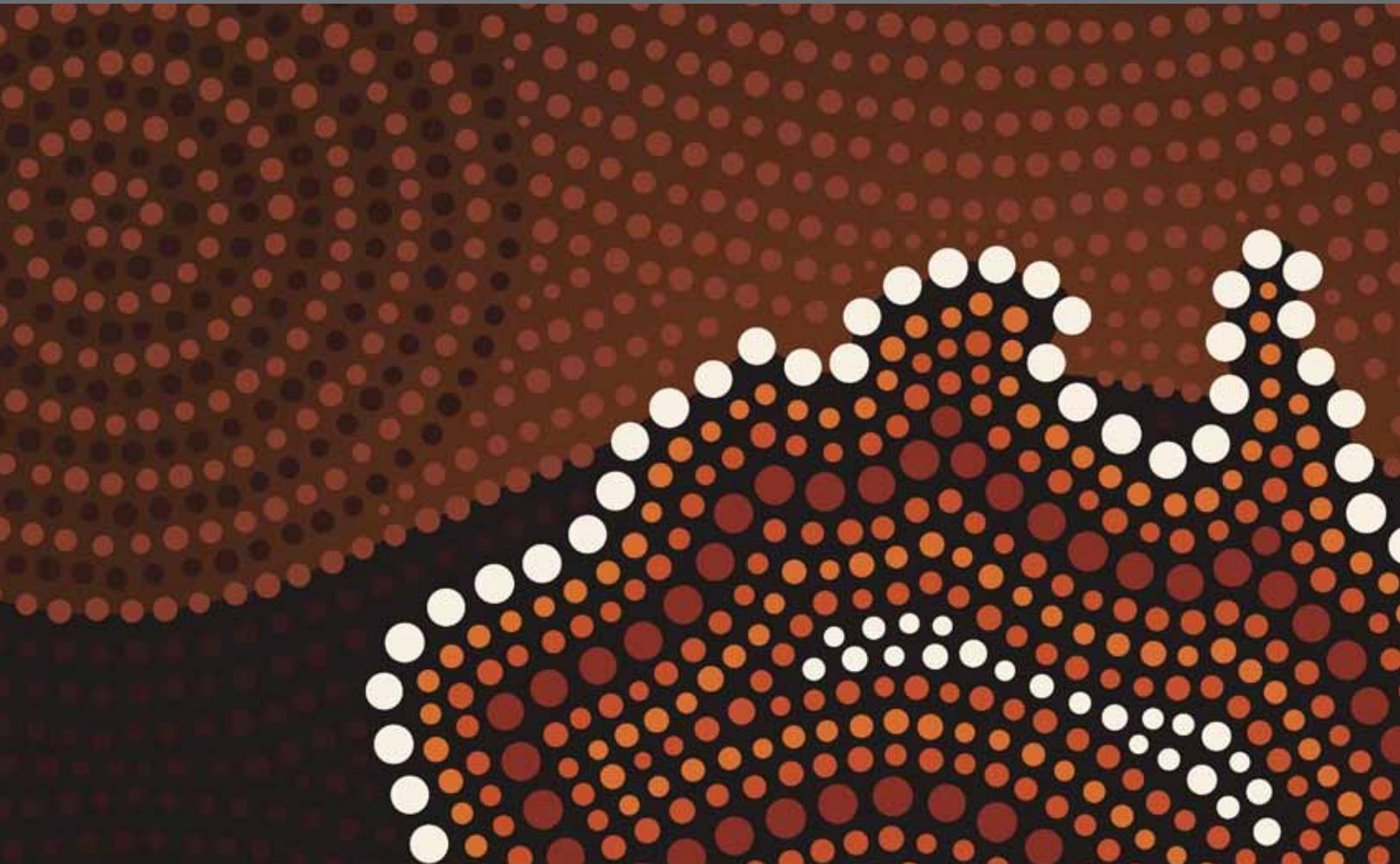


Australia

National Domestic Violence-Informed Case Reading

EXECUTIVE SUMMARY



SAFE & TOGETHER INSTITUTE | Concrete strategies. Meaningful tools. Real change.
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*The mother's
voice was
very faint in these
case notes.*

— A CASE READER TALKING ABOUT
THE LACK OF PARTNERSHIP WITH
THE ADULT SURVIVOR

ACKNOWLEDGEMENTS



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Acknowledgement of Country

ANROWS acknowledges the traditional owners of the land across Australia on which we work and live. We pay our respects to Aboriginal and Torres Strait Islander elders past, present and future; and we value Aboriginal and Torres Strait Islander history, culture and knowledge.

