

## House of Representatives Standing Committee on Social Policy And Legal Affairs

A better family law system to support and protect those affected by  
family violence

Relationships Australia's response to questions taken on notice,  
Tuesday 8 August 2017

Thank you for the opportunity to provide further input into your review. The first part of our response relates to the following questions:

- 1. The estimated number or percentage of clients who present with family violence who do not need a 60(i) certificate (ie where RA can assist them all the way through the process).**
- 2. The estimated number or percentage of clients who present with family violence whose cases lead to the issuing of a 60(i) certificate.**

The estimated percentages of clients in the information below vary between Relationships Australia venues, due to the demographics of the local population and a range of other local factors, including the types of data that is recorded. We estimate that, across the country, around 25% of clients who presented to a Family Relationship Centre (FRC) have experienced family and domestic violence, relating to approximately 50% of cases.

### Issuing of certificates for clients who present with family violence

In order to understand the information provided in response to this question, we have firstly provided some context.

1. Approximately 25% to 30% of clients who present with family violence (the majority of which are women) are seeking information and referral. For many of these clients their case does not proceed beyond initial intake, and their case rarely proceeds beyond an assessment.
2. Approximately 20% to 30% of clients who present with family violence impacting their situation have AVO's in place that either make contacting the other party inappropriate or

dangerous, and as a result they may request a S60(i)(b) certificate. Approximately half of these presentations receive referrals to other services, but do not request a certificate.

3. The other 50% of clients where family violence impacts their situation may progress to mediation using a number of measures including, shuttle mediation, support people, or client coaching with a counselling service.
4. The issuing of a 60i certificate can occur at any stage in a case, be it assessment or completion of mediation, and the majority of cases where there is family violence that have progressed beyond an initial assessment will have had a section 60i certificate issued. Therefore we estimate around half of clients presenting with family violence get a S60(i) certificate.

Clients without family violence are more likely to reach agreement and are less likely to receive a certificate. For example, a number of our services report the following:

- An estimated 40% of clients presenting without family violence reach agreement, 40% receive a certificate and 20% something else (information and referral).
- For clients with family violence, 10% to 25% reach agreement and 35% to 50% receive a certificate, and around 25% something else (information and referral).

The outcomes of mediation are broadly similar for those clients identifying emotional impacts versus behavioural impacts (see info graphic at **Attachment C** for a breakdown for one of our State members).

Identification of family violence does not translate to an 'instant certificate'. Even with family violence, some clients can still be assisted with the process (see box below). In general, we find that situational violence has a better prognosis for successful outcomes in family dispute resolution than other types of violence. Physical violence does not necessarily preclude family dispute resolution, whereas emotional, psychological and power and control issues almost always mean that it is unsuccessful, even where it may not necessarily initially have been assessed as inappropriate for mediation. Also, it should be noted that certificates can be issued at any stage where there is family violence, but they are not all necessarily due to the violence.

**Attachment B** details some of the complexities in pathways for clients accessing FRCs/family dispute resolution.

**Case study: Family dispute resolution where family violence is a risk.** *"Dad had a previous history of drug/alcohol misuse. His post separation violence meant Mum was protected by an IO but the kids could see dad. Mum stopped their contact after concerns of drug abuse. The IO allowed for FDR. In single issue mediation, dad said he was clean and had ongoing drug counselling. Mum wanted drug tests before every contact between the children and Dad. The parents agreed to use a child contact centre with drug testing at each changeover."*

### **3. Information on the extent to which DOORS has been successfully used across the RA network.**

Family and Relationship Services Australia recently commissioned a review of intake and screening methods in use across the community services sector (Toumbourou et al. 2017). The review recommended adopting a common framework for intake and assessment across the family life stage. However usage of any universal screening framework like DOORS depends on both:

- 1) support, such as funders providing training or agencies providing encouragement and supervision; and,
- 2) challenge, such as legislation or agency policies which demand actively detecting family violence and other risks with both universal screening and other methods.

