

# An effective National Plan to end family, domestic and sexual violence in Australia

Domestic Violence NSW

Submission to the draft *National Plan to End Violence against Women and Children 2022-2032*

February 2022

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

## Domestic Violence NSW

<b>Interim CEO</b>	Elise Phillips
<b>Contact details</b>	Domestic Violence NSW PO Box 3311 REDFERN NSW 2016
<b>Telephone</b>	(02) 9698 9777
<b>Email</b>	ceo@dvnsw.org.au
<b>Website</b>	www.dvnsw.org.au

Domestic Violence NSW (DVNSW) is the **peak body for specialist domestic and family violence services in NSW**. We have over 125 member organisations across NSW.

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’s health centres, 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 lands of 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.

## Table of contents

Acknowledgement	2
Introduction	4
Endorsements	4
Overarching feedback	5
A. Dedicated Aboriginal and Torres Strait Islander Plan	5
B. Sexualised violence	5
C. Foundation principles	6
D. Inclusion of children and young people as victim-survivors in their own right	6
E. Intersectionality	7
F. The importance of consultation	7
G. Inclusion of Lived Expertise	7
H. Perpetrator accountability	8
Pillar One: Prevention	8
A. A commitment to primary prevention	8
Pillar Two: Early Intervention	9
A. Investment in early intervention	9
Pillar Three: Response	10
A. Overarching principles of quality design and service system cohesion	10
B. Specialisation and Investment in the sector	11
C. Investment in housing	12
D. Financial support for victim-survivors	13
E. Supporting people and animals experiencing domestic and family violence	13
F. A trauma and gendered violence-informed justice system	13
G. Improved access to justice in the family law system	14
H. Improved health response to sexual, domestic and family violence	15
I. Accessibility and support for marginalised groups	16
J. Support for women & LGBTIQ+ people on temporary visas and their children	17
K. Support for regional, rural and remote communities	17
Pillar Four: Recovery	17
Measuring success	18
A. Investment in research and evaluation	19
B. Governance and accountability	20
References	21

## Introduction

Domestic Violence NSW welcomes the release of the draft *National Plan to End Violence Against Women 2022-2032* (Described in this document as the Plan). A plan which allows for regional implementation and whole-of-government leadership and coordination is key to reducing high rates of death, disability and injury due to domestic, family and sexual violence.

Since the launch of the first National Plan, rates of violence, remain stable and sexual violence has increased. It is imperative that the new Plan effectively addresses the high rates of violence against women, children and LGBTIQ+ people. To achieve this, the Plan requires specific actions and targets to measure outcomes.

In addition to the *National Plan to End Violence Against Women 2022-2032*, Domestic Violence NSW strongly supports a dedicated National Plan for eliminating violence in Aboriginal and Torres Strait Islander communities which is co-designed with Aboriginal communities and endorsed by their leaders.

Domestic and family violence has a wide-ranging impact on the Australian economy, community and services - from justice, corrections and police to housing and homelessness, community services, women and child protection. With the majority of violence perpetrated against women, a Price Waterhouse Cooper report estimated that **violence against women costs \$21.7 billion a year**, with governments (Federal and State and Territory) bearing an estimated \$7.8 billion a year, comprising health, administration and social welfare costs (PWC, 2015).

Domestic Violence NSW calls on the Australian Government to finalise a

National Plan that will stop violence before it starts and to invest in the specialist domestic and family violence sector to ensure quality, holistic, long-term support is provided to victim-survivors.

## Endorsements

### **This submission is endorsed by:**

Blue Mountains Women's Health and Resource Centre  
Family Planning NSW  
Full Stop Foundation Australia  
Homelessness NSW  
Indian (sub-Cont) Crisis & Support Agency  
Illawarra Women's Health Centre  
Jesuit Refugee Service Australia  
Lucy's Project  
Northern Settlement Services  
No to Violence  
NSW Council of Social Services (NCOSS)  
Older Women's Network NSW  
Safe and Equal  
Settlement Services International  
The Immigration Advice and Rights Centre  
Women's and Girls' Emergency Centre  
Women's Health NSW  
Women's Community Shelters

### **Domestic Violence NSW (DVNSW) endorses the submissions of the following organisations:**

Central Australia Women's Legal Service  
Illawarra Women's Health Centre  
Rainbow Health Australia  
Safe and Equal  
Settlement Services International  
Transforming Justice Australia  
Women with Disability Australia

## Overarching feedback

### A. Dedicated Aboriginal and Torres Strait Islander Plan

The prevalence of domestic and family violence (DFV), and sexual violence in Aboriginal and Torres Strait Islander communities is disproportionate and severe - the current policy and systems have failed First Nations people. Aboriginal and Torres Strait Islander women are six times more likely than non-Aboriginal women to experience DFV (Mouzos and Makkai, 2004), 32 times more likely to be hospitalised as a result of the injury (AIHW, 2019) and 11 times more likely to die as a result of the assault (Olsen and Lovett, 2016). Aboriginal communities need solutions designed by them and led by them, these are most successful.

We support a First Nations Plan which is codesigned by Aboriginal and Torres Strait Islander communities and endorsed by the community.

