

Domestic and Family Violence Policy

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Policy context: This policy relates to	
Standards or other external requirements	<ul style="list-style-type: none"> Northern Territory Government’s Domestic, Family and Sexual Violence Reduction Framework 2018–2028.
Legislation or other requirements	<ul style="list-style-type: none"> Care and Protection of Children Act 2007 (NT) Domestic and Family Violence Act 2007 (NT) Family Law Act 1975 (Cth)Privacy Act 1988 (Cth) Residential Tenancies Act National Plan to Reduce Violence Against Women and their Children 2010-2022 Policy Framework for Northern Territory’s Women 2015-2020
Contractual obligations	<ul style="list-style-type: none"> Contractual agreements with funding bodies Residential Tenancy Agreements with tenants

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1. Overview

This policy explains how Community Housing Central Australia (CHCA) will help people who are experiencing domestic and family violence.

2. Scope

This policy applies to all tenancies managed by CHCA as well as applicants for housing assistance.

3. Policy

CHCA recognises that domestic and family violence is a crime that affects a significant proportion of Australian women with Aboriginal women representing a highly vulnerable group. It is widely acknowledged that homelessness as a result of domestic and family violence is one of many negative and long-lasting consequences for survivors and other people who are exposed to it. As a community housing provider, CHCA acknowledges its role in supporting survivors of domestic and family violence with priority access to appropriate and safe housing.

CHCA's approach to supporting survivors of domestic and family violence is guided by the Northern Territory Government's Domestic, Family and Sexual Violence Reduction Framework 2018–2028, the National Plan to Reduce Violence Against Women and their Children 2010–2022 and the Policy Framework for Northern Territory's Women 2015–2020.

4. Definitions

4.1. Domestic and family violence

Domestic and family violence refers to acts of violence between people who have (or once had) an intimate relationship or who are family members. The Domestic and Family Violence Act (section 5) defines domestic violence as any of the following conduct committed by a person against someone with whom the person is in a domestic relationship:

- conduct causing harm;
- sexual assault;
- physical assault;
- property damage, including the injury or death of an animal;
- intimidation;
- stalking;
- economic abuse; or
- attempting or threatening to commit any of the above.

4.2. Domestic relationship, family and intimate personal relationship

The terms 'domestic relationship,' 'family' and 'intimate personal relationship' are construed broadly for the purposes of identifying domestic and family violence and include:

- family relationships, including relatives according to Aboriginal tradition or contemporary social practice;
- people who are, or have been, spouses or de facto partners, including same sex partners;
- carers and people being cared for;
- people living together;
- family members of a person the survivors ordinarily or regularly lives, or has lived, with (for example, the mother of a person's flatmate, even though the mother does not live with the person);

- guardians and the people subject to guardianship orders; or
- people who are dating regardless of whether or not the relationship involves a sexual relationship.

5. Training

CHCA will provide training to relevant staff to understand their responsibilities relating domestic and family violence and to be able to effectively identify, respond and refer clients who have been or are currently affected by domestic and family violence.

CHCA protocols will support respectful and sensitive service delivery that recognises the need to balance information sharing obligations with confidentiality and privacy of all clients and the increased risk of violence for survivors of domestic and family violence.

6. Our response to domestic violence

CHCA will respond to situations as domestic and family violence if:

- a client reports to CHCA staff that there is a situation of domestic and family violence, regardless of whether or not supporting documentation is provided; or
- CHCA staff have a reasonable belief that there is a situation of domestic and family violence, regardless of whether or not this has been reported by the client.

When this is identified, we will:

- be supportive to the survivors and refer them to other support services and agencies.
- explain to the tenant, co-tenant and any household members their rights when dealing with domestic violence situations.
- report domestic violence matters to relevant authorities or agencies we are required by law, for example, under mandatory reporting obligations when children are involved.
- work with other agencies or authorities to help the survivors
- consider the safety and wellbeing of people in the household including children and young people
- provide information about options or help that is available
- refer the survivors to relevant programs and services
- end the tenancy (if necessary)

Where CHCA staff witness a breach of a known Domestic Violence Order, the matter should be reported to the police.

CHCA recognises the need for confidentiality and privacy of all clients and recognises the increased risk of violence for clients escaping domestic and family violence.

7. Identification, referral and reporting

The Domestic and Family Violence Act (section 124A) requires all adults to report to police if they reasonably believe that:

- serious physical harm related to domestic and family violence has occurred, or is likely to occur; or
- the life or safety of another person is under serious or imminent threat because domestic violence has been, or is about to be committed.

This includes to all members of a household, including children and the elderly. Failure to report as soon as reasonably practicable is an offence unless:

- the person believed someone else had already reported the same concerns to the police;

- the person was involved in the planning or removal of the survivors to safety and intended to report their belief as soon as practicable; or
- the person believed that reporting their concerns at that time would have placed the survivors in further danger of serious or imminent harm.

Under section 125(1) of the Domestic and Family Violence Act, a person acting in good faith in making a report of domestic violence is not civilly or criminally liable or in breach of any professional code of conduct for making the report or disclosing any information in the report.

8. Safe housing and relocation

CHCA is committed to supporting survivors of domestic and family violence to stay in their present housing where it is safe to do so and where that is the wish of the client and will discuss what can be done to the property to make them feel safe.

Relocation to another home may be considered if the client's safety is at risk at their current premises and there is alternate housing available. If CHCA is not able to immediately offer alternative housing, we will work with other agencies and housing providers to support a transfer where necessary.

9. Requests for supporting documentation

Supporting documentation may be requested following a tenant's advice that they are a survivors of domestic and family violence. Requests will be made in a sensitive and non-judgemental manner that acknowledges the trauma and effects of domestic violence.

Examples of the types of documentation that may assist the client in making their application include:

- Domestic Violence Order
- A PROMIS number from the Northern Territory Police relating to a domestic and family violence incident
- Letter or other documentation from a medical professional or hospital
- Letter of support from a social worker
- Letter of support from a legal service

Letters of support should contain the following information:

- The client's name and address
- The relationship of the person writing the letter of support to the client
- A brief history of the violence experienced by the client
- An explanation of how the violence relates to the client's housing needs
- An examination of other housing options available to the client and why these options are not suitable

CHCA acknowledges that some clients may have greater difficulty providing supporting documentation due to cultural reasons, lack of knowledge about support services or lack of available and appropriate support services. This will be assessed on a case-by-case basis.

10. Children

In the Northern Territory, every person is required to report suspected child abuse and neglect. The *Care and Protection of Children Act* (section 15) includes exposure of a child to physical violence (for example, a child witnessing violence against their mother, father, or other family members) in the definition of harm to a child. Violence against children is a form of child abuse and is principally addressed as part of the child protection system.

The Care and Protection of Children and Young People policy outlines CHCA staff responsibilities to promote the wellbeing of children and protect them from harm and exploitation.

11. Related policies / Reference

- End of Tenancy Policy
- Care and Protection of Children Policy
- Privacy Policy