Where there is both support and challenge then use of tools like DOORS is near universal, such as at Relationships Australia Tasmania and Relationships Australia South Australia. For example, a recent anonymous survey of DOORS users at Relationships Australia South Australia found 97% 'always or almost always used DOORS', with file audits revealing that early in 2017, the 10,000th DOOR 1 was completed at Relationships Australia South Australia. Relationships Australia Tasmania has recently implemented Universal Screening (DOORS and C-DOORS for Counselling) and note improved responses to detecting and responding to risk while Relationships Australia NSW has implemented DOORS only in their Children's Contact Services at this stage.

However, we must also be clear no tool such as DOORS can alone detect all risks in all families. For example, we asked Relationships Australia South Australia DOORS users to indicate anonymously if they had ever discovered family violence after clients had initially denied it on their self-report DOOR 1. We found 63% of Relationships Australia South Australia DOORS users had found family violence in at least one case in the last ten which would otherwise have gone undetected. Clearly, there remains a significant role for practitioner wisdom and intuition in addition to universal screening like DOOR 1, even among committed DOORS users.

In other states and territories, Relationships Australia uses a different process for screening for family violence. Relationships Australia Canberra and Region, for example, has looked at implementing DOORS and this project has not yet moved into the client trial phase. They note that DOORS is used much later in the process (on the same day as the client assessment) than is considered safe for clients. As a result many members of the Relationships Australia Family Dispute Resolution Network conduct a brief screening for clients at first contact, and at intake.

As each State and Territory has a unique response to family violence, any tools and systems that are put into place need to be adaptable to those responses. Currently in Relationships Australia Canberra and Region – Riverina, for example, answering yes to the family violence screening questions triggers the use of the NSW DVSAT (see Attachment A) which is the pathway used in NSW for people who experience violence to be included in the Safety Action Meetings.

For the purposes of demonstration Attachment A contains the initial safety screening process for all people making contact with Relationships Australia Canberra and Region and the safety screening questions that have been extracted from the comprehensive intake form conducted by Family Advisors.

Relationships Australia Western Australia uses the Western Australian Family and Domestic Violence Common Risk Assessment and Risk Management Framework (CRARMF) which was released in 2011.

It is now included alongside service specifications for community sector service contracts managed by the WA Department for Child Protection and Family Support and has been progressively incorporated into the policy and practices of legal and statutory agencies/authorities and is increasingly being used by a range of mainstream service providers in WA.

The implementation of the Framework was evaluated in 2013 which showed a positive impact on practice in relation to screening, risk assessment and improved knowledge and confidence when responding to family and domestic violence. The evaluation also highlighted the increased awareness and understanding, among service providers, of the importance of the CRARMF as the central element in the integrated response to family and domestic violence across Western Australia.

#### *References (DOORS and screening):*

- Australian Institute of Family Studies (AIFS) found that 60% of separated parents report a history emotional and/or physical abuse before or during separation; and an unacceptable number of family law clients who have experienced family violence are not being assessed as family violence affected due to both not being asked, but also not disclosing (Kaspiew et al, 2015a).
- DOORS Reports
  - McIntosh, J. (2011a). DOOR 1: Parent Self-Report Form. In: The Family Law DOORS Handbook. Jennifer E. McIntosh and Claire Ralfs (2012). Canberra: Australian Government Attorney-General's Department.
  - McIntosh, J. (2011b). DOOR 2: Practitioner Aide Memoire. In: The Family Law DOORS Handbook. Jennifer E. McIntosh and Claire Ralfs (2012). Canberra: Australian Government Attorney-General's Department.
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- Cleak, H and Bickerdike, A (2016). One Way or Many Ways: Screening for Family Violence in Family Mediation. Family Matters, In Process, October 2016. Melbourne: Australian Institute of Family Studies.
- Toumbourou, J., Hartman, D., Field, K., Jeffery, R., Brady, J., Heaton, A., . . . Heerde, J. (2017). Strengthening prevention and early intervention services for families into the future. Melbourne, Victoria: Deakin University and Family and Relationship Services Australia.

