the number of women and children who remain in their own homes following domestic and family violence.

Under clause 85 of the Residential Tenancies Act 1997, if a tenant or joint tenant has been excluded from being at the property by a court order (other than an interim order), the remaining resident or joint tenant may apply for the tenancy to be put into their name. In order to do this, the person seeking to be made the tenant must be eligible for social housing and an application needs to be made to the ACT Civil and Administrative Appeals Tribunal (ACAT).

Where a tenant is excluded (by Court Order) from a property for using domestic and family violence, HACS is committed to working with the remaining tenant or resident or an organisation working on their behalf, in making their application to ACAT.

Where one occupant agrees to leave the property

If the tenant or joint tenant is a person using domestic and family violence and agrees to leave the property through their own volition, the remaining tenant or resident can make an application to HACS to have a tenancy in their own name in that property.

- **Supporting documentation** — written evidence by one occupant indicating their intention to leave the property and requesting they be removed as a tenant from that property.

- **Procedure** — as above.

Where a property is transferred to a new tenancy because of domestic and family violence, HACS will undertake an immediate property inspection to determine any damage to the property that may have been caused by the person using domestic and family violence.

For more see
Page 24, Tenant Responsible Maintenance and page 22 Priority transfer procedure.
Finance

Waiving prior debt

HACS recognises that economic violence can be a component of domestic and family violence, where the person using violence may control and withhold finance and resources as a means of controlling the person subjected to the violence. HACS recognises that women and children experiencing domestic and family violence and experiencing homelessness may end up living in situations of extreme hardship and poverty.

However, the Commissioner for Social Housing does NOT have capacity to waive debt. Any determination to waive a debt owed to the ACT Government must be made by a delegate of the ACT Treasurer. This delegate may determine to waive part or all of a debt where domestic and family violence is proved to have been a component in the accumulation of that debt and where repayment of that debt will cause undue hardship.

- **Evidence** — the personal account of the woman experiencing domestic and family violence and/or documentation consistent with the accepted supporting documentation.

- **Procedure** — in the creation of a new tenancy, consideration may be given to waive some of any rental arrears where there is evidence (consistent with evidence requirements outlined in this document) that the arrears are a result of domestic and family violence AND where payment of these arrears will cause extreme hardship, particularly in relation to children. The assessment and recommendation to apply discretion and waive some of the rental arrears will be conducted by the Manager, Gateway Services or a Regional Manager Tenancy and forwarded to Manager, Accounts Receivable for forwarding to ACT Treasury for determination.

Transfer with debt

Prior debt with HACS will NOT preclude a transfer where there are issues of safety for women and children. Any priority transfer must have involvement with the CSCs to ensure appropriate supports are available.

- **Supporting documentation** — as outlined in this policy.

- **Procedure** — a Housing Manager who believes a priority transfer is required due to domestic and family violence must refer the matter to a CSC. The CSC will undertake an assessment and make a recommendation to be forwarded to the Manager, Tenancy Services or the Senior Manager, Gateway Services for determination. The involvement of the CSC is a critical opportunity to ensure early intervention and seek appropriate referrals.
Tenant responsible maintenance

Where there is damage to a property caused by domestic and family violence the following will apply:

- **Evidence** — the personal account of the woman experiencing domestic and family violence and/or documentation consistent with the accepted supporting documentation, as outlined in this policy.

- **Procedure** —
  - Housing Managers will obtain the police reference numbers where applicable (recognising that damage is often done by the person using violence after the woman has left the property and police may not have been notified)
  - Housing Managers will accept the woman’s description of her experience of domestic and family violence in the first instance. They will work with the woman in a respectful and non-judgmental manner, asking further questions to attempt to ascertain additional information, prior to the matter being referred to Accounts Receivable.
  - Housing Managers will provide copies of previously supplied evidence with the file and forward the information to the Manager of Accounts Receivable. The Manager of Accounts Receivable will assess the TRM sheet and earmark all Tenant Responsible Maintenance that can be attributed to domestic and family violence. (This includes damage to walls, doors, fittings etc.). This amount will be removed from the woman’s account.

If property damage is associated with the incidence of domestic and family violence, HACT may consider pursuing charges of wilful damage against the user of violence.

