

DVNSW: Women's Domestic Violence Court Advocacy Services (WDVCAS)

Pre-Budget Submission 2022-23

Funding an integrated service model to consistently respond to women and their children throughout the criminal justice process

D O M E S T I C
V I O L E N C E
N S W

Funding priorities

1. Increase WDV CAS baseline funding by 50% to accommodate for increases in service demand, court delays and increased complexity in client matters due to the COVID-19
2. Fund the WDV CAS/NSW Police co-location pilot for \$850,000
3. Fund WDV CAS supplementary services
 - a. Fund WDV CAS case management for \$4.5mil annually
 - b. Fund WDV CAS hearing support for \$4.5mil annually
 - c. Fund a new online file system to streamline service provision for \$2.7mil

Executive summary

There has been a 9.8 per cent increase in reports of domestic violence to police during the period June 2019-June 2021, and a sharp rise in the number of people seeking specialist homelessness services who have experienced family and domestic violence.¹ Domestic and family violence (DFV) has increased during the COVID pandemic, being named the 'Shadow Pandemic'. DFV has a wide-ranging impact on the NSW economy, from justice, corrections, and police, to housing and homelessness, community services, women, and child protection. The specialist DFV service sector is at the frontline of prevention and response to domestic and family violence.

This submission will specifically address the operation and needs of the Women's Domestic Violence Court Advocacy Services (WDVCASs). The WDVCAS is the only specialist domestic and family violence service that covers the entire state; 27 services across regional, rural and metro areas. Overseen by the Women's Domestic Violence Court Advocacy Program (WDVACP) within Legal Aid, the WDVCASs provide women and children with information, advocacy and safety planning. WDVACS workers are imbedded within their local courts and provide legal information to increase clients' understanding of the ADVO and criminal justice process. Legal advice on a range of different topics is also made available for clients at each local court on domestic violence list day by the Legal Aid Domestic Violence Duty Solicitor Service and other legal practitioners. Each WDVCAS service has an Aboriginal focussed worker to support Aboriginal women in their safety after experiencing abuse. WDVCASs also perform the secretariat and victim liaison role for the Safety Action Meetings (SAMs), being a priority, cross-agency response to victims at serious threat of injury or death due to domestic violence.²

The *Premier's Priorities* to break the cycle of disadvantage, and the *Stronger Communities Cluster State Outcomes* reflect how important it is **that the NSW Government invest in the specialist domestic and family violence sector to ensure quality, holistic and long-term support is provided to victim-survivors, vulnerable children and their families.**

Premier's Priorities supported by this funding:

- Decrease the proportion of children and young people re-reported at risk of significant harm by 20 per cent in 2023.
- Reduce the number of domestic violence reoffenders by 25% by 2023.

Stronger Communities Cluster State Outcomes supported by this funding:

- **Children and families thrive:** ensuring the safety and wellbeing of vulnerable, children, young people and families, and protecting them from the risk of harm, abuse and neglect (State Outcome 2).
- **Efficient and effective legal system:** Resolving matters through legal services, the administration of courts and tribunals, and client-facing justice services to victims and vulnerable people (State Outcome 3).
- **Safer communities:** Preventing, detecting, and investigating crime; maintaining social order and community safety; promoting road safety and supporting emergency management (State Outcome 7).

¹ Equity Economics (2021). *Rebuilding Women's Economic Security – Investing in Social Housing in New South Wales*, Sydney

² Legal Aid NSW (2020). *Women's Domestic Violence Court Advocacy Program*. <https://www.leqalaid.nsw.gov.au/what-we-do/community-partnerships/womens-domestic-violence-court-advocacy-program>.

The recommendations in this submission will also support the NSW implementation of the National Plan to reduce violence against women and their children and NSW's commitments to the Closing The Gap targets, in particular Target 13, to reduce DFV by 50% by 2031.

Domestic Violence NSW are calling on the NSW Government to invest in the specialist domestic and family violence sector to ensure quality, holistic and long-term support is provided to victim-survivors, vulnerable children and their families. Specifically, **Domestic Violence NSW are calling on the NSW Government to appropriately fund the WDVCSs through the above five funding asks**, allowing the specialist services to provide desperately needed services to victim-survivors within and surrounding the Criminal Justice System.

1. Increase baseline funding for WDVCSs to accommodate for increase in service demand

Funding Ask

Increase WDVCS baseline funding by 50%, or approximately \$16,727,483 p.a. This funding ask considers the significant increase in WDVCS client numbers, but also considers the increased complexity in client matters that the COVID-19 pandemic has introduced.

Statement of need

In the financial year of 2020-2021, the WDVCS administered \$33,454,966 in grant funding to the 27 WDVCSs across the state as their base funding. However, there has been a **28.7% increase in the number of WDVCS clients since 2016, when WDVCSs last received an increase in base funding.**³ The previous funding increase to the WDVCS was in 2016 by 20%, although the workload at that time increased by at least 40% due to the introduction of the Safer Pathway program.

Number of WDVCS clients 2016 to 2021					
2016/17	2017/18	2018/19	2019/20	2020/21	% change
43,006	43,947	47,902	53,527	55,341	28.7% increase

Although this significant increase in the number of clients supported by WDVCSs alone demonstrates the need for a funding increase, this figure does not fully represent WDVCS demand. WDVCS must contact and offer services to every woman who is referred, within one working day. WDVCSs spend considerable time and resources attempting to contact women referred to them who do not become clients for several reasons, such as inability to contact the client. It is therefore important to also consider the number of Central Referral Point (CRP) referrals received by WDVCSs. Unfortunately, holistic CRP data is not publicly available, but feedback from workers states that there has been a significant increase in CRP referrals.

It is unrealistic to expect that services can maintain the high level of service that is relied upon by NSW Government agencies, such as NSW Police and the Department of Communities and Justice, when numbers and complexity rapidly increase without the funding to support. With COVID leading to court delays of over 18 months, the short-term COVID funding is insufficient to address the resourcing requirements of the services.

Outcomes

Increasing baseline funding for WDVCSs by 50% will assist in achieving both the Premier's Priorities and the Stronger Communities Cluster State Outcomes of:

Premier's Priorities:

³ Legal Aid New South Wales (2020). *Annual Report 2021-2021: Delivering high-quality and accessible services to our clients.* https://www.legalaid.nsw.gov.au/data/assets/pdf_file/0019/53335/Legal-Aid-NSW-Annual-Report-2020-2021.pdf.

- Decrease the proportion of children and young people re-reported at risk of significant harm by 20 per cent in 2023.
- Reduce the number of domestic violence reoffenders by 25% by 2023.

Stronger Communities Cluster State Outcomes:

- **Children and families thrive:** ensuring the safety and wellbeing of vulnerable, children, young people and families, and protecting them from the risk of harm, abuse and neglect (State Outcome 2).
- **Efficient and effective legal system:** Resolving matters through legal services, the administration of courts and tribunals, and client-facing justice services to victims and vulnerable people (State Outcome 3).
- **Safer communities:** Preventing, detecting, and investigating crime; maintaining social order and community safety; promoting road safety and supporting emergency management (State Outcome 7).

The Safer Pathway program is, “designed to provide an immediate and consistent response for victims of DFV regardless of how they enter the system, for example through their general practitioner, housing provider or health service.”⁴ The immediacy of this response is purposeful; research demonstrates that support is most imperative at the point of crisis, including leaving a relationship or when there has been a catalyst, such as police becoming involved.⁵ Ensuring the capacity of WDVCS as that immediate support is imperative to ensuring women are provided with the best possible chance of staying safe.

The Premier’s priority of reducing the number of domestic violence reoffenders by 25% by 2023 primarily relies upon working with perpetrators, however, the wellbeing of women is essential in all men’s behavioural change programs and support services are needed for both persons. Women and their support services spend a significant amount of time, resources and energy on keeping themselves and their children safe and attempting to ensure the perpetrator can’t access them and their children to be *able* to reoffend.⁶ This needs to be taken into account in government spending, as **appropriately funded services will assist the government in meeting this priority**. With the majority of WDVCS clients having children, ensuring the safety of women and their children will also meet the Premier’s priority of decreasing the proportion of children and young people re-reported at risk of significant harm by 20 per cent in 2023, as well as the Stronger Communities Cluster State Outcome 2.

Further, the role of the WDVCSs within the courts and their relationships with police actively work towards the Stronger Communities Cluster State Outcomes 3 and 7. WDVCSs are the only state-wide domestic and family violence specialist service that operates at a local level, and the service responsible for guiding women through protection order and criminal charge proceedings in the local court. It is important to note as a comparison that in the 2021-2022 state budget, the Victorian Government committed \$14 million alone to strengthening the justice system’s response to family violence, including establishing legal services in the Orange

⁴ ARTD (2019). *Safer Pathways Evaluation: Final Report*. <https://www.women.nsw.gov.au/download?file=650328>.

⁵ Fisher, E. M., & Stylianou, A. M. (2019). To stay or to leave: Factors influencing victims’ decisions to stay or leave a domestic violence emergency shelter. *Journal of interpersonal violence*, 34(4), 785-811.

