



# Submission to the Successor National Plan to End Violence Against Women and Children

August 2021

## Acknowledgements

### Acknowledgement of Aboriginal and Torres Strait Islander peoples

Domestic Violence Victoria and Domestic Violence Resource Centre Victoria acknowledge Aboriginal and Torres Strait Islander peoples as Australia's First Nations and Traditional Owners of Country. We pay respects to Elders past, present and emerging. We acknowledge that sovereignty was never ceded and recognise the right to self-determination and continuing connection to land, waters and culture.

### Acknowledgement of Victims and Survivors

Domestic Violence Victoria and Domestic Violence Resource Centre Victoria acknowledge the strength and resilience of adults, children and young people who have experienced family violence and recognise that it is essential that responses to family violence are informed by their expert knowledge and advocacy. We pay respects to those who did not survive and acknowledge friends and family members who have lost loved ones to this preventable and far-reaching issue.

### Acknowledgement of Members and Survivor Advocate Advisory Group

In developing this submission Domestic Violence Victoria and Domestic Violence Resource Centre Victoria held consultations with our members (specialist family violence services) and the DV Vic/DVRCV Survivor Advocate Advisory Group. DV Vic/DVRCV acknowledge the contributions our member organisations made during the consultations and their expertise and on-the-ground experience have helped to shape this submission. We would also like to thank and acknowledge our Survivor Advocate Advisory Group members who contributed to this work by sharing personal experiences and stories. Their lived experience, expert knowledge and advocacy has added a richness to this submission that quantitative examples and data can never provide.

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August 2021

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## About Domestic Violence Victoria (DV Vic) and the Domestic Violence Resource Centre Victoria (DVRCV)

Domestic Violence Victoria (DV Vic) and the Domestic Violence Resource Centre Victoria (DVRCV) have merged to form a new peak body for specialist family violence services (SFVSs) responding to victim survivors in Victoria. The merge brings together the current peak body for Victoria’s specialist family violence services supporting victim survivors (DV Vic) and Victoria’s only specialist family violence Registered Training Organisation (DVRCV). As an independent, non-government organisation that leads, organises, advocates for, and acts on behalf of its members utilising an intersectional feminist approach,<sup>1</sup> the new peak body will work towards a world beyond family and gender-based violence, where women, children and all marginalised communities are safe, thriving, and respected.

Working across family violence response and prevention, the peak body is recognised as the state-wide voice of SFVSs responding to victim-survivors and holds a central position in the Victorian family violence system and its strategic governance, providing family violence subject matter expertise to the SFVS sector, government, and other partners and stakeholders. The peak body’s work is focused on advocating for, supporting, and building: the capability of specialist family violence practice and service delivery for victims-survivors; broader sector workforce development and capability building across family violence response and prevention; and family violence policy development and analysis, law reform and research.

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<sup>1</sup> Domestic Violence Victoria. (2020). *Code of Practice for Specialist Family Violence Services for Victim-Survivors* (2<sup>nd</sup> ed.). Domestic Violence Victoria. <http://dvvic.org.au/members/practice-development/> p78: Intersectional feminism (also described as ‘intersectionality’) emerged as a branch of feminist critical race theory in the 1980s through the work of American black feminist activist and academic Professor Kimberlé Crenshaw. It was developed to examine how multiple forms of power, privilege and oppression overlap, or intersect, in people’s lives in mutually reinforcing ways to produce power hierarchies, structural inequalities and systemic marginalisation; Refer to the *Code of Practice (Section 4.2)* for more information.

## Language and Terminology Used

### Family Violence

DV Vic and DVRCV recognise family violence as any behaviour that occurs in family, domestic or intimate relationships that is physically or sexually abusive; emotionally or psychologically abusive; economically abusive; threatening or coercive; or is in any other way controlling that causes a person to live in fear for their safety or wellbeing or that of another person. This definition includes violence within a broader family context, such as extended families, kinship networks and ‘family-like’ relationships which can include a paid or unpaid carer for people with disabilities; families of choice for LGBTIQ+ people; and cultural kinship networks.<sup>2</sup> In relation to children, family violence is defined as behaviour by any person that causes a child to hear or witness or otherwise be exposed to the effects of the above behaviour<sup>3</sup>.

### Gender-based violence

Gender-based violence is violence that is used against people because of their gender and/or that disproportionately impacts people of a particular gender. This includes violence against women and girls, as well as people of diverse genders. Gender-based violence is rooted in gender inequality, intersecting structures of power and oppression, and harmful norms.

We use gender-based violence generally throughout this submission, as well as other more specific terminology where relevant. In reference to primary prevention, we use the term violence against women, in recognition that this is the primary focus of the current evidence base supporting this work.

### Victim-Survivor

DV Vic and DVRCV use the term victim-survivor to refer to the “person, including adults, infants, children and young people, who has experienced family violence”<sup>4</sup>. The term “acknowledges that the person subjected to family violence is both a *victim* of a crime and a human rights violation, and they are also a *survivor* with respect to their autonomy, strength and resilience”<sup>5</sup>. Gender-inclusive language is used to acknowledge the disproportionate harms of family violence against people who identify as women and their children, while at the same time recognising that family violence impacts people across a diversity of gender identities, sexual identities, social and cultural contexts, and within various intimate partner and family and family-like relationships<sup>6</sup>. DV Vic and DVRCV acknowledge the emerging evidence-base that is articulating the ways in which gender diverse and gender non-binary communities are targeted and affected by family violence, and which has been under-researched to date. DV Vic and DVRCV also acknowledge that intersecting systems of privilege and oppression translate to diversity in experiences and affects for different groups of victim-survivors.

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<sup>2</sup> Domestic Violence Victoria. (2020). Op.cit.; *Family Violence Protection Act 2008* (Vic) s.5. [http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/vic/consol\\_act/fvpa2008283/](http://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/vic/consol_act/fvpa2008283/).

<sup>3</sup> *ibid.*

<sup>4</sup> *Ibid.* p85

<sup>5</sup> *Ibid.* p85

<sup>6</sup> *ibid.*

## Perpetrator/User of Violence

The terms 'perpetrator' and 'user of violence' are used interchangeably to refer to adults who use family violence. DV Vic and DVRCV acknowledge that across the spectrum of experiences and relationships in which family violence is perpetrated, family violence is most frequently and severely perpetrated by men. DV Vic and DVRCV understand this to be a manifestation of gender inequality and gender hierarchies in Australian society, and that people perpetrating violence also experience intersecting systems of both privilege and oppression.

## Introduction

Domestic Violence Victoria (DV Vic) and the Domestic Violence Resource Centre Victoria (DVRCV) welcome the Commonwealth Government's development of the successor *National Plan to End Violence against Women and Children* (successor National Plan) and appreciate the opportunity to contribute towards its development. While the *National Plan to Reduce Violence against Women and their Children 2010-2022* (National Plan) has laid the foundations for a national approach, there remains much to be done to fulfil the vision of 'an Australia free from all forms of violence against women and children'<sup>7</sup>. We acknowledge the ongoing commitment and action taken by governments across Australia to address violence against women and children and believe that the development of the successor National Plan provides an important opportunity to refocus attention on what still needs to be done to eliminate this violence.

As the first National Plan comes to an end, addressing and reducing violence against women and children remains a challenge. The *National Inquiry into family, domestic and sexual violence* (the Inquiry) provided an opportunity to reflect on the successes and shortcomings of the National Plan and to identify opportunities to ensure that the successor National Plan leads to a substantial reduction in the rates of family, domestic and sexual violence in Australia. The final report from the Inquiry acknowledged that the first National Plan has not achieved its objective of a significant and sustained reduction in violence against women and their children despite a significant investment of over \$3 billion.<sup>8</sup>

Reducing violence against women and children is a long-term goal requiring sustained and coordinated actions across all levels of government and a whole-of-system approach. DV Vic and DVRCV believe that the vision set out in the *Draft Framework for Australia's National Plan to End Violence Against Women and Children* (draft framework)<sup>9</sup> can be fully realised through introducing victim-centred reforms and actively engaging all levels of government and all parts of society in the journey towards equality and respect.

Across Australia, numerous parliamentary inquiries have been held into the issues concerning family, domestic and sexual violence<sup>10</sup> and a great deal of research has been conducted since the first National

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<sup>7</sup> Department of Social Services (2021). *Consultation Visual Guide: Draft Framework for Australia's National Plan to End Violence Against Women and Children*. <https://engage.dss.gov.au/developing-the-next-national-plan-to-reduce-violence-against-women-and-their-children/public-consultations-for-the-next-national-plan-consultation-guide-and-translations/>

<sup>8</sup> House of Representatives Standing Committee on Social Policy and Legal Affairs. (2021) *Inquiry into family, domestic and sexual violence*. Canberra. pix.

[https://www.aph.gov.au/Parliamentary\\_Business/Committees/House/Social\\_Policy\\_and\\_Legal\\_Affairs/Familyviolence/Report](https://www.aph.gov.au/Parliamentary_Business/Committees/House/Social_Policy_and_Legal_Affairs/Familyviolence/Report)

<sup>9</sup> Department of Social Services (2021). Op cit.

