

Best practice guidelines for report writers*

Working with people who have experienced domestic violence

Principle 1. Improving your understanding

Guideline 1 - When assessing the issues for children in violent families ensure you maintain a level of psychosocial expertise associated with assessing domestic violence in the home.

PRACTICE POINTS:

- Ensure you are informed about the current theoretical perspectives on domestic violence against clients and children including knowledge of the inter-relationship between spousal abuse and child abuse, the impact of abuse and witnessing domestic violence, and include this in the report as appropriate.
- Consider the impact of current and past domestic violence on parenting and a client's psychological state.
- Attend relevant professional development opportunities to keep your knowledge base current.

Principle 2. Prioritise safety

Guideline 2.1 - Identify any domestic violence issues within the family.

PRACTICE POINTS:

- Where possible find out the details of any domestic violence allegations when accepting a referral.
- Evaluate the impact of domestic violence on the family and future parenting capacity.
- Be aware of the subtle indications of domestic violence – the history of the domestic violence is important. For example, an event that happened 20 years ago can still impact today.
- Identify if there are any current or past protection orders and if the orders have been breached.

Guideline 2.2 - Consider any potential safety or security issues for the child when collecting information for and writing a report.

PRACTICE POINTS:

- Conduct a risk assessment to decide what safety precautions are necessary for the children, the parties and yourself.
- Review the risk assessment throughout the matter.
- Comprehensively discuss in the report the implications of domestic violence or risk of domestic violence for both parties when considering future parenting arrangements where appropriate.
- Consider assessing the harm the children have suffered, or are at risk of suffering, if the orders sought are or are not made.**
- Consider assessing whether the physical and emotional safety of the child and the person alleging the domestic violence or abuse can be secured before, during and after any contact the child has with the parent or other person against whom the allegations are made.**
- Consider ascertaining the child or children's views in light of the domestic violence or abuse allegations, or the risk of domestic violence or abuse, when it is safe to do so.**
- Consider carefully the safety and sustainability of all propositions articulated by perpetrators of violence.**

Guideline 2.3 - Take appropriate precautions for the client's safety.

PRACTICE POINTS:

- When structuring interviews, always be mindful of the physical, psychological and emotional safety of the parties.
- Take every reasonable step to consider the safety of the parties when organising interview times and deciding to conduct joint interviews.
- If both parties are attending interviews on the same day, take steps to ensure the safety of everyone involved in the assessment process.
- Always ensure there are no identifying documents/files left in view or accessible to other parties at any time.
- Immediately inform the security officer (if available) and the independent children's lawyer or referring professional and if necessary, the police, if one party threatens the other's safety or their solicitor's safety.

Note:

- Do not include the parties' addresses or their relatives' or associates' addresses in the report without permission.
- Endeavour to draft your assessment in a manner that will not compromise the safety of other professionals engaged with the family.
- Do not reveal the whereabouts of a refuge or other support agency in the report.

Guideline 2.4 - Take appropriate precautions for your own safety.

PRACTICE POINTS:

- If you are seeing a client away from the office:
 - arrange a clinical interview at a neutral and appropriately safe location
 - conduct a safety assessment of the location before the clinical interview
 - take safety precautions by arranging to telephone the office when you arrive and at another specified time, like when you are leaving.
- If you are working at a Legal Aid Queensland office, know where the distress buttons are in the interview rooms.
- If you are working at a Legal Aid Queensland office and a physical incident occurs or is threatened, complete a workplace health and safety incident report, notify Legal Aid Queensland and document the incident appropriately.
- If a client threatens you during an interview, consider terminating the interview, calling the police and advise your supervisor.
- Protect your personal information (eg be conscious of social media posts, your listing on the electoral role and transport arrangements).
- Protect your own safety as you leave the building.
- Ensure the interview is completed before 5pm.

Principle 3. Facilitate empowerment

Guideline 3 - Fully inform clients about the report process before the assessment.

PRACTICE POINTS:

- Check the client understands the process before the assessment takes place and routinely check the client's understanding throughout the interview.

Note:

The family report writer factsheet can be located at www.legalaid.qld.gov.au/publications/Factsheets-and-guides/Factsheets

Principle 4. Foster respect

Guideline 4 - Be mindful of your response when interviewing clients and hearing their experience of domestic violence.

PRACTICE POINTS:

- Be mindful of established professional ethics when engaging clients.
- Detail both parties' accounts of the domestic violence.

Principle 5. Acknowledge sexual violence is a crime

There are no guidelines or practice points for Principle 5 for report writers.

* including reports for the family law courts and social assessment reports in child protection matters

**content sourced from Family Court of Australia and Federal Magistrates Court of Australia publication "Family Violence Best Practice Principles" page 12, downloaded 30 July 2012.

Best practice guidelines for report writers continued

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Principle 6. Respect diversity

Guideline 6.1 - Ensure you are familiar with cultural issues.

PRACTICE POINTS:

- Do not make assumptions about a client based on their background.
- Ensure you are familiar with cultural considerations that could inform the assessment and future parenting arrangements.
- Establish social and cultural information from relevant sources, including the internet, where appropriate.

Guideline 6.2 - Ensure the client can fully understand.

PRACTICE POINTS:

- Be aware of Legal Aid Queensland's Language Services Policy:
 - trained interpreters should be organised if you think language is an issue or the client has requested an interpreter
 - always check that a client from a culturally and linguistically diverse background is comfortable to proceed without an interpreter, even if they have declined to use one on a previous occasion
 - organise a telephone interpreter for any phone interviews
 - Legal Aid Queensland will fund interpreters
 - use separate interpreters for both parties in a dispute
 - ask if the client would prefer a male or female interpreter.
 - allocate extra time when an interpreter or support worker is involved in a matter.
- If an interpreter is not engaged by the independent children's lawyer (ICL), organise one on the spot or reschedule the interviews
- Interpreters must be independent to the parties – don't use friends or neighbours.
- Reschedule the interview if the interpreter does not meet the client's language needs.

Guideline 6.3 Reflect on the implications of cultural issues in each matter.

PRACTICE POINTS:

- Make comment regarding cultural and language considerations where appropriate in your report.

Principle 7. Respond collaboratively

There are no guidelines or practice points for Principle 7 for report writers.

Notes

Training

The Queensland Centre for Domestic and Family Violence Research offers regular videolink seminars to keep practitioners current in their knowledge and understanding of domestic violence. A free and regular newsletter is also sent out to subscribers.
www.noviolen.com.au/reader.html

Useful contacts for referral

- DV Connect is a 24/7 service offering advice on domestic violence matters
Ph: 1800 811 811
- Department of Communities Regional Domestic Violence Services
www.communities.qld.gov.au/communityservices/violence-prevention/contacts/regional-domestic-and-family-violence-services
- Zig Zag Young Women's Resource Centre is a resource centre for young women aged 12 to 25 years. The organisation's current focus is on homelessness and associated support issues and sexual assault. www.zigzag.org.au
- Brisbane Rape and Incest Survivors Support Centre (BRISSC) has fact sheets and online resources www.briscc.org.au
- The Immigrant Women's Support Service (IWSS) has publications, resources and forum papers. Ph 3846 5400
- Working Alongside People with Intellectual and Learning Disabilities (WWILD) has specific resources about working with women with an intellectual and learning disability www.wwild.org
- The Gay and Lesbian Welfare Association Queensland provides confidential peer telephone counselling www.glwa.org.au

LINKS FROM THESE WEBSITES TO OTHERS ARE ALSO USEFUL