



**Australian Government**

**Australian Government response to the  
Senate Finance and Public Administration  
References Committee Report:**

**Domestic Violence in Australia**

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December 2016

## Background

On 26 June 2014, the Senate referred the issue of the prevalence and impact of domestic violence in Australia to the Senate Finance and Public Administration References Committee (the Committee) for inquiry and report by 27 October 2014. The terms of reference for the inquiry included:

- a. the prevalence and impact of domestic violence in Australia as it affects all Australians and, in particular, as it affects:
  - i. women living with a disability
  - ii. women from Aboriginal and Torres Strait Islander backgrounds
- b. the factors contributing to the present levels of domestic violence
- c. the adequacy of policy and community responses to domestic violence
- d. the effects of policy decisions regarding housing, legal services, and women's economic independence on the ability of women to escape domestic violence
- e. how the Australian Government can best support, contribute to and drive the social, cultural and behavioural shifts required to eliminate violence against women and their children; and
- f. any other related matters.

The Committee held seven public hearings across Australia between 12 September 2014 and 11 June 2015. The Committee received 165 public submissions as well as confidential submissions from a range of stakeholders including individuals, organisations and government departments.

On 26 August 2014, the Senate granted an extension to the Committee to provide its report by 2 March 2015, and a further extension until 18 June 2015. A further extension was granted on 15 June 2015 until 20 August 2015.

The Committee's interim report, *Domestic violence in Australia*, was tabled and released on 19 March 2015. The report includes nine wide-ranging recommendations that the Committee considers will help address the current issue of domestic violence in Australia.

The Committee's final report, *Domestic violence in Australia*, was tabled and released on 20 August 2015. The report includes 25 wide-ranging recommendations that the Committee considers will help address the current issue of domestic violence in Australia.

## Preamble

The Australian Government acknowledges that the Committee's reports represent an extensive discussion of domestic violence in Australia and the resulting issues and policy challenges faced by governments at all levels.

The comprehensive nature of the reports reflects the efforts of those individuals and organisations in terms of both high quality submissions and evidence given at Inquiry hearings.

The Australian Government understands that nearly one in three Australian women has experienced physical violence since the age of 15 and almost one in five women has experienced sexual violence<sup>1</sup>. Violence cuts across all aspects of our community – it knows no geographical, socio-economic, age, ability, cultural nor religious boundaries.

The Australian Government considers the only way to reduce domestic violence against women and their children is to ensure a coherent, strategic and long term effort by all levels of government and the community. It is also critical that sectors, including justice and community services, work together to reduce domestic violence in Australia.

*The National Plan to Reduce Violence against Women and their Children 2010-2022* (the National Plan) is a 12 year strategy that brings together the efforts of all governments and the community to address this national problem and make a significant and sustained reduction in violence against women and their children. It provides an overarching mechanism to improve the scope, focus and effectiveness of actions by all governments to create safe communities.

The National Plan has a strong focus on preventing violence before it happens, holding perpetrators to account and ensuring victims receive the support they need to heal and rebuild their lives. It also focuses on changing negative community attitudes, including among young people, and increasing the community's understanding of violence against women, in order to effect long-term change.

The National Plan is being delivered through four three-year Action Plans that build on each other over time. We have reached the mid-point of the National Plan and while a great deal has been achieved, we know there is still more to do. The National Plan also builds on reforms being driven by individual jurisdictions.

The Australian Government has invested significant levels of funding to reduce unacceptable levels of violence against women and their children in Australia. More than \$200 million of funding has been implemented for initiatives under the First and Second Action Plans of the National Plan. This funding has:

- built critical national infrastructure to assist in the response to victims of violence, including 1800RESPECT and DV-alert
- funded research, including the Personal Safety Survey, funded by the Department of Social Services (DSS) and conducted by the Australian Bureau of Statistics (ABS), the National Community Attitudes towards Violence against Women Survey and Australia's National Research Organisation for Women's Safety (ANROWS) to help us better understand family, domestic and sexual violence and inform our policy responses

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<sup>1</sup> Australian Bureau of Statistics, 2012, Personal Safety Survey.

- supported strategies to improve communication about domestic violence and change community attitudes, including through work by Our Watch
- developed primary prevention initiatives to stop violence before it happens
- identified better ways to respond to perpetrators.

In response to an escalating number of tragedies and to help keep women and their children safe, on 24 September 2015 the Australian Government invested \$100 million to address domestic and family violence through the Women's Safety Package. This \$100 million package contains a set of immediate and practical measures to help keep women safe, deliver improved frontline support and services and provide education resources to help change community attitudes towards violence and abuse.

In the 2016-17 Budget, the Australian Government has invested an additional \$100 million to implement the Third Action Plan of the National Plan, which was launched on 28 October 2016. This investment builds on ongoing funding of around \$25 million a year that underpins the 12 year National Plan. This ongoing funding supports key services like 1800RESPECT, and national initiatives including ANROWS and the primary prevention organisation Our Watch.

Violence against women is a priority for the Council of Australian Governments (COAG). An Advisory Panel was established to support COAG to address these issues in May 2015. The COAG Advisory Panel to Reduce Violence against Women and their Children (COAG Advisory Panel) provided expert advice on how all Australian governments can address this issue most effectively. On 1 April 2016, COAG supported in-principle the six areas identified by the Panel for further joint action, and for the Report's recommendations to be considered in the development of the Third Action Plan of the National Plan.

Key areas of focus for COAG to date have been:

- a \$30 million national campaign focused on reducing violence against women and their children
- a National Domestic Violence Order (DVO) Scheme
- developing National Outcome Standards for Perpetrator Interventions (NOSPI)
- improving online safety for women

These commitments bolster the work the Australian Government is doing with state and territory governments and non-government organisations through the National Plan.

The recommendations of the Advisory Panel add to an increasing body of evidence that is building through formal inquiries, consultation processes and research. This body of evidence will inform the ongoing policy direction and priorities of the National Plan and its Action Plans.

## Response to Recommendations

### Recommendations of the Committee's Interim Report

#### **Recommendation 1**

The committee recommends the Commonwealth Government restore funding cuts from legal services, housing and homelessness services and the Department of Social Services grants program, and guarantee funding under the National Partnership Agreement on Homelessness for at least four years.

The Australian Government supports this recommendation in-principle, noting that Government funding decisions in relation to programs and services covered in this recommendation have been made after the committee's interim recommendations were released on 19 March 2015.

On 1 April 2015, the Australian Government invested an extra \$1.7 million in Emergency Relief grants to help address identified service gaps and ensure that this crucial frontline service continues to be available to those who need it across Australia.

On 17 April 2015 the Australian Government invested more than \$15 million for a two-year continuation of funding for organisations delivering Specialised Family Violence Services. Funding agreements for these organisations continue until 30 June 2017. This funding ensures appropriate access to services using a whole-of-family approach to support those affected by family violence and help those who exhibit violent behaviour to change. The extension of these services is helping some of the most vulnerable people across Australia and complement support services funded by state and territory governments.

Through the Women's Safety Package, the Australian Government has invested in initiatives to keep women safe in their homes, including:

- \$12 million to leverage innovative technologies to keep women safe in their homes by expanding successful initiatives like the Safer in the Home program to install CCTV cameras and other safety equipment
- \$2.8 million to fund the Salvation Army to work with security experts to conduct risk assessments on victim's homes to help change their locks and scan for bugs
- \$15 million to establish specialist domestic violence units to provide access to coordinated legal, social work and cultural liaison services for women in a single location, and allow legal services to work with local hospitals, including for women from Culturally and Linguistically Diverse (CALD) communities and women living in regional and remote areas
- \$5 million to establish local women's case workers to coordinate support for women experiencing violence, including for housing, safety and budgeting services.

## **Housing and Homelessness Services**

The provision of social housing is primarily the responsibility of state and territory governments. The Australian Government spent approximately \$6.5 billion on housing assistance and homelessness services in 2015-16.

Decisions taken by the Australian Government in the context of the 2014-15 Mid-Year Economic and Fiscal Outlook (MYEFO) meant that funding for the housing and homelessness service improvement and sector support activity had no impact on the National Affordable Housing Agreement (NAHA) and the National Partnership Agreement on Homelessness (NPAH), which are the primary sources of Australian Government funding provided to state and territory governments to deliver housing assistance and specialist homelessness services.

In 2014-15, the Australian Government provided \$115 million for the NPAH and committed \$230 million to extend the NPAH for two years to 2017. The terms of the 2015-17 NPAH ensure state and territory governments give funding priority to frontline homelessness services focusing on women and their children experiencing domestic and family violence, and homeless youth.

The NAHA provides \$1.3 billion annually to states and territories, which includes around \$275 million in homelessness funding that states and territories may use for capital projects. On 11 December 2015, COAG agreed that decisions on reforms to housing and homelessness services would be taken forward by relevant ministers through existing work on housing affordability and they would report back by the end of 2016.

Through the Third Action Plan of the National Plan, the Australian Government has also invested \$15 million for services such as a Housing Innovation Fund which will strengthen safe and appropriate accommodation options for women and their children escaping violence by increasing the stock of affordable, accessible and social housing.

