



Support & Safety Hub

# Interim Operational Guidance between Support and Safety Hubs and the Magistrates' Court of Victoria

May 2018



## **Aboriginal acknowledgement**

The Victorian Government proudly acknowledges Victorian Aboriginal people as the First Peoples and Traditional Owners and custodians of the land and water on which we rely. We acknowledge and respect that Aboriginal communities are steeped in traditions and customs built on an incredibly disciplined social and cultural order. This social and cultural order has sustained up to 50,000 years of existence. We acknowledge the ongoing leadership role of the Aboriginal community in addressing and preventing family violence and join with our First Peoples to eliminate family violence from all communities.

## **The Orange Door**

The Orange Door The public branding of the Support and Safety Hubs is The Orange Door. 'The Orange Door' and 'Support and Safety Hub' terms are used interchangeably across policy and communication materials.

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## Preamble

The public branding of the Support and Safety Hubs is The Orange Door. The Orange Door and Support and Safety Hub terms are used interchangeably across policy and communication materials.

This operational guidance (guidance) was developed by Family Safety Victoria (FSV) and the Magistrates' Court of Victoria (MCV) to support the relationship between the Support and Safety Hubs (Hubs) and the Court from the initial establishment of Hubs operations in 2018. The guidance has been developed in the context of the first six months of Hubs service commencement. Key learnings and future reform implementation will further inform how the Court and Hubs work together to ensure that women, children, and young people are safe, and that perpetrators are kept in view.

The intent of the guidance is to ensure practical supports are in place for the Court and Hub workers, and that there is a shared understanding of roles and expectations from establishment.

The MCV has an important role in supporting the development of the Support and Safety Hubs. The MCV will continue to provide key advice and guidance as the Hubs model evolves, through its membership on the Hubs Steering Committee, Hubs Working Group (interdepartmental committees) and the Hubs Local Establishment Groups (in the local areas).

This guidance will also recognise the paramount duty of the court to ensure that the justice system is administered justly and fairly, the important role of the court in keeping the community safe, and the significance of an independent court system for the whole Victorian community.

The guidance will initially support the relationship between the Court and Hubs across the jurisdictions exercised by the Magistrates' Court of Victoria. For the purposes of this document, this does not include the Children's Court of Victoria.

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## Glossary

### **Affected Family Member (AFM)**

The person(s) who is or has been affected by family violence.

### **Applicant**

The person applying for an Intervention Order.

NOTE: In some instances an Intervention Order may protect the Applicant and the AFM. In other instances the police will be the Applicant.

### **Accused**

A person who has been charged with a crime. Previously known as the defendant.

### **Applicant practitioners**

Family violence applicant practitioners provide support to applicants/AFM's who have experienced family violence, assess their immediate safety risks, develop safety plans and refer to appropriate agencies within the community for ongoing support, counselling and longer-term safety planning.

### **Bail**

Bail is the release from custody of a person charged with an offence, on that person's signed undertaking that they will appear in court to answer the charge and abide by any special conditions imposed. This undertaking is a pledge they make when they sign the bail bond entitling them to conditional freedom. An accused person can be released on bail by Victoria Police or the Court.

### **Bail application**

An application for bail is a court hearing to decide whether or not an accused should be released from custody to appear in court at a later date. If released on any bail undertaking an accused must agree to follow any conditions imposed by the Court. If an accused breaches these conditions or does not attend court when required, an arrest warrant may be issued.

### **Central Information Point**

The Central Information Point (CIP) was recommended by the Royal Commission into Family Violence (RCFV) to provide timely information to support effective risk assessment and management, in particular for medium to high risk cases. Support and Safety Hubs workers will be able to request a CIP report about an individual that they hold a reasonable belief is perpetrating or at risk of perpetrating family violence. The CIP will bring together the most critical information about adult perpetrators (male or female) who have been referred to the Hub directly and who are believed to be perpetrating family violence against another individual who has been referred to the Hubs (including against children). The CIP will be in a pilot phase at the commencement of Hubs operations, with its capability building incrementally over time.

### **Counselling Order**

A counselling order is an order a Magistrate makes that requires male Respondents to attend a Men's Behaviour Change Program. Only Magistrates in the Family Violence Court Divisions at Heidelberg and Ballarat Magistrates' Courts, and at the counselling courts at Frankston Magistrates' Court and the Moorabbin Justice Centre, can make counselling orders. Breaching a Counselling Order is a criminal offence.

### **Court Integrated Services Program**

The Department of Justice and Regulation (DJR) and the Magistrates' Court of Victoria established the Court Integrated Services Program (CISP) in November 2006. The program provides accused persons with access to services and support to reduce rates of re-offending and promote safer communities.

CISP aims to:

- provide short term assistance before sentencing for accused with health and social needs
- work on the causes of offending through individualised case management
- provide priority access to treatment and community support services
- reduce the likelihood of re-offending.

The CISP provides:

- a multi-disciplinary team-based approach to the assessment and referral to treatment of clients
- case management for up to four months for medium and high risk clients
- referrals and linkages to support services including drug and alcohol treatment, acquired brain injury services, accommodation services, disability support and mental health care
- services for Koori clients such as the Koori Liaison Officer program.

CISP is available at 15 court locations across the state, including all headquarter courts.