<sup>10</sup> State of Victoria, Royal Commission into Family Violence: *Summary and recommendations*, Parl Paper No 132 (2014–16); Special Taskforce on Domestic and Family Violence in Queensland (the Taskforce); Finance and Public Administration References Committee (2017). *Inquiry into Delivery of National Outcome 4 of the National Plan to Reduce Violence Against Women and Their Children 2010-2022*. Canberra; Joint Select Committee on Australia's Family Law System (2020). *Improvements in Family Law Proceedings: Interim Report*. Canberra; House of Representatives Standing Committee on Social Policy and Legal Affairs. (2021). op cit.; Joint Select Committee on Australia's Family Law System (2021). *Improvements in Family Law Proceedings: Second Interim Report*. Canberra; Australian Law Reform Commission (ALRC) Review of the Family Law System (2018); National Homelessness Inquiry (2020); and Disability Royal Commission (2020 & 2021).



Plan was established. This submission will direct the Commonwealth Government's attention to existing and emerging evidence and data and highlight priority areas for further reform. Alongside empirical evidence, the content of this submission draws on the practice knowledge and expertise of our members (specialist family violence services) and lived experiences of the DV Vic/DVRCV Survivor Advocate Advisory Group. We highlight key priorities and focus areas that should be incorporated into the successor National Plan to address the issues and themes that emerged during consultations with our members and the Survivor Advocate Advisory Group and that would address gaps and shortcomings identified in recent inquiries and research.

## Guiding Principles

The six key principles<sup>11</sup> outlined in the *Draft Framework for Australia's National Plan to End Violence Against Women and Children* represent an important set of ideals to guide and inform the development of the successor National Plan. In addition to these, we recommend further principles should underpin the successor National Plan to ensure that it embeds: intersectionality, person-centred empowerment, the voices of people with lived experience, a focus on perpetrators, specialisation, and recognition of the long-term impacts of family and gender-based violence on victim-survivors. While the draft framework already includes some elements of these principles, incorporating them more explicitly into the successor National Plan would significantly strengthen the foundational framework for reducing violence against women and children.

### Intersectionality

Violence against women and their children is not only a gendered issue but also an intersectional one. Intersectionality describes the complex ways that different identities overlap and intersect with structures of power, privilege and oppression to reinforce or produce power hierarchies, structural inequalities and systemic marginalisation.<sup>12</sup>

Applying an intersectional lens is critical to understanding the complex structures that drive violence against women and their children, and the barriers that victim survivors face to accessing safety and support. Applying an intersectional lens means looking beyond identity itself to understand the ways structural inequality, discrimination and marginalisation impact family violence experiences and risk. While 'the intersecting forms of inequality that enable violence against women' is incorporated into one of the national priorities in the draft framework, the successor National Plan would be strengthened by explicitly naming intersectionality as an underpinning principle, as this would ensure that it is embedded throughout all aspects of the National Plan.

### Person-centred empowerment

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<sup>11</sup> Department of Social Services (2021). Op. cit. p3

<sup>12</sup> African American Policy Forum (n.d.); Chen, J. (2017); Crenshaw, K. (1989); 'Intersectionality' (n.d): cited in Domestic Violence Victoria. (2020). Op.cit. p29.

The person-centred empowerment approach is a key principle in the DV Vic *Code of Practice: Principles and Standards for Specialist Family Violence Services for Victim-Survivors*.<sup>13</sup> In this context, the approach emphasises that victim-survivors are the expert in their own life and recognises them not only as a survivor of family violence, but as an individual with their own complex background, life experiences, perspectives, identities, strengths, hopes and needs.<sup>14</sup> A person-centred empowerment approach promotes flexible initiatives and service responses that place the needs and priorities of women, children and all victim-survivors of family and gender-based violence at the forefront and provides opportunities for people with lived experience to influence policy change, service planning and practice. Incorporating this approach as a principle into the successor National Plan will ensure that it is responsive to the needs of all victim-survivors and can more effectively prevent violence before it occurs.

## Engage people with lived experience in the design, development and evaluation of the National Plan

The Victorian Royal Commission into Family Violence (RCFV) recommended that governments and agencies responding to family violence should ‘identify and develop safe and constructive ways to ensure that the voices of victims are heard and inform policy development and service delivery’.<sup>15</sup> Whilst this is partly recognised in the third priority in the draft framework (respect, listen and respond to the diverse lived experiences of women and children affected by violence), the successor National Plan must include genuine engagement with people with lived experience as a principle that underpins all aspects of the successor National Plan.

## Recognising specialisation

Specialisation is critical in reducing and addressing family and gender-based violence. Services with specialist expertise in responding to family and gender-based violence, such as specialist family violence services and sexual assault services, ensure that victim-survivors have access to professionals with the appropriate skills, knowledge and expertise to meet all their safety and support needs.

Specialist family violence services ‘work directly with victim-survivors of family violence, providing dedicated resources and advocacy to promote their rights and respond to their safety and support needs’.<sup>16</sup> When victim survivors access specialist family violence services they are part of a broader family violence system which is underpinned by legislation that ensures risk management and information sharing occurs collaboratively and in an integrated way.<sup>17</sup> It is critical that Commonwealth

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<sup>13</sup> Domestic Violence Victoria. (2020). Op cit. p38

<sup>14</sup> Ibid. p38

<sup>15</sup> Victorian Government. (2021). *Ensure voices of victims are heard and inform policy development and service delivery*.

<https://www.vic.gov.au/family-violence-recommendations/ensure-voices-victims-are-heard-and-inform-policy-development-and>; State of Victoria (2014-2016). Royal Commission into Family Violence: *Summary and recommendations*. Op cit. p100. Rec 201

<sup>16</sup> Domestic Violence Victoria (2020). Op cit. p84

<sup>17</sup> In Victoria, SFVS operate within a broader family violence system and are subject to Victorian legislation and information sharing schemes, inclusive of Family Violence Multi- Agency Risk Assessment and Management Framework (MARAM), Family

responses to family violence consider and recognise family violence specialisation, and that investment is distributed accordingly, through existing specialist infrastructure including via state and territory governments. This ensures that the funds are distributed efficiently through existing family violence infrastructure and reduces system fragmentation by centralising responses to victim-survivors in specialist family violence services. It also ensures that victim-survivors have access to appropriate support including effective risk assessment and management.

Distributing funding outside of the family violence system could create gaps in information sharing and risk management which has significant safety implications for victim-survivors. Therefore, it is important that approaches in the successor National Plan strengthen state-based specialist family violence responses and recognise the critical role that specialist family violence services play in assessing and managing family violence risk and supporting victim-survivors' long term safety and recovery.

### Pivoting towards the perpetrator<sup>18</sup>

The Victorian Royal Commission into Family Violence acknowledged the importance of a collective response and responsibility across all relevant government and non-government agencies to improve perpetrator interventions and keep family violence perpetrators in view and accountable.<sup>19</sup> However, despite all the progress made in Victoria, the family violence response system is yet to effectively pivot towards the perpetrator,<sup>20</sup> meaning that responsibility for managing risk and the burden of leaving a violent relationship, continues to rest disproportionately on victim-survivors.<sup>21</sup> Responsibility for violence must rest with the perpetrator and a system-wide approach to keeping perpetrators accountable must be developed to shift the burden away from victim-survivors. Whilst including *work with perpetrators* as a national priority is important, the successor National Plan must be underpinned by a principle that promotes ongoing cultural change across the entire system to shift the burden from victim-survivors to the people using violence and develop a system-wide approach to keeping perpetrators accountable.<sup>22</sup>

### Recognition of the drivers of family and gender-based violence

The gendered drivers of the forms of violence being addressed by the national plan must be front and centre in the new successor National Plan. This includes the expressions of gender inequality identified

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Violence Information Sharing Scheme and Child Information Sharing Scheme (CISS). See *Information sharing and MARAM reforms* <https://www.vic.gov.au/information-sharing-schemes-and-the-maram-framework> for more detail.

18 Healey, L., Humphreys, C., Tsantefski, M., Heward-Belle, S., Chung, D., & Mandel, D. (2018). *Invisible Practices: Intervention with fathers who use violence: Key findings and future directions* (Research to policy and practice, 04/2018). Sydney, NSW: ANROWS.

19 State of Victoria (2014-2016). Royal Commission into Family Violence: *Summary and recommendations*. Op cit. see p10 and 28 for example.

20 Domestic Violence Victoria (2020). *Monitoring the Family Violence Reforms*. Domestic Violence Victoria

21 Joint Letter to National Federation Reform Council on Taskforce on Women's Safety (2021). p3. [https://ntv.org.au/wp-content/uploads/2021/07/Public\\_Joint-Letter-to-Womens-Safety-Ministers-1.pdf](https://ntv.org.au/wp-content/uploads/2021/07/Public_Joint-Letter-to-Womens-Safety-Ministers-1.pdf)

22 House of Representatives Standing Committee on Social Policy and Legal Affairs (2021). Op cit. p43: The report highlights that the successor National Plan must include measures around increasing perpetrator responsibility and accountability; Joint Letter to National Federation Reform Council on Taskforce on Women's Safety (2021). Op cit.

in *Change the Story* that drive and condone gender-based violence, as well the rigid gender stereotypes and norms that perpetuate the attitudes, beliefs and behaviours which lead to such violence.

