



Australian Government

Australian Government Response to the
House of Representatives Standing Committee on Social
Policy and Legal Affairs Report:
Inquiry into family, domestic and sexual violence

March 2023

Acknowledgement of Country

We acknowledge and pay respects to all Aboriginal and Torres Strait Islander people across Australia, who are the custodians of the land and of the oldest continuous living culture on Earth. We honour Aboriginal and Torres Strait Islander peoples' ongoing connection to sea, waterways and Country. We pay respects to Elders past, present, and emerging and we acknowledge the leadership role Aboriginal and Torres Strait Islander peoples have played in the development of the National Plan to End Violence against Women and Children 2022-2032.

House Committee Report

On 4 June 2020, the House Standing Committee on Social Policy and Legal Affairs (Committee) adopted an Inquiry into family, domestic and sexual violence (Inquiry). The Inquiry was referred by the former Minister for Women, Senator the Hon Marise Payne, and the former Minister for Families and Social Services, Senator the Hon Anne Ruston.

Terms of reference for the Inquiry were that the Committee inquire into and report on family, domestic and sexual violence (FDSV), including with a view to informing the next National Plan, the following:

- a. Immediate and long-term measures to prevent violence against women and their children, and improve gender equality.
- b. Best practice and lessons learnt from international experience, ranging from prevention to early intervention and response that could be considered in an Australian context.
- c. The level and impact of coordination, accountability for, and access to services and policy responses across the Commonwealth, state and territory governments, local governments, nongovernment and community organisations, and business.
- d. The way that health, housing, access to services, including legal services, and women's economic independence impact on the ability of women to escape domestic violence.
- e. All forms of violence against women, including, but not limited to, coercive control and technology-facilitated abuse.
- f. The adequacy of the qualitative and quantitative evidence base around the prevalence of family and domestic violence and how to overcome limitations in the collection of nationally consistent and timely qualitative and quantitative data including, but not limited to, court, police, hospitalisation and housing.
- g. The efficacy of perpetrator intervention programs and support services for men to help them change their behaviour.
- h. The experiences of all women, including Aboriginal and Torres Strait Islander women, rural women, culturally and linguistically diverse women, LGBTQI women, women with a disability, and women on temporary visas.
- i. The impact of natural disasters and other significant events such as COVID-19, including health requirements such as staying at home, on the prevalence of domestic violence and provision of support services.
- j. The views and experiences of frontline services, advocacy groups and others throughout this

unprecedented time.

k. An audit of previous parliamentary reviews focussed on family and domestic violence.

l. Any other related matters.

The Committee held public hearings over 16 days from September 2020 to December 2020. The Committee received 298 public submissions and 55 supplementary submissions, including 47 confidential submissions, from a range of stakeholders including individuals, organisations and Government departments.

The Committee's final report was published on 1 April 2021. The Committee makes 88 recommendations, which seek to inform the development of the National Plan. The breadth of the recommendations reflect the complexity of the task at hand and the Committee's strong view that a whole-of-society response is vital.

Help and Support

Violence against women and children can be a difficult topic to discuss and reading this document may bring up strong feelings for some people. If you or someone you know needs help, please contact one of the services below:

FAMILY, DOMESTIC AND SEXUAL VIOLENCE SUPPORT

- For information, support and counselling contact 1800RESPECT (1800 737 732) or visit www.1800respect.org.au. This service is free, confidential and open 24 hours a day.
- Full Stop Australia – 1800 385 578
- Sexual, Domestic and Family Violence Helpline – 1800 943 539
- Rainbow Sexual, Domestic and Family Violence Helpline – 1800 497 212
- Well Mob – www.wellmob.org.au
- Men's Referral Service – 1300 766 491
- Open Arms – Veterans & Families Counselling – 1800 011 046 or www.openarms.gov.au
- Relationships Australia – 1300 364 277
- Help is Here – www.australia.gov.au/dvsupport

CRISIS AND SUICIDE PREVENTION

- If you are, or someone else is, in immediate danger, call Triple Zero (000).
- Lifeline – 13 11 14 or www.LifeLine.org.au
- National Suicide Callback Services – 1300 659 467 or www.suicidecallbackservices.org.au

MENTAL HEALTH SUPPORT AND ADVICE

- Beyond Blue – 1300 22 4636 or www.Beyond.Blue.org.au
- ReachOut – www.au.reachout.com
- 13 YARN – 13 92 76 or www.13yarn.org.au
- MensLine Australia – 1300 78 99 78 or www.MensLine.org.au
- Kids Helpline – 1800 551 800 or www.kidshelpline.com.au
- 1800 ELDERHelp – 1800 353 374

OTHER SUPPORT

- Translating and Interpreting Service (TIS National) – 131 450
- Aboriginal Interpreter Service – 08 8999 8353
- National Relay Service
 - Voice relay number – 1300 555 727
 - TTY number – 133 677
 - SMS relay number – 0423 677 767

Introduction

The Australian Government is committed to keeping all people living in Australia safe now and into the future, with the ultimate aim to end violence against women and children. All Australians deserve to live free from fear and violence, and to be safe at home, at work, at school, in the community and online. The Government is committed to continuing to transform the social, political and economic aspects of our society that enable and sustain violence.

The Government is taking action to address all forms of violence against women and children, in collaboration with states and territories, and across several key policy strategies. This includes record funding of \$1.7 billion to deliver targeted measures towards implementation of the *National Plan to End Violence against Women and Children 2022-2032* (National Plan).

This investment focuses on a range of areas from prevention through to frontline services and women's safety at work. It is built around the four domains of the National Plan – prevention, early intervention, response and recovery and healing. It also acknowledges and takes into account the diverse experiences of victim-survivors affected by FDSV.

The Inquiry reported on a broad range of matters relevant to best practice in prevention and intervening early where violence occurs, coordinating policy responses across government and the community, and building an evidence base about the prevalence of FDSV.

The Government appreciates the work of the Committee and thanks the many organisations and individuals who contributed views and evidence throughout the Inquiry. In particular, the Government acknowledges the contributions made by victim-survivors who shared their experiences with the Committee.

The National Plan has been informed by the recommendations made in this Inquiry report, as well as broad consultation that commenced in mid-2020, including:

- online public consultation surveys;
- targeted thematic and jurisdictional workshops;
- one-on-one interviews and small focus groups with key stakeholders and subject matter experts;
- the National Summit on Women's Safety and the Summit Delegate Statement;
- a dedicated consultation with 80 victim-survivor advocates;
- consultation with two advisory bodies, the National Plan Advisory Group and the Aboriginal and Torres Strait Islander Advisory Council on family, domestic and sexual violence;
- targeted consultation with state and territory governments.

The Government has listened to and relied on the knowledge and expertise of victim-survivors, advocates, service providers and researchers to inform and guide the National Plan. The Government is grateful for the tireless efforts of many, to keep violence against women part of the national conversation. Their advocacy has shone a light into the shadows and has given governments across Australia the drive and profound sense of responsibility to continue driving change.

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Summary of Government Response to Recommendations

Recommendation	Response
<p>Recommendation 1</p> <p>The Committee recommends that the Australian Government work with state and territory governments to adopt a uniform definition of family, domestic and sexual violence, which:</p> <ul style="list-style-type: none"> • reflects a common understanding of the features and dynamics of such violence and the breadth of relationships in which violence can occur; • encompasses a broad range of violence, including but not limited to coercive control, reproductive coercion, economic abuse, and complex forms of violence, such as forced marriage, female genital mutilation/cutting and dowry abuse; and • recognises the diversity of victim-survivors and perpetrators and the particular vulnerability of certain groups. 	Supported
<p>Recommendation 2</p> <p>The Committee recommends that the next National Plan include quantitative measures, which should be agreed following consultation with non-government organisations, experts, and victim-survivors. The Committee proposes the following measures for consideration:</p> <ul style="list-style-type: none"> • reduction in the number of deaths attributed to family, domestic and sexual violence; • reduction in the rate of incidents of family, domestic and sexual violence; • reduction in the rate of re-offending by perpetrators; • reduction in the rate of family, domestic and sexual violence in diverse communities, including Aboriginal and Torres Strait Islander people; LGBTQI people; culturally and linguistically diverse people; and people with disability; • increase in the availability and quality of support services for victim-survivors; • significant and long-term increase in the number of perpetrators attending and completing perpetrator behaviour change programs; • reduction in the number of incidents of family, domestic and sexual violence involving alcohol and/or other drugs; • reduction in the number of incidents of family, domestic and sexual violence involving children as either victim-survivors or perpetrators; • reduction in the number of incidents of family, domestic and sexual violence involving elder abuse, whether within the aged care system or in the home; • increase in the reporting rate of incidents of family, domestic and sexual violence; and • significant improvement in community awareness and understanding of, and attitudes about, all forms of family, domestic and sexual violence. 	Supported in principle
<p>Recommendation 3</p> <p>The Committee recommends that the next National Plan be inclusive of the diversity of victim-survivors. In particular, the next National Plan should recognise the rights and needs of:</p> <ul style="list-style-type: none"> • women; • children in their own right; • men; • older Australians; • LGBTQI people; and 	Supported

Recommendation	Response
<ul style="list-style-type: none"> • people living with a disability. <p>Further, the Committee recommends that the Australian Government, and state and territory governments, ensure that the next National Plan and the <i>National Framework for Protecting Australia's Children 2009-2020</i> are clearly aligned.</p>	
<p>Recommendation 4</p> <p>The Committee recommends that the next National Plan seek to prevent all forms of family, domestic and sexual violence, including physical violence, sexual violence, exposure to violence in childhood, repeated violence, nonphysical forms of violence including coercive control and technology-facilitated abuse, and complex forms of violence such as forced marriage, female genital mutilation/cutting and dowry abuse.</p>	Supported
<p>Recommendation 5</p> <p>The Committee recommends that the next National Plan be named the 'National plan to reduce family, domestic and sexual violence'.</p>	Not supported
<p>Recommendation 6</p> <p>The Committee recommends that the next National Plan promote and enhance an integrated whole-of-service-system response to family, domestic and sexual violence across jurisdictions.</p>	Supported
<p>Recommendation 7</p> <p>The Committee recommends that the next National Plan promote and enhance a whole-of-society response to family, domestic and sexual violence that involves businesses, community groups and other non-government bodies, as well as governments.</p>	Supported
<p>Recommendation 8</p> <p>The Committee recommends that responsibility for the implementation of the next National Plan continue to rest with the Department of Social Services.</p>	Supported
<p>Recommendation 9</p> <p>The Committee recommends that the Australian Government direct and appropriately resource the Australian Bureau of Statistics to conduct the Personal Safety Survey on an annual basis and ensure that the survey collects information about the prevalence of specific forms of family, domestic and sexual violence and complex forms of violence.</p>	Not supported
<p>Recommendation 10</p> <p>The Committee recommends that the Australian Government direct and appropriately resource the Australian Institute of Health and Welfare to develop a national data collection on service-system contacts with victim-survivors and perpetrators, including data from primary health care, ambulance, emergency department, police, justice, and legal services.</p> <p>Further, the Committee recommends that the Australian Government, and state and territory governments, provide appropriate funding and support to service providers to implement consistent data collection procedures.</p>	Supported in principle
<p>Recommendation 11</p> <p>The Committee recommends that the Australian Government direct and appropriately resource the Australian Institute of Health and Welfare to develop a national data collection on the use of, and unmet demand for, specialist family, domestic and sexual violence services.</p>	Supported
<p>Recommendation 12</p> <p>The Committee recommends that the Australian Government lead the development of a national family, domestic and sexual violence death toll.</p> <p>Further, the Committee recommends the Australian Government consider the need for additional measures to ensure better integration of data from family, domestic and sexual violence death reviews across all Australian jurisdictions.</p>	Supported
<p>Recommendation 13</p> <p>The Committee recommends that the Australian Government, and state and</p>	Supported

Recommendation	Response
territory governments, continue to provide increased funding for frontline family, domestic and sexual violence services in the COVID-19 pandemic.	
<p>Recommendation 14 The Committee recommends that the next National Plan include measures informed by the experience of family, domestic and sexual violence in the COVID-19 pandemic, including but not limited to:</p> <ul style="list-style-type: none"> • integration of family, domestic and sexual violence in emergency planning and disaster response frameworks; • increased support for the health and welfare of frontline workers, at all times but particularly during emergencies and disasters; and • increased use of technology and new service delivery models to improve access to services. 	Supported in principle
<p>Recommendation 15 The Committee recommends that the Australian Government seek the agreement of state and territory governments to make a representative of the Australian Local Government Association a member of the National Federation Reform Council Taskforce on Women’s Safety.</p>	Noted
<p>Recommendation 16 The Committee recommends that the Australian Government and state and territory governments directly involve local government in the development and implementation of the next National Plan. If not achieved through the Australian Local Government Association’s (ALGA) membership on the National Federation Reform Council Taskforce on Women’s Safety, another appropriate mechanism should be utilised to facilitate ALGA’s engagement.</p>	Supported in principle
<p>Recommendation 17 The Committee recommends that the Australian Government and each state and territory government co-fund on a 50-50 basis a dedicated family and domestic violence policy officer in each state and territory local government association for an initial period of five years. In addition, the Australian Government and state and territory governments should work with the Australian Local Government Association to consider whether additional resources are required to assist individual local governments to have a more active role in preventing and responding to family, domestic and sexual violence, and to implement the <i>Prevention toolkit for local government</i>.</p>	Noted
<p>Recommendation 18 The Committee recommends that the next National Plan include a commitment to improve the transparency of funding for family, domestic and sexual violence programs and services. The Committee further recommends that Australian Government funding provided to state and territory governments for family, domestic and sexual violence programs and services be linked to requirements that those governments:</p> <ul style="list-style-type: none"> • fund related programs and services within their own jurisdictions on an agreed minimum ratio basis of the funding provided by the Australian Government; and • report regularly on their own funding for related programs and services. 	Supported in principle
<p>Recommendation 19 The Committee recommends that the Australian Government, in consultation with state and territory governments, develop a needs-based funding methodology to account for variations in the presentation of family, domestic and sexual violence in different jurisdictions. This methodology should be applied to future Australian Government and state</p>	Supported in principle

Recommendation	Response
and territory governments' funding for family, domestic and sexual violence programs.	
<p>Recommendation 20</p> <p>The Committee recommends that the next National Plan include a commitment to an ongoing program of independent and transparent monitoring and evaluation, which:</p> <ul style="list-style-type: none"> • includes formal opportunities for victim-survivors and other nongovernment stakeholders to provide input; and • is overseen by the proposed National Commissioner for the prevention of family, domestic and sexual violence, or another independent body. 	Supported
<p>Recommendation 21</p> <p>The Committee recommends that the next National Plan include a commitment to provide funding for Australia's National Research Organisation for Women's Safety for the life of the plan.</p>	Supported in principle
<p>Recommendation 22</p> <p>The Committee recommends that the Australian Government ensure that specific family, domestic and sexual violence programs funded either directly or indirectly by the Australian Government include funding for a standardised evaluation component. Evaluations should be published where possible. Further, the Committee recommends that the Australian Government, in consultation with state and territory governments, consider the need for:</p> <ul style="list-style-type: none"> • the development of accredited standards or agreed outcomes measures to guide evaluations of family, domestic and sexual violence programs and services; • additional support and training to assist organisations in undertaking evaluations; and • a national platform for the publication of evaluations. 	Supported in principle
<p>Recommendation 23</p> <p>The Committee recommends that the Australian Government establish as an independent statutory office a National Commissioner for the prevention of family, domestic and sexual violence.</p> <p>The functions of the Commissioner should include promoting and enhancing a whole-of-government, cross-jurisdictional approach to policy development, research, data collection, and monitoring and evaluation with respect to family, domestic and sexual violence initiatives.</p> <p>The Commissioner should:</p> <ul style="list-style-type: none"> • report to the Minister for Social Services; • be an <i>ex officio</i> observer on the National Federation Reform Council Taskforce on Women's Safety; • be responsible for monitoring and evaluation of the next National Plan; • provide a formal mechanism for consultation with victim-survivors and non-government organisations; and • provide an annual report to the Parliament. <p>The Commissioner should be provided with appropriate resources to perform its functions for the duration of the next National Plan.</p>	Supported
<p>Recommendation 24</p> <p>The Committee recommends that the Australian Government and state and territory governments develop shared principles to guide any future offences of coercive and controlling behaviour, with a view to ensuring consistency across jurisdictions to the extent possible.</p> <p>These principles should address:</p>	Supported

Recommendation	Response
<ul style="list-style-type: none"> • the behaviours and patterns of behaviour captured by any new offences; • the breadth of relationships captured by any new offences; • the standard of proof required by any new offences; • mitigating the impact of any new offences on groups with particular vulnerabilities; and • associated implementation issues, including but not limited to minimum standards for training in any new offences; and, very importantly, public awareness raising about any new offences. 	
<p>Recommendation 25 The Committee recommends that the Australian Government fund a specific public awareness campaign about coercive and controlling behaviour as a form of family, domestic and sexual violence and a predictor of severe physical violence and homicide.</p>	Supported in principle
<p>Recommendation 26 The Committee recommends that the Australian Government, and state and territory governments, develop and provide funding for training for the identification of coercive and controlling behaviour for police; justice and legal sector practitioners; and health, mental health, social services, and specialist family, domestic and sexual violence service workers. The Committee further recommends that the Australian Government and state and territory governments consider developing minimum standards for training on coercive control and including training on coercive control in relevant professional qualifications.</p>	Supported in principle
<p>Recommendation 27 The Committee recommends that the Australian Government and state and territory governments undertake a review of relevant risk identification, risk assessment, and risk management practices to ensure that coercive and controlling behaviour is adequately captured.</p>	Supported in principle
<p>Recommendation 28 The Committee recommends that the Australian Government continue funding for critical research around the context, motives and outcomes of technology-facilitated abuse—in particular, by providing dedicated funding to the Office of the eSafety Commissioner and Australia’s National Research Organisation for Women’s Safety.</p>	Supported in principle
<p>Recommendation 29 Based on recommendations from the eSafety Commissioner, the Committee recommends that the Australian Government, in cooperation with state and territory governments where applicable:</p> <ul style="list-style-type: none"> • Develop and implement education initiatives that drive cultural change and increase awareness about the abusive nature and legal implications of technology-facilitated abuse, focused on women and girls at risk of experiencing technology-facilitated abuse and men and boys at risk of perpetrating it. • Through a process of co-design, work with at-risk communities to develop resources to raise their awareness of technology-facilitated abuse and their capacity to identify and manage it. • Develop resources for children and young people to help them understand and manage the ways that technology is used in family, domestic and sexual violence. • Develop and implement capacity building initiatives to increase all women’s and girls’ skills in online safety and digital literacy. 	Supported in principle