Complaints

When complaints are made — for example, noise complaints — in relation to a domestic and family violence incident involving a tenant, HACS will employ a respectful and non-judgmental approach to addressing the issue with the woman (who may be the tenant but is not responsible for the behaviour that led to the complaint). This approach seeks to ensure that women who experience domestic and family violence do not perceive themselves as being blamed for the violence, which is underpinned by HACS’s acknowledgement that responsibility for the violence rests with the person using violence. HACS recognises that addressing a complaint with a woman may be an opportunity for staff to offer support and encourage the woman to develop a safety plan.

For more see

Page 27, Appendix A, Practice Guide, ‘How to respond to a disclosure of domestic and family violence’.
New applicant procedure

1. Completed application kit identifies domestic and family violence or applicant requests a personal interview to assist with the application process.

2. Intake officer books client into the next available emergency assessment appointment and refers the file to a senior assessing officer.

3. Senior assessing officer determines whether the case should be:
   - **STANDARD or HIGH NEEDS**
     - All cases will be reviewed by a specifically designated Senior Gateway Officer.
   - **OR**
   - **PRIORITY**
     - Case to be written up and presented to the MDP.

Existing Tenant: Priority Transfer procedure

1. Domestic and family violence identified or disclosed to Housing Manager (HM). If immediate safety concerns are identified, see page 29 How to respond to a disclosure of domestic and family violence.

2. HM makes referral to Client Support Coordinator (CSC).

3. CSC organises a case conference with tenant, Gateway Assessing Officer and appropriate community supports, such as the DVCS or a crisis accommodation service.

4. Gateway Services Officer writes up case and presents to the MDP.

5. If approved by the MDP, Property Services is to be notified to undertake a property inspection to ascertain domestic and family violence related Tenant Responsible Maintenance (TRM). See process for assessing TRM in this policy.

6. All potential allocation offers will be discussed with the area HM to ensure allocation is appropriate (for example, that there are no existing issues of violence in nearby properties).
Appendix A: Practice Guide

Understanding domestic and family violence

Domestic violence refers to acts of violence that occur between people who have, or have had, an intimate relationship. While there is no single definition, the central element of domestic violence is an ongoing pattern of behaviour aimed at controlling a partner through fear — for example, by using behaviour which is violent and threatening. Family violence is a more inclusive term and refers to violence between family members, as well as violence between intimate partners, and involves the same types of behaviours as described for domestic and family violence.

Domestic and family violence can take many forms and includes physical, verbal, emotional, psychological, financial and sexual abuse. It can affect people of any age, race, religion, socioeconomic background, gender, sexual orientation, cultural and ethnic background. Notwithstanding this, women and children are disproportionately subjected to domestic and family violence and there are groups of women within our community who are particularly vulnerable to this violence due to a range of inequalities that persist in our society and contribute to the further marginalisation of particular groups, such as women with disabilities, Aboriginal and/or Torres Strait Islander women, women of diverse sexual orientations and gender identities, older women and women from CALD backgrounds.

In many violent relationships, the physical and sexual violence does not begin until after the relationship is well established and for many women their first experience of physical violence will be during pregnancy. People who use violence may initially be over-attentive, controlling or even dominating over their partner, and this behaviour may be considered by the partner as a compliment or a sign of care or love. In some cases domestic and family violence continues long after the relationship has ended.

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**Domestic and family violence cycle**

Women’s experience of domestic and family violence can often follow a pattern known as the cycle of violence. The cycle of violence depicts how a relationship in which an ongoing pattern of power and control is exercised can escalate and become violent, and then de-escalate and continue. Women who have experienced domestic and family violence may recognise this pattern and acknowledge the violence while also recognising positive aspects of the relationship. Over time, the cycle may become shorter or even start to skip the calm phase as the violence becomes more frequent.

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13 ANROWS *Meta-evaluation*, p3.
14 This information is adapted from the Domestic Violence Crisis Service website <www.dvcs.org.au>.
Understanding power and control

The central element of domestic and family violence is ‘an ongoing pattern of behaviour aimed at controlling a partner through fear’. The power and control wheel was developed in Duluth, Minnesota, following interviews with women who had experienced domestic and family violence, who were asked to identify the ways in which they felt they were controlled.

The power and control wheel provides a simplified understanding of various forms of domestic and family violence from the perspective of the woman being subjected to the violence. It is important to note an emerging area of concern, the use of technology to facilitate domestic and family violence, which is an additional and contemporary means of exercising power and control.

15 COAG definition
The power and control wheel

At the centre of the wheel is the purpose of all violent tactics in the relationship, which is the intention of one party to exercise and establish power and control over another.

