

Court Assistance Presentations

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SAFETY IN COURT

I want to start by stating that I have not been able to contact all of the court assistance services throughout Queensland. I think however that I have managed to get a snapshot of the issues facing DVCAN members and other people who give d.v. court assistance in many of Queensland's Magistrates Courts.

What I plan to do today is to give you some idea of the issues that I have experienced as well as some other issues from people who work across Queensland. After that I will open up the session for some discussion, so that any issues you may have that have not been mentioned can be brought to our attention.

We will then look at what steps we can take to address some of these issues.

Issues

- 1) One issue that has come to the fore in nearly every conversation I have had with court assistance workers is **'safe rooms'**.
 - Some courts have no safe room or separate room for the aggrieved. At some courts they have to find a place on the veranda or even sit under a tree away from the court.
 - Other workers said that because they have no dedicated D.V. waiting room, the workers have to get there before the solicitors arrive so that they can have one of the witness rooms. In one court the registrar has been known to give up his room for the aggrieved if it was a really serious matter.
 - There are safe rooms with no back entrance so that if the respondent did come in or try to get in, there is no way out for the aggrieved or the workers.
 - No duress alarm in the safe room. Workers do not have duress alarms. Have to rely on other workers at the court to assist if a situation arises.
 - Confidentiality is not possible when talking to the aggrieved in the foyer or on the veranda.
- 2) Very few Magistrate's courts employ security guards on D.V. court day. Not all of the security guards are helpful, e.g. they may not assist the aggrieved to leave by a separate entrance.

Safe escape out of court is not always very safe. E.g. the back stairs exit at the foyer where the respondent waits.

In many of the courts the aggrieved and respondent all wait in the foyer where a great deal of intimidation and harassment can and does take place.

Mind you, an issue we have had is that call over is 8.30 but D.V. court does not start until 10am or after. If the respondents all get together on the steps or in the foyer they can egg each other on, making for a very volatile situation.

An issue for workers is the question “Why are you helping her and not me”. We try to address this by giving respondents information about the court process and their options. This can not only reduce the aggression, but can sometimes successfully result in a consent without admission order.

No metal detectors. As far as I know only Brisbane and Southport have metal detectors.

Magistrates and police prosecutors do not uphold the ‘closed court’ requirement. They have even had groups of solicitors sitting in the court while matters are being heard and often have family support members for the respondent in court.

Police prosecutors have not agreed to a request for additional conditions on behalf of women, when its been a police application.

Lastly, if we look at the safety issues on the DVCAN data collection form, Catherine from Townsville told me that for Question 12 ‘No of women concerned about safety at court’, they have had a total of 14.

Question 1 ‘No. of incidents known to worker where woman or her associates experienced harassment/threats at courthouse by respondent/respondent’s associates’ – 6.

Question 14 ‘No. of times worker harassed/experienced threatening behaviour by respondent/respondent’s associates” - 1.

These are some of the issues that have been presented to me and which I have experienced whilst at the D.V. court.

I will now throw the session open for a couple of minutes so that any other serious safety concerns experienced by you can be expressed.

How can we address these issues?

- Request that all safe rooms or court assistance workers have a duress alarm provided either by the court or the service.
- Request Justice that security guards or police be present in the foyer during domestic violence court days.
- Request Justice that as soon as is practical, domestic violence rooms that are lockable from the outside and that have a safe back entrance be established at all courts.
- Separate area needed for the respondents to wait. This was mentioned to me by an aggrieved who was waiting to go into court in a crowded foyer with agitated respondents milling around.
- Request Magistrates hear matters at times when there are limited other matters set down for hearing, or hear the D.V. matters before traffic, drugs etc.