

The Senate

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Finance and Public Administration  
References Committee

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Domestic violence in Australia

Interim report

March 2015

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ISBN 978-1-76010-175-6

Senate Finance and Public Administration Committee Secretariat:

Ms Lyn Beverley (Secretary)

Ms Ann Palmer (Principal Research Officer)

Mr Nicholas Craft (Senior Research Officer)

Ms Margaret Cahill (Research Officer)

Ms Sarah Brassler (Administrative Officer)

The Senate

PO Box 6100

Parliament House

Canberra ACT 2600

Ph: 02 6277 3530

Fax: 02 6277 5809

E-mail: [fpa.sen@aph.gov.au](mailto:fpa.sen@aph.gov.au)

Internet: [www.aph.gov.au/senate\\_fpa](http://www.aph.gov.au/senate_fpa)

Printed by the Senate Printing Unit, Parliament House, Canberra.

# Membership of the Committee

## Members

Senator the Hon Kate Lundy (Chair)	ALP, ACT
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Senator Claire Moore (from 12 February 2015)	ALP, QLD
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Senator Larissa Waters (replaced Senator Janet Rice)	AG, QLD
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## Participating Members

Senator Claire Moore (until 12 February 2015)	ALP, QLD
Senator Penny Wong	ALP, SA
Senator Nova Peris	ALP, NT



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# **List of recommendations**

## **Recommendation 1**

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

## **Recommendation 2**

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

## **Recommendation 3**

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

## **Recommendation 4**

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

## **Recommendation 5**

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

## **Recommendation 6**

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

## **Recommendation 7**

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

## **Recommendation 8**

**1.77** The committee recommends the Commonwealth Government provide funding certainty to Australia's National Research Organisation for Women's

**Safety and National Services beyond 2016 to support the completion of longer term research programs.**

**Recommendation 9**

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

## Interim report

1.1 On 26 June 2014, the Senate referred the following matters to the Senate Finance and Public Administration References Committee for inquiry and report by 27 October 2014:

- (a) the prevalence and impact of domestic violence in Australia as it affects all Australians and, in particular, as it affects:
  - (i) women living with a disability, and
  - (ii) women from Aboriginal and Torres Strait Islander backgrounds;
- (b) the factors contributing to the present levels of domestic violence;
- (c) the adequacy of policy and community responses to domestic violence;
- (d) the effects of policy decisions regarding housing, legal services, and women's economic independence on the ability of women to escape domestic violence;
- (e) how the Federal Government can best support, contribute to and drive the social, cultural and behavioural shifts required to eliminate violence against women and their children; and
- (f) any other related matters.<sup>1</sup>

### Conduct of the inquiry

1.2 The inquiry was advertised in *The Australian* newspaper and on the committee's website. The committee invited submissions from individuals, organisations and government departments by 31 July 2014. However, it continued to accept submissions until the end of 2014.

1.3 To date the committee has received 163 public submissions as well as confidential submissions. A list of individuals and organisations which made public submissions, together with other information authorised for publication by the committee, is at Appendix 1.

1.4 The committee held public hearings in Melbourne on 12 September 2014; Canberra on 15 October 2014; Sydney on 4 November 2014; Melbourne on 5 November 2014; Brisbane on 6 November 2014; and Darwin on 10 March 2015. A list of the witnesses who gave evidence at the public hearings is available at Appendix 2.

1.5 Submissions, additional information and the Hansard transcripts of evidence may be accessed through the committee website at: [www.aph.gov.au/senate\\_fpa](http://www.aph.gov.au/senate_fpa).

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1 *Journals of the Senate*, No. 37 – 26 June 2014, p. 1018.

### **Timeframe for the inquiry**

1.6 During the course of the inquiry, it became evident to the committee that additional time was required to speak with more organisations in order to gather sufficient evidence for the final report. On 26 August 2014, the Senate agreed to extend the reporting date until 2 March 2015.<sup>2</sup> In order for the committee to conduct a hearing in Darwin, a further hearing in Canberra and finalise its report, the committee sought a further extension until 18 June 2015.<sup>3</sup>

### **The need for an interim report**

1.7 While acknowledging the need for more time to hold additional hearings and draft the final report, the committee agreed that the importance of this issue and the upcoming 2015-16 federal government budget required a brief interim report summarising the directions and initial findings of the committee.

### **Overview**

1.8 One in three Australian women have experienced physical violence since the age of 15 and almost one in five have experienced sexual violence.<sup>4</sup> A study of Victorian women demonstrated that domestic violence is the leading preventable contributor to death, disability and illness in women aged between 15 and 44, and is responsible for more of the disease burden than many well-known risk factors such as high blood pressure, smoking and obesity.<sup>5</sup> The emotional and personal costs of domestic violence in our community are enormous. Violence affects the victims themselves, children who are exposed to violence, extended families, friends, work colleagues and the broader community.<sup>6</sup>

1.9 The committee acknowledges these emotional and personal costs as well as the enormous economic cost of domestic violence. A study commissioned by the commonwealth government notes that the yearly cost of domestic violence in Australia in 2008-09 was \$13.6 billion and the cost is increasing.<sup>7</sup>

1.10 The committee notes the commonwealth government has committed around \$200 million over eight years between 2009-2017 to support the implementation of the National Plan and the first two Action Plans, with the aim of achieving a significant and sustained reduction in violence against women and their children.<sup>8</sup>

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2 *Journals of the Senate*, No. 46 – 26 August 2014, p. 1283.

3 *Journals of the Senate*, No. 79 – 2 March 2015, p. 2203

4 Australian Bureau of Statistics, 4906.0 - Personal Safety, Australia, 2012 (2013).

5 VicHealth, *Submission 53*, p. 4

6 *National Plan to Reduce Violence against Women and their Children 2010-2022*, p. 1.

7 The National Council to Reduce Violence Against Women and their Children, *The Cost of Violence Against Women and Their Children* (2009), p. 4

8 Commonwealth Department of Social Services, *Submission 57*, p. 1.

1.11 The committee is concerned about commonwealth government funding cuts to a broad range of services essential to supporting victims of domestic violence. These include over \$64 million in funding cuts to Australian legal services over four years,<sup>9</sup> \$44 million in funding cuts to new shelters and emergency accommodation, \$21 million in cuts to housing and homelessness peak bodies, abolition of the National Rental Affordability Scheme and abolition of the National Housing Supply Council.<sup>10</sup> The government has failed to guarantee funding under the National Partnership Agreement on Homelessness past 30 June 2015, placing crucial services at risk. There has been a \$240 million funding cut to the Department of Social Services grants program, which has affected the funding certainty of many frontline domestic violence organisations delivering crisis services and men's behaviour change programs.<sup>11</sup>

1.12 While it is difficult to quantify the full impact of the discretionary grant cuts on domestic violence reform, the committee has heard that victims of domestic violence rely on many of the services provided with these funds.

### **Initial findings**

1.13 The committee acknowledges that addressing domestic violence requires long term and coordinated effort by all levels of government in partnership with non-governmental organisations, service providers and the community.

### ***National framework***

1.14 Key to the coordination required by all levels of government has been the development of the national framework which is detailed in the National Plan to Reduce Violence against Women and their Children 2010-2022 (National Plan). The Commonwealth has worked with state and territory governments to develop and deliver the National Plan which was endorsed by the Council of Australian Governments (COAG) and released in February 2011.

1.15 The National Plan's overall aim is to change social attitudes about violence against women and their children to reduce domestic violence over the long term. The National Plan states that:

It is the first plan to coordinate action across jurisdictions. It is the first to focus strongly on prevention. It is the first to look to the long term, building respectful relationships and working to increase gender equality to prevent

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9 See 'States and territories unite in fight against legal assistance funding cuts', ABC Online 7 March 2015 at [www.abc.net.au/news/2015-03-07/states-territories-unite-in-fight-against-legal-aid-funding-cuts/6287604](http://www.abc.net.au/news/2015-03-07/states-territories-unite-in-fight-against-legal-aid-funding-cuts/6287604) (accessed 13 March 2015).

10 St Vincent de Paul Society, 'Vinnies: Help us to cut homelessness, not homelessness funding', *Media Release*, 2 April 2014; and Samantha Donovan, 'Federal Government cuts funding for housing programs, shocking peak bodies', *ABC news online*, 23 December 2014.