#### 4. Research to support the statement that abuse to a child's mother is an abuse to the child

- National Sexual Assault, Domestic and Family Violence Counselling Service (2015). How does domestic and family violence affect children? Available at [www.1800respect.org.au/family-friends/common-questions/how-does-domestic-family-violence-affects-children/](http://www.1800respect.org.au/family-friends/common-questions/how-does-domestic-family-violence-affects-children/)
- Children attending services report they feel embroiled in family conflict, unsafe in expressing their own feelings, and feel a sense of responsibility for managing the influence of their father's behaviour on the wider family unit. Staf, A. G. and Almqist K. (2015). How children with experiences of intimate partner violence towards the mother understand and related to their father. *Clinical Child Psychology and Psychiatry* 20(1): 148-163
- Richards, Kelly, 2011. "Children's exposure to domestic violence in Australia". Trends and Issues in Crime and Criminal Justice.
- Children experience 'poly victimisation' David Finkelhor \*, Richard K. Ormrod, Heather A. Turner Poly-victimization: A neglected component in child victimization *Child Abuse & Neglect* 31 (2007) 7–26.
- Definitional issues: minimisation of the child's experience
  - Ravi K. Thiara & Cathy Humphreys (2015) Absent presence: the ongoing impact of men's violence on the mother–child relationship. *Child & Family Social Work*;
  - Humphreys, C. and Absler, D. (2011), History repeating: child protection responses to domestic violence. *Child & Family Social Work*, 16: 464–473)
  - Australian Institute of Criminology, 2011. *Children's Exposure to Domestic Violence in Australia*. <http://aic.gov.au/publications/current%20series/tandi/401-420/tandi419.html>
  - Holt, S, H Buckley and S Whelan, 2008. "The Impact of Exposure to Domestic Violence on Children and Young People: A Review of the Literature" *Child Abuse and Neglect*, #32.
- Opinion piece published in the West Australian Newspaper, April 10, 2017, describes how the fragmented nature of the system puts the safety of women and children at risk. Available at <https://thewest.com.au/news/wa/victims-of-domestic-violence-deserve-better-ng-b88440369z>
- The abuse of children by definition should also be recognised in the prenatal context: ABS (2006) Personal Safety Survey. ABS Cat No 4906.0. Canberra: Australian Bureau of Statistics.

- Evaluation from Relationships Australia's Men's Behavioural Change Programs shows that 36 per cent of men reported the severity of impact of their behaviour on their children as not serious; court ordered men a little less (7%) likely to report any serious impact.
- Broady, T., Gray, R. and Gaffney, I. (2014) Taking Responsibility: Evaluating the extent to which male perpetrators of family violence change their attitudes through group work intervention, *Journal of Interpersonal Violence*. Available online: DOI: 10.1177/0886260513517300. Broady, T., Gray, R., Gaffney, I. and Lewis, P. (in review) Taking Responsibility: Psychological and attitudinal change through a domestic violence intervention program in New South Wales, Australia. *Journal of Interpersonal Violence*.
- Gray, R., Lewis, P., Mokany, T. and O'Neill, B. (2014a) Peer relationships and client motivation and intimate relationship status in men's behaviour change programs: An Australian interview study. *Australian Social Work*. Article online, DOI:10.1080/0312407X.2013.853196
- Gray, R., Broady, T., Gaffney, I., Lewis, P., Mokany, T. and O'Neill, B. (2014b) 'I'm working towards getting back together': Client accounts of motivation related to relationship status in men's behaviour change programmes in New South Wales, Australia. *Child Abuse Review*. Article online, DOI: 10.1002/car.2318.
- Brown, T., (2014) Overcoming Domestic Violence, presentation given to the Australian Institute for Relationship Studies, Relationships Australia, Sydney, August 2014 (unpublished).

