



## **Submission to the Standing Committee on Justice and Community Safety Inquiry into Domestic and Family Violence - Policy approaches and responses**

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## Introduction

The ACT's Domestic Violence Prevention Council (DVPC) welcomes the opportunity to make a submission to the Finance and Public Administration References Committee Inquiry into Domestic Violence.

The ACT Domestic Violence Prevention Council (DVPC) is an independent statutory body which was established in 1997 under the Domestic Violence Agencies Act 1986. The Council's statutory objective is to "reduce the incidence of domestic violence offences".

The DVPC is the peak body to offer advice to the ACT Minister for Domestic and Family Violence about matters concerning domestic violence in the Territory. The Council brings together senior representatives from key government and non-government service providers, specialist domestic and family violence sectors, and from groups representing vulnerable groups in the ACT.

The functions of the Council are to:

- Monitor developments within and outside Australia of legislation, policy and community views on domestic violence and the provision of health and welfare services to victims and perpetrators of domestic violence offences;
- to collect statistical and other information relating to domestic violence offences; and
- inquire into and provide advice to the Minister on domestic violence matters referred to the Council by the Minister.

The Council also has a function to establish and maintain links with and among, and promote collaboration among, government agencies and non-government organisations to assist and encourage them to promote projects and programs aimed at enhancing the safety and security of victims of domestic violence offences, with particular regard to children.

## DVPC Response to the Inquiry

In responding to the Inquiry, the DVPC has chosen to limit its responses to those areas in which it has knowledge based on the various consultations we have undertaken and been involved in, and on the reports we have written to inform Government. They include:

- The Council's Extraordinary Meeting (EM) in April 2015, and the subsequent Report to the then Attorney General;
- The Council's *Review of Domestic and Family Violence Deaths in the Australian Capital Territory* and the subsequent Report to the then Attorney General (May 2016);
- *An Aboriginal and Torres Strait Islander Community Forum: Domestic and Family Violence* hosted by the DVPC with the ACT Aboriginal and Torres Strait Islander Elected Body (April 2017) and the subsequent Report to the Minister for Domestic and Family Violence; and
- A report presenting the findings from the *ACT Domestic and Family Violence Data Collection Project*, and the subsequent Report to the Minister for Domestic and Family Violence (September 2017) in which the Council identified options for improving domestic and family violence data collection in the ACT.

**Note: The views expressed by the Council in this submission are those of the Council and do not necessarily reflect those of the ACT Government.**

**a. the adequacy and effectiveness of current policy approaches and responses in preventing and responding to domestic and family violence in the ACT;**

In the Report from the Council's EM in 2015 the DVPC considered that eight areas warranted priority attention and action in the ACT:

1. Cultural change
2. Reliable practical supports for victims from skilled service providers
3. Integrated service delivery system, as a whole-of-government priority
4. Evidence-based perpetrator interventions
5. Meeting the diverse needs of victims and their families
6. Improvements to the legal and justice system's response to domestic and family violence, including sexual assault
7. The provision of ongoing long term supports
8. Maintain adequate services to meet demand.

The 28 recommendations and findings from the Death Review were also reported under the same eight areas, as they were still considered by the Council to be relevant priority areas for attention.

The DVPC notes that domestic and family violence, including sexual assault, is a complex issue, and there are no straightforward solutions. It requires coordinated, long term sustainable investment in programs and interventions; evaluation and learning from new initiatives or changes implemented; and a coordinated, committed response from all sectors of our community, public and private.

Some of the issues identified in 2015 and 2016 still remain and will need some focus once the initial elements of the Safer Families packages roll out which will require investment and planning beyond that.

The key areas that the Council considers still need to be addressed are:

- Homelessness services are not funded to support women and children beyond an immediate crisis response, but there is a need for funding for additional supports to help address the long-term consequences that women and children escaping family violence face and that relate to domestic and family violence and not homelessness. If organisations are able to work with victims over a longer period the outcomes around their health and safety are ultimately better, as are the outcomes for any children involved.
- The Commonwealth Government also partners with the ACT Government in funding the domestic violence refuges, through the National Partnership Agreement on Homelessness. The Commonwealth's commitment to the partnership was up in the air until March when they committed to it for another 2 years. It is unknown what will happen after that. For the women and children who need to leave their homes after the violence it is essential that they have somewhere safe to go. The refuges are a key part of the ACT response to

domestic and family violence and should continue to be supported by the Commonwealth as well as the ACT Governments.