A person who uses violence believes he or she has a right to control their partner and may use some of the tactics found in the power and control wheel by:

- telling them what to do and expecting obedience
- using force to maintain power and control over partners
- feeling their partners have no right to challenge their desire for power and control
- feeling justified in making the person subjected to domestic and family violence comply
- blaming the abuse on the partner and not accepting responsibility for wrongful acts.

The tactics shown in the wheel are examples of how power and control are exercised against the person subjected to violence:

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### Isolation

- limiting outside involvement
- making a partner avoid people/friends/family by embarrassing or humiliating them in front of others
- expecting a partner to report every move and activity
- restricting the use of the car
- moving residences

### Emotional and mental abuse

- putting the partner down or name calling
- ignoring or discounting their activities and accomplishments
- withholding approval or affection
- making the partner feel as if they are crazy in public or through private humiliation
- unreasonable jealousy and suspicion
- playing mind games

### Economic and financial abuse

- preventing the partner from getting or keeping a job
- withholding funds
- spending family income without consent and/or making the partner struggle to pay bills
- not letting the partner know of or have access to family/personal income
- forcing the partner to ask for basic necessities

### Intimidation

- driving recklessly to make the partner feel threatened or endangered
- destroying property or cherished possessions
- making the partner afraid by using looks/actions/gestures
- throwing objects as an expression of anger to make the partner feel threatened
- displaying weapons

Using children or pets
- threatening to take the children away
- making the partner feel guilty about the children
- abusing children or pets to punish the partner
- using the children to relay messages

Using privileges (perceived or cultural)
- treating another like a servant
- making all the big decisions
- being the one to define male and female roles
- acting like the master or queen of the castle

Sexual abuse
- sex on demand or sexual withholding
- physical assaults during sexual intercourse
- spousal rapes or non-consensual sex
- sexually degrading language
- denying reproductive freedom

Threats
- threats of violence against significant third parties
- threats to commit physical or sexual harm
- threats to commit property destruction
- threats to commit suicide or murder

Physical abuse
- biting/scratching
- slapping/punching
- kicking/stomping
- throwing objects
- locking another in a closet or utilising other confinement
- sleep interference and/or deliberately exhausting the partner with unreasonable demands and lack of rest
- deprivation of heat or food
- shoving another down steps or into objects
- assaults with weapons such as knives/guns/other objects
The non-violence wheel

The non-violence wheel was developed in consultation with women who have experienced domestic and family violence and is designed to be used with the power and control wheel. It aims to describe the changes needed to move from a violent relationship to a respectful relationship.\(^\text{16}\)

In a respectful relationship, power is shared between both parties; neither partner has power or control over the other. Respect is the foundation of the relationship, and trust and love stem from this mutual respect. Arguments and disagreements are possible and likely, even in a respectful relationship, but it is possible to acknowledge and resolve differing understandings and perspectives in a considerate, non-threatening and non-violent manner. There is no excuse for violence in a respectful relationship. It is possible for a violent relationship to become a respectful relationship.

In some cases, women who experience domestic and family violence may feel overwhelmed by or responsible for the violence they have experienced. The non-violence wheel may be useful for HACS staff when engaging in conversations with clients who may be feeling hopeless or guilty about their situation. Prompting a woman to talk about her hopes for the relationship and what she believes she can do to achieve this can be empowering for her, but may also lead her to the realisation that she is not in control of or responsible for her partner’s behaviour.

\(^{16}\) www.theduluthmodel.org/training/wheels.html
The effects of domestic and family violence on children

In homes where domestic and family violence occurs, children are also at high risk of suffering physical, sexual and emotional abuse. Whether or not they are subjected to physical violence, children exposed to domestic and family violence suffer significant emotional and psychological trauma which is similar to that experienced by victims of child abuse.

Living in an environment in which domestic and family violence takes place can be distressing and traumatising for both children and young people. For example, observing property damage as a result of domestic and family violence (holes in walls, kicked in doors etc.) can serve as a constant reminder of the violence and be a trigger.

When children experience domestic and family violence, it can affect their behaviour, development, relationships, emotions, learning ability, cognition and physical health.

Some of the ways children are impacted include:

- aggressive or defiant behaviour
- being anxious, fearful or withdrawn
- negative self concept
- lack of trust
- developmental delays
- feeling responsible for the violence
- post traumatic stress and other psychological effects
- Increased risk of using violence or being subjected to violence as adults

Seeking support in relation to domestic and family violence demonstrates to a child that violence is not acceptable and can be stopped.