Recommendation	Response
<ul style="list-style-type: none"> • Embed comprehensive and nationally coordinated respectful relationships and online safety education into the Australian curriculum across all learning stages. • Facilitate more gender-balanced science, technology, engineering and maths (STEM) industries by developing initiatives to upskill and reskill women for entry opportunities and leadership pathways in STEM. • Ensure Australia is represented on, and contributes to, global initiatives and coalitions to advance the rights of women and girls and uphold and deliver on international agreements, including in relation to technology-facilitated abuse, the potential for technology to drive gender equality, and Safety by Design. • Ensure that capacity building initiatives to increase women’s skills in online safety and digital literacy occur both in Australia and in our region. • Ensure government support and funding for Safety by Design and encourage industry players to implement and champion its principles, to promote a safer online environment for women and girls. • Fund the eSafety Women program on an ongoing basis. • Expand the eSafety Women program to deliver education and training to the judiciary, legal profession, and law enforcement. • Establish a new program to provide training for frontline workers and others about how children are involved in technology-facilitated abuse cases involving their parents. • Fund eSafety to evaluate and advise on technical solutions to protect victim-survivors experiencing technology-facilitated abuse. • Provide dedicated funding for Safety by Design to assist in increasing its adoption and impact. • Develop an education and awareness campaign on dating applications. 	
<p>Recommendation 30 The Committee makes the additional following recommendations relating to technology-facilitated abuse:</p> <ul style="list-style-type: none"> • There should be greater acknowledgement that appropriate technology use is a shared community responsibility. It is not simply a responsibility of platforms to host and police content. • There should be greater clarity around a platform’s obligation to remove content, including through the Online Safety Act. • In order to open or maintain an existing social media account, customers should be required by law to identify themselves to a platform using 100 points of identification, in the same way as a person must provide identification for a mobile phone account, or to buy a mobile SIM card. • Social media platforms must provide those identifying details when requested by the eSafety Commissioner, law enforcement or as directed by a court. • The Government should consider regulating to enable law enforcement agencies to access a platform’s end-to-end encrypted data, by warrant, in matters involving a threat to the physical or mental wellbeing of an individual or in cases of national security. • There should be a substantial increase in criminal and civil penalties for technology-facilitated abuse to act as a greater deterrent for errant behaviour. 	Noted

Recommendation	Response
<ul style="list-style-type: none"> All government hosted websites and applications should have readily available (and searchable) avenues where a victim-survivor of technology-facilitated abuse can seek assistance to have abusive material removed expeditiously. 	
<p>Recommendation 31 The Committee recommends that the next National Plan provide funding for programs, including in schools, to improve the financial literacy and reduce the financial abuse of women.</p>	Supported in principle
<p>Recommendation 32 The Committee recommends that the Australian Government work with the states and territories (other than Victoria) to provide funding for an increased number of financial counsellors.</p>	Supported in principle
<p>Recommendation 33 The Committee recommends that the Attorney-General take the following measures to enable the identification of financial information and facilitate superannuation splitting:</p> <ul style="list-style-type: none"> develop an administrative mechanism to enable swift identification of financial information, including superannuation, by parties to family law proceedings or victim-survivors of family, domestic or sexual violence; and amend the <i>Family Law Act 1975</i> and relevant regulations to reduce the procedural and substantive complexity associated with superannuation splitting orders, including by simplifying forms required to be submitted to superannuation funds. 	Supported in principle
<p>Recommendation 34 The Committee recommends that the Australian Government, and state and territory governments, provide support for research and community awareness raising on the harmful practice of female genital mutilation/cutting, including by providing ongoing funding for the National Education Toolkit for Female Genital Mutilation/Cutting Awareness.</p>	Supported in principle
<p>Recommendation 35 The Committee recommends that the Australian Government fund research into the prevalence and impact of family, domestic and sexual violence on children and young people, including:</p> <ul style="list-style-type: none"> during the first one thousand days after birth; and from infancy to adolescence. 	Supported
<p>Recommendation 36 The Committee recommends that, in accordance with National Priority Two of the Fourth Action Plan, any family, domestic and sexual violence policies, programs and legislative frameworks which affect Indigenous Australians must be co-designed by Indigenous peoples along with government. Similarly, the evaluation of such policies, programs and legislative frameworks must be appropriately funded and be designed with and led by Indigenous Australians working with government.</p>	Supported
<p>Recommendation 37 The Committee recommends that the Australian Government and state and territory governments work to ensure the provision of appropriate funding for culturally specific Indigenous awareness programs for all stakeholders in government, including police, service providers and the judiciary; to enable an improved understanding of the particular challenges faced by Indigenous Australians affected by family, domestic and sexual violence. This should include the options available to them for referral to Aboriginal Community Controlled Organisations, whether they be victim-survivors or perpetrators.</p>	Supported in principle
<p>Recommendation 38</p>	Supported

Recommendation	Response
<p>The Committee recommends that the Australian Government and state and territory governments provide additional training to police, General Practitioners, child health nurses, Remote Area Clinic nurses and any other service providers that have contact with people in rural and remote areas to assist in the early identification of family, domestic and sexual violence. Service personnel working in Indigenous communities should receive appropriate Indigenous culturally aware training.</p>	
<p>Recommendation 39 The Committee recommends that the Australian Government and state and territory governments explore opportunities to use technology to provide more services for victim-survivors and perpetrators in regional, rural and remote areas.</p>	Supported
<p>Recommendation 40 The Committee recommends that, to improve data relevant to LGBTQI communities, the Australian Government:</p> <ul style="list-style-type: none"> • develop guidelines for data collection about sexuality and gender as it relates to experiences of violence, as part of government-funded research and service provision; • include a question about LGBTQI identification in future Commonwealth censuses; and • fund a national research project to examine the impact of family, domestic and sexual violence affecting the LGBTQI community, and review best practice models to inform appropriate responses. 	Supported in principle
<p>Recommendation 41 The Committee recommends that the Australian Government, in cooperation with the states and territories, develop and implement nationally consistent, regular and targeted education and training within mainstream services, including police and paramedics, in relation to the nature, features and dynamics of intimate partner violence and its particular impact on those from LGBTQI communities.</p>	Supported in principle
<p>Recommendation 42 The Committee recommends that the Australian Government provide funding for Our Watch to update its <i>Change the Story</i> framework to be inclusive, and to develop an LGBTQI specific prevention guide, highlighting how gendered violence impacts LGBTQI communities in different ways compared to the broader community</p>	Supported
<p>Recommendation 43 The Committee recommends that policies and programs relating to family, domestic and sexual violence as it affects LGBTQI communities be developed in partnership between government agencies and LGBTQI organisations.</p>	Supported
<p>Recommendation 44 The Committee recommends that the Australian Government ensure that the next National Plan specifies people living with disability as a priority cohort, to ensure that legislation, policies and programs (across all jurisdictions) include consultation to support specific consideration of the impacts on, and needs of, these members of the community.</p>	Supported
<p>Recommendation 45 The Committee recommends that the Australian Government, together with the states and territories, develop a national strategy, in consultation with people living with disability and their representative organisations, to improve access to comprehensive, equitable, accessible, and disability-inclusive sexual and reproductive health education and information.</p>	Noted
<p>Recommendation 46 The Committee recommends that National Disability Insurance Agency staff (including planners and those with decision making delegation) and disability</p>	Supported in principle

Recommendation	Response
service workers funded by the National Disability Insurance Scheme (NDIS) complete mandatory training in identifying and responding to family, domestic and sexual violence affecting people with disability.	
<p>Recommendation 47</p> <p>The Committee recommends that, to support the implementation of the above recommendations, the Australian Government, in cooperation with the states and territories, implement national uniform legislation establishing mandatory reporting by registered disability service providers to police and the proposed National Commissioner for the prevention of family, domestic and sexual violence of all incidents of violence perpetrated against people living with disability, whether in residential care facilities or people’s own homes.</p>	Supported in principle
<p>Recommendation 48</p> <p>The Committee recommends that the next National Plan be more inclusive of people from culturally and linguistically diverse communities, their experiences and their needs.</p>	Supported
<p>Recommendation 49</p> <p>The Committee recommends that the Australian Government focus on providing more, and more effective, culturally appropriate education on family, domestic and sexual violence to culturally and linguistically diverse communities.</p>	Supported
<p>Recommendation 50</p> <p>The Committee recommends that the Australian Government, and state and territory governments, provide a specifically funded resource to assist larger multicultural organisations to enhance family, domestic and sexual violence service delivery for culturally and linguistically diverse communities.</p>	Supported in principle
<p>Recommendation 51</p> <p>The Committee recommends that the Australian Government and, where applicable, state and territory governments, make the following changes to immigration legislation and procedures:</p> <ul style="list-style-type: none"> • amend the <i>Migration Act 1958</i> to prevent ‘consequential visa cancellation’ where a victim-survivor of family violence has their visa cancelled due to domestic violence perpetrated against them by the primary visa holder; • where a visa applicant is in crisis or temporary accommodation, create an exception to the requirement that a residential address is required to lodge a valid protection visa application; • address official correspondence related to visa applications to each individual applicant, so that if one of them leaves the family home, the correspondence can then be re-directed to a new address; • provide access to legal services, specialist police services and income support for a broader range of temporary visa holders who are victim-survivors of family violence, and consider revisions to migration regulations to offer legal protection to victim-survivors on temporary visas; • broaden the definition of family violence in the Migration Regulations 1994 to be consistent with the <i>Family Violence Protection Act 2008</i> (Vic) and to ensure that people seeking to escape violence are entitled to crisis payments, regardless of their visa status; • exempt women on temporary visas and women seeking asylum who have experienced family and domestic violence from meeting residency requirements for the purposes of access to Centrelink and Medicare while their visa is being processed; and 	Noted

Recommendation	Response
<ul style="list-style-type: none"> review and amend the eligibility requirements for victim-survivors of violence to access financial and other crisis supports, particularly for those on temporary visas. 	
<p>Recommendation 52 The Committee recommends that the next National Plan provide funding to investigate the prevalence and prevention of elder abuse, both in residential care facilities and in people’s own homes, whether by facility staff, carers or family members.</p>	Noted
<p>Recommendation 53 The Committee recommends that the Department of Health release all de-identified data and information pertaining to incidents and allegations of sexual assault in residential aged care, including incidents where the perpetrator was alleged to have had a cognitive or mental impairment.</p>	Noted
<p>Recommendation 54 The Committee recommends that the Australian Government commission research into the prevalence of family, domestic and sexual violence against men and its impact on male victim-survivors. The research should include a focus on any connections between male victim-survivors and their exposure to family, domestic and sexual violence as children. The Committee further recommends that the Department of Social Services review the adequacy of advice and referral services for men as victim-survivors of family, domestic and sexual violence.</p>	Supported
<p>Recommendation 55 The Committee recommends that the next National Plan continue with the core philosophy of primary prevention being key to reducing family, domestic and sexual violence.</p>	Supported
<p>Recommendation 56 The Committee recommends that the Australian Government, with state and territory governments, provide increased funding for developmentally appropriate primary prevention campaigns, including protective behaviour education, to inform respectful attitudes around sexual consent, with an emphasis on community education, particularly young people in schools. This should include funding for Our Watch for the entire life of the next National Plan, so as to provide the organisation with greater certainty and program continuity.</p>	Supported in principle
<p>Recommendation 57 The Committee recommends that the Australian Government support national research and awareness raising campaigns into sexist advertising and the negative effects of unequal gender representation.</p>	Supported in principle
<p>Recommendation 58 Recognising that the principal drivers of family, domestic and sexual violence are gender inequality and stereotypical attitudes towards gender roles, characteristics and behaviour, together with disrespect of girls and women, the Committee recommends that the Australian Government consider establishing a gender equality strategy.</p>	Supported
<p>Recommendation 59 The Committee recommends that the Australian Government work with the states and territories to ensure that age-appropriate respectful relationships are taught in all Australian schools and early education settings.</p>	Supported
<p>Recommendation 60 The Committee recommends that the next National Plan adopt a public health approach to preventing and managing drug and alcohol related harms experienced by families and children, involving all jurisdictions, including local governments.</p>	Supported in principle
<p>Recommendation 61</p>	Supported

Recommendation	Response
<p>The Committee recommends that the next National Plan include measures to support the social services sector (including the health, mental health, disability, family and relationships, and alcohol and other drugs sectors) to have a greater role in identifying and responding to family, domestic and sexual violence.</p> <p>These measures should include but not be limited to:</p> <ul style="list-style-type: none"> • training for all staff in identifying family, domestic and sexual violence and working with perpetrators; • measures to support increased information sharing about perpetrators; and • measures to support a more consistent national approach to risk assessment and risk management. 	
<p>Recommendation 62</p> <p>The Committee recommends that the next National Plan include measures to leverage the existing network of Primary Health Networks to improve the identification and response to family, domestic and sexual violence in general practices. These should include consideration of a national rollout of the <i>Recognise, Respond, Refer</i> program, subject to a positive evaluation of the current trial.</p>	Supported in principle
<p>Recommendation 63</p> <p>The Committee recommends that the Australian Government provide additional funding to No to Violence to support the national operation of the Men’s Referral Service for a further three years.</p>	Supported
<p>Recommendation 64</p> <p>The Committee recommends that the Department of Social Services review the adequacy of referral services for perpetrators of family, domestic and sexual violence. The review should give consideration to the need for greater consistency across jurisdictions and the establishment of a single nationally coordinated intake point for perpetrators seeking behavioural change.</p>	Noted
<p>Recommendation 65</p> <p>The Committee recommends that the Australian Government and state and territory governments provide additional dedicated funding for perpetrator behaviour change programs.</p> <p>This should include funding to trial new perpetrator intervention models, and specialised perpetrator behaviour change programs for Aboriginal and Torres Strait Islander people, people from culturally and linguistically diverse backgrounds, people with mental illness, people with disability, adolescents, people of diverse sexuality and gender, and women.</p> <p>Funded programs should be integrated with specialist family and domestic violence and other services, and should include an evaluation component consistent with the proposed national outcomes framework, which will contribute to building the evidence base on perpetrator interventions.</p> <p>This funding should not be delivered through reductions in funding to services for victim-survivors.</p>	Supported
<p>Recommendation 66</p> <p>To support an increase in the number of perpetrators attending and completing behaviour change programs, the Committee recommends that:</p> <ul style="list-style-type: none"> • the Australian Government and state and territory governments establish a centralised online register of perpetrator intervention programs; and • state and territory governments provide funding for perpetrator court support workers to enable offenders to be referred to appropriate behaviour change programs and other support services. 	Supported in principle
<p>Recommendation 67</p> <p>The Committee recommends that the next National Plan include measures to</p>	Supported

Recommendation	Response
<p>support increased use of technology in delivering perpetrator behaviour change programs, where it is safe to do so. These measures should aim to support programs including but not limited to:</p> <ul style="list-style-type: none"> • programs for specific cohorts in sparsely populated regional, rural and remote areas who would not otherwise have access to specialised programs; and • alternatives to group-based programs for perpetrators for whom such programs are not appropriate. 	
<p>Recommendation 68 The Committee recommends that the Australian Government and state and territory governments provide dedicated funding to perpetrator behaviour change program providers and specialist family and domestic violence services to deliver support services for partners, ex-partners, children, and other family members of perpetrators enrolled in perpetrator behaviour change programs.</p>	Supported in principle
<p>Recommendation 69 The Committee recommends that the Department of Social Services lead the development of a national outcomes framework for evidence-based perpetrator behaviour change programs.</p>	Supported in principle
<p>Recommendation 70 The Committee recommends that the Australian Government, working with states and territories where appropriate, provide funding for research on the backgrounds, characteristics, and recidivism rates of perpetrators of family violence with a view to informing future policy and practice in relation to perpetrator interventions. This should include research on adolescents, women, and children who perpetrate violence against their parents, as well as men. The Committee further recommends that the Australian Government consider the development of an annual national, population level survey on the perpetration of family violence.</p>	Partially supported
<p>Recommendation 71 The Committee recommends that state and territory governments work with local community-based organisations to design and implement place-based models of justice reinvestment, similar to that used in the Maranguka Justice Reinvestment Project, as a matter of priority across Australia.</p>	Noted
<p>Recommendation 72 The Committee recommends that the Australian Government and state and territory governments commit to increasing the overall baseline funding for specialist family and domestic violence service providers.</p>	Supported in principle
<p>Recommendation 73 The Committee recognises the importance of the provision and availability of supportive housing models to assist victim-survivors of family, domestic and sexual violence to find safety for themselves and their children. The Committee recommends that the Australian Government and state and territory governments collaborate to identify programs that could be implemented across the country, and ensure that specialist and ‘wrap-around’ support services have access to dedicated, long-term funding.</p>	Supported in principle
<p>Recommendation 74 The Committee recommends that the Australian Government and state and territory governments collaborate in the provision of affordable housing solutions in Australia to meet long-term needs for those made homeless by family, domestic and sexual violence, and to address the backlog of victim-survivors who cannot access affordable housing.</p>	Supported in principle
<p>Recommendation 75 The Committee recommends that the Australian Government and state and territory governments:</p>	Supported in principle

Recommendation	Response
<ul style="list-style-type: none"> consider implementing policies to remove perpetrators rather than victim-survivors in cases of family, domestic and sexual violence, where this can be achieved without threat to the safety of victim-survivors; and consider funding for emergency accommodation for perpetrators to prevent victim-survivors being forced to flee their homes or continue residing in a violent home. 	
<p>Recommendation 76 The Committee recommends that the Australian Government, in conjunction with state and territory governments, resource additional research regarding the intersection between mental health and family, domestic and sexual violence. There should be a particular focus on the lived experiences of victim-survivors and the children of victim-survivors who have experienced both family violence and mental health issues.</p>	Supported
<p>Recommendation 77 The Committee recommends that the Australian Government, in partnership with the New South Wales Government, fund a trial program of the Illawarra Women’s Health Centre’s Women’s Trauma Recovery Centre. This funding could be part of a pilot program over a five-year period with a view, subject to positive evaluation, to rolling out similar services around the country.</p>	Supported
<p>Recommendation 78 The Committee recommends that the Australian Government and state and territory governments provide additional funding on a 50-50 basis to community legal centres for a minimum of five years to assist victim-survivors of family, domestic and sexual violence. Such funding should be tied to appropriate reporting mechanisms and performance indicators, including but not limited to the full disclosure of funding provided to community legal centres by the states and territories.</p>	Noted
<p>Recommendation 79 The Committee recommends that the Australian Government and state and territory governments provide funding on a 50-50 basis to legal aid commissions and community legal centres to engage more social workers experienced in family violence, child protection and family law matters.</p>	Noted
<p>Recommendation 80 The Committee recommends that, subject to positive evaluation of the Legal Aid Commission Small Claims Property Trials, the Australian Government along with states and territory governments fund on a 50-50 basis the establishment of a small property mediation program.</p>	Supported in principle
<p>Recommendation 81 The Committee recommends that the Australian Government, in collaboration with state and territory governments, implement a national electronic database of domestic violence orders to support the National Domestic Violence Order Scheme. The database should include provisional, interim, and final domestic violence orders and should record breaches of orders. In addition, the Australian Government should:</p> <ul style="list-style-type: none"> work with state and territory governments to develop standardised training material to be delivered to relevant staff alongside the introduction of the database; and consider whether the database should be accessible by specialist family and domestic violence service providers in addition to courts and police. 	Supported in principle
<p>Recommendation 82 The Committee recommends that the Australian Government, in consultation with state and territory governments, expand the National Domestic Violence Order Scheme to include orders issued under the <i>Family Law Act 1975</i> and</p>	Noted