### **CISP Case Manager**

The CISP Case Manager provides case management to participants during their bail period or while on summons. The case manager will conduct screening and comprehensive psychosocial assessments, and work with the participants to develop individual case management plans that link the participants into treatment / support services to address their offending behaviour.

### **Family Violence Counselling Orders Program**

The Family Violence Counselling Orders Program (FVCOP) is located at Frankston Magistrates' Court and the Moorabbin Justice Centre. The FVCOP was established in 2013.

The FVCOP has the power to make counselling orders that mandate men to participate in a Men's Behaviour Change Program, in conjunction with a Family Violence Intervention Order.

### **Family Violence Court Division**

The Family Violence Court Division is located at the Heidelberg and Ballarat Magistrates' Courts. The Division commenced operations on 14 June 2005. Family Violence Court Division has the capacity to hear other matters at the same time as Intervention Order cases. These include bail applications and pleas in criminal cases, family law parenting order matters, and Victims of Crime applications related to family violence.

Counselling orders can be made to direct male Respondents to attend Men's Behaviour Change Programs to change their violent and abusive behaviour.

### **Family Violence Registrars**

The officer in charge of the administrative section of a court, which is known as the 'registry'. Family Violence Registrars oversee the family violence response for their regions and provide specialist knowledge about the courts family violence jurisdiction.

### **Family Violence Intervention Order**

An intervention order can be made by a Magistrate under the *Family Violence Protection Act 2008* to protect family members from family violence.



## **Fast-tracking**

An initiative introduced in the Magistrates' Court to ensure all family violence related criminal matters are listed and finalised within designated time frames in order to increase perpetrator accountability and enhance the safety of victims.

## **Headquarter Court**

Larger Court locations that accommodate multiple services and have permanent staff and Senior Registrar. Headquarter courts may have satellite courts attached that do not accommodate as many services or staffing (for example Frankston is a headquarter court, with Dromana being a satellite court). All headquarter courts have family violence intervention order lists operating across multiple days a week.

## **Hubs Leadership Group**

The Hubs Leadership Group has been formed in each of the launch areas to:

- provide strategic direction
- be accountable for integrated practice and service delivery
- oversee operations and performance of Hub, based on the statewide policy and design
- keep FSV, DHHS and other stakeholders (as relevant) informed of issues and risks.

Membership for the Hub Leadership Groups include:

- senior executives from each CSO and Aboriginal service partnering in the Hub
- FSV senior executives and an implementation manager for the area
- senior government representatives from key departments and agencies (Victoria Police and DHHS)
- the Hub Manager.

## **Judicial Registrar**

Independent judicial decision makers appointed by the Governor in Council pursuant to section 16C of the *Magistrates' Court Act 1989*. Judicial registrars exercise the powers and jurisdiction delegated to them by the Chief Magistrate.

## **Local Hub Establishment Groups**

To support implementation, Local Hub Establishment Groups have been created in each launch area to:

- support establishment of the local Hub
- implement referral pathways and protocols between Hubs and services
- articulate clear service interfaces between the Hub and broader services, including in the community, social, health and justice sectors
- create shared responsibility for outcomes
- contribute to monitoring, planning, tailoring and service improvement
- inform the broader statewide approach of the Hubs.

The membership of Local Hub Establishment Groups include:

- senior Hub representatives
- government departments
- agencies from justice (including the Court), health, community services (including universal and tertiary prevention)
- representatives from Aboriginal services, including those from Aboriginal communities and other diverse communities
- community representatives.

## **Magistrate**

Magistrates' are appointed by the Governor in Council pursuant to section 7 of the *Magistrates' Court Act 1989*.

## **Men's Behaviour Change Program**

A program run by Community Service Organisations designed to hold men accountable for their use of violence against their partners. Courts access these places through voluntary places or through places mandated as part of a Counselling Order.

## **Nominated liaison point**

The relevant point of contact for a referral made to the Hub or to the MCV.

## **Senior Registrar**

Senior Registrars manage all court operations within a specific geographical region and are responsible for providing leadership to all staff within the region. The role is responsible for ensuring all legal, quasi-judicial and administrative function are conducted in accordance with the acts, rules and regulations across all relevant jurisdictions.

## **Support and Safety Hubs**

For the purpose of this document the term 'Hub' is representative of the partner service agencies operating within the Hub, who are all legislated to receive and manage referrals in accordance with their legislative obligations. The Hubs will also be known as the The Orange Door.

## **Support and Safety Hubs Steering Committee**

The Hubs Steering Committee is the key leadership body within government responsible for the Support and Safety Hubs project. Steering Committee members include Senior Executives from across government, Victoria Police and the Magistrates' Court of Victoria.

## **Support and Safety Hubs Working Group**

The Hubs Working Group supports the Steering Committee to undertake its functions, providing advice and oversight on the progress of the Support and Safety Hubs project. Working Group members include Executives and Managers from across government, Victoria Police and the Magistrates' Court of Victoria.

## **Perpetrator**

The term perpetrator is used to describe people who use family violence.

## **Personal Safety Intervention Order**

An intervention order can be made by a Magistrate under the *Personal Safety Intervention Orders Act 2010* to protect people from stalking, and other prohibitive behaviour where there is no family relationship.