Leaving a violent relationship

Women return to violent relationships for many reasons. It is important not to question a woman’s reasons for remaining in a violent relationship. The reasons are personal and sensitive, and questioning may be perceived as judgement or victim-blaming, which may result in the woman disengaging and lead to further risks to her safety. These reasons include: fear of the partner, a desire to continue the relationship for the sake of children, pressure to return to the relationship from children, family members or friends, a cultural or religious community, lack of access to safe and affordable alternative accommodation, and limited support networks and resources. Many women may leave and return a number of times, cycling in and out of homelessness. HACS acknowledges that this pattern often forms part of the pathway permanently out of a violent relationship. This understanding informs the commitment of HACS to providing non-judgemental responses and services that place responsibility for the violence on the user of violence and not the person subjected to violence.

Statistically, women are at the greatest risk of physical and even fatal violence when leaving, and planning to leave, a violent relationship. As a violent relationship is underpinned by a dynamic in which the user of violence has power and control over the person subjected to violence, planning to leave and leaving constitute challenges to the power of the dominant person in a relationship. A person who uses violence may sense that their power and control in a relationship is being challenged if the person subjected to violence starts making arrangements to leave, which might include calling friends, family and support services for advice and support, and packing emergency bags including personal identification and other documentation. The user of violence may increase their use of violence, manipulation or monitoring to prevent their partner from leaving. In many cases, the violence continues after the woman leaves the relationship as a means of coercing her into returning to the relationship, and this tactic is often successful as returning to the violent relationship becomes the perceived safer option for the woman.

It is crucial that the safety of women and children be prioritised; it should also be acknowledged that leaving a violent relationship may not be the desired or safest option for many women. In light of this, HACS is committed to supporting women and children experiencing domestic and family violence regardless of whether the violent relationship continues. This aligns with HACS’ commitment to providing respectful, non-judgemental support that prioritises safety and self-determination.

Safety planning

When speaking with a woman who is considering leaving a violent relationship, encourage her to develop a detailed and personalised safety plan in consultation with trusted friends, family members, and specialist domestic and family violence services. Encourage the woman to consider her and her children’s immediate physical safety, accommodation options, financial resources, and access to important documents and other essential items.

For more information visit: http://dvcs.org.au/safety-planning/when-preparing-to-leave-your-home/

It is possible and indeed necessary to safety plan with women and children who remain in violent environments. If the woman has children, encourage her to develop a safety plan in consultation with them, as well as trusted friends, family members, and specialist domestic violence services. Consider referring the woman to the DVCS for assistance with safety planning.

For more information visit: http://dvcs.org.au/safety-planning/during-a-violent-incident-at-home/

How to apply for protection orders

A protection order is a civil law order for which a person applies at the ACT Magistrates Court. There are two types of protection orders in the ACT:

- a Domestic Violence Order or DVO
- a Personal Protection Order or PPO.

A DVO is used when the applicant and the respondent are in a ‘relevant relationship’, for example, an intimate relationship or familial relationship (which includes kinship relationships).

A PPO is used when the applicant and the respondent are not related and are not in a relevant relationship, for example, housemates.

A protection order prevents future violence by prohibiting and/or restraining certain behaviour between parties such as in-person and over the phone contact, harassment, intimidation, and property damage. The applicant must demonstrate that there is an immediate risk to their physical safety based on recent events, which is considered on a case-by-case basis by the court. Police reference numbers relating to recent incidents are useful but police involvement is not necessary to satisfy the requirements for a protection order.

It is possible to have a protection order with conditions that allow the woman and/or her children to live with or have contact with the person using violence. A DVO can be sought for up to 24 months and an extension can be sought at least three weeks before the order expires.

The DVCS Court Advocacy Program supports clients to apply for DVOs. A person does not have to be an existing DVCS client to access this service. A person can self-refer for court support by calling 6280 0900 or you can complete an over-the-phone referral on the client’s behalf.

Legal Aid ACT provides legal advice and representation in DVO matters from the Domestic Violence and Personal Protection Order Unit located at the Magistrates Court.

