



1 February 2017

Infringement Management and Enforcement Services
Department of Justice and Regulation
GPO Box 4356
Melbourne VIC 3000

By email: isou@justice.vic.gov.au

To whom it may concern

Submission: Department of Justice and Regulation Consultation on the Proposed Scheme to Manage Victims of Family Violence within the Infringements System

Since 1988, Women's Health West has actively contributed to the health, safety and wellbeing of women and their children in the western metropolitan region of Melbourne, which encompasses the local government areas of Brimbank, Hobsons Bay, Maribyrnong, Melbourne, Melton, Moonee Valley and Wyndham. Our core business includes the development and implementation of strategies to prevent, intervene and respond to the homelessness, ill-health, dislocation and trauma facing women and children who experience family violence.

Women's Health West delivers a range of effective high quality family violence services for women and children ranging from crisis outreach and court support, to housing establishment and crisis accommodation options, to counselling and group work programs. Women's Health West has been an active and strong supporter of family violence reform at a regional and state-wide level, integrating and coordinating family violence services in our region, and ensuring the integration of those services with a range of related sectors, including housing, employment, health, and child and family support. Women's Health West is one of Victoria's only services that provide services and programs across the continuum of responses from primary prevention to early intervention to tertiary response. Our strategic plan sets out our approach to partnership and our client-centred approach to service delivery and outcomes that support women to take control over their decisions and their lives.

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We welcome the Royal Commission's recommendations that the infringements system be reformed to more effectively respond to family violence-related infringements and to ensure that government policy prioritises safety for women and children who experience family violence. An effective scheme to deal with infringements related to family violence will contribute to the safety, wellbeing and financial independence of women and their children who experience family violence.

Women's Health West is concerned that the Department of Justice and Regulation's proposed Scheme to Manage Victims of Family Violence within the Infringements System ("the Proposed Scheme") puts women and children experiencing family violence at further risk of violence by:

- Requiring the applicant who has experienced family violence to identify to Fines Victoria the person who committed the infringement offences (the perpetrator of violence);
- Requiring the victim to attend court for 'referrable infringement offences';
- Requiring the perpetrator of violence to attend the same court proceedings; and
- Transferring liability for the financial and demerit point penalties from the victim to the perpetrator.

The Proposed Scheme, as it stands, is likely to result in further risk of violence and retribution against women and children. It may also serve to deter women who have a legitimate entitlement to access the scheme from doing so because of the need to attend court and the risk of retribution. Victims' who are unable to address family violence-related infringements are likely to experience an exacerbation of isolation and harm, including because of the use of Sheriff sanctions and the financial pressure that infringements create for women who are experiencing family violence and / or trying to rebuild their lives with limited financial resources.

We recommend that the scheme should not require the victim of family violence to identify the perpetrator, and that further consultation and co-design with specialist family violence services and other key experts be undertaken to ensure the safety and effectiveness of the scheme. Women's Health West would welcome the opportunity to contribute to further the development of this scheme.

Please do not hesitate to contact me if you require further information.

Yours sincerely



Dr Robyn Gregory
Chief Executive Officer