



Working with Perpetrators of Domestic and Family Violence

Policy Category	1. Tenancy	Policy Number	1.29
Author	–David Lowe - CEO	Board Approval Date	25 November 2021
Position Responsible	Housing Services Manager	Scheduled Review Date	November 2023

Purpose:

This policy identifies the response delivered by Homes Out West (HOW) to perpetrators of domestic and family violence (DFV) who are tenants, co-tenants or household members in a HOW property. This document applies to all staff members of HOW.

Policy:

HOW will monitor DFV incidents across our housing portfolios to support identification of perpetrators and monitor the success of our actions in supporting victims.

HOW aims to promote the safety of victims by effectively responding to DFV matters across all its housing services.

HOW will ensure that its staff understand DFV and the concept of power and control as it is utilised by perpetrators of DFV.

HOW will build strong partnerships and work collaboratively with the range of services who work with both victims and perpetrators of DFV to maximise opportunities for HOW to establish and maintain safe and secure tenancies.

HOW also seeks opportunities to contribute to building strong solutions that focus on a society without DFV.

DFV includes any behaviour in an intimate family relationship which is violent, threatening or controlling, causing a person to live in fear. Behaviours that may constitute DFV include:

- physical violence including physical assault or abuse
- sexual assault and other sexually abusive or coercive behaviour
- emotional or psychological abuse including verbal abuse and threats of violence
- economic abuse; for example, denying a person reasonable financial autonomy or financial support
- stalking; for example, harassment, intimidation or coercion of the other person's family in order to cause fear or ongoing harassment, including through the use of electronic communication or social media

- kidnapping or deprivation of liberty, as well as unreasonably preventing the other person from making or keeping connections with her or his family or kin, friends, faith or culture
- damage to property irrespective of whether the victim owns the property
- causing injury or death to an animal irrespective of whether the victim owns the animal.

DFV affects many people regardless of social background, disability, age, gender, religion, sexuality or ethnicity. Living with DFV has a profound effect upon victims and is particularly acute for children and young people and experiencing or witnessing DFV constitutes child abuse. In instances where DFV is identified in a household that includes a child/ren, the Mandatory Reporting policy must be followed.

DFV is a whole of community issue that requires a systemic response. HOW aims to contribute to an effective systemic response through its service delivery.

Relevant Service Standards:	<p>National Community Housing Standards</p> <ul style="list-style-type: none"> • Standard 1.2 – Establishing and maintaining tenancies • Standard 1.3 – Changing needs of tenants • Standard 1.4 – Ending tenancies • Standard 2.1 – Asset management strategy • Standard 2.2 – Responsive maintenance and repairs • Standard 2.3 – Planned maintenance • Standard 3.1 – Tenant Rights • Standard 3.4 – Access to services of the organisation • Standard 3.5 – Confidentiality and privacy • Standard 4.1 – Tenants’ access to support • Standard 4.3 – Providing housing information, advice and referral • Standard 7.4 – Occupational health and safety <p>Legislation</p> <ul style="list-style-type: none"> • Residential Tenancies Amendment (Review) Bill 2018 • Residential Tenancies Act 2010 (NSW) • Residential Tenancies Regulation 2019 (NSW) • Housing Act 2001 • Community Housing Providers (Adoption of National Law) Act 2012 (NSW) <p>National Regulatory System for Community Housing (NRSCH) Performance Outcome and Performance Requirement</p> <ul style="list-style-type: none"> • Performance Outcome 1: Tenant and Housing Services
Related HOW Policies:	<ul style="list-style-type: none"> • Tenant Access to Support Policy • Working with Victims of Domestic and Family Violence Policy • Mandatory Reporting Policy • Work Health and Safety Policy
Related HOW Forms & Internal Documents:	<ul style="list-style-type: none"> • Tenancy Plan • Support Agreement • Support Referral Register

	<ul style="list-style-type: none"> • Resource Directory • Referral Pathway for Perpetrators of DFV • Home Visit Risk Assessment
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Procedure and Guidelines:

Appendix 1 is a pathway procedure to assist staff determine how to proceed when DFV has been identified.