11 Judith Ireland, 'Government funding cuts bite emergency relief services', *Sydney Morning Herald* 28 February 2015 at [www.smh.com.au/federal-politics/political-news/government-funding-cuts-bite-emergency-relief-services-20150227-131gdn.html](http://www.smh.com.au/federal-politics/political-news/government-funding-cuts-bite-emergency-relief-services-20150227-131gdn.html) (accessed 13 March 2015).

violence from occurring in the first place. It is the first to focus on holding perpetrators accountable and encourage behaviour change.<sup>12</sup>

1.16 The National Plan sets out a 12-year framework from 2010 to 2022 to reduce domestic violence in Australia, driven by four three-year Action Plans with specific aims and outcomes.<sup>13</sup>

1.17 The committee heard that the development of the National Plan and its action plans are welcome as they provide an appropriate framework to address the problem of domestic violence and there was general acknowledgement that some progress has been made. However, the committee also heard a level of frustration at the slow rate of progress in some areas. A number of hearing witnesses noted they have seen no improvement in the capacity of services to support victims of domestic violence and no reduction in the number of women trying to access these services.<sup>14</sup> One explanation is that the long term planning and effort required to implement the National Plan means the effects will take time to be visible to front line service providers.

1.18 The committee agrees that it is therefore important for governments to make greater efforts to engage and consult with front line services to draw on their expertise and advise them of progress in relation to the areas of focus identified in The National Plan and the three-year action plans.

1.19 The level of consultation undertaken with the sector to develop the National Plan was spoken of favourably to the committee. However, it appeared to the sector that the level of consultation was subsequently reduced for the development of the action plans. While initial effort to engage stakeholders is necessary to agree an appropriate framework, the committee believes that the long term nature of this issue means that extra effort needs to be taken by governments to maintain engagement and consultation with front line services in particular, and ensure reporting on progress is centrally available.<sup>15</sup>

#### *Role of the Commonwealth*

1.20 It was emphasised to the committee that the Commonwealth government should take a lead and/or coordinating role. As well as the National Plan, the Commonwealth was also involved in the establishment of the Foundation to Prevent

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12 *National Plan to Reduce Violence against Women and their Children 2010-2022*, Foreword.

13 *National Plan to Reduce Violence against Women and their Children 2010-2022*, p. 12.

14 For example, see evidence given on the capacity of services by Beryl Women's Inc, *Committee Hansard*, pp 10-11; and Victoria Police, *Submission 92*, p. 9, which outlines the increase in reporting rates of domestic violence cases.

15 The committee acknowledges the availability quarterly eNewsletters on the National Plan on the DSS website with two currently available, October and December 2014: [www.dss.gov.au/our-responsibilities/women/programs-services/reducing-violence/the-national-plan-to-reduce-violence-against-women-and-their-children/the-national-plan-to-reduce-violence-against-women-and-their-children-newsletter2](http://www.dss.gov.au/our-responsibilities/women/programs-services/reducing-violence/the-national-plan-to-reduce-violence-against-women-and-their-children/the-national-plan-to-reduce-violence-against-women-and-their-children-newsletter2) (accessed 4 March 2015).

Violence Against Women and their Children,<sup>16</sup> Australia's National Research Organisation for Women's Safety and National Services (ANROWS), as well as some initiatives such as 1800 RESPECT,<sup>17</sup> The Line<sup>18</sup> and DV-alert.<sup>19</sup> Other areas where the Commonwealth is taking a lead and/or coordinating include data collection, prevention measures and the harmonisation of domestic violence orders across jurisdictions and these are outlined below.

### **Data**

1.21 The committee was particularly interested to explore the data and services available for groups with compounding vulnerabilities including culturally and linguistically diverse people (CALD), Aboriginal and Torres Strait Islander (ATSI) communities, lesbian, gay, bisexual, transgender and intersex (LGTBI) individuals, as well as those with disabilities.

1.22 It was clear to the committee that improving data, particularly for vulnerable groups, is necessary for greater understanding and provision of appropriate services. The National Plan provides for the conduct of the Personal Safety Survey and the National Community Attitudes Survey on a four-year rolling basis as part of the actions to develop the evidence base. The committee notes that it received evidence criticising the adequacy of sampling sizes of particular subgroups within the community, such as women with a disability and Indigenous communities.

1.23 Throughout the inquiry the committee received evidence emphasising the lack of nationally consistent data available on the prevalence and impact of domestic violence. The need for effective data collection and research to improve the evidence base and determine appropriate policies to address domestic violence is strongly supported by the committee. This is another area of long term work with the National Data Collection and Reporting Framework in its preliminary stages and not due to be fully operational until 2022. The committee is supportive of the initiative to have nationally consistent data, however, the committee shares the concerns of witnesses that a lack of resources could, potentially, be a constraint on agencies ability to collect and collate data pursuant to the framework.

1.24 The establishment of ANROWS is a key initiative under the National Plan and the results and findings from ANROWS research program will make a significant contribution to filling gaps in knowledge and increasing the understanding of issues. However, in the committee's view, the fact that ANROWS only has funding until June

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16 Now known as 'Our Watch'.

17 A national counselling helpline providing information and support: [www.1800respect.org.au/](http://www.1800respect.org.au/) (accessed 24 September 2014)

18 An online campaign to promote respectful relationships to young Australians: <http://theline.org.au/> (accessed 24 September 2014).

19 Domestic violence response training: [www.dvalert.org.au/About-Us](http://www.dvalert.org.au/About-Us) (accessed 24 September 2014)

2016<sup>20</sup> is disappointing, particularly as this means that some projects in ANROWS current research round do not even have funding certainty for the entirety of a two-year project.

### **Prevention**

1.25 The committee has found it useful to consider responses to domestic violence on a continuum from prevention and early intervention through to crisis and long term support, using a public health approach which has been adopted by many organisations working in the domestic violence sector.

1.26 It was clear to the committee that a national, coordinated approach to address this issue is required and it notes the Commonwealth has an ongoing role in terms of leadership and coordination, particularly in the area of primary prevention of violence. The committee notes the recent announcement that the Commonwealth Government will work with state and territory governments to deliver a jointly funded national awareness campaign to address domestic violence.<sup>21</sup>

1.27 It was emphasised to the committee that primary prevention requires a holistic and long term approach to change entrenched cultural attitudes and behaviours. A critical element of primary prevention is promoting gender equality and addressing gender stereotypes.

1.28 The importance of a variety of primary prevention strategies at different levels to reduce domestic violence was emphasised in evidence to the committee. The need to target prevention measures to vulnerable groups including CALD and ATSI communities as well as new and emerging communities and women with a disability was also emphasised.

1.29 It was stressed to the committee that investment in primary prevention measures cannot be at the cost of investment in early intervention and crisis support services. There must be a commitment from governments to provide adequate resources as demand for these services lifts following public awareness campaigns encouraging women to seek information or help, or after incidents of domestic violence are reported in the media.<sup>22</sup>

1.30 Evidence given to the committee noted there are already significant increases in the number of women reporting domestic violence, possibly due to increasing awareness about women's rights to live free from violence.<sup>23</sup>

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20 Dr Mayet Costello, Research Manager, ANROWS, *Committee Hansard*, 4 November 2014, p. 1.

21 The Prime Minister, the Hon Tony Abbott MP, 'National awareness campaign to reduce violence against women and children', Media Release 4 March 2015 at [www.pm.gov.au/media/2015-03-04/national-awareness-campaign-reduce-violence-against-women-and-children](http://www.pm.gov.au/media/2015-03-04/national-awareness-campaign-reduce-violence-against-women-and-children) (accessed 12 March 2015).

22 Christopher Knaus, 'Domestic violence workers see spike in demand for services after Tara Costigan death', *Canberra Times*, 3 March 2015.

23 Victoria Police, *Submission 92*, pp 3-4.

1.31 The other important key to changing attitudes is working with young people and to this end the committee supports the respectful relationships programs around the country and the plan to incorporate respectful relationships education into the national curriculum.

### ***Early Intervention***

1.32 Primary prevention measures need to be supported by early intervention (or secondary prevention) programs which aim to help at risk individuals avoid domestic violence, or to help them get out of situations in which violence is escalating. These strategies are primarily the responsibility of the states and territories and are included in their respective plans to support the National Plan. These can include educational programs, training for professionals working in the sector and administering domestic violence screening as part of health services.

1.33 Early intervention strategies can also target individuals or population sub-groups who are showing early signs of violent behaviour to reduce the likelihood of them perpetrating acts of domestic violence. They can assist children to recover from traumatic events and there are culturally appropriate targeted programs to support Indigenous families build and strengthen relationships. There are also programs to prevent homelessness and support women to stay at home.

1.34 An improved emphasis on prevention and early intervention strategies will assist and eventually reduce the number of families who interact with the child protection, court, justice and emergency accommodation systems. The committee supports the use of early intervention programs to reduce the risk, escalation and severity of violence and its effects and encourages the provision of sustainable funding for early intervention initiatives.

### ***Crisis support***

1.35 A dominant theme during the inquiry has been the need for more effective coordination of organisations which deliver crisis response services, including government agencies, police forces, and support organisations. This approach can deliver the support a victim needs in a coordinated way rather than leaving it up to the victim to approach each agency individually. Evidence given by Australian of the year, Ms Rosie Batty, noted that better coordination and communication may have prevented the murder of her son Luke, by his father.<sup>24</sup>

1.36 A number of jurisdictions are trialling programs aimed at better coordination between the agencies working on domestic violence. The committee also heard there are some networks in jurisdictions coordinating services because they recognise the value and benefits of this approach. While this is welcome it was clear to the committee that this approach is currently relying on the goodwill of stakeholders as it is not supported by legislation or adequate resources.