## **Principal Registrar**

The Principal Registrar maintains and has custody of the Magistrates' Court register. Access to the register is governed by section 18 of the *Magistrates' Court Act 1989*.

## **Respondent**

The person who has had an application for an Intervention Order taken out against them.

## **Respondent practitioner**

They will provide non-legal information, support and referral for people who are respondents to an application for an intervention order or involved in criminal proceedings arising from or including

allegations of family violence. They will conduct assessments and make appropriate referrals to a range of support services and into programs.

### **Remand**

An accused is remanded in custody after being charged with a criminal offence, if they have not applied for bail, have been refused bail, are unable or unwilling to meet the specific conditions set out in the bail, including providing a surety. An accused on remand has not been sentenced and there is a presumption at law of innocent until proven guilty.

### **Victims of Crime Assistance Tribunal**

The Victims of Crime Assistance Tribunal (VOCAT) is established by the *Victims of Crime Assistance Act 1996*. The Tribunal hears and determines applications for financial assistance made by victims of violent crime committed in Victoria, and assists victims of crime in their recovery by paying for expenses that they have incurred, or are likely to incur in the future, as a direct result of the crime. It is also intended to be a forum for applicants to relate their experience as victims of crime.

# Introduction

The Victorian Government has committed to implementing all 227 recommendations of the Royal Commission into Family Violence and to delivering on the vision described in *Roadmap for Reform: Strong families, Safe children*.

A key recommendation of the Royal Commission and the Roadmap for Reform was to establish a network of Support and Safety Hubs (Hubs) across Victoria to provide a new way for women, children and young people experiencing family violence, and families in need of support with the care, development and wellbeing of children and young people, to access coordinated support from community, health and justice services.

Hubs will be accessible, safe and welcoming to people, providing quick and simple access to the support and safety they need. The Hubs will also focus on perpetrators of family violence, to keep them in view and connect them to services that assist in holding them accountable for their actions and changing their behaviour.

*Ending Family Violence: Victoria's Plan for Change* released in November 2016, sets out the Victorian Government's commitment to establish a network of Support and Safety Hubs across all 17 Department of Health and Human Services (DHHS) areas by 2021. The Hubs will be central to Victoria's approach to addressing both family violence and ensuring child safety and wellbeing. The Hubs will also form a critical part of the broader service system response.

The *Support and Safety Hubs: Statewide Concept* (Statewide Concept) released in July 2017 describes the intent, scope, key functions and roles of the Hubs and how the Hubs will contribute to the vision and aspirations of Victoria's Plan for Change and Roadmap for Reform. It outlines what the Hubs will deliver across the state as part of the future service system; the approach government is taking, and a number of principles for the design of the Hubs.

The Statewide Concept emphasises the need for the Hubs and Magistrates' Court of Victoria (MCV) to work together to ensure that people that have come into contact with the court and are experiencing family violence are able to access the support they need seamlessly.

Family Safety Victoria (FSV) will oversee the establishment of the Hub network and provide local leadership, facilitation, oversight and infrastructure management in collaboration with Local Hub Establishment Groups and local Hub Leadership Groups who will lead the implementation and management of the Hubs in each area.

The Victorian Government has committed to the initial establishment of five launch sites in the DHHS areas of Mallee, Barwon, Bayside Peninsula, Inner Gippsland and North-East Melbourne from early 2018, with Hubs in all 17 DHHS Areas by the end of 2021.

## Family Safety Victoria

Family Safety Victoria (FSV) was established in July 2017 and is Australia's first government agency dedicated to the prevention of family violence. FSV will deliver key initiatives to help protect, support and identify risk for those impacted by family violence and hold perpetrators to account. FSV is also coordinating access to services that support vulnerable children and families.

FSV is responsible for establishing the Support and Safety Hubs, as well as:

- enhancing existing specialised services for victims of family violence including children, so that the right assistance is available at the right time

- implementing the family violence information sharing scheme (FVISS) and risk assessment and management framework, supported by a Central Information Point (CIP) connecting police, corrections, the courts, DHHS and services to keep victims safe
- delivering the 10-Year Family Violence Industry Plan and houses the new Centre for Workforce Excellence, to build workforce capacity and capability in partnership with the sector
- building an understanding to embed responsiveness to diverse communities across the family violence reforms
- leading engagement with sector, victim survivors, diverse communities and the Victorian community as a whole across all reforms and initiatives
- enhancing perpetrator responses.

## About the operational guidance

### Purpose of the operational guidance

This operational guidance (guidance) recognises the shared responsibility of the Hubs and MCV to promote the safety for all members of the community experiencing family violence. The Hubs will focus on women, children, and young people, and families in need of support with the care and wellbeing of children that come before the court.

The guidance recognises the critical role to provide assessment and management of risk appropriately and dynamically to better support victim survivors, and hold perpetrators accountable and in view.

The purpose of this guidance is to provide information about the operating procedures and processes agreed at a statewide level between the Hubs and MCV to support local functions and operations of the Hubs from commencement.

This guidance will outline:

- how MCV and FSV will work together, including how Hubs complement existing family violence and other support services
- processes to make referrals to the Hubs for women, children and perpetrators
- roles, responsibilities and key contacts between the MCV and the Hubs
- processes to resolve issues
- information sharing processes to support the relationship between the MCV and the Hubs.