Assessment and Intervention

HOW Client Services Officers (CSOs) will assess and review issues and concerns that come to their attention.

The client services team, made up of CSOs and the Housing Services Manager (HSM), will analyse trends when they identify any of the following:

- A number of nuisance and annoyance complaints about a tenant, particularly those that come in close succession
- A pattern of non-payment of rent that appears to be out of context for the tenant
- Non-engagement by the tenant in meeting to discuss issues and concerns held about the tenancy
- Any other behaviour that might indicate a concern about the tenant.

This analysis will include:

- undertaking a brief evaluation of the tenant’s and household’s history of violent behaviour to determine if the issues identified might be indicative of DFV occurring within the tenancy
- reviewing for any life changing stressors within a tenancy such as job loss or bereavement
- assessing for any sudden changes in ability to pay rent, increase in property damage, neighbour disturbances or a change in willingness to engage with HOW to address issues.

Home Visits

The CSO and HSM will review the Home Visit Risk Assessment (Appendix 2) to assess for safety before engaging with a tenant who is identified as a possible perpetrator of DFV. This assessment will identify the appropriate HOW staff member to engage with the household and the manner in which such engagement will occur.

Preparing for a visit

The tenant should always be contacted to organise a home visit. If the visit is for a reason other than a routine inspection, telephone contact should be made with the tenant to organise an appropriate date/time for the visit. After the home visit has been organised with appropriate notice, there are still a number of tasks which should be undertaken to prepare for your visit.

Before your visit you should ensure you read available information and tenancy notes to gather as much information about the tenancy as you can before the visit. This will identify any additional information or forms you may need to take with you, as well as alert you to any warnings recorded or additional occupants identified.

As part of HOW's commitment to doing all it can to maintain safety for the victim, HOW will take appropriate action (where evidence is available) against anyone responsible for DFV. The appropriate response to the perpetrator will depend on the situation. This may include:

- contacting the police and other emergency services if the situation requires an immediate response due to safety
- refer to support workers such as Specialist Homelessness Service (SHS) workers who provide services to assist perpetrators to gain support in addressing their issues.

Where deemed safe to do so, the CSO and HSM will talk with the tenant/household member about a referral to a support service, such as the Men's Referral Service (MRS) if the perpetrator is male. Staff will also consult with the MRS for information and advice. If the perpetrator is female, HOW will seek advice from the relevant local DFV service about an appropriate referral (with tenant/household members consent). This is in recognition that female perpetration of DFV is complicated (including perception of DFV perpetration may be misinterpreted) and further assistance is likely to be required to make an appropriate referral.

Where a tenant does not take up a referral to a DFV support service to assist them to manage their violent behaviour, HOW will undertake alternative interventions to decrease a risk of violence. This might include:

- Providing the tenant with a brochure on MRS in case they choose to explore this option at a later date
- Offering a referral to a SHS which reinforces the need of safety for the family and assists them with alternative housing options
- Undertaking a safety check of women and children by referring to the *Strengthening Practice in Responding to Domestic and Family Violence – A Toolkit for Community Housing Providers* and HOW's *Working with Victims of Domestic and Family Violence* policy.

HOW staff will undertake a child protection notification if there is concern for the well-being of a child within the tenancy. Refer to HOW's *Mandatory Reporting* policy.