## **5. Research which follows up on longer-term client outcomes for Relationships Australia clients that have received a family law service**

The below information details some of the research undertaken at Relationships Australia:

Dobinson, S. & Gray, R.M. (RANSW). A review of literature of family dispute resolution and family violence: identifying best practice and research objectives for the next ten years. *Australian Journal of Family Law* (2016), 30, 180-204.

Broady, T.R. & Gray, R.M. (RANSW). Symposium: When hate takes hold after parental separation: Reflections from research and practice. Entrenched parenting disputes: working with high conflict and parental hatred. Family Relationships Services Australia (FRSA) Annual Conference, Measuring success in the family and relationship sector, Canberra. November 2016.

Broady, T.R. & Gray, R.M. (RANSW). Parenting After Separation: Hatred between parents and the welfare of their children. Association of Children's Welfare Agencies (ACWA) Conference: Pathways to protection and permanency: Getting it right for children, young people and families, Sydney. August 2016.

Broady, T.R. & Gray, R.M. (RANSW). Parenting after separation: Dealing with passionate hate. Poster Presentation at the Australian Institute of Family Studies Biennial Conference: Research to results: Using evidence to improve outcomes for families. Melbourne. August 2016.

Gray, R.M., Wheeler, A. & Hewlett, B. (RANSW). The parental regard approach to post separation family dispute resolution. Poster Presentation at the Australian Institute of Family Studies Biennial Conference, Melbourne. August 2016.

Elkington, L. (RANSW). The Parental Regard Project: Findings from a research based evaluation on the use of the relational approach to post-separation family dispute resolution. National Mediation Conference, Gold Coast. September 2016.

Morris, Halford, Petch & Hardwick, 2016; Predictors of Engagement in Family Mediation and Outcomes for Families that Fail to Engage, Fam Process. doi: 10.1111/famp.12270.

Morris, Halford & Petch, in press . A Randomised Controlled Trial Comparing Family Mediation with and without Motivational Interviewing.

See also, Attachment B.

We note that no single study currently holds 'the truth' because studies must trade off key issues including sample size, representativeness and study duration. For example, the Relationships Australia National Research Network has a mediation outcomes study currently in field. This voluntary study tracks clients up to 12 months after mediation intake. However, attrition ('drop out') may affect sample size and representativeness. Alternatively, other studies use data given to funders by service providers on outcomes after mediation file closures. These have large representative samples, but do rely on compliance in data entry, often with uncertain information, with no longer term follow up. (In our data, even with strict coding and manual file reviews, up to a quarter of 'hard' client outcomes are unclear, missing or even contradictory from the parties.)

## **6. Further information on the Family Safety model is at Attachment D.**

## **Attachment A**

### **Relationships Australia Canberra and Region immediate risk screening, conducted at first contact**

#### **Standard Safety Screening**

We have a standard safety question we ask everyone who makes contact with us. Please answer yes or no to the following.

Q 1. Do you have any immediate concerns about risk to your own safety, to your children's safety or the safety of anyone else?

If **'NO'**: Follow standard process:

Finalise pre-enrolment list

Advise that the Family Advisor will call them back as soon as possible to arrange an appointment.

If **'YES'**: Put through to the Family Adviser if available. If a Family Adviser is not available put through to a Manager

Finalise the pre-enrolment list (ensure you have the phone number and address as indicated earlier).

Mark as Urgent

Check the safety concerns box in Penelope (triggering yellow safety triangle)

### **Relationships Australia Canberra and Region brief screening tool, conducted at intake normally within 5 days of first contact.**

- 1- Have there been any situations in which the police have been called, a criminal charge has been laid or restraining order taken out against either of you?
- 2- In the past year or so have you been in any way frightened, or concerned for your own safety because of the other party?
- 3- If the other party is disappointed with the outcome of this process are you afraid s/he would try to harm someone or harm him/herself?
- 4- Do you now or have you ever had concerns about your child(rens) safety when they were with the other party? Or in the care of any other adult?
- 5- Have any of the incidents that you have described happened in the last 4 weeks?