Recommendation	Response
orders issued under state and territory child protection legislation.	
Recommendation 83 The Committee recommends that the Department of Social Services commission research on the potential benefits and risks to victim-survivor safety of the establishment of a publicly accessible register of convicted family, domestic and sexual violence offenders.	Supported in principle
Recommendation 84 The Committee recommends that the Australian Government work with the states and territories to adopt a variant of the United Kingdom's 'Silent Solution' for silent calls for police assistance.	Noted
Recommendation 85 The Committee recommends that the states and territories increase criminal penalties for breaches of apprehended or domestic violence orders, and ensure that the judiciary receives further training about the importance of security to victim-survivors of family, domestic and sexual violence and their families.	Noted
Recommendation 86 The Committee recommends that the Australian Government and state and territory governments jointly develop a mechanism to provide resources to victim-survivors to assist them to leave their home and resettle to escape a violent relationship. This should include examining ways in which the Commonwealth may recover the costs from the perpetrator.	Supported
Recommendation 87 The Committee recommends that the Australian Government, in conjunction with state and territory governments, ensure that the next National Plan recognises that family, domestic and sexual violence impacts upon workplaces.	Supported
Recommendation 88 The Committee recommends that the next National Plan include greater emphasis and specific detail on the crucial role of work and economic equality in the advancement of gender equality and the prevention of family, domestic and sexual violence.	Supported

Abbreviations

Abbreviation	Definition
AANA	Australian Association of National Advertisers
ABS	Australian Bureau of Statistics
ACMS	Australian Child Maltreatment Study
ACQS Commission	Aged Care Quality and Safety Commission
Advisory Council	Aboriginal and Torres Strait Islander Advisory Council on family, domestic and sexual violence
AFP	Australian Federal Police
AGD	Attorney-General's Department
AIC	Australian Institute of Criminology
AIFS	Australian Institute of Family Studies
AIHW	Australian Institute of Health and Welfare
AIJA	Australasian Institute of Judicial Administration
ALGA	Australian Local Government Association
ANROWS	Australia's National Research Organisation for Women's Safety
ATO	Australian Taxation Office
Bench Book	National Domestic and Family Violence Bench Book
CCTCP	Cyber and Critical Tech Cooperation Program
Closing the Gap	National Agreement on Closing the Gap
COAG	Coalition of Australian Governments
COVID-19 National Partnership	National Partnership on COVID-19 Domestic and Family Violence Responses
DFAT	Department of Foreign Affairs and Trade
DFSV Commission	Domestic, Family and Sexual Violence Commission
Disability Royal Commission	Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability
DSS	Department of Social Services
DVU	Domestic Violence Unit
EVP	Escaping Violence Payment

eSafety FASS	eSafety Commissioner Family Advocacy and Support Services
FDSV	Family, domestic and sexual violence
FDSV National Partnership	National Partnership on Family, Domestic and Sexual Violence Responses
FGM/C	Female genital mutilation/cutting
First Nations National Plan	First Nations National Plan for family safety
Former National Plan	<i>National Plan to Reduce Violence against Women and their Children 2010-2022</i>
FVitC	Family Violence in the Court
GEDSI	Gender equality, disability and social inclusion
GP	General Practitioner
HJP	Health Justice Partnerships
ICT	Information and Communications Technology
Inclusion Round	Safe Places Inclusion Round
KWSITH	Keeping Women Safe in their Homes Program
LAC Trial	Lawyer-assisted Family Law Property Mediation: Legal Aid Commission Trial
LGBTIQA+	Lesbian, Gay, Bisexual, Transgender, Intersex, Queer/Questioning, Asexual
LHA	LGBTIQ+ Health Australia
MatCH	Australian Longitudinal Study on Women’s Health – Mothers and their Children’s Health
MCWH	Multicultural Centre for Women’s Health
Migration Act	<i>Migration Act 1958</i>
Migration Regulations	<i>Migration Regulations 1994</i>
National Plan	<i>National Plan to End Violence against Women and Children 2022-2032</i>
National Framework	<i>National Strategic Framework for Information Sharing between the Family Law and Family Violence and Child Protection system</i>
National Principles	<i>National Principles to Address Coercive Control</i>

National Strategy	National Strategy to Achieve Gender Equality
NCIS	National Criminal Intelligence System
NDIA	National Disability Insurance Agency
NDIS	National Disability Insurance Scheme
NDIS Commission	NDIS Quality and Safeguards Commission
NDIS Framework	NDIS Quality and Safeguarding Framework
NDVOS	National Domestic Violence Order Scheme
NETFA	National Education Toolkit for Female Genital Mutilation/Cutting Awareness
NHHA	National Housing and Homelessness Agreement
NHMP	National Homicide Monitoring Program
NIAA	National Indigenous Australians Agency
NJCA	National Judicial College of Australia
NLAP	National Legal Assistance Partnership
NOSPI	National Outcome Standards for Perpetrator Interventions
NPAG	National Plan Advisory Group
Online Safety Act	<i>Online Safety Act 2021</i>
PHN	Primary Health Network
PSS	Personal Safety Survey
Respect@Work report	<i>Respect@Work: Sexual Harassment National Inquiry Report (2020)</i>
RRR	Recognise, Respond, Refer Program
Safe Places	Safe Places Emergency Accommodation Program
SFVS	Specialised Family Violence Services
SIRS	Serious Incident Response Scheme
STEM	Science, technology, engineering and mathematics
ToRs	Terms of Reference
Transitional Act	<i>Online Safety (Transitional Provisions and Consequential Amendments) Act 2021</i>
UN	United Nations

UNFPA	United Nations Population Fund
VAWC	Violence against Women and Children
VET	Vocational Education and Training
WLDP	Women's Leadership and Development Program
WWSMC	Women and Women's Safety Ministerial Council

Australian Government Response to Recommendations

Family violence in Australia and the National Plan

Recommendation 1

The Committee recommends that the Australian Government work with state and territory governments to adopt a uniform definition of family, domestic and sexual violence, which:

- reflects a common understanding of the features and dynamics of such violence and the breadth of relationships in which violence can occur;
- encompasses a broad range of violence, including but not limited to coercive control, reproductive coercion, economic abuse, and complex forms of violence, such as forced marriage, female genital mutilation/cutting and dowry abuse; and
- recognises the diversity of victim-survivors and perpetrators and the particular vulnerability of certain groups.

Supported

The definitions used in the *National Plan to End Violence against Women and Children 2022-2032* (National Plan) reflect what has been learned so far, acknowledging that learning will continue over the life of the National Plan. Definitions of family and domestic violence currently vary across jurisdictions. A shared understanding will improve identification of family and domestic violence and our ability to prevent violence and protect victim-survivors. It will also improve data collection which is key to directing government resources and the development of policies and initiatives to keep women and children safe. Additionally, a national definition will improve understanding of family and domestic violence across communities. The Government has committed to develop a national definition that includes coercive control, in close partnership with the states and territories.

A national definition of family and domestic violence will support the effective enforceability of protections under the National Domestic Violence Order Scheme (NDVOS), and assist the Government in applying the powers of the *Migration Act 1958* (Migration Act) against perpetrators consistently across Australian jurisdictions.

Recommendation 2

The Committee recommends that the next National Plan include quantitative measures, which should be agreed following consultation with non-government organisations, experts, and victim-survivors. The Committee proposes the following measures for consideration:

- reduction in the number of deaths attributed to family, domestic and sexual violence;
- reduction in the rate of incidents of family, domestic and sexual violence;
- reduction in the rate of re-offending by perpetrators;
- reduction in the rate of family, domestic and sexual violence in diverse communities, including Aboriginal and Torres Strait Islander people; LGBTIQI people; culturally and linguistically diverse people; and people with disability;

- increase in the availability and quality of support services for victim-survivors;
- significant and long-term increase in the number of perpetrators attending and completing perpetrator behaviour change programs;
- reduction in the number of incidents of family, domestic and sexual violence involving alcohol and/or other drugs;
- reduction in the number of incidents of family, domestic and sexual violence involving children as either victim-survivors or perpetrators;
- reduction in the number of incidents of family, domestic and sexual violence involving elder abuse, whether within the aged care system or in the home;
- increase in the reporting rate of incidents of family, domestic and sexual violence; and
- significant improvement in community awareness and understanding of, and attitudes about, all forms of family, domestic and sexual violence.

Supported in principle

The vision of the National Plan is to end violence against women and children in one generation.

To ensure accountability, the Government has committed to including targets under the National Plan to demonstrate progress over time towards ending gender-based violence.

The National Plan will be supported by an Outcomes Framework to measure progress. This Framework is currently under development in consultation with key stakeholders, including state and territory governments. This Framework will identify outcomes and indicators to measure progress against the objectives of the National Plan. These measures will go beyond prevalence indicators and will aim to measure real change towards ending gender-based violence.

The Domestic, Family and Sexual Violence Commission (DFSV Commission) will provide independent reporting on progress against the National Plan to ensure it delivers real and tangible actions. The DFSV Commission will hold all levels of governments to account through a yearly report to Parliament.

Recommendation 3

The Committee recommends that the next National Plan be inclusive of the diversity of victim-survivors. In particular, the next National Plan should recognise the rights and needs of:

- women;
- children in their own right;
- men;
- older Australians;
- LGBTQI people; and
- people living with a disability.

Further, the Committee recommends that the Australian Government, and state and territory governments, ensure that the next National Plan and the *National Framework for Protecting Australia's Children 2009-2020* are clearly aligned.

Supported

The National Plan reflects the diversity of Australian society and recognises while violence affects all groups in society, it affects each group, including children, older women, the LGBTIQ+ community, culturally and linguistically diverse communities, women with disability and Aboriginal and Torres Strait Islander communities in different ways.

The National Plan recognises children as victims in their own right, and that childhood experiences of violence can have long-term and ongoing impacts, including physical and mental health impacts among others. The National Plan identifies actions to prevent and address violence against children in each of the four domains, from prevention through to recovery and healing. To support these actions, the National Plan is clearly aligned with two key initiatives that aim to improve outcomes for children:

- *Safe and Supported: the National Framework for Protecting Australia's Children 2021-2031* (Safe and Supported), the successor plan to the *National Framework for Protecting Australia's Children 2009-2020*; and
- *National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030*.

Intersectionality is included as a cross-cutting principle underpinning all objectives outlined in the National Plan. This ensures the National Plan considers the rights and needs of all people who experience gender-based violence.

Further, the National Plan also includes person-centred coordination and integration as a cross-cutting principle, recognising the need for a service system that is timely, safe, inclusive, tailored and accessible, and delivers integrated specialised services for victim-survivors.

Recommendation 4

The Committee recommends that the next National Plan seek to prevent all forms of family, domestic and sexual violence, including physical violence, sexual violence, exposure to violence in childhood, repeated violence, nonphysical forms of violence including coercive control and technology-facilitated abuse, and complex forms of violence such as forced marriage, female genital mutilation/cutting and dowry abuse.

Supported

The National Plan addresses and seeks to prevent all forms of FDSV experienced by all groups of people, including children, older women, the LGBTIQ+ community, Aboriginal and Torres Strait Islander communities, culturally and linguistically diverse communities and women with disability.

The National Plan outlines several key areas of focus for addressing gender-based violence in Australia including, coercive control, intimate partner homicide, sexual violence and harassment, pornography, economic abuse, including financial abuse, and technology-facilitated abuse. However, the National Plan also recognises other forms of violence, including childhood exposure to violence, forced marriage, female genital mutilation/cutting (FGM/C) and dowry abuse, and seeks to address these forms of violence as well through targeted prevention and early intervention strategies.

Safe and Supported seeks to reduce the rate of child abuse and neglect and its intergenerational impacts. This includes emotional abuse, which was the most common primary type of abuse or neglect substantiated through investigations in 2020–21. Children affected by exposure to family violence are included in this category.

Safe and Supported will align and interact with other national initiatives to support systemic change for children, young people and families. Most importantly, it will have close linkages with the National Plan, recognising that the 2 issues are closely intertwined at all levels.

Safe and Supported will be implemented through two sets of Action Plans, including Aboriginal and Torres Strait Islander-specific Action Plans. The first two Action Plans were released in January 2023.

The Government has implemented strategies to address specific forms of violence, such as coercive control and forced marriage. The Commonwealth, state and territory governments are co-designing the *National Principles to Address Coercive Control* (National Principles). The National Principles aim to develop a common understanding of coercive control and to raise awareness of the issue. They also aim to ensure that the community better understands the full range of physical and non-physical tactics used by perpetrators of family and domestic violence, and their impacts. The National Principles will also help to inform more effective and consistent responses to coercive control, for example within training and education.

The Government has strengthened efforts to prevent and respond to forced marriage of women and girls through continuing work to develop a model for enhanced civil protection and remedies for individuals in, or at risk of, forced marriage under the *National Action Plan to Combat Modern Slavery 2020-25*. The model is intended to complement existing Commonwealth criminal offences by enhancing civil protections available to prevent forced marriages and support those affected. The Government is consulting with the states and territories, and civil society, in developing options for the model.

Raising awareness of, and addressing, the health impacts of violence against women and girls is a key priority under the *National Women's Health Strategy 2020-2030*. The National Strategy recognises the significant and long-term physical and emotional implications for the health of victim-survivors of violence.

Funding of \$1.7 million over three years has been allocated in the 2022-23 Budget through the Department of Health and Aged Care to support community-led approaches for the prevention of FGM/C including support for community awareness of the consequences of FGM/C. Activities will support establishment of a community of practice and support health professional training to increase the Australian workforce ability to address the health impacts of FGM/C.

To help combat FGM/C the Government has also provided funding under the Women's Leadership and Development Program (WLDP) since 2017-18 to the Multicultural Centre for Women's Health (MCWH) to deliver the National Education Toolkit for Female Genital Mutilation/Cutting Awareness (NETFA) project. This community-led, multilingual project raises awareness about the harmful impacts of FGM/C and provides support to women who have experienced FGM/C.

Recommendation 5

The Committee recommends that the next National Plan be named the 'National plan to reduce family, domestic and sexual violence'.

Not supported

The full name “The National Plan to End Violence Against Women and Children 2022-2032: Ending gender-based violence in one generation” reflects a more ambitious agenda, to end violence rather than to just reduce violence, as living free from violence is a basic human right. Though this vision is ambitious, if all governments, businesses and the community pull in the same direction, it can be achieved.

The National Plan title includes the term ‘violence against women’ because this encompasses a broader range of violence than the language ‘family, domestic and sexual violence’. This includes forms of violence such as online abuse, trafficking of women and children, and violence perpetrated in settings that are not domestic, such as violence against women in institutions. This is in recognition that FDSV is overwhelmingly perpetrated by men against women and children.

The National Plan focuses on gender-based violence, acknowledging victim-survivors can identify as any gender identity.

Recommendation 6

The Committee recommends that the next National Plan promote and enhance an integrated whole-of-service-system response to family, domestic and sexual violence across jurisdictions.

Supported

The National Plan has 6 cross-cutting principles, one of which is person-centred coordination and integration. The National Plan recognises an integrated whole-of-service-system response to FDSV is an integral part of creating a person-centred service system that supports victim-survivors.

Through the implementation of the National Plan, the Government will work with state and territory governments to develop mechanisms that enable coordination and collaboration, and promote consistency between legislative and policy reforms, programs and other response and prevention efforts.

Recommendation 7

The Committee recommends that the next National Plan promote and enhance a whole-of-society response to family, domestic and sexual violence that involves businesses, community groups and other non-government bodies, as well as governments.

Supported

The National Plan encompasses a whole-of-society response to FDSV and recognises that sustained, collective action is required across society to address the drivers and reinforcing factors of gender-based violence. All individuals have a meaningful role to play in ending violence – as families, friends, work colleagues, employers, businesses, sporting organisations, media, educational institutions, service providers, community organisations, service systems and governments.

The National Plan outlines several objectives across the four domains to support this response, including building sectoral and community capacity to identify and support women and children at increased risk of experiencing gender-based violence, as well as ensuring victim-survivors are well supported in all aspects of their daily lives through trauma informed, culturally safe and accessible services that support longer-term recovery.

The National Plan includes a specific focus on the role of business and industry in responding to FDSV,

recognising these sectors can invest in and implement innovative strategies and initiatives across the continuum of prevention through to recovery and healing to end violence against women and children.

Recommendation 8

The Committee recommends that responsibility for the implementation of the next National Plan continue to rest with the Department of Social Services.

Supported

The National Plan is a whole-of-system response to FDSV and requires action across all governments and sectors. Overall responsibility for the implementation of the National Plan will continue to sit with DSS while the implementation of individual measures under the Action Plans will be supported by the relevant Commonwealth agency or jurisdiction.

Recommendation 9

The Committee recommends that the Australian Government direct and appropriately resource the Australian Bureau of Statistics to conduct the Personal Safety Survey on an annual basis and ensure that the survey collects information about the prevalence of specific forms of family, domestic and sexual violence and complex forms of violence.

Not supported

The Government has funded the Personal Safety Survey (PSS) over the forward estimates for a survey conducted every four years.

The Government does not support conducting the PSS annually due to the:

- significant burden placed on respondents who are asked to share sensitive information about multiple forms of violence experienced in their lifetime.
- substantial investment/resources required to enumerate the survey (\$17.5 million to produce the PSS 2021).

Further, conducting a detailed annual collection is not expected to detect meaningful changes in the prevalence of the wide range of violence types, year on year. However, in response to the demand for annual insights, from 2023 onwards, the ABS Crime Victimization Survey includes several questions which will produce some high level statistics on experiences of family and intimate partner violence. Similarly to PSS, it is still not expected to show significant annual changes.

The Government supports a range of other surveys and research that provide additional information and data on specific issues such as Australia's National Research Organisation for Women's Safety (ANROWS) funded research, the National Survey on Sexual Harassment in Australia's Workplaces, the National Homicide Monitoring Program (NHMP), the National Community Attitudes Survey, and the Australian Institute of Health and Welfare (AIHW) interactive dashboards on family, domestic and sexual violence data in Australia. AIHW has also received funding under the 2021-22 Budget to develop a site housing the FDSV related data and reports.

Recommendation 10

The Committee recommends that the Australian Government direct and appropriately resource the

Australian Institute of Health and Welfare to develop a national data collection on service-system contacts with victim-survivors and perpetrators, including data from primary health care, ambulance, emergency department, police, justice, and legal services.

Further, the Committee recommends that the Australian Government, and state and territory governments, provide appropriate funding and support to service providers to implement consistent data collection procedures.

Supported in principle

Funding has been allocated to the AIHW to lead the scoping and development of an integrated data system which can form the basis for future expansion and development. The long-term aim is to have a data system which can provide a more complete picture of the life experiences, service pathways and outcomes of people experiencing FDSV, including victim-survivors and perpetrators, in order to inform policy and improve outcomes for women and children. This project will leverage and align with broader reforms to national data integration and consider work underway by the Australian Bureau of Statistics (ABS) to link criminal justice datasets.

The AIHW has also been funded to expand and enhance its national monitoring, reporting, and data work on FDSV. This project could incorporate some data development work related to specific health or welfare service-level data collections, for example improved capture of injury related to family violence in national emergency department data.

The Government has also funded the development of a prototype national FDSV specialist service data collection (see Recommendation 11).

Recommendation 11

The Committee recommends that the Australian Government direct and appropriately resource the Australian Institute of Health and Welfare to develop a national data collection on the use of, and unmet demand for, specialist family, domestic and sexual violence services.

Supported

Funding has been allocated to the AIHW to lead the development of a prototype national FDSV specialist service data collection to bring together disparate sources of frontline service information. This work will inform recommendations for the establishment of an ongoing, national specialist services data collection which could be expanded and built on in the future. A national data collection will enhance understanding of service usage, demand and gaps. It will also improve understanding of the impacts of FDSV, and patterns and pathways of specialist service use.

This collection could be designed to support measurement of unmet demand for people who approach the FDSV services in scope. Measurement of population-level demand, and unmet demand, for services will need to be estimated through population surveys.