The guidance aims to:

- ensure that the experience of accessing the appropriate range of supports and assistance is as seamless as possible for women, children and young people
- ensure that perpetrators are kept in view and held to account
- provide understanding for Hubs workers of MCV's operating context
- provide understanding for court staff of Hubs operating context
- ensure that there is a shared approach to providing support for people that interface with the court and the Hubs.

## How this guidance relates to existing policies and practices

The guidance should be read in the context of relevant legislation and operational principles in relation to family violence, and children and young people. This also includes relevant organisational policy for MCV and FSV in relation to family violence, and children and young people.

This guidance does not replace or override responsibilities of MCV and the Hubs in the launch areas. The organisations will continue to operate within existing legislation, and relevant policy and practice frameworks that are in place.

This guidance is to be considered in accordance with:

- *Memorandum of Understanding* – State of Victoria through Family Safety Victoria relating to the co-location of employees from Courts, Police, DHHS, and Corrections at the Central Information Point
- *The Children, Youth and Families Act 2005*
- *The Child Wellbeing and Safety Act 2005*
- *The Family Violence Protection Act 2008*
- *The Magistrates' Court Act 1989*
- *Family Violence Information Scheme*.

This guidance is strengthened when also read in conjunction with:

- *The Support and Safety Hubs Statewide Concept*
- *The Support and Safety Hubs Service Model*
- *The Support and Safety Hubs Operating Guidelines*.

## Commitment of participation

The guidance has been developed by FSV in consultation with MCV. The Hubs and MCV are committed to making access to justice and support easier and safer for women, children and young people, and families in need of support with the care and development of children and young people who are in contact with the justice system.

The Hubs and MCV will continue to develop increased understanding of their roles and responsibilities, and work collaboratively to deliver effective and coordinated justice responses.

## Review of operational guidance

This document outlines statewide requirements and provides guidance to support the commencement of Hub service delivery across the five Hub launch sites. It is recognised that this guidance needs to be developed iteratively, informed by the lessons we learn from the first six months of Hub implementation as well as further policy and practice work lead by Family Safety Victoria in partnership with key stakeholders across government and the service system.

It is intended that the next iterations of statewide guidance will be in place by the end of 2018 and will incorporate key learnings, practice innovation, IT enhancements and legislative changes, impacting on the operational arrangements between the Hubs and MCV.

# Overview

## Role of the MCV

The Magistrates' Court of Victoria (MCV) exercises power across a number of jurisdictions including the criminal and civil streams, family law and the Victims of Crime Assistance Tribunal (VoCAT).

In relation to family violence matters, there are a number of ways in which matters can be heard in the MCV. The MCV is increasingly focused on a multi-jurisdictional response that coordinates and presides over family violence intervention orders (civil law), criminal family violence offences, contraventions of intervention and counselling orders, victims of crime assistance tribunal applications and family law matters. MCV is dedicated to ensuring best practice, improving processes and leading stakeholder and community engagement activities.

## Family Violence Civil Jurisdiction

Family Violence Intervention Orders are made under the *Family Violence Protection Act 2008*. While all 54 Magistrates' Courts can hear intervention order matters, an enhanced court process aims to ensure those experiencing family violence have equal access to justice responses for a safer experience and that perpetrators are held accountable for their behaviour.

While the implementation of Specialist Family Violence Courts is progressed, as recommended by the Royal Commission into Family Violence, there are a number of family violence courts that operate in Victoria, including Ballarat, Heidelberg, Moorabbin, Frankston and all Headquarter Courts.

## Family Violence Court Division

The Family Violence Court Division is located at the Heidelberg and Ballarat Magistrates' Courts. At these locations, a magistrate can hear a number of related matters at the same time as Family Violence Intervention Orders. These include bail applications and pleas in criminal cases, family law cases and Victims of Crime applications that are related to family violence matters.

A unique feature of the Family Violence Court Division is its power to direct eligible men, who have had an intervention order made against them, to attend a Men's Behaviour Change Program. The program also offers support to the respondent's partner or former partner and their children.

The Division has a range of support services available including family violence applicant and respondent practitioners, specialist lawyers, and outreach workers from community agencies. There are also specially assigned magistrates, prosecutors, security officers and a Family Violence Court Division Registrar who specialise in family violence matters.

Family violence applicant practitioners provide support to people who have experienced family violence, assess their immediate safety risks, develop safety plans and refer to appropriate agencies within the community for ongoing support, counselling and longer-term safety planning.

Family violence respondent practitioners provide risk assessments, safety plans and non-legal information, support and referral for people who are respondents to an application for an intervention order. Respondent Practitioners also undertake Eligibility Assessments for attendance in a Men's Behaviour Change Program.

## Family Violence Counselling Order Program

The Family Violence Counselling Orders Program (FVCOP) is located at Frankston Magistrates' Court and the Moorabbin Justice Centre. The FVCOP was established in 2013.

The FVCOP has the power to make counselling orders that mandate men to participate in a Men's Behaviour Change Program, in conjunction with a Family Violence Intervention Order. The FVCOP also focuses on enhancing the safety of women and children by providing women and children who have experienced family violence with access to services, as well as encouraging the accountability of perpetrators of family violence for their actions.

