

## Domestic Violence Death Review Process

**YWCA of Adelaide proposes that: The South Australian Government establishes a Domestic Violence Death Review process to conduct detailed review of public records and other information regarding domestic deaths in order to identify gaps in domestic violence responses and barriers to effective intervention.**

### Issues and impacts

In South Australia:

- Between July 2008 and March 2010, the domestic violence death and serious injury toll is 11 dead women, 2 dead children, 1 stabbed woman, 1 stabbed baby, 4 dead men. The dead and injured women and children were killed and injured by men. Three of the men killed themselves. The other was shot dead by Police.<sup>1</sup>
- 22 per cent of young people witness an act of physical violence against their mother or stepmother.<sup>2</sup>

In Australia in 2006 – 07:

- 18 per cent of all homicides for which a male was charged **involved an intimate partner as a victim**
- In 43 per cent of homicides between intimates, “the parties had prior domestic violence history of some form with police, suggesting that, in many of these cases, the homicide incident is a tragic end to a cycle of domestic violence.”<sup>3</sup>

Nationally, domestic violence:

- costs the Australian economy \$8 billion a year in pain and suffering, health and productivity costs<sup>4</sup>, and;
- is the single biggest contributor to death, illness and disability among young women.<sup>5</sup>

The YWCA of Adelaide believes that all steps possible – legal, social and cultural – should be taken to reduce and eliminate violence against women and girls, and that it is the responsibility of both State and Federal Governments to do as much as they can to prevent related deaths and homicides.

### Domestic Violence Death Review

The main aim of domestic violence death review is to compile and interpret detailed data to improve services and reduce domestic homicides through a systems response. Domestic violence-related deaths

<sup>1</sup> Elspeth McInnes, South Australia Domestic Violence Death Review Coalition, August 2010

<sup>2</sup> An Assault on our Future, White Ribbon Foundation report, 2008

<sup>3</sup> National Homicide Monitoring Program Annual Report, 2008

<sup>4</sup> Access Economics, 2003

<sup>5</sup> The Health Costs of Violence, VicHealth, 2004

are viewed as a connected group, rather than isolated events, and focus on systemic and procedural issues, not on the actions or negligence of individuals.

Domestic violence death review processes:

- investigate the context surrounding the death, risk factors, points of intervention and service responses and effectiveness
- review historical processes and incidents involving domestic violence to identify patterns and possible preventative signs
- recommend preventative strategies and policy and law reform.<sup>6</sup>

Domestic Violence Death Review processes are well established in the US and Canada and have contributed to increased knowledge about the causes of domestic fatalities and the development of effective prevention strategies.<sup>7</sup> These panels have resulted in **a significant reduction in domestic violence deaths**, documenting inadequacies in services, legal impediments, training gaps and **patterns of violence that indicate to authorities that a family is at increased risk**.

In January of this year, following the success models of other areas, Victoria in British Columbia:

- announced a domestic violence death review panel reviewing all incidents of DV related death that occurred between 1995 and 2009 in that region
- determined to support the establishment of a regional domestic violence unit for police forces in the area.

In Australia, commitment to the establishment of domestic violence review panels is gaining momentum. At the end of 2008, Victoria's Attorney-General Rob Hulls noted that family violence was the leading cause of preventable death, disability and illness in women under 45<sup>8</sup> and a review was vital to reduce the extent of that harm.

In a nationwide first, the Victorian Government implemented a review of family violence deaths in order to formulate death prevention recommendations and assist in monitoring and evaluating the effectiveness of those recommendations.<sup>9</sup> The subsequent review panel found many deaths had been wrongly recorded by police and had therefore never been counted as domestic violence related.

Following suit, the Queensland Government appointed a Death Review Panel in mid-2009 to investigate the circumstances surrounding domestic-related deaths to identify gaps in service provision and make recommendations to prevent future deaths.<sup>10</sup> In November 2009, the New South Wales Government accepted recommendations from an expert group comprised of government and non-government representatives and established the Coroner-led Domestic Violence Homicide Review Panel.<sup>11</sup>

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<sup>6</sup> Exploring the Use of Domestic Violence Fatality Review Teams, David, N. 2007

<sup>7</sup> Exploring the Use of Domestic Violence Fatality Review Teams, David, N. 2007

<sup>8</sup> Sydney Morning Herald, November 25 2008

<sup>9</sup> Media Release, Attorney-General, Government of Victoria, 22 November 2008

<sup>10</sup> Media Release, Minister for Community Services and Housing and Minister for Women, 16 July 2009

<sup>11</sup> Media Release, Minister for Women and Attorney-General, Government of NSW, November 25, 2009

## The South Australian Government Role

To use a comparative example, the unacceptably high road toll in SA has resulted in a comprehensive and significant legislative response. In South Australia, high quality independent, multidisciplinary research is undertaken by the Centre for Automotive Safety Research to understand the causes of casualty and fatality road crashes with the aim of reducing the resulting human and economic losses and preventing crashes and injury. **Such an approach has had an obvious impact on the number of lives lost on SA roads.**

If a fraction of this level of appropriate government responsibility was aimed at targeting domestic homicide, evidence proves **the number of preventable deaths would decline.**

The YWCA of Adelaide requests that the South Australian Government establish a Domestic Violence Death Review Panel and believes that:

- bringing together existing government and non-government agencies in a coordinated and collaborative approach would require minimal resources
- is consistent with the key directions of the SA Women's Safety Strategy and the National Council's Plan to Reduce Violence against Women and their Children 2009 – 2021
- it is the responsibility of any government to protect its citizens and constituents, and to ignore the overwhelming evidence showing the effectiveness of such review panels in preventing domestic homicides is nothing less than legislative negligence.

<b>Budget</b>
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\$500,000.00 per year recurring <sup>12</sup>
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<sup>12</sup> Based on New South Wales Budget for Domestic Violence Death Review Process