Acknowledging Case Readers and Those Involved in Preparing the Case Files

We would like to thank the many people for their time and participation in the Safe and Together case reading process across the five participating states of New South Wales, Queensland, South Australia, Victoria and Western Australia. In particular, we thank the thirty statutory and non-statutory practitioners, researchers and academics for their engagement in the case reading training and in undertaking the case file analysis; and the managers and data technicians who undertook the time-consuming task of preparing the case files for each state's team of readers.

EXECUTIVE SUMMARY



As part of the PATRICIA project, a set of domestic violence-informed case reading tools were used to review child welfare cases from five different states. The tools, which were developed and utilized by the Safe and Together Institute (formerly David Mandel & Associates) in the United States and the United Kingdom, were included in the project to give a national level, in-depth look at current child welfare domestic violence case practice across Australia. This appears to be the first international level review of this type in Australia or any other country.

The case reading process uses the Safe and Together™ Model (Appendix) and related domestic violence-informed child welfare continuum of practice framework (Appendix) to identify strengths and needs regarding domestic violence-informed child welfare practice. The case reading process uses an in-depth, qualitative review of a small number of randomly selected cases to identify trends and practices that can be examined by child welfare and their partners for validity, significance and meaning. Identified strengths and needs point back toward possible needed changes in a variety of areas including policy, practice, training, supervision, services, collaboration with community partners and work with the courts. The process is designed to examine if domestic violence is being effectively identified in cases, and the quality of domestic violence practice in cases where it is identified. This case reading process differs from a large scale data or quantitative review as it seeks to focus on the quality of the case level practice as reflected in the case record.

The Australian PATRICIA project case reading process involved the following key steps with the case readers from each state:

- Online learning
- 2 days of face-to-face learning and practice case reading with a case from their own

jurisdiction (led by David Mandel)

- Onsite case reading and scoring in teams of two persons with selected “domestic violence” and “no domestic violence” cases
- A review of the completed scoring forms for trends and practices (reflected in this report)

While the review of the completed case reading scoring forms resulted in state level reports, this report represents national level trends compiled from the individual state reports.¹

The national sample represented fourteen “domestic violence” cases and six “no domestic violence cases.” Domestic violence cases were defined by domestic violence as the primary reporting issue. “No domestic violence” cases were defined where domestic violence was not the primary reporting issue. **Overall the results in the Australia case reading process were very consistent with results in recent case readings in the UK and the US.**

¹Any terminology that might identify a specific state was changed to reflect generic terminology. For example, all terms related to domestic or family violence restraining or intervention orders was changed to the generic term “Intervention Order” or “IO”. Similarly, all abbreviations for domestic or family violence, which varies by state, was changed to “DV.”

“DOMESTIC VIOLENCE” RESULTS

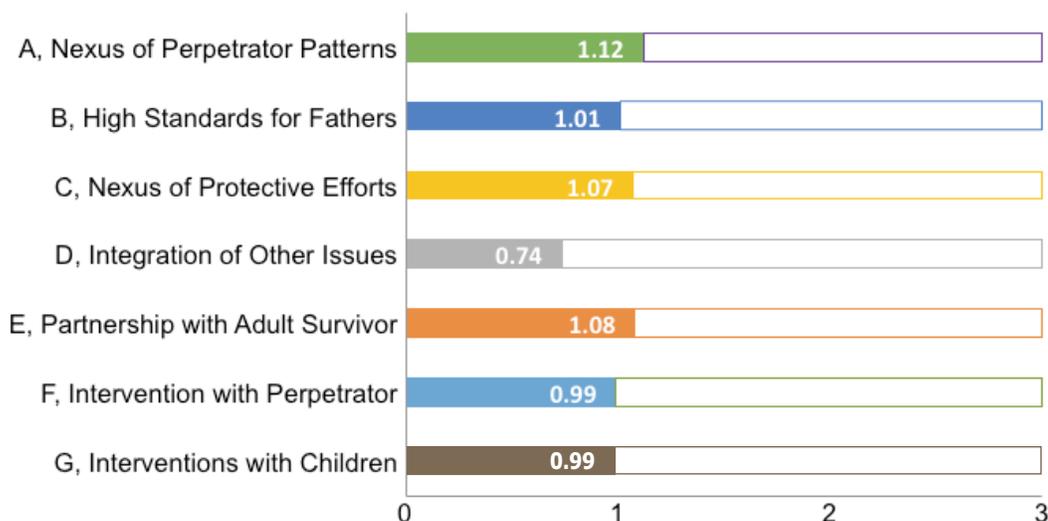
“Domestic Violence” in Current Allegation Case Reading Tool Scoring Sheet

Across Australia, there were a total of thirteen (n = 14) cases with an allegation of domestic violence that were reviewed and scored by consensus teams. These cases were from the following states: New South Wales, Queensland, South Australia, Victoria, and Western Australia. Scorers were asked to respond to a total of sixteen questions for each case, rating on a scale of zero to three with zero representing no evidence and three representing strong evidence for each item. The following gives a breakdown of what is found both at the question and the section level.