### ***Specialist Family Violence Lists***

Specialist Family Violence Lists are available at all headquarter courts, as well as Werribee Magistrates' Court. These courts hear intervention order matters only and have a specialised team who have knowledge and experience in family violence, including a lead magistrate, family violence registrar, applicant practitioner, respondent practitioner.

### ***Specialist Family Violence Courts***

The Victorian Budget 2017/18 has provided \$130.3 million to fully implement five Specialist Family Violence Courts (SFVC) at the Ballarat, Frankston, Shepparton, Moorabbin and Heidelberg Magistrates' Courts. Relevant Hub locations in the first tranche include Bayside Peninsula (Frankston) and North-East Melbourne (Heidelberg) areas.

The SFVC model has three core elements which focus on new service delivery model for family violence matters, a specialised family violence team, and appropriate court facilities for family violence matters.

The features of the SFVC delivery model are:

- all family violence matters are heard in the SFVC by default
- related matters are heard together where possible
- there is capping on the number of cases heard in the SFVC on a daily basis
- resources are triaged based on risk assessment and need
- perpetrators are held accountable and interventions are made to prevent future violence
- there is integration with a wider set of family violence services

Specialist family violence teams will include:

- Specialist Family Violence Magistrate/s
- Family Violence Registrars
- Family Violence Court Coordinators
- Dedicated Family Violence VoCAT Registrar
- Family Violence Applicant and Respondent Practitioner/s
- Court Registrars and Bench Clerks
- Culturally appropriate support services including Koori Support Workers
- Additional support services including interpreters and Court Network



## Family Violence Criminal Jurisdiction

Outside of the Division Court sites of Heidelberg and Ballarat, family violence criminal matters are heard in all other court locations and do not have applicant or respondent practitioners or family violence registrars that provide specialist family violence risk assessment, support or referrals.

However, other specialist case management models exist throughout court including the Court Integrated Services Program (CISP), Assessment and Referral Court (ARC), Court Advice and Support Officer (CASO) and Koori Community Engagement Officers.

The MCV has introduced the fast tracking initiative across the state to ensure all family violence related criminal matters are listed and finalised within designated time frames in order to increase perpetrator accountability and enhance the safety of victims.

## Role of the Support and Safety Hubs

The Hubs are a new way for women, children and young people experiencing family violence, and families who need support with the care, wellbeing and development of children and young people to access coordinated support from social, health and justice services.

The Hubs will seek to be culturally safe and respectful of Aboriginal people, meet the diverse needs of the Victorian community and be accessible for people of all ages.

The Hubs will bring together access points for family violence services, family services and perpetrator/men's services. They will bring together existing referral points for victims and perpetrators of family violence (including police L17 referral points), and children and families in need of support (Child FIRST).

The Hubs when fully established will provide:

- a more visible contact point so that people know where to go for support
- an approach across the spectrum of prevention, early intervention and response
- help for people to identify family violence and child and family safety and wellbeing issues
- advice based on the latest risk assessment tools and best available information
- specialist support and tailored advice for victims, families and children, and perpetrators
- a strong focus on perpetrator accountability
- a system-wide view of service capacity, client experience and outcomes.

The Support and Safety Hubs service model (2017) builds on the vision and aspirations as articulated in the Support and Safety Hubs State-wide Concept and provides further refinement of the scope and functionality. It details the baseline requirements, processes and operational specifications for the foundational Hubs model for the five launch areas and how this evolves over time.

The Hubs represent a shift in our approach, and are a critical part of our whole-of-system reform.

The functions of the Hubs will scale up over time and will also play a role in improving the service system because of the unique perspective they will develop on community needs, and service capacity, capability and responsiveness.

Hubs will be open during business hours 9.00am-5.00pm Monday to Friday each week (excluding public holidays). After hours services will continue to be provided by Safe Steps, the Men's Referral Service and Child Protection.

## Functions of the Hubs

The Hubs will work with the MCV and court-based support services to:

- undertake risk and needs assessment

- plan supports and services
- coordinate connection to supports and services responses, including legal services and justice responses.

### **What type of support will the Hubs provide**

Hubs workers are independent from the court, and will not provide any assistance in relation to court proceedings.

Hubs will provide a critical support for victims to access a range of supports and services which help them to engage with legal protections, court processes and support that they need and want more seamlessly and quickly.

Where appropriate, Hubs workers may attend the court to provide support for an individual. This will be assessed on a case-by-case basis.

The Hubs will also provide a voluntary intake pathway for perpetrators to connect with services. This work supports the work that takes place through the court and mandatory interventions.

## **Referrals to the Support and Safety Hubs**

### **How and when to make a referral to a Hub**

Referrals to the Hubs may be made by different services that exist in the MCV, noting that there a number of ways in which matters can be heard in the MCV, and will vary by court location. These may include:

- CISP (Mildura, Latrobe Valley, Geelong, Heidelberg, Moorabbin and Frankston)
- Family Violence Court Division (Heidelberg)
- Specialist Family Violence Courts (yet to be operational)
- Family Violence Counselling Order Program (Frankston and Moorabbin)
- Specialist Family Violence Lists (Latrobe Valley, Geelong)

Referrals can be made before an individual's first court date or at any other time in their court journey.

MCV staff can make a referral directly to a Hub for:

- women, children and young people who have experienced, are experiencing, or are at risk of family violence
- families in need of support with the care and development of children
- perpetrators of family violence.