Recommendation 12

The Committee recommends that the Australian Government lead the development of a national family, domestic and sexual violence death toll.

Further, the Committee recommends the Australian Government consider the need for additional measures to ensure better integration of data from family, domestic and sexual violence death reviews

across all Australian jurisdictions.

Supported

The Australian Institute of Criminology's (AIC) National Homicide Monitoring Program (NHMP) is a national data collection focussing on homicide incidents, victims and offenders. The NHMP collates information from state and territory police, coronial and court document data sources and reports on FDSV related homicides (i.e. murder, manslaughter and infanticide) in the annual *Homicide in Australia* report series. The NHMP also contributes to comprehensive studies about FDSV related homicide, such as the *Pathways to intimate partner homicide* report released by ANROWS in 2022 which examined 199 male-perpetrated homicides of a female intimate partner to identify primary offender cohorts and the nature and course of intimate partner homicide in Australia.

Establishing a national FDSV death toll is dependent on several factors, including the period taken to finalise coronial investigations and other relevant legal decisions about the case. The AIC is examining a set of reporting options that would support the development of a death toll. The first is the establishment of a *Homicide in Australia* quarterly dashboard which releases national, quarterly data on homicide incidents. The dashboard would include data on number of homicide incidents by homicide type in the last quarter, year to date and last five years, victim and offender sex, relationship between victim and primary offender and a small set of additional variables where quarterly data are available. The second is to publish a concise, standalone summary report of FDSV-related homicides with the annual *Homicide in Australia* report each year. The summary report would provide further detail captured in the NHMP on FDSV related homicide incidents.

The Australian Domestic and Family Violence Death Review Network (Network) releases publications on family and domestic violence related deaths.

On 22 February 2022, ANROWS released a research report titled *Australian Domestic and Family Violence Death Review: Intimate partner violence homicides 2010–2018*. The report details data findings on intimate partner violence homicides from July 2010 to June 2018, providing a national picture of the characteristics present in intimate partner violence homicides in Australia. A national minimum dataset also sits behind the report on Intimate Partner Violence Homicides, which contains a range of data that is consistently captured across all Australian jurisdictions for each of these homicides. As part of the collaborative partnership between ANROWS and the Network, a national minimum dataset is currently being developed for family and domestic violence context homicides in Australia. A corresponding report will be released in 2023.

Recommendation 13

The Committee recommends that the Australian Government, and state and territory governments, continue to provide increased funding for frontline family, domestic and sexual violence services in the COVID-19 pandemic.

Supported

The 2021-22 Budget committed funding of \$260.0 million for a 2-year National Partnership on Family, Domestic and Sexual Violence Responses (2021-23) (FDSV National Partnership) with state and territory governments to support frontline FDSV services and to trial new initiatives to support women and children experiencing violence.

In the October 2022-23 Budget, the government committed an additional \$10.7 million under the

FDSV National Partnership to bolster frontline FDSV services in the Northern Territory.

This builds on the \$130.0 million provided to states and territories in 2020 under the National Partnership on COVID-19 Domestic and Family Violence Responses (COVID-19 National Partnership), to invest in services to support women and children who were experiencing or at risk of violence during the pandemic.

The October 2022-23 Budget also committed \$169.4 million over four years to provide an additional 500 frontline service and community workers across Australia and \$25.0 million over five years for innovative responses to address perpetrator behaviour. These initiatives will be delivered by state and territory governments.

Recommendation 14

The Committee recommends that the next National Plan include measures informed by the experience of family, domestic and sexual violence in the COVID-19 pandemic, including but not limited to:

- integration of family, domestic and sexual violence in emergency planning and disaster response frameworks;
- increased support for the health and welfare of frontline workers, at all times but particularly during emergencies and disasters; and
- increased use of technology and new service delivery models to improve access to services.

Supported in principle

The National Plan acknowledges that women and children face an increased risk of FDSV during and after natural disasters and other emergencies, including the COVID-19 pandemic. The National Plan recognises the need to enhance responses to FDSV in these circumstances to better support victim-survivors.

The Government currently funds Gender and Disaster Australia (GADAus) for training and resources delivered to frontline responders and communities to better support the safety of women and children experiencing or at risk of violence when disasters strike.

The National Plan also recognises the need for improved access to services for victim-survivors. Under the Recovery and healing domain, the National Plan includes an objective that focuses on ensuring victim-survivors are well supported in all aspects of their daily lives through trauma-informed, culturally safe and accessible services that support long-term recovery. This may include increased use of technology to support improved access to services.

Governance, coordination and evaluation

Recommendation 15

The Committee recommends that the Australian Government seek the agreement of state and territory governments to make a representative of the Australian Local Government Association a member of the National Federation Reform Council Taskforce on Women's Safety.

Noted

On 30 September 2022, National Cabinet agreed to the recommendations put forward by the First Secretaries Group's Review of the Ministerial Councils. As a result, the Women and Women's Safety Ministerial Council (WWSMC) has been formally established as part of the renewed federal relations architecture. The WWSMC will replace the National Federation Reform Council Taskforce on Women's Safety, however will continue to be co-chaired by the Commonwealth Minister for Women and the Commonwealth Minister for Social Services.

The WWSMC Terms of Reference (ToRs), including membership of the WWSMC, was finalised in early 2023 following endorsement by members of the WWSMC.

The Government understands that addressing and ending FDSV requires involvement of all stakeholders, including local government. The ToRs will allow for members of the council to invite expert advisers to participate in specific meetings or discussions, as appropriate. This may include representatives of the Australian Local Government Association (ALGA).

Recommendation 16

The Committee recommends that the Australian Government and state and territory governments directly involve local government in the development and implementation of the next National Plan. If not achieved through the Australian Local Government Association's (ALGA) membership on the National Federation Reform Council Taskforce on Women's Safety, another appropriate mechanism should be utilised to facilitate ALGA's engagement.

Supported in principle

To inform development of the National Plan, the Government undertook three separate public consultation processes through the DSS Engage website from 2021 to early 2022. All stakeholders were eligible to participate in these processes, including local government associations.

The Government will consult with state and territory governments on ALGA's engagement in the implementation of the National Plan.

Recommendation 17

The Committee recommends that the Australian Government and each state and territory government co-fund on a 50-50 basis a dedicated family and domestic violence policy officer in each state and territory local government association for an initial period of five years.

In addition, the Australian Government and state and territory governments should work with the Australian Local Government Association to consider whether additional resources are required to assist individual local governments to have a more active role in preventing and responding to family, domestic

and sexual violence, and to implement the *Prevention toolkit for local government*.

Noted

Through the FDSV National Partnership, the Government is working with state and territory governments to support frontline FDSV services and trial new initiatives to support women and children experiencing violence. Funding is conditional on contributions from states and territories, in recognition that responding to violence is a shared responsibility of all Australian governments and that states and territories have primary responsibility for frontline services.

States and territories are responsible for distributing the funding under the FDSV National Partnership to services based on needs in their jurisdictions.

Recommendation 18

The Committee recommends that the next National Plan include a commitment to improve the transparency of funding for family, domestic and sexual violence programs and services.

The Committee further recommends that Australian Government funding provided to state and territory governments for family, domestic and sexual violence programs and services be linked to requirements that those governments:

- fund related programs and services within their own jurisdictions on an agreed minimum ratio basis of the funding provided by the Australian Government; and
- report regularly on their own funding for related programs and services.

Supported in principle

The National Plan recognises all Australian governments have a shared responsibility for ending violence against women and children.

Through the FDSV National Partnership, the Government is working with state and territory governments to support frontline FDSV services and trial new initiatives to support women and children experiencing violence. Funding is conditional on contributions from states and territories, in recognition that responding to violence is a shared responsibility of all Australian governments and that states and territories have primary responsibility for frontline services.

Through the FDSV National Partnership, the Commonwealth, state and territory governments are working together to deliver meaningful improvements to data and reporting. This will contribute to a better understanding of the needs of the FDSV sector and ongoing demand. These requirements build on the existing reporting framework for the previous COVID-19 National Partnership.

Recommendation 19

The Committee recommends that the Australian Government, in consultation with state and territory governments, develop a needs-based funding methodology to account for variations in the presentation of family, domestic and sexual violence in different jurisdictions.

This methodology should be applied to future Australian Government and state and territory governments' funding for family, domestic and sexual violence programs.

Supported in principle

The Government will consult with state and territory governments on implementation of this recommendation.

Funding under the FDSV National Partnership is currently allocated on a per capita basis, with a loading for remote and very remote communities. This approach was agreed between the Commonwealth and state and territory governments.

Additional funding of \$10.7 million for the Northern Territory in 2022-23 was announced on 18 August 2022, in recognition of the higher rates of violence and complexities of remote service delivery. This funding will support a broad range of FDSV organisations and services in the Northern Territory.

A needs-based funding model would require consensus among state and territory governments to this approach. Any model would need to be developed carefully to take into account factors such as the methodology for determining need and the availability of nationally consistent data. Consideration of a needs-based funding approach is best considered following completion of work currently underway by the AIHW to fill identified data gaps and work towards consistent definitions for FDSV nationally.

Recommendation 20

The Committee recommends that the next National Plan include a commitment to an ongoing program of independent and transparent monitoring and evaluation, which:

- includes formal opportunities for victim-survivors and other nongovernment stakeholders to provide input; and
- is overseen by the proposed National Commissioner for the prevention of family, domestic and sexual violence, or another independent body.

Supported

Planning activities for the monitoring and evaluation of the National Plan are underway. This includes development of the Outcomes Framework which will be a key component of the National Plan evaluation strategy. Work on the Outcomes Framework and associated monitoring and evaluation activities is being developed in consultation with key stakeholders including state and territory governments, the Advisory Council and the National Plan Advisory Group (NPAG).

The DFSV Commission will report on progress against the National Plan to ensure it delivers real and tangible actions. The DFSV Commission will hold all levels of governments to account through a yearly report to Parliament.

Recommendation 21

The Committee recommends that the next National Plan include a commitment to provide funding for Australia's National Research Organisation for Women's Safety for the life of the plan.

Supported in principle

The Government recognises the importance of building the evidence base to enhance our knowledge of what works, to improve policies, programs and other initiatives, and to contribute to the prevention of violence by addressing its underlying drivers. The Government acknowledges the important work of ANROWS in leading the national FDSV research agenda and has committed funding of \$23 million

over five years in the 2022-23 Budget for ANROWS to continue its role in providing national leadership on data and evidence related to violence against women and children.

Recommendation 22

The Committee recommends that the Australian Government ensure that specific family, domestic and sexual violence programs funded either directly or indirectly by the Australian Government include funding for a standardised evaluation component. Evaluations should be published where possible.

Further, the Committee recommends that the Australian Government, in consultation with state and territory governments, consider the need for:

- the development of accredited standards or agreed outcomes measures to guide evaluations of family, domestic and sexual violence programs and services;
- additional support and training to assist organisations in undertaking evaluations; and
- a national platform for the publication of evaluations.

Supported in principle

Evaluation of a number of programs funded directly by the Government will drive program design and service delivery improvements that, in turn, will deliver better outcomes for victim-survivors.

Additionally, through initiatives funded under the 2021-22 Budget, work is underway to develop data collection mechanisms, noting the success of these mechanisms will be contingent on states and territories collecting and providing data.

The DFSV Commission will promote consistent monitoring and evaluation on progress against the National Plan across the Commonwealth and state and territory governments.

Recommendation 23

The Committee recommends that the Australian Government establish as an independent statutory office a National Commissioner for the prevention of family, domestic and sexual violence.

The functions of the Commissioner should include promoting and enhancing a whole-of-government, cross-jurisdictional approach to policy development, research, data collection, and monitoring and evaluation with respect to family, domestic and sexual violence initiatives.

The Commissioner should:

- report to the Minister for Social Services;
- be an *ex officio* observer on the National Federation Reform Council Taskforce on Women's Safety;
- be responsible for monitoring and evaluation of the next National Plan;
- provide a formal mechanism for consultation with victim-survivors and non-government organisations; and

- provide an annual report to the Parliament.

The Commissioner should be provided with appropriate resources to perform its functions for the duration of the next National Plan.

Supported

On 1 July 2022, the Government established the DFSV Commission as an Executive Agency reporting to the Assistant Minister for the Prevention of Family Violence.

The Executive Order dated 17 March 2022 prescribed the functions listed in this recommendation for the Commission (with consideration given to ensuring that appropriate functions are passed from existing bodies such as the Office for Women and DSS). The Commission has committed to providing a yearly report to parliament on progress against the National Plan. The Commission has been provided with \$27.4 million over five years to perform these functions.

Non-physical forms of violence

Recommendation 24

The Committee recommends that the Australian Government and state and territory governments develop shared principles to guide any future offences of coercive and controlling behaviour, with a view to ensuring consistency across jurisdictions to the extent possible.

These principles should address:

- the behaviours and patterns of behaviour captured by any new offences;
- the breadth of relationships captured by any new offences;
- the standard of proof required by any new offences;
- mitigating the impact of any new offences on groups with particular vulnerabilities; and
- associated implementation issues, including but not limited to minimum standards for training in any new offences; and, very importantly, public awareness raising about any new offences.

Supported

Coercive control is a pressing issue that requires a coordinated, national approach. The Commonwealth, states and territories are working together to develop *National Principles to Address Coercive Control* (National Principles) through the Standing Council of Attorneys-General (SCAG) with a view to finalising the National Principles in 2023.

The draft National Principles address the following:

- The common features of coercive control, including behaviours and patterns of behaviour and the breadth of relationships where coercive control can occur.
- The impacts of coercive control on victim-survivors
- Awareness-raising of coercive control and the need to ensure that legal responses are supported by education and training initiatives to ensure any new laws are implemented effectively.
- The specific experiences of coercive control affecting diverse groups of people, such as First Nations people, people with disability, culturally and linguistically diverse and LGBTQIA+ communities.
- The effects of discrimination and inequality and how this may interact with any legal response to coercive control, and
- The potential unintended consequences of criminalisation.

The National Principles will help create a shared national understanding of coercive control, raise awareness of coercive control, inform more effective responses to family and domestic violence, and promote more consistent support and safety outcomes for victim-survivors.

Decisions about criminalising coercive control, including whether to criminalise, the breadth of any new offences and the standard of proof, are a matter for each state and territory to determine. As such,

the National Principles do not address these elements, but will inform consideration of new coercive control offences in states and territories. The National Principles recognise that criminalisation is only one part of a broader approach to addressing coercive control, and the National Plan highlights coercive control as a key area of focus for addressing gender-based violence in Australia.

Under Closing the Gap Priority Reform One, the Government is committed to working in partnership with First Nations peoples through shared-decision making and formal partnerships. In recognising that First Nations experiences of coercive control in intimate partner situations may differ from mainstream experiences, the Government engaged KPMG, which partnered with an Indigenous consulting firm, to develop and deliver a tailored First Nations' consultation strategy on the draft National Principles. Aboriginal and Torres Strait Islander people are also represented on the National Principles Stakeholder Advisory Group.

A recent study has shown that First Nations women experience coercive control at a higher rate than non-Indigenous women and the cumulative experiences of both coercive control and physical and/or sexual violence are higher for First Nations women.¹ Despite this, research and data on First Nations experiences of coercive control in the context of interpersonal violence remains limited. It is crucial to engage closely with First Nations stakeholders to strengthen our understanding of coercive control in Indigenous contexts – its manifestation, prevalence, and self-determined solutions.

Recommendation 25

The Committee recommends that the Australian Government fund a specific public awareness campaign about coercive and controlling behaviour as a form of family, domestic and sexual violence and a predictor of severe physical violence and homicide.

Supported in principle

Public awareness campaigns can be a useful tool for Government to share information and raise important issues. Any public awareness campaigns will be evidence-based to ensure they enhance understanding of the issue and support behavior change.

When the National Principles are finalised in 2023, the SCAG will consider next steps for implementation, including promotion and awareness-raising.

Recommendation 26

The Committee recommends that the Australian Government, and state and territory governments, develop and provide funding for training for the identification of coercive and controlling behaviour for police; justice and legal sector practitioners; and health, mental health, social services, and specialist family, domestic and sexual violence service workers.

The Committee further recommends that the Australian Government and state and territory governments consider developing minimum standards for training on coercive control and including training on coercive control in relevant professional qualifications.

Supported in principle

The National Plan recognises the need to increase specialist and targeted training for police, judiciary and the legal profession on FDSV, including coercive control and misidentification of perpetrators, to facilitate a transition to pattern-based responses to FDSV.

Family violence issues were updated in a number of recently completed training package development projects, including those relating to qualifications for Aboriginal and Torres Strait Islander health workers, and those working with youth, children/families at risk and in the community development area (for example, skills in the areas of working with families, mediation, case management and child protection were a key focus of a review of ten qualifications included Community Services training package which was completed in February 2022).

The Government is establishing Jobs and Skills Councils to provide industry with a stronger, more strategic voice and broader role in ensuring Australia's vocational education and training (VET) system continues to deliver on employer and learner needs. Among other things, Jobs and Skills Councils will have responsibility for ensuring Training Package qualifications remain current and fit for purpose. The Government will ensure the recommendation to develop training for the identification of coercive and controlling behaviour is considered by the relevant Jobs and Skills Councils once established.

The Government notes that non-accredited training also plays an important role in assisting front-line workers in responding to family violence issues.

The Government, with the states and territories, co-funds the Australasian Institute of Judicial Administration (AIJA) to develop and maintain the National Domestic and Family Violence Bench Book (Bench Book). The Bench Book is an online resource for judicial officers considering legal issues relevant to family and domestic violence related matters. The Government also co-funds the National Judicial College of Australia (NJCA) to deliver the Family Violence in the Court (FViC) training program for judicial officers, which builds upon the Bench Book. In June 2021, the Government provided additional funding for the Bench Book and the FViC training program to include new content on coercive control and to run a judicial training program with an enhanced focus on coercive control.

In the 2022-23 Budget, the Government provided funding to develop training for legal practitioners on coercive control. This will build on work the Government is currently undertaking with states and territories on the development of the National Principles.

Training for law enforcement will be developed as part of the Government's \$4.1m training package to enhance the effectiveness of police responses to FDSV. One of the key streams of focus is coercive control, which will be informed by the National Principles.

Any state and territory financial contributions to these training and education measures remains a matter for state and territory governments.

Recommendation 27

The Committee recommends that the Australian Government and state and territory governments undertake a review of relevant risk identification, risk assessment, and risk management practices to ensure that coercive and controlling behaviour is adequately captured.

Supported in principle

The Government notes this recommendation seeks to improve the early identification of coercive control through training across a range of sectors, and embedding coercive control in relevant risk assessment and management practices. The National Principles will create a shared national understanding of coercive control, which will support Commonwealth and state and territory governments to adequately and consistently capture coercive and controlling behaviour in relevant risk identification, risk assessment and risk management practices.

The Government has provided \$4.1 million in funding to enhance the effectiveness of police responses to FDSV through the development and delivery of a national training package, which will include a specific stream on coercive control. This may also help identify risk identification and assessment of coercive control in the law enforcement sector.

The AIC is also undertaking a series of studies on police risk assessment of domestic violence. As part of this research, the AIC is examining the incorporation of coercive controlling behaviour into police estimations of risk, and the extent to which this behaviour is associated with the occurrence of further violence, and further escalation in violence. This research will be considered in the context of the impact on a diverse range of groups, including First Nations people.

Recommendation 28

The Committee recommends that the Australian Government continue funding for critical research around the context, motives and outcomes of technology-facilitated abuse—in particular, by providing dedicated funding to the Office of the eSafety Commissioner and Australia’s National Research Organisation for Women’s Safety.