## Appendix B

Relationships Australia surveyed one FRC with 314 clients, representing nearly 75% of 2016 clients, contacting only those clients who:

- a) Received a Parenting Plan (PP) from our service;
- b) Received any kind of certificate from our service.

This does not capture any information about those clients who resolved their issues after coming to mediation and did not receive a certificate or PP and those clients who did not come to mediation and the Other Party (OP) did not request a certificate. We looked at how many Certificate B's we gave out and how many of those certificates related to clients with VRO's or FDV assessed by the FDRP.

### Certificate B's

- There were 39 Certificate B's (unsuitable to mediate) issued out of 314 clients, representing 13% of that figure.
- 9 Certificate B's were issued due to VRO or FDV having been assessed by an FDRP, representing 23% of the 39.
- 12 Certificate B's were issued to be clients who could not be contacted for survey purposes, representing 30% of the 39.
- 13 Certificate B's were issued to clients who went to the Family Court and had orders made, representing 33% of the 39.
- 2 Certificate B's were issued to clients who resolved the issues w/o the Family Court, representing 5% of 39.
- 10 Certificate B's were issued to people who have still unresolved their issues, representing 26% of 39.

### Parenting Plans

- 99 Parenting Plans were agreed issued out of 314 client files, representing 31% of our clients with PP's.
- 54 Parenting Plans went to people who were either very happy with the PP (all the issues resolved, things vastly improved, mediation very successful), representing 54% of clients being happy with the PP and where no further family law services were required by these clients.
- 26 clients were unable to be contacted, representing 26% of the 99 clients.
- 18 clients were unhappy with the PP or it did not resolve all of their issues and were going or had been to the Family Court, representing approximately 18% of the 99 clients.
- 2 clients were coming back to mediation, representing approximately 2% of the 99 clients.