- There continue to be gaps in access to housing that is accessible, affordable, timely and that gives security of tenure for women and children leaving domestic violence (including the private rental market). The shortage of affordable and appropriate housing, with one of the most expensive housing markets of all states and territories, makes it very difficult for women leaving violence to find somewhere to live.
- The EM and Death Review report identified that children witnessing and experiencing family and domestic violence have special needs, in addition to the needs of the adults around them. They need access to ongoing counselling and support services appropriate to their specific trauma experience and age, in a timely manner and until they show good progress in their physical and mental health and educational progress. The Council considers there is still a gap in the ACT's response in this area.
- There is a lack of culturally appropriate responses in services that allow victims to 'leave the violence' temporarily and which the current crisis housing response allows.
- Child protection responses need to change to work with women to keep the family together and the children safe – and understand that the women are also the victims.
- The current focus on a central intake approach for housing creates barriers to services for people experiencing domestic and family violence, there is a need to have diverse ways to access services (not just one point) and funding allocated to facilitate after hours, public holidays and over the weekend enquiries from victims.
- With increased awareness, there has been increased reporting in the ACT and this has resulted in increased demand on services and existing responses to domestic and family violence, including sexual assault - Government needs to ensure that adequate resources are maintained and available to meet the demand.
- A key challenge for the future will be to maintain the impetus for change and the commitment to resource the ACT response adequately once the issue is no longer on the front page. This issue needs ongoing **bipartisan** support and commitment.
- Better data is needed to analyse what is really happening, to assess outcomes for individuals and across the system, and to evaluate 'what works' so future practice is more evidence-based. Evaluation and research will matter!
- There is still a need to invest in challenging and changing cultures and attitudes towards domestic and family violence, including sexual assault, through primary prevention methods such as education in schools and community and workplace discussions.

The Council considers it important for the ACT's involvement in and support of implementing various actions from the three Action Plans of the National Plan to Reduce Violence against Women and their Children 2010-2022, has already achieved some gains in the ACT.

In particular the Council has been supportive of the ACT's introduction of legislation to address the non-consensual distribution of intimate images, and ACT's involvement in the national review that is underway to allow domestic violence orders to be recognised across all States and Territories – this will help to remove barriers to safety for the many women who do move to the ACT from other States and Territories.

The ACT Government will need to continue to work with the Commonwealth Government on the issues within the Commonwealth's jurisdiction, such as Family Court changes and recognising the need for funding for wider domestic violence responses, not just homelessness.

**b. the implementation of the ACT Government's 2016–17 funding commitments to prevent and respond to domestic and family violence in the ACT, in particular how outcomes are being measured;**

The DVPC has welcomed the significant commitments and announcements that the ACT Government has made in relation to responding to domestic and family violence in the ACT since the Council's Extraordinary Meeting in April 2015. At that meeting the DVPC noted that the strength of feeling about the need for community-wide action was such that the idea was proffered at that time of imposing a levy on rates to adequately resource what is needed. This is because domestic and family violence, including sexual assault, is deeply traumatic for the people and families involved, and it has long term consequences for them and for the justice, housing, health and corrective service systems.

The DVPC therefore welcomed the significant investment of \$21.4M in the 2016-17 Safer Families package, and in particular the establishment of a full-time Coordinator-General for Family Safety and a dedicated safer families team to lead the whole of government effort to improve outcomes for victims and their families through collaboration, information sharing, awareness raising and working in partnership with the community. This reflected the Council's recommendation from the Extraordinary Meeting that ACT Government '*consider establishing a specialist and high-level policy & programs unit within the Government to be responsible for coordinating, facilitating, developing and implementing initiatives (including research, evaluation and law reform) on violence against women and children –managed in a single portfolio to ensure a whole-of-Government approach.*'

The DVPC notes that domestic and family violence, including sexual assault, is a complex issue, and there are no straightforward solutions. It requires coordinated, long term sustainable programs and interventions and a coordinated, committed response from all sectors of our community, public and private. And the Coordinator-General's role will help to achieve this.