## Recognition of the long-term impacts of family and gender-based violence on victim-survivors

The impacts of family violence on victim-survivors are far-reaching and extend well beyond their immediate, short-term crisis support needs. Violence and abuse often continues post-separation, and many victim-survivors experience long-term mental health issues (depression, anxiety, stress, post-traumatic stress disorder), financial instability and homelessness. The impacts of family, domestic and sexual violence on children and young people can also be significant and long-lasting and their support and safety needs are likely to change at different ages.<sup>23</sup> Family violence impacts ‘children’s physical, neurological and emotional development; their sense of security and attachment in relationships; their mental health and cognitive and behavioural functioning’ and their ability to engage in education and sustain positive relationships with others.<sup>24</sup>

The current crisis-oriented response system and funding models predominantly focus on short-term support needs of victim-survivors, often overlooking what they need for their long-term support, safety and recovery. Although the draft framework includes *recovery* in the *approaches* section, recognition of the long-term impacts of family violence for child and adult victim-survivors should be an underpinning principle in the successor National Plan to ensure that the long-term recovery of victim-survivors is supported.

## National priorities for the successor National Plan

Whilst all the national priorities included in the *draft framework* are important, through our consultations with members and survivor-advocates and review of research and evidence we have identified priorities that could be strengthened, as well as additional priorities that should be included in the successor National Plan to support the long-term change needed to eliminate violence against women and children. The length of each section does not indicate the importance given to each priority but acknowledges that some of the issues outlined below are not new, and in many cases have been the subject of previous inquiries, reviews and research.

### National Consistency: Definitions, family violence risk assessment and approach to data and evidence

#### Definitions and understanding of family violence

Inconsistency in definitions of family violence is recognised as a critical issue that needs to be addressed at a national level.<sup>25</sup> The lack of consistency in the way family violence is defined in Federal,

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<sup>23</sup> Domestic Violence Victoria (2020). Op cit. p28.

<sup>24</sup> Ibid, p28 .

<sup>25</sup> House of Representatives Standing Committee on Social Policy and Legal Affairs (2021). Op cit. Recommendation 1; State of Victoria (2014-2016). Royal Commission into Family Violence: *Summary and recommendations*. Op cit.

State/Territory legislation and service systems creates significant jurisdictional difference in approaches. These inconsistencies often lead to fragmented responses that compromise women's and children's safety and create service gaps and inefficiencies.

#### How do inconsistent definitions impact on victim-survivors?

If services do not apply the same lens, the response victim-survivors receive will be inconsistent. For example, the DV Vic/DVRCV [submission to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability](#)<sup>26</sup> highlighted that there is currently a lack of consistency in the way family violence is conceptualised and understood by the family violence and disability service systems which has been exacerbated by the introduction of the Federally funded NDIS.

This creates barriers to the two systems working collaboratively and can impact on referrals being made between the two service systems. For victim-survivors who do access both service systems, the lack of a shared understanding of family violence can result in them receiving an inconsistent response and not being referred to appropriate services. For example:

- if a disability support worker does not have an understanding of family violence, they may not identify family violence or family violence risk factors that mean that a victim-survivor is at imminent risk of harm and make appropriate referrals to SFVs.
- if an NDIA decision maker does not have an understanding of family violence and risk, they may not assess a plan review request from a victim-survivor as 'urgent'.

The current National Plan has been criticised for being focused on narrow conceptual understandings of family violence and not reflecting contemporary understandings of what constitutes violence against women or the complexity of its numerous forms and the settings in which it occurs.<sup>27</sup> The Inquiry called for a uniform national definition of family, domestic and sexual violence as the evidence suggested that “the lack of a uniform national definition of FDSV creates barriers to coordination and information-sharing across jurisdictions and contributes to poorer outcomes for victim-survivors”.<sup>28</sup>

We support this recommendation and believe the successor National Plan should embed an approach that will develop a consistent understanding of family violence across jurisdictions. Further, we recommend that the definition in the Victorian Family Violence Protection Act (2008)<sup>29</sup> provides a useful benchmark, as it reflects the myriad of family structures and types of behaviour that can constitute family violence. During the term of the successor National Plan, the Australian Government has an opportunity to work with state and territory governments to develop a consistent definition and understanding of family violence which can be incorporated into relevant legislation and service systems to promote consistent approaches and responses to family violence. It is also important to develop a shared understanding for other forms of gender-based violence covered by the scope of the

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<sup>26</sup> Domestic Violence Victoria and Domestic Violence Resource Centre Victoria (2021). *Submission to the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability*. Melbourne.

<sup>27</sup> House of Representatives Standing Committee on Social Policy and Legal Affairs (2021). op cit. p44.

<sup>28</sup> Ibid. p48 and Recommendation 1.

<sup>29</sup> *Family Violence Protection Act 2008* (Vic) s.5.

successor National Plan, including sexual violence and harassment. A shared understanding of family and gender-based violence is fundamental to ending violence against women and children and providing holistic and consistent responses to all victim-survivors.

**Recommendation 1:** The successor National Plan must facilitate the development of nationally consistent definitions of family violence and other forms of gender-based violence covered by the scope of the Plan, including sexual violence and harassment. The definitions must reflect a common understanding of the gendered nature and dynamics of such violence, while also recognising the diversity of people’s identities and breadth of relationships and contexts in which people use and experience this violence.

**Recommendation 2:** The definition of family violence in the Victorian *Family Violence Protection Act 2008* should be used as a benchmark for a national definition, including recognising coercive control as a central feature of family violence.

### Family violence risk assessment frameworks

Family violence risk assessment frameworks such as Victoria’s Multi-Agency Risk Assessment and Management Framework (MARAM)<sup>30</sup> are utilised by services working with people experiencing or using family violence to identify, assess, and manage family violence risk. Risk assessment frameworks and international and Australian evidence such as the National Risk Assessment Principles<sup>31</sup> developed by ANROWS, document evidence-based risk factors that are associated with a greater likelihood and/or severity of family violence.

For family violence risk to be identified and assessed at every opportunity, it is reliant on the development of a shared understanding of family violence risk across service systems and this common understanding underpinning responses to victim-survivors. This ensures that services and systems are responsible for assessing and managing risk and safety rather than this responsibility resting with an individual victim-survivor. The absence of a national family violence risk assessment framework results in systems and services assessing risk differently, which has safety implications for victim-survivors.

**Recommendation 3:** The successor National Plan should facilitate the development of a national risk assessment and management framework, modelled on the Victorian MARAM framework.

### A national approach to data collection and addressing key data gaps

Accurate and consistent collection and publication of data on family violence is critical to inform Australia’s approach to preventing and responding to violence. As family violence takes numerous forms, and is experienced in various contexts and settings, a range of different kinds of data is needed to ensure we build a comprehensive evidence base. The timely collection and analysis of data can help

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<sup>30</sup> Family Safety Victoria (2018). *Family Violence Multi-Agency Risk Assessment and Management Framework: A Shared Responsibility for Assessing and Managing Family Violence Risk*. Melbourne, VIC: State of Victoria

<sup>31</sup> Backhouse, C., & Toivonen, C. (2018). *National Risk Assessment Principles for domestic and family violence: Companion resource. A summary of the evidence-base supporting the development and implementation of the National Risk Assessment Principles for domestic and family violence* (ANROWS Insights 09/2018). Sydney, NSW: ANROWS

ensure that the full extent of violence against victim-survivors is visible and understood and can inform funding and resourcing decisions.

There is no consistent approach to collecting and reporting data in each state/territory and at a federal level and the lack of national consistency in definitions of family violence (see above) results in data that is not comparable across states/territories. While some attempts at comprehensive data collection and reporting have been made by agencies such as the Australian Bureau of Statistics and the Australian Institute of Health and Welfare, the quality of this quantitative data is limited by the lack of consistency of datasets across jurisdictions, over-reliance on policing data, a lack of data quality assessment undertaken prior to publication<sup>32</sup> and key gaps in data<sup>33</sup>.

We welcome the inclusion of \$18.9 million over four years in the 2021-2022 Federal Budget to establish a new performance and data monitoring framework to bring together fragmented data from states and territories.<sup>34</sup> Initiatives like this have the potential to provide national data on service demand and gaps and will provide a comprehensive picture of the life experiences and outcomes of people experiencing family, domestic and sexual violence to inform policy and improve outcomes for victim-survivors.

DV Vic and DVRCV acknowledge that the draft framework includes ‘strengthening the evidence base, monitoring and reporting’ as one of the national priorities for the successor National Plan. We urge federal government to include establishment of a nationally consistent approach to data collection and dissemination, with a central database as a comprehensive data source on family violence in Australia, as an action to support this.