Supported in principle

The Government recognises that technology-facilitated abuse is a serious, pervasive and often dangerous form of abuse.

The constant evolution of technology means the threat landscape for technology-facilitated abuse is dynamic and changing. This makes recognising and addressing how technology is weaponised as a tool of abuse challenging.

As such, the Government supports the need for continued funding for greater research that explores the nature and impact of technology-facilitated abuse, so that evidence-based solutions can be identified, implemented and evaluated on an ongoing and iterative basis.

This research will explore the context, motives and outcomes of technology-facilitated abuse across the four domains outlined in the National Plan: Prevention, Early Intervention, Response, and Recovery and healing.

To date, the eSafety Commissioner (eSafety) has undertaken a suite of research on technology-facilitated abuse in order to address gaps in the evidence for at-risk or marginalised groups. This includes two reports released in August 2021: one exploring the experiences of women with intellectual or cognitive disability;² the other exploring the experiences of Aboriginal and Torres Strait Islander women in remote and regional areas.³ In December 2020, eSafety released research⁴ on children and technology-facility abuse in family and domestic violence situations.

eSafety will examine the nature, characteristics and context of technology-facilitated abuse in further research. This may include examining risk factors and protective factors for victimisation and perpetration, as well as the short and long-term impacts of abuse and potential prevention and response measures.

Future funding for eSafety will be considered by the Government in the context of the Budget.

Recent research produced by ANROWS includes the 2022 ANROWS report, *‘Technology-facilitated abuse: National survey of Australian adults’ experiences’*.⁵

The 2022-23 Budget provided \$23 million over five years for an ANROWS priority research fund.

Research projects considered for funding will be broadly determined by their relevance to evidence gaps identified in the National Plan and Australia's National Research Agenda.

Recommendation 29

Based on recommendations from the eSafety Commissioner, the Committee recommends that the Australian Government, in cooperation with state and territory governments where applicable:

- Develop and implement education initiatives that drive cultural change and increase awareness about the abusive nature and legal implications of technology-facilitated abuse, focused on women and girls at risk of experiencing technology-facilitated abuse and men and boys at risk of perpetrating it.
- Through a process of co-design, work with at-risk communities to develop resources to raise their awareness of technology-facilitated abuse and their capacity to identify and manage it.
- Develop resources for children and young people to help them understand and manage the ways that technology is used in family, domestic and sexual violence.
- Develop and implement capacity building initiatives to increase all women's and girls' skills in online safety and digital literacy.
- Embed comprehensive and nationally coordinated respectful relationships and online safety education into the Australian curriculum across all learning stages.
- Facilitate more gender-balanced science, technology, engineering and maths (STEM) industries by developing initiatives to upskill and reskill women for entry opportunities and leadership pathways in STEM.
- Ensure Australia is represented on, and contributes to, global initiatives and coalitions to advance the rights of women and girls and uphold and deliver on international agreements, including in relation to technology-facilitated abuse, the potential for technology to drive gender equality, and Safety by Design.
- Ensure that capacity building initiatives to increase women's skills in online safety and digital literacy occur both in Australia and in our region.
- Ensure government support and funding for Safety by Design and encourage industry players to implement and champion its principles, to promote a safer online environment for women and girls.
- Fund the eSafety Women program on an ongoing basis.
- Expand the eSafety Women program to deliver education and training to the judiciary, legal profession, and law enforcement.
- Establish a new program to provide training for frontline workers and others about how children are involved in technology-facilitated abuse cases involving their parents.
- Fund eSafety to evaluate and advise on technical solutions to protect victim-survivors experiencing technology-facilitated abuse.
- Provide dedicated funding for Safety by Design to assist in increasing its adoption and impact.

- Develop an education and awareness campaign on dating applications.

Supported in principle

The Government recognises that addressing technology-facilitated abuse and promoting online safety requires a whole-of-government and whole-of-community approach. The National Plan explores how technology is used to perpetrate violence and points to the need to harness technology in the prevention of violence against women and children. The National Plan also outlines the importance of training and information for frontline workers on technology-facilitated abuse.

Working in consultation with state and territory governments, the Government will seek to draw upon a range of social, behavioural, educational, cultural and technological levers to implement this recommendation.

Education

The Government recognises the importance of embedding online safety, digital literacy and respectful relationships into the Australian Curriculum.

Supporting children with the knowledge and life-long skills they need to negotiate the digital world safely and respectfully starts at a young age. eSafety's Early Years Program supports families and educators to provide pre-school children with the foundational skills and protective skills of resilience, respect, critical thinking and help-seeking. In the first years of school, children learn key concepts of privacy and security and why they are important, which builds their digital literacy and practice of digital safety and wellbeing.

eSafety's Toolkit for Schools is designed to support schools create safer online environments. The resources are categorised into four elements: Prepare, Engage, Educate and Respond. Whether the resources from each element are used on their own or collectively, each contributes to creating safer online environments for school communities.

eSafety also offers a range of online safety training programs for professionals across a variety of sectors, including the education sector.

eSafety's education resources align with its Best Practice Framework for Online Safety Education and key areas of the curriculum. Classroom resources are accompanied by professional learning and resources for parents and carers in recognition of the importance of a whole-school approach to online safety education.

Supporting children and young people to recognise unsafe situations, to ask for help and to understand how technology might be used in the context of abuse and violence requires an approach that first and foremost recognises that it is the role of adults to protect children. It also requires a commitment to privilege children's voices, in order to develop a deep understanding of children's experiences and the barriers to help-seeking they face when confronted with online harms or other forms of technology-facilitated abuse.

The Government, working with the eSafety Commissioner, the Australian Federal Police (AFP), state and territory governments, education sectors and the regulatory authorities who are responsible for the delivery of the curriculum, looks to promote educational practices that support the national priority of ending violence against women and their children. To ensure that comprehensive teaching of respectful relationships is a focus of classroom practice, the Government has provided age-appropriate respectful relationships education resources for teachers, parents and students. These were initially developed as

part of the 2015 Women's Safety Package to address FDSV and have been strengthened and developed since.

ThinkUKnow, led by the AFP, is an evidence-based education program that is delivered nationally in partnership with police and industry partners to prevent online child sexual exploitation and abuse. The program addresses topics including self-generated child abuse material, online grooming, image-based abuse, sexual extortion and, importantly, encourages help seeking behaviour. ThinkUKnow topics that link to the Australian Curriculum include:

- sharing illegal content such as child abuse material/peers sharing content without consent
- how to deal being sent unsolicited material, and
- how to recognise the signs of online grooming and unsafe situations online (adult offenders).

Notably, the updated Australian Curriculum (version 9) was endorsed by education ministers on 1 April 2022 and published on a new website on 9 May 2022. One of the key updates was to the Health and Physical Education learning area, which now includes consent and respectful relationships being explored from Foundation to Year 10 in age-appropriate ways. This includes addressing and teaching the skills required to seek, give or deny consent respectfully.

The Government is also investing \$83.5 million over six years to support schools to deliver high-quality, age appropriate, evidence-based consent and respectful relationships education. This investment will be guided by experts and delivered in partnership with states and territories and non-government school sectors, and includes:

- a rapid review of how consent education programs are currently being delivered in schools to establish what works and identify gaps and opportunities.
- a national accreditation framework or guide to provide assurance to school communities that they are delivering and receiving high quality evidence-based consent and respectful relationships education programs.

Training

The Government recognises the role of the judicial system in ensuring technology-facilitated abuse is addressed and responded to in a trauma informed way. It is therefore important that the judiciary, legal profession, law enforcement and all other components of the judicial system are given capacity building training in the nature, drivers and impacts of technology-facilitated abuse.

eSafety's Frontline Worker Capacity Building Program delivers sessions on technology-facilitated abuse to members of the judiciary, legal profession and law enforcement around Australia, including on request whereby sessions are tailored to the needs of the specific audience.

eSafety is working with the NSW Police to identify their training needs regarding technology-facilitated abuse and develop resources and tailored capacity building programs for their general duties and specialist officers. This approach will be used to develop similar programs with other law enforcement agencies across Australia.

eSafety is delivering a three-year project to provide targeted support for children experiencing technology-facilitated abuse. The project will address the technology-facilitated abuse of young people and children across four key themes: continuing research and consultation, raising awareness, developing and implementing supporting resources and training, and evaluation. It will include

resources to help adults engaging with children, such as frontline workers and educators, to identify early warning signs that children may be impacted and work with them on strategies to manage the abuse or seek support. Webinars and face-to-face training sessions on children and technology facilitated abuse are available for frontline workers and resources are under development.

Resources

The Government recognises the need to tailor and target resources to at-risk communities with an emphasis on accessibility, inclusivity, cultural safety and linguistic diversity.

eSafety works with communities that are at risk of being targeted online and experiencing serious harm. In particular, it works through an intersectional and co-design framework with First Nations people, LGBTQI+ individuals and communities, people with disability and culturally and linguistically diverse communities to help gain a better understanding of their online experiences, deliver meaningful support and help drive behavioural change.

Under the Fourth Action Plan of the former National Plan, eSafety received funding to develop additional tailored programs to support two cohorts of women at increased risk of technology-facilitated abuse: women with disability and First Nations women.

eSafety's program for women with intellectual and/or cognitive disability provides training for specialist workers who support women with an intellectual and/or cognitive disability, including those who assist with case planning, provide advocacy, or develop and implement policy. The training raises awareness about how technology is used as a tool of abuse, but also a source of benefit and opportunities, and builds knowledge and skills within frontline services to better assist women with an intellectual and/or cognitive disability.

eSafety's program for First Nations communities provides online training for frontline workers who support First Nations women to understand how the history and context of First Nations peoples affects experiences of technology-facilitated abuse and online environments. Under this program, eSafety has co-designed and developed culturally appropriate awareness activities with First Nations communities.

eSafety also provides resources in 27 languages other than English and for people with low literacy.

Initiatives for women and girls

The Government recognises the importance of capacity building for women and girls across the lifecycle and across a range of settings.

eSafety has a range of resources to build the capacity of women and girls to engage online safely. In addition, some programs seek to equip women and girls with skills in digital literacy, which then become a protective factor when engaging online. eSafety's resources adopt an intersectional gendered lens to understanding the online experiences of women and girls.

eSafety's Women In The Spotlight program includes social media self-defence training to help women use social media platforms more safely and effectively. The training teaches women how to use tech tools to manage their social media safely, report online abuse and protect their own wellbeing.

eSafety also engages directly with girls and young women through the Online Safety Youth Advisory Council (members are aged 13 to 24 years). This provides an opportunity for young people to discuss key online safety issues that impact them and for their insights to shape resources and policies.

The Be Connected program, overseen by eSafety and DSS, is a Government initiative that aims to build

the confidence, digital skills and online safety of older Australians, including older women.

Safety by Design

The Government recognises that women and girls will not be safe online, if the digital technologies they use are fundamentally unsafe.

eSafety's Safety by Design initiative places the safety and rights of users at the start and core of design.

It highlights that when digital products and services are designed without safety at the forefront, they can be weaponised or misused to cause harm, including to women and girls.

Safety by Design encourages industry to anticipate, detect and eliminate online risk, as encapsulated through three principles that provide platforms and services with guidance as to how they incorporate, assess and enhance user safety:

- Service provider responsibility
- User empowerment and autonomy
- Transparency and accountability

Safety by Design was developed with industry and industry engagement remains a key feature of the initiative. This enables eSafety to upskill industry stakeholders about the online harms that women and girls may face when using online services, as well as the particular impact types of online products and services can have on at-risk or marginalised groups, including women and girls. eSafety provides assessment tools and is working to actively encourage industry adoption of Safety by Design methodologies in the development and deployment of technology services and products.

For example, the AIC's research report, *Sexual harassment, aggression and violence victimisation among mobile dating app and website users in Australia*⁶ highlights that women are more likely to be targeted for sexual harassment when using dating apps and websites. As a result, eSafety has sought to engage with companies and peak bodies in the online dating sector to provide them with practical recommendations and tools to support better outcomes. In addition, eSafety is scoping the development of resources on safely engaging with online dating applications. On 25 January 2023, a National Roundtable on Online Dating Safety was convened, bringing together key stakeholders to examine what more can be done to improve safety for Australians using online dating platforms.

Increased opportunities for women in STEM

The Government supports the improvement of gender equity in science, technology, engineering and mathematics (STEM) industries, along the pathway from schooling through to industry leadership. This includes committing \$107 million from 2016-17 to 2027-28 on a range of initiatives designed to boost women in STEM. This includes supporting the establishment of the Women in STEM Ambassador, who provides expert advice to industry and government, advocates the case for change and works as a role model for girls and women in STEM. The Government's funding has also supported the Ambassador's delivery of the 'Future You' awareness raising initiative, which aims to raise awareness of the exciting opportunities in STEM among children aged 8-12. It has also supported the establishment of the Elevate scholarships program, which provides up to 500 university scholarships to women to grow the future pool of women STEM leaders.

Global engagement

The Government recognises the importance of global engagement and coordination to strengthen online safety nationally and internationally.

Like efforts to combat online child sexual abuse material and terrorist and violent extremist content, global action is catalysing the response to technology-facilitated gender-based violence in all its forms. These forms include technology-facilitated gender-based violence in intimate partner relationships, online harassment and abuse against women in their personal and professional lives, image-based abuse, gendered misinformation and disinformation online, and digital misogyny, including misogyny linked to radicalisation.

eSafety's primary focus is promoting and protecting the safety of Australians online. However, international engagement to address technology-facilitated gender-based violence is a priority, in recognition that often the perpetrators and platforms associated with this abuse are beyond eSafety's borders and that global regulatory developments can affect the safety and wellbeing of Australians online.

As a global online safety leader with experience implementing prevention, protection and proactive change measures for technology-facilitated gender-based violence, eSafety harnesses its unique position to promote its specialist technical and regulatory measures internationally.

eSafety international engagements to address technology-facilitated gender-based violence include:

- Global Partnership for Action on Gender-Based Online Harassment and Abuse, which brings together countries, international organisations, civil society and the private sector to better prioritise, understand, prevent and address technology-facilitated gender-based violence.
- eSafety Women in the Pacific, which supports eSafety to work with Pacific governments, the community and industry stakeholders to provide information, resources and training designed to address violence against women and girls online, and to promote their full and effective participation in public life. This is funded under the Department of Foreign Affairs and Trade's (DFAT) Cyber and Critical Tech Cooperation Program, which is explored further below.
- Technical partnership with the United Nations Population Fund (UNFPA) on Technology-Facilitated Gender-Based Violence, in order to support the UNFPA to work with organisations and companies seeking to tackle this issue globally.

Other international and multistakeholder responses and processes that eSafety engages with to address technology-facilitated gender-based violence include: the 2021 G7 Principles to tackle online violence against women and girls, initiatives from the UNFPA, UN Women, the Web Foundation, the National Democratic Institute, the Center for Countering Digital Hate, as well as research and projects from academics and think tanks.

In addition to eSafety's efforts, DFAT plays an important role in ensuring Australia is safe, secure and prosperous offline, online, in Australia and around the world.

With Official Development Assistance funding, DFAT's Cyber and Critical Tech Cooperation Program (CCTCP) provides \$74 million from 2016-2025. It is Australia's primary mechanism for cyber and critical technology capacity building.

The CCTCP builds the cyber and tech resilience of Indo-Pacific partner nations. The CCTCP is aligned with *Australia's International Cyber and Critical Tech Engagement Strategy* (2021). Priorities relating to FDSV include:

- Stronger cybercrime prevention, prosecution, and cooperation (including cyber awareness, online safety, cybercrime legislation and training for law enforcement)
- Advocating and protecting human rights and democracy online (including promoting respect for freedom of expression online), and
- Mainstreaming gender equality, disability and social inclusion (GEDSI) across all CCTCP activities in accordance with the Program's *GEDSI Strategy (2021)*.

The CCTCP recognises that cyber and critical technologies replicate and amplify existing social and gender norms and inequalities. It will direct at least 10 per cent of the overall program budget to fund strategic stand-alone initiatives that build GEDSI knowledge, data and practice in the sector by 2025.

Examples of GEDSI-focused programs under the CCTCP include:

- Understanding Technology-Facilitated Domestic Violence in the Pacific, delivered by Deakin University (2022-2025), which builds understanding of the prevalence, nature and impacts of technology-facilitated domestic violence in Fiji, Tonga and Vanuatu.
- Girls Online, delivered by ABC International Development (completed, 2020-2022), which empowered young women aged 12-30 in Tonga and Vanuatu to participate meaningfully and safely online, including by developing contextual and practical solutions to cyber hazards.
- Women in Cyber Fellowship, which ensures women are empowered to participate in the UN Open Ended Working Group on responsible state behaviour in cyberspace.
- Women, Peace and Cybersecurity programme delivered by UN Women (2022-2024), which strengthens the capacity of women's civil society, human rights advocates and youth to strengthen their resilience and cyber hygiene, and to advance policy spaces for gender-responsive cybersecurity through blended learning methods.
- Strengthening Digital Media Literacy in the Mekong, delivered by the International Foundation for Electoral Systems (2021-2024), which strengthens the efforts of civil society organisations to counter disinformation and hate speech and build media literacy in Thailand, Cambodia and Vietnam.

Funding

The Government recognises that funding is required to sustain and continuously improve responses to address technology-facilitated abuse and promote online safety.

In the October 2022-23 Budget, the Government provided:

- \$16.6 million over four years (2022-23 to 2025-26) for eSafety to develop a service, including a helpline, to provide practical advice, support and guidance to victim-survivors of technology-facilitated abuse, and the frontline workers who support them, within the context of FDSV.
- \$10 million over five years (2022-23 to 2026-27) for an online safety community grants program to support community projects aimed at preventing technology-facilitated abuse of women and their children.

- \$5 million over five years to continue to raise awareness of eSafety and the protections under the *Online Safety Act 2021* (Online Safety Act).

The Government’s commitment to work in consultation with state and territory governments to drive a multifaceted response to online safety will strengthen Australia’s capacity to address technology-facilitated abuse and promote safer online environments nationally and internationally.

Recommendation 30

The Committee makes the additional following recommendations relating to technology-facilitated abuse:

- There should be greater acknowledgement that appropriate technology use is a shared community responsibility. It is not simply a responsibility of platforms to host and police content.
- There should be greater clarity around a platform’s obligation to remove content, including through the Online Safety Act.
- In order to open or maintain an existing social media account, customers should be required by law to identify themselves to a platform using 100 points of identification, in the same way as a person must provide identification for a mobile phone account, or to buy a mobile SIM card.
- Social media platforms must provide those identifying details when requested by the eSafety Commissioner, law enforcement or as directed by a court.
- The Government should consider regulating to enable law enforcement agencies to access a platform’s end-to-end encrypted data, by warrant, in matters involving a threat to the physical or mental wellbeing of an individual or in cases of national security.
- There should be a substantial increase in criminal and civil penalties for technology-facilitated abuse to act as a greater deterrent for errant behaviour.
- All government hosted websites and applications should have readily available (and searchable) avenues where a victim-survivor of technology-facilitated abuse can seek assistance to have abusive material removed expeditiously.

Noted

The Government notes this recommendation, acknowledging the sensitivity and complexity of many of the issues raised.

With the eSafety Commissioner responsible for coordinating online safety efforts across government, the Government has a whole of government and cross portfolio commitment to addressing online harms and promoting online safety. This recognises that safe online environments and safe use of technology is a shared responsibility across government and the community.