1.37 Of concern to the committee was the evidence indicating that the current system places the burden of responsibility of responding to the violence on the victim

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24 Ms Rosie Batty, *Committee Hansard*, 12 September 2014, pp 11-12.

rather than effectively holding the perpetrator accountable. The committee heard this process can leave victims emotionally and financially exhausted and no doubt contributes to some victims not taking appropriate action.

1.38 The committee sees making perpetrators more accountable as treating the problem at its cause and to this end adequately structured and resourced behaviour change programs need to be part of a coordinated response to domestic violence. The committee understands that further work is required around data collection to ensure evidence based perpetrator programs are offered. Current evidence shows that longer programs are more effective than shorter ones and that following the completion of a program, men require support to transition back to the environment which resulted in them choosing a violent response.

1.39 The committee heard evidence from the Northern Territory hearing and submissions of the link between alcohol and other drug (AOD) abuse and domestic and family violence.<sup>25</sup> The committee believes that it is important to develop a better understanding of these links and the best treatments for AOD abuse issues in relation to reducing domestic and family violence.

1.40 Another issue raised with the committee was that some family violence services receive funding through grants administered by the Department of Social Security (DSS).<sup>26</sup> The committee heard concerns from the sector about the uncertainty created by the transition to a new DSS grants process due to commence on 1 July 2015. For a number of months organisations have been waiting to hear about whether they will receive a grant and in the meantime their funding has been addressed by temporary funding announcements.<sup>27</sup>

1.41 As part of this interim funding process, the committee notes the commonwealth government's decision to redirect \$17 million earmarked for relationship counselling vouchers into the funding extensions for these frontline social services pending the completion of the new tender process.<sup>28</sup>

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- 25 See, for example, Ms Melanie Warbrooke, Acting Managing Solicitor, Top End Women's Legal Service, *Proof Committee Hansard*, 10 March 2015, p. 5; Ms Regina Bennett, Coordinator, Darwin Aboriginal and Islander Women's Shelter, *Proof Committee Hansard*, 10 March 2015, p. 13; Mr John Paterson, Chief Executive Officer, Aboriginal Medical Services Alliance Northern, *Proof Committee Hansard*, 10 March 2015, p. 18; Mr Bernard Dwyer, Chief Executive Officer, Amity Community Service, *Proof Committee Hansard*, 10 March 2015, pp 26-27; Mr Peter Bravos, Acting Assistant Commissioner, Crime and Specialist Support Command, Northern Territory Police, *Proof Committee Hansard*, p 32, 34.
- 26 For an outline of this new grants process see the Department of Social Services, " Grant Programmes: New Department, new grant programmes" at [www.dss.gov.au/grants/grant-programmes](http://www.dss.gov.au/grants/grant-programmes) (accessed 2 March 2015).
- 27 The Hon Scott Morrison MP, Minister for Social Services, 'Morrison to fill critical front line service gaps in Social Service grants' *Media Release* 30 January 2015.
- 28 The Hon Scott Morrison MP, Minister for Social Services, 'Extra \$17m for frontline social services as Stranger Relationships trial ends', *Media release*, 1 February 2015.

1.42 However, the committee understands that beyond June 2015, DSS grants funding is very uncertain for many organisations including specialist family violence services, Indigenous family safety programs, and for men's behaviour change program providers.<sup>29</sup>

1.43 This process has had a negative effect on the sector while organisations and individuals wait to hear whether their organisation and roles will still be funded through the new grants process. It has left organisations unable to plan effectively and resulted in the loss of experienced staff who are seeking more employment certainty.

### ***Legal response***

1.44 The committee understands that the legal frameworks dealing with domestic violence are complex and that domestic violence cases are mostly handled by state and territory legal systems. However, Commonwealth responsibilities include providing funding for legal services, oversight of the *Family Law Act 1975* and the Family Court system, and leading work to coordinate legal systems across jurisdictions.

1.45 The committee heard concerns about the reduction of funding for community legal centres. In particular, stakeholders commented on the 2013-14 Mid-Year Economic and Financial Outlook (MYEFO) measure 'Legal Policy Reform and Advocacy Funding — redirection', which cut \$43.1 million over the forward estimates to four legal assistance programs, including funding streams for community legal centres.<sup>30</sup>

1.46 The redirection of funding for advocacy and law reform is particularly concerning, as it prevents small, frontline organisations informing law reform and policy development. The committee heard that this work is essential in seeking to identify and remedy systemic issues and improving the system for participants.

1.47 Moreover, the committee heard that cuts to advocacy and law reform funding translate, in practice, to cuts for frontline services for legal assistance being given to many victims of domestic violence.

1.48 In addition, the committee is deeply concerned that funding cuts to legal services will affect already disadvantaged groups. For example, of the \$43.1 million in cuts announced in the 2013-14 MYEFO, \$13.41 million has been taken away from the Indigenous Legal Aid and Policy Reform Program from 2013-14 to 2016-17.<sup>31</sup> These cuts will have a devastating effect on Indigenous women suffering domestic violence who already face significant disadvantage.

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29 See Mrs Jackie Brady, Executive Director, Family and Relationships Services Australia, *Committee Hansard*, 15 October 2014, p. 47; See Miki Perkins, 'Victorian family violence services face cuts', *The Age*, 26 January 2014.

30 *Mid-Year Economic and Financial Outlook 2013-14* (December 2013), p. 119.

31 National Aboriginal and Torres Strait Islander Legal Services, *Factsheet: Funding Cuts to Aboriginal and Torres Strait Islander Legal Services* (2013) at [www.natsils.org.au/portals/natsils/submission/Funding%20Cuts%20Factsheet%202%20April%202013.pdf](http://www.natsils.org.au/portals/natsils/submission/Funding%20Cuts%20Factsheet%202%20April%202013.pdf) (accessed 25 February 2015).

1.49 Stakeholders also expressed concern over the previous allocation of \$15.0 million to the sector which was withdrawn in the 2014-15 Commonwealth Budget.<sup>32</sup> The committee heard that this further cut has compounded the difficult situation that many community legal centres already face and it has disrupted their ability to adequately plan and allocate resources.<sup>33</sup>

1.50 The committee notes that the level of concern over these funding cuts has prompted all state and territory Attorneys-General to write to the federal Attorney-General asking that the cuts be reversed and that no further funding reductions be made as it would affect the most vulnerable and disadvantaged in the community. The federal Attorney-General has responded that he is considering the letter in the context of the upcoming federal budget.<sup>34</sup>

1.51 Another important reform in the legal space is the harmonisation of the domestic violence order (DVO) system so that a protection order issued in one jurisdiction is automatically recognised in others.

1.52 The Commonwealth is committed to making DVOs consistent across jurisdictions as part of the National Plan's First Action Plan which called them an 'immediate national initiative'.<sup>35</sup> With no progress apparent, in late January 2015, the government announced the implementation of a 'National Domestic Violence Order Scheme' would be a priority for COAG in 2015.<sup>36</sup>

1.53 While welcoming the renewed commitment by the commonwealth government to progress this issue, given the time elapsed since it was first announced, the committee urges all jurisdictions to work through COAG to have this framework in place as soon as possible.

1.54 The committee has also heard of the need for better training of magistrates, judges and court reporters across all legal systems responding to family and domestic

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32 See the Budget measure "Legal Aid — withdrawal of additional funding" in the *Commonwealth Budget 2014-15, Budget Paper 2: Expense Measures*, p. 60.

33 Christopher Knaus, 'Vulnerable Canberra Women turned away from legal services and refuge as funds dry up' *Canberra Times*, 4 March 2015.

34 Naomi Woodley, Lisa Mosley and Anna Henderson, 'States and territories unite in fight against legal assistance funding cuts', *ABC News online*, 7 March 2015. The committee also notes evidence from the 10 March 2015 Darwin hearing indicating that in addition to the cuts, the way funding through the Attorney-General's Department is distributed in the Northern Territory will change, which is causing further uncertainty, see Ms Melanie Warbrooke, Acting Managing Solicitor, Top End Women's Legal Service, *Proof Committee Hansard*, 10 March 2015, pp 2-3. See also tabled document 10, tabled 10 March 2015 by Law Society of NT available from: [www.apf.gov.au/Parliamentary\\_Business/Committees/Senate/Finance\\_and\\_Public\\_Administration/Domestic\\_Violence/Additional\\_Documents](http://www.apf.gov.au/Parliamentary_Business/Committees/Senate/Finance_and_Public_Administration/Domestic_Violence/Additional_Documents).

35 *National Implementation Plan for the First Action Plan 2010-2013: Building a Strong Foundation* (2012), p. 23, 29.