**Recommendation 4:** The successor National Plan should include specific actions to facilitate consistent national data collection on family, domestic and sexual violence and to address key data gaps.

## Funding for Specialist Family Violence Services

Despite significant investment by some states and territories since the development of the first National Plan, there remains a dearth of long-term sustainable funding for specialist family violence services, meaning the available resources are not enough to respond to the increasing number of victim survivors seeking support. Further, baseline funding needs to increase to ensure it reflects the cost of delivering services and increasing demand on services. Project-based and short-term funding constrains the capacity of specialist family violence services to plan to deliver services, respond to the ever-increasing demand and to attract and retain the specialist family violence workforce and pay them fairly and equitably.

Short-term funding is extremely detrimental for specialist family violence services. Our members have provided examples of being notified about a funding extension just a few weeks before programs are

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<sup>32</sup> Domestic Violence Victoria (2020). *Submission to the House of Representatives Standing Committee on Social Policy and Legal Affairs: Inquiry into family, domestic and sexual violence*. Domestic Violence Victoria.

<sup>33</sup> Australian Institute of Health and Welfare (2019). *Family, domestic and sexual violence in Australia: continuing the national story 2019—In brief*. Cat. no. FDV 4. Canberra: AIHW.

<sup>34</sup> Budget 2021-22. *Women’s Budget statement 2021-22*. pg 26. [https://budget.gov.au/2021-22/content/womens-statement/download/womens\\_budget\\_statement\\_2021-22.pdf](https://budget.gov.au/2021-22/content/womens-statement/download/womens_budget_statement_2021-22.pdf)

due to end. This has an impact on the continuity of the program and makes it difficult to retain staff who are often employed on short-term contracts tied to program funding.

We welcome the announcement of a new National Partnership Agreement in the 2021-2022 budget, as this recognises domestic, family and sexualised violence as a core activity of all governments. We support the approach of a National Partnership Agreement and ‘urge individual governments to commit to this for the life of the next National Plan – not just for two years - and ensure that increased investment in specialist family violence service is included from all jurisdictions is part of this agreement’.<sup>35</sup> Particular attention should be paid to rural, regional and remote areas in Australia where ‘support for extremely complex needs in very remote contexts is not adequately funded’<sup>36</sup>. Funding for these communities needs to reflect the complexity of the service delivery environment rather than the size of the population.

**Recommendation 5:** A commitment to ongoing, long-term and sustainable funding through a partnership between the Commonwealth and State and Territory governments for specialist family violence services in the successor National Plan to enable them to plan service delivery, respond to the ever-increasing demand for services and to attract and retain the specialist family violence workforce.

### Improved access to justice system responses and legal support

Cases involving family violence are heard in many different legal jurisdictions resulting in many victim-survivors of family violence having intersecting and multijurisdictional legal matters.<sup>37</sup> Navigating multiple jurisdictions can be extremely confusing and complicated and the ‘gaps’ that currently exist between jurisdictions provide opportunities for perpetrators to manipulate the legal system to maintain and reassert their power and control over the victim (referred to as ‘systems abuse’).<sup>38</sup> For victim-survivors of family violence, these jurisdictional gaps not only exist across the various state-based courts but also extend into the federal jurisdiction via the family law system.

Given that victim-survivors of family violence are likely to have multijurisdictional legal needs, it is crucial that state and federal legislation relating to family violence is complementary and consistent and that information sharing mechanisms are in place for safe and appropriate information sharing between state and federal courts. As noted in our submission to the [Joint Select Committee on Australia's Family Law System](#), any information sharing regime must be underpinned by a legal framework that minimises potential risks of information sharing.

Bridging jurisdiction gaps is also dependent on shared understandings of family violence risk across different jurisdictions and the priority given to family violence in state and federal systems, as differences in how family violence risk is understood can result in contradictory rather than complementary and mutually reinforcing outcomes. This contradiction is evident in the family law

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<sup>35</sup> Joint Letter to National Federation Reform Council on Taskforce on Women’s Safety (2021). Op cit. p3.

<sup>36</sup> Ibid.

<sup>37</sup> State of Victoria (2014-16). Royal Commission into Family Violence: Report and recommendations, Vol III. Parl Paper No 132. p118.

<sup>38</sup> The Australian Institute of Judicial Administration. (2019). National Domestic and Family Violence Benchbook <https://dfvbenchbook.aija.org.au/understanding-domestic-and-family-violence/systems-abuse/>



system, that requires victim-survivors (mainly women) to negotiate for their child(ren) to have contact with the perpetrator when previously they have been issued with an intervention order in the State jurisdiction that prevents that person having contact with the children due to concerns for their safety as a result of family violence.<sup>39</sup>

Whilst recognising that some elements of the justice system may lie outside the scope of the successor National Plan, we believe that there is an opportunity for the National Plan to reduce siloing of justice responses and to ensure that family violence specialisation is embedded across the justice system. This could include funding for the introduction of interdisciplinary models across the family law system, such as those being implemented in Specialist Family Violence Courts in Victoria that ensure victim-survivors and perpetrators have access to family violence practitioners, legal advice, purpose-built environments that are more secure and accessible and ongoing family violence learning and development for all specialist family violence staff working in courts.<sup>40</sup>

The Commonwealth Government has a critical role to play in reforming the family law system and implementing recommendations from numerous recent reviews and inquiries. In our submission to the [Joint Select Committee on Australia's Family Law System](#), we highlighted reforms that are needed to ensure the family law system provides fair, just and safe outcomes for victim-survivors. This includes embedding family violence specialisation in the family law system and safety and risk underpinning all areas of reform. The successor National Plan provides an opportunity to prioritise the significant and holistic change required to the family law system to ensure it is responsive to victim-survivors of family violence.

The Commonwealth Government also has a role to play in ensuring victim-survivors have access to specialised, free legal advice and representation. This is critical for victim-survivors of family and gender-based violence to ensure that they can make safe and informed legal decisions. Recent research conducted by ANROWS found that ‘there are high numbers of [Self Represented Litigants] engaged in family law cases involving allegations of family violence. Due to the high costs of legal representation, and the eligibility tests for legal aid, the primary motivation for self-representing is financial’.<sup>41</sup> While some free duty lawyer services are available at family law courts to provide advice, the demand for these services exceeds the number of services available.<sup>42</sup>

The successor National Plan provides an opportunity to explore justice responses that extend beyond traditional adversarial models of justice to look at alternative models that provide victim-survivors with

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<sup>39</sup> Domestic Violence Victoria (2020). *Submission to the Joint Select Committee on Australia's Family Law System*. Victoria.

<sup>40</sup> Family Violence Reform Implementation Monitor. (2021). *Specialist Family Violence Courts*. <https://www.frim.vic.gov.au/report-family-violence-reform-implementation-monitor-1-november-2019/specialist-family-violence>

<sup>41</sup> Australia's National Research Organisation for Women's Safety. (2020). *Exploring the impact and effect of self-representation by one or both parties in family law proceedings involving allegations of family violence: Key findings and future directions* (Research to policy and practice, 24/2020). Sydney: ANROWS. p1

<sup>42</sup> Curtis, K. (2021). ‘Tsunami’ of women seeking legal help and services can't keep up. Sydney Morning Herald. Accessed online: <https://www.smh.com.au/politics/federal/tsunami-of-women-seeking-legal-help-and-services-can-t-keep-up-20210412-p57ii8.html>

greater control, agency and choice about how they pursue justice for the violence perpetrated against them.

**Recommendation 6:** A commitment to reforms that strengthen and increase family violence specialisation and promote cross-jurisdictional collaborative and integrated responses in the successor National Plan, to ensure justice responses meet the needs of victim-survivors and produce fair and just outcomes that prioritise safety<sup>43</sup>.

**Recommendation 7:** The successor National Plan must prioritise the holistic change required to the family law system to ensure it is responsive to victim-survivors of family violence.

**Recommendation 8:** The successor National Plan should explore justice responses that extend beyond traditional adversarial models of justice, such as Legally Assisted Dispute Resolution.<sup>44</sup>

## Specialist Responses to Children and Young People

### Recognition of children and young people as victim-survivors in their own right

An explicit focus on children and young people as victim-survivors of family violence in their own right – either witnessing or experiencing violence – is crucial to recognising and responding safely to their unique experiences and support needs. While children and young people’s wellbeing and support needs are closely interdependent to protective parents and carers, a tailored and coordinated support response to children and young people should be offered at each stage of service provision, as reflected in Principle 6 of the DV Vic *Code of Practice*.<sup>45</sup>

The impact of family violence on children and young people is, of course, not limited to immediate trauma and risk and has also been shown to contribute to worse outcomes in many other areas such as physical health, education, housing and emotional and psychological wellbeing.<sup>46</sup> The devastating impacts of family violence are felt through disruption of connection to parents, family and community, as well as disruption to schooling and the need to move house due to risk. Family violence has also significantly contributed to the rising number of notifications to statutory child protection across Australia in the past ten years.<sup>47</sup>

Children and young people impacted by family violence are remarkably resilient and capable of advocating for themselves and articulating their needs. It is a national responsibility to match their

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<sup>43</sup> House of Representatives Standing Committee on Social Policy and Legal Affairs. (2017). *A better family law system to support and protect those affected by family violence: Recommendations for an accessible, equitable and responsive family law system which better prioritises safety of those affected by family violence*. Parliament of the Commonwealth of Australia. Recommendations 2, 3 & 5; Australian Law Reform Commission (2019) *Family Law for the Future – An Inquiry into the Family Law System Final Report*. Brisbane: Recommendations 1-3.

<sup>44</sup> Australian Law Reform Commission (2019). Op cit. Recommendation 60; House of Representatives Standing Committee on Social Policy and Legal Affairs (2017). Recommendation 4;

<sup>45</sup> Domestic Violence Victoria (2020). Op cit.

<sup>46</sup> ANROWS (Australia’s National Research Organisation for Women’s Safety) (2018). *Research summary: the impacts of domestic and family violence on children*. Sydney: ANROWS.

<sup>47</sup> Australian Childhood Foundation, (2013). *Safe and Secure: A trauma informed practice framework for understanding and responding to children and young people affected by family violence*. Ringwood, VIC: Eastern Metropolitan Region Family Violence Partnership.

efforts through commitment to developing a system that is built for them. This section highlights elements of national systemic improvement which in combination seek to ensure that policy, service delivery and practice reflects and responds to the specific support needs of children and young people experiencing family violence.

### Service responses to children and young people experiencing family violence

The Victorian Royal Commission into Family Violence pointed to the historical ‘invisibility’ of young people’s experiences of family violence and noted a lack of sufficiently targeted responses to young people as victim-survivors in their own right.<sup>48</sup> In our consultation with the DV Vic/DVRCV survivor-advocate group, several advocates told us that they feel they are seen as ‘secondary victims’ to the adults and carers in their lives by the service system, even when they are directly impacted by the violence. We heard that this results in children and young people not having their own risk assessment completed, while all risk related information is collected via their parent or carer, missing the opportunity to hear directly from the young person, or consider their unique or specific risks. The survivor advocates also reflected on a lack of appropriate specialist services and supports for children and young people, and the lack of data collection relating to children and young people specifically. These experiences were echoed by research findings reported by ANROWS (2018) that service sector responses to family violence have historically centred the violence between adults,<sup>49</sup> and as a result deprioritised individual work with children and young people.

There is still much work to be done both in Victoria and nation-wide before the service system is safe and accessible for every person (including children and young people). In the Victorian context, both the Royal Commission and Family Violence Reform Implementation Monitor’s 2021<sup>50</sup> report identified a need for targeted resources and improved availability of support services to meet the needs of children who are at risk of, or experienced family violence. DV Vic/DVRCV has had consistent feedback from our member services and from survivor advocates that where there are **specialist family violence programs** (both early intervention and crisis) available for children and young people who are victim survivors, there are often long wait lists to access support. In many areas however, no such specialised services exist at all. It is critical that the successor National Plan recognises the value and role of specialist family violence services, and supports increased and sustainable funding to ensure their expanded and continued work with children and young people.

Further, we know that children and young people experiencing family violence often encounter other parts of the service sector before they receive support from a specialist family violence service. In particular, we note research findings documented by ANROWS (2018) that there is “a lack of collaboration between systems that work with families impacted by DFV”,<sup>51</sup> particularly at the intersection of Child Protection and the justice system. For this reason, the successor National Plan must not only invest in the expansion of specialist family violence services supporting children and

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<sup>48</sup> State of Victoria (2014-16). *Royal Commission into Family Violence: Report and recommendations*. Op cit. p8.

<sup>49</sup> ANROWS (Australia’s National Research Organisation for Women’s Safety) (2018). Op cit.

<sup>50</sup> Family Violence Reform Implementation Monitor. (2021). *Report of the Family Violence Reform Implementation Monitor*. Melbourne.

<sup>51</sup> ANROWS (2018). Op cit. p. 2

young people, but also support and invest in capacity building and collaborative practice across service sectors, including but not limited to Child Protection and the justice system.

As already noted, an experience of family violence elevates the likelihood of children and young people accessing homelessness services and risk of disengagement with school among many other negative outcomes. Therefore, collaborative practice across the entirety of the system that responds to young people that experience co-occurring family violence risk with other support needs is a necessary and valuable long-term goal for the successor National Plan.

### **Dedicated data collection framework tailored to children and young people**

The need for quality and consistent data has already been highlighted in this submission, but we return to this immediate priority as it relates specifically to children and young people's experiences of family violence. Data from the Crime Statistics Agency (Victoria) indicate that in the preceding year, a child or young person was present at 29.8% of police call outs to family violence incidents.<sup>52</sup> However as noted by the Australian Institute of Health and Welfare report (AIHW), *Family, domestic and sexual violence in Australia 2019*, administrative data collection on children and young people's experiences of family violence via police, courts, Child Protection and hospitals is likely to underrepresent the actual prevalence and complexity of violence in the community.<sup>53</sup> More recently, the 2021 report from Victoria's Family Violence Reform Implementation Monitor (FVRIM) echoed this sentiment when they stated that "if children are truly to be acknowledged as victim survivors of family violence, it is essential that there is quality data on which to base the design, funding and delivery of services, and to effectively understand demand for services".<sup>54</sup> A national data collection framework which is tailored to capture not only the profile and nature of the available services across Australia, but also the demographic data of those who access them and the outcomes of systemic intervention will be better equipped to accurately assess where the system needs to improve to meet the needs of young people. It will also assist in mapping the service system nationally, both highlighting systemic and service consistencies and inconsistencies.

### **Children and young people as partners in design and implementation of the system that supports them**

This submission echoes the findings of the Victorian FVRIM Report (2021) that children and young people "should be ongoing partners in design and implementation, with their voices sought, listened to and acted upon".<sup>55</sup> Specialised services, system-wide collaboration and data collection are all essential improvements to the national response to children and young people experiencing family violence. It is also important to remember that children and young people are often best able to articulate their own support needs, and that it is the responsibility of all services and systems to ensure that their work to improve policy and practice is underpinned by the lived experience and expertise of

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<sup>52</sup> Crime Statistics Agency. (2020). *Police reported family violence incidents occurring in all Victoria (1<sup>st</sup> July 2019 to 1<sup>st</sup> July 2020)*. Melbourne: Family Violence Database 2019-2020.

<sup>53</sup> Australian Institute for Health and Welfare (2019) *Family, domestic and sexual violence in Australia: continuing the national story*. Cat. no: FDV 3. Canberra: AIHW.

<sup>54</sup> Family Violence Reform Implementation Monitor (2021). Op cit. p62.

<sup>55</sup> Ibid. p.63.

those for whom the work is done. There are numerous examples of youth advisory groups, including Y-Change at Victorian service provider Berry Street, who describe their approach as “working side-by-side with young people, not on their behalf”<sup>56</sup>. Through dedicated youth engagement forums such as this, genuine consultation and partnership with children and young people can occur.

**Recommendation 9:** The successor National Plan must elevate the needs of children and young people as victim-survivors of family violence in their own right. This should be reflected throughout the successor National Plan, by considering children and young people as a distinct cohort in need of dedicated and tailored service provision.

### Access to long-term safe, secure and affordable housing

Research shows that family violence is the leading cause of homelessness for women and children in Australia.<sup>57</sup> In 2018-19, 40% of Specialist Homelessness Services’ (SHS) clients across Australia listed family and domestic violence as their reason for seeking support.<sup>58</sup> Victim-survivors facing homelessness is often a direct result of experiencing family violence. However, homelessness associated with family violence is also driven by a range of structural factors, most notably the systemic lack of social and affordable housing as well as the crisis-driven model of support.

Without long-term housing options, many adult and children victim-survivors are forced into homelessness or to return to an unsafe home. Of the 39,000 people that sought long-term housing from specialist homelessness services in 2019-20 after experiencing family and domestic violence, only 1,233 received long-term housing.<sup>59</sup> Short-term crisis accommodation is a temporary fix to a complex problem and long-term stable housing is the solution required for victim-survivors facing homelessness or at risk of being homeless.

As a principle, a Safe at Home<sup>60</sup> response – where victim-survivors are enabled to remain in their home, while the perpetrator leaves – should be the preferred housing response to victim-survivors of family violence, but this is not always possible due to high levels of risk and system limitations. For victim-survivors unable to stay at home or access private rental, social housing is the only long-term housing option. A recent report from Equity Economics demonstrates the costs of family violence and homelessness and emphasizes that there is an immediate need for 16,810 more social housing units to provide women escaping family and domestic violence with somewhere to go, along with an ongoing

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<sup>56</sup> Berry Street (2021). *Youth engagement (Y-Change)* <https://www.berrystreet.org.au/what-we-do/young-people/youth-engagement-y-change>

<sup>57</sup> Spinney A. (2012). *Home and Safe? Policy and practice innovations to prevent women and children who have experienced domestic and family violence from becoming homeless*. Final report no. 196. Melbourne: Australian Housing and Urban Research Institute.