Referrals between the Hubs and court will initially include:

- telephone, email or in writing.

Initially, the Hubs and Court will have nominated liaison points to facilitate the referrals in each launch area (see pages 23 - 26).

The nominated liaison points for the MCV takes into account that referrals to the Hubs (and vice versa) will be made by different jurisdictions of the court. The nominated liaison points for the MCV are based on the relevant jurisdictions of the MCV that are most likely to make a referral to the Hubs (i.e. Specialist Family Violence Practitioners or CISP Case Managers).

The Hubs will initially be operational during business hours (9am-5pm Monday-Friday). After-hours telephone support will continue to be provided by existing statewide services (which includes the 24/7 statewide family violence response line, men's referral service, victims of crime helpline, and the sexual assault crisis line).

### **What information is required for a referral**

The Hubs worker will work with the court to gather as much information as possible to enable assessment of suitability of the referral for consideration by the Hub. Gaps in knowledge and information should not prevent a referral to the Hub. Information necessary to inform risk assessment and planning will continue to be gathered throughout the referral process.

The gathering of information will be undertaken in line with requirements of the relevant privacy and information sharing legislative requirements. Gathering further information is an important step to inform prioritisation and help clarify or verify critical information.

The approach to the identification and prioritisation of Hubs referrals will vary slightly depending on the context of the referral.

### **Relationship between Hubs referrals and usual responsibilities of MCV**

The court has statutory functions and responsibilities in relation to family violence matters (or matters where family violence or concerns about the wellbeing of children and the family are identified). The support provided by Hubs is independent of these functions, and is intended to complement existing court-based support responses.

### **Video conferencing**

There will be some capacity to trial use of video conferencing technology following the commencement of Hub operations. The Court and FSV will pilot a trial within the first six months of operations.

### **Identification, prioritisation and management of referrals**

Referrals to the Hubs includes coordinating the screening, identification and triage of referrals to:

- determine the most appropriate type of response for the person and/or family
- prioritise the response required from the Hub or another service.

Prioritised assessments will be expedited by the Hub. The mode of assessment may take place via telephone or in person, and will be determined on a case-by-case basis. For example, Hub workers will be able to meet with affected family members or perpetrators at court.

In circumstances where the needs identified and individuals or families fall outside the scope of the Hubs, Hub workers will support individuals and families to connect with the most appropriate service.

### **Support provided by the Hub to assist the Court**

- when there are applicant and respondent practitioners at a court, they could work with a Hub worker to prioritise the daily court list and determine who will be seen by court staff, and who will be contacted by a Hub worker
- when a respondent practitioner at court has an opportunity to engage a perpetrator, and the Hub has already engaged with the victim survivor – workers will be able to liaise to inform risk assessment and manage, and coordinate supports and interventions
- when a perpetrator does not appear at court, a respondent or applicant practitioner may refer this to the Hubs to ensure perpetrators are held in view
- when a court-based worker is a CISP case manager for a perpetrator accused of a criminal offence, and a Hub is working with other family members – workers will be able to liaise to inform risk assessment and manage, and coordinate supports and interventions.

## **Roles and Responsibilities**

### **Support and Safety Hubs**

Responsibilities:

- facilitate screening, identification and triage to ensure streamlining of referrals to the Hubs
- facilitate the provision of advice and information to assist with matters that are before the court (i.e. risk assessment and planning to inform decision-making)
- facilitate consultation with the Courts to support affected family members
- make linkages to appropriate support services for individuals and families.

### **Magistrates' Court of Victoria**

Responsibilities:

- facilitate the provision of advice and information to assist the Hubs in a timely manner
- facilitate consultation with the Hubs to ensure there is wrap-around support for women, children and young people at court who do not have existing supports in place.
- facilitate linkages between Hubs and already established justice and other support agencies operating in courts.

## **Feedback between agencies**

Once a referral has been made to the Hubs, it is important that feedback (written or verbal) is provided on the outcome of the Hubs referral. This also includes the provision of information about the actions taken to provide appropriate support in instances where a Hubs referral was not deemed to be in scope of the Hubs.

The provision of feedback between the Hubs and MCV provides an opportunity to identify and discuss responses to referrals, facilitate the collaborative interface and further develop the relationship between the agencies.

Where relevant, the Hubs will provide feedback on the outcomes of referrals made by MCV initially, on a monthly basis. This may occur via telephone, email or face-to-face, and should be specific to the relevant liaison point of the MCV that made the initial referral.

Where appropriate, the Hubs may be consulted to contribute to risk management and planning as part of the court's usual case conferences or coordination meetings.

In instances where perpetrators may be referred to the Hubs (or are involved as part of a protected applicant party), on request of the Hubs, the Court will provide information to the Hubs on the status of a perpetrator's court outcome.

## Information sharing

The effectiveness of the working relationship between the Hubs and MCV will be underpinned by dynamic information sharing. Information to support the functions of the Hubs (such as triage, and risk and needs assessment) will rely on the sharing of information with other agencies such as MCV, and other sources like the Central Information Point (CIP).

