



Secretary

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Kate Sanderson
Coroners Registrar
Coroners Court of Victoria

By email: cpuresponses@coronerscourt.vic.gov.au

Dear Ms Sanderson

I refer to your correspondence of 8 November 2024 attaching a Form 38 issued to Family Safety Victoria (FSV) requiring a written response to the recommendations made in Coroner Judge Cain's Finding into Death Without Inquest (Finding) of Ms Samantha Joy Fraser (ref COR 2018 003600).

I would like to extend my deepest condolences to Ms Fraser's family and loved ones.

The Coroner's recommendation

In relation to FSV, Coroner Judge Cain made the following two recommendations in his Finding:

- 1. That Family Safety Victoria consider the available evidence and consider including re-partnering and pending criminal date for criminal charges brought by the victim as risk factors to be considered in the MARAM.*
- 2. That FSV consider how the pilot program currently underway in Bayside, Peninsula and Barwon areas may respond to fixated threat perpetrators.*

Response to recommendation 1

The Coroner's recommendation is under consideration.

The Family Violence Multi-Agency Risk Assessment and Management Framework (MARAM) was a key recommendation of the 2016 Royal Commission into Family Violence.

MARAM contains a set of evidence-based risk factors associated with greater likelihood and/or severity of family violence. Re-partnering and pending date for criminal charges are not included as stand-alone risk factors. However, they are covered by existing risk factors and supporting practice guidance:

- **Obsessive/jealous behaviour toward victim survivor** - adult and child victim-survivor-focused MARAM practice guidance¹ states that it is important to inquire if a perpetrator has been obsessively jealous towards the victim-survivor as ‘perpetrators ... may be jealous of their family member forming new friendships or attachments and seek to prevent this. ...They may exhibit jealousy about their relationship with children/other family members and use violence against them out of jealousy.’ The adult perpetrator-focused practice guidance includes ‘highly obsessive, fixated and ruminative thinking about the victim survivor/s’ family members, friends, new partner, suspected new partner (third parties)’ as an indicator of escalating or serious risk.
- **Stalking of victim survivor** – adult and child victim-survivor-focused MARAM practice guidance states that ‘stalkers that have had an intimate relationship with the victim survivor are more likely to be violent. This includes during and following separation and when the victim survivor has commenced a new relationship’.
- **Planning to leave or recent separation** – the adult perpetrator-focused practice guidance directs professionals to observe behaviour and responses that indicate the perpetrator is ‘bitter about the adult victim survivor’s new partner and their relationship with children’.
- **Has ever threatened to kill victim** – the adult perpetrator-focused MARAM practice guidance states professionals should listen for ‘narratives of hostility or revenge directed at the victim survivor/s’ family or friends, such as an adult victim survivor’s parents, grandparents, new partner, suspected or presumed new partner’ and ‘direct threats made towards the adult victim survivor/s’ family or friends, including new partner or presumed new partner’ as an indicator of escalating or serious risk.
- **History of violent behaviour (not family violence) and Imminence** - The practice guidance states that ‘it is important to capture police and court involvement and criminal charges, as the perpetrator may pose a greater risk to the victim survivor if they are facing criminal charges and likely will blame the victim survivor’.

A 2023 independent review of MARAM (Evidence Review) did not identify re-partnering or pending criminal charges as risk factors to be added to MARAM. This review was completed under section 194 of the *Family Violence Protection Act 2008 (Vic)* (the Act), which requires periodic² reviews of MARAM to ensure it reflects the current evidence base for family violence risk assessment and management.

The Victorian Government has accepted all recommendations from the Evidence Review and is committed to ensuring MARAM continues to support family violence reform. FSV has developed an implementation plan for delivery over the coming years. As part of this, FSV will explore how the findings from the Coroner’s recommendation can strengthen practice guidance for existing risk factors.

A Data Review forms the second and complementary part of the Evidence Review. This Data Review aims to analyse data on the current MARAM evidence-based risk factors and assess their correlation to the presence and level of family violence risk, including likelihood of lethal outcomes. It is due for completion in 2025. While the Data Review is focused on examining

¹ [Adult and child victim-focused MARAM Practice Guides](#)

² every five years

the current MARAM risk factors, the findings may provide insight into any new risk factors that need to be considered for inclusion, including the ones proposed by the Coroner.

Response to recommendation 2

The Coroner's recommendation is being implemented through the the Changing Ways pilot program currently underway in Bayside Peninsula, Barwon, and Northern and Southern Metropolitan Melbourne.

Established in 2023-2024, the Changing Ways pilot addresses a gap in the service system identified by both the Royal Commission into Family Violence (RCFV) and the Expert Advisory Committee on Perpetrator Interventions (EACPI). It provides intensive community-based interventions for adults using family violence who pose a 'serious risk' to victim survivors. Eligibility criteria include:

- Presentation of a 'serious risk' as defined under the MARAM Framework
- Not participating in, not eligible or suitable for, or choosing not to participate in an existing voluntary or mandated response for adults using family violence, such as Men's Behaviour Change Programs.

Support is also provided to victim survivors of all ages, including children, who are impacted by the violence of an eligible adult using family violence.

The Changing Ways pilot providers are required by the Act to align their work to MARAM, including using MARAM practice guidance and tools. The adult perpetrator-focused MARAM Practice Guide content on assessing and managing homicide risk are informed by findings from the 'Pathways to intimate partner homicide' study (Boxall, H., Doherty, L., Lawler, S., Franks, C., & Bricknell, S. (2022). *The "Pathways to intimate partner homicide" project: Key stages and events in male-perpetrated intimate partner homicide in Australia*, ANROWS), including the fixated threat pathway and other identified pathways.

Service providers delivering the Changing Ways pilot report that participants typically face significant barriers to accessing support and/or behaviour change programs, often due to their complex needs requiring individualised support. This may include multiple forms of risk such as substance abuse, significant mental health issues, homelessness or temporary residential circumstances, and recent incarceration, as well as an absence of protective factors such as social networks, professional groups, and access to services.

Additional support to the Changing Ways pilot to enhance perpetrator-focused MARAM practice within the pilot areas is being funded under the National Partnership on Family, Domestic and Sexual Violence through the dedicated funding for Innovative Perpetrator Responses from 2024 to 2027. This project's focus is to strengthen and deepen MARAM direct practice with adults using family violence amongst professionals who are delivering Changing Ways as well as those who are working in other services and collaborating to support risk management.

Prescribing people as Framework Organisations

I further note Coroner Judge Cain's remarks in his Finding in relation to a private psychologist not being prescribed under the MARAM:

The psychologist's inability to identify multiple indicators that Adrian was perpetrating family violence and continued to present a risk to Samantha may relate to the absence of mandatory family violence training for private psychologists, and the fact that private psychologists are not prescribed under the MARAM framework, including under the perpetrator-focused MARAM guides.

A review of the relevant part of the Act (Legislative Review) was required within five years of commencement of the reforms under sections 144SA and 195 of the Act. The Family Violence Reform Implementation Monitor completed and published the Legislative Review in 2023.

One of the recommendations from the Legislative Review is relevant to Coroner Judge Cain's remark as follows:

- Recommendation 14: That Part 11 of the Act be amended to allow both people and bodies to be prescribed as framework organisations.

The Victorian Government is committed to ensuring that all individuals and bodies that have a role in family violence risk identification, assessment and management are supported with a consistent, evidence-informed framework. The Department will examine options for prescribing classes of individuals, such as psychologists, as framework organisations under MARAM to the extent that it is applicable to them in their professional capacity. The Department will consult across the Victorian Government and seek advice on the possible policy implications of this change with relevant sectors. This will include consideration of the implications for individuals, if able to be prescribed, in relation to MARAM alignment.

If you require further information or to discuss the material provided, please contact Melanie Heenan, Deputy Secretary, Family Safety Victoria at

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Yours sincerely



Peta McCammon
Secretary

07 / 02 / 2025