#### **Our recommendations:**

- Develop and fund a long-term Aboriginal and Torres Strait Islander people led Plan to prevent violence developed by Aboriginal communities.
- Consult with, and provide additional funding for, the National Aboriginal and Torres Strait Islander Women Alliance.
- Increase funding by at least 50% for Aboriginal controlled organisations and Aboriginal Legal Services appropriately to support communities impacted by gendered violence.
- Commit to primary prevention measures for the Aboriginal community in line with *Changing the Picture* (Our Watch).
- Fund Aboriginal controlled organisations to develop, deliver and evaluate First Nation's specific Men's Behaviour Change Programs that are community developed and led, in line with No to Violence's 2022-23 NSW pre-budget submission recommendation.
- Improve access to justice for Aboriginal and Torres Strait Islander families.
- Add targets to increase the number of Aboriginal Controlled Organisations responding to DFV.

### B. Sexualised violence

Levels of sexualised violence in Australia are concerningly high. The *2016 Personal Safety Survey* estimates that 1 in 6 women had experienced at least one sexual assault since the age of 15 (ABS, 2017). Half of the women who experienced sexual assault perpetrated by a male did not seek advice or support after their most recent incident of assault (AIHW, 2020). The National Plan must address the barriers to seeking support and take an intersectional approach to address sexualised violence, developed in collaboration with specific communities and with people with lived experience. DVNSW is calling for leadership from the Commonwealth to create substantial change in this area, through all areas of the draft Plan, to listen to victim-survivors for solutions and to include initiatives undertaken within Government to prevent sexual violence.

Initiatives must be designed for and by groups at higher risk of sexual violence to address as well as prevent sexual violence (Including but not limited to Aboriginal and Torres Strait Islander communities, younger women, older women, people with disability, LGBTIQ+ people, children and Culturally and Linguistically Diverse (CALD) women).

## C. Foundation principles

DVNSW is supportive of the foundational principles (gender equality, the diverse lived-experiences of victim-survivors are informing policies and solutions, Closing the Gap, and intersectionality). The Draft Plan however, contains insufficient linkages between the foundation principles or connection demonstrating why they are important in framing the Plan. It is also unclear how children and young people are central to these principles. The principles stand alone and are not adequately represented in the pillars as underpinning tangible actions. The Plan must connect the principles and lay out a strong foundation to support the DFV service system and other community responses to DFV. Similarly, the four pillars cannot stand in isolation and must be integrated. We would also like to see a human rights lens included, as this intersects with all four principles, and it is well established that DFV is a violation of human rights.

## D. Inclusion of children and young people as victim-survivors in their own right

The National Plan draft does not sufficiently include the impact of violence on children and young people and the issues that affect them, from their own perspectives, to ensure they are central. Children having a human right to live free from violence should be a central principle of the Plan. Research has shown the long-term devastating impacts on children and young people who have experienced domestic sexual and family violence (including being exposed or witnessing) DSFV, yet they are often overlooked as individuals and victims in their own right. The issue is widespread, with over 50% of women who experience intimate partner violence having a child in their care at the time of the abuse.

Supports for children and young people need to be aligned with other relevant national plans. Issues of child abuse and neglect are not addressed in the Draft Plan. The needs of children and young people experiencing violence are different to the needs of adults experiencing violence and therefore need to be addressed separately. Furthermore, COVID-19 has stretched the capacity of frontline DFV service providers, having to prioritise the safety and crisis needs of mothers over the therapeutic needs of children.

### **Our recommendations:**

- Ensure the views and experiences of children and young people are considered in the scoping, design and evaluation of services and programs.
- Acknowledge children as victim-survivors of violence by funding specialist services to employ children and young people specialists, and children and young people's services to fund DFV specialists.
- Implement age appropriate DFV awareness training as part of respectful relationship education in schools and pre-schools. The training should be culturally appropriate, and inclusive of LGBTIQ+ communities.
- Train the domestic and family violence sector on child safe practices.
- Invest adequately in the social services sector with the aim of decreasing the proportion of children and young people re-reported at risk of significant harm; increase permanency for children in out-of-home care; and reduce the number of domestic violence reoffenders.

- Prioritise and implement the recommendations of the numerous prior reports and inquiries into child protection that remain outstanding, in consultation with professionals in the sector. In particular, DVNSW highlights the recommendations of the *Family is Culture: Independent Review into Aboriginal and Torres Strait Islander Children and Young People in Out-of-Home Care in New South Wales (2019)*.
- Place an immediate priority on addressing the devastating impact of the child protection system on the Aboriginal and Torres Strait Islander community.
- Increase funding to the specialist domestic and family violence sector to ensure that vulnerable children and their families receive immediate, specialist and effective support.

### E. Intersectionality

Intersectionality is not strongly or sufficiently represented in the Draft Plan. The National Plan must seek to address the role of intersectionality in the context of DFV and how individual factors (gender, class, ethnicity, cultural background and immigration status, religion, disability, and sexual orientation) can be associated with different sources of oppression and discrimination, leading to increased risk, severity and frequency of experiencing different forms of violence. The National Plan must support services to address the role that intersectionality plays in a person's lived experiences, to ensure services are accessible, inclusive, non-discriminatory and responsive to the needs of diverse groups. Action points within the plan should be able to be adapted to suit people from a range of backgrounds.

### F. The importance of consultation

The National Plan must be informed by meaningful stakeholder consultation. DVNSW acknowledge the substantial investment made to consultation regarding the National Plan. Unfortunately, the consultation reports have not been released with adequate time for review, making it impossible to cross-reference and ensure that key issues raised in the consultation phase were incorporated into the draft Plan. It is disappointing that this information has not been publicly released to inform the next decade of work to address violence against women and children in Australia. This may be particularly distressing and frustrating for victim-survivors who gave their time and trust and shared their experiences of family, domestic and sexual violence, only to have their voices left unheard.

Consultation and co-design are integral elements of any successful shift in public policy. It is vital that for the duration of the Plan, transparent consultation remains central to ongoing work and that the quality and timeliness of this consultation is evaluated.

### G. Inclusion of Lived Expertise

Lived expertise should be incorporated throughout and is currently missing from the document. Acknowledgement should be made regarding the importance of lived expertise. This includes reference to lived expertise in co-design, service specific feedback, evaluation and governance. Additionally, the plan should include not only an advisory group of people with lived expertise but also resourcing for a lived-expertise peak body.

Involve victim-survivors in the strategic development, design, implementation and evaluation of initiatives to respond to and prevent sexual, domestic and family violence in a safe and meaningful manner.

- Create a national engagement model to work with people with lived expertise, ensuring appropriate remuneration of people with lived expertise. For example, consider adopting and expanding the Victorian Client Voice Framework for Community Services as a National Framework, including implementation of principles.
- Implement a quarterly Survivor Advocate Forum or Advisory Group based on the Victorian Victim Survivors' Advisory Council model in each jurisdiction allowing Survivor Advocates to provide lived expertise and consult on various Government issues and policies.
- Ensure the compulsory mandatory implementation of community consultation and Survivor Advocacy participation mechanisms in all sexual, domestic and family violence projects, policies and services through the next National Plan to Reduce Violence against Women and their Children.
- Fund a national Survivor Media Advocacy peak or representative industry body.

## H. Perpetrator accountability

Men's behaviour change programs and changing men's attitudes towards women are strongly featured in the Draft Plan, particularly the criminal justice system's role in holding perpetrators responsible for using violence. We would like to see perpetrator accountability embedded throughout the four pillars, altered as appropriate for that section, as a clear emphasis to ensure accountability supports prevention and early intervention strategies as well as response.

Perpetrator accountability should be embedded throughout the National Plan to emphasise the importance of engaging men and boys and challenging stereotypical masculinities as a primary prevention mechanism for addressing the gendered drivers of violence, and ultimately reducing the risk of violence against women and children. This will assist in centring all elements of the service system, not just the criminal justice system, on keeping the perpetrator in view with the goal of keeping women and children safe.

## Pillar One: Prevention

### A. A commitment to primary prevention

The National Plan must commit to a primary prevention strategy in-line with Our Watch's three strategies; *Change the Story: A shared framework for the primary prevention of violence against women and their children in Australia* (Our Watch, 2015, updated 2021), *Changing the Picture: A national resource to support the prevention of violence against Aboriginal and Torres Strait Islander women and their children* (Our Watch, 2018), and *Changing the Landscape: A national resource to prevent violence against women and girls with disabilities* (Our Watch, 2022).

The Draft Plan refers to *Change the Story* and identifies gender inequality as the primary driver, however it doesn't clearly outline how the drivers will be addressed, including primary prevention work to respond to the societal and cultural systems that maintain gendered

violence. The gendered framework required to build a successful plan requires strengthening. The different types of gender-based violence are listed, but there isn't an exploration of the intersections that exist between them, including how marginalised cohorts experience various forms of violence. Beyond naming, these threads must be brought together to create a comprehensive, holistic plan, led by the Commonwealth.

We echo Safe and Equal's call for the National Plan's approach to primary prevention to go deeper, with national leadership and investment to deliver comprehensive action at scale across communities and settings.

**Our recommendations:**

- Fund education programs on gender-based violence and sexualised violence in schools across Australia.
- Fund Our Watch to lead prevention work across Australia, including long-term funding for the Gender and Disability Workforce Development Program, and People with Disability Australia's Peer Education Respectful Relationships training.
- Fund the federal rollout of Survivor Advocacy and media advocacy programs such as Voices for Change as part of primary prevention initiatives through the next National Plan to Reduce Violence against Women and their Children.
- Fund community led organisations to be able to deliver place based and strengths-based prevention programs using Our Watch's Change the Story Framework.
- Provide additional funding for the 'Stop it at the Start' campaign, including increasing bystander capacity-building.
- Fund community education and bystander interventions for LGBTIQ people, co-designed and run by specialist LGBTIQ organisations.
- Establish gender equality strategies at all tiers of government.
- Provide culturally safe, accessible and appropriate community education about people and animals experiencing domestic and family violence.
- Include opportunities, incentives and accountability mechanisms for the business and wider community to participate and lead primary prevention initiatives.
- Fund initiatives to prevent various types of abuse, including financial abuse, coercive control and sexual violence.
- Acknowledge and address the shared and overlapping drivers of violence against women and violence experienced by LGBTIQ+ communities.
- The work of local council in this area is absent, despite the significant amount of investment already undertaken. The Plan should acknowledge, coordinate and support the important opportunities for local councils to implement primary prevention interventions.

## Pillar Two: Early Intervention

### A. Investment in early intervention

Key early intervention policy and evidence frameworks emphasise the need to disrupt the social conditions most likely to foster child abuse and neglect and the importance of early brain development, healthy parent child relationships, and strengths based, trauma-informed approaches. The Draft Plan does not address issues of child abuse and neglect, missing the opportunity for robust early intervention programs including soft entry points for children and

families. We address the needs of children and young people in more detail further in our submission.

**Our recommendations:**

- Increase funding for early intervention initiatives in diverse communities including Aboriginal and Torres Strait Islander, LGBTQIA+ communities, culturally and linguistically diverse, migrant and refugee communities and at-risk cohorts including women with disability, women working in the sex industry, older women and young women.
- Recognise the importance of economic abuse response in early intervention.
- Clearly articulate and support the roles and responsibilities of all parties (prevention and response systems and beyond) in supporting early intervention for children and young people to keep them safe from DFV.
- Include 'soft entry point' services for children and families experiencing DFV including supported play groups.
- Increase the research and evidence base supporting best-practice in this area.
- Review current initiatives under this Pillar, ensuring they are accurately placed as early intervention initiatives and not prevention or response.
- Explore and include early-intervention opportunities across government- including in Education, Health and Corrective Services.
- Fund community led and early childhood education programs, recognising that gender awareness and prevention of gender stereotyping starts from birth.
- Fund independent specialist providers as a component of education programs in schools, as children and young people may not confide in teachers due to their position of power and concerns around confidentiality.
- Fund appropriate support services in schools to support children and young people, many of whom who are triggered through SDFV education programs.

## Pillar Three: Response

### A. Overarching principles of quality design and service system cohesion

The current DFV and sexual violence service system is generally funded and managed on a state-by-state basis, with little oversight at the Commonwealth level. The National Plan must lay out a cohesive whole-of-government response led by the Commonwealth, which is not demonstrated in the current Draft Plan. The recognition of the role of different levels of government and departments within government, their responsibilities, and the interaction between them needs to be clearer in the Draft Plan.

**Our recommendations:**

- Ongoing consultation and engagement with DFV services and sexual violence services to ensure Australia's prevention of, and response to gendered violence is informed by experts.
- Consult widely and develop a universal definition of domestic and family violence.
- Implement minimum National Standards for specialist domestic and family violence services, building on available guidelines such as the DVNSW Good Practice Guidelines, to ensure consistency of service delivery across Australia.

- Provide seed funding for innovative practice which is evidence based and ongoing funding for initiatives that are evaluated as effective after the pilot.
- Fund training in trauma and gendered-violence informed care for the specialist DFV sector and across relevant government agencies such as justice, education, housing and health to ensure that victim-survivors and perpetrators are identified, supported and referred appropriately and safely.
- Improve standards of cultural safety across the sector and ensure all services provide training in cultural safety.
- Develop a national domestic violence risk assessment tool which is evidence based.

## B. Specialisation and Investment in the sector

Recognition of specialisation in DFV service provision needs to be strengthened in the Draft Plan. There needs to be genuine commitment to invest in specialist DFV services that are currently critically underfunded, leaving women and children unsupported and at significant risk of harm. Specialist services are best placed to respond to DFV, as they work from an intersectional feminist lens underpinned by a client centred approach, that holds perpetrators accountable, where safety is paramount, services are accessible and culturally appropriate, and gender equality is advanced.

The National Plan must increase base-funding to specialist DFV services to ensure a sustainable, well-resourced sector that can provide quality support for victim-survivors experiencing gendered violence.

### **Our recommendations:**

- Provide significant investment in specialist family and domestic violence services and sexual assault services, with non-competitive tendering and minimum 3-5-year funding cycles. These services provide victim-survivors with access to professionals with the appropriate skills, knowledge, and expertise to meet all their safety and support needs. The specialist service sector is significantly underfunded, meaning services could reach more clients, prevent injuries and deaths, provide additional case management, innovate in their service delivery, and further develop the expertise of their staff with an increase to funding.
- Commit to a 50% increase to overall baseline funding for front-line specialist services, housing services, and men's behaviour change programs.
- Ensure funding is distributed through the existing sexual assault and domestic and family violence infrastructure to reduce system fragmentation and ensure victim-survivors receive appropriate supports, including effective, evidence-based risk assessment and management.
- Implement quality standards for DFV service provision, so that people experiencing DFV across Australia have consistent, high-quality standards of care.
- Introduce more comprehensive workforce development which, particularly due to COVID19, needs significant planning and investment.
- Ensure sustained long-term *core* funding for women's health services, recognising that in addition to recovery, they do a significant amount of work in primary prevention, early intervention and crisis response, safety planning and casework.

## C. Investment in housing

Domestic and family violence is the leading cause of homelessness for both women and children (AIHW, 2021). Due to a shortage in low cost, safe and affordable social housing, victim-survivors have nowhere to go and are often forced to stay with their abusers. Research by Equity Economics estimates that 7,690 women a year are returning to domestic violence perpetrators because they have nowhere affordable to live, and 9,120 women a year become homeless after leaving their homes due to domestic and family violence and being unable to secure long-term housing (No Where to Go, 2021). This issue has been exacerbated by the COVID-19 pandemic, which has increased the cost of rental properties including increased pressure for housing in regional and rural areas.

An absence of appropriate exit accommodation and housing pathways means that Specialist Homelessness Services (SHS) are not able to function as a mechanism for moving people into long term sustainable housing and victim-survivors' recovery from trauma is delayed in the absence of safe, stable housing.

The need for housing solutions is absent from the Draft Plan, missing the opportunity for Commonwealth leadership in this area. Although this issue falls across jurisdictions, the Commonwealth must provide coordination and leadership so that safe housing is a key priority across the Plan and its implementation in all jurisdictions. These targets must be identified in the action plan to ensure victim-survivors have the housing support they need to live safely and free from violence. The Commonwealth must invest in crisis, transitional, and long-term housing solutions for people experiencing violence, including social and affordable housing, and offer leadership and targets for states and territories to invest as well.

### **Our recommendations:**

- Increase supportive housing models and affordable housing solutions, with wraparound support and long-term funding.
- Construct new social and affordable housing, with a minimum of 25,000 new dwellings per year over the term of the plan.
- Increase funding of Specialist Homelessness Services by at least 20%.
- Introduce Government backed home buying schemes.
- Invest in social housing for specific marginalised communities, in particular, Aboriginal and Torres Strait Islander communities.
- Maintain current assets by investing to repair the current social housing stock.
- Implement minimum standards and guidelines for meanwhile use accommodation to ensure these properties are safe and fit for purpose, in-line with the existing ASES policy framework.
- Fund a medium term supported accommodation service for people without permanent residency, with employment and support services, including support that is youth-specific, and domestic and family violence specific.
- Introduce legislative changes to enable people with animals experiencing domestic and family violence to maintain and access rental accommodation and social and community housing.

## D. Financial support for victim-survivors

The Draft Plan lacks specific recommendations regarding economic abuse although it is contained in other parts of the document. The Commonwealth must also ensure sufficient financial support is available for victim-survivors to assist them to escape violence and provide stability to continue to live free from violence.

The Draft Plan misses the opportunity to engage the corporate sector in supporting people experiencing financial abuse. The Commonwealth Bank has made positive steps forward in this domain, but there is much more work that could be done throughout the sector.

### **Our recommendations:**

- Provide financial support to women leaving violent relationships by providing base level income, including increasing the Newstart payment to the prior JobSeeker subsidy level, increasing Special Benefit to a liveable wage, and expanding eligibility to include those on temporary visas.
- Harmonise the exercise of welfare provisions across state and federal jurisdictions.
- Provide flexible support packages (cash, not vouchers) to victim-survivors of DFV and sexual violence, administered by specialist services, in all jurisdictions based on the Victorian model. Packages should include.
- Work with the corporate sector to address financial abuse.
- Abolish the cashless debit card and other punitive income management programs, such as Parents Next.

## E. Supporting people and animals experiencing domestic and family violence

The Draft Plan misses the opportunity to address issues of people and animals experiencing violence. Given threats of violence to animals is a key homicide risk indicator, strategies to address this must be included in the Plan.

### **Our recommendations:**

- Provide training for workers to understand the issue of people and animals experiencing domestic and family violence, and where to refer them for support.
- Fund support and resources for domestic and family violence services in rural, regional, and outer metropolitan areas to build local networks of animal support services, informed by the model provided by Lucy's Project.
- Expand laws across Australia that protect people experiencing domestic and family violence to also protect animals experiencing domestic and family violence.

## F. A trauma and gendered violence-informed justice system

The current justice system is failing victim-survivors of gendered violence and needs urgent redesign and reform. Access to legal services and protection from police are not consistent across Australia, and these varied responses contribute to victim-survivors ability to escape DFV. Eight in ten women in Australia who experience violence from a current partner don't contact the police (AIHW, 2018). The misidentification of women as primary aggressors by police further exacerbates failings in the justice response to DFV and can result in the criminalisation of

vulnerable women. The Draft Plan does not adequately address systems abuse or misidentification of the primary aggressor.

**Our recommendations:**

- Invest in alternative dispute resolution solutions for family, domestic and sexual violence such as restorative justice, acknowledging that the majority of victim-survivors do not access the legal system.
- Provide long-term, increased funding to Women’s Legal Centres and Aboriginal Women’s Legal Centres to ensure victim-survivors have access to the specialist support they need.
- Improve DFV and sexual violence training for police, including responding to breaches of protection orders and correctly identifying the predominant aggressor.
- Fund initiatives to improve policing culture, the ability to correctly identify the primary aggressor and consistency of police response which lead to poor responses to DFV and sexual violence and monitor the progress regularly.
- Provide guidance for magistrates to take previous patterns of coercive control into account, particularly in cases where a woman assaults her (ex)partner where she has a pattern of being the victim- noting the high levels of this type of violence in homicide data.
- Fund increased training on DFV, sexual violence, cultural competency, LGBTIQ and disability awareness for the judiciary.
- Fund evidence-based restorative justice initiatives.
- Fund and evaluate co-location initiatives where specialist DFV services work with police for the best outcomes.

## G. Improved access to justice in the family law system

The Draft Plan misses opportunities for national areas of reform including family law, immigration, and income support. The Plan must make bold commitments to reforms in these areas, resulting in better outcomes for victim-survivors.

**Our recommendations:**

- Implement Women’s Legal Services Australia’s recommendations for Safety First in Family Law:
  - a. strengthen family violence response in the family law system,
  - b. provide effective legal help for the most disadvantaged,
  - c. ensure family law professionals have a real understanding of family violence,
  - d. increase access to safe dispute resolution models, and
  - e. overcome the gaps between the family law, family violence and child protection systems.
- Ensure the Plan centres the rights of the child in the Family Law system.
- Fund Family Advocacy Support Services (FASS) across Australia. Increase the funding to a level which meets the needs of clients and level of demand.
- Evaluate current practice and develop recommendations for improvements and necessary systemic changes.
- Develop a national accreditation scheme for professionals who prepare family reports and for children’s contact services.

- Implement legislation to ensure that judicial appointments have adequate family violence and family law expertise, as well as ongoing training.
- Introduce mandatory training by certified professionals on DFV, sexual violence and trauma-informed care for Independent Children’s Lawyers recognising the high rates of these types of violence amongst children in the Family Court.
- Centre the rights and welfare of children in the Family Law System by developing a memorandum of understanding between the state and federal Family Court/Federal Circuit Court that directs effective management of risk in relation to domestic and family violence and child sexualised abuse and where state based protective orders are not overridden.
- Develop a learning network to ensure professionals and self-represented litigants are educated on the most up-to-date information.
- Fund research into the cost of Family Court for participants and the ramifications for the safety of children. Address recommendations from the research.

## H. Improved health response to sexual, domestic and family violence

The health system plays an important part in responding to FDSV. Victim-survivors of DFV often first seek support through a health service, with 1 in 5 disclosing DFV for the first time to a GP (Spangaro and Zwi, 2010). Women recovering from SDFV may require various support services, depending on their circumstances, including counselling, social support, parenting support, peer-support, financial advice and support and/or legal support. The National Plan must commit to improving the health response to DFV and sexual violence disclosures to ensure uniform, specialised, evidence-based responses.

Reproductive coercion has been missed from the Draft Plan entirely. Reproductive coercion describes a deliberate control-based violence which can be defined as, ‘any interference with a person’s reproductive autonomy that trie[s] to control if and when they become pregnant, and whether the pregnancy was maintained or terminated’ (Price, in Stevenson, 2019). Tactics include preventing access to contraception, forcing pregnancy, forcing or not allowing access to abortion. Intimate partner violence, when carried out in the form of sexualised violence, is more likely to lead to poor reproductive health, including unplanned pregnancies, poor pregnancy outcomes and sexually transmitted infections.

### **Our recommendations:**

- A strong health focus on improving responses to and preventing sexualised violence.
- Resource a collaborative casework approach between sexual assault and domestic and family violence services (as per the Victorian Royal Commission Recommendation 31).
- Resource and train the healthcare workforce to respond to disclosures of gendered violence and provide support to victim-survivors, and engagement with and referrals for perpetrators, when safe to do so.
- Develop and distribute training packages and resources on brain injury and develop a pilot program for an integrated brain injury and DFV service. Tailored responses to brain injury are required for victim-survivors and perpetrators.
- Increase access to medical abortion via telehealth, protect access to surgical abortion, and increase support to women’s specialist Sexual, Domestic and Family Violence services to respond to reproductive coercion.

- We echo Family Planning NSW's recommendation to include reproductive coercion in the Plan, including recognition of prevalence and patterns of behaviours, investment in trauma-informed clinician responses and commitment to research in this field.
- Pre-natal DFV screening for all parents, not only mothers.
- Investment in health and wellbeing in the first 1000 days after birth.

## I. Accessibility and support for marginalised groups

There is a lack of nuanced understanding of the needs of CALD, LGBTQIA+ communities and people with disabilities in the Draft Plan. The Plan must recognise the significant barriers to reporting and accessing services and lack of discreet services. To effectively reduce gender-based violence, different cohorts need specialised responses, and this is not reflected in the Draft Plan.

Culturally and linguistically diverse (CALD) women are at higher risk of experiencing DFV. CALD women experiencing violence face substantial barriers to accessing services due to factors including language barriers, social isolation, lack of awareness of legal rights and fear of police and/or government authorities. Women from CALD backgrounds can face migration status issues, an almost complete lack of family law options, DFV and child protection concerns (having previously lived in nations with vastly different legal systems) and lack of early and continued access to trauma informed interpreting and translation services.

### **Our recommendations:**

- Ensure equitable service design, delivery, and access for all women, particularly marginalised groups, such as Aboriginal and Torres Strait Islander communities, CALD/migrant communities, older women, LGBTQIA+ communities, women with disability, children and young people.
- Recognise the importance of community-controlled organisations to deliver services to their own communities (e.g. LGBTQIA+ controlled organisations delivering services for LGBTQIA+ communities).
- Support a separate action Plan for CALD communities.
- Terminology and definitions that are inclusive and owned by the communities they seek to describe.
- Fund programs to reach groups who face challenges engaging with services, which are co-designed and run by those groups (for example, Aboriginal and Torres Strait Islander women, CALD women, LGBTQIA+ communities, regional/remote communities, older women and women with disability).
- Support a separate action plan for LGBTQIA+ communities.
- Increase accessibility of services for trans and gender diverse women.
- Fund training and development in SDFV services to work with LGBTQIA+ clients noting barriers for these clients' accessing services.
- Ensure nation-wide accessibility to specialist domestic, family and sexual violence services for women with disability by funding a national rollout of People With Disability Australia's Building Access Program, and providing infrastructural grants to upgrade services to become more accessible.
- Support services for women leaving prison to access safe housing and support and reduce recidivism.

- Collect and analyse data on marginalised communities to inform accessibility and support needs.
- Include an action point specifically regarding abuse and neglect in care settings regarding older women and people with disabilities including training for professionals and peer-led initiatives.

#### J. Support for women & LGBTIQ+ people on temporary visas and their children

Women and LGBTIQ+ people on temporary visas are not recognised in the Draft Plan, despite distinct support needs and barriers to accessing support. The immigration status of women, children and LGBTIQ+ people who experience SDFV has a significant impact on their experience of SDFV and their ability to leave a violent relationship. Migrant women on temporary visas often have no source of income and few rights, as they are not covered under the family violence provision and frequently rely on non-government organisations for support. Many have children who are Australian born, creating complexity regarding visa status, and meaning that lack of safety options for adults on temporary visas is also negatively impacting children. The visa process for obtaining a more permanent visa is slow and involves overcoming many obstacles – this means that women on temporary visas often must choose between indefinite homelessness with no income or remaining with a violent partner.

#### **Our recommendations:**

- Resource supports for women on temporary visas, such as temporary, crisis, social and public housing, rental assistance, and Safe at Home programs; free interpreting services; grants for services to support this complex group of clients, and flexible support packages for immediate needs.
- Implement a DFV protection visa that gives visa holders immediate access to Medicare, Centrelink, and housing benefits.
- Commit to long-term, sustainable funding for specialist legal services supporting temporary visa holders.

#### K. Support for regional, rural and remote communities

Women in regional, rural and remote Australia are more likely than women in urban areas to experience domestic and family violence (Campo & Tayton, 2015). In addition, regional, rural and remote women experience specific barriers related to their geographical location, including the availability of services, lack of safe housing options, and the cultural and social characteristics of living in small communities and the high prevalence of firearms. The Draft Plan does not address the specific needs of this population and must do so, as access to safety and support should not be based upon where one lives.

Services operating in regional/rural areas also need to be specifically addressed under the Plan.

## Pillar Four: Recovery

We are pleased to see a focus on long term recovery for victim-survivors of DFV in the Draft Plan, as much of the service system is focused on crisis response. It is important that this Pillar is well defined and that there is acknowledgement that recovery occurs in different ways for different victim-survivors; there is no linear trajectory. The Draft Plan contextualises recovery as a discrete stage that victim-survivors go through after leaving an abusive relationship which is incorrect. The National Plan must acknowledge that recovery is often two steps forward and one step backward and relies on the system's ability to hold perpetrators to account for their behaviour and prevent ongoing abuse.

**Our recommendations:**

- Fund 20 Women's Trauma Recovery Centres nationally, based on the pilot being introduced by the Illawarra Women's Health Centre.
- Fund Women's Health Centres to provide specialist health and therapeutic programs to help women recover.
- Ensure ongoing access to counselling (individual or group) for people who have experienced sexual, domestic and family violence.
- Fund the provision of long-term case management so that victim-survivors have continuity of care.
- Provide safe, stable long-term housing options where women, children, and families who have experienced violence can recover from the trauma of experienced violence.
- Implement meaningful ways of bringing victim-survivors of DFV into the workforce. Consider partnering with business, employment agencies and private sector. Support refreshing skills and training.
- Fund initiatives to support healing on country for Aboriginal and Torres Strait Islander women who have experienced DFV and sexual violence.
- Explore systems abuse across all Government systems connected to DFV and implement systems to reduce and address it.

## Measuring success

Key to the success of the National Plan will be the indicators the Commonwealth, state and territory governments develop to monitor outcomes across the pillars and evaluate and report on system responses.

The current Draft Plan indicators are high-level and therefore won't show substantive change each year, making these ineffective for measuring progress against the Plan. We need to see intermediate indicators and more specific outcomes to provide a line of vision to the high-level indicators. The outcomes are focused on service providers at the local level, without outcomes to hold government to account for their leadership and investment. Targets and indicators must be published annually to demonstrate accountability.

**Our recommendations:**

- Consult with DVNSW on the development of the Outcomes Framework, the Action Plan targets and the Evaluation Plan.
- That the National Plan targets are quantitative and measurable.
- Continued focus on consistent data collection practices across jurisdictions.
- Clearer communication of the trends arising from both national and state-based data sources.

- Targets for the provision of services and the effectiveness of supports received by victim-survivors and perpetrators – and relevant data sources – are developed in consultation with the specialist domestic and family violence service sector (including non-government organisations).
- Include qualitative data sources as part of the Action and Evaluation plans.
- Include services and peak organisations as qualitative data sources for the Action and Evaluation plans.
- That the Commonwealth, State and Territory Governments recognise the limitations of the Personal Safety Survey as a data source for measuring the effectiveness of services and the supports they provide,
- That the Action Plan place a focus on System Level Outcomes considering this is the key area of influence for the Commonwealth, State and Territory Governments,
- That the number of System Level outcomes in the proposed Outcome Framework be increased to five and include outcomes that focus on the government levels of legislation, the justice system, policy, governance, and funding.
- Commit to measuring the experiences of LGBTIQ+ communities experiencing violence. The lack of inclusion of LGBTIQ+ experiences within national surveys and service data reporting systems means that most proposed measures, indicators, and targets in the National Plan do not capture LGBTIQ+ experiences.

#### A. Investment in research and evaluation

The Draft Plan states that ANROWS will lead the framework for priority areas of research across Australia and build the evidence needed for national policy and systems-level practice design, but it doesn't say how it will do this. The National Plan must support longer-term funding for ANROWS to undertake research with a short, medium, and long-term focus. Other research institutions should also be included due to their important work developing research. The National Plan must improve data collection approaches to enable consistent measurement across jurisdictions to ensure nationally consistent data is available to measure progress across the Plan.

#### **Our recommendations:**

- Provide additional funding for ANROWS to review international evidence to guide best practice, to expand its knowledge translation work, and to invest in longitudinal studies.
- Support services to have the time and capacity to engage with evidence-based research and implement best practice.
- Commit to a National Plan independent monitoring framework in-line with Counting on Change.
- Introduce robust short and mid-term indicators for longer-term change under the National Plan, drawing on Our Watch's Counting on Change guide.
- Improve data collection approaches to enable consistent measurement across jurisdictions.
- Establish an independent monitoring agency to provide adequate, timely, well-funded, independent monitoring and evaluation mechanisms for the Second National Plan, which incorporates accountability and governance mechanisms.
- Datasets for Aboriginal Controlled organisations needs to set by Aboriginal Controlled organisations.

- Ensure comprehensive evaluation of all the initiatives the National Plan resources, ideally 'built in' and funded as part of program design. These evaluations should be in line with the UN Women's Handbook for National Action Plans on Violence against Women standards, including:
  - a. time specific and measurable indicators and targets,
  - b. an institutional multi-sectoral mechanism to monitor implementation,
  - c. meaningful participation of civil society and other stakeholders, and
  - d. evaluation of practice and system.

## B. Governance and accountability

An independent monitoring agency must be established to provide adequate, timely, well-funded, independent monitoring and evaluation mechanisms, incorporating accountability and governance mechanisms.

- Ensure accountability for implementing the National Plan through funded accountability and participatory bodies in each jurisdiction which include NGO, government and importantly, lived expertise representatives.
- Governance for the National Plan to be the responsibility of the Department of Premier and Cabinet.
- Ensure peak bodies have a role in improving the transparency and accountability of Government policies, programs, funding, and evaluation, and are resourced to do so.
- Establish a national victim-survivor peak body.

## References

- Australian Bureau of Statistics (ABS). (2017). [Personal Safety, Australia, 2016.](#)
- Australian Institute of Health and Welfare (AIHW). (2021). [Specialist homelessness services annual report, 2020-21.](#)
- Australian Institute of Health and Welfare (AIHW). (2020). [Sexual assault in Australia.](#)
- Australian Institute of Health and Welfare (AIHW). (2019). [Australia's welfare 2019: in brief.](#)
- Australian Institute of Health and Welfare (AIHW) (2018). [Family, domestic and sexual violence in Australia, 2018.](#)
- Campo & Tayton (2015). *Domestic and family violence in regional, rural and remote communities: An overview of key issues.* Child Family Community Australia, 2015.
- Equity Economics (2021). [Rebuilding Women's Economic Security – Investing in Social Housing in New South Wales, Sydney.](#)
- Mouzos & Makkai (2004). [Women's experiences of male violence: findings from the Australian component of the International Violence Against Women Survey \(IVAWS\).](#) Research and public policy series no. 56. Canberra: Australian Institute of Criminology.
- Olsen & Lovett (2016). [Existing knowledge, practice and responses to violence against women in Australian Indigenous communities: State of knowledge paper](#)
- Our Watch (2022). *Changing the Landscape: A national resource to prevent violence against women and girls with disabilities.*
- Our Watch (2018). *Changing the picture: A national resource to support the prevention of violence against Aboriginal and Torres Strait Islander women and their children.*
- Our Watch (2015, updated 2021). *Change the Story: A shared framework for the primary prevention of violence against women and their children in Australia.*
- Price Waterhouse Coopers (2015). [A high price to pay: The economic case for preventing violence against women.](#)
- Price in Stevenson (2019). [Reproductive coercion affects one in three female domestic violence victims, study shows, 24 June 2019.](#)
- Spangaro & Zwi (2010). *After the Questions: Impacts of Routine Screening for Domestic Violence in NSW Health Services.* School of Public Health and Community Medicine, The University of New South Wales, 2010, p. 22.