Overall Section Analysis

As indicated in Figure 1, the scores for the majority of the distinct sections indicate that there was little evidence of documentation (or close to $m = 1.00$). There is slightly less evidence of documentation of the intersection and integration between domestic violence and other issues (Section D), falling between little to no evidence ($m = 0.74$). *Note: “m” stands for “mean” or “average.”*

Figure 1. Breakdown by Section



While there were signs of strong practice, the overall practice was limited from a domestic violence-informed perspective. While good practice is always the goal, it takes on a new level of significance when you factor in the high levels of violence, coercive control and use of weapons present in most of the cases. The readers found that it was common that domestic violence was perceived by child welfare as an issue of “mutual combat” or “parental conflict”.

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Even when the violence level was high and on-going post-separation, there was evidence that child welfare was less likely to consider it part of their case.

While incidents of violence were identified, it was unclear how well child welfare was applying a perpetrator pattern-based approach to their documented case practice. A perpetrator pattern-based approach would involve looking for patterns of coercive control, documenting their impact on child and family functioning and developing interventions that addressed these behaviours and the related needs of the family.

In addition, child welfare appears to struggle with:

- finding, engaging and assessing the parenting role of male caregivers
- identifying adult survivors’ protective capacities and their impact on their children
- integrating substance abuse, socio-economic factors, mental health issues and the use of weapons into their case practice

The lack of integration of the domestic violence with the substance abuse and mental health issues was a problem in almost every case. While it was common to list the co-occurrence of these issues in the case record, rarely did the documentation reflect how trauma, behavioural health or substance abuse issues of the adult and child survivor were being shaped and influenced by the perpetrator’s behaviour. This lack of integration with domestic violence seemed to be true. The readers also noted that while Indigenous² Services were sometimes accessed, there wasn’t a strong documented integration of a cultural analysis into the work with Indigenous families.

²This report uses the term Indigenous anywhere the state level reports use the terms “Aboriginal,” “Torres Strait Islanders” or “ATSI.” This term will also apply to services designed to support families from these communities.

“NO DOMESTIC VIOLENCE” RESULTS

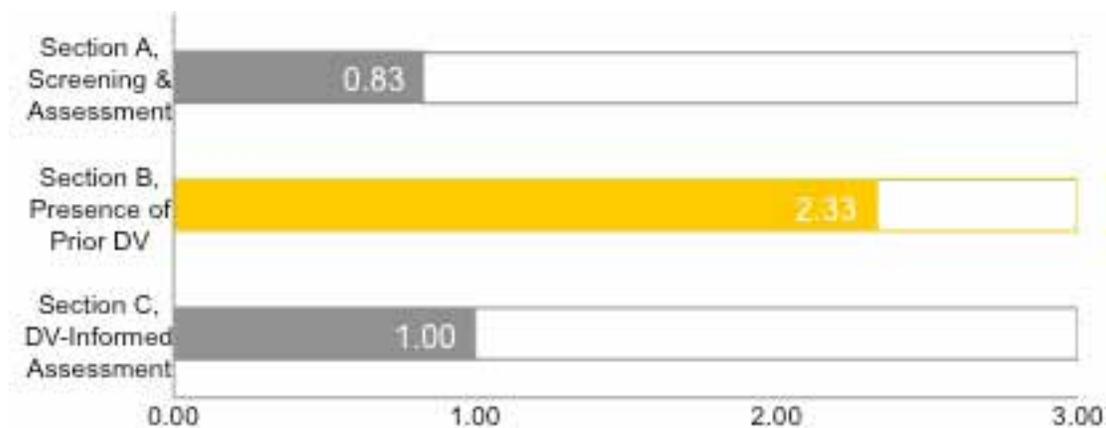
“No Domestic Violence” in Current Allegation Case Reading Tool Scoring Sheet

Across Australia, there were a total of six (n=6) cases that were scored by consensus, representing the states of New South Wales, South Australia, and Western Australia. Scorers were asked to respond to a total of eleven questions for each case, rating on a scale of zero to three with zero representing “no evidence” and three representing “strong evidence” for each item. The following gives a breakdown of what was found both at the question and section level.

