

## **Additional comments by Labor Senators**

1.1 Labor Senators believe it is important to achieve an agreed report on this issue of national importance and have undertaken consultation with the government members of the committee to achieve this. Multi-party support for the National Plan to Reduce Violence Against Women and their Children which was commenced by Labor in office (2010-2022) is critical to ensuring continuation of national action focused on prevention, research, awareness and essential services by all governments. There are, however, a number of areas where Labor Senators wish to make further comment as outlined below.

### **Lack of funding for domestic violence services in the 2015-16 Budget**

1.2 Labor Senators are disappointed that the 2015-16 Budget did not do more to address the impact of domestic violence or reverse cuts to essential community services made in the 2014-15 Budget. The Labor Women's Budget Reply Statement, released on 14 May 2015 highlights the cuts to legal and frontline services and their impact on support available to people experiencing domestic violence, which will be discussed below.<sup>1</sup>

1.3 Labor Senators welcome the 2015-16 Budget's contribution of \$16.7 million towards a public awareness campaign to reduce violence against women and their children, which will be delivered in conjunction with the states and territories, noting the critical role of prevention strategies in addressing domestic violence.<sup>2</sup>

1.4 Labor Senators are concerned that the 2015-16 Budget does not do more to support the domestic violence sector, particularly as any public awareness campaign is likely to result in increased rates of reporting, and therefore an increased demand on services.

1.5 The issue of violence against women and their children is a national emergency and public attention on the issue has increased recently. It is essential that support services are adequately funded and government agencies monitor demand for services to understand where services are required, especially as increased public awareness could create a greater demand for support services.

1.6 Labor is committed to hold a national crisis summit on family violence if elected, within the first 100 days of office. A national crisis summit is required for the Commonwealth, state and territory governments to agree to urgently implement coordinated judicial and social services reform within their areas of responsibility to better deal with family violence and provide a forum for stakeholders to open and transparently lay down the key policy challenges for addressing family violence

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<sup>1</sup> Australian Labor Party, Women's Budget Reply Statement (14 May 2015) at [https://d3n8a8pro7vhmx.cloudfront.net/australianlaborparty/pages/63/attachments/original/1431577422/15ALP\\_Womens\\_Budget\\_Reply\\_2015.pdf?1431577422](https://d3n8a8pro7vhmx.cloudfront.net/australianlaborparty/pages/63/attachments/original/1431577422/15ALP_Womens_Budget_Reply_2015.pdf?1431577422)

<sup>2</sup> Rachel Olding, "Budget 2015: Government failed domestic violence test", *The Sydney Morning Herald*, 13 May 2015.

including demand, innovation and coordination of services. A package of \$70 million in interim funding for services and research has also been committed. (<http://www.alp.org.au/nationalcrisissummit>)`

### **Funding cuts to legal aid**

1.7 The current government has inflicted severe cuts on all categories of Commonwealth-funded legal assistance services since taking office in 2013, including Legal Aid, Aboriginal and Torres Strait Islander Legal Services, community legal centres and Family Violence Prevention Legal Services.

1.8 Ms Rosie Batty expressed her concern about the funding cuts for such services:

I do advocate a lot for the community legal centres and women's legal services, because when you are in a position where you have no choice really—either taking out an intervention order or going through court proceedings, and you are already financially compromised to such a point—if we are making access to justice so hard for people, we are penalising them again. I do not understand, because the value of the work that they do is enormous. How do we work effectively in this area, being vulnerable to government funding? Another government comes in and undoes everything else and changes things around. I think that that is a very confusing element about government. What we do needs to be bipartisan and needs to have long-term planning and investment, otherwise we are constantly compromised. I suppose that is why a lot of people have become cynical about governments, because we have lost trust in things being able to change.

So I do find it concerning. I have said before that it is really easy to stay detached and make decisions from a spreadsheet, and cut back without actually going to face those people, and without learning from them and seeing what they do, having direct conversations with them, with the victims, with the clients. I think it is really important to go and see the work on a day-to-day basis and see what happens, and why they are so needed.<sup>3</sup>

1.9 The Productivity Commission has noted that cuts to vital legal assistance services are a false economy. In its recent report on access to justice arrangements, the Commission found that 'underfunding of legal assistance services can lead to increased costs in other areas of government spending'. The report quoted former Chief Justice Gleeson:

The expense which governments incur in funding legal aid is obvious and measurable. What is not so obvious, and not so easily measurable, but what is real and substantial, is the cost of the delay, disruption and inefficiency, which results from absence or denial of legal representation. Much of that cost is also borne, directly or indirectly, by governments. Providing legal

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<sup>3</sup> *Proof Committee Hansard*, 11 June 2015, p. 6.

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aid is costly. So is not providing legal aid. (Gleeson 1999, cited in Law Council of Australia, sub. 96, p. 114)<sup>4</sup>

1.10 In response to overwhelming public anger at Abbott Government cuts to legal assistance services, on 26 March 2015 the Attorney-General announced that some of those cuts would not proceed.<sup>5</sup> However, even with the belated reversal of some previous cuts, the government has still cut more than \$20 million from legal assistance services in less than two years in office.