36 The Hon Tony Abbott MP, 'COAG agenda to address ending violence against women', *Media release*, 28 January 2015.

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violence cases, and the availability of legal aid to clients to challenge family reports, which may inaccurately reflect situations involving domestic violence.

### ***Long term support***

1.55 Victims of domestic violence have an ongoing need for support as they work to re-establish their lives, far beyond the immediate point at which violence occurs. Many victims live precariously for a long period of time after the initial crisis as they, and their children, struggle to manage emotionally and financially.

1.56 Access to safe and affordable long term accommodation in these circumstances is critical. Without access to this accommodation a victim of domestic violence potentially faces the choice between homelessness or returning to a violent partner. Given the importance of being able to access affordable housing, the committee is concerned that the commonwealth government is cutting funding to affordable housing policies.

1.57 In the 2014-15 Budget, the government announced that it is not proceeding with the next round of the National Rental Affordability Scheme (NRAS). NRAS was identified in the National Plan as one way in which the Commonwealth would be working together with the states and territories to increase the supply of affordable housing.

1.58 In addition to the defunding of NRAS, the commonwealth government announced in the 2014-15 Budget that it would only be funding the National Partnership Agreement on Homelessness (NPAH) until the end of June 2015. The Second Action Plan stated that:

Under the 2013-14 [NPAH], 180 homelessness initiatives receive[d] funding to assist both those who are homeless and those at risk of homelessness across Australia. Of [those] 180 homelessness initiatives, 39 contribute to support services for women and children experiencing domestic and family violence....

The 2014-15 NPAH will give the Government time to look at what improvements can be made to more effectively response to the causes of homelessness and achieve lasting reductions in the number of homeless Australians.<sup>37</sup>

1.59 Evidence to the committee referred to initiatives funded under the NPAH, such as the 'Safe at Home' program, which supports women and children to remain in their own homes.<sup>38</sup> While the extension of NPAH for a further 12 months was welcomed, it was noted that the confirmation of just one year of funding will create uncertainty.<sup>39</sup>

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37 *Second Action Plan 2013-16*, p. 12.

38 Women with Disabilities Victoria, *Submission 50*, p. 27.

39 See for example National Family Violence Prevention Legal Services Forum, *Submission 51*, p. 22.

1.60 The committee also notes the \$44 million cut to capital expenditure on new shelters and emergency accommodation under the National Partnership Agreement on Homelessness announced in the May 2014 budget<sup>40</sup> as well as the December 2014 announcement cutting \$21 million over four years from housing and homelessness peak bodies<sup>41</sup> which will affect accommodation available for victims of domestic violence.

1.61 The effects of these cuts are being compounded by funding reforms to the homelessness sector in states such as NSW, which have reduced the number of specialist services available for victims of domestic violence.<sup>42</sup>

1.62 Aside from affordable accommodation, the committee heard evidence that current support services are focussed on crisis:

Once the immediate crisis is over, women need support with education and training to be able to enter employment. They also need support with parenting, access to health and wellbeing programs and therapeutic support. Due to resource constraints services must cease support when families are 'stable' and often this is when families need support the most. This contributes to the 'revolving door' which is far less cost effective than providing the appropriate support to a family.<sup>43</sup>

1.63 The committee was also provided with research that the cost of providing episodic crisis support – currently a woman enters the system seven times on average – is almost double the cost of a woman entering the system once and having both immediate needs met and long-term support available.<sup>44</sup>

1.64 The importance of a victim of domestic violence being able to maintain their employment was highlighted as a key factor in that person being financially stable in the long term. On this point the committee was pleased to hear of the uptake of domestic violence leave provisions in enterprise agreements and the personal stories of how this type of leave has assisted victims to re-establish their lives and maintain financial independence.<sup>45</sup>

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40 St Vincent de Paul Society, 'Vinnies: Help us to cut homelessness, not homelessness funding', *Media Release*, 2 April 2014.

41 Samantha Donovan, 'Federal Government cuts funding for housing programs, shocking peak bodies', *ABC news online*, 23 December 2014.

42 Jess Hill and Hagar Cohen, 'How funding changes in NSW locked women out of domestic violence refuges', *The Guardian*, 9 March 2015.

43 Victorian Statewide Children's Resource Program, *Submission 13*, p. 3.

44 Ms Julie Oberin, Australian Women Against Violence Alliance, *Committee Hansard*, 15 October 2014, p. 27.

45 See for example Ms Veronica Black, Finance Sector Union of Australia, *Committee Hansard*, 4 November 2014, pp 49-50.

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### *Committee view*

1.65 The committee acknowledges that addressing domestic violence is an issue which requires long term commitment from governments, stakeholders and the broader community. With the appointment of Ms Rosie Batty as Australian of the Year, there is a renewed focus on the actions and resources required to address this issue.

1.66 The committee was heartened by the high level of goodwill by all stakeholders in the area to achieve real progress and particularly the willingness of many on the service front line to tirelessly go above and beyond to assist those in need.

1.67 The committee was particularly concerned to hear that the federal funding cuts to services outlined above are already affecting the ability of stakeholders to assist those in need. This outcome is contrary to the public statements made by the federal government and the committee considers that in order to achieve real progress in this area, the commonwealth government must restore the funding cuts it has made to date and end funding uncertainty for crucial services.

1.68 The committee notes recent calls for a national crisis summit on family violence for governments to discuss coordinated judicial and social services reforms within their areas of responsibility. The committee supports recent proposals to reverse funding cuts to domestic violence services<sup>46</sup> and increase funding to frontline legal services, programs to help women stay at home and programs to increase information sharing between agencies.<sup>47</sup>

1.69 The committee welcomes the current momentum and significant effort occurring to address domestic violence. This includes the work by governments and stakeholders to progress the objectives of the National Plan and its actions plans, as well as jurisdiction-specific work such as the recent report by the Special Taskforce on Domestic and Family Violence in Queensland chaired by the Honourable Dame Quentin Bryce AD CVO and the Victorian Royal Commission into Domestic Violence. Using this work to inform all jurisdictions of effective reforms, ensuring coordinated action, and the provision of adequate resources will be key to achieving real progress in addressing domestic violence.

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46 Stephanie Anderson, 'Budget hurting domestic violence victims, Senator Says', SBS Online 6 November 2014, available at: <http://www.sbs.com.au/news/article/2014/10/23/budget-cuts-hurting-domestic-violence-victims-senator-says>. See also Senator Larissa Waters, 'Senate demands Abbott Government reverse funding cuts to domestic violence services', Media release, 12 February 2015, available at: <http://larissa-waters.greensmps.org.au/content/media-releases/senate-demands-abbott-government-reverse-funding-cuts-domestic-violence-servi>.

47 ABC News online, 'Bill Shorten calls for Tony Abbott to hold national crisis summit to tackle violence against women', 4 March 2015. See also 'National Crisis Summit on Family Violence' [www.alp.org.au/familyviolence?utm\\_campaign=famviolence&utm\\_medium=email&utm\\_source=australianlaborparty](http://www.alp.org.au/familyviolence?utm_campaign=famviolence&utm_medium=email&utm_source=australianlaborparty) and <http://www.alp.org.au/nationalcrisissummit> (accessed 5 March 2015)

**Recommendation 1**

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

**Recommendation 2**

**1.71** The committee supports the Productivity Commission recommendation<sup>48</sup> that Australian, State and Territory governments should provide an immediate funding boost to legal assistance services of \$200 million to address pressing gaps in services.

**Recommendation 3**

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

**Recommendation 4**

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

**Recommendation 5**

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

**Recommendation 6**

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

**Recommendation 7**

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

**Recommendation 8**

**1.77** The committee recommends the Commonwealth Government provide funding certainty to Australia's National Research Organisation for Women's

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48 Productivity Commission, *Access to Justice Arrangements – Productivity Commission Inquiry Report Overview* (2014), p. 62

**Safety and National Services beyond 2016 to support the completion of longer term research programs.**

**Recommendation 9**

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

**Senator Kate Lundy**

**Chair**



## Government senators' additional comments

1.1 The Commonwealth Government is committed to eliminating domestic violence in Australia and supports a non-partisan approach, as demonstrated by the continued implementation of the National Plan. It is disappointing therefore that the majority report has not acknowledged the commitments made by the government or some current initiatives in this area. It is also curious that the majority report has chosen to cross-reference its comments to various media articles, rather than comments and observations from the Committee Hansard.

1.2 These additional comments from Government Senators will provide detail of the Commonwealth Government's work to address domestic violence and comment on the recommendations contained in the committee majority report.