Balancing safety, privacy and security

The Government acknowledges the need to balance safety, privacy and security and consider the complementary disciplines alongside each other.

As recent data breaches have highlighted, there are risks associated with the collection and holding of

personal information. Further, identity requirements can also create barriers to digital participation for individuals who may lack access to identity documents or feel uncomfortable providing their details.

In the context of a victim-survivor of FDSV, stringent identity requirements may be difficult for them to meet or place them in danger if they do. This is particularly the case if the victim-survivor has experienced technology-facilitated coercive control that includes the coercion and misuse of their personal information.

A safe, privacy-preserving and data-minimising approach is needed.

Platform accountability and transparency

The Government has committed to a range of measures to enhance platform accountability and transparency through the Online Safety Act, which commenced in January 2022.

Transparency and accountability are hallmarks of a robust approach to online safety. They are a key pillar of relevant global principles, including eSafety's Safety by Design initiative, which focuses on the ways technology companies can embed safety into their culture, leadership and practices. Transparency and accountability not only provide assurance that online services are operating according to their published safety objectives. They also help to educate and empower people about the steps they can take to address safety concerns.

The Basic Online Safety Expectations determined under the Online Safety Act drive transparency and accountability on several existing and emerging safety issues. There are specific expectations for providers of online services to take reasonable steps to prevent anonymous accounts or encrypted services from being used for unlawful or harmful activity or material. eSafety has the power to require service providers to report on how they are complying with these expectations, and to publish statements about their compliance.

In addition, the Online Safety Act strengthens eSafety's information-gathering powers. Under Part 13 of the Online Safety Act, eSafety can compel online service providers to produce information about the identity of an end-user or contact details of an end-user, where it reasonably considers this information is relevant to the operation of the Act. In addition, any person can be compelled to provide information to the eSafety Commissioner that is relevant to an investigation of serious online adult cyber abuse material, serious child cyberbullying material, and intimate images shared without consent or illegal and restricted online content. This power will assist eSafety to conduct investigations into harmful online behaviour, issue notices and issue fines.

Penalties for technology facilitated abuse and related activities

The Online Safety Act and the *Online Safety (Transitional Provisions and Consequential Amendments) Act 2021* (the Transitional Act) came into effect in January 2022.

The Transitional Act enables strengthened criminal penalties for the use of a carriage service to menace, harass or cause offence at sections 474.17 and 474.17A of the Criminal Code, which capture criminal online abuse. The amendments:

- increase the maximum penalty for using a carriage service to menace, harass or cause offence under section 474.17 of the Criminal Code from three years' imprisonment to five years' imprisonment, and
- increase the penalty under 474.17A(1) for the standard aggravated offence to section 474.17 that involves private sexual material from five years' imprisonment to six years' imprisonment.

It also amends paragraphs 474.17A(4)(d) and 474.17A(13)(a) to allow the special aggravated offence to take into account civil penalties issued under the new adult cyber abuse scheme in the Online Safety Act.

The Online Safety Act retains the civil penalty (500 penalty units) that previously applied under the *Enhancing Online Safety Act 2015* for posting, or threatening to post, an intimate image without a person's consent, an action which may stem from technology-facilitated abuse. It also retains the power to give a remedial direction aimed at ensuring that a person does not share a person's intimate images without consent and to give an online service a removal notice in relation to that kind of material. The associated civil penalty for non-compliance with a remedial direction or removal notice is 500 penalty units.

Additionally, the Online Safety Act empowers the eSafety Commissioner to give notices that may require a person to take all reasonable steps to remove serious online adult cyber-abuse material, or material that is illegal or restricted online content, from an online service when directed to do so by the eSafety Commissioner. Non-compliance with these kinds of may result in a civil penalty of up to 500 penalty units.

Where technology-facilitated abuse results in the provision of cyberbullying material targeted at an Australian child under the Online Safety Act, the eSafety Commissioner can also require a person to refrain from posting cyberbullying material and to apologise to a person who was the subject of cyberbullying material. While non-compliance with this kind of notice is not subject to a civil penalty, it may be subject to enforcement action through an injunction.

Regulating for lawful access to encrypted data

The Government reiterates that everyone deserves to be safe online. However, criminals and perpetrators are exploiting personal and technological vulnerabilities to commit offences against individuals, organisations and the Government.

The Government supports technologies like end-to-end encryption for its cybersecurity and privacy benefits and does not advocate for "backdoors" or weakening end-to-end encryption. In the context of FDSV, end-to-end encryption can provide victim-survivors with enhanced privacy protection to allow them to stay safe or access healthcare.

However, whilst end-to-end encryption is critical to protecting data, it is being used by criminals to conceal illicit behaviour and online harms. This makes it harder for law enforcement and national security agencies to detect and investigate serious criminal activity, including online child sexual exploitation and abuse, and identify perpetrators.

Default application of end-to-end encryption may also undermine current mechanisms digital platforms deploy to detect and disrupt illicit behaviour online, therefore reducing the number of reports made to authorities. The implementation of end-to-end encryption will also undermine the ability of law enforcement to lawfully access content under the *Telecommunications (Interception and Access) Act 1979* to address serious criminal activity.

The Government is driving greater collaboration with international partners, law enforcement and industry to balance strong and robust online privacy, safety and security. This includes working closely with law enforcement and international partners to encourage industry to consider the increased public safety implications of end-to-end encryption, particularly for women and children.

The International Statement on End to End Encryption and Public Safety (the Statement) is key to driving this objective, as it calls on technology companies to work with governments and other stakeholders to find reasonable, technically feasible solutions that ensure safety, without eroding user privacy or cybersecurity. In particular, it urges industry to address concerns raised about encryption being applied in a way that wholly precludes any legal access to content.

Australia and the United Kingdom maintain joint secretariat duties of the Statement and it has been signed by the Five Countries, India and Japan. Australia will continue to engage countries around the world on this Statement to obtain more signatories.

Recommendation 31

The Committee recommends that the next National Plan provide funding for programs, including in schools, to improve the financial literacy and reduce the financial abuse of women.

Supported in principle

The National Plan highlights economic abuse, including financial abuse, as a key area of focus for addressing gender-based violence in Australia.

The Government recognises it is important for young people to be equipped with the financial knowledge, skills, attitudes, and confidence required to make informed financial decisions and develop healthy financial habits into the future.

The Australian Curriculum for Foundation to Year 10 was endorsed by all education ministers on 1 April 2022 and offers opportunities for interdisciplinary approaches that support the development of financial capability in students.

There is a growing number of Government resources available to support both students and teachers to incorporate consumer and financial capability learning in the classroom, including the Australian Securities and Investments Commission's MoneySmart for Teachers and the Australian Taxation Office's (ATO) Paying it Forward and Tax, Super + You programs.

It is important to note that the delivery of education programs in schools is the responsibility of state and territory government and non-government education authorities and individual schools. This includes how consumer and financial capability is taught and the resources used to support that teaching.

Funding was also provided under the Fourth Action Plan of the *National Plan to Reduce Violence against Women and their Children 2010-22* (former National Plan) for a number of projects to improve financial literacy and reduce the financial abuse of women, including:

- publication of a literature review on *Preventing the Financial Abuse of Women*;
- publication of *Separating with debt: a guide to your legal options*;
- publication of *Supporting Women's Financial Safety: A Guide to Prevention and Action on Financial Abuse within the Financial Service Sector*; and
- translation of the Harmony Alliance's financial literacy e-tool into 10 community languages.

Recommendation 32

The Committee recommends that the Australian Government work with the states and territories (other than Victoria) to provide funding for an increased number of financial counsellors.

Supported in principle

The Government will consult with state and territory governments on this recommendation, recognising there are a range of programs and supports in place to support increased numbers of financial counsellors, including additional funding and initiatives announced in the March 2022 and October 2022 Budgets.

The Government is partnering with various industries and the financial counselling sector on a new industry funding model (the model) to deliver more frontline services for Australians experiencing financial stress and difficulty, from 2023-24. The Government is consulting with the state and territory governments on the model.

To support the model, the Government is investing \$10.5 over four years from 2021-22, including \$1.5 million to establish a new, not-for-profit body to manage industry funding, once the model is agreed; and \$9 million for a range of complementary initiatives to improve data collection, national coordination and service innovation in the financial counselling sector, in consultation with states and territories.

The industry-funding model will focus on supporting financially vulnerable people seeking assistance, which includes women experiencing domestic or family violence and/or financial abuse.

Industry contributions will be on top of the almost \$60 million in existing Australian Government investments for financial counselling and financial resilience related services available to support women impacted by family and domestic violence. This includes face-to-face financial counselling services, a no interest loans scheme, a matched savings scheme, and innovative ways of supporting women into employment and financial independence through a suite of microenterprise programs.

The October 2022 Budget also committed \$169.4 million to be provided over four years from 2022-23 to work in conjunction with states and territories to support 500 additional frontline service and community workers, including financial counsellors, to support women and children experiencing FDSV. Half of these jobs will be allocated to rural, regional and remote areas with additional workers to support the LGBTIQ+ community, women with disability, culturally and linguistically diverse women and children, and First Nations people.

Recommendation 33

The Committee recommends that the Attorney-General take the following measures to enable the identification of financial information and facilitate superannuation splitting:

- develop an administrative mechanism to enable swift identification of financial information, including superannuation, by parties to family law proceedings or victim-survivors of family, domestic or sexual violence; and
- amend the *Family Law Act 1975* and relevant regulations to reduce the procedural and substantive complexity associated with superannuation splitting orders, including by simplifying forms required to be submitted to superannuation funds.

Supported in principle

The Government is implementing measures to improve disclosure of financial information to support quicker resolution of family law property disputes. Since 1 April 2022, parties to family law property proceedings have been able to apply to the family law courts to request their former partner's superannuation information, held by the ATO.

Expanding the current information sharing mechanism to include all financial information held by the ATO raises complex legal considerations including jurisdictional, integrity and privacy issues. There are intricate secrecy provisions in place that provide particular restrictions and protections over the sensitive information held by the ATO. The sharing and use of this information through such a mechanism would require careful consultation and complex legislative amendments.

At this time, the Government does not propose to expand the current information-sharing mechanism to include all financial information held by the ATO.

The Government acknowledges the complex nature of the superannuation splitting process, and supports the development of superannuation splitting template orders. The Government notes that template orders and letters for accumulation funds have already been developed and are currently being trialled in certain matters.

Recommendation 34

The Committee recommends that the Australian Government, and state and territory governments, provide support for research and community awareness raising on the harmful practice of female genital mutilation/cutting, including by providing ongoing funding for the National Education Toolkit for Female Genital Mutilation/Cutting Awareness.

Supported in principle

The National Plan recognises that specific forms of violence may disproportionately impact women and girls from culturally, ethnically, religiously and linguistically diverse communities and migrant and refugee women, including FGM/C.

Under the Women's Leadership and Development Program (WLDP), Office for Women has provided time limited project funding to the Multicultural Centre for Women's Health (MCWH) to deliver the National Education Toolkit for Female Genital Mutilation/Cutting Awareness (NETFA) project.

Under an open competitive grant round, MCWH received \$275,000 over 2017-18 to 2019-20 which enabled MCWH to build on three years of evidence-based FGM/C prevention work to improve support and raise awareness to Australian communities about the negative consequences of FGM/C through the national coordination of a multimedia, multilingual campaign. The project enabled people from communities affected by FGM/C, service providers and advocates to adopt successful prevention strategies and take coordinated action to reduce the incidence of, and ultimately eliminate, FGM/C.

Through a subsequent open competitive grant round, MCWH was successful for further funding of \$773,193 over 2020-21 to 2023-24. This funding expands the NETFA project to deliver the Communities Leading Change campaign. This community-led campaign provides national coordination and provision of the latest research, information, education and resources to raise awareness about the harmful impact of FGM/C, supporting communities across Australia to take action to prevent and eliminate FGM/C. WLDP funding for the current NETFA project ends 30 June 2024.

The Government also supports research and community awareness raising efforts on the harmful practice of FGM/C through the following mechanisms:

- Funding of \$1.7 million over three years in the 2022-23 Budget through the Department of Health and Aged Care to support community-led approaches for the prevention of FGM/C. Initiatives will support community awareness of FGM/C; establish a community of practice for health professionals; and support health workforce training to increase the Australian workforce ability to address the health impacts of FGM/C.
- Exploring opportunities to undertake in-depth research on FGM/C as part of the 2023-24 suite of projects under the AIC's Violence against Women and Children (VAWC) Research Program.
- The inclusion of a factsheet on FGM/C and other information on Australia's laws regarding family and domestic violence, sexual assault and forced marriage, and a woman's right to be safe in the Family Safety Pack provided by the Government for men and women coming to Australia. The Pack is translated into 46 languages other than English.
- Funding for Lifeline Australia through DSS to deliver DV-alert, a free nationally accredited training program designed to help health, allied health and community frontline workers better understand and identify family and domestic violence and improve their referral and support skills. DV-alert also offers specialised training streams including a stream on recognising complex forms of violence that covers FGM/C.

Violence in diverse communities

Recommendation 35

The Committee recommends that the Australian Government fund research into the prevalence and impact of family, domestic and sexual violence on children and young people, including:

- during the first one thousand days after birth; and
- from infancy to adolescence.

Supported

Following contributions to the first wave of the Australian Child Maltreatment Study (ACMS), the Government has announced \$22.4 million of funding for a second wave of the ACMS under the *National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030*. The ACMS is Australia's first nationally representative study capturing prevalence data for each of the five types of child abuse and neglect (physical abuse, sexual abuse, emotional abuse, neglect, and exposure to family and domestic violence). This includes identifying the nature of the abuse and what age it occurs, as well as associated long-term mental and physical health impacts.

In the October 2022-23 Budget, the Government provided \$1.6 million over three years from 2022-23 for the extension of a second wave of the Australian Longitudinal Study on Women's Health – Mothers and their Children's Health (MatCH) survey for 2022. The survey will collect time sensitive data on the development of those children from the original 2015 study who are now aged 12-19 years, including the adolescent experience of the COVID-19 pandemic and experiences of family and domestic violence.

Further to this, ANROWS has identified children and young people as a priority topic in *Australia's National Research Agenda to Reduce Violence against Women and their Children 2020-2022* (ANRA). ANROWS has been delivering research on the prevalence and impact of FDSV on children and young people through funding under the Fourth Action Plan of the former National Plan. Eight research projects were commissioned under this research grant, including research on adolescent family violence, young people with disability who use violence and service system responses and culturally designed frameworks to address the needs of Aboriginal and Torres Strait Islander children exposed to FDSV. Five research projects have been completed, the remaining three are expected to be completed by early-mid 2023.

The Government acknowledges the important work of ANROWS in leading the national FDSV research agenda and has committed funding of \$23 million over five years in the 2022-23 Budget for ANROWS to continue its role in providing national leadership on data and evidence related to violence against women and children.

Recommendation 36

The Committee recommends that, in accordance with National Priority Two of the Fourth Action Plan, any family, domestic and sexual violence policies, programs and legislative frameworks which affect Indigenous Australians must be co-designed by Indigenous peoples along with government. Similarly, the evaluation of such policies, programs and legislative frameworks must be appropriately funded and be designed with and led by Indigenous Australians working with government.

Supported

Closing the Gap is one of the cross-cutting principles underpinning all objectives under the National Plan.

Under Closing the Gap Priority Reform One (formal partnerships and shared decision making), and Priority Reform 4 (shared access to data and information), the Government is committed to working in partnership with Aboriginal and Torres Strait Islander peoples through shared-decision making and formal partnerships. This includes by:

- Implementing the Uluru Statement from the Heart in full. This will include holding a referendum to enshrine an Aboriginal and Torres Strait Islander Voice in the Australian Constitution, in the 2023-24 financial year. The Voice will be an independent, representative body for First Nations peoples, and will provide a way for First Nations peoples to have a greater say on the policies, programs and laws that affect them. For example, it will advise on issues such as FDSV, childcare, native title, land rights, housing, and other policies with a direct effect on First Nations peoples.
- Supporting the Aboriginal and Torres Strait Islander Advisory Council to lead the development of a dedicated Aboriginal and Torres Strait Islander Action Plan under the National Plan which will address immediate family safety needs and establish the foundation for the future standalone First Nations National Plan for family safety.
- Investing \$10.7 million through the 2022-23 Budget for domestic violence services in the Northern Territory.
- Investing \$27.8 million over two years to extend First Nations family safety services, and provide funding for up to 18 existing providers currently funded under the Third and Fourth Action Plans of the former National Plan. The commitment includes an evaluation of program activities.
- Investing \$3 million to develop a program of capability-building measures for family safety service providers. This program is being co-designed with First Nations family safety service providers, with program design and evaluation to be undertaken by First Nations organisations and in partnership with First Nations researchers.
- Committing to consulting with Aboriginal and Torres Strait Islander communities, organisations, and peak bodies on implementation of Recommendation 9 of the Australian Law Reform Commission's final report *Family Law for the future – An Inquiry into the Family Law System* (ALRC Report 135) which was agreed in principle. The recommendation suggests that 'Section 4(1AB) of the *Family Law Act 1975* (Cth) should be amended to provide a definition of member of the family that is inclusive of any Aboriginal or Torres Strait Islander concept of family that is relevant in the particular circumstances of the case.'

Recommendation 37

The Committee recommends that the Australian Government and state and territory governments work to ensure the provision of appropriate funding for culturally specific Indigenous awareness programs for all stakeholders in government, including police, service providers and the judiciary; to enable an improved understanding of the particular challenges faced by Indigenous Australians affected by family, domestic and sexual violence. This should include the options available to them for referral to Aboriginal

Supported in principle

Under Closing the Gap Priority reform two (building the community sector) and Priority Reform Three (transforming government organisations), the Government is committed to improving mainstream institutions; ensuring they are culturally safe and responsive to the needs of First Nations people, including through the services they fund. This includes:

- Funding organisations to provide culturally appropriate and accessible services for First Nations peoples experiencing family violence through the Indigenous Advancement Strategy. This includes funding the Indigenous Interpreters Service to assist community members in the Northern Territory and Western Australia who access frontline services.
- Investing \$3 million to build cultural safety in non-Indigenous family safety services and referral systems who provide support to vulnerable First Nations clients. This program is being co-designed with First Nations family safety service providers, with program design and evaluation to be undertaken by First Nations organisations and in partnership with First Nations researchers.
- Co-funding the AIJA to develop and maintain the National Domestic and Family Violence Bench Book (Bench Book). The Bench Book is an online resource for judicial officers considering legal issues relevant to family and domestic violence related matters. The Bench Book recognises that Aboriginal and Torres Strait Islander peoples may be at greater risk of experiencing family and domestic violence and incorporates issues specific to First Nations people.
- Funding the development of a National Bench Book on Aboriginal and Torres Strait Islander Peoples and the Legal System. This Bench Book intends to improve access to, and delivery of, quality, culturally appropriate justice and legal assistance services to First Nations peoples, by better informing judicial officers and legal professionals about the cultural and legal issues faced by First Nations peoples in the justice system and promoting best practice.
- Funding the NJCA to deliver the FVItC training program for judicial officers, which builds upon the Bench Book. The Government has also committed to the development and delivery of training for judicial officers on the nature and impacts of sexual assault. This training will incorporate a focus on First Nations peoples' experiences of sexual assault.
- Indigenous-led training on FDSV delivered through Lifeline Australia for Aboriginal and Torres Strait Islander peoples. A nationally accredited 2-day workshop is available for frontline workers to build their knowledge of violence in First Nations communities and be able to respond in a culturally safe way. A free 2-hour Brothers Standing Tall workshop (non-accredited) is also available for First Nations men over 16 years of age. The aim of this training is to support men to learn and talk about family violence, its impact on First Nations families and to assist them in reflecting on what they can do to prevent family violence in their community.