1.11 Alarming, the 2015 Budget papers indicate that further cuts will be visited on these services from 2017-18, just after the next federal election.

### **Recommendation 1**

**1.12 Labor senators recommend that the Commonwealth Government respond to the recommendations of the Productivity Commission Report into Access to Justice Arrangements, and explain how it will support legal assistance services, including those relating to domestic violence, beyond 2017-18.**

### **Housing**

1.13 The committee heard that finding safe and affordable housing is central to victims of domestic violence leaving dangerous situations and getting their lives back on track over the long-term. Moreover, the committee also received evidence that domestic violence is one of the major causes of homelessness among women.

1.14 Labor Senators are very concerned that funding uncertainty and Federal Government budget cuts to the housing and homelessness sector will worsen outcomes for victims of domestic violence. In particular, Labor Senators are concerned about uncertainty of funding to National Partnership Agreement on Homelessness (NPAH), as well as the reduction of its capital works program, the cutting of the National Rental Affordability Scheme (NRAS), and funding cuts to homelessness advocacy bodies made in December 2014.

### ***National Partnership Agreement on Homelessness***

1.15 In the 2014-15 Budget the government announced it would fund the National Partnership Agreement on Homelessness (NPAH) until the end of June 2015.

1.16 The Second Action Plan recognises the contribution NPAH makes to addressing homelessness:

Under the 2013-14 National Partnership Agreement on Homelessness (NPAH), around 180 homelessness initiatives receive funding to assist both those who are homeless and those at risk of homelessness across Australia.

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<sup>4</sup> Australian Government, Productivity Commission, Access to Justice Arrangements, Inquiry Report No 72, Volume 2, 5 September 2014, Recommendations, p. 739.

<sup>5</sup> Senator the Hon George Brandis QC, Attorney-General and Senator the Hon Michaelia Cash, Minister Assisting the Prime Minister for Women, 'Legal aid funding assured to support the most vulnerable in our community', Joint Media Release, 26 March 2015.

Of these 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 respond to the causes of homelessness and achieve lasting reductions in the number of homeless Australians.<sup>6</sup>

1.17 Evidence to the committee referred to initiatives funded under the NPAH such as the 'Safe at Home' program<sup>7</sup> which supports women and children to remain in their own homes.

1.18 Labor has announced if elected it will commit an additional \$15 million for a Safe at Home grants program to be provided to community organisations, local government or other appropriate providers that help people affected by family violence stay safe in their own homes and in their communities. This could include infrastructure such as:

- key changes and lock upgrades to doors and windows;
  - sensor and security lighting;
  - security screen doors;
  - external CCTV cameras, training and monitoring;
  - alarm systems.
- In addition, we will map and understand best practice of existing state safe and home strategies, including risk assessments, for implementation across Australia ([www.alp.org.au/familyviolence](http://www.alp.org.au/familyviolence)).

1.19 Moreover, the extension to NPAH announced in the 2014-15 Commonwealth Budget reduced its funding by \$44 million, which the government stated will be taken from its capital works program rather than from frontline services.<sup>8</sup> Labor senators are also aware some stakeholders have called for this funding to be reinstated so NPAH can support the building of more shelters for homeless Australians.<sup>9</sup>

1.20 While the recent announcement by the government to extend the NPAH for two years to 2017 is welcome, longer term funding is now subject to consideration in

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<sup>6</sup> Department of Social Services, *Submission 57*, Attachment 5 (Second Action Plan), p. 14.

<sup>7</sup> See for example Women's Health in the North, *Submission 33*, p. 6; Office of the Public Advocate, *Submission 27*, Attachment 1 (Voices Against Violence Paper One), p. 18; Women with Disabilities Victoria, *Submission 50*, p. 23.

<sup>8</sup> Latika Bourke, 'Homelessness agreement between states and Commonwealth extended with \$115m funding promise', ABC online, 31 March 2014.

<sup>9</sup> St Vincent de Paul Society, 'Help us to cut homelessness, not funding' Media Release, 2 April 2014.

the context of the government's White Paper on Reform of the Federation.<sup>10</sup> Again, the capital component of \$44 million per year has not been funded. Any continuing uncertainty around long term funding will cause anxiety and prevent longer term planning in the sector.

1.21 Since rates of homelessness among women are inextricably linked with domestic violence, Labor Senators would like to reiterate the recommendation made in its interim report of 19 March 2014 that called for NPAH to be funded at least over the forward estimates, as well as for the restoration of funding cuts to NPAH's capital works program.

