



## Option 5: Social Entrapment Framework

Thematic area:	Enhancing Legal Responses to Victim Survivors
Brief description	
<p>The social entrapment framework (SEF) responds to outdated understandings of intimate partner violence within the legal system which creates a barrier to raising self-defence as a defence for women experiencing abuse.</p> <p>The framework gives practitioners a guide for collecting information about patterns of abuse over time and its impact on victim survivors. It recognises that abuse reduces victim survivors' ability to resist, limits their options to avoid the abuse and to stay safe. It also recognises broader structural inequities may also be present.</p> <p>ANROWS (Ed.). (2019) Women who kill abusive partners: Understandings of intimate partner violence in the context of self-defence. Key findings and future directions (Research to policy and practice, 03/2019). Sydney, NSW: ANROWS</p> <p>New Zealand Government. (2018). Social Entrapment: A Realistic Understanding of the Criminal Offending of Primary Victims of Intimate Partner Violence'. New Zealand Government. Retrieved from: <a href="https://www.hqsc.govt.nz/assets/FVDRC/Publications/FVDRC-entrapment-appendix-Aug-2018.pdf">https://www.hqsc.govt.nz/assets/FVDRC/Publications/FVDRC-entrapment-appendix-Aug-2018.pdf</a></p>	
Need(s) addressed	
<p>Funded services often work with women victim survivors who must prepare affidavits and other materials to court proceedings, such as hearings for domestic and family violence protection orders and Family Court matters.</p> <p>Women will typically<sup>1</sup> have access to some sort of support through court support programs and legal aid or their own lawyers. Time with these professionals is often limited but the time it takes to tell a complex history, which may involve years or even decades of abuse, is lengthy. If practitioners can use the SEF to support women victim survivors to prepare their materials in advance, then the legal professional will be better equipped to advocate for their client and magistrates and judges will be able to adjudicate with all the relevant information presented.</p>	
Practice studio potential: <i>The example is provided only to give an idea about how a practice studio option could be road tested. Organisations submitting nominations can propose a different solution in their EOJ for consideration.</i>	
<p>While the SEF has been developed with criminal cases in mind (i.e. cases where a woman has killed an abusive partner and is seeking to raise self-defence based on her experience of domestic violence and/or sexual violence), the SEF could help practitioners gather relevant information about the abuse in preparation for administrative decision making in a range of settings, including but not limited to Courts, Centrelink, Housing and Immigration.</p> <p>The overarching aim of the practice studio would be to upskill the workforce to be better resourced and more capable of supporting women to provide evidence to administrative decision makers increasing the ability of decision makers to make informed judgements. This could lead to increased safety and reduced risk for victim survivors and their children.</p>	

<sup>1</sup> Not all women will have access to legal support. Some may have difficulties due to their past or their Visa status. It is acknowledged that this practice studio option does not reach those women.

We may support host organisations by:

- Helping to develop or co-develop a practice guide to support practitioners to implement the SEF
- Developing, co-developing or procuring training to support staff to implement the SEF
- Facilitating an action planning meeting to set priorities for the practice studio period
- Helping to create an action work plan and goals to measure throughout the practice studio period
- Providing advice, support and information to create or update policies and/or procedures
- Developing, or co-developing tools and resources to meet gaps identified through the self-assessment process

#### Outcomes sought

1. A workforce that can support victim survivors to compile their stories comprehensively and holistically, using strategies that help articulate the impact of the violence across every aspect of their life and over time.
2. Victim survivors can fully explain their stories to administrative decision makers so that decisions made are better informed about the impacts of the abuse. This may lead to increased safety and reduce risk for victim survivors and their children.
3. Networks and relationships between DFV, sexual assault and women’s health and wellbeing services and legal services (e.g. court support programs, lawyers, legal aid, immigrant women’s support service) are strengthened with increased evidence of collaboration.

Practical considerations for host organisation *These considerations relate to the example given above. Organisations who propose different solutions will need to consider what additional practical considerations arise and respond to those in their EOI.*

1. Implementing new process or changing practice is difficult. Staying motivated and increasing commitment is greatly helped if both managers and executives demonstrate buy-in, commitment and remain proactive and enthusiastic throughout the process.
2. Staff hours will need to be committed to:
  - a. Complete the self-assessment
  - b. Attend our reflection and progress meetings
  - c. Create or co-design with us new tools, processes, policies, procedures etc. as needed
  - d. Collect evaluation data
  - e. Training needs flagged in through the self-assessment
3. Commitment is needed to share learnings and resources developed through the practice studios with the broader Queensland funded domestic and family violence, sexual assault and women’s health and wellbeing programs.

#### Innovation and alignment

Road-testing the social entrapment framework within funded services is a new application for this approach. It has been used within a legal context when considering self-defence in a homicide case involving intimate partner violence, however this practice studio is breaking new ground by testings the application for women seeking to present their experiences of abuse without a homicide charge.

The practice studio may demonstrate that the strategies used to compile a holistic picture of the pattern and impact of abuse for women facing criminal changes, will also work for women seeking to tell their stories in other contexts.

The SEF represents a new approach and a new set of skills that, once introduced, increases the ability of the workforce to respond to women and children who have experienced violence.