## **Legal Services**

The Australian Government's commitment to legal assistance over the next five years totals \$1.6 billion, across legal aid, community legal centres and Aboriginal and Torres Strait Islander legal assistance services. On 26 March 2015, the Australian Government announced that it had restored \$25.5 million in funding over two years to the legal assistance sector, which increased access to legal assistance for vulnerable people and provided funding certainty for impacted service providers.

As mentioned above, through the Women's Safety Package, the Australian Government is investing \$15 million over three years to pilot innovative models of wrap-around service delivery through specialist domestic violence units and health justice partnerships, delivering legal assistance to women and their children in safe locations.

On 12 May 2016, the Australian Government announced that it will allocate \$30 million over three years to front-line legal assistance and family law services helping families affected by family violence. This funding is a component of the Government's \$100 million investment to implement the Third Action Plan of the National Plan.

Furthermore, under the Indigenous Advancement Strategy, the Australian Government has maintained funding for family violence prevention legal services and, in one case increased funding for a provider to expand services to additional communities.

**Recommendation 2**

The committee supports the Productivity Commission’s recommendation that Australian, State and Territory governments should provide an immediate funding boost to legal assistance services of \$200 million to address pressing gaps in services.

The Australian Government supports this recommendation in-principle. The Australian Government’s commitment to legal assistance over the next five years totals \$1.6 billion, across legal aid, community legal centres and Indigenous legal assistance services.

Legal assistance funding is a joint Australian Government and state and territory government responsibility. The Productivity Commission’s recommendation is that 40 per cent, or \$80 million per year, was to come from states and territories. On 26 March 2015, the Australian Government restored \$25.5 million in funding to the legal assistance sector.

Through the Third Action Plan of the National Plan, the Australian Government is investing \$30 million in front-line legal assistance and family law services to support women experiencing violence, including establishing family violence support services in family law court registries; supporting Family Relationship Centres to deliver legally-assisted dispute resolution services to vulnerable families experiencing domestic violence; and extending the innovative and holistic support delivered through the Women’s Safety Package specialist domestic violence units and health justice partnerships, as mentioned above.

**Recommendation 3**

The committee recommends all Australian governments work together with stakeholders, including front line services and peak advocacy groups, to develop a program to increase the capacity of services in the areas of prevention, early intervention and crisis support in accordance with the objectives of the National Plan and the Action Plans.

The Australian Government supports this recommendation, noting that a focus on primary prevention has been a priority for all governments under the Second Action Plan of the National Plan and continues to be a focus under the Third Action Plan. This work has already been broadened to include community groups, business groups, local governments and other institutions with an aim of driving whole-of-community action to prevent violence.

Through the National Plan, the Australian Government has been working with state and territory governments to address violence against women and their children. Primary responsibility for delivering services for women who have experienced violence lies with each of the states and territories.

Initiatives funded under the Second Action Plan include:

- Our Watch is one of the National Partners under the National Plan, and was established in June 2013 by the Australian and Victorian Governments. Our Watch aims to drive nation-wide change in the culture, behaviours and attitudes that underpin and create violence against women and children. Under the Second Action Plan, the Australian Government is providing \$1 million a year in base funding to Our Watch as well as:
  - \$6.6 million over four years for The Line, a social marketing campaign that provides young people with a safe place to discuss and debate relationship issues, and form their own conclusions about what sort of behaviour crosses the line.
  - \$1.3 million over five years for a National Media Engagement Project. Through this project, Our Watch aims to support and assist the media to improve reporting of violence against women and their children, and build awareness of the impacts of gender stereotyping and inequality.
  - \$1 million over four years to 30 June 2018 for a Sports Grants Bank. This initiative provides funding for national sporting organisations to drive innovative work to prevent violence against women. The Australian Football League, National Rugby League, Netball Australia and Australian Rugby Union have received grants under the project.
- Continued support for White Ribbon Australia, a unique primary prevention campaign that delivers initiatives to engage men and boys to take positive action to create change. The Australian Government has committed \$1 million in funding over four years to 30 June 2018 to White Ribbon Australia to increase its engagement with Aboriginal and Torres Strait Islander and CALD communities.
- Building Safe Communities for Women and their Children grants, which provided one-off funding of up to \$150,000 over two financial years to local community groups, and not-for-profit organisations. This funding is assisting grant recipients to respond to local needs, and develop and implement targeted, practical solutions to prevent violence, improve safety and provide support to women and their children experiencing violence. The grants will be supported by ANROWS, which will assist in documenting and disseminating findings about what works and where, improving the evidence base over time. Total funding of \$5.8 million has been committed from October 2015 to December 2017.

Under the Third Action Plan of the National Plan, the Australian Government has invested \$20 million to prevention and early intervention programs to break the cycle of domestic and family violence. This includes:

- developing prevention strategies with local government, businesses, sporting organisations and community groups to drive change
- engaging CALD leaders to drive change within communities
- investigating new ways of working with men who have complex needs
- providing education programs and resources for new fathers about the importance of their role



- providing resources for girls and women to help them identify the early signs of violence, and take safe and appropriate action
- developing a national workforce agenda, supported by resources and training for frontline staff.

The Australian Government is also delivering a \$30 million national campaign to reduce violence against women, jointly funded with the states and territories. The campaign focuses on galvanising people (for example parents, other family members and peers) and communities (for example schools, sporting and community groups) that surround young people to positively influence their attitudes towards violence and gender inequality.

The Australian Government also supports the Primary Prevention Framework *Change the Story*, developed by Our Watch, VicHealth and ANROWS. The Framework supports a coordinated approach to the prevention of violence against women and their children.

The Women's Safety Package increases support and services to women, including trials of integrated service models. The package includes:

- \$15 million to establish specialised domestic violence units to provide access to coordinated legal, social work and cultural liaison services for women in a single location, and allow legal services to work with local hospitals, including for women from CALD communities and women living in regional and remote areas
- an additional \$5 million to expand 1800RESPECT, the national telephone and online counselling and information service for individuals experiencing sexual assault, domestic and family violence, to ensure more women can get support
- \$5 million for Local Support Coordinators to coordinate support for women, including housing, safety and budgeting services
- \$21 million targeted specifically to Indigenous families, including:
  - up to \$2.5 million to enable police in Queensland to better respond to domestic violence in remote Indigenous communities
  - \$1.4 million to extend the Community Engagement Police Officers in remote Indigenous communities in the Northern Territory
  - \$3.6 million for the continuation of the Cross Border Domestic Violence Intelligent Desk to support police to protect victims and hold perpetrators to account across Western Australia, the Northern Territory and South Australia borders
  - \$12.5 million for measures to reduce reoffending by Indigenous perpetrators of domestic violence
  - up to \$1.1 million for targeted support to young at risk Indigenous mothers.

#### **Recommendation 4**

The committee recommends the Commonwealth Government supports increased coordination and communication between legal systems across jurisdictions.

The Australian Government supports this recommendation, noting that all governments have agreed to a range of actions under *National Priority Three: Supporting innovative services and integrated systems* of the Second Action Plan of the National Plan.

Significant progress has already been made on two of these Action Items under the Second Action Plan - improving information sharing (Action Item 17) and implementing a National DVO Scheme (Action Item 18) — with these items also being priorities for COAG.

A National DVO Scheme would enable automatic recognition and enforcement of DVOs across all states and territories of Australia. This will ensure protected persons receive the protection of their DVO across all jurisdictions, without the need to manually register their DVO in a new jurisdiction.

At the 5 November 2015 meeting of the Law, Crime and Community Safety Council (LCCSC), ministers endorsed model legislation to underpin a National DVO Scheme to enable the automatic recognition and enforcement of DVOs across jurisdictions. On 11 December 2015, COAG agreed to the model laws and to jurisdictions introducing laws to give effect to a National DVO Scheme in the first half of 2016.

COAG and LCCSC agreed to the Australian Government leading efforts to develop a comprehensive national DVO information sharing system that police and courts will be able to use for enforcement of DVOs, noting this will take several years to fully implement.

At these meetings, ministers further agreed that, in the short-term, the Australian Government would undertake a 12 month project to improve the information available to police and courts about protection orders. This project leverages off the existing National Police Reference System and will be available towards the end of 2016. This system will not have the same enforcement capacity as the permanent system.

The Attorney-General's Department and the Australian Criminal Intelligence Commission<sup>2</sup> will continue to work with jurisdictions to support the implementation of the National DVO Scheme.

Since 2010, the Australian Government has been working with the states and territories to improve collaboration and communication between the state and territory child protection system and the federal family law system. This has resulted in a significant body of work aimed at improving information sharing between the systems, including annual collaboration meetings with various stakeholders, the production of two reports examining the issue and providing recommendations, and legislative change.

The Family Law Council (the Council) completed a reference on families with complex needs and the intersection of the Commonwealth family law system and the state and territory child protection and family violence systems. The Council's interim report was released in August 2015 and made six recommendations for a more coordinated national approach on child protection, family law and family violence. The Council's final report was provided to the Attorney-General on 30 June 2016 and focuses on opportunities for enhancing collaboration and information sharing in the family law system to improve safety for children and their families. The Australian Government is carefully considering the recommendations of these reports.

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<sup>2</sup> On 1 July 2016, the CrimTrac Agency merged with the Australian Crime Commission to become the Australian Criminal Intelligence Commission.

**Recommendation 5**

The committee recommends the Commonwealth Government support and expedite the harmonisation of intervention orders across jurisdictions. The Commonwealth Government should also identify opportunities to share information between agencies in order to address increasingly violent behaviour by perpetrators and assist at risk individuals.

The Australian Government supports this recommendation in-principle, noting that laws relating to intervention orders, including domestic violence orders, are the responsibility of the states and territories. As a result, the laws supporting intervention orders differ from jurisdiction to jurisdiction, including in relation to matters such as duration and procedures for application and variations.

On 11 December 2015, COAG agreed to implement model laws to underpin a national DVO scheme to enable the automatic recognition and enforcement of domestic violence orders across jurisdictions. COAG also agreed to jurisdictions introducing these laws in the first half of 2016.

The national DVO scheme will enable protected persons to automatically have the protection of their DVO when they leave the jurisdiction of issue.

**Recommendation 6**

The committee supports the inclusion of respectful relationships education in the national curriculum.

The Australian Government supports this recommendation, noting the Second Action Plan of the National Plan already includes a commitment by all states and territories to “incorporate respectful relationships education into the national curriculum”.

The Australian Government acknowledges that respectful relationships education is an important primary prevention initiative that seeks to prevent domestic and family violence and sexual assault through educating young people in ethical behaviour, engaging in respectful relationships and developing resilience and protective behaviours. Under the First Action Plan of the National Plan, the Australian Government provided \$9.35 million over five years as one-off grants to test and evaluate 32 respectful relationships projects in school and non-school settings.

In January 2014, the Australian Government announced a review of the Australian Curriculum which was conducted by Professor Ken Wiltshire and Dr Kevin Donnelly. *The Review of the Australian Curriculum Final Report*, and the Australian Government’s initial response to the review, were released on 12 October 2014. The COAG Education Council tasked the Australian Curriculum, Assessment and Reporting Authority on 5 March 2015 to address key themes highlighted by the review.

On 18 September 2015, the Education Council endorsed the Foundation to Year 10 Australian Curriculum which includes the Health and Physical Education learning area. The Australian Curriculum: Health and Physical Education, provides access to a wide variety of subjects that help young Australians develop into healthy, well-adjusted adults and offers a

number of opportunities for students to learn about respectful relationships and safety.

The Curriculum aims to enable students to develop and use personal, behavioural, social and cognitive skills and strategies to promote a sense of personal identity and wellbeing, and to build and manage respectful relationships. The program will target Australian students from Foundation to Year 10.

The Australian Curriculum also includes seven General Capabilities which encompass knowledge, skills, behaviours and dispositions. Two of these General Capabilities, ‘ethical understanding’ and ‘personal and social capability’ are particularly relevant to respectful relationships education.

Messaging and resources to support respectful relationships was also considered as part of the \$30 million national campaign to reduce violence against women and their children, jointly funded by the Australian Government and state and territory governments.

The campaign focuses on galvanising people (such as parents, other family members and peers) and communities (such as schools, sporting and community groups) that surround young people to positively influence their attitudes towards violence and gender inequality. The campaign was launched in 2016 and will integrate with current and future policy approaches to primary and high school education initiatives across Australia.

Under the Third Action Plan of the National Plan, the Australian Government has allocated \$3 million for a communications activity and educational resources to shift attitudes and behaviours about pornography which will support schools and teachers to deliver age-appropriate and evidence-based respectful relationships education to all school children.

Under the Women’s Safety Package, the Australian Government also invested additional funding of \$5 million for a longer-term measure to change the attitudes of young people towards violence through the expansion of the Safe Schools Hubs website to include resources on respectful relationships for teachers, parents and students. This \$5 million initiative complements the \$30 million national campaign jointly funded by the states and territories.

#### **Recommendation 7**

The committee recommends increasing the availability of behavioural change programs for perpetrators and ensuring programs are evidence based.

The Australian Government supports this recommendation in-principle. The recommendation closely aligns to Headline Standard 4 and 5 of the NOSPI, as agreed by COAG on 11 December 2015. The NOSPI are a set of outcomes-focused standards and associated measures to ensure perpetrator interventions in Australia are effective in holding perpetrators of family and domestic violence to account. The National Standards are:

1. Women and their children’s safety is the core priority of all perpetrator interventions
2. Perpetrators get the right interventions at the right time
3. Perpetrators face justice and legal consequences when they commit violence
4. Perpetrators participate in programmes and services that change their violent behaviours and attitudes
5. Perpetrator interventions are driven by credible evidence to continuously improve

6. People working in perpetrator intervention systems are skilled in responding to the dynamics and impacts of domestic, family and sexual violence.

The Australian Government has offered \$4 million to be shared among state and territory governments to support the implementation of the NOSPI. Work is currently underway on the development of implementation materials, including indicators and a reporting framework. These are due for consideration by the LCCSC and other relevant ministers, including those with responsibility for women's safety, by the end of 2016.

The Australian Government has also provided a further \$3 million to ANROWS to establish a dedicated perpetrator intervention research stream, to strengthen the evidence base and support jurisdictions to implement National Outcome Standards based on that evidence.

The Third Action Plan of the National Plan will drive the implementation of these standards to ensure more effective and consistent interventions are used across all jurisdictions.

The Third Action Plan will also focus on:

- improving the outcomes from perpetrator interventions by strengthening the evidence base,
- improving mechanisms to refer perpetrators to appropriate interventions early, based on individual risk factors, and
- progressively designing, trialling and evaluating innovative models of perpetrator interventions across community and correctional settings to understand what works for different groups.

In addition, the Australian Government is further holding perpetrators to account through an \$8 million trial of technology to keep women safe, which may include the use of GPS monitoring for perpetrators. The Australian Government has funded an additional \$2 million in funding for MensLine, for tools and resources to support perpetrators not to reoffend.

Furthermore, under the Indigenous Advancement Strategy, the Australian Government funds a range of programs that work to change violent behaviours and attitudes including prisoner throughcare to assist prisoners to successfully reintegrate into their communities.

As part of the Women's Safety Package, the Australian Government invested an additional \$12.5 million for measures to reduce reoffending by Indigenous perpetrators of domestic and family violence.

#### **Recommendation 8**

The committee recommends the Commonwealth Government provide funding certainty to Australia's National Research Organisation for Women's Safety and National Services beyond 2016 to support the completion of longer term research programs.

The Australian Government supports this recommendation in-principle. ANROWS is supported by COAG and was established under the National Plan. The ANROWS research program is a key contributor to building the evidence base to deliver real improvements in women's and children's safety. The Australian Government has committed to the ongoing funding of ANROWS for four years (2016-2020) and negotiations with the states and

territories are almost complete. Funding will be extended for a further two years, subject to ANROWS' satisfactory performance, from 2020-2022.

The research program findings will be used by governments and service providers to improve primary prevention campaigns and to deliver better responses to violence in our community. The program includes several projects that will produce new evidence on best practice in domestic, family and sexual violence systems and service responses.

**Recommendation 9**

The committee recommends a review of policies and services dedicated to the treatment of alcohol and other drug abuse in the Northern Territory and their impact on domestic violence, including urgent consideration to reinstate the Banned Drinkers Register.

The Australian Government recognises the contribution of alcohol to domestic and family violence.

However, it does not support this recommendation to conduct further reviews, in light of the recent extensive work which has already been undertaken into alcohol-related harm, policies and strategies within the Northern Territory. This includes the June 2015 report by the House of Representatives Standing Committee on Indigenous Affairs on the harmful use of alcohol in Aboriginal and Torres Strait Islander communities (*Alcohol, Hurting People and Harming Communities*) (Government response tabled on 1 December 2015), and the independent review of the effectiveness of Northern Territory and Commonwealth laws in reducing alcohol related harm (published in September 2015, available on [www.dpmc.gov.au](http://www.dpmc.gov.au)).

In recognition of the acute need in the Northern Territory, the Australian Government provides support for alcohol supply, demand and harm reduction strategies in that jurisdiction.

This includes measures under the *Stronger Futures in the Northern Territory Act 2012*. Under the Indigenous Advancement Strategy (IAS), the Australian Government has to date approved funding of \$12.9 million across 15 providers for delivery of treatment services in the Northern Territory in 2015–16. Total funding approved to date under the IAS for Northern Territory providers is \$34.4 million over three years (2015–18).

In addition, the Australian Government has supported measures to tackle alcohol misuse in the Northern Territory under the former National Partnership Agreement on Stronger Futures in the Northern Territory, and is continuing this support under the new National Partnership on Northern Territory Remote Aboriginal Investment, which includes approximately \$91.5 million over seven years specifically for activities to reduce alcohol related harm in the Northern Territory.

The Australian Government further supports action to reduce alcohol related harm through funding of Remote Alcohol and Other Drug workers in remote communities and for Dog Operation Units and Substance Abuse Intelligence Desks to improve the collection of intelligence and disrupt drug supplies to Northern Territory communities.