## **Recommendation 2**

**1.22 Labor Senators recommend the government provide greater certainty to organisations funded under the National Partnership Agreement on Homelessness (NPAH), and also restore the \$44 million per year funding cut to the NPAH capital works program.**

1.23 Labor senators note analysis that an additional \$33.8 million per year is required from the Commonwealth Government to ensure victims of domestic violence are not turned away from crisis accommodation services. Despite providing \$230 million to extend the NPAH for two years, with funding priority given to frontline services that deal with women and children escaping domestic violence, it has been pointed out that as this amount was not indexed it represents an effective cut of \$2.3 million in 2015-16.<sup>11</sup>

### ***National Rental Affordability Scheme***

1.24 In the interim report the committee noted that in the 2014-15 Budget the government announced that it is not proceeding with the next round of the National Rental Affordability Scheme (NRAS) which was identified in the National Plan as one way in which the Commonwealth could be working with the states and territories to increase the supply of affordable housing.<sup>12</sup>

1.25 Affordable housing is an important issue in the area of long term support to victims of domestic violence.

1.26 While not designed specifically to provide emergency or long-term accommodation for victims of domestic violence, the flow-on effects of this decision will result in 15,000 fewer affordable homes being built, and so put additional pressure on community and crisis housing sectors, including homelessness services.

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<sup>10</sup> Minister for Social Services, the Hon. Scott Morrison, 'Coalition reverses Labor's funding cuts on homelessness with \$230 million commitment prioritising victims of domestic violence', Media release, 23 March 2015.

<sup>11</sup> Homelessness Australia, 'New analysis shows additional \$33.8M needed to address domestic violence service gap, as Cabinet minister sleeps out to raise awareness of problem', Media Release, 17 June 2015.

<sup>12</sup> Department of Social Services, *Submission 57*, Attachment 1 (National Plan), p. 8.

This increased pressure will lessen accommodation options over the long-term for victims of domestic violence and their families.

1.27 As NRAS was identified in the National Plan as a way to increase the supply of affordable housing Labor senators believe this commitment should be fulfilled. The regulatory changes made in 2014 have resulted in greater transparency in the operation of the scheme.

### **Recommendation 3**

**1.28 Labor senators recognise that NRAS has, as at 30 April 2015, created 26,469 new affordable homes and recommend that the Commonwealth Government develop a strategic, Commonwealth-led policy agenda focused on delivering more affordable housing which considers a continued role for an NRAS or similar scheme.**

#### *Other housing and homelessness issues*

1.29 Labor senators are also concerned about other cuts made by the government to the housing and homelessness sector. Most importantly, the December 2014 announcement cutting \$21 million from the Housing and Homelessness Grants program administered by the Department of Social Services, will reduce funding for three national peak bodies for homeless Australians and housing policy from 30 June 2015.<sup>13</sup>

1.30 These peak bodies, National Shelter, Homelessness Australia and the Community Housing Federation Australia, are key advocates for Australians experiencing homelessness, including many victims of domestic violence. These funding cuts will mean that the ability of these bodies to advocate on behalf of those experiencing homelessness will be diminished. This is particularly concerning given the government's commitment to 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.

1.31 Labor Senators also note that a range of other key housing and homelessness advisory bodies were abolished by the Abbott Government including the Prime Minister's Council on Homelessness and the highly regarded National Housing Supply Council.

1.32 Labor Senators also note the Commonwealth's role on the COAG Select Council on Housing and Homelessness and the community housing sector's National Regulatory Council have also been removed by the Abbott Government.

1.33 Labor Senators also note the Shadow Treasurer and Shadow Minister for Housing and Homelessness are currently consulting with a wide range of industry and sector stakeholders in developing a Housing Affordability Strategy. ([http://www.alp.org.au/housing\\_affordability](http://www.alp.org.au/housing_affordability))

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<sup>13</sup> Council to Homeless Persons, 'Federal housing and homelessness funding cuts', Media Release 23 December 2014.

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**Recommendation 4**

**1.34 Labor Senators recommend that funding is restored to ensure key homelessness advocacy and advice to governments can continue so the voice of people experiencing and at-risk of homelessness and the services that assist them can be heard.**

**DSS Grants process**

1.35 As indicated in the interim report Labor senators reiterate their concern about the transition to a new DSS grants process due to commence 1 July 2015 which is affecting some family violence services. In addition to budget cuts of \$240 million over four years,<sup>14</sup> many organisations have faced great upheaval and uncertainty as they continue to wait to hear the result of outcomes and the terms of any funding agreements.

**Recommendation 5**

**1.36 Labor Senators recommend that the Commonwealth Government continues to work with the community and family violence support services to determine the most responsive funding model to ensure the safety and trust of people struggling in the system.**

Senator Katy Gallagher

Chair

Senator Claire Moore

Senator Nova Peris

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<sup>14</sup> Community Sector Funding Cuts begin, Probono Australia, 23 December 2014 at [www.probonoaustralia.com.au/news/2014/12/community-sector-funding-cuts-begin](http://www.probonoaustralia.com.au/news/2014/12/community-sector-funding-cuts-begin) (accessed 15 April 2015)