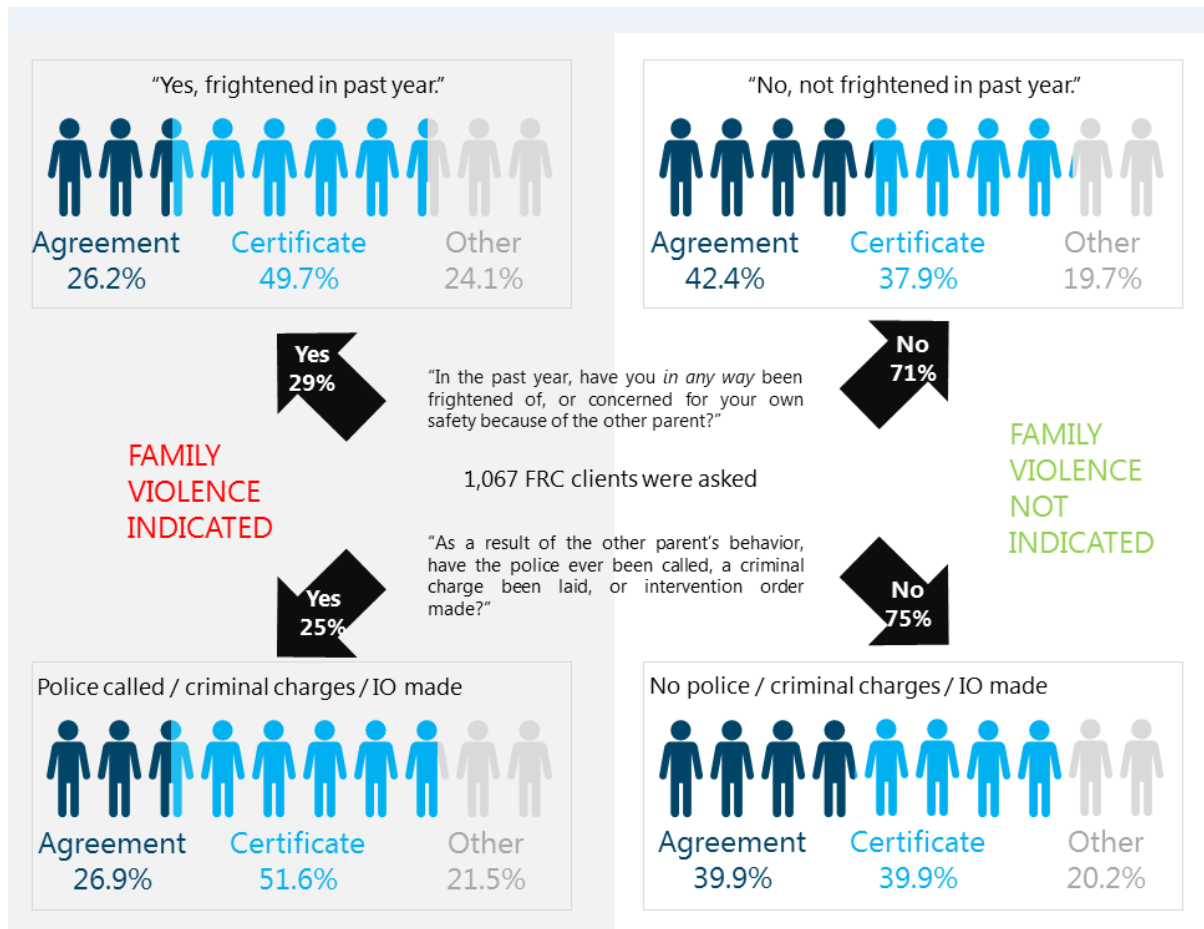
### Certificate A's

- 108 Certificate A's were issued out of 314 clients, representing 34%.

- 50 clients could not be contacted for the survey, representing 46% of the 108.
- 22 clients took their certificate to the Family Court and commenced proceedings, representing 20% of the 108.
- 14 clients resolved their issues either w/o lawyers, with lawyers, or through coming back to Perth FRC for mediation or other mediation services, representing 13% of the 108.
- 6 clients came back to mediation because things are still unresolved, representing 5% of the 108.
- 17 clients have not resolved their issues and have either sought further legal advice, are negotiating or have decided not to take any further action, representing 16% of the 108.

#### Certificate C's

- 68 Certificate C's were issued out of 314 clients, representing 20%.
- 20 clients could not be contacted for the survey, representing 29% of the 68.
- 19 clients took their certificate to the Family Court and commenced proceedings, representing 27% of the 68.
- 10 clients resolved their issues, representing 14% of the 68.
- 18 clients have not resolved their issues, representing 26% of the 68.
- 3 clients have come back to mediation, representing 4% of the 68.





## **The Family Safety Navigation Model**

A Case for the Extension and Enhancement of Early Intervention Approaches  
to Complex Family Law Difficulties

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## Executive Summary

A broad spectrum of service interventions is available for families who are separating and are affected by family violence. Family dispute resolution (FDR) services, including those provided through Family Relationship Centres (FRCs) are one of the early intervention responses in this spectrum, with the Family Court offering more tertiary or interventionist responses. This paper makes a case for the extension and enhancement of the early intervention response. A model which scaffolds around the existing FDR and FRC services, and has the flexibility to track families if engagement with the court is required, is the most effective and safest option for women and children affected by family violence.

Relationships Australia Victoria (RAV) has developed and is piloting one such model. Drawing upon the strengths of a case management approach, this Family Safety Navigation Model requires all clients assessed as family violence-affected to be referred to a specialist Family Safety Practitioner. Using primarily telephone-based consultations, the Practitioner proactively prioritises the safety of partners, children, former partners and family members of clients who present for FDR. They provide a continuous case navigation service to ensure that agreements made in FDR are sustained, appropriate referrals are made, and women and children transition to the Family Court safely.

The Model's first guiding principle is the belief that it is safer to track and coordinate the work for all family members that are affected by family violence- *this may be together or separate, but it is always systemic*. The second guiding principle is the importance of actively supporting families in the transition from FDR or FRC (early intervention) services to the Family Court (tertiary/interventionist response), to prevent women and children falling through the gaps.