Sharing of information and privacy between the Hubs and MCV will operate in accordance with a suite of relevant laws and frameworks in relation to information sharing, and will only be shared in appropriate circumstances. This includes:

- *Privacy and Data Protection Act 2014* (including the Information Privacy Principles)
- *Health Records Act 2001* (including the Health Privacy Principles)
- *Children, Youth and Families Act 2005*
- Part 5A of the *Family Violence Protection Act 2008* (Part 5A) (including the Family Violence Information Sharing Regulations 2018 and Family Violence Information Sharing Guidelines).

Hubs will have access to the CIP to request critical information about perpetrators from Victoria Police, Courts, Corrections, and the Department of Health and Human Services (DHHS). This will make it easier for workers to assess the risk perpetrators pose to victims survivors, and to provide timely support.

Initially, the CIP will have limited operating capacity. In the future, the CIP will have the capacity to flag information about a perpetrator (i.e. important dates such as expiration of an intervention order and prison sentences) that has been a previous subject of a request, allowing for Hub workers to be able to update risk management and safety plans. In making referrals to the Hub or the Court, Hub workers and court-based staff will need to share information directly between the agencies.

This will support the safety of women, children and young people, perpetrator accountability, and risk assessment and risk management.

Sharing of information between Hubs and MCV will enable:

- provision of information to court registry about the perpetrator to inform safety planning for court appearances and/or assist in decision-making
- provision of information from the Court to the Hubs to inform risk assessment and risk management
- advising the Hubs about the outcomes of court proceedings to inform risk assessment and risk management (i.e. whether a perpetrator has been remanded, sentenced, or released).

### Family Violence Information Sharing Scheme

The Family Violence Information Sharing Scheme (the Scheme) has been created by the new part 5A of the Family Violence Protection Act 2008 (FVPA). The Scheme authorises a select group of information sharing entities (ISEs) to share information with one another for family violence risk assessment and risk management purposes. Most workers within the Hubs, including the Senior Child Protection Practitioner Community Based (SCPPCB), are part of this group of ISEs.

Both the Hubs and MCV are organisations prescribed as ISEs. Application of these regimes will depend on the particular circumstances of the individual.

In addition, the legislation removes the requirement that a serious, imminent threat to an individual must be present before information can be legally shared. This applies generally, and not just in the context of family violence.

The legislation also enables the established Central Information Point (CIP) to be an effective and timely conduit of information sharing for Hub practitioners.

The Family Violence Information Sharing Guidelines can be viewed at:

<https://www.vic.gov.au/familyviolence/family-safety-victoria/information-sharing-and-risk-management.html>

## Dispute resolution

### Disputes between MCV and the Hubs

MCV and Hubs staff/workers will work proactively with each other to resolve disputes that may arise in relation to the operation of the Hubs. Every effort should be made to resolve issues informally, at a local level, and in accordance with the organisational policies of both parties, and this guidance.

Where an issue cannot be resolved, if the issue pertains to the Hubs, the issue should be raised with the Hubs Centre Manager for the relevant launch area.

If the issue pertains to the Court Operations, the issue should be raised with the Senior Registrar of the relevant Court location.

If the issue pertains to the Information Sharing Scheme, refer to the MCV Information Sharing Senior Implementation Officer, as is consistent with the Information Sharing Regime complaints policy.

## Learning and continuous improvement

The operation and practice of the Hubs will be informed by emerging needs and evidence and firmly embedded with the principle of continuous improvement. The design and implementation of the Hubs will continue to develop and be informed by community needs, co-design, and practice learnings.

Initially, existing governance arrangements within FSV and MCV will continue to provide the forum to support and contribute to further service improvements and practice learnings from the Hubs operations, and continue to strengthen the working relationship between the Hubs and Court.

These include:

- Hubs Working Group
- Hubs Steering Committee
- Chief Magistrates' Family Violence Taskforce
- Hubs Local Establishment Groups



## Appendix 1 - Nominated Liaison Points – MCV

Position	Staff Member	Email	Phone
Central Information Sharing Senior Implementation	Jessie Lauder	informationsharing@courts.vic.gov.au	9032 0877

### BARWON SUPPORT AND SAFETY HUB

*Relevant Court – Geelong (Headquarter Court)*

Position	Staff Member	Email	Phone
Senior Registrar	Mark Baker	Mark.baker@courts.vic.gov.au	5225 3349 041 007 2222
Family Violence Registrar	Ivy Pham	Ivy.Pham@courts.vic.gov.au	5225-3333
Applicant Practitioner	Vacant		
Respondent Practitioner	Peter Jokic	<a href="mailto:Peter.Jokic@courts.vic.gov.au">Peter.Jokic@courts.vic.gov.au</a>	5225-3436
CISP Team Leader	Emma Kennedy	GeelongCISP@courts.vic.gov.au	5225 3385

### BAYSIDE PENINSULA SUPPORT AND SAFETY HUB

*Relevant Court/s – Frankston and Moorabbin (FVCOP)*

<b>Moorabbin</b>			
Position	Staff Member	Email	Phone
Senior Registrar	Stuart Pope	Stuart.pope@courts.vic.gov.au	9784 5744
Managing Registrar	David Christie (manger)	David.christie@courts.vic.gov.au	9628 7862
Family Violence Registrar	Jason Eastwood	<a href="mailto:Jason.Eastwood@courts.vic.gov.au">Jason.Eastwood@courts.vic.gov.au</a>	9090-8041
Applicant Practitioner	Jacqueline Hough	<a href="mailto:Jacqueline.Hough@courts.vic.gov.au">Jacqueline.Hough@courts.vic.gov.au</a>	9090-8053
Respondent Practitioner	Tim Kay	Timothy.kay@magistratescourt.vic.gov.au	9090 8068
CISP	Manager – Nicole Armstrong Team Leader – Zoe Cameron	MoorabbinCISP@courts.vic.gov.au	9784 5788