Tenancy Management

It may be appropriate for the perpetrator to be relocated to alternative housing. The following options could be explored:

- Discuss options with the local SHS who are funded to work with men. Such SHS funding includes working with men who are perpetrators of DFV if they are at risk or experiencing homelessness.
- If the victim is the tenant and wants to remain in the property and/or has an Apprehended Domestic Violence Order (ADVO) against the perpetrator which states the perpetrator cannot reside in the property, discuss options with the SHS for the perpetrator to reside in crisis or transitional housing whilst receiving support and exploring options for long term housing.
- If the victim is the head tenant and wants to remain in the property, (if it is safe to do so, such as through safety modifications undertaken at the property) and/or there is a ADVO in place excluding the perpetrator from the property and the perpetrator is a co-tenant, inform the perpetrator of transfer options and provide relevant paperwork.
 - Consider the circumstances to determine whether this should be processed as a priority transfer application.

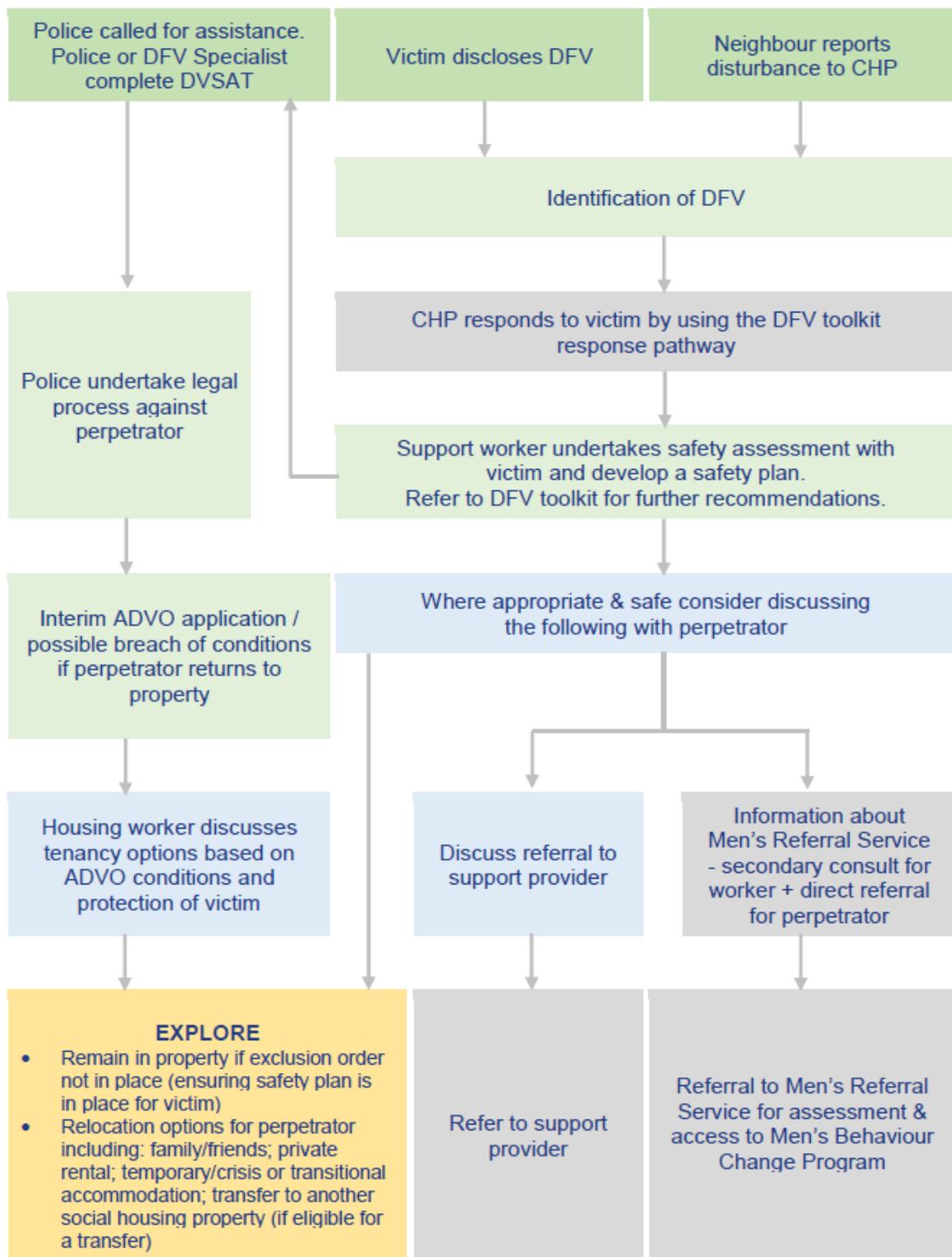
- Remember that transferring the perpetrator from the property and providing alternative long term accommodation relates to the victim's safety.
- If the perpetrator does not have long term stable accommodation, it is more likely that they will return to the property with the victim.
- If an ADVO is not in place, the perpetrator will need to agree to leave the property.
- If the victim is a tenant and wants to remain in the property and/or there is an ADVO in place excluding the perpetrator from the property, explore private rental options or accommodation with family/friends that may be appropriate for the perpetrator.
- If the perpetrator is the sole tenant of the property and is unable to temporarily reside in the property (i.e. due to bail conditions that exclude him/her from residing in the area until the Court hearing), discuss options with the tenant. Depending on the length of time that the tenant is required to reside outside of the area and taking into consideration safety issues for the victim, it may be appropriate to implement the minimum rent policy. However, it may be appropriate to encourage the tenant to end their tenancy and explore alternative longer term housing options. If the victim isn't a co-tenant, consideration will need to be made as to whether a succession of tenancy would be appropriate to transfer the tenancy to the victim.