## Background

Research by the Australian Institute of Family Studies (Kaspiew, Carson, Coulson, Dunstan, & Moore, 2015) has shown that family relationship services support significant numbers of families who are affected by family violence and have multiple and complex needs. In order to safely and effectively respond to these needs, family relationship services commonly work collaboratively across jurisdictions with other services, such as specialist family violence services, legal assistance services, mental health, and drug and alcohol services.

RAV's practice experience involves whole families, whether together or separated, presenting for service. That is, clients may attend a service on their own or with family members, and may be living together or separated, however services are provided using a whole-of-family approach which recognises the needs and wellbeing of all family members. Over many years, RAV has developed ways to assess and work safely with these 'whole families' who present with high risk family violence presentations. This is particularly pertinent in our work with complex family law matters where family violence is not the exception (Bickderdike & Cleak, 2016).

Whole-of-family, integrated case management service models are advanced forms of integrated responses to family violence and enable services to be co-ordinated seamlessly for clients. They provide key elements such as risk and needs assessment, joint planning of interventions, the delivery of services by a range of independent agencies or practitioners but within an overall client plan, case tracking and formal case closure processes.

Whole-of-family approaches can support a more integrated and coordinated family violence service that works with the victims of family violence, including children, young people, and mothers, as well as perpetrators. In doing this, the safety and wellbeing of women and children is prioritised.

Adopting this inter-agency approach enables a continuum of services to be provided to the family over an extended period of time, increasing the overall responsiveness of the service system to meet the family's needs.

Thus far, reforms in relation to FDR practice for family violence-affected families has understandably paid much-needed attention to recognising and assessing the risk of family violence. The AVERT Family Violence: Collaborative Responses in the Family Law System (Attorney-General's Department, 2010) and the DOORS Detection of Overall Risk Screen (McIntosh & Ralfs, 2012) are two tools developed with the intention of identifying, assessing and responding to family violence risks and harm.

There are mixed views about the design of screening tools, with some proposing that tools that allow for flexible and effective processes will be more conducive to disclosures (Bickderdike & Cleak, 2016; Bailey & Bickderdike, 2005). Most legal and non-legal practitioners, however, support the practice of screening and assessing for family violence and child abuse (Kaspiew, Carson, Coulson, Dunstan, & Moore, 2015). Indeed, at a minimum, FDR practitioners must be able to effectively assess for, and make decisions about, a client's capacity and appropriateness to safely participate in FDR (Bickderdike & Cleak).

RAV strongly contends that in order to reduce the number of family violence-affected families resolving their disputes through the Family Court, FDR services require more than effective screening tools. Currently, screening tools only assess for the minimum suitability for participation.

The next complex question facing the sector, therefore, is how to complement screening tools with comprehensive services that support families to resolve their family law disputes safely, when there has been a history of family violence.

Put simply, family violence-affected families who present for FDR and also have multiple and complex needs, require more support than the current FDR model can provide. Furthermore, there is a gap in services provided for families moving between FDR and the Family Court. In the absence of continuous, linked services and support, women and children affected by family violence are at significant risk when they attempt to navigate from FDR to the Family Court, or indeed not at all. This risk is compounded by the cross jurisdictional issues that can create barriers to women and children obtaining legal protection from family violence.

RAV recommends that FDR services be supplemented by a whole-of-family response that is provided by a practitioner who is not focused on assessment at all, but rather focused on effectively assessing and responding to presenting family violence issues and/or other complex needs.

## Relationships Australia Victoria's Family Safety Navigation Model

In mid-2015, RAV designed and began piloting a Family Safety Navigation Model to address the concerns detailed above. The model, which is used in our Men's Behaviour Change Programs and is now being piloted at two RAV FRCs, was recently commended in the Family Law Council's *"Families with Complex Needs and the Intersection of the Family Law and Child Protection System"* report to the Attorney-General (2016).