While some things - like legal reforms – can be and have been immediately possible in recent years, there is a need to resist rushing into policy and service responses so that sufficient time is invested in identifying, designing and planning initiatives with input from the people and communities affected by them. Only then will the fundamental shifts happen that need to occur in the ACT if it is to achieve any lasting reduction in the incidence of domestic and family violence, including sexual assault.

The Council has therefore committed significant time to be involved in informing and contributing to the design and roll out of several key 2016-17 funding commitments, such as:

- the co-design of the Family Safety Hub, so that there is better integration and coordination of services for victims of family violence;
- the work being done to increase the capacity of the ACT specialist drug treatment services in addressing family violence; and

- supporting the Coordinator-General’s work with community and government partners, and in particular with members of the Aboriginal and Torres Strait Islander community to ensure that services provided are culturally appropriate.

The Council is pleased with the approach to how these initiatives have been developed, and the role of the Coordinator-General’s Office in facilitating these, which recognises the feedback from the DVPC Extraordinary Meeting report that stressed the need for any integrated service responses to:

- be driven from knowledge of the particular needs of victims of domestic and family violence as the key to the design and resourcing of response and support services – it is crucial that responses are not based only on what a service delivery system believes is needed;
- incorporate generalist service providers to ensure the early identification of people affected by domestic and family violence and to support appropriate referral pathways; and
- recognise the need for specialist services including trauma-informed practice to deal with long-term impacts – domestic, family and sexual violence requires long-term responses (e.g. counselling), not just crisis responses.

The Council has also welcomed the recognition by the co-design process for the Family Safety Hub of the need to improve the early intervention, pre-crisis and non-justice responses to family violence, including finding better ways to support families that want to stay together and for people who don’t want to involve the police or the justice system.

The Council also welcomed the brokerage and bond fund to assist victims seeking to escape family violence with immediate expenses, as it responded to the Council’s EM Recommendation *‘that financial and social supports are put in place post crisis to ensure that victims can maintain stable housing and have the economic, social and psychological resources to establish a ‘safe’ life post violence.* And the Council has had opportunities to provide feedback to improve the access to the program since it began.

The DVPC EM report identified that greater attention needed to be given to preventing potential perpetrators from committing violence, or committing further acts of violence. So we were also pleased to see the announcement of the innovative residential behaviour change program for men who use or are at risk of using violence, and the subsequent implementation of the *Room For Change program* by the Domestic Violence Crisis Service. The Council has been monitoring the rollout of the program and looks forward to seeing the results once an evaluation of the program is completed.

The Council also welcomed the \$1.2 million investment in interpreting services in ACT Courts and the Tribunal.

**c. the issues and policy challenges (if any) for the ACT arising from the National funding and agenda/policy setting regime/framework— including how outcomes are measured and reported;**

The Council considers the key areas that will pose challenges relate to:

- The potential impacts of Commonwealth funding cuts passed on to ‘homelessness’ services which may diminish current responses for women and their children leaving domestic violence;
- The risks to the sustainability of responses for domestic and family violence, including sexual assault, from any aggregate impacts of the flow-on from any national cuts to ACT funding for responses;
- The need to fund the rising demand for service responses, as awareness is raised, and the need to recognise the impact from the growth in complexity as well as the volume of service requests (including for perpetrator programs);
- The lack of availability of public housing that is disability accessible, and the impact that this has on people with disability leaving violent relationships;
- The need to ensure that funding is allocated to evaluate ‘what works’ locally as well as nationally, and the delays from delivery of national data when there is a need for a commitment to start the collection of common data in the ACT.

**d. best practice policy approaches and responses being undertaken in other jurisdictions to prevent and/or respond to domestic and family violence; and**

**e. any other related matters.**

The DVPC has been pleased with the bi-partisanship approach that has been evident in the approaches to this important issue so far, and hopes that this is maintained in the longer term. The DVPC welcomes further opportunities to engage with Members of the ACT Legislative Assembly on this issue.

**The DVPC welcomes any questions or opportunities for further discussion about this submission.**