Comparison Across Sections for “No Domestic Violence” in Current Allegations

While there was some to strong evidence that prior domestic violence was identified (Section B), there was little evidence of the current allegation being domestic violence-informed (Section C). In addition, there was little to some evidence of the screening for the presence of DV and congruence between documented efforts and known best practices regarding universal DV screening in child welfare cases (Section A).

Figure 9. “No Domestic Violence” in Current Allegations Overall



All the “no domestic violence” cases uniformly had significant, easy to identify histories of domestic violence. While this result is not at all surprising, it is highly significant for policy makers and case practitioners. Any domestic violence-informed child welfare system needs to be able to identify and respond to the presence of domestic violence in cases that enter into the system for other allegations. The case reading results across sites showed little to no integration of the known prior domestic violence into the current case (when the current allegation was not domestic violence).

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This suggests that child welfare may be misdiagnosing critical issues. For example, children's behavioural issues may wrongly be attributed to an adult survivor's failed parenting versus the impact of a domestic violence perpetrator's abuse. Reasons for non-compliance or lack of engagement might be wrongly attributed to the adult survivor versus the interference created by the domestic violence perpetrator. For example, a domestic violence perpetrator may be interfering with the adult survivor going to substance abuse treatment. This misdiagnosis might contribute to a failure to address a safety issue, unnecessary alienation of the adult survivor from helping systems, and/or the utilization of interventions increase danger for the adult and child survivor. These types of domestic violence-destructive practices may also lead to unnecessary removals or premature case closings which may have further consequences in the future. This could result in serious harm or death of a family member including a child.

LIMITATIONS AND STRENGTHS OF THE CASE READING PROCESS

The case reading process had some strengths and limitations. The strengths involved a tool that has already been used internationally to produce meaningful results, e.g. results that were deemed validated by the agency being reviewed. The tool is based on clear and comprehensive concepts tied to field tested practices in numerous jurisdictions in the US, Canada, the UK, and Australia. The model and approach is well respected by both child welfare and domestic violence professionals.

The Australia process also involved local personnel to accomplish the actual case reading process which increased the sensitivity of the review process to local dynamics. Each case was read by two readers in order to enhance reliability. The readers then discussed their own scores and agreed on a consensus score when there was disagreement. It was this score, representing both readers' perspectives, that is represented in charts. The comments from both readers were used to give depth to the scores. Finally, the readers' work was guided and reviewed by the developer of the case reading process. This provided further support for fidelity and gives additional depth to the results.

The multi-site aspect of the project also provides the ability to identify themes that might be consistent across child welfare in Australia.

The limitations of the process included:

- Only case documentation was reviewed. Case practice that was not reflected in the documentation is not reflected in the case reading process.
- The sample size was small and while efforts were made to randomize the sample, it may not reflect the totality of the practice in each state or nationally.

CLOSING

The results are similar to those of other case readings in other countries as well as many internal and external critiques of child protection's domestic violence practice. They raise significant concerns about the overall quality of child welfare domestic violence risk assessment, case decision-making, and case planning.



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The high level of violence and the lack of integration of domestic violence with other important issues, including culture and oppression, raise red flags around how domestic violence is approached by child welfare systems as an issue both of risk and safety. Without an approach that prioritizes identifying and intervening with a domestic violence perpetrator as the source of risk to families, systems will continue to run unnecessary risks of deterioration in family functioning, adult and child injury and even death. The impact of perpetrators is not only related to violence, but to neglect as well. As reported by a recent study by child welfare in New South Wales, the majority of domestic violence-correlated child welfare deaths are the result of neglect, not abuse.

Similarly, the results point toward a need to develop an integrated approach to partnering with adult domestic violence survivors. These partnerships require better identification of the adult survivors' protective capacities through use of specific training and supervision support to ensure that adult survivors are approached as allies versus part of, or the source of, the problem. A clearly articulated partnership approach to adult survivors can help avoid removals of children that might otherwise result from improved assessments of perpetrators' patterns. While this is important with all families, it takes on additional significance with Indigenous families and other marginalized communities already facing tremendous stressors on family and community cohesion.



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These results should not be viewed as a specific reflection of statutory child welfare, but as a reflection on the dominant domestic violence-destructive and neglectful child welfare conceptual and practice paradigms in the United States, Canada, the UK, and other jurisdictions. Many of these same concepts and practices are shared with courts, various professionals including attorneys, substance abuse and mental health practitioners, and NGO's, including women's sector workers.

The child protection agencies (and their partners) who participated in this process should be acknowledged for their openness to self-reflection and learning. Their desire to learn and improve their practice represent an explicit step toward the creation of domestic violence-informed child welfare systems across Australia. This process, if translated into new policy and case level policy changes, would position these agencies, their partners and Australia as international leaders in domestic violence child welfare reform.