### Guiding Principles

1. It is safer to track and coordinate the work for all family members that are affected by family violence- *this may be together or separate, but always systemic.*
2. It is vital that families are actively supported in the transition between FDR/FRC (early intervention services) and the Family Court (tertiary/interventionist response), in order to prevent women and children falling through the gaps.

The Model has been designed to enhance women and children's safety by ensuring that all family members – men, women and their children – are linked to services through a whole-of-family, integrative case management framework that uses an inter-agency approach. This approach is best conceptualised as a virtual, continuous one-stop-shop, where families are assessed and linked in with services they require by a Family Safety Practitioner who maintains contact with the family across time as they transit through the family law system. For some families, this contact needs to continue beyond the period of interaction with the family law system.

The Model's whole-of-family approach scaffolds around and complements the existing FDR services. The Family Safety Practitioner proactively prioritises the safety of partners, children, former partners and family members of clients presenting for FDR, and provides a continuous case navigation service to improve the likelihood of agreements made in FDR being sustained, and supports women and children to transition to the Family Courts safely.

### Intentions

The Family Safety Navigation model has been designed with three intentions:

1. To support family violence-affected families who receive an FDR service which results in an agreement. These families require support during and after the FDR process to ensure that all family members are safe and that the outcome is sustained.
2. To support family violence-affected families who receive an FDR service which does not result in an agreement/outcome. These families also need support during and after the FDR process to ensure their safety and wellbeing. In these circumstances, women and children need to be provided with support in the transition between FDR and the Family Court.
3. To support families who are affected by high levels of family violence and/or coercive control, who are screened out of FDR because it is not appropriate for their circumstances. These families also need support in the transition between FDR and the Family Court.



RAV has developed the Family Safety Navigation Model specifically for families who want to undertake FDR, but may have multiple family violence risk factors that are compounded by complex needs. These families would usually be screened out of FDR as part of a standard assessment process, or would be assessed as 'borderline' in terms of the appropriateness of participating in FDR as a result of serious concerns about their safety and capacity to mediate.

These families, if not for an enhanced FDR assessment and response process, would be required to navigate an adversarial family law system, or reach a resolution about parenting or property disputes independently, in an unsafe environment.

As previously stated, FDR services typically assess for family violence and complex needs in relation to a client's willingness, capacity and safety to participate in mediation. RAV currently works with many clients who present for FDR with low risk family violence, by maintaining safety through our comprehensive Risk Assessment Tool and processes such as shuttle and the involvement of a support person.

With a strong emphasis on assertive engagement, RAV's Family Safety Practitioners ensure that all clients identified as family violence-affected during FDR screening or throughout the course of service delivery, are offered a comprehensive service assessment. This assessment targets needs and includes a thorough safety, risk and psycho-social assessment for all family members, including children. It is holistic, incorporating a range of psychological, relational and structural domains that inform a collaborative case plan. The knowledge obtained from this assessment is revised and re-shaped throughout the period of support, in collaboration with family members, including former partners. The amount of support that clients are offered and choose to use throughout and after FDR varies according to their needs and current circumstances.

The Family Safety Navigation model offers an opportunity to trial an approach that transforms the way dispute resolution and other family law processes intersect with state-based family violence responses, including the Family Court, to women and children.

## Summary

The trial of RAV's Family Safety Navigation Model is currently in process with FDR services at two of our FRCs, with results of our evaluation due in May 2018.

FDR services already undertake comprehensive family violence screening to identify family violence-affected families and ensure that the service is appropriate for those who use it. There is an opportunity, however, to enhance the existing FDR model, to proactively prioritise the safety of partners, children, former partners and family members of clients presenting for FDR.

Relationships Australia Victoria's Family Safety Navigation Model provides a continuous, case navigation service that improves the likelihood that agreements made in FDR are sustained, and supports women and children to transition to the Family Courts safely.

We contend that this is the most effective and safest option for women and children affected by family violence who are separating.

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