The Government notes that police and the judiciary are state and territory government responsibilities. State and territory and local governments will also need to address increasing access to culturally specific Indigenous awareness programs for the police and judiciary through Closing the Gap Priority Reforms and targets.

To support the states and territories, the Government has committed funding to enhance the effectiveness of police responses to FDSV through the development and delivery of a national training package. The intention is to ensure the measure includes content that recognises and addresses barriers and increased risk factors to First Nations women and children experiencing FDSV, as well as increasing law enforcement's awareness of indicators to identify the more subtle forms of FDSV and ways in which violence can manifest across extended family networks.

Recommendation 38

The Committee recommends that the Australian Government and state and territory governments provide additional training to police, General Practitioners, child health nurses, Remote Area Clinic nurses and any other service providers that have contact with people in rural and remote areas to assist in the early identification of family, domestic and sexual violence. Service personnel working in Indigenous communities should receive appropriate Indigenous culturally aware training.

Supported

Strengthening the early intervention and response skills of those workforces who come into regular contact with victim-survivors of FDSV is a key priority of the National Plan. Health sector workers provide much of the frontline support for victim-survivors, and evidence shows a general practitioner (GP) is often the first person a victim-survivor turns to for advice and support.⁷ It is critical that health professionals are equipped to recognise and respond to signs of, or disclosures of FDSV, to prevent experiences of violence being normalised and prevent re-traumatisation. It is also important mainstream primary healthcare workers respond adequately to First Nations women experiencing violence.

The National Plan highlights the importance of building capacity in services responding to gender-based violence, such as health, and increasing specialist and targeted training for police, the judiciary and the legal profession, including information on coercive control and misidentification of the victim as the perpetrator.

In relation to the health workforce, initiatives include:

- Working with the Royal Australian College of General Practitioners and the Australian College of Rural and Remote Medicine to ensure quality, evidence-based training on FDSV is provided.
- Consideration of options for enhancing FDSV training for healthcare workers as part of the Government's response to the Victorian Coroner's Court's investigation into the death of Fatima Batool. Options will include mandatory training as part of the Continuing Professional Development modules of GPs, psychiatrists and psychologists. These options will be presented to the Health Ministerial Council in 2023.
- Funding to CRANApplus, the peak professional body for the remote and isolated health workforce in Australia. CRANApplus supports health professionals working in remote areas, or other circumstances of professional isolation, with education, training and professional development opportunities, and mental health and wellbeing support, which could cover the areas of FDSV.
- Funding for DV-alert until 2026-27 to provide training to community frontline workers to recognise, respond and refer instances of family and domestic violence. The Government will also continue to fund the Accredited Training for Sexual Violence Responses program,

building workforce capability of health professionals and frontline workers to better recognise and respond to victims of sexual violence in a supported rights-based and autonomous fashion. Training for both programs is available in regional and remote settings.

- Agreement through the National Mental Health and Suicide Prevention Agreement (the National Agreement), which came into effect on 8 March 2022, to develop education and reference materials to enhance the mental health and suicide prevention workforce's understanding of FDSV, including sexual harassment, and child maltreatment (Schedule A, clause 6b). The National Agreement sets out the shared intention of the Australian Government and states and territories to work in partnership to improve the mental health of all Australians, while ensuring the sustainability and enhancing mental health and suicide prevention services.
- Consideration of the evaluation of the 'Improving Health System Responses to Domestic and Family Violence Primary Health Network' pilots, which is due to be finalised in February 2023. The pilot was launched across 6 Public Health Networks in 2019 and expanded with more primary care services in 2022. One of the key aims of the pilot is to enhance education and training opportunities for primary care staff to better care for victim-survivors of family and domestic violence.
- Working in partnership with First Nations experts to design, deliver and evaluate a resource for use by health workers, which aims to increase health worker capability to engage in trauma-aware, healing-informed, culturally appropriate first disclosure conversations with First Nations victim-survivors of child sexual abuse, and support referral to specialist services, under the *National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030*.

In relation to the criminal justice workforce, initiatives include:

- \$4.1 million over four years from 2022-23 for the Attorney-General's Department (AGD) to develop and deliver a training package for police across Australia to enhance responses to FDSV. This includes a focus on coercive control, technology facilitated abuse, child safety and sexual assault. The training package will incorporate content relevant to rural/remote settings, First Nations people, culturally and linguistically diverse communities, LGBTQIA+, and people with a disability to capture the distinct needs and experiences of these cohorts.
- \$0.4 million over five years ongoing was allocated to AGD in the October 2022-23 Budget for the Commonwealth's contribution to the maintenance of the National Domestic and Family Violence Bench Book (Bench Book) and delivery of the FVitC training program for judicial officers. The Bench Book is a resource for judicial officers in all Australian jurisdictions to improve understanding of family violence and the FVitC training program builds on the Bench Book by delivering face to-face training seminars across Australia.
- \$0.9 million over four years from 2022-23 to develop training for legal practitioners on coercive control. This training will build on work the Commonwealth is currently undertaking with states and territories on the development of *National Principles to Address Coercive Control*.

A further \$3 million has been invested by the Government to build cultural safety in non-Indigenous family safety services and referral systems who provide support to vulnerable First Nations clients. This program is being co-designed with First Nations family safety service providers, with program design and evaluation to be undertaken by First Nations organisations and in partnership with First Nations researchers.

Recommendation 39

The Committee recommends that the Australian Government and state and territory governments explore opportunities to use technology to provide more services for victim-survivors and perpetrators in regional, rural and remote areas.

Supported

The Government will consult with state and territory governments on implementation of this recommendation. The Government supports the use of technology to provide more services for victim-survivors and perpetrators, including those living in regional, rural and remote areas.

Current Government initiatives in the family law sector include:

- Exploring the use of technology to ensure that litigants in the family law system are able to access legal advice and supports in a remote manner in Family Advocacy and Support Services (FASS) locations.

DSS also funds No to Violence to work with men who use family violence, and the sector that supports them, to change abusive and violent behaviour. Some of its programs use technology to provide services, ensuring reach into regional, rural and remote areas. This includes:

- The Men's Referral Service provides 24/7 counselling, information and referrals nationally through its online and telephone service for men who are using violent and controlling behaviour.
- The Brief Intervention Service provides short-term multi-session telephone support for men who use family violence. While it is not available online, the phone service targets men who are unable to access family violence support for a range of reasons, including due to living in remote and regional areas.
- The Five Essential Discussion Tools provides online training to practitioners and counsellors who are responding to men who use violence, ensuring that regardless of where the frontline worker is located, they can access training.

In addition, \$25 million over five years (2022-23 to 2026-27) will be provided to states and territories to apply innovative approaches to address FDSV perpetrator behaviour. These approaches, which may include technological solutions such as electronic monitoring, will help hold offenders to account, prevent them from reoffending, and improve victim protection.

Initiatives that harness the use of technology to support victim-survivors include:

- Funding through the 2021-22 Budget for outreach services for at least seven domestic violence unit locations under the National Legal Assistance Partnership (NLAP). This outreach may include exploration of technology assisted mechanisms to ensure that women in regional, rural and remote Australia are able to access Domestic Violence Unit (DVU) services. One example of this is already operational in Victoria through an online DVU service.
- 1800RESPECT which is the national service that provides counselling, information and support to people affected by FDSV. It is available 24 hours a day, 7 days a week. The Government is working with the current provider, Telstra Health, to improve and expand services for victim-survivors and perpetrators in all communities including regional, rural and remote areas using

new technology. This includes additional SMS and Video Chat channels that will provide new ways for victim-survivors in regional, rural and remote areas to engage and access support, information and referrals provided by 1800RESPECT.

- \$16.6 million over four years (2022-23 to 2025-26) for the eSafety Commissioner to develop a service that will provide practical advice, support and guidance to victim-survivors of technology-facilitated abuse and the frontline workers who support them. It will work in partnership with existing FDSV services and draw upon the latest strategies, techniques and approaches. This measure responds to evidence which shows that over 99% of frontline family and domestic violence workers have clients who have experienced technology-facilitated abuse.⁸
- DV-alert is a free nationally accredited training program designed to help health, allied health and community frontline workers better understand and identify domestic and family violence and improve their referral and support skills. In response to COVID-19 restrictions, Lifeline Australia adapted training materials to suit virtual delivery to ensure continuation of workshop delivery during such a crucial time. Lifeline continue to deliver both face-to-face and virtual workshops, using a hybrid model, converting some scheduled face-to-face workshops and scheduling virtual sessions where appropriate.

Recommendation 40

The Committee recommends that, to improve data relevant to LGBTIQI communities, the Australian Government:

- develop guidelines for data collection about sexuality and gender as it relates to experiences of violence, as part of government-funded research and service provision;
- include a question about LGBTIQI identification in future Commonwealth censuses; and
- fund a national research project to examine the impact of family, domestic and sexual violence affecting the LGBTIQI community, and review best practice models to inform appropriate responses.

Supported in principle

The Government released a new statistical standard for Sex, Gender, Variations of Sex Characteristics and Sexual Orientation in 2021 to guide collection of this data via the ABS.

The 2021 PSS will be collecting sexual orientation of respondents for the first time. Pending data quality, the survey will be able to produce victimisation rates by sexual orientation for men and women and investigate the characteristics and outcomes of violence for these cohorts. This will enable more detailed reporting on LGBTIQI+ person's experiences of violence.

The 2026 Census would be the next opportunity to collect LGBTIQI+ identification. The topics for the 2026 Census have not yet been determined by Government. The ABS provides advice and/or recommendations to the Minister responsible for the ABS to inform the Government's decision on Census topics. The Census and Statistics Regulation 2016 (the Regulation) prescribes the topics in the Census and LGBTIQI+ identification is not currently included. As normal practice, the ABS will undertake community consultation on topics for the 2026 Census (commencing 28 February 2023) and provide advice and/or recommendations to Government on any potential changes to Regulations (expected in 2024). Proposed changes will be tabled and scrutinised to in both houses of Parliament

(expected in 2025) for final decision.

DSS will procure a LGBTIQ+ National Survey to provide benchmark data on prevalence, social norms, attitudes, beliefs, bystander actions and help-seeking behaviour. The results of the survey will enable sexual violence prevention projects to evaluate the effectiveness of their activities against the benchmark. Research findings will be fed back to inform sexual violence prevention project development, implementation and evaluation for LGBTIQ+ people.

Recommendation 41

The Committee recommends that the Australian Government, in cooperation with the states and territories, develop and implement nationally consistent, regular and targeted education and training within mainstream services, including police and paramedics, in relation to the nature, features and dynamics of intimate partner violence and its particular impact on those from LGBTIQ communities.

Supported in principle

The Government will consult with state and territory governments regarding this recommendation.

The National Plan explicitly includes LGBTIQ+ people and children as part of Australia's commitment to ending all forms of gender-based violence and promotes building the capacity of service systems to respond to the needs of LGBTIQ+ people.

The Government will continue to fund DV-alert until 2026–27 to provide free, accredited training to community frontline workers to recognise, respond and refer instances of family and domestic violence. Training is being tailored to take a more inclusive approach and include information on how to support male victim-survivors and people who identify as LGBTIQ+. This will be informed by the existing evidence base, including the DSS-funded study *Opening Doors: Ensuring LGBTIQ-inclusive family, domestic and sexual violence services* which was undertaken by La Trobe University. Training is available to mainstream services, including police and paramedics.

Training for law enforcement will be developed as part of the Government's \$4.1 million training package to enhance the effectiveness of police responses to all forms of FDSV, including intimate partner violence. The training will be informed by the *National Principles to Address Coercive Control* which will address the dynamics of coercive control and its particular effects on LGBTIQ+ people. Training content will recognise barriers to LGBTIQ+ people seeking support and reporting to police as well as risk factors for this cohort. Training will enhance law enforcement officers' response to incidents as well as increase their general awareness of indicators of subtle forms of FDSV and the ways in which violence can manifest across extended family networks. This training will be developed in consultation with the AFP with consideration of their existing training.

Recommendation 42

The Committee recommends that the Australian Government provide funding for Our Watch to update its *Change the Story* framework to be inclusive, and to develop an LGBTIQ specific prevention guide, highlighting how gendered violence impacts LGBTIQ communities in different ways compared to the broader community.

Supported

In November 2021, Our Watch published an updated version of *Change the Story* which included a review of recent evidence and stakeholder consultation. The updated framework considers the needs of

LGBTIQ+ communities and was funded by the Commonwealth, and state and territory governments.

The Government is also providing new funding of \$104.4 million over five years to support Our Watch to continue its primary prevention work. This funding will enable Our Watch to boost its efforts in prevention for LGBTIQ+ people, women with disability and migrant women, and develop further resources to educate young people about consent.

Recommendation 43

The Committee recommends that policies and programs relating to family, domestic and sexual violence as it affects LGBTIQ communities be developed in partnership between government agencies and LGBTIQ organisations.

Supported

The Government will continue to engage with LGBTIQ+ stakeholders to develop policies and programs relating to FDSV that affect LGBTIQ+ communities.

The NPAG was established in June 2021 to provide advice to Government to inform development of the National Plan. The NPAG includes membership from a broad range of organisations, including those representing Aboriginal and Torres Strait Islander communities, women with disability, culturally and linguistically diverse communities and the LGBTIQ+ community. The Government has engaged with the NPAG regularly throughout the development of the National Plan.

The Government will continue to work closely with the NPAG as actions under the Action Plan are developed and implemented.

With funding from the Government, LGBTIQ+ Health Australia (LHA) recently undertook research and published a report, *Opening Doors: Ensuring LGBTIQ-inclusive family, domestic and sexual violence services*, detailing research into FDSV services available for members of the LGBTIQ community, and assessment of the appropriateness of these services. The findings of the project are intended to educate service providers about the specific needs of the LGBTIQ community.

Current and proposed activities to support LGBTIQ+ people include three pilot projects to be delivered and managed by LHA. The pilots were informed by a ‘think tank’ workshop and co-design process led by LHA with member organisations and community representatives across Australia to identify sexual violence prevention and harassment activities that met the specific needs of LGBTIQ+ and other sexuality, gender and bodily diverse people and communities. The pilots are: Peer support for LGBTIQ+ people with disability experiencing isolation; Protecting personal autonomies of intersex people; and Safety, Acceptance and Identity on country and LGBTIQ+ same-sex attracted, Two Spirit, Sistergirl and Brotherboy Aboriginal and Torres Strait Islander mob yarns.

Other activities include evaluation of the LGBTIQ+ Sexual Violence Prevention pilots, and a LGBTIQ+ National Sexual Violence Prevention Survey. It is anticipated that the National Survey will provide original benchmark data on prevalence, social norms, attitudes, beliefs, bystander actions and help-seeking behaviour. The results of the survey would provide the opportunity for sexual violence prevention projects to evaluate the effectiveness of their activities against these findings. Research findings will be fed back to inform sexual violence prevention project development, implementation and evaluation for LGBTIQ+ people.

Recommendation 44

The Committee recommends that the Australian Government ensure that the next National Plan specifies people living with disability as a priority cohort, to ensure that legislation, policies and programs (across all jurisdictions) include consultation to support specific consideration of the impacts on, and needs of, these members of the community.

Supported

Consultations with stakeholders to inform the National Plan included targeted workshops on a broad range of themes, facilitated by Monash University. One of these targeted workshops focused on disability and gender-based violence. Findings from this workshop outlined the need for the National Plan to:

- broaden the scope of FDSV to ensure it is inclusive of the forms of violence experienced by people with disability;
- remove the language of vulnerability;
- adopt an intersectional approach that aims to address the policy and service system silos for people with disability who experience violence;
- promote alignment with the rights contained in the UN Convention of the Rights of Persons with Disabilities;
- acknowledge the service system gaps and barriers for people with disability who experience violence and support improved service accessibility and trauma informed supports; and
- deliver training on identifying violence, assessing risk, and connecting people with disability who are experiencing violence to relevant supports and services.

The National Plan recognises the specific experiences of gender-based violence experienced by women with disability. This includes the specific forms of gender-based violence such as reproductive coercion, forced sterilisation and forced medical interventions, as well as recognising women with disability experience violence from a broader range of perpetrators.

The National Plan targets actions towards preventing and addressing violence against women with disability across the continuum of prevention through to recovery and healing, including improving service system gaps and accessibility, and ensuring services are equipped to identify and support women and children experiencing, or at risk of experiencing gender-based violence.

The National Plan is also aligned with *Australia's Disability Strategy 2021-2031*, which sets out practical changes Australia can make to improve the lives of people with disability including that people with disability are safe and feel safe from violence, abuse, neglect and exploitation.

The Disability Royal Commission, which commenced in 2019, will also provide guidance for future work under the National Plan in ending violence against women and children with disability.

The National Plan also includes intersectionality as one of 6 cross-cutting principles, acknowledging women and children are not a homogenous group and can have many and varied personal identities, backgrounds, experiences and social positions.

Recommendation 45

The Committee recommends that the Australian Government, together with the states and territories, develop a national strategy, in consultation with people living with disability and their representative organisations, to improve access to comprehensive, equitable, accessible, and disability-inclusive sexual and reproductive health education and information.

Noted

This recommendation aligns with one of the policy priorities in *Australia's Disability Strategy 2021-2031*, which is that prevention and early intervention health services are timely, comprehensive, appropriate and effective to support better overall health and wellbeing of people with disability.

The *National Women's Health Strategy 2020-2030* and *National Men's Health Strategy 2020-2030* recognise reproductive health as a priority focus for Australians across their life course, with both strategies acknowledging people with disability as a priority population who may experience barriers to good health and wellbeing. Increasing access to sexual and reproductive health care information, diagnosis, treatment and services is a key priority in the *National Women's Health Strategy 2020-2030*, while increasing health literacy on sexual and reproductive health is a key action under objective 1 of the *National Men's Health Strategy 2020-2030*: empower and support men and boys to optimise their own and each other's health and wellbeing across all stages of their lives.

The *National Roadmap for Improving the Health of People with Intellectual Disability* (the Roadmap) recognises the need to improve support for people with intellectual disability and their families and carers. The Roadmap includes a short-term action for the Commonwealth to work with Primary Health Networks (PHN), the National Disability Insurance Agency (NDIA) and other advocacy organisations to better promote mental health and reproductive health services to people with intellectual disability, and connect existing services to a National Centre of Excellence in Intellectual Disability Health (the National Centre). In the October 2022 Budget, the Commonwealth committed to establishing the National Centre.

On 28 September 2022, the Senate referred an inquiry into universal access to reproductive healthcare to the Senate Community Affairs References Committee for report by 11 May 2023. The Government will consider the need for further action to improve access to comprehensive, equitable, accessible, and disability-inclusive sexual and reproductive health education and information in response to this inquiry.

Recommendation 46

The Committee recommends that National Disability Insurance Agency staff (including planners and those with decision making delegation) and disability service workers funded by the National Disability Insurance Scheme (NDIS) complete mandatory training in identifying and responding to family, domestic and sexual violence affecting people with disability.