### *The Second Action Plan*

1.3 The Commonwealth Government is committed to the Second Action Plan under the *National Plan to Reduce Violence against Women and their Children 2010-2022*. The Second Action Plan was released by the Prime Minister on 27 June 2014 and the Commonwealth has allocated more than \$100 million over the next four years to support it. At the launch of the Second Action Plan, the Prime Minister announced:

- (a) \$3.35 million for CrimTrac to develop and test a prototype for a National Domestic Violence Order (DVO) Scheme, to strengthen the identification and enforcement of DVOs across state and territory borders.
- (b) \$1.7 million to take the next steps in developing a national data collection and reporting framework by building a more consistent basis from which to gather, analyse and use data on all aspects of violence against women and their children. This includes \$300,000 for the Australian Bureau of Statistics to augment data sets on victims and offenders.
- (c) More than \$1 million for 1800RESPECT, Australia's first national professional telephone and online counselling service, to expand its service. The new funding for 1800RESPECT is in addition to the Government's investment of \$28 million over the next four years to support existing services.

1.4 This funding is in addition to commitments to significantly fund long-term measures which include key initiatives such as 1800RESPECT, DV-alert, ANROWS, Our Watch, The Line, National Community Attitudes, Personal Safety Survey and White Ribbon.

1.5 The Commonwealth Government delivers some support and services to women who have experienced violence, including through family law, legal assistance, the social security system and some grants funding. However, state and territory governments have responsibility for delivering a range of services including

justice, policing and legal assistance for victims and perpetrators. They also fund and coordinate many services provided by the non-government sector.

1.6 To support the existing service system for women who have experienced violence, which is mainly delivered by the states and territories, the Commonwealth Government has provided funding under the National Plan for new, complementary measures such as 1800RESPECT and DV-alert. Under the National Plan the Commonwealth Government has also funded a number of other initiatives to reduce domestic and family violence – many of which are focused on primary prevention, early intervention and building evidence, to reduce violence against women and reduce the strain on services in the medium to long-term (such as Our Watch, ANROWS and The Line).

1.7 Ultimately, domestic violence requires long term and coordinated effort by all levels of government and it should be acknowledged that the measures contained in the Second Action Plan have the support of all states and territories.

1.8 Whilst Australia has been heralded internationally as a leader on dealing with violence against women, the Government has acknowledged that the level of domestic violence in our society is endemic<sup>1</sup>. In order to eliminate this scourge on society, the Government has identified that a national and coordinated approach is fundamental to making sustained and meaningful progress:

Only by working together with government, media, community and civil society organisations can we change community attitudes about gender equality and promote a nation-wide change in the culture, behaviour and attitudes that underpin violence against women.<sup>2</sup>

1.9 In addition to progressing efforts under the Second Action Plan, the Commonwealth Government has elevated the issue of violence against women to be a key area of focus for COAG in 2015:

All governments are determined to eliminate violence against women. Continued collaboration between the Commonwealth and the states and territories is crucial in achieving that objective.<sup>3</sup>

### ***Implementation of a national domestic violence order scheme***

1.10 As noted above, the implementation of a national DVO scheme was identified as a priority action under the Second Action Plan, with CrimTrac being funded to develop a National DVO Information Sharing System to enable courts and police in different jurisdictions to share information on active DVOs in real time. Jurisdictions have also been considering model legislation for a National DVO scheme to enable

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<sup>1</sup> Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, 'International Day for the Elimination of Violence against Women', Media release, 25 November 2014.

<sup>2</sup> Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, 'National Domestic Violence Summit 2014', Media release, 8 December 2014.

<sup>3</sup> Prime Minister of Australia, the Hon Tony Abbott MP and Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, 'COAG agenda to address ending violence against women', Media release 28 January 2015.

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mutual recognition and enforcement of DVOs across all jurisdictions. The current Government has chosen to expedite this process by making it a particular item of focus for the 2015 COAG agenda:

Under the scheme, if a protection order is issued in one state, it will apply in all states. Work on a national DVO scheme commenced in 2014 and it must be a priority for COAG.<sup>4</sup>

### ***Holding perpetrators accountable and online safety***

1.11 The work being undertaken by COAG will also include:

- (a) the development of a set of national outcome standards for perpetrator interventions, to hold them and the services and systems that deal with them to account; and
- (b) the enactment of a national approach to dealing with online safety and the misuse of technology so that women can be protected against newer forms of abuse.<sup>5</sup>

1.12 The Second Action Plan also highlights perpetrator interventions as a priority, with the Commonwealth Government offering \$4 million to support states and territories to make the changes required to fully implement national outcome standards for perpetrator interventions. Furthermore, the Second Action Plan highlights the development of a specific research stream on perpetrator interventions - the research by ANROWS will consider what works and will support the implementation of national outcome standards for perpetrator interventions.

### ***Advisory panel***

1.13 To advise COAG, the Prime Minister has established an Advisory Panel on violence against women with retired Victorian Police Commissioner Mr Ken Lay APM, and the 2015 Australian of the Year, Ms Rosie Batty as founding members.<sup>6</sup> The panel will consist of a limited number of members with a broad range of relevant expertise and the final composition of the panel will be announced in due course.

### ***National awareness campaign***

1.14 The Commonwealth Government understands the need for primary prevention measures to change attitudes and behaviours in the community and that it has a key role in this area in terms of leadership and coordination.

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<sup>4</sup> Prime Minister of Australia, the Hon Tony Abbott MP and Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, 'COAG agenda to address ending violence against women', Media release, 28 January 2015.

<sup>5</sup> Prime Minister of Australia, the Hon Tony Abbott MP and Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, 'COAG agenda to address ending violence against women', Media release, 28 January 2015.

<sup>6</sup> Prime Minister of Australia, the Hon Tony Abbott MP and Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, 'COAG agenda to address ending violence against women', Media release, 28 January 2015.

1.15 In addition to the range of measures outlined in the Second Action Plan that focus on primary prevention, the Commonwealth Government will also be working with state and territory governments to deliver a \$30 million jointly funded national awareness campaign.<sup>7</sup>

1.16 The national campaign will raise awareness in the community that violence against women should not be tolerated:

We need to lift community understanding of the prevalence of this epidemic in our society and encourage all Australians to raise their voices to say that verbal intimidation and physical violence against women and children is never ever acceptable.<sup>8</sup>

### *App to find support services*

1.17 The government has also recognised the fragmented approach to assisting victims of domestic violence and the need to better coordinate and simplify the system:

We must ensure systems across Australia work effectively to provide better, more integrated support to women and we must simplify the complex maze of services victims of domestic and family violence are expected to navigate.<sup>9</sup>

1.18 Another initiative under the Second Action Plan is a new mobile app launched on 5 March 2015 to enable women experiencing violence to find specialist support services. The 'Daisy' app has been developed by 1800RESPECT<sup>10</sup> and was funded by the commonwealth government Department of Social Services (DSS):

In an Australian first, Daisy empowers women experiencing gendered violence to access services for their own unique situation – from specialist services, to legal support and advice, through to crisis accommodation – all from the one place.<sup>11</sup>

1.19 The Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash noted:

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<sup>7</sup> Prime Minister of Australia, the Hon Tony Abbott MP and Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, 'National awareness campaign to reduce violence against women and children', Media release, 4 March 2015.

<sup>8</sup> Prime Minister of Australia, the Hon Tony Abbott MP and Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, 'National awareness campaign to reduce violence against women and children', Media release, 4 March 2015.

<sup>9</sup> Prime Minister of Australia, the Hon Tony Abbott MP and Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, 'COAG agenda to address ending violence against women', Media release, 28 January 2015.

<sup>10</sup> A national counselling helpline providing information and support:  
<https://www.1800respect.org.au/> (accessed 13 March 2015)

<sup>11</sup> Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, 'New app connect women experiencing violence to specialist support' Media release, 5 March 2015.

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As responding to violence requires a whole-of-government approach, Daisy also lists essential legal, housing, finance and children's services.<sup>12</sup>

### ***Focus on the needs of diverse groups of women***

1.20 The Government recognises the challenges faced by different groups of women and the Second Action plan has a particular focus on women from culturally and linguistically diverse (CALD) backgrounds, women with disability and indigenous women:

...more needs to be done to reduce violence against particular groups of women. The Second Action Plan focusses on deepening our understanding of diverse experiences of violence, including the experiences of Indigenous women, women from CALD communities and women with disability. We will also work with diverse communities to prevent violence and meet the needs of women who can be more vulnerable to violence, recognising that these women may require a range of targeted responses.<sup>13</sup>

1.21 There are a number of specific action items within the Second Action Plan that focus on these diverse groups.

1.22 Specifically in relation to CALD women: the Second Action Plan has been translated into 12 different languages;<sup>14</sup> 1800RESPECT has improved its website by translating content into 28 languages, is developing resources for workers in CALD and Indigenous services and is exploring ways to appropriately support victims of complex violence, including forced and servile marriage; the Department of Social Services has held nearly 30 *kitchen tables conversations* around Australia with CALD women and their communities on reducing violence; the Government has provided an additional \$1 million in funding for the White Ribbon Foundation to increase engagement with CALD and indigenous communities;<sup>15</sup> and, on 3 March 2015, the Government announced that the Commonwealth would allocate \$120,000 over two years to assist women from CALD backgrounds navigate the court system:

This initiative will work to effect cultural change across the Australian court system, making every point of engagement more accessible for vulnerable CALD women – from dealings with court officials and administrators, to the sensitivity of the judge during proceedings.<sup>16</sup>

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<sup>12</sup> Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, 'New app connect women experiencing violence to specialist support' Media release, 5 March 2015.