Staff Training

HOW acknowledges that due to the sensitive and complex nature of managing DFV issues, staff training is crucial. All staff will receive internally provided training on the implementation of this policy. HOW will also seek opportunities for external training to ensure staff knowledge and expertise is continually developed.

All staff who are managing situations of DFV issues in tenancies will be provided with additional opportunities for supervision and support from their manager, especially those who may be less experienced in their role.

APPENDIX 1 – REFFERAL PATHWAY FOR PERPETRATORS OF DFV



APPENDIX 2 – HOME VISIT RISK ASSESSMENT

To gauge the level of risk for home visits complete the following by circling the relevant score for each question and write in the 'point's column'. Once all questions are answered and scores carried across, add the total points and write in the space provided. Compare your score with the identified level of risk to inform your action.

QUESTIONS					Points	
1. Has the tenant, or any individual household member, had any history of violence, including domestic violence?	Within 3 months	Within 1 year	1–5 years or more	No history		
	13	6	1	0		
2. Has the tenant expressed intent to harm others?	Within 3 months	Within 1 year	1–5 years or more	No history		
	6	3	1	0		
3. Does the tenant have any history of self-harm in the past year e.g. cutting, drugs and/or alcohol?	Yes		No			
	1		0			
4. Is there a history of any behaviour in any household member that would warrant the need for 2 staff to attend?	Within 3 months	Within 1 year	1–5 years or more	No history		
	6	3	1	0		
5. Is the tenant known to have visitors who may have any of the above issues?	Yes		No			
	6		0			
6. Does the tenant live in an area or situation that may place the staff member in a dangerous situation? (e.g.- dangerous animals at the property, night visit, potential weapons)	Yes		No			
	6		0			
TOTAL POINTS						
IDENTIFIED LEVEL OF RISK	<input type="checkbox"/>	LOW 0 - 5	<input type="checkbox"/>	MED / SIGNIFICANT 6 - 12	<input type="checkbox"/>	HIGH/ EXTREME 13+

If points total between 6 and 12, home visiting with two staff may need to be undertaken until further assessments demonstrate otherwise. This decision should be made by the manager/team leader.

If points total above 12, staff attending the premises must be accompanied by a senior worker until the risk is reduced or further assessments are completed and identified risks are reduced.

The total point score on this sheet is to be clearly highlighted.

Comments / advice on the above
How will risks be mitigated/reduced?

Employee's Name	_____	Signature	_____
Manager's Name	_____	Signature	_____
Date	_____		