<sup>58</sup> AIHW (2019) Specialist Homelessness Services annual report 2018–19 <https://www.aihw.gov.au/reports/homelessness-services/shs-annual-report-18-19/contents/client-groups-of-interest/clients-who-have-experienced-family-and-domestic-violence>

<sup>59</sup> Australian Institute of Health and Welfare (2020). *Specialist homelessness services annual report*. Cat. no. HOU 322. Canberra: AIHW <https://www.aihw.gov.au/reports/homelessness-services/specialist-homelessness-services-annual-report>

<sup>60</sup> Domestic Violence Victoria (2020). *Submission to the Inquiry into Homelessness in Victoria*. Victoria.

need for additional investment in social housing to meet future projected demand.<sup>61</sup> Increasing the proportion of social housing stock will be a significant step towards alleviating the lack of family violence accommodation to keep victim-survivors safe.

**Recommendation 10:** The provision of safe, secure and affordable housing must be included as a national priority in the successor National Plan to meet the long-term housing needs of victim-survivors of family violence.

**Recommendation 11:** The successor National Plan should facilitate the development of a gender-informed national affordable housing strategy and a national plan to end homelessness,<sup>62</sup> to ensure that victim-survivors have access to safe and affordable long-term accommodation where they can recover from the violence they have experienced.

**Recommendation 12:** The successor National Plan should adopt approaches that enable Safe at Home responses for victim-survivors.

## Economic security of victim-survivors of family violence

Family violence can have a significant impact on a victim-survivors' financial security and economic independence. Many victim-survivors require access to financial support as leaving an abusive relationship can be expensive with costs related to legal processes, relocation, and the cost of providing for dependents. "It is estimated that on average, it costs \$18000 for a victim/survivor to leave a violent relationship and establish safety".<sup>63</sup> Many victim-survivors also end up accumulating debt either from the cost of leaving an abusive relationship or from a perpetrator who may have access to their financial accounts.

Studies of domestic and family violence often identify economic abuse as part of a pattern of behaviours used by perpetrators to exert control over the victim. As many as 90% of victim-survivors of family violence experience economic abuse during a relationship or following separation.<sup>64</sup> Economic abuse post separation often takes the form of 'systems abuse', where perpetrators exploit jurisdictional gaps or deliberately drag out court proceedings to continue to control the victim-survivor. The cost of accessing the family law system can also result in financial insecurity and lead to women "walking away from their entitlement to a fair division of property".<sup>65</sup> Women can spend years chasing property settlements and child support payments or settling the debts that have been accrued by the perpetrator in their name. A study by the Economic Abuse Reference Group found that "[Economic

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<sup>61</sup> *Nowhere to Go: The Benefits of Providing Long-Term Social Housing to Women that Have Experienced Domestic and Family Violence.* (July 2021) [http://everybodyshome.com.au/wp-content/uploads/2021/07/EE\\_Women-Housing\\_Domestic-Violence\\_WEB\\_SINGLES.pdf](http://everybodyshome.com.au/wp-content/uploads/2021/07/EE_Women-Housing_Domestic-Violence_WEB_SINGLES.pdf)

<sup>62</sup> Everybody's Home. (2018). *More Social and Affordable Homes.* <https://everybodyshome.com.au/our-campaign/more-social-and-affordable-homes/>

<sup>63</sup> Australian Women Against Violence Alliance (AWAVA). (2020). *Submission to the House Standing Committee on Social Policy and Legal Affairs in response to the Inquiry into family, domestic and sexual violence.* Canberra.

<sup>64</sup> Camilleri, O., Corrie, T., and Moore, S., (2015). *Restoring Financial Safety: Legal Responses to Economic Abuse.* Abbotsford: Good Shepherd Australia New Zealand & Wyndham Legal Service Inc.

<sup>65</sup> Women's Legal Services Victoria (2018). *Small Claims, Large Battles: Achieving economic equality in the family law system.* Melbourne <https://womenslegal.org.au/creating-change/small-claims%2C-large-battles.html> p4.

abuse] makes it impossible for [victim-survivors] to navigate the day-to-day because of crushing debt, bad credit records, unpaid fines and bad tenancy records, most of which are inherited from the violent partner'.<sup>66</sup>

The COVID-19 recession has disproportionately affected women and will compound a lifetime of gendered economic disadvantage, to the extent that it has been deemed a 'pink recession'.<sup>67</sup> During 2020, Australian women were more likely to lose jobs than men, took on more unpaid work, and were less likely to receive government support.<sup>68</sup> The implications of job losses and financial insecurity due to COVID-19 become more pronounced for victim-survivors of family violence already bearing the economic costs of violence.

DV Vic/DVRCV propose that the successor National Plan must prioritise economic security and recovery of victim-survivors to recognise the importance of economic security to their long-term recovery and safety. Addressing financial security is critical for victim-survivors' recovery and their ability to make genuine choices in their lives, including the ability to leave a violent relationship and find a safe and affordable home.

**Recommendation 13:** The successor National Plan should prioritise long-term economic security and recovery of victim-survivors.

### Victim-survivors of family violence with temporary migration status

We note the inclusion of actions in the *Fourth Action Plan* directed at the experiences of women from culturally and linguistically diverse communities and welcome the inclusion of a session on *migrant and refugee experiences of family, domestic and sexual violence* in the Women's Safety Summit program. As outlined in our submission to the Inquiry, the systemic barriers and challenges women on temporary visas who experience family violence face when they try to leave a violent relationship will require long-term attention by all levels of government and therefore it is important that this is prioritised in the successor National Plan.

Temporary visa status can be used by perpetrators as an additional tool for coercion and control. If victim-survivors are in Australia with no family or friendship networks, they are increasingly isolated and dependent on the perpetrator. At the time of leaving a violent relationship, victim-survivors on temporary visas are confronted with multiple complex and confusing systems (i.e. legal, migration, social security, family violence systems), with no guarantee that they will be able to access support and safety. Eligibility to access the family violence provisions in the Migration Regulations, as well as health, welfare, working and social security, is dependent on the type of visa held rather than safety. This creates confusion, complexity and inequality for victim-survivors of family violence who may hold

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<sup>66</sup> Economic Abuse Reference Group. (2020). *Responding to financial abuse full report: community, business and government responses to the financial impacts of family violence in Australia*. <https://apo.org.au/sites/default/files/resource-files/2020-03/apo-nid303785.pdf>, p.4.

<sup>67</sup> Monash University. (2020). *There's a fundamental need to reverse the 'pink recession'*. <https://lens.monash.edu/@medicine-health/2020/12/14/1381848/theres-a-fundamental-need-to-reverse-the-pink-recession>

<sup>68</sup> Grattan Institute. (2021). *Women's work: the impact of the COVID crisis on women*.

different types of temporary visas and provides further opportunities for perpetrators to exploit this uncertainty to continue to control and manipulate.

The complexity of the migration and social security systems, and the lack of consistency across states, territories and nationally, may result in cases where victim-survivors may theoretically be eligible to access support, but in reality cannot. This may be due to the inaccessibility of information and the inability to understand the complicated and confusing eligibility requirements for various payments. Further, for victim-survivors of family violence who have experienced trauma and abuse, navigating these systems becomes an almost impossible task.

We note that the existing barriers and challenges women on temporary visas face when trying to access services and safety have become more acute during the COVID-19 pandemic, with women on temporary visas facing significant financial hardship as they have lost employment or other sources of income and in many cases have not been able to access the COVID-19 related income supports due to the type of temporary visa they hold.<sup>69</sup> Whilst we welcome funding measures introduced by the Commonwealth Government such as the Red Cross Family and Domestic Violence Financial Assistance Program,<sup>70</sup> this program alone will not address the structural barriers outlined above.

Long-term structural change and collaboration across all levels of government is required to address the systemic barriers women on temporary visas currently encounter and to ensure that the legislative environment created by the Australian Government complements and supports state-based family violence responses. This will ensure that a victim-survivor is never placed in the impossible situation of feeling forced to return to a perpetrator because the type of visa they hold restricts their access to long-term support and safety.

DV Vic/DVRCV endorses the recommendations set out in the Blueprint for Reform<sup>71</sup> developed by the National Advocacy Group on Women on Temporary Visas Experiencing Violence and the measures set out in Recommendation 51 of the final report of the *Inquiry into family, domestic and sexual violence*.<sup>72</sup>

**Recommendation 14:** The successor National Plan should support the implementation of the recommendations outlined in the Blueprint for Reform to achieve access to safety and justice for women on temporary visas experiencing violence.

## Primary Prevention recommendations

### Prevention guiding principles

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<sup>69</sup> Intouch (2020). *The impact of the COVID-19 pandemic on inTouch clients*. [https://intouch.org.au/wp-content/uploads/2020/04/inTouch\\_COVID19IssuesPaper\\_April2020\\_website.pdf](https://intouch.org.au/wp-content/uploads/2020/04/inTouch_COVID19IssuesPaper_April2020_website.pdf)

<sup>70</sup> Australian Red Cross (2021). *Family and Domestic Violence Financial Assistance Program*.

<https://www.redcross.org.au/get-help/help-for-migrants-in-transition/family-and-domestic-violence-financial-assistance>

<sup>71</sup> National Advocacy Group on Women on Temporary Visas Experiencing Violence (2019). *Blueprint for Reform: Removing Barriers to Safety for Victims/Survivors of Domestic and Family Violence who are on Temporary Visas*.

<sup>72</sup> House of Representatives Standing Committee on Social Policy and Legal Affairs (2021). op cit. Recommendation 51



## Build on the existing evidence base

The successor National Plan provides the foundation for a consistent and coordinated approach to prevention activities across the country. It provides the mechanisms for articulating how the available policy, legislative and regulatory levers will be used to drive the social, cultural, structural and systemic change required to prevent and ultimately end violence against women.

To help build on the foundational progress made through the first *National Plan to Reduce Violence Against Women and their Children*, it is critical that the successor National Plan continues to centre *Change the Story* as its' evidence base. Embedding the rigorous research, expertise and guidance available within *Change the Story* in the successor National Plan will facilitate a consistent and integrated approach to preventing violence against women. *Change the Story* remains the only national prevention of violence against women framework in the world and is recognised as world-leading.<sup>73 74</sup> This framework provides a comprehensive overview of the prevalence and experiences of gendered violence, definitions of what constitutes gendered violence and what drives it, effective best-practice prevention activities as well as the infrastructure needed to embed and sustain change. This includes articulating the scale, coordination and integration of activities required for long-term, effective and efficient prevention of gendered violence. *Change the Story*, for example, demonstrates that stand-alone awareness-raising campaigns or advertising has a limited, if any impact, on addressing the drivers of gendered violence and instead need to be implemented in combination with large-scale efforts.

## Strengthen the primary prevention language used within the successor National Plan

At current, the proposed framework for the successor National Plan defines primary prevention as building gender equitable 'values' as key to ending violence against women and their children. DV Vic/ DVRCV urge the Commonwealth Government to replace ambiguous language around 'values' with the more specific 'attitudes and behaviours', as articulated in *Change the Story*. An effective primary prevention strategy must name the specific actions required to address the gendered drivers of violence articulated in the national framework and reflect the shared language used across the specialist primary prevention sector.

# National Prevention Priorities for the Successor National Plan

For Australia to effectively prevent and end violence against women, it is essential that all actions, mechanisms and programs are focused primarily on addressing the drivers of violence against

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<sup>73</sup> Our Watch, Australia's National Research Organisation for Women's Safety (ANROWS) and VicHealth (2015) "Change the story: A shared framework for the primary prevention of violence against women and their children in Australia", Our Watch, Melbourne, Australia. Pp.3 & 14.

<sup>74</sup> VicHealth media release, "World first framework launches to Change the story of violence against women and their children in Australia", [https://www.vichealth.vic.gov.au/-/media/ResourceCentre/MediaCentre/Media-Releases/2015/Media-Release\\_World-first-framework-launches-to-Change-the-story-of-violence-against-women-and-their-children-in-Australia.pdf?la=en&hash=E2967D076E66CD185CA689B6445AF967DC523584](https://www.vichealth.vic.gov.au/-/media/ResourceCentre/MediaCentre/Media-Releases/2015/Media-Release_World-first-framework-launches-to-Change-the-story-of-violence-against-women-and-their-children-in-Australia.pdf?la=en&hash=E2967D076E66CD185CA689B6445AF967DC523584)

women. This includes the social, political and economic structures, practices and systems that create and support the drivers.

The four drivers that consistently predict higher levels of violence against women are:

1. Condoning of violence against women
2. Men’s control of decision making and limits to women’s independence in public and private life
3. Dominant forms of masculinity and rigid gender stereotyping
4. Male peer relations and cultures of masculinity that emphasise aggression, dominance and control

The primary prevention sector has grown significantly across Australia since the first National Plan. This is reflective of the recognised importance of primary prevention, and of the growing commitment to stopping gendered violence before it occurs. The collective, long-term goal of prevention efforts is a lasting reduction in prevalence of gendered violence, and ultimately, the eradication of violence against women and the creation of a gender equitable society.

To achieve and sustain this long-term change, it is imperative that the successor National Plan articulate an ongoing commitment to prevention efforts and support for these efforts through:

- Provision of long-term and sustainable base and programmatic funding that lasts the life of the plan.
- The establishment of, and commensurate investment in, a workforce development strategy aimed at aligning and building the capacity of the specialist and mainstream primary prevention workforce.
- Implementation of consistent and robust monitoring and reporting systems.
- Consistent infrastructure and governance mechanisms across states and territories.
- Continued and scaled-up funding for essential national agencies.

Each of these recommendations are detailed further below.

### Sustainable, long-term funding for Primary Prevention

In developing the successor National Plan, it is critical that the Commonwealth Government elevate and embed primary prevention as a core action. The development of the successor National Plan provides the Commonwealth Government with an opportunity to demonstrate its’ commitment to ending violence against women and primary prevention, with **multi-year funding that lasts the lifespan of the proposed plan.**

The provision of discrete, short-term, project-specific funding only is recognised across the primary prevention sector as a significant barrier to organisational stability, resourcing sustainability, ongoing advocacy, long-term change and innovation. Funding must be allocated in two ways:

1. Long-term base funding for the duration of the plan for specialist Primary Prevention and women’s organisations and peak bodies ‘to be’ and not just ‘do’. This includes embedding and demonstrating a long-term commitment to primary prevention by providing ongoing

core and programmatic funding for the duration (10-12 years) of the National Plan, acknowledging that sufficient resourcing for primary prevention, is integral to achieving the national priorities and outcomes proposed. Ongoing funding will help support longer-term projects and a more stable practitioner base; drive greater alignment and cohesion across organisations; strengthen and develop the workforce; build knowledge; strengthen the evaluation of primary prevention and contribute to the existing evidence base.

2. 3–5-year programmatic funding targeting key settings outlined in *Change the Story* that are linked to key projects and outcomes for specialist organisations specifically to build, pilot and evaluate prevention models that are scalable.

The combination of both funding types will help women’s organisations and peak bodies grow their programming, while also strengthening themselves as the foundational infrastructure of the sector.

Importantly, in addition to scaling up existing programs that have been proven to be effective, increased long-term funding also enables organisations to pilot new approaches in emerging settings and contribute to the evidence base by implementing prevention programs in under-investigated settings and environments.

**Recommendation 15:** The successor National Plan must recognise that primary prevention is a commitment to long-term change and embeds ongoing funding.

### Establish strategy for continuous development of the prevention workforce

The successor National Plan must establish a strategy to strengthen and expand the primary prevention workforce, alongside proportional funding to implement the strategy, to enable an effective, sustainable and coordinated approach to primary prevention.

A national workforce development strategy must articulate and recognise the strengths, challenges and opportunities within the existing workforce, while also articulating actions aimed at building on the current size, coordination and skill of the sector across:

- Program design and delivery;
- Research, monitoring and evaluation;
- Strategy, policy and advocacy; and,
- Communications.

Coordinating workforce development at the national level, which is consistent with and builds on what has already been undertaken withing states and territories, enables quality assurance through creating mutually reinforcing activities; consistent reform approaches; and better integrating gender equality efforts with primary prevention work. It will also enable the workforce to meet the increasing demand for prevention activities across a range of complex settings and, to scale-up and expand the reach of best-practise prevention policies, strategies, practice and research to progress the change needed to reduce and end violence against women.

Long-term investment in primary prevention needs to build on the size and skill of the sector, by providing funding aimed at building both technical expertise of the prevention sector as well as

mainstream support, while also seeking to understand and address systemic barriers and inequalities that may limit the participation of key populations in the primary prevention workforce. Providing ongoing funding for workforce development and deliberate investment towards building the capacity and skills of practitioners is also necessary for greater alignment and coordination of nation-wide primary prevention efforts. Options for strengthening workforce development include:

- Considering how the broader higher education sector can be utilised to support the ongoing creation and development of a future primary prevention workforce.
- Establishing dedicated education and training pathways for primary prevention and response specialists.
- Provide funding for women’s organisations and peak bodies to develop specialist prevention accredited and non-accredited courses.
- Develop retention and recruitment strategies that are incorporated into both the national and statewide prevention plans, acknowledging that a skilled and supported workforce is a critical enabling factor for this work.
- Conducting intensive and robust workforce modelling and forecasting to analyse and assess key metrics like sector growth and impact.
- Develop a national training package to embed an aligned approach to workforce development across Australia.

**Recommendation 16:** The successor National Plan must establish a workforce development strategy that includes long-term funding to help increase the size of the prevention workforce over the duration of the plan.

### Strengthen new and existing national monitoring and reporting systems for primary prevention

The successor National Plan must build on the evidence articulated in *Change the Story* by committing to rigorous evaluation of prevention programs. This includes high-level outcomes linked to implementing, monitoring and evaluating the effectiveness of cumulative primary prevention interventions as a whole, as well as the impact of specific prevention activities.

For the purposes of maintaining consistency and contributing to long-term evaluation of existing prevention strategies and programs across Australia, the successor National Plan should ensure measurable outcomes are clearly linked to both the gendered drivers and reinforcing factors articulated in *Change the Story*. This includes continuing to fund and measure qualitative data mechanisms including surveys that track changes in social norms, attitudes and behaviours like the *National Community Attitudes Survey*. This also includes consolidating and capturing robust quantitative data collected through police reports, support service calls and legislative key gender equality indicators, for example.

**Recommendation 17:** The successor National Plan must include clear outcomes that are measurable and correlated with long-term reductions in gendered violence to continually build the evidence base.

## Embed strong governance infrastructure throughout states and territories to enable success

The Commonwealth Government has both the responsibility and ability to coordinate the large-scale efforts required to prevent gendered violence and implement the best-practice governance structures required for change. This includes: engaging state and territory governments; embedding the mechanisms for coordination, collaboration and quality assurance; demonstrating political and civil leadership; driving the developments of standards for policy and legislative reform; implementing mechanisms for workforce and sector development; and sharing monitoring, reporting and evaluation frameworks. Implementing consistent and robust governance structures that enable better inter- and intra-governmental communication will facilitate much stronger connections with civil society groups, grassroots advocacy groups and specialist organisations essential for collaboration and sharing progress towards long-term goals.

It is also critical that the successor National Plan ensure that governance mechanisms for improving the consistency and sustaining progress across national, state and territory prevention efforts are implemented for the duration of the plan. One possible mechanism for ensuring that all states and territories have a strong and tangible role in contributing to the national primary prevention agenda is to establish funded positions within organisations that are focused on prevention work in key settings. Creating parallel funded positions in each state and territory focused on directing funding, developing programs, coordinating local programs, scaling up best-practise prevention efforts and evaluating outcomes will significantly improve the strength of efforts across the country, ensure consistent approaches to implementing best-practise primary prevention programs, and ultimately, achieve the long-term, sustainable reduction and prevention of gendered violence.

**Recommendation 18:** The successor National Plan must commit to building consistent governance structures that are funded and established for the duration of the plan, across all states and territories that help better align and coordinate national primary prevention efforts.

## Scale-up funding to national agencies

In developing the successor National Plan, it is critical that the Commonwealth Government continues to recognise, and invest in, the technical expertise and experience of key national agencies. This includes scaling-up current funding allocated to national agencies, more effective delivery of the actions articulated within the successor National Plan.

Long-term funding for key national agencies for the life of the National Plan will help ensure the effective design of national standards for prevention activities, as well as ensure consistency of implementation by states and territories and the coordination of the monitoring and evaluation of these activities. It will also support the development and maintenance of critical prevention infrastructure across the country. This will lead to better connection of different programs of work led by different agencies to achieve the activities articulated within the successor National Plan. For example, establishing four-year action plans under the successor National Plan that align with the timing for conducting the National Community Attitudes Survey (NCAS) and the Personal Safety Survey (PSS) in order to more effectively measure any change.

National agencies critical to the national primary prevention infrastructure include:

- Our Watch (support their national leadership in primary prevention, and ensure they have a stronger role in coordinating national primary prevention efforts).
- ANROWS (support the roll-out and analysis of the NCAS survey and continue to build the evidence on prevention elements included within the national research agenda).

**Recommendation 19:** The successor National Plan must commit to long-term funding to strengthen and scale-up the work of Our Watch and ANROWS, as necessary for the continuity, consistency and evidence-informed rigour of primary prevention interventions across the country.

### Scale-up comprehensive primary prevention programs in schools as an existing key setting

DV Vic/ DVRCV recommend that the successor National Plan develop guidelines for scaling-up best-practise prevention programs in existing settings in a consistent and cohesive manner. This includes embedding a whole school approach to respectful relationships education within all government schools, acknowledging that this is a highly effective, evidence-based approach for sustainable primary prevention.<sup>75</sup>

The Commonwealth Government has a critical role in utilising available policy and regulatory levers to implement sustainable change and to facilitate settings-based prevention work. The whole school approach to respectful relationships education is a tested, effective and sustainable way of demonstrating respectful relationships and gender equality to young people in practice and helping ensure that future generations actively model the attitudes and behaviours that stop gendered violence from happening in the first place.

Comprehensive, rigorously researched materials designed by specialist prevention organisations and peak bodies are readily available to support the teaching of best-practise respectful relationships curriculum and ensure that this is rolled-out across Australia in clear and consistent ways to maximise its reach and impact. This, in combination with positive evaluation findings on adopting a whole school approach to respectful relationships education, provides a model that is readily scalable, with demonstrated outcomes and a meaningful impact towards long-term primary prevention.<sup>76</sup>

A whole school approach to respectful relationships education requires schools to review their existing procedures and culture to ensure that they model respectful relationships and gender equality practices across the entire school community. This approach goes beyond classroom-based health and physical education and commits to holistic cultural and procedural change that requires schools and their communities look at staff practices, classroom management, school events, sports programs, formals and other occasions, to ensure all aspects of a school's operation and culture are

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<sup>75</sup> Our Watch, 2021, "Respectful Relationships Education in Schools: Evidence Paper", p.30. [Respectful relationships education in schools: Evidence paper \(ourwatch.org.au\)](#)

<sup>76</sup> Ibid.

underpinned by respect and equality. The six elements of a whole school approach to respectful relationships education include:<sup>77</sup>

- **Providing support for staff and students**, recognising that schools must be equipped to provide victims and perpetrators of violence with support and referrals;
- **Embedding gender equality throughout the school culture and environment**, recognising that school structures, policies, procedures and ethos are the key enabling factors for respectful relationships and gender equality;
- **Providing students with necessary skills through teaching and learning**; recognising that students must have the requisite skills, tools, attitudes and knowledge to engage in respectful relationships;
- **Demonstrating equality through school leadership and commitment**; recognising change must be modelled and driven from the top to encourage students to take leadership and social action to promote respectful relationships;
- **Providing professional learning**, recognising that all staff are engaged in a whole school approach to respectful relationships and that staff must be equipped to deliver respectful relationships education;
- **Engaging in community partnerships**, recognising that schools must be supported to implement long-term, holistic strategies to promote and sustain respectful relationships.

This approach recognises that schools are workplaces where all staff should feel equally respected, safe and valued and have equal opportunities; a safe space where young people can learn about gender equality and respectful relationships, in and out of the classroom; and form part of the wider community that can model gender equality and respectful relationships.

To further support the roll-out of respectful relationships education across Australian schools, the successor National Plan must also articulate actions for supporting and building the capacity of the teaching workforce, recognising that this is critical for the quality of primary prevention activity in education and care settings. This may include actions focused on creating national communities of practise, providing access to training and support, or funding the development of teaching materials. Wider support for respectful relationships education, teachers and practitioners also involves the Commonwealth Government actively advocating for and promoting the evidence-based positive outcomes of this activity.

**Recommendation 20:** The successor National Plan must develop guidelines for scaling-up whole-of-schools respectful relationships education, recognising this is a tested, effective and sustainable primary prevention approach in a key setting.

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<sup>77</sup> Department of Education and Training, 2014, "Building Respectful Relationships: Stepping out against gender-based violence", p.8.

## Expanding the number of settings for primary prevention programs

In addition to developing guidelines aimed at scaling-up existing best-practise measures, DV Vic/DVRCV also recommend the successor National Plan recognises the importance of concurrently investing in primary prevention work in an expanded range of settings. <sup>i</sup>This will help build the current evidence base through piloting new programs in as-yet overlooked settings, while continuing to progress the trajectory and embed long-term change through scaling-up existing activity. The successor National Plan should consider the following settings for implementing primary prevention programs:

- Community services
- Public spaces
- Transport and infrastructure
- The legal and justice system

Implementing prevention programs in a broader range of settings must draw upon national and international research and evaluation findings. Continuing to expand primary prevention programs into new settings helps ensure that different communities are reached and engaged, and that prevention initiatives span individuals' life courses and are tailored to the diverse contexts of their lives.<sup>ii</sup>

**Recommendation 21:** The successor National Plan must scale-up best-practise programs in existing settings as well as invest in primary prevention programs in a greater number of settings to ensure effective reach into all settings where people live, work and play.

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<sup>i</sup> Key settings as per *Change the Story* refers to areas across which to implement a national, multi-layered holistic approach to primary prevention for the most effective and sustainable impact. Key settings include early childhood, primary and secondary education, family and community services, health, sport, and industrial relations.

<sup>ii</sup> Our Watch, Australia's National Research Organisation for Women's Safety (ANROWS) and VicHealth (2015) *Change the story: A shared framework for the primary prevention of violence against women and their children in Australia*, Our Watch, Melbourne, Australia, p.9.