<sup>13</sup> *Second Action Plan 2013-2016: Moving Ahead*, page 23.

<sup>14</sup> Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, 'Translated material available to assist vulnerable women', Media release, 21 October 2014.

<sup>15</sup> Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, 'International Day for the Elimination of Violence Against Women', Media release, 25 November 2013.

<sup>16</sup> Prime Minister, the Hon Tony Abbott and the Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, 'Support for Culturally and Linguistically Diverse Women', Media release, 3 March 2015.

1.23 CALD communities will be consulted to develop a national framework for use across the courts which will include guidelines, protocols and training.<sup>17</sup>

1.24 Government Senators also want to draw particular attention to the Government's \$6 million investment in the Northern Territory's Domestic and Family Violence Reduction Strategy 2014-2017.<sup>18</sup> This strategy will establish an integrated system of individual and local responses to improve the safety of indigenous women and children, as well as make perpetrators responsible for their actions and support them to change their offending behaviour. The strategy recognises that the demographic, geographic, economic and historic characteristics of the Northern Territory differ extensively from other Australian jurisdictions<sup>19</sup> and recognises the link between alcohol and domestic violence:

The association between alcohol and domestic violence in the NT is clearly evident. In the 12 months to June 2014, 61% of assaults in the NT were domestic violence related and alcohol was a factor in 64.4% of these assaults.<sup>20</sup>

1.25 The strategy outlines a number of alcohol management measures which have resulted in a reduction in alcohol related harm and has an emphasis on supporting local communities and stakeholders to develop local solutions to alcohol related harm.<sup>21</sup> Government Senators would also like to highlight that the NT Minister for Women's Policy, the Hon Bess Nungarrayi Price MLA voluntarily spoke with the committee at its Darwin hearing – and has been the only minister to do so to date.

### ***Longer term funding***

#### **DSS Grants Funding**

1.26 Government Senators acknowledge the ultimate aim of the Department of Social Services' competitive tender, namely to reduce red tape and improve productivity. Government Senators understand that, in implementing the heavily over-subscribed grants round, the Government has focused on delivering support to front line services in critical areas (as opposed to funding policy or advocacy services), ensuring efficiency and effective use of tax-payer money. Government Senators acknowledge that Minister Morrison has announced \$17 million in savings that will be reinvested into essential frontline services in these areas and that bridging funding has also been announced. DSS is also identifying any potential front-line service gaps

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<sup>17</sup> Prime Minister, the Hon Tony Abbott and the Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash, 'Support for Culturally and Linguistically Diverse Women', Media release, 3 March 2015.

<sup>18</sup> Northern Territory Government, *Submission 158*, p. 16. See also: Minister Assisting the Prime Minister for Women, Senator the Hon Michaelia Cash and Northern Territory Minister for Women's Policy, The Hon Bess Price, '\$18 million to reduce domestic and family violence', Media release, 19 September 2014.

<sup>19</sup> Northern Territory Government, *Submission 158*, p. 3.

<sup>20</sup> Northern Territory Government, *Submission 158*, p.12.

<sup>21</sup> Northern Territory Government, *Submission 158*, p. 20.

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that may emerge in critical areas during the transition from former services providers to new ones.

1.27 The new DSS grants process will also allow for longer term grant agreements, where appropriate, to offer certainty in service delivery. Given the long term effort required to address domestic violence, government senators would see value in funding community service groups using a multi-year approach to reduce the level of uncertainty and allow adequate future planning for research, resources and staff.

#### National Partnership Agreement on Homelessness

1.28 Specifically in relation to the National Partnership Agreement on Homelessness (NPAH), Government Senators note that there have been no cuts to frontline housing or homelessness services or to the NPAH. Government Senators also acknowledge that the former Government made no future provision for funding, beyond 30 June 2014, in the forward estimates. Accordingly, the Coalition Government extended funding for the NPAH for one year to provide certainty and that future funding is being considered in the context of the 2015/16 Budget (as is appropriate given the former Government had not provided any future funding beyond 30 June 2014).

1.29 The Commonwealth is also considering longer-term arrangements for the roles and responsibilities in the delivery of housing and homelessness services in the context of the White Paper on the Reform of the Federation. Public submissions will be invited on the Green Paper, which will be released in the second half of 2015.

#### National Rental Affordability Scheme

1.30 Government Senators note that the \$4.5 billion dollar National Rental Affordability Scheme (NRAS) had been established with the aim to provide affordable rental accommodation – not to provide emergency accommodation for women escaping violence. It is understood that the NRAS was a poorly designed and deeply flawed scheme: it was not restricted to community housing groups and was not appropriately managed or monitored, with widespread roting.

#### Legal Funding

1.31 Government Senators note that the Commonwealth Government will provide \$1.3 billion over the next four years to support frontline legal services to vulnerable Australians. Under current funding arrangements, legal assistance services are still able to make submissions to government or parliamentary bodies to provide factual information and/or advice about systemic issues affecting access to justice for disadvantaged people. The Government upholds the right for service providers to undertake lobbying and advocacy activities however believes that this should not be done with Commonwealth funding that is needed to provide direct services to disadvantaged Australians.

***Recommendations***

1.32 Government senators note the interim report was developed to enable the outgoing chair, Senator Kate Lundy to outline the work and directions of the committee to date prior to her departure. This brief interim report has recommendations which go much further than this, many with no evidence to support them in the text and or a lack of clarity around who is to implement them. Therefore until the final report is presented, government senators will reserve their views, but do make the following general comments.

- (a) The Government has elevated the issue of domestic violence to COAG. Many of the recommendations and concerns raised in the report (for example: increased coordination and communication between legal systems across jurisdictions, expediting the harmonisation of intervention orders across jurisdictions and information sharing, national perpetrator standards) have already been identified by the Government as priority issues for consideration at COAG or alternatively as action items under the National Plan, where work is continuing to be progressed by the Government.
- (b) The interim report also fails to appropriately delineate the responsibilities of the Commonwealth as opposed to States and Territories in relation to the delivery of services.
- (c) The Government has taken significant measures to ensure that funding is directed to the most vulnerable in our society. However any determinations made in relation to funding across government, need to be considered in the context of Australia's poor fiscal outlook. The future implications of Australia's debt, and the potential for it to continue to grow, are great. Government Senators believe that in fairness to vulnerable Australians – now, and future generations – the Government must ensure sustainability and affordability of expenditure.
- (d) There should be a greater focus by the committee on the overarching role of the National Plan, in particular the purpose and expectations of each of the four action plans and the progress that will be seen throughout the life of the 12 year plan. For example, the current Second Action Plan's purpose is "moving ahead", and sets out five national priorities which the Government is progressing. It is only in the Third and Fourth Action Plans that cultural change is expected to have progressed to the point where there is a reduction in the prevalence of domestic violence and sexual assault; greater awareness of respectful relationships and an increased proportion of women who feel safe in their communities.

1.33 Important and substantial work is already underway to prevent violence, raise awareness, assist women and hold perpetrators to account and the government is committed to progressing this work in partnership with the state and territories. Government Senators look forward to contributing to the committee's final report.

Senator Cory Bernardi

Senator Dean Smith



# **APPENDIX 1**

## **Submissions and additional information received by the committee**

### **Submissions**

- 1 Phoenix House
- 2 SunnyKids
- 3 National Foundation for Australian Women
- 4 Australian Women's Health Network
- 5 Jann
- 6 Non-Custodial Parents Party (Equal Parenting)
- 7 Association of Women Educators
- 8 Mr Hans Ekblad
- 9 No To Violence Male Family Violence Prevention Association
- 10 Gold Coast Domestic Violence Prevention Centre Inc
- 11 Geoff
- 12 St Vincent de Paul National Council
- 13 Victorian State-wide Children's Resource Program
- 14 Australian Institute of Family Studies
- 15 The Australian National Committee for UN Women
- 16 Inner Melbourne Community Legal and the Royal Women's Hospital
- 17 Law Society Northern Territory
- 18 Family Planning NSW
- 19 Family and Relationship Services Australia
- 20 Women's Health and Wellbeing Barwon South West
- 21 Women's Health West
- 22 Family Law Council
- 23 One in Three Campaign
- 24 Mr Bruce Bickerstaff
- 25 Dr Deborah Walsh
- 26 National Association of Community Legal Centres and Women's Legal Services  
Australia
- 27 Office of the Public Advocate
- 28 Central Coast Community Women's Health Centre
- 29 CASE for Refugees
- 30 McAuley Community Services for Women
- 31 Muslim Women Association
- 32 Lone Fathers Association (Australia)
- 33 Women's Health in the North
- 34 Children by Choice
- 35 Central Coast CALD Domestic Violence Sub-Committee
- 36 Western metro Melbourne Local Government partnership

- 37 Women's Health Queensland Wide Inc
- 38 Coalition of Women's Domestic Violence Services South Australia
- 39 Queensland Indigenous Family Violence Legal Service
- 40 WIRE Women's Information
- 41 Hunter Community Legal Centre
- 42 Mrs Ana Borges
- 43 Oz Kiwi
- 44 Emanuel
- 45 Beryl Women Inc
- 46 ACTU
- 47 Women's House Shelta
- 48 Aboriginal Family Law Services (WA)
- 49 YWCA Australia
- 50 Women with Disabilities Victoria
- 51 National Family Violence Prevention Legal Services Forum
- 52 Thai Information and Welfare Association
- 53 Victorian Health Promotion Foundation (VicHealth)
- 54 Federation of Ethnic Communities' Councils of Australia
- 55 Anglicare WA
- 56 Finance Sector Union of Australia
- 57 Commonwealth Department of Social Services
- 58 Caroline
- 59 Equality Rights Alliance
- 60 Women's Health Victoria
- 61 Women's Health in the South East
- 62 Australian Women Against Violence Alliance
- 63 South Australian Premier's Council for Women
- 64 National Aboriginal and Torres Strait Islander Women's Alliance
- 65 Ms Rebecca Clark
- 66 Brimbank Melton Community Legal Centre
- 67 Women's Legal Centre (ACT and Region)
- 68 Australia's National Research Organisation for Women's Safety Limited
- 69 Melton City Council
- 70 SHE
- 71 Neville
- 72 Youth Affairs Council of South Australia (YACSA)
- 73 Aboriginal Family Violence Prevention and Legal Service Victoria
- 74 Dr. Elizabeth Celi
- 75 ACON
- 76 Revd Brian Tucker
- 77 Municipal Association of Victoria
- 78 The Australian Family Association, Queensland Branch
- 79 MurrayLands Domestic Violence Service
- 80 Sisters Inside
- 81 The Aged-care Rights Service Inc (TARS)
- 82 Victorian Equal Opportunity and Human Rights Commission

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- 83 Western Australian Women's Health Network
  - 84 Caboolture Regional Domestic Violence Service
  - 85 Albert
  - 86 WEAVE
  - 87 Mr Paul Mischefski
  - 88 Queensland Domestic Violence Network
  - 89 Women's Council for Domestic and Family Violence Services (WA)
  - 90 Save the Children
  - 91 Mr Rod Bennett
  - 92 Victoria Police
  - 93 National Aboriginal and Torres Strait Islander Legal Services
  - 94 White Ribbon Australia
  - 95 The Royal Australian and New Zealand College of Psychiatrists
  - 96 Destroy The Joint
  - 97 Multicultural Centre for Women's Health
  - 98 Violence Free Families
  - 99 EMR Regional FV Partnership & Together for Equality & Respect
  - 100 Domestic Violence Prevention Council (ACT)
  - 101 Women's Centre for Health Matters
  - 102 Springvale Monash Legal Service
  - 103 Domestic and Family Violence Crisis Lines Australia Network (DFVCLAN)
  - 104 Women's Legal Services NSW
  - 105 ACT Women's Services Network
  - 106 The Salvation Army
  - 107 Wadeye Safe House
  - 108 Women's Legal Service Inc. (Queensland)
  - 109 Women's Domestic Violence Crisis Service (WDVCS) Victoria
  - 110 Eastern Community Legal Centre
  - 111 Top End Women's Legal Service
  - 112 Women's Legal Service Victoria
  - 113 National LGBTI Health Alliance
  - 114 Australasian Centre for Human Rights and Health
  - 115 Federation of Community Legal Centres (Victoria)
  - 116 Inner City Legal Centre
  - 117 Tasmanian Government
  - 118 Western Australian Police
  - 119 Australian Psychological Society
  - 120 University of Melbourne
  - 121 ACT Government
  - 122 The Law Society of New South Wales
  - 123 Domestic Violence Resource Centre Victoria
  - 124 Domestic Violence Victoria
  - 125 Good Shepherd Australia New Zealand and Wyndham Legal Service
  - 126 Australian Guardianship and Administration Council
  - 127 Family and Domestic Violence Advisory Group
  - 128 South Australian Government

- 129 Redfern Legal Centre
- 130 Law Council of Australia
- 131 Relationships Australia
- 132 Women with Disabilities ACT
- 133 The Australian Human Rights Commission
- 134 Aboriginal Peak Organisations Northern Territory
- 135 Central Australian Women's Legal Service
- 136 Mr Alan Corbett
- 137 Queensland Police Service
- 138 InTouch, Multicultural Centre against Family Violence
- 139 Mr Steve Wickenden
- 140 NSW Government
- 141 Foundation to Prevent Violence against Women and their Children
- 142 National Cross-Disability Disabled People's Organisations
- 143 Mr Mercurio Cicchini
- 144 Foundation for Alcohol Research and Education
- 145 Ms Rosemary Batty
- 146 SOS Women's Services
- 147 The Honourable Diana Bryant AO, Chief Justice, Family Court of Australia
- 148 Merinda
- 149 Mr Robert Kennedy
- 150 Safe Futures Foundation
- 151 Families Australia
- 152 Independent Regional Mothers
- 153 Australian Liquor Stores Association
- 154 Victorian Government
- 155 RiSE Queensland
- 156 VANISH Inc.
- 157 Secretariat of National Aboriginal and Islander Child Care
- 158 Northern Territory Government
- 159 ACT Domestic Violence Crisis Centre (DVCS)
- 160 Daydawn Advocacy Centre
- 161 Government of Western Australia, Department of Housing
- 162 Women with Disabilities (WWDA) and University of NSW (UNSW)
- 163 James Cook University Australia, Brain Injury Australia and The Cairns Institute

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### **Additional information**

- 1 Correspondence from Minister Assisting the Prime Minister for Woman, Senator the Hon Michaelia Cash, received 13 August 2014
- 2 Correspondence from FECCA Woman's Chair, Ms Pallavi Sinha, received 31 October 2014
- 3 Correspondence from Women's Legal Service, received 10 November 2014
- 4 Correspondence from Department of Social Services, received 7 November 2014
- 5 Additional information from Finance Sector Union of Australia, received 26 November 2014
- 6 Correspondence from Department of Foreign Affairs and Trade, received 5 December 2014

### **Answers to Questions taken on Notice**

- 1 Answer to question taken on notice from Melbourne Public hearing, 5 November 2014, provided by No to Violence, received 16 November 2014
- 2 Answer to question taken on notice from Canberra Public hearing, 15 October 2014, provided by the Attorney-General's Department and the Department of the Prime Minister and Cabinet, received 6 November 2014
- 3 Answer to question taken on notice from Melbourne Public hearing, 5 November 2014, provided by inTouch Multicultural Centre against Family Violence, received 25 November 2014
- 4 Answer to question taken on notice from Sydney Public hearing, 4 November 2014, provided by Finance Sector Union of Australia, received 26 November 2014
- 5 Answer to question taken on notice from Melbourne Public hearing, 5 November 2014, provided by Federation of Community Legal Centres, received 16 November 2014
- 6 Answers to questions taken on notice from Brisbane Public hearing, 6 November 2014, provided by National Aboriginal and Torres Strait Islander legal Services, received 1 December 2014
- 7 Answers to questions taken on notice from Sydney Public hearing, 4 November 2014, provided by Australia's National Research Organisation for Women's Safety, received 1 December 2014
- 8 Answers to questions taken on notice from Canberra Public hearing, 15 October 2014, provided by Family and Relationship Services Australia, received 3 December 2014
- 9 Answer to question taken on notice from Melbourne Public hearing, 5 November 2014, provided by Domestic Violence Resource Centre Victoria, received 8 December 2014
- 10 Answer to question taken on notice from Canberra Public hearing, 15 October 2014, provided by Women's Legal Services Australia, received 8 January 2015

- 11 Answer to question taken on notice from Melbourne Public hearing, 5 November 2014, provided by Violence Free Families, received 14 January 2015

# **APPENDIX 2**

## **Public Hearings**

*Friday, 12 September 2014*  
*Cliftons, level 1, 440 Collins Street*  
*Melbourne*

### **Witnesses**

#### **Foundation to Prevent Violence Against Women and their Children (Our Watch Campaign)**

Mr Paul Linossier, Chief Executive Officer

Ms Emily Maguire, Acting Director, Policy and Evaluation Director

#### **Victorian Health Promotion Foundation (VicHealth)**

Ms Irene Verins, Manager of Mental Wellbeing

Ms Liz Murphy, Senior Project Officer

#### **Ms Rosemary Batty, Private capacity**

#### **Domestic Violence Victoria**

Ms Fiona McCormack, Chief Executive Officer

#### **Victoria Police**

Detective Superintendent Rod Jouning, Sexual and Family Violence Division  
Victoria Police

Ms Claire Waterman, Manager Policy and Projects

#### **Women's Health West**

Ms Annarella Hardiman, Health Promotion Manager

Ms Sally Camilleri, Health Promotion Coordinator

Ms Tess La Fontaine, Acting Family Violence Manager

#### **Women's Health Association Victoria Inc (WHA V)**

Ms Patricia Kinnersly

***Wednesday, 15 October 2014***  
***Senate Committee room 2S1***  
***Parliament House, Canberra***

### **Witnesses**

#### **Domestic Violence Prevention Council (ACT)**

Ms Marcia Williams, Chair

Ms Mirjana Wilson, Executive Director, ACT Domestic Violence Crisis Service

Ms Chyristina Stanford, Chief Executive Officer, Canberra Rape Crisis Centre

Mr Greg Aldridge, Managing Director, Canberra Men's Centre

#### **Women's Services Network**

Ms Marcia Williams, Executive Director, Women's Centre for Health Matters

Ms Jill Kelly, Chief Executive Officer, Inanna Inc

Ms Angie Piubello, Acting Manager, Beryl Women Inc

#### **Mr John Hinchey, ACT Victims of Crime Commissioner and Chair of the Family Violence Intervention Program**

#### **Australian Women Against Violence Alliance**

Ms Julie Oberin, Chairperson

Ms Maria Delaney, Advisory Group Member

Ms Sophie Hardefeldt, Program Manager

#### **Federation of Ethnic Communities' Councils of Australia**

Ms Pallavi Sinha, Women's Chair

Dr Casta Tungaraza, Member, New and Emerging Policy Advisory Committee

#### **Women's Legal Centre (ACT and Region)**

Ms Rhonda Payget, Principal Solicitor and Co-conveyor of Women's Legal Services Australia Network

#### **Family and Relationship Services Australia (*Submission 19*)**

Ms Jackie Brady, Executive Director

Ms Rose Beynon, Senior Policy Officer

#### **Commonwealth Department of Social Services (*Submission 57*)**

Ms Cate McKenzie, Group Manager, Multicultural, Settlement Services and Communities Group

Miss Amy Laffan, Acting Branch Manager, Family Safety Branch

#### **Office for Women (Department of the Prime Minister and Cabinet)**

Ms Helen McDevitt, First Assistant Secretary, Social Policy Division

Ms Kate Wallace, Acting Assistant Secretary, Office for Women

Ms Caroline Edwards, First Assistant Secretary, Community Safety and Policy

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Division

**Attorney-General's Department**

Ms Tracy Ballantyne, Acting Assistant Secretary Family Law Branch

Ms Elizabeth Quinn, Acting Assistant Secretary, Legal Assistance Branch

*Tuesday, 4 November 2014*

*The Macquarie Room*

*Parliament House, Sydney*

**Witnesses**

**Australia's National Research Organisation for Women's Safety Limited**

Dr Mayet Costello, Research Manager

**White Ribbon Australia**

Ms Libby Davies, Chief Executive Officer

Dr Christina Jarron, Business Development and Social Impact Manager

**National Aboriginal and Torres Strait Islander Women's Alliance**

Associate Professor Dea Delaney-Thiele, Chief Executive Officer

Ms Denise Burdett, Member

**One in Three Campaign**

Mr Greg Andresen, Senior Researcher

Mr Andrew Humphreys, Spokesperson

**Aids Council of NSW**

Mr Alan Brotherton, Director, Policy Strategy & Research

Ms Shannon Wright, Director, Community Health and Regional Services

**Inner City Legal Centre**

Mr Daniel Stubbs, Director

Ms Julie Howes, Solicitor (Safe Relationships Project)

**National Association of Community Legal Centres and Women's Legal Services  
Australia**

Ms Amanda Alford, Deputy Director, Policy and Advocacy

Ms Liz Snell, Law Reform and Policy Coordinator, Women's Legal Service NSW  
appearing on behalf of WLSA

**Redfern Legal Centre**

Ms Jacqui Swinburne, Acting CEO

Ms Elizabeth Morley, Principal Solicitor

**Finance Sector Union of Australia**

Ms Veronica Black, National Coordinator Organising and Development

*Wednesday, 5 November 2014*

*Legislative Council Committee Room*

*Parliament House, Melbourne*

**Witnesses**

**Domestic Violence Resource Centre Victoria**

Ms Virginia Geddes, Executive Officer

Ms Libby Eltringham, Community Legal Worker

**No to Violence**

Mr Rodney Vlasis, Acting Chief Executive Officer

**Violence Free Families**

Dr David Smyth, Chairman

**Federation of Community Legal Centres**

Dr Chris Atmore, Senior Policy Adviser

**InTouch, Multicultural Centre against Family Violence**

Ms Maya Avdibegovic, Chief Executive Officer

Ms Elizabeth Becker, Principal Lawyer

**Women with Disabilities Victoria**

Ms Keran Howe, Executive Director

Ms Jen Hargrave, Policy Officer

**Office of the Public Advocate**

Mr John Chesterman, Manager, Policy and Education

**Aboriginal Family Violence Prevention and Legal Service Victoria**

**National Family Violence Prevention Legal Services Forum**

Ms Antoinette Braybrook, Chief Executive Officer (AFVPLS Victoria) and National Convenor (National FVPLS Forum)

Ms Laura Vines, Policy Officer of FVPLS Victoria

Dr Alisoun Neville, Manager of the National FVPLS Forum Secretariat

**Dr. Elizabeth Celi, Founder/ Manager, Elements Integrated Health Consulting**

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**Thursday, 6 November 2014**  
**Cliftons, Level 3, 288 Edward Street**  
**Brisbane**

**Witnesses**

**Women's Legal Service Inc. (Queensland)**

Ms Angela Lynch, Community Legal Education Lawyer  
Ms Rosilyn Monro, Coordinator

**Women's House Shelta**

Ms Barbara Crossing, Collective Member  
Ms Chantal Eastwell, Collective Member  
Ms Hannah Banfield, Collective Member

**National Aboriginal and Torres Strait Islander Legal Services**

Ms Lisa Stewart, Barrister Child Protection, Aboriginal and Torres Strait Islander  
Legal Service Qld (a NATSILS member organisation)

**Domestic and Family Violence Crisis Lines Australia Network (DFVCLAN)**

Ms Diane Mangan, Chief Executive Officer, DV Connect Queensland  
Ms Annette Gillespie, Chief Executive Officer, Women's Domestic Violence Crisis  
Service of Victoria

**RiSE Queensland**

Ms Bronwyn Rees, Founder RiSE Queensland  
Ms Jodie Woodrow, Personal Assistant

**Queensland Domestic Violence Network**

Ms Judith Marshall, Service Manager, Mackay Service  
Ms Pauline Woodridge, Convenor (QDSN) and Coordinator, Townsville service  
Ms Gabrielle Borggaard, Manager, Ipswich service

**Tuesday, 10 March 2015**  
**Litchfield Room, Parliament House**  
**Darwin**

**Witnesses**

**Top End Women's Legal Service**

Ms Melanie Warbrooke, Senior Solicitor

**Law Society Northern Territory**

Mr Tas Liveris, President  
Ms Megan Lawton, Chief Executive Officer

**Darwin Aboriginal and Islander Women's Shelter**

Ms Regina Bennett, Coordinator

Mr Michael Torres, Men's Outreach Worker

**Aboriginal Peak Organisations Northern Territory**

Mr John Paterson, CEO, Aboriginal Medical Services Alliance Northern Territory

Mr Joe Morrison, Chief Executive Officer, Northern Land Council

Dr David Cooper, Advocacy and Policy Manager

Mr Robert Dalton, Policy Adviser, Northern Land Council

Ms Olga Haven, Chief Executive Officer, Danila Dilba Health Service

Mr Jared Sharp, Manager, Law and Justice Projects, North Australian Aboriginal Justice Agency

**Dawn House**

Ms Susan Crane, Executive Officer

**Amity Community Services Inc.**

Mr Bernard Dwyer, Chief Executive Officer

Ms Susan Crane, Executive Officer, Dawn House Incorporated

**Northern Territory Police**

Acting Assistant Commissioner Peter Bravos

**Alice Springs Women's Shelter**

Ms Dale Wakefield, Coordinator

**Northern Territory Government**

Minister for Women's Policy, Hon Bess Nungarrayi Price MLA

Mr Mike Chiodo, Chief Executive, Department of Local Government and Community Services, Northern Territory

Ms Jo Sangster, Director, Domestic Violence Directorate, Department of the Attorney-General and Justice, Northern Territory

Ms Noeline Swanson, Executive Director, Community Services and Strategy, Department of Health and Families, Northern Territory

**Mr Charlie King, Chair, Indigenous Male Advisory Council**