**For information and appointments call:** 6207 1874, or 1300 654 314 (main office).

**For more information about applying for protection orders in the ACT see:** the Women’s Legal Centre booklet, *Your Court Your Safety* <www.sortofgood.com/wp-content/uploads/2015/04/your-court-your-safety-final.pdf>.
Immigration and domestic and family violence

Women from CALD backgrounds living in Australia who experience domestic and family violence may not be aware of their rights or the law in Australia.

Women who are not permanent residents, but have sponsored migrant arrangements as spouses or partners and are experiencing domestic and family violence, often feel compelled to remain in the violent relationship rather than end the relationship and be forced to leave Australia.

The domestic and family violence provisions of Australia’s migration program allow people in this situation to apply for permanent residence in Australia after the breakdown of their relationship if they have experienced domestic and family violence committed by their spouse or de facto partner.

They need to supply evidence to the Department of Immigration and Border Protection to prove the existence of the relationship and to prove that the domestic and family violence has occurred.

For more information see: www.border.gov.au/about/corporate/information/fact-sheets/38domestic

Also, the Department of Social Services has produced a booklet, *Beginning a Life in Australia*, which is available in 37 languages.


Refer to the Practice Information section for advice about what to do when you suspect domestic and family violence.

HACS can register a sponsored migrant under the above circumstances, on the standard housing register. Allocation may be considered when the sponsorship arrangement has broken down due to domestic and family violence.

Once proof of this violence has been accepted by the Department of Immigration and Border Protection, Centrelink may grant the person who has been subjected to domestic and family violence a Statutory Income — most commonly Special Benefit.

It is important to note that proving this violence may take many months and during that period the sponsored migrant is not entitled to any Centrelink benefit or Medicare assistance.

Note
Assessment Officers must seek discretion on behalf of the Commissioner to waive clause 9(1)(c) (the six-month residency criteria) under Hardship (Clause 10 of PRHAP) if the applicant has not resided within the ACT for the six-month period.
Mandatory reporting requirements on child abuse and neglect

In the ACT workers and professionals are not required by law to report instances of a child’s exposure to domestic and family violence. In recognition of the seriousness of this type of harm to the developing child, some states and territories have different reporting requirements.

Forms of child abuse and neglect which must be reported in the ACT are physical and sexual abuse.

If you suspect or believe on reasonable grounds that a child or young person is experiencing abuse or neglect or you wish to discuss your concerns about a child or young person, you should telephone Child and Youth Protection Services Centralised Intake Service as soon as possible on 1300 556 729.

How to respond to a disclosure of domestic and family violence

HACS plays a pivotal role in responding to the immediate and long-term accommodation needs of women and children who have experienced domestic and family violence, and also has an important role to play in the identification of and provision of supports in response to domestic and family violence situations. HACS staff may be required to respond to disclosures of domestic and family violence in a range of contexts, including at annual inspections and home visits, when speaking to clients on the phone, and through the Gateway. It is expected that HACS staff will provide a respectful and non-judgemental response and will endeavour to determine the woman's situation, any safety risks and support needs in order to facilitate relevant referrals.

It is crucial to provide respectful and non-judgemental support, regardless of whether a woman decides to leave or remain in a violent relationship. The paramount consideration remains the safety of the woman and her children. It is important to remember that telling someone may be the critical first step towards greater safety and may eventually result in the woman leaving the violent relationship.

You can always call DVCS on 6280 6999 (during business hours, 6280 0900 at all other times) to discuss a situation, seek advice and guidance, or debrief about what you have observed while ensuring the identity of the client remains confidential. Alternatively, you can contact 1800 RESPECT (1800 737 732).

If a woman discloses domestic and family violence:

- Acknowledge how difficult it may have been to talk about it and tell someone about her situation. Acknowledge her strength and courage in doing so.
- Assess her immediate safety and that of any children involved.
  - If you are out in the field and the situation becomes unsafe for you, the woman or her children, call 000 (triple zero) for emergency police assistance. Notify your manager as soon as it is safe to do so.
  - Alternatively, encourage the woman to leave with you and return to Nature Conservation House to develop a support plan in consultation with DVCS and other services as required.
- Ask the woman if she would like support in relation to her situation and offer to refer her to a domestic and family violence service such as DVCS.
  - The DVCS operates a 24/7 crisis line (6280 0900) and provides respectful, non-judgemental and culturally-sensitive support and safety planning, as well as crisis intervention and referrals to relevant services in the ACT. DVCS also provides a court support program, a young peoples’ outreach program, support groups and case tracking of family violence offences in the Magistrates Court.