The Australian Government also provided \$6 million for the first two years of the *Northern Territory Domestic and Family Violence Reduction Strategy 2014-17: Safety is Everyone's Right* (\$3 million each year in 2014-15 and 2015-16). The Strategy is a three year initiative designed to establish integrated service delivery responses to family violence issues. It has a strong focus on the safety of victims and the accountability of perpetrators.

Reinstatement of the Banned Drinkers Register is a matter for the Northern Territory Government.

## **Recommendations of the Committee's Final Report**

### **Recommendation 1**

The committee supports victims of domestic and family violence having access to appropriate leave provisions which assist them to maintain employment and financial security while attending necessary appointments such as court appearances and seeking legal advice. The Commonwealth Government should investigate ways to implement this across the private and public sector.

The Australian Government supports this recommendation in-principle. The Australian Government is committed to supporting victims of domestic and family violence. The Australian Government engaged the Productivity Commission to inquire into the workplace relations framework and the Commission's final report was publicly released on 21 December 2015. The Australian Government is carefully considering the final report and has committed to consulting further in developing its response to the inquiry.

The Australian Government notes that under the *Fair Work Act 2009*, employers and employees are able to negotiate additional arrangements, such as specific leave provisions for family and domestic violence in enterprise agreements. Furthermore, the *Fair Work Act 2009* currently provides a specific right to request flexible working arrangements for employees who are experiencing family or domestic violence, or providing care or support for someone in their household or immediate family experiencing family or domestic violence.

### **Recommendation 2**

The committee recommends that the Commonwealth Government investigate ways to improve consultation with the domestic and family violence sector, particularly in relation to the evaluation of the National Plan and Action Plans and to inform the development of future Action Plans.

The Australian Government supports this recommendation, noting the National Plan and its Action Plans have all been developed after comprehensive consultation processes. The domestic and family violence sector is acknowledged as a key stakeholder in these consultation processes.

The National Plan and First Action Plan were informed by a comprehensive consultation process undertaken by the National Council to Reduce Violence against Women and their Children (the National Council). The members of the National Council engaged with over 2,000 community stakeholders through interviews, community meetings and online surveys in all states and territories and some regional and remote communities. They also reviewed 370 written submissions and convened six expert roundtable forums.

The Second Action Plan of the National Plan was also developed after a comprehensive consultation process that included national roundtables involving representatives from the women's sector and women's services sector, as well as academics; a number of state and territory ministers; community sector peak bodies; child and family organisations; human rights organisations; representatives from the business sector; representatives from Aboriginal and Torres Strait Islander and Culturally and Linguistically Diverse (CALD) communities; disability peak bodies; and government officials. In addition, over 50 written submissions were reviewed and each state and territory consulted with local experts and advisory bodies.

The evaluation of the Second Action Plan will be released publically later in 2016. In recognition of the need for a broad range of perspectives and areas of expertise to inform a critical area of national policy such as the National Plan and its Action Plans, the evaluation included a comprehensive consultation process. Eight workshops were conducted and a survey of service providers was undertaken to inform the evaluation. State and territory governments and Australian Government agencies were also consulted.

For the development of the Third Action Plan, consultations with over 400 key stakeholders were convened to test and refine priorities and actions. The domestic and family violence sector was engaged in all processes and had the opportunity to contribute through a variety of mechanisms, including:

- providing feedback to the independent consultant undertaking the evaluation of the implementation of the Second Action Plan of the National Plan
- providing feedback to independent consultants undertaking reviews of three National Plan 'flagship' programs – ANROWS, DV-alert and 1800RESPECT
- providing feedback through state and territory consultation mechanisms
- participating in national roundtable consultations for the development of the Third Action Plan of the National Plan.

The Third Action Plan was launched on 28 October 2016. The development of the Third Action Plan drew heavily on information and evidence collected through the COAG Advisory Panel. It was also informed by national, state and territory consultation processes, reviews and inquiries, including the Victorian Royal Commission into Family Violence, the Queensland Special Taskforce into Domestic and Family Violence and the evaluation of the Second Action Plan.

### **Recommendation 3**

The committee recommends that the Prime Minister table an annual report to Parliament on progress in the effort to eliminate domestic and family violence, including listing all relevant funding decisions.

The Australian Government does not support this recommendation, given that a number of mechanisms exist for reporting on the progress of efforts to eliminate domestic, family and sexual violence. Progress is reported annually against the implementation of the National Plan and its three-yearly Action Plans. Rather than developing a new annual report, these reports could be tabled in Parliament by the Minister for Women. The annual reports highlight the collective efforts of all Australian governments to address violence against women and their children and are endorsed by all Women's Safety Ministers. The initiatives cover a broad spectrum from primary prevention and early intervention



initiatives and specialist services for women and their children; through to perpetrator interventions.

The 2014-15 Annual Progress Report of the Second Action Plan 2013-2016: *Moving Ahead* was publicly released on 26 June 2015. The 2015-16 Annual Progress Report is expected to be released before the end of 2016.

The Evaluation Plan for the National Plan enables governments and the community to measure the effectiveness of the National Plan every three years and at the end of the 12 year National Plan. The report of the Evaluation of the Second Action Plan will be released later in 2016.

Appropriate and transparent measures are already in place in relation to government funding decisions. Regular updates are provided through the Budget, Senate Estimates processes and media releases.

Funding for the frontline services that respond to victims of domestic and family violence is primarily the responsibility of states and territories and these decisions are subject to their individual budgetary and government processes.

#### **Recommendation 4**

The committee recommends that the Australian Bureau of Statistics, along with Commonwealth, state and territory bodies involved in the development of the Personal Safety Survey consider the concerns raised during this inquiry about the adequacy of sampling sizes of particular subgroups within the community, such as women with a disability, women from culturally and linguistically diverse backgrounds, immigrant and refugee women, and Indigenous communities and endeavour to address these issues prior to the conduct of the next PSS.

The Australian Government supports this recommendation in-principle, noting that a key focus over the life of the National Plan is to improve the evidence base on violence against women.

Work is already underway to improve data on violence against Aboriginal and/or Torres Strait Islander women, women from CALD backgrounds, immigrant and refugee women and women with disability through alternative mechanisms. On 7 August 2015, the former Minister for Social Services, the Hon. Scott Morrison MP, announced funding of \$160,000 for the Diversity Data project. The project, undertaken by ANROWS, reviewed existing knowledge about how CALD women, Aboriginal and/or Torres Strait Islander women and women with disability experience violence, identified key gaps in data, and considered options to improve data collection for these groups.

The Australian Government also recognises the importance of the Personal Safety Survey in understanding the prevalence of violence in Australia. However, there are a range of challenges in obtaining high quality and complete data from subgroups of the Australian population, including Aboriginal and/or Torres Strait Islander women, women with a disability, women from CALD backgrounds, and immigrant and refugee women through this survey.

Under the Third Action Plan of the National Plan, a study on Aboriginal and Torres Strait Islander communities will be conducted in remote, regional and urban communities to examine the extent of exposure to violence against women and their children; social impacts

on relationships, health, wellbeing, education and workforce participation; availability, appropriateness and effectiveness of services and other supports; and to identify what else is needed to reduce exposure to, and the effects of, violence in other communities. A study will also be commissioned in 2017 to examine the types of violence experienced by women with disability, and the range of perpetrators and settings.

#### **Recommendation 5**

The committee recommends that the Commonwealth Government lead and coordinate the work to facilitate data collection pursuant to the National Data Collection and Reporting Framework.

The Australian Government supports this recommendation in-principle, noting that under the First Action Plan of the National Plan, all Australian governments committed to the development of a National Data Collection and Reporting Framework (the DCRF). The Department of Social Services is funding ABS to progress this work in partnership with governments.

The DCRF provides a foundation for building a common language and creating consistent and comparable data sets. Under the Second Action Plan of the National Plan, the Australian Government took a lead role in the ongoing implementation of the DCRF. Work on the DCRF will be progressed further under the Third Action Plan.

#### **Recommendation 6**

The committee recommends that the Australian Bureau of Statistics, and other relevant organisations, investigate the feasibility of developing systems and tools which would enable survey questions, delivery and data analysis developed pursuant to the National Data Collection and Reporting Framework to be modified and made available for organisations to use on a local level.

The Australian Government supports this recommendation in-principle, noting the current priority is to undertake more work to improve existing administrative systems. Opportunities for improvement are best supported by the development of stronger statistical capability in the relevant organisations which can lead to improved statistical solutions.

The DCRF was produced through wide consultation with researchers, state and territory justice agencies and support and service organisations like hospitals and accommodation providers. Consistent adoption of the data items outlined in the DCRF will lead to more comparable and robust data across jurisdictions.

#### **Recommendation 7**

The committee recommends that the Commonwealth Government provide necessary secure funding to ANROWS until at least the end of the implementation of the National Plan in 2022 to provide for the continuation of its research work and to enable ANROWS to conduct longitudinal research.

The Australian Government supports this recommendation in-principle. ANROWS is a major COAG initiative established under the National Plan. The ANROWS research program is a key contributor to building the evidence base to deliver real improvements in women's and

children's safety. The Australian Government has committed to the ongoing funding of ANROWS and negotiations with the states and territories are almost complete.

The research program findings will be used by governments and service providers to improve primary prevention campaigns and to deliver better responses to violence in our community. The program includes several projects that will produce new evidence on best practice in domestic, family and sexual violence systems and service responses.

### **Recommendation 8**

The committee recommends that the Commonwealth Government consider focusing on work that reinforces the value of school based education across all age groups on respectful relationships and responses to domestic and family violence.

The Australian Government supports this recommendation, noting the Second Action Plan of the National Plan already includes a commitment by all states and territories to 'incorporate respectful relationships education into the National Curriculum'.

The Australian Government acknowledges that respectful relationships education is an important primary prevention initiative that seeks to prevent domestic and family violence and sexual assault through educating young people in ethical behaviour, engaging in respectful relationships and developing resilience and protective behaviours. Under the First Action Plan of the National Plan, the Australian Government provided \$9.35 million over five years as one-off grants to test and evaluate 32 respectful relationships projects in school and non-school settings.

In January 2014, the Australian Government announced a review of the Australian Curriculum which was conducted by Professor Ken Wiltshire and Dr Kevin Donnelly. *The Review of the Australian Curriculum Final Report*, and the Australian Government's initial response to the review, were released on 12 October 2014. The COAG Education Council tasked the Australian Curriculum, Assessment and Reporting Authority on 5 March 2015 to address key themes highlighted by the review.

On 18 September 2015, the Education Council endorsed the Foundation to Year 10 Australian Curriculum which includes the Health and Physical Education learning area. The Australian Curriculum: Health and physical education, provides access to a wide variety of subjects that help young Australians develop into healthy, well-adjusted adults and offers a number of opportunities for students to learn about respectful relationships and safety.

The Australian Curriculum aims to enable students to develop and use personal, behavioural, social and cognitive skills and strategies to promote a sense of personal identity and wellbeing and to build and manage respectful relationships. The program will target Australian students from Foundation to Year 10.

The Australian Curriculum also includes seven General Capabilities which encompass knowledge, skills, behaviours and dispositions. Two of these General Capabilities, 'ethical understanding' and 'personal and social capability' are particularly relevant to respectful relationships education.

Messaging around respectful relationships has been incorporated as part of the \$30 million national campaign, jointly funded by the Australian Government and states and territories, to reduce violence against women and their children. The campaign focuses on galvanising people (such as parents, other family members and peers) and communities (such as schools, sporting and community groups) that surround young people to positively influence their

attitudes towards violence and gender inequality. The campaign was launched in 2016 and will integrate with future policy approaches to education initiatives in Australia.

Under the Australian Government's Women's Safety Package, additional funding of \$5 million was invested as a longer-term measure to change the attitudes of young people towards violence through the expansion of the Safe Schools Hubs website to include resources on respectful relationships for teachers, parents and students. This \$5 million initiative complements the \$30 million national campaign.

Under the Third Action Plan of the National Plan, the Australian Government has allocated \$3 million for a communications activity and resources to counter the impact of pornography in society, with a particular focus on shifting the attitudes and behaviours of young people. This will include promoting healthy relationships and discouraging the sharing of intimate images without consent.

### **Recommendation 9**

The committee recommends that the Commonwealth Government, in light of the strong evidence pointing to the crucial need to prioritise primary prevention, take responsibility to lead and coordinate the delivery of these essential programs.

The Australian Government supports this recommendation, noting the National Plan has a strong focus on primary prevention and on changing community attitudes to both gender equality and violence against women and their children, in order to effect long-term change. The National Plan seeks to improve the scope, focus and effectiveness of actions by all governments to create safe communities.

Through the implementation of the National Plan, the Australian Government has shown strong leadership in prioritising primary prevention by:

- establishing Our Watch in June 2013, in partnership with the Victorian government, to drive nation-wide change in the culture, behaviours and attitudes that underpin and create violence against women and children
- providing funding for Our Watch to deliver:
  - The Line social marketing campaign, an innovative campaign that provides a safe space for young people to engage, discuss and consider what is acceptable in a relationship
  - a National Media Engagement Project to improve media reporting of violence against women and their children and raise awareness of the impacts of gender stereotyping and inequality
  - a Sports Grants Bank to support national sporting organisations to drive innovative work to prevent violence against women.
- providing funding for White Ribbon Australia to engage in primary prevention through their unique male-led grassroots campaign, encouraging men and boys from Aboriginal and Torres Strait Islander and CALD backgrounds to speak out against violence against women and challenge the attitudes and behaviours of a minority of men who use or condone violence against women.

Under the Third Action Plan of the National Plan, the Australian Government has invested \$20 million to prevention and early intervention programs to break the cycle of domestic and family violence. This includes:

- developing prevention strategies with local government, businesses, sporting organisations and community groups to drive change
- engaging CALD leaders to drive change within communities
- investigating new ways of working with men who have complex needs
- providing education programs and resources for new fathers about the importance of their role
- providing resources for girls and women to help them identify the early signs of violence, and take safe and appropriate action
- developing a national workforce agenda, supported by resources and training for frontline staff.

Messaging around respectful relationships has been incorporated as part of the \$30 million national campaign, jointly funded by the Australian Government and states and territories, to reduce violence against women and their children. The campaign focuses on galvanising people (such as parents, other family members and peers) and communities (such as schools, sporting and community groups) that surround young people to positively influence their attitudes towards violence and gender inequality. The campaign was launched in 2016 and will integrate with future policy approaches to education initiatives in Australia.

The Australian Government also supports the Primary Prevention Framework *Change the Story*, developed by Our Watch, VicHealth and ANROWS. The Framework supports a coordinated approach to the prevention of violence against women and their children.

#### **Recommendation 10**

The committee recommends that governments ensure additional investment in primary prevention initiatives does not result in a reduction of funding for crisis services and that sufficient resources are available for any increased demand for services following specific campaigns.

The Australian Government supports this recommendation in-principle, noting that while states and territories are primarily responsible for the funding and delivery of frontline services for women who have experienced family and domestic violence, including crisis services, the Australian Government also funds some national frontline services that support vulnerable Australians.

The Australian Government has invested in a package of immediate and practical measures to increase support and services to women, including trials of integrated service models, as part of the Women's Safety Package. The package included:

- \$15 million to establish specialised domestic violence units to provide access to coordinated legal, social work and cultural liaison services for women in a single location, and allow legal services to work with local hospitals, including for women from CALD communities and women living in regional and remote areas
- an additional \$5 million to expand 1800RESPECT, the national telephone and online counselling and information service for individuals experiencing family violence, to ensure more women can get support

- \$5 million for women’s coordinators to coordinate support for women, including housing, safety and budgeting services
- \$21 million targeted specifically to Indigenous families, including:
  - up to \$2.5 million to enable police in Queensland to better respond to domestic violence in remote Indigenous communities
  - \$1.4 million to extend the Community Engagement Police Officers in remote Indigenous communities in the Northern Territory
  - \$3.6 million for the continuation of the Cross Border Domestic Violence Intelligent Desk to support police to protect victims and hold perpetrators to account across Western Australia, the Northern Territory and South Australia borders
  - \$12.5 million for measures to reduce reoffending by Indigenous perpetrators of domestic violence
  - up to \$1.1 million for targeted support to young at risk Indigenous mothers.

As part of the 2016-17 Budget, the Australian Government announced that it would provide \$100 million for initiatives that reduce domestic violence to be included in the Third Action Plan of the National Plan.

\$25 million of the funding is provided to support Aboriginal and Torres Strait Islander specific initiatives focused on reducing family violence in Indigenous communities.

An extra \$15 million has been allocated to improve and expand national domestic and family violence services, including: funding the 1800RESPECT helpline to implement the new first responder model to assist with the increase in demand; establishing a Housing Innovation Fund to identify alternative accommodation options for women and children affected by violence; building the capacity of financial counsellors to help women who have experienced domestic and family violence, including financial abuse; and developing innovative and collaborative service responses for women with disability, and women from CALD backgrounds.

A further \$30 million for specific legal assistance initiatives, including establishing family violence support services in family law court registries; supporting Family Relationship Centres to deliver legally-assisted dispute resolution services to vulnerable families experiencing domestic violence; and extending the innovative and holistic support delivered through the Women’s Safety Package specialist domestic violence units and health justice partnerships.

The Australian Government has also committed to the following programs that provide frontline support to women who have experienced domestic violence. This includes:

- \$230 million to extend the National Partnership Agreement on Homelessness (NPAH) for two years to 2017. The terms of the 2015-17 NPAH ensure that state and territory governments give funding priority to frontline homelessness services focusing on women and children experiencing domestic and family violence, and homeless youth. State and territory governments retain the flexibility to decide the amount of funding each service provider receives, where frontline homelessness services are located and which service providers are contracted
- \$1.3 billion under the National Affordable Housing Agreement (NAHA), so that all Australians have access to affordable, safe and sustainable housing

- \$1.6 billion over five years through the new National Partnership Agreement on Legal Assistance Services (the Agreement which delivers funding to legal aid commissions and community legal centres, and direct funding agreements with Indigenous legal assistance services. These arrangements commenced on 1 July 2015 and people experiencing, or at risk of, family violence are a priority client group under both the Agreement and the direct funding agreements
- Increased funding totalling \$23.1 million in 2015-16 through the Indigenous Advancement Strategy's Safety and Wellbeing program for family violence prevention legal services to provide culturally appropriate legal services and assistance to Indigenous victims.

### **Recommendation 11**

The committee recommends that the Commonwealth Government ensures the work being undertaken by COAG to develop a set of national outcome standards for perpetrator interventions use standards which are robust and sufficiently specific to ensure perpetrators are held accountable for their actions and the standards are demonstrably effective in breaking the cycle of violence. This work should consider the particular needs of ATSI, CALD and LGBTI perpetrators as well as those in regional areas.

The Australian Government supports this recommendation. The National Plan recognises the importance of intervening effectively with men who perpetrate violence against women, in order to keep women and their children safe.

The National Outcome Standards for Perpetrator Interventions (NOSPI) is a collaborative initiative of all jurisdictions under the National Plan. The NOSPI are a set of outcome-focussed standards to ensure perpetrator interventions in Australia are effective in holding perpetrators to account and improve over time.

The indicators and reporting framework currently under development will draw on already available data sets, meaning there may be limitations for states and territories to accurately report against particular indicators, at least initially.

The Australian Government remains committed to work with states and territories to refine and build on the set of indicators to improve representation for particularly vulnerable groups, (including those from the LGBTIQ community, Aboriginal and Torres Strait Islander communities, women with disability and CALD communities), over time and as future data becomes available.

In addition to the NOSPI, the Australian Government is further holding perpetrators to account through a \$12 million trial of technology to keep women safe, which may include the use of GPS monitoring for perpetrators and personal portable panic buttons for women; and an additional \$2 million in funding for MensLine, which offers tools and resources to support perpetrators not to reoffend.

The Australian Government also directed \$21 million to Indigenous specific activities, including services that work to change the offending behaviour of perpetrators and to enable police to better respond to domestic violence in remote communities and hold perpetrators to account.

The Third Action Plan of the National Plan will drive the implementation of the NOSPI to ensure more effective and consistent interventions are used across all jurisdictions.

The Third Action Plan will also focus on:

- improving the outcomes from perpetrator interventions by strengthening the evidence base.
- improving mechanisms to refer perpetrators to appropriate interventions early, based on individual risk factors, and
- progressively designing, trialling and evaluating innovative models of perpetrator interventions across community and correctional settings to understand what works for different groups.

### **Recommendation 12**

The committee recommends that the recent report by the Centre for Innovative Justice at RMIT be considered by the COAG Advisory Panel to assist COAG to identify other opportunities to hold perpetrators to account and change their behaviours.

The Australian Government supports this recommendation, noting that the authors of the Centre for Innovative Justice Report ‘Opportunities for Early Intervention: Bringing perpetrators of family violence into view’ were consulted on the National Outcome Standards.

The COAG Advisory Panel considered this report in its work on perpetrator interventions. The Advisory Panel’s final report includes recommendations to improve pathways into perpetrator programs and improve the quality of the programs themselves.

### **Recommendation 13**

The committee recommends the Commonwealth Government, through COAG, establishes and resources a subcommittee of First Ministers to enable jurisdictions to share the results of trials and to coordinate the development of best practice policy and service responses to domestic and family violence.

The Australian Government does not support this recommendation. COAG has already made domestic violence a national priority and governments are acting together to improve policy and service responses through the development of a National Domestic Violence Order Model Law Framework and National Outcome Standards.

COAG does not establish subcommittees of First Ministers. Instead, it delegates work to COAG Councils, ministers responsible for particular policy matters or to officials’ working groups. Under the Australian and state and territory governments, Women’s Safety Ministers are working to coordinate the development and support of best practice policy and service responses to domestic, family and sexual violence in a variety of ways.

In October 2016, COAG held a national summit on preventing violence against women and their children to profile best practice and review progress, with the theme “Connect. Act. Change.”. The Summit convened roundtables on a range of topics, including:

- technology-facilitated abuse
- innovative uses of technology



- organisational best practice and innovation
- family law
- responses to Indigenous family violence
- behavioural insights
- diverse experiences of violence, and
- effect of domestic violence on children.

The Australian Government is also working with states and territories through the National Plan Implementation Executive Group (ImpEG) to project manage the implementation of the four action plans under the National Plan. ImpEG's current role is to drive the implementation of the Third Action Plan, which includes remaining informed on COAG initiatives and reporting. Working Groups (comprising Australian and state and territory government officials, academics and experienced managers and practitioners in the family and domestic violence sector) are working under ImpEG to supporting the implementation of the Third Action Plan. The role of the working groups is to bring the evidence from research, evaluations and other sources to inform the implementation of relevant actions in the following key areas:

- sexual violence
- workforce
- children and parenting
- Aboriginal and Torres Strait Islander women and their children, and
- Housing and homelessness.

The National Plan annual reports also highlight the collective efforts of all Australian governments to address violence against women and their children and are endorsed by all Women's Safety Ministers. The initiatives cover a broad spectrum from primary prevention and early intervention initiatives and specialist services for women and their children, through to perpetrator interventions. The 2014-15 Annual Progress Report of the Second Action Plan 2013-2016: *Moving Ahead* was publicly released on 26 June 2015. The 2015-16 Annual Progress Report is expected to be released before the end of 2016.

COAG has charged LCCSC with developing and promoting best practice in law enforcement, crime reduction, law reform and emergency management in a national and trans-Tasman context. On 21 October 2016 the Law, Crime and Community Safety Council (LCCSC) met to consider major priorities for COAG, including NOSPI. During the meeting, ministers agreed to refine the performance indicators to support the implementation of the NOSPI and confirm available data sources by mid-2017.

#### **Recommendation 14**

The committee recommends the Commonwealth Government, through COAG, take leadership in the facilitation of effective police responses to domestic and family violence, encouraging states to implement targeted training and programs.

The Australian Government does not support this recommendation.

Police responses to domestic and family violence are the responsibility of states and territories. The Australian Government is providing \$14 million to expand the DV-alert training program to ensure that police, social workers, emergency department staff and community workers better support women at risk of, or experiencing, family and domestic violence.

In April 2015, COAG agreed to work collaboratively to improve outcomes for Indigenous Australians, including through increasing policing in remote communities. The Australian Government is working bilaterally with jurisdictions to identify and implement measures that allow police to better respond to violence, including domestic and family violence, in Indigenous communities.

Under the Women's Safety Package, the Australian Government invested \$21 million for a range of activities targeted at reducing Indigenous domestic and family violence, including activities to enable police to better respond to domestic violence in remote communities and hold perpetrators to account.

### **Recommendation 15**

The committee recommends that the Commonwealth Government recognise the need to provide appropriate services to male victims of domestic and family violence.

The Australian Government supports this recommendation, noting that domestic and family violence and sexual assault cannot be excused or justified under any circumstances.

All victims, regardless of their gender, need compassionate and highly responsive support, and all perpetrators must be held accountable for their violence. It is acknowledged that men do experience domestic and family violence. However, there is also extensive evidence that domestic and family violence is gendered and the majority of victims are women.

Under the National Plan, the Australian Government has funded the expansion of counselling services for male victims of violence through MensLine Australia. MensLine is a counselling service that assists men to manage family and relationship difficulties including issues of violence. It is available by phoning 1300 789 978 for the cost of a local call or online at [www.mensline.org.au](http://www.mensline.org.au).

The Australian Government also funds 1800RESPECT, a flagship initiative under the National Plan that provides best practice professional counselling, information and referral services. This is a free and confidential telephone and online service for any person, regardless of their gender, who has experienced or is at risk of sexual assault, and/or domestic and family violence, and their family and friends. This service is available by phoning freecall 1800 737 732 or online at [www.1800RESPECT.org.au](http://www.1800RESPECT.org.au).

On 17 May 2015, the Australian Government announced \$4 million funding to increase 1800RESPECT's capacity to respond to 55,000 contacts per annum up to 30 June 2017. As part of the Women's Safety Package, an additional \$5 million was invested to further expand 1800RESPECT.

As part of the funding committed to the Third Action Plan, an extra \$15 million has been allocated to improve and expand national domestic and family violence services, including funding the 1800RESPECT helpline to implement the new first responder model to assist with the increase in demand.

## **Recommendation 16**

The committee recommends that the Evaluation Plan for the National Plan include a coordinated status report on the consideration of the recommendations in the 2010 report by the Australian and NSW Law Reform Commissions.

The Australian Government does not support this recommendation, noting that the Evaluation Plan for the National Plan is not an appropriate mechanism for implementing a coordinated status report on the consideration of the recommendations in the 2010 report by the Australian and NSW Law Reform Commissions titled *Family Violence – A National Legal Response* (ALRC 114).

The Evaluation Plan for the National Plan enables governments and the community to measure the effectiveness of the National Plan every three years and at the end of the 12 year National Plan. The report of the Evaluation of the Second Action Plan will be released in 2017.

Since 2010 the legal landscape around family violence has changed. In particular, the *Family Law Act 1975* was amended in 2012 to prioritise the safety of children by giving greater weight to the protection from harm when determining what is in a child's best interests. In addition the definitions of family violence and abuse were amended to better reflect a contemporary understanding of what family violence and abuse is, including physical and emotional abuse and the exposure of children to family violence.

One of the high-priority, long-term commitments made under the National Plan was for the Australian Law Reform Commission (ALRC) to examine the integration of domestic violence, child protection and federal family law. The ALRC worked jointly with the New South Wales Law Reform Commission and extensively examined family law, family violence laws and legal frameworks to improve the safety of victims of family violence across all Australian jurisdictions.

In addition, there have been a number of recent reports regarding the family law system and family violence. In particular, the Family Law Council (the Council) completed a reference on families with complex needs and the intersection of the Commonwealth family law system and the state and territory child protection and family violence systems. The Council's final report was provided to the Attorney-General on 30 June 2016, and focuses on opportunities for enhancing collaboration and information sharing in the family law system to improve safety for children and their families. The Australian Government is carefully considering the recommendations of these reports.

Action 5.1 of the Third Action Plan of the National Plan commits all Commonwealth, state and territory agencies to work together to implement supported recommendations of the Family Law Council's *Families with Complex Needs and the Intersection of the Family Law and Child Protection Systems* interim and final reports. As a result, reporting on the recommendations of the ALRC 114 as part of the National Plan could overlap with the existing reporting obligations in Action 5.1 and the recommendations would not necessarily reflect current concerns.

**Recommendation 17**

The committee recommends the Commonwealth Government through the Attorney-General's Department, coordinate the development of consistent training for and evaluation of family consultants who write family reports for the Family Court alongside the development of a national family bench book by June 2017.

The Australian Government supports this recommendation in-principle, noting that, consistent with the independence of the Judiciary from the Executive, the courts are each responsible for their own operation and management. This includes the training and evaluation of family consultants. Family consultants are officers of the court and have the duties, powers and functions given to them by *the Family Law Act 1975*. The Family Court has given significant emphasis to training of family consultants. For example, during 2013-14 several family violence clinical training modules were developed and delivered to family consultants.

The Australian Government will bring this recommendation to the attention of the courts.

**Recommendation 18**

The committee recommends the Commonwealth Government, through the Attorney-General's Department and COAG, facilitate the training of all judicial officers who preside over family violence matters, alongside the development of a national family bench book by June 2017.

The Australian Government supports this recommendation in-principle, noting that judicial education in Australia is voluntary.

As part of the Law, Crime and Community Safety Council (LCCSC), the Australian Government provides funding to two organisations that contribute to judicial education across Australia. These bodies are:

1. The National Judicial College of Australia (NJCA), which provides professional development programs to all judicial officers in Australia, to assist them to administer the law in a just, competent and speedy way
2. The Australasian Institute of Judicial Administration (AIJA), which focuses on research into judicial administration and the development and conduct of educational programs for judicial officers, court administrators and members of the legal profession.

Programs delivered by the NJCA cover a range of topics, including judicial conduct, case management, decision making and court craft. The Programs Advisory Committee of NJCA determines the priorities for the development of new programs and advises the NJCA Council and committees on educational methods. The Attorney-General's Department will alert the Programs Advisory Committee to the recommendation.

Programs delivered by the AIJA include training in specialised areas including gender awareness, cultural awareness, court technology and case management.

The Attorney-General's Department has provided funds to AIJA to develop a National Domestic and Family Violence Bench Book. The Australian Institute of Judicial Administration is working closely with the University of Queensland to develop this bench book. The first stage of the bench book was launched in August 2016. The bench book provides information about the dynamics of domestic and family violence, guidelines for

courtroom management and information about referrals for victims and perpetrators. The second and final stage of the bench book is expected to be completed by June 2017.

### **Recommendation 19**

The committee recommends that every effort is made by the Commonwealth Government to ensure that the critical work being undertaken by the COAG ministerial council to:

- agree a national domestic and family violence order scheme;
- report progress on a national information system to enable police and courts to share information on active DVOs;
- consider national standards to ensure perpetrators of violence against women are held to account at the same standard across Australia, for implementation in 2016; and
- consider strategies to tackle the increased use of technology to facilitate abuse against women and to ensure women have adequate legal protections

is completed in accordance with the timetable agreed by COAG in April 2015.

The Australian Government supports this recommendation, noting these matters were brought forward to COAG in December 2015 as per the timetable agreed by COAG in April 2015.

### **The National DVO Scheme**

A National DVO Scheme will enable automatic recognition and enforcement of DVOs across all state and territories of Australia. This will ensure protected persons receive the protection of their DVO across all jurisdictions, without the need to manually register their DVO in a new jurisdiction.

At the 5 November 2015 meeting of the LCCSC, Ministers endorsed model legislation to underpin a National DVO Scheme to enable the automatic recognition and enforcement of domestic violence orders across jurisdictions. On 11 December 2015, COAG agreed to the model laws and to jurisdictions introducing laws to give effect to a National DVO Scheme in the first half of 2016.

It was agreed that the Australian Government would lead efforts to develop a comprehensive national DVO information sharing system that police and courts will be able to use for enforcement of DVOs, noting this will take several years to fully implement.

At these meetings, Ministers further agreed that, in the short-term, the Australian Government would undertake a 12 month project to improve the information available to police and courts about protection orders. This project leverages off the existing National Police Reference System and will be available towards the end of 2016. This system will not have the same enforcement capacity as the permanent system.

The Attorney-General's Department and the Australian Criminal Intelligence Commission (ACIC)<sup>3</sup> will continue to work with jurisdictions to support the implementation of the National DVO Scheme.

### **The National Outcome Standards for Perpetrator Interventions**

The NOSPI were developed collaboratively by Australian governments.

On 11 December 2015, COAG agreed to the NOSPI, noting that implementation materials, including indicators and a reporting framework, would be developed by the Australian Government in consultation with states. Proposed indicators were provided to the LCCSC and other relevant ministers, including those with responsibility for women's safety in 2016. Work will continue to refine the indicators and confirm available data sources by mid-2017.

The Australian Government committed \$4 million to assist state and territory governments to implement the NOSPI.

### **Technology facilitated abuse**

In May 2015, the LCCSC referred to the National Cybercrime Working Group (NCWG), responsibility for identifying areas of action by the Australian Government and, state and territory governments to tackle the increased use of technology to facilitate abuse against women. The NCWG is comprised of senior representatives from law enforcement and justice agencies across all jurisdictions and is chaired by the Attorney-General's Department. The NCWG consulted with a number of front line women's services, digital industry members and academia in developing its recommendations, with particular regard to awareness-raising measures, the adequacy of legal protections, and the collection of electronic evidence of this type of abuse.

On 11 December 2015, COAG considered the report and agreed to actions to limit technology-facilitated abuse. The NCWG will continue to support LCCSC to deliver COAG's objectives.

\$4.8 million has been allocated under the Third Action Plan of the National Plan to develop a national portal to assist women in the removal of intimate images that are distributed online without their consent. This will include:

- Working with internet content hosts/services/telecommunication companies and social media services to facilitate consistent and responsive approaches for removal of intimate material.
- Providing information to the broader community that highlights the impacts and consequences of distributing intimate material.

\$3 million has also been allocated under the Third Action Plan for a communications activity to counter the impact of pornography on young people, and discourage the sharing of intimate images without consent.

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<sup>3</sup> On 1 July 2016, the CrimTrac Agency merged with the Australian Crime Commission to become the ACIC.

The Government is undertaking a national legislative review of the adequacy of criminal legislation for those distributing intimate material without consent to identify any jurisdictional amendments that may be required.

**Recommendation 20**

The committee recognises the importance of the provision and availability of supportive housing models to assist victims of domestic and family violence to find safety for themselves and their children. The committee recommends that the Commonwealth Government should play a lead role in identifying programs that could be implemented across the country, and in ensuring that specialist and 'wrap around' support services have access to dedicated, secure funding.

The Australian Government notes this recommendation. The provision of social housing and homelessness services is primarily the responsibility of state and territory governments. In 2015-16 the Australian Government supported states and territories in their role, with around \$115 million under the NPAH, and approximately \$1.3 billion under the NAHA, so that all Australians have access to affordable, safe and sustainable housing.

On 11 December 2015, COAG agreed that decisions on reforms to housing and homelessness services would be taken forward by relevant Ministers through existing work on housing affordability and they would report back by the end of 2016.

The Australian Government has established the Affordable Housing Working Group, led by the Australian Government Treasury and Department of Social Services, at the request of the Council on Federal Financial Relations. The Working Group is investigating ways to boost the supply of affordable rental housing, including social housing, through innovative financing models. The Working Group has conducted a comprehensive public consultation process, which included a call for submissions from the public and two roundtables with key stakeholders from the financial, community housing provider, developer and academic sectors, and is currently finalising its report to Heads of Treasuries. The Working Group expects to deliver its report to Heads of Treasuries shortly.

