



MEDIA RELEASE

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A SWIFT CERTAIN AND FAIR APPROACH TO ADDRESSING ALCOHOL'S ROLE IN FAMILY AND DOMESTIC VIOLENCE

31 May 2017: People arrested or convicted of alcohol-related offences would be required to take two alcohol breath tests per day or wear a continuous alcohol monitoring bracelet, under a proposal currently before the Victorian Sentencing Advisory Council.

Responding to the Council's *Swift, Certain and Fair Approaches to Sentencing Family Violence Offenders: Discussion Paper*, the Foundation for Alcohol Research and Education (FARE) believes the scheme should be established on the existing evidence base, and as such, should not be extended to family violence offenders at this stage.

The introduction of swift, certain and fair (SCF) approaches to family violence offenders was a key recommendation from the Royal Commission into Family Violence (Victoria), and, in part due to a submission by FARE.

SCF approaches in the justice system ensure that offenders understand that any breaches of conditions will be met with an immediate and certain response, that is applied fairly and evenly to similar offences and offenders.

To date, SCF approaches have been used in drug and alcohol offending including repeat drink drivers, primarily in America, and with positive results.

Alongside reductions in drug and alcohol offences, these programs have led to reductions in family violence; potentially because they have identified family violence offenders who were previously unknown.

In recent years, Victoria has seen unprecedented growth in alcohol outlets, with 19,978 active liquor licences in Victoria in 2012-13 – an increase of 21 per cent over ten years.

The incidence and rate of alcohol harm in Victoria has also increased with alcohol-related assaults up 30 per cent (6,768) between 2002-03 and 2010-11.

FARE Chief Executive, Michael Thorn says implementing controls over the availability of alcohol and its promotion are vital to preventing and reducing the severity of family violence.

“While the interplay between alcohol and family violence is complex, alcohol is a significant contributor to family violence, increasing both the likelihood of violence occurring and the severity of harm. We believe that introducing policies and alcohol-related controls will have an immediate and positive impact on the incidence of family violence, while enhancing the safety and wellbeing of children affected by family violence,” Mr Thorn said.



Foundation for Alcohol
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Although FARE strongly recommends that piloting SCF approaches should not be extended to family violence offenders at this stage, it acknowledges that if the government was to do so, the most appropriate application of SCF approaches would be as a condition of family violence intervention orders (applied at the Magistrates' Court) where the incident had definite alcohol involvement.

FARE has also called for alcohol exclusion orders to be amended to include someone's private residence, a move that would bring Victoria into line with Western Australia and the Northern Territory, and allow private premises to be declared 'liquor restricted'.

Included among its 17 recommendations, FARE has stressed that the onus should not be placed on victims to report breaches.

Mr Thorn says an effective SCF approach should be black and white.

"It is vital, whether it be randomised alcohol testing, court attendance, or attendance at behaviour management programs, that we implement measures that are binary in nature and ensure that the condition for passing or failing is very clear and is the sole responsibility of the offender," Mr Thorn said.

FARE also recommends that any SCF implementation take into consideration the challenges faced by people with Fetal Alcohol Spectrum disorder (FASD), who are likely to fail attendance at court; not because they want to but because they may not understand what is being asked of them or understand concepts of time.

Mr Thorn is available for interview.

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The **Foundation for Alcohol Research and Education (FARE)** is an independent, not-for-profit organisation working to stop the harm caused by alcohol. Alcohol harm in Australia is significant. Over 5,500 lives are lost every year and more than 157,000 people are hospitalised making alcohol one of our nation's greatest preventive health challenges. To find out more visit www.fare.org.au.