<b>Frankston</b>			
<b>Position</b>	<b>Staff Member</b>	<b>Email</b>	<b>Phone</b>
Senior Registrar	Stuart Pope	Stuart.pope@courts.vic.gov.au	9784 5744 0427317586
Family Violence Registrar (shared)	Anna McKenzie-McHarg & Jessie Pinal	<a href="mailto:Anna.mckenzie-McHarg@magistratescourt.vic.gov.au">Anna.mckenzie-McHarg@magistratescourt.vic.gov.au</a> <a href="mailto:Jessie.pinal@magistratescourt.vic.gov.au">Jessie.pinal@magistratescourt.vic.gov.au</a>	9784-5717
Applicant Practitioner	Chris Allen	<a href="mailto:Christine.Allen@courts.vic.gov.au">Christine.Allen@courts.vic.gov.au</a>	9784-5718
Respondent Practitioner	Vacant		
CISP	Manager – Nicole Armstrong Team Leader – Zoe Cameron	FrankstonCISP@courts.vic.gov.au	9090 8096

### **INNER GIPPSLAND SUPPORT AND SAFETY HUB**

*Relevant Court – Latrobe Valley (Headquarter Court)*

<b>Position</b>	<b>Staff Member</b>	<b>Email</b>	<b>Phone</b>
Senior Registrar	Darren Stebbings	Darren.stebbing@courts.vic.gov.au	5116 5222
Family Violence Registrar	Katherine Taylor	Katherine.Taylor@courts.vic.gov.au	5116-5310
CISP Team Leader	Traci Hammond	LatrobeCISP@courts.vic.gov.au	5116 5250

### **MALLEE SUPPORT AND SAFETY HUB**

*Relevant Court – Mildura (Satellite Court)*

<b>Position</b>	<b>Staff Member</b>	<b>Email</b>	<b>Phone</b>
Senior Registrar	(Bendigo) – Michael Conway	Michael.conway@magistratescourt.vic.gov.au	5440 4126
General Registry	Selina Pasut (In charge)	Selina.pasut@courts.vic.gov.au	5021 6000
CISP	Melanie Trevarthen	MilduraCISP@courts.vic.gov.au	5021 6005

## NORTH-EAST MELBOURNE AREAS SUPPORT AND SAFETY HUB

Relevant Court – Heidelberg (FVCD)

Position	Staff Member	Email	Phone
Senior Registrar	Joseph Shields	Joseph.shields@magistratescourt.vic.gov.au	8488 6730
Family Violence Registrar	Amber Swain	<a href="mailto:Amber.swain@courts.vic.gov.au">Amber.swain@courts.vic.gov.au</a>	8488 6733
Applicant Practitioner	Vicki Heal(Mon-Wed) Caitlin Leonard (Thu & Fri)	<a href="mailto:Vicki.Heal@courts.vic.gov.au">Vicki.Heal@courts.vic.gov.au</a> <a href="mailto:Caitlin.Leonard@courts.vic.gov.au">Caitlin.Leonard@courts.vic.gov.au</a>	8488-6747
Respondent Practitioner	Tika Limbu	<a href="mailto:Tika.Limbu@magistratescourt.vic.gov.au">Tika.Limbu@magistratescourt.vic.gov.au</a>	9628-3148
CISP	Team Leader Melanie Trevarthen	HeidelbergCISP@courts.vic.gov.au	8488 6757

## Appendix 2 – Nominated Liaison Points – Hubs

### **BARWON SUPPORT AND SAFETY HUB**

*Relevant Court – Geelong (Headquarter Court)*

<b>Address</b>	<b>Phone</b>
83 Moorabool Street, Geelong 3220	1 800 312 820

### **BAYSIDE PENINSULA SUPPORT AND SAFETY HUB**

*Relevant Court/s – Frankston and Moorabbin (FVCOP)*

<b>Address</b>	<b>Phone</b>
Will commence service delivery in contingency arrangements and will transition to the primary Hubs premises once they are available	1 800 319 353

### **INNER GIPPSLAND SUPPORT AND SAFETY HUB**

*Relevant Court – Latrobe Valley (Headquarter Court)*

<b>Address</b>	<b>Phone</b>
Will commence service delivery in contingency arrangements and will transition to the primary Hubs premises once they are available	1 800 319 354

### **MALLEE SUPPORT AND SAFETY HUB**

*Relevant Court – Mildura (Satellite Court)*

<b>Address</b>	<b>Phone</b>
113 Madden Avenue, Mildura 3500	1 800 290 943

### **NORTH-EAST MELBOURNE AREAS SUPPORT AND SAFETY HUB**

*Relevant Court – Heidelberg (FVCD)*

<b>Address</b>	<b>Phone</b>
56 Burgundy Street, Heidelberg 3084	1 800 319 355