Under the Women's Safety Package, the Australian Government has committed \$5 million for local women's caseworkers to coordinate support for women, including housing; and \$15.97 million to help keep women safe in their homes or a home of their choice.

Through the Third Action Plan of the National Plan, the Australian Government has committed to establish a Housing Innovation Fund to identify alternative accommodation options for women and children affected by violence.

**Recommendation 21**

The committee recommends that the Commonwealth Government, through COAG, facilitate the evaluation of existing legal measures and support programs that facilitate the removal of perpetrators of domestic and family violence from the family home so that victims may remain safely at home. If those legal measures are found to be successful, that the Commonwealth encourage all states to adopt nationally consistent 'ouster order' laws and support programs.

The Australian Government supports this recommendation in-principle, noting criminal law in relation to domestic violence is the responsibility of state and territory governments.

However, the Australian Government is working closely with states and territories, including through COAG, to support enhancements to perpetrator measures, to help keep women safe.

The Women's Safety Package includes a range of measures to expand the use of technology to keep women safe, including measures that facilitate the removal of perpetrators of domestic and family violence from the family home so that victims may remain safely at home.

These include:

- \$15.97 million to keep women safe in their homes by expanding successful initiatives like the Safer in the Home program
- \$12 million to trial the use of innovative technology to keep women safe, such as GPS trackers for perpetrators and personal portable panic buttons for women
- \$5 million for safer technology, including working with telecommunications companies to distribute safe phones to women.

The Australian Government also funded the ANROWS Research Program in 2014-16, which included a national mapping and meta-evaluation of 'safe at home' programs.

This research outlined key features of effective 'safe at home' programs that enhance safety and prevent homelessness for women and their children who have experienced domestic and family violence.

#### **Recommendation 22**

The committee recognises the long term effort required to address domestic and family violence and recommends that the current Commonwealth short-term funding arrangements should be extended to a multi-year approach to reduce the level of uncertainty for services and to allow for adequate future planning in the sector.

The Australian Government supports this recommendation. The Australian Government remains committed to ensuring that the wellbeing of vulnerable Australians is protected and recognises that uncertainty of funding can make service providers and clients feel vulnerable. Multi-year agreements provide the framework for consistent, stable service delivery and enable funded providers to effectively develop and implement service delivery and provide certainty for business continuity. For example, the Australian Government has multi-year funding agreements in place for early childhood, health, housing and employment services.

These longer term arrangements also reduce red tape and allow providers to dedicate more of their resources to service delivery, rather than administrative processes. Multi-year agreements provide a consistent, uniform base for future grant reform and improvement.

For example, ANROWS is a major COAG initiative established under the National Plan. The ANROWS research program is a key contributor to building the evidence base to deliver real improvements in women's and children's safety. The Australian Government has committed to the ongoing funding of ANROWS for four years (2016-2020) and negotiations with the states and territories are almost complete. The Australian Government also notes that longer term agreements are not appropriate in all cases.



**Recommendation 23**

The committee recommends that the Commonwealth Government take a lead role in the provision of affordable housing solutions in Australia to meet long-term needs for those made homeless by domestic and family violence and in order to address the backlog of victims who cannot access affordable housing which stakeholders have identified during the inquiry.

The Australian Government notes this recommendation. The provision of social housing is primarily the responsibility of state and territory governments. The Australian Government spent approximately \$6.5 billion on housing assistance and homelessness services in 2015-16. This includes providing the states and territories with around \$1.3 billion under the NAHA, so that all Australians have access to affordable, safe and sustainable housing, and around \$4.4 billion in Australian Government Rent Assistance to approximately 1.3 million eligible individuals and families who pay rent in the private rental market and in community housing.

The National Rental Affordability Scheme, which commenced in 2008, seeks to address the shortage of affordable rental housing by offering financial incentives for up to ten years, to build and rent dwellings to low and moderate income households at a rate that is at least 20 per cent below the market value rent. All states and territories participate in, and provide funding into, the Scheme. In 2015-16, government expenses are forecast at \$274 million.

On 11 December 2015, COAG agreed that decisions on reforms to housing and homelessness services would be taken forward by relevant ministers through existing work on housing affordability and they would report back by the end of 2016.

The Australian Government continues to work with state and territories to address the supply of affordable housing. The Australian Government has established the Affordable Housing Working Group, led by the Australian Government Treasury and Department of Social Services, at the request of the Council on Federal Financial Relations. The Working Group is investigating ways to boost the supply of affordable rental housing, including social housing, through innovative financing models. The Working Group has conducted a comprehensive public consultation process, which included a call for submissions from the public and two roundtables with key stakeholders from the financial, community housing provider, developer and academic sectors, and is currently finalising its report to Heads of Treasuries. The Working Group expects to deliver its report to Heads of Treasuries shortly.

Through the Third Action Plan of the National Plan, the Australian Government has invested \$15 million for services such as a Housing Innovation Fund which will strengthen safe and appropriate accommodation options for women and their children escaping violence by increasing the stock of affordable, accessible and social housing.

**Recommendation 24**

The committee recommends that the Commonwealth Government consider the framework developed by the Foundation for Alcohol Research and Education (FARE) as part of the cross-jurisdictional work it is leading through COAG to ensure the development of an integrated and focused effort to reduce the role of alcohol as a contributing factor in cases of domestic violence.

The Australian Government supports this recommendation in-principle. Alcohol abuse is a factor in domestic violence which needs to be addressed through integrated and focused efforts.

The Australian Government notes the Foundation for Alcohol Research and Education's *National Framework for action to prevent alcohol related family violence* (FARE Framework) relies on increasing alcohol related restrictions and bans, taxation and regulatory reform. In this regard, many of these issues, such as the licencing of alcohol products, are legislated by state and territory jurisdictions and not the Australian Government.

The Third Action Plan recognises that while alcohol and substance abuse can be contributing factors to violence, they are not the causal factors. Most people who consume alcohol or drugs do not commit acts of domestic or family violence.

#### **Recommendation 25**

The committee recommends that the Commonwealth Government work with the states and territories to improve the availability of alcohol rehabilitation services, including culturally appropriate services for those living in regional and remote Indigenous communities.

The Australian Government supports this recommendation in-principle. The Australian Government is committed to restricting access to harmful substances, minimising harm from drugs and alcohol and providing rehabilitation and treatment services. The Australian Government provides funding to a wide variety of alcohol and other drug treatment services across Australia, including counselling, residential rehabilitation, pharmacotherapy, support and case management, information and education, withdrawal management and assessment services.

These services are available for all members of the Australian community who are having problems with substance misuse. Furthermore, a number of services are specifically targeted at certain harder to reach demographics which include young people, mothers with babies, Aboriginal and Torres Strait Islanders, people from CALD backgrounds and clients referred from the criminal justice system.

The Department of Health provided funding of up to \$95.8 million in 2015-16 for drug and alcohol treatment services across Australia, as well as the delivery of social marketing campaigns. In December 2015, the Minister for Rural Health, Senator the Hon Fiona Nash, announced an extension to existing alcohol and other drug treatment services until mid-2017.

As part of the Australian Government's response to the Final Report of the National Ice Taskforce, \$241.5 million over four years from 2016-17 has been allocated to Primary Health Networks (PHNs) to provide further drug and alcohol treatment services, which includes funding of \$78.6 million to support the delivery of Indigenous specific drug and alcohol treatment services. Mainstream treatment services will also be culturally appropriate and will be able to be accessed by Aboriginal and Torres Strait Islander people. Within the parameters of funding guidelines set by the Department of Health and in consultation with relevant stakeholders, PHNs will commission drug and alcohol treatment services at the regional level, ensuring local coordination and better patient management.

The Australian Government response to the Final Report has helped form part of the new National Ice Action Strategy, which was developed by the Australian Government in partnership with state and territory governments, and was agreed by COAG on 11 December 2015.

Alcohol is one of the primary risk factors for violence in Indigenous communities, including domestic violence. To reduce the harm caused by alcohol and other drugs, the Australian Government is investing in rehabilitation and treatment services. Through the Indigenous Advancement Strategy, managed by the Department of the Prime Minister and Cabinet,

around \$69 million has been committed in each of 2015-16 and 2016-17 to support Indigenous alcohol and other drug treatment services, such as residential rehabilitation, counselling, referral, transitional aftercare and sobering up shelters across Australia.

In addition, the Australian Government has supported measures to tackle alcohol misuse in the Northern Territory under the former National Partnership Agreement on Stronger Futures in the Northern Territory and is continuing this support under the new National Partnership on Northern Territory Remote Aboriginal Investment, which includes about \$91.5 million over seven years specifically for activities to reduce alcohol related harm in the Northern Territory.

Furthermore, Indigenous Affairs is a standing item at COAG and at the COAG meeting on 17 April 2015, the Australian Government and state and territory governments agreed to work bilaterally to address Indigenous disadvantage, including by improving community safety through action on alcohol and substance misuse.

On 1 December 2015, the Australian Government tabled its response to the House of Representatives Standing Committee on Indigenous Affairs' inquiry into the harmful use of alcohol in Aboriginal and Torres Strait Islander communities. Action the Australian Government is currently taking covers many of the Committee's recommendations.