For more information on DVCS see: www.dvcs.org.au

For more information on 1800 RESPECT (1800 737 732) — the national sexual assault, domestic and family violence 24/7 counselling service and online counselling — see: www.1800respect.org.au

- For many women, making the initial call to a support service is a significant challenge. The woman may be struggling to accept that the behaviour she is experiencing constitutes domestic and family violence; she may have concerns about being judged or simply told what to do rather than having her views and hopes for the relationship acknowledged. Many women in violent relationships want the relationship to continue but the violence to stop. Reassure the woman that DVCS takes a non-judgemental, person-centred and safety-oriented approach to supporting people (women, men and children) who are subjected to violence and also people who use violence. If the woman provides consent, complete an over-the-phone referral to DVCS by calling 6280 6999 during business hours or 6280 0900 at all other times. If the woman feels comfortable to contact DVCS herself, encourage her to do so.
- If the woman does not consent to DVCS contact or declines to take any other action, offer to provide her with the contact details for DVCS and reassure her of DVCS’ confidentiality, expertise and accessibility (i.e. that DVCS is empathetic, non-judgemental, person-centred and safety-oriented).
- Offer the woman follow up contact and use these opportunities to re-offer support and referrals, and encourage her to develop a safety plan.

**ALWAYS**

- Discuss what happened with a manager.
- Assess with a manager if there is a need for a notification in relation to children.
When you suspect domestic and family violence

- It is important to frame your intervention in terms of safety and, if possible, identify examples of concerning behaviour to discuss with the woman.

- If appropriate and safe to do so, respectfully advise the woman that you have concerns for her and her children’s safety based on your observations. For example, you may have observed holes in walls and/or other property damage or the woman may have made comments to you which suggest she’s being subjected to controlling or manipulative behaviour by her partner or family member. For example, the woman may tell you she has no control over or access to her finances, she is being monitored by her partner or she modifies her behaviour so as not to upset or anger her partner or family member.

- Ask the woman if she would like support in relation to her situation and offer to refer her to a domestic and family violence service.

- If the woman provides consent, complete an over-the-phone referral to DVCS by calling 6280 6999 during business hours or 6280 0900 at all other times. If the woman feels comfortable to contact DVCS herself, encourage her to do so.

- It may not be safe to have this conversation with the woman if the violent person is present during your visit or if you suspect their phone conversations are being listened to or monitored. If this is the case, ask the woman to nominate another time or provide your contact details for her to call you when it’s safe to do so.

- Consider having a sticker or other marker on your folder or bag that identifies domestic and family violence as a community issue. This sends a message that you are willing to provide support.

- Talk to your Manager and/or a CSC about additional supports or strategies that might be useful for the woman about whom you have concerns.
Looking after yourself at work

HACS acknowledges that supporting women and children who experience domestic and family violence can have a significant impact on staff members. Hearing about traumatic and violent incidents can be upsetting and overwhelming. It can also have a negative impact or triggering effect on staff members who may have personal experience of domestic and family violence.

In these instances, it may be useful to approach your colleagues or Manager for support. You can also seek support from a RED Contact Officer, or through the Employee Assistance Program (EAP), which is a comprehensive service designed to assist you in meeting the challenges and demands of your work and personal life.

Alternatively, you can anonymously contact DVCS or 1800 RESPECT (1800 737 732). The 1800 RESPECT telephone and online counselling services are available for workers to discuss the personal impact of working with people who have experienced trauma. You can call 1800 737 732 or chat online 24 hours a day, seven days a week.

For more information see: www.1800respect.org.au/1800respect-for-workers-and-professionals/
Relevant HACS legislation and business rules

- Housing Assistance Act 2007
- Housing Assistance Public Rental Housing Assistance Program 2013 (No 1)
- Housing Assistance Public Rental Housing Assistance Program (Housing Needs Categories)
- Determination 2011 (No 2)
- Domestic Violence Modifications Business Rule. Allows for the alteration of window and door locks, lighting and landscape modifications as recommended by specialist domestic and family violence and/or homelessness services.
- Director Housing ACT Instruction —Appropriate documentation to support applicants suffering from domestic and family violence. Includes a list of accepted services from which letters of support will be accepted for entry into the priority application system.
- Housing ACT Operational Guideline N/2008-171. Allows for Commissioner’s discretion to waive financial interest in a property in the case of domestic and family violence. Allows for safety to be a consideration in determining ‘hardship’.