⁶ Yakubovich, A. R., Bartsch, A., Metheny, N., Gesink, D., & O’Campo, P. (2021). Housing interventions for women experiencing intimate partner violence: a systematic review. *The Lancet Public Health*.

Door Network.⁷ This is only one part of the \$354 million package committed to by the Victorian Government supporting victim survivors and address family violence.

An increase in the baseline for domestic, sexual and family violence services will ensure NSW can successfully deliver state-wide priorities under the next National Plan to reduce violence against women and their children. Victims of domestic and family violence (including children) have timely access to the effective, high-quality specialist support they need to be safe. Providing this specialist support and meeting the needs of victim-survivors is specialist work and needs to be funded as such. As per DVNSW's Good Practice Guidelines, specialist quality services staffed with skill workers are required by victim-survivors.⁸ Cortis and Blaxland found that the aging of the workforce and high levels of job insecurity have not been addressed, and a lack of adequate pay has contributed to difficulties in the sector attracting and retaining quality staff.⁹ A lack of increase in base funding risks staff burn out, significant rates of resignation, and a subsequently inexperienced sector.

Evidence of success

- Safer Pathway has been found to have been, “implemented largely as intended and is generally meeting its intended objectives of ensuring a consistent, effective and timely response to victims across NSW. All five components of the initiative have been implemented and work together.”¹⁰
- Further, the systemic, state-wide response to DFV centred by the WDVCSs has increased consistency of approaches to DFV. This consistency is translating to improved responses for victim-survivors of DFV.
- Consistency in risk assessment was also found to be reducing threat levels for many victim-survivors. As such, the structure, operation, and implementation of Safer Pathway by WDVCSs has been found to work.
- For Safer Pathway to continue to work as intended, funding must be increased to WDVCSs to meet demand.
- Numerous WDVCSs have demonstrated that they are able to provide innovative, better and more appropriate services to clients when provided with sufficient funding through how they have spent their one-off COVID grant funding. For example, Newcastle WDVCS collaborated with a university to build a Women's Safety Hub. This hub includes a mock court room, complete with audio visual link (AVL) facilities. Services such as prosecutor's clinics can be run from the hub, victim-survivors can become accustomed to the look and feel of a court room, and AVO and criminal charge proceedings can be run from the mock court room through the AVL facilities.

⁷ Victorian Government (2021). *Keeping women and children safe*. <https://www.budget.vic.gov.au/keeping-women-and-children-safe>.

⁸ Domestic Violence NSW (2020). *Good Practice Guidelines for the Domestic and Family Violence Sector in NSW*. p 25. <https://www.dvnsw.org.au/working-for-change/good-practice-guidelines/>.

⁹ Cortis, N. Blaxland, M. (2017). *Workforce Issues in the NSW Community Services Sector*. Social Policy Research Centre. UNSW Sydney. https://www.arts.unsw.edu.au/sites/default/files/documents/Workforce_Issues_in_the_NSW_Community_Services_Sector_FINAL_0.pdf.

¹⁰ ARTD (2019). *Safer Pathways Evaluation: Final Report*. pp. 123. <https://www.women.nsw.gov.au/download?file=650328>.

2. Fund the WDVCS/NSW Police co-location pilot

Funding Ask

Purpose	Total per site	Total across all sites
Staffing and on-costs	\$150,000	\$750,000
Independent evaluation of the pilot		\$100,000
		\$850,000

Statement of need

Evaluation of the NSW Safer Pathway Program found that police often had a poor understanding of the dynamics of DFV, and would prioritise the easily identifiable, chargeable offence, as opposed to identifying the signs of a high risk DFV situation, such as escalation and coercive control.¹¹ To assist in this area, Nancarrow et al. offer the co-responder model, where DFV specialists accompany police to investigations or scenes to support police assessments.¹² This was widely supported by participants in Nancarrow et al.'s research, allowing police to focus on securing the safety of the scene, and allowing experts in the field to make more informed safety assessments.¹³ The model has been recommended by the NSW Domestic Violence Death Review Team¹⁴ and the Coronial Inquest into the deaths of John, Jack, and Jennifer Edwards¹⁵, who both recommended the co-location of specialist DFV services at police stations.

There is considerable evidence that this model will be successful, with the Safer Pathway evaluation finding that good working relationships between the Safer Pathway workers and police were mutually beneficial, allowing both parties to assist the client more holistically.¹⁶ Co-location is the logical first step in the process of moving to co-response, which Police Ambulance and Clinical Early Response (PACER) has proven to be incredibly successful. The \$850,000 ask in this submission contrasts with the \$25.8 million afforded to PACER in the 2021-2022 budget.¹⁷ The funding afforded to PACER demonstrates the NSW Government's understanding of the need and overwhelming benefits of an interagency response to mental health. The WDVCS/NSW Police co-location pilot extends the success of that response to include domestic and family violence.

¹¹ ARTD (2019). *Safer Pathways Evaluation: Final Report*.

¹² Nancarrow, H., Thomas, K., Ringland, V., Modini, T. (2020). *Accurately identifying the "person most in need of protection" in domestic and family violence law*. Australian National Research Organisation for Women's Safety. <https://apo.org.au/sites/default/files/resource-files/2020-11/apo-nid309729.pdf>

¹³ Nancarrow, H., Thomas, K., Ringland, V., Modini, T. (2020). *Accurately identifying the "person most in need of protection" in domestic and family violence law*. Australian National Research Organisation for Women's Safety. <https://apo.org.au/sites/default/files/resource-files/2020-11/apo-nid309729.pdf>

¹⁴ New South Wales Domestic Violence Death Review Team (2020). *Report 2017-2019*.

<https://www.parliament.nsw.gov.au/lc/tailedpapers/Pages/tailed-paper-details.aspx?pk=77348&houseCode=lc>.

¹⁵ Coroners Court of New South Wales (2020). *Inquest of the deaths of John, Jack and Jennifer Edwards*. [https://coroners.nsw.gov.au/coroners-court/download.html/documents/findings/2021/Inquest into the deaths of John Jack and Jennifer Edwards - findings of State Coroner dated 7 April 2021.pdf](https://coroners.nsw.gov.au/coroners-court/download.html/documents/findings/2021/Inquest%20into%20the%20deaths%20of%20John%20Jack%20and%20Jennifer%20Edwards%20-%20findings%20of%20State%20Coroner%20dated%207%20April%202021.pdf)

¹⁶ Ibid

¹⁷ NSW Treasury (2021). *The NSW Budget 2021-2022: Overview*. <https://www.budget.nsw.gov.au/sites/default/files/2021-06/NSW%20Budget%202021-22%20Overview.pdf>.

Recognising how beneficial cross-sector collaborations are, **in early 2022, five police stations across the state will commence an unfunded trial co-locating a WDVCS worker** to support police response with a specialist, trauma-informed and gendered-violence informed approach. To leave this trial unfunded puts enormous pressure on an already underfunded DFV specialist sector and will reduce the efficacy of a promising, evidence-based trial. The co-location trial is the first step in the process of moving to a co-response model, which PACER has already proven to be incredibly successful.

Research demonstrates that **trauma can be significantly reduced when appropriate supports and responses are put in place**.¹⁸ If women and children are adequately supported from the beginning of the criminal justice system process, their trauma is likely to be significantly reduced. As stated by CI McDermott in the Coronial Inquest into the deaths of John, Jack, and Jennifer Edwards, the workload of police officers can inhibit officers' abilities to provide the appropriate level of service to domestic violence victims.¹⁹ Frontline services suggest that this results in women often leaving the police station feeling like they have not been heard, supported, or protected^{20, 21}. Not only does this add to trauma but can result in women returning to a violent partner, as they feel they have no other option.

As such, inserting professionals qualified in DFV into the process will reduce the likelihood of domestic violence victim-survivors leaving the police station with no assistance, and increase effectiveness in investigating crime, reducing homicides, and maintaining community safety. This is evidenced through the Safer Pathway evaluation, which stipulates that good working relationships between police and WDVCS workers leads to enhanced trust and engagement from victim-survivors.²² Safer Pathway workers can increase client safety, and victim-survivors become more trusting of police, aiding them in investigating crime.

Outcomes

Funding this pilot will assist in achieving both the Premier's Priorities and the Stronger Communities Cluster State Outcomes of:

- Decreasing the proportion of children and young people re-reported at risk of significant harm by 20 per cent in 2023.
- Reducing the number of domestic violence reoffenders by 25% by 2023.
- **Children and families thrive:** ensuring the safety and wellbeing of vulnerable, children, young people and families, and protecting them from the risk of harm, abuse and neglect (State Outcome 2).

¹⁸ Hooker, L., Kaspiew, R., & Taft, A. (2016). *Domestic and family violence and parenting: Mixed methods insights into impact and support needs*. Australia's National Research Organisation for Women's Safety.

¹⁹ Coroners Court of New South Wales (2020). *Inquest of the deaths of John, Jack and Jennifer Edwards*.

[https://coroners.nsw.gov.au/coroners-court/download.html/documents/findings/2021/Inquest into the deaths of John Jack and Jennifer Edwards - findings of State Coroner dated 7 April 2021.pdf](https://coroners.nsw.gov.au/coroners-court/download.html/documents/findings/2021/Inquest%20into%20the%20deaths%20of%20John%20Jack%20and%20Jennifer%20Edwards%20-%20findings%20of%20State%20Coroner%20dated%207%20April%202021.pdf)

²⁰ Maher, J., Spivakovsky, C., McCulloch, J., McGowan, J., Bevis, K., Lea, M., ... & Sands, T. (2018). *Women, disability and violence: Barriers to accessing justice*.

²¹ Nancarrow, H., Thomas, K., Ringland, V., & Modini, T. (2020). *Accurately Identifying the "person Most in Need of Protection" in Domestic and Family Violence Law* (No. ANROWS Research Report 23). Australia's National Research Organisation for Women's Safety.

²² ARTD (2019). *Safer Pathways Evaluation: Final Report*. <https://www.women.nsw.gov.au/download?file=650328>.

- **Safer communities:** Preventing, detecting and investigating crime; maintaining social order and community safety; promoting road safety and supporting emergency management (State Outcome 7).

Victims of domestic and family violence (including children) will have timely access to the effective, high-quality specialist support they need to be safe, ensuring the safety and wellbeing of vulnerable children, young people and families, and protecting them from the risk of harm, abuse and neglect. Matters that may not otherwise reach the Criminal Justice System will be resolved through legal services, the administration of courts and tribunals, and client-facing justice services to victims and vulnerable people. Further, frontline police will be supported in their jobs by trained professionals, leading to increased community trust and strengthened relationships with police.

Evidence of success

- The overwhelming success of PACER²³, its expansion^{24 25}, and the universal welcoming of the program by the community²⁶, demonstrates that NSW Police working in close partnership with external agency experts to increase public safety is imperative.
- As there is no evaluator attached to the co-location pilot at this time, indicators of success have not yet been developed. **An appropriate and accurate evaluation is one of the key reasons funding is required.** Without an evaluator attached to the project from the beginning, it will be difficult to accurately assess the success of the pilot.

²³ Counihan. J. (2020). 'Major success for PACER program'. *Coast Community News*. 14 December.

<https://coastcommunitynews.com.au/central-coast/news/2020/12/major-success-for-pacer-program/>.

²⁴ The Law Society of New South Wales (2021). *Mental Health Clinicians in Police Area Commands Welcomed*.

<https://www.lawsociety.com.au/news-and-publications/news-media-releases/mental-health-clinicians-police-area-commands-welcomed>.

²⁵ Smith. A. (2020). 'Mental health nurses to be based at police stations'. *The Sydney Morning Herald*. 10 June.

<https://www.smh.com.au/politics/nsw/mental-health-nurses-to-be-based-at-police-stations-20200609-p550yf.html>.

²⁶ Fedele. R. 2020. 'On the beat: Mental health nurses join forces with NSW police to improve care'. *Australian Nursing and Midwifery Journal*. 11 September. <https://anmj.org.au/on-the-beat-mental-health-nurses-join-forces-with-nsw-police-to-improve-care/>.

3. Fund WDV CAS supplementary services

Proposed initiatives

- Fund WDV CAS case management services
- Fund WDV CAS hearing support services
- Fund online file system for WDV CAS services

Funding Ask

Purpose	Total across all sites
WDV CAS case management	\$4.51 mil per year
WDV CAS hearing support	\$4.51 mil per year
Online Client Management System	\$2.7 mil one off

Statement of need

Case Management

Under their current service agreement, the WDV CASs perform case coordination under NSW's Safer Pathway, but are not funded for any case management.²⁷ As per the Safer Pathway evaluation, case coordination is less effective at delivering greater safety outcomes for a range of victim-survivors of DFV, such as those with complex circumstances, those who are in denial about being a victim-survivor of domestic violence or unsure about leaving, those who do not trust or are uncooperative with police, and those who are not mandated to engage, such as through child protection statutes.²⁸

The Safer Pathway evaluation also detailed significant challenges for case coordination, meaning there is limited capacity to work with hard-to-reach groups, such as Culturally and Linguistically Diverse (CALD) communities and victim-survivors with significant co-factors, such as alcohol and other drug use, mental health related issues, and intergenerational violence. The Safer Pathway evaluation also specifically details the difficulties of service gaps, including case management services. One worker specified the difficulty with not being able to refer a client on to a case management service, but also not being funded to provide case management themselves.

We don't have enough support services. We need case management and we just don't really have it here. We've got to try and find the [phone] line because we don't have the time to do it but you don't want to go just 'yeah, see you later; we've done our (name of form)'. We've all had to learn to have those boundaries and obviously sometimes we have done things that are outside our role because we go 'well, you can't just leave them there, we have to do something. (WDV CAS worker Interview).²⁹

As well as there being a lack of available case management to refer to in NSW, referring to external case management services requires victims to navigate multiple services unnecessarily,

²⁷ Defined as "making referrals to appropriate local services for a DFV victim's key needs (e.g. housing, legal advice, counselling). LCP and LSS workers are also system navigators for victims". ARTD (2019). *Safer Pathways Evaluation: Final Report*. pp. 8 <https://www.women.nsw.gov.au/download?file=650328>.

²⁸ ARTD (2019). *Safer Pathways Evaluation: Final Report*. <https://www.women.nsw.gov.au/download?file=650328>.

²⁹ Ibid. pp. 112-113.

requiring them to tell their story again, and become familiar with, and trust, another worker. As a result, WDVCS staff often work outside of their roles (and, subsequently, outside of their funding) to assist women who cannot obtain assistance elsewhere. This also often continues after case closure, with 30% of Safer Pathway WDVCS workers 'commonly' providing support to clients after case closure.³⁰ Again, this is work that is already being performed by WDVCS workers without the appropriate funding, inappropriately stretching capacity and resources, and ultimately leading to issues with worker well-being and retention.

Across NSW there is a lack of case management services for DFV, and the WDVCSs would be best placed to be funded to do so as they are the only state-wide DFV service in NSW. This can be best demonstrated by the case management services that have been being provided by Macarthur and Wagga Wagga WDVCSs for over a decade. Funded by Department of Communities and Justice as ongoing funding after a successful trial, these WDVCSs are able to provide desperately needed services immediately to clients, without them having to re-tell their stories or achieve successful contact with another service. These services consistently report highly positive outcomes for clients across the numerous systems that domestic violence victim-survivors are required to navigate. As such, funding is desperately required for WDVCS case management to ensure women are being provided with an appropriate wraparound service.

Hearing Support

In an unpublished project report from South-West Sydney Legal Centre, providers of the Sydney WDVCS, the project officer spoke with women who had been offered support by the Sydney WDVCS.³¹ Participants in the research expressed that they felt they would have benefited from having a WDVCS worker able to provide hearing support on the day. However, despite being the state-wide service responsible for guiding women through protection order and criminal proceedings, the WDVCSs are not currently funded to support women through the hardest part of the process: the hearing.

Currently, there is no funding for hearing support in the local court in NSW. There are some organisations, such as Mission Australia and Victim & Witnesses of Crime Court Support, who provide hearing support using volunteers. However, while these volunteers are kind, well-intentioned individuals, they are not able to provide the professional, reliable, informed level of support and service of WDVCS staff. WDVCS staff are specialist trained domestic and family violence practitioners, and have close working relationships with NSW Police, Police Prosecutors, and NSW Court staff. WDVCS staff also have an existing relationship and rapport with the client, as well in-depth knowledge about the client's matter, eliminating the need for her to repeat her story to yet another person. These are all aspects that reduces stress and anxiety for the client on the day of the hearing.

This latter aspect in particular was found by Lesley Lang in her research on women's experiences of seeking an ADVO in NSW.³²

For some women, support was provided both by their ongoing worker and the WDVCS: [Court] wasn't that bad because I got with the Court Assistance Program, so that I didn't have to see him. I could go into another room. That was a good experience. ... I got to

³⁰ ARTD (2019). *Safer Pathways Evaluation: Final Report*. <https://www.women.nsw.gov.au/download?file=650328>.

³¹ Defended Hearings Project [Unpublished Report]. South West Sydney Legal Centre, providers of the Sydney Women's Domestic Violence Court Advocacy Service.

³² Laing, L. (2013). *'It's like this maze that you have to make your way through. 'Women's experiences of seeking a domestic violence protection order in NSW*. P. 27.

Court early in the morning, sort of before they opened and then my [early intervention] worker met me there. She stayed with me all day as well, the [child protection] case worker and we got taken into – sort of behind the Foyer thing and taken through a few doors into another room where women can wait if they're afraid to see their partners. There was a little TV in there and there's, you know, tea and coffee and stuff like that and other people there and you can talk to people. (Woman 1)

Lang also found the contrasting negative experience for women who received inadequate support at court.

Further, in a pilot project funded by the Law and Justice Foundation (LJF), South-West Sydney Legal Centre were funded to provide hearing support to women in ADVO matters at Liverpool Local Court. During this pilot, NSW Police withdrew proceedings in only 2% of cases where a female person in need of protection (PINOP) was provided with hearing support. This is in comparison to a withdrawal rate of 13.7% state-wide in 2015.³³ This research demonstrated that specialist hearing support increases the likelihood female PINOPs will attend court for the hearing, decreases the likelihood they will become an unfavourable witness, speeds the costly court process, improves the quality of the victim's evidence, and reduces the withdrawal rate for domestic violence matters.

By way of contrast, the Victorian Government have acknowledged the need for paid, domestic and family violence professionals to be delivering this service, committing \$7.3 million in the 2021-2022 budget for a new Victims Legal Service to provide critical support during criminal proceedings.

Please see below the estimated number of workers and subsequent funding required to adequately staff WDVCSs across NSW for hearing support and case management. We propose that each position be graded at Social, Community, Home Care and Disability (SCHADS) Award Grade 5, at a cost of approximately \$110,000 each per annum, which includes wages, as well as superannuation, insurance, leave loading, and administration costs.

Number of FTE Workers	Total per site	Total per year across all 27 sites
5 Workers for 4 high-volume WDVCSs (Nepean-Blue Mountains, South West Sydney, Sydney and Hunter)	\$550,000	\$2,200,000
4 Workers for 8 metropolitan WDVCSs (Burwood, Central Coast, Illawarra, Macarthur, North West Sydney, Northern Sydney, Parramatta, Southern Sydney)	\$440,000	\$3,520,000
2 Workers for remaining 15 regional and remote WDVCSs	\$220,000	\$3,300,000
Total		\$9,020,000

³³ Law and Justice Foundation of NSW (28 March 2017). Final grant report: Hearing Support Program, Law and Justice Foundation of NSW.

Online file system

Since its original establishment in 1996, the role of WDVCSs has changed dramatically, with the most significant change being the introduction of Safer Pathway. While Safer Pathway brought with it the Central Referral Point (CRP) as a technological platform to facilitate referrals, WDVCSs were still left with all their old systems, processes, and paperwork for their other duties. As a result, WDVCS staff are currently spending a significant amount of time duplicating repetitive administrative duties, and require a new, online file system to streamline onerous paperwork and record keeping requirements.

Based on an independent ICT review completed in 2021, WDVCS estimates that a new online file system would reduce WDVCS administration time, currently performed across multiple systems, both online and on paper, by 50-80%. This time would have enormous benefits, allowing workers to spend this time directly with clients, rather than inputting the same information into numerous systems.

A new online client management system for WDVCSs is estimated to cost \$2.7 million.

Appropriately funding WDVCS supplementary services would assist in achieving both the Premier's Priorities and the Stronger Communities Cluster State Outcomes of:

Premier's Priorities:

- Decrease the proportion of children and young people re-reported at risk of significant harm by 20 per cent in 2023.
- Reduce the number of domestic violence reoffenders by 25% by 2023.

Stronger Communities Cluster State Outcomes:

- **Children and families thrive:** ensuring the safety and wellbeing of vulnerable, children, young people and families, and protecting them from the risk of harm, abuse and neglect (State Outcome 2)
- **Efficient and effective legal system:** Resolving matters through legal services, the administration of courts and tribunals, and client-facing justice services to victims and vulnerable people (State Outcome 3)
- **Safer communities:** Preventing, detecting, and investigating crime; maintaining social order and community safety; promoting road safety and supporting emergency management (State Outcome 7).

These supplementary services are an extension of the immediate work performed by WDVCS and Safer Pathway, improving the efficacy of the system and supporting the short and medium-term support victim-survivors require to ensure their ongoing safety and wellbeing. This is supported by Wood et al., who found, "longer service duration and increased connection with an advocate were significantly associated with a greater number of survivor needs being met".³⁴

³⁴Ibid. P.1.

Outcomes

Case Management

- In some areas, particularly rural and regional areas, there are no government funded case management services available. Funding WDVACS case management will provide the only case management in the area.
- In metropolitan areas, this will allow WDVACSs to provide the support required until another case management service has the capacity for the client. DVNSW information from member services indicates that most services operate wait lists which can stretch for up to 4-6 months.

“Add to that the waiting list for every single service in every single area. If we don’t do the work – who will? We can hold onto the client until the service has capacity – that can be up to 4-6 months.” (WDVACS worker)

- It will also take pressure off other case management services for clients who only require short-term case management, including support accessing income support, safe housing and supports for their health and that of their children. This funding will allow the WDVACS to provide any short-term, urgent case management required without the client needing to be referred elsewhere, tell their story again, and have another worker become familiar with their circumstances. This will allow case management-specific services extra capacity to support clients who require much longer-term case management.