Supported in principle

The National Disability Insurance Agency (NDIA) upholds the Commonwealth, state and territory governments' shared responsibility for effectively responding to FDSV and is committed to ensuring the safety of all Australians, including those with disability.

The NDIA has committed to developing a policy on participant safeguarding, which will guide the

work of the Agency and Partners to support people with disability, including those who may be experiencing FDSV, to make informed decisions about their own safety and safeguards in their life. The policy will articulate roles and responsibilities of the NDIA and others within the broader NDIS service and support system responsible for promoting and upholding the safety of people with disability. This includes the role of the NDIS Quality and Safeguards Commission (NDIS Commission) in building the capability of disability service workers and NDIS providers to identify and respond to risks of harm to participants through appropriate training.

In developing this policy, consideration will be given to evidence-based research, the experiences of people with disability and engagement with other key stakeholders including families and carers, the disability sector, NDIS providers and NDIA staff. The policy will be updated to incorporate any changes emerging from the review of the NDIS Quality and Safeguarding Framework (the NDIS Framework) and the work of the Disability Royal Commission.

To support NDIA staff members who may be experiencing family and domestic violence, the NDIA has developed an eLearning module on Family and Gender Based Violence Prevention and provides all staff with access to external training that supports understanding of family and domestic violence. The NDIA also has a network of Peer Support Officers who have undergone specific training on supporting colleagues who may be experiencing Family and Domestic Violence.

Recommendation 47

The Committee recommends that, to support the implementation of the above recommendations, the Australian Government, in cooperation with the states and territories, implement national uniform legislation establishing mandatory reporting by registered disability service providers to police and the proposed National Commissioner for the prevention of family, domestic and sexual violence of all incidents of violence perpetrated against people living with disability, whether in residential care facilities or people's own homes.

Supported in principle

The NDIS Framework provides for a national mandatory serious incident-reporting scheme for registered NDIS providers.

The NDIS Commission was established to give effect to the Commonwealth's responsibilities under the NDIS Framework. The NDIS Commission's functions include a 'reportable incident function' relating to the notification and oversight of providers responses to serious incidents and allegations affecting NDIS participants which have occurred in connection with the provision of an NDIS support or service. The requirement to report is a condition of registration for all registered NDIS providers.

A reportable incident (including allegations of an incident) is defined in the legislation and pertains to: be a death, serious injury, abuse or neglect, unlawful sexual or physical contact, assault, sexual misconduct or the use of unauthorised restrictive practices. The obligation to report involves incidents, including allegations, in any setting that an NDIS support or service is delivered.

The reportable incident scheme does not mandate reporting to police by registered NDIS providers in all instances, however it is expected that providers will report matters to police where there is an allegation of criminal conduct involved with the incident, including violence, abuse, neglect or exploitation of a person with disability.

Reporting to the NDIS Commission does not replace existing obligations on NDIS providers to report suspected crimes to the police or other relevant authorities. If this has not occurred, the NDIS

Commission may make contact with Police, or instruct the provider to make contact. Referrals made by the NDIS Commission to other bodies include referrals to coroners, state or territory Ombudsman, or mental health authorities.

The *National Disability Insurance Scheme Act 2013* allows for protected NDIS Commission information to be disclosed to Commonwealth and state and territory bodies for the purposes of performing their functions providing certain obligations are met around the use of that information. It should be noted that at this time, some state and territory bodies have expressed concerns about the way these disclosure provisions operate and legislative amendment is currently under consideration.

Recommendation 48

The Committee recommends that the next National Plan be more inclusive of people from culturally and linguistically diverse communities, their experiences and their needs.

Supported

The National Plan acknowledges women from culturally, ethnically, religiously and linguistically diverse communities as a priority cohort and recognises they experience specific forms of violence such as migration-related abuse, dowry abuse, forced marriage, FGM/C and trafficking of girls. Further, the National Plan recognises women from these communities face specific challenges in seeking support and reporting violence such as the absence of trusted social networks and/or families in Australia and linguistic and cultural barriers.

The National Plan will include actions aimed at preventing and addressing violence against women from culturally, ethnically, religiously and linguistically diverse communities across the continuum of prevention through to recovery and healing.

Recommendation 49

The Committee recommends that the Australian Government focus on providing more, and more effective, culturally appropriate education on family, domestic and sexual violence to culturally and linguistically diverse communities.

Supported

There is a range of Government programs that provide culturally appropriate education on FDSV to culturally and linguistically diverse communities. One such example includes the Family Safety Pack for men and women coming to Australia. It includes information on Australia's laws regarding domestic and family violence, sexual assault and forced marriage, and a woman's right to be safe, and has been translated into 46 languages.

The Humanitarian Settlement Program supports humanitarian entrants and other eligible visa holders during their initial settlement. It helps new arrivals integrate into Australian life by building the skills and knowledge they need to become self-reliant and active members of the community. Activities include orientation and information provision about Australia's law regarding family and domestic violence, safety planning and supported referrals to family violence support services.

In addition, the Settlement Engagement and Transition Support program aims to equip and empower humanitarian entrants, other eligible permanent migrants and their communities to address their settlement needs, in order to improve social participation, economic well-being, independence, personal well-being and community connectedness. Activities include information sessions focusing on

women's health, domestic violence awareness and family safety.

Under the former National Plan, funding was provided for resources, support services and programs for culturally and linguistically diverse communities including:

- The Fathering Across Cultures website; DV-alert culturally and linguistically diverse program modules; translated resources for the Stop it at the Start and Help is Here campaigns; the Family Safety Pack (8 factsheets, translated into 46 languages); the My Blue Sky website dedicated to forced marriage prevention, information and free legal advice; and the NETFA website.
- Access to interpreters for national telephone support services such as 1800RESPECT and MensLine.

Currently 37 organisations are funded until 30 June 2024 to deliver programs primarily focused on prevention-based activities that respond to the unique needs of culturally and linguistically diverse communities.

Additionally, in the October 2022–23 Budget, \$104.4 million was provided to continue and expand the role of Our Watch, Australia's national leader for the primary prevention of gender-based violence, to broaden its reach in diverse populations including LGBTIQ+, disability and culturally and linguistically diverse communities.

The National Plan recognises that services and materials need to be produced in language to build the knowledge, skills and awareness of culturally and linguistically diverse communities and to reduce barriers to seeking support. The Government will apply lessons from current education programs on violence prevention to ensure future work is effective and community led.

Recommendation 50

<p>The Committee recommends that the Australian Government, and state and territory governments, provide a specifically funded resource to assist larger multicultural organisations to enhance family, domestic and sexual violence service delivery for culturally and linguistically diverse communities.</p>

Supported in principle

The Government is implementing the 2021-22 Budget measure to promote the safety and social inclusion of refugee and other migrant women through a boost in funding to the Settlement Engagement and Transition Support Program.

The National Plan has a focus on incorporating an understanding and appropriate response to the specific challenges women from diverse cultural, ethnic, religious and linguistic backgrounds and migrant and refugee women and children, including those on temporary visas, face in relation to FDSV.

The National Plan highlights the need for culturally appropriate services and supports for diverse communities, including tailored and culturally-safe services, and system responses are available to men who seek to address their use of violence.

Specific focus areas for action under the National Plan include:

- supporting settlement services, multicultural, ethno-specific and faith-based organisations to identify and respond to women, children and LGBTIQ+ people at risk of gender-based violence.
- building the capacity of cultural and faith-based services to work with specialist family violence services in providing family violence support, including identification and response.

The October 2022–23 Budget provided for \$169.4 million over four years to fund an additional 500 community services workers to assist women experiencing violence, of which at least 60 will be for organisations assisting culturally and linguistically diverse women and children.

Recommendation 51

The Committee recommends that the Australian Government and, where applicable, state and territory governments, make the following changes to immigration legislation and procedures:

- amend the *Migration Act 1958* to prevent ‘consequential visa cancellation’ where a victim-survivor of family violence has their visa cancelled due to domestic violence perpetrated against them by the primary visa holder;
- where a visa applicant is in crisis or temporary accommodation, create an exception to the requirement that a residential address is required to lodge a valid protection visa application;
- address official correspondence related to visa applications to each individual applicant, so that if one of them leaves the family home, the correspondence can then be re-directed to a new address;
- provide access to legal services, specialist police services and income support for a broader range of temporary visa holders who are victim-survivors of family violence, and consider revisions to migration regulations to offer legal protection to victim-survivors on temporary visas;
- broaden the definition of family violence in the Migration Regulations 1994 to be consistent with the *Family Violence Protection Act 2008* (Vic) and to ensure that people seeking to escape violence are entitled to crisis payments, regardless of their visa status;
- exempt women on temporary visas and women seeking asylum who have experienced family and domestic violence from meeting residency requirements for the purposes of access to Centrelink and Medicare while their visa is being processed; and
- review and amend the eligibility requirements for victim-survivors of violence to access financial and other crisis supports, particularly for those on temporary visas.

Noted

The Government is committed to supporting all victim-survivors of FDSV, including those on permanent or temporary visas. The Department of Home Affairs will work with victim-survivors to resolve their situation under the migration law framework.

Consequential visa cancellation

General cancellation provisions enact, by operation of law, mandatory consequential cancellation provisions (section 140(1) of the Migration Act), which mean that if the primary visa holder’s visa is cancelled, including because they were convicted of FDSV related offences, the secondary visa

holder's visa will also be cancelled. Where the Department of Home Affairs is aware of the fact that the secondary applicant is a victim-survivor of FDSV, delegates are instructed to take into account the impact of the decision on the victim-survivor in their decision making. This consideration is balanced against the protection of the Australian community.

The Migration Regulations contain the Family Violence Provisions which allow Partner visa applicants in Australia to be granted permanent residence if their relationship has broken down and they have suffered domestic or family violence perpetrated by the sponsor. For those on temporary visas where the Family Violence Provisions do not apply, the Government's policy is that the visa held by the victim-survivor should not be cancelled because their relationship broke down due to domestic or family violence. This provides the visa holder with the flexibility to allow them to make arrangements to depart Australia or apply for another visa. The Department of Home Affairs is committed to working with victim-survivors of domestic or family violence to resolve their visa situation under the migration law framework.

Residential address requirements

While protection visa applicants, as with all other visa applicants, are required to provide the Department of Home Affairs with their residential address, this address is not limited to where the client is actually residing and could, for example, be the client's migration agent's address. Where confidential addresses are provided to the Department of Home Affairs, these are stored in systems with a 'confidential address' flag.

Official correspondence related to visa applications

In the Partner visa program, as soon as the Department of Home Affairs becomes aware that a Partner visa applicant/application is affected by a breakdown in the relationship, the case is fast tracked for priority action. Among other actions, this will include removing the Partner application from ImmiAccount to prevent possible access/privacy breaches, as the sponsor is no longer party to the application. The Department of Home Affairs contacts the client to advise that their ImmiAccount has been closed, explain the next steps, and obtain their new contact details if not already provided with the Relationship Breakdown notification. No correspondence is sent out to an applicant until this process is completed. The Department of Home Affairs continues to review and improve these processes.

Access to support services for temporary visa holders

The Government provides support to reduce financial and other barriers temporary visa holders face when experiencing violence through the national, two-year Temporary Visa Holders Experiencing Violence Pilot (the Pilot). Under the Pilot, temporary visa holders experiencing family and domestic violence are eligible for financial assistance of up to \$3,000 and legal assistance to address their migration, family law and family and domestic violence matters. As part of the October 2022 Budget, the Government committed an additional \$12.6 million to the Pilot, bringing the total investment from 2020-21 to 2023-24 to \$34.1 million.

For those on temporary visas, the Department of Home Affairs' role is to work with affected individuals to resolve their situation under the migration framework. In 2021, the Government invested \$2.5 million to support temporary visa holders experiencing FDSV, through the establishment of a dedicated family and domestic violence support team within the Department of Home Affairs on a two year pilot basis. This team provides a centralised point of contact, triages visa support for victim-survivors of family and domestic violence with a view to assist them to regularise their visa status under the migration law framework, and gathers and analyses data to inform future policy responses.

The Government's policy is that the temporary visa held by the victim-survivor should not be cancelled because their relationship broke down due to family and domestic violence. This provides the visa holder with the flexibility to allow them to make arrangements to depart Australia or apply for another visa. The Department of Home Affairs is committed to working with victim-survivors of family and domestic violence to resolve their visa situation under the migration law framework.

The Department of Home Affairs continues to review the appropriateness of existing visa settings and consider measures to further support victims of FDSV. On 20 August 2022, amendments to the Migration Regulations came into effect to enable offshore Partner visa applicants, who have been, or are eligible to be, granted a visa in Australia under a COVID-19 visa concession, to access the family violence provisions.

Definition of family violence in the Migration Regulations

The *Family Violence Protection Act 2008* (Vic) includes economic abuse and coercive behaviour as a form of family violence. The Migration Regulations define relevant family violence in broad terms. The Government notes that the Department of Home Affairs' Procedural Instructions already state that 'relevant family violence' as defined under regulation 1.21 of the Regulations is not limited to physical harm, and includes other forms of abuse such as psychological and financial abuse. This would capture a range of economic and coercive behaviour related abuse, if it would cause the alleged victim-survivor to reasonably fear for, or be reasonably apprehensive about their own wellbeing or safety, consistent with regulation 1.21.

Centrelink and Medicare residency requirements

Australia has a residence-based social security system, which is designed primarily to support Australian citizens and permanent residents. Most temporary visa holders do not have access to Australian social security payments paid through Services Australia (Centrelink). Holders of certain temporary visa holders may have access to some payments, such as Special Benefit and Family Tax Benefit, where eligible, including in cases of family and domestic violence. This includes temporary partner visa holders, temporary humanitarian visa holders and New Zealand citizens on Special Category Visas. Temporary visa holders experiencing family and domestic violence can also access support through the Temporary Visa Holders Experiencing Violence Pilot.

Medicare provides free treatment for public patients in public hospitals, subsidised medicines through the Pharmaceutical Benefits Scheme and the payment of benefits (or 'rebates') for medical services listed on the Medicare Benefits Schedule.

The *Health Insurance Act 1973* governs who is eligible for Medicare. Eligibility for Medicare is generally restricted to people who permanently reside in Australia and are either: Australian citizens; New Zealand citizens; permanent visa holders; or applicants for a permanent visa in certain circumstances. Temporary visa holders are generally ineligible for Medicare.

The National Health Reform Agreement recognises that state and territory governments are the managers of their public hospital systems. They have responsibility for determining the policy and arrangements for the provision of public hospital and health services to non-Medicare eligible persons. As such, decisions about the provision of free public healthcare in circumstances such as these is a matter for the individual state and territory public health system.

Medicare ineligible patients receiving public health and hospital services may be charged an amount as determined by the relevant state and territory government responsible for the administration of their public hospital system.

Eligibility requirements for financial and other crisis supports

In 2021, the Government established a two-year trial of the Escaping Violence Payment (EVP) to provide financial assistance to victim-survivors leaving a violent intimate partner relationship to establish a home free from violence. The EVP provides victim-survivors with individualised financial assistance packages of up to \$5,000, including up to \$1,500 in cash or cash equivalents and the remaining funds provided in goods, services and supports. The payment has broad eligibility criteria and is available to Australian citizens and permanent residents who are over 18 years old, have recently experienced intimate partner violence, have a changed living situation and are experiencing financial stress. Unlike some other Government-funded services and programs, it is not limited to individuals in receipt of social security benefits.

It is important to note that the delivery of support services in each jurisdiction, including eligibility requirements, is the responsibility of state and territory governments.

Recommendation 52

The Committee recommends that the next National Plan provide funding to investigate the prevalence and prevention of elder abuse, both in residential care facilities and in people's own homes, whether by facility staff, carers or family members.

Noted

The *National Plan to Respond to the Abuse of Older Australians (Elder Abuse) 2019-2023* (Plan) was launched in 2019. The Plan was developed in collaboration with state and territory governments and provides an overview of the issues that all governments need to act on as a priority, as well as early agreed actions to address them.

As part of the Plan, AGD commissioned the Australian Institute of Family Studies (AIFS) to conduct Australia's first national study into the prevalence of elder abuse (National Elder Abuse prevalence study). The prevalence study was publicly released in December 2021, and investigated the prevalence and characteristics of elder abuse in relation to older persons living in the community. Findings from the prevalence study are being used to inform policy and program design, at the Commonwealth, state and territory level, to protect older Australians.

The Aged Care Quality and Safety Commission (ACQS Commission) receives reports on certain types of elder abuse as part of the Serious Incident Response Scheme (SIRS). SIRS commenced on 1 April 2021 for residential aged care providers and from 1 December 2022, also applies to providers of home care and flexible care delivered in home and community settings. Providers must notify the ACQS Commission if a reportable incident occurs, or is alleged or suspected to have occurred, in relation to an older Australian that is receiving care or services from the provider. There are 8 types of reportable incidents, including neglect, unreasonable use of force and psychological or emotional abuse. SIRS aims to build the skills of providers so they can better manage, respond to, and prevent incidents. Reportable incidents that must be reported to the ACQS Commission are incidents caused by a provider's staff members (including volunteers) or another care recipient within the provider's care, but does not extend to incidents caused by carers or family members.

The ACQS Commission publishes information on the number of reportable incident notifications received in its quarterly Sector Performance reports. The ACQS Commission's Sector Performance reports also include information on the number of complaints received each quarter, which is broken down into residential and home care settings and also the top 10 complaint categories. The ACQS

Commission's complaints handling process provides an avenue for older Australians dissatisfied with Government funded aged care services. The ACQS Commission's resolution approach may involve provider resolution, conciliation, mediation or investigation depending on the nature of the complaint. The Government has committed to establishing a complaints commissioner role within the ACQS Commission to assist in driving a more effective and timely complaints resolution process for older Australians and their families.

Recommendation 53

The Committee recommends that the Department of Health release all de-identified data and information pertaining to incidents and allegations of sexual assault in residential aged care, including incidents where the perpetrator was alleged to have had a cognitive or mental impairment.

Noted

The ACQS Commission publicly releases information on the number of reportable incident notifications received as part of its quarterly Sector Performance Reports, which are available on the Commission's website. The information is separated into the type of reportable incident and whether the incident was reported as a priority 1 incident or a priority 2 incident. From 3 October 2022 any incident involving unlawful sexual contact or inappropriate sexual conduct must be reported as a priority 1 incident.

The ACQS Commission reviews all incident notifications within 24 hours of receipt and takes appropriate action where there is an ongoing risk of harm to consumers and/or where the aged care provider has not dealt with the incident appropriately. Notifying the Commission of serious incidents does not replace the provider's obligations to report to police any incident that involves criminal or potentially criminal behaviour. The ACQS Commission's Sector Performance reports include information on regulatory and enforcement actions taken by the ACQS Commission against providers relating to reportable incidents, however this is not separated according to the type of reportable incident that occurred.

The collection and publication of information on reportable incident notifications is an important transparency and continuous improvement measure that helps providers maintain a focus on promoting quality and safety of their care services through incident prevention and response. Over time, this increased transparency will assist in building public confidence in the aged care system. This information is being reviewed and monitored alongside the commencement of other aged care reforms to provide an overview on improvements to the quality and safety of aged care services across Australia.

Recommendation 54

The Committee recommends that the Australian Government commission research into the prevalence of family, domestic and sexual violence against men and its impact on male victim-survivors. The research should include a focus on any connections between male victim-survivors and their exposure to family, domestic and sexual violence as children.

The Committee further recommends that the Department of Social Services review the adequacy of advice and referral services for men as victim-survivors of family, domestic and sexual violