

## **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