Hearing Support

- Victims of domestic and family violence have access to trauma-informed hearing support by a worker who they are already familiar with and who has specialist local of protection order and criminal charge proceedings, and local knowledge of NSW Police, Police Prosecutors, Magistrates, and NSW Court staff.
- Victim-survivors are significantly more likely to report decreased abuse if their former partner is convicted on a domestic violence offence.³⁵ As such, it is important that victim-survivors are supported to be able to give their evidence to the best of their ability on the day of the hearing. This also actively works towards meeting the Stronger Communities Cluster State Outcome 3.
- Specialist support is also expected to increase the attendance rate of women victims at court for hearings, contributing to the Premier’s Priority of reducing the number of domestic violence reoffenders by 25% by 2023.

Online file system

- Careful and considered workforce planning.
- Supporting and strengthening the workforce that prevents and responds to domestic and family violence.
- Investing time back into client-centred work.
- Better, safer and secure data capture and ability to report on and monitor service outcomes.

³⁵ Wood, L., Backes, B., Baumler, E., & McGiffert, M. (2021). Examining the impact of duration, connection, and dosage of domestic violence services on survivor well-being. *Journal of Family Violence*.

Evidence of success

- Meyer and Yakubovich et al. explain how a lack of appropriate support, particularly housing, is the biggest driver for women staying with, or returning to, their abuser.^{36 37 38}
- Lee and Backes found that women's safety, psychological health, and financial self-sufficiency all increased with legal support and alternative domestic violence support.³⁹
- Wood et al. found "**longer service duration and increased connection with an advocate** were significantly associated with a greater number of survivor needs being met".⁴⁰
- Victim-survivors are significantly more likely to report **decreased abuse** if their former partner is convicted on a domestic violence offence. As such, it is important that victim-survivors are supported to be able to give their evidence to the best of their ability on the day of the hearing.⁴¹
- Research conducted by the Law and Justice Foundation (LJF) found that specialist hearing support increases the likelihood female PINOPs will attend court for the hearing, decreases the likelihood they will become an unfavourable witness, improves the quality of the victim's evidence, and reduces the withdrawal rate for domestic violence matters.⁴²

³⁶ Yakubovich, A. R., Bartsch, A., Metheny, N., Gesink, D., & O'Campo, P. (2021). Housing interventions for women experiencing intimate partner violence: a systematic review. *The Lancet Public Health*.

³⁷ Meyer, S. (2016). Examining women's agency in managing intimate partner violence and the related risk of homelessness: The role of harm minimisation. *Global public health*, 11(1-2), 198-210.

³⁸ See also Rosenberg, J., & Grab, D. (2015). Supporting survivors: The economic benefits of providing civil legal assistance to survivors of domestic violence. New York: Institute for Policy Integrity Retrieved from <http://policyintegrity.org/documents/SupportingSurvivors.pdf>.

³⁹ Lee, J. G., & Backes, B. L. (2018). Civil legal aid and domestic violence: A review of the literature and promising directions. *Journal of family violence*, 33(6), 421-433.

⁴⁰ Ibid. P.1.

⁴¹ Wood, L., Backes, B., Baumler, E., & McGiffert, M. (2021). Examining the impact of duration, connection, and dosage of domestic violence services on survivor well-being. *Journal of Family Violence*.

⁴² Law and Justice Foundation of NSW (28 March 2017). Final grant report: Hearing Support Program, Law and Justice Foundation of NSW.

Domestic Violence NSW

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Domestic Violence NSW (DVNSW) is the **peak body for specialist domestic and family violence services in NSW**. We have over 130 member organisations across NSW including 27 WDVCAS services.

Our members represent the diversity of specialist services working in NSW to support women, families and communities impacted by domestic and family violence. Our member organisations include crisis and refuge services, transitional accommodation and community housing providers, family support services, Aboriginal controlled organisations and specialist CALD organisations, specialist homelessness service providers, men's behaviour change programs and networks, community organisations working with high-risk communities, specialist women's legal support services, women and children's support services, and Safe at Home programs.

Acknowledgement

This report was written on the unceded lands of the Gadigal People of the Eora Nation and the Dharawal people. We pay respects to Elders past, present and emerging. DVNSW would like to acknowledge Aboriginal and Torres Strait Islander people across the breadth and depth of Australia. We recognise that Aboriginal and Torres Strait Islander people have lived and cared for Country for over 65,000 years and continue to do so, honouring ancestors and knowledge holders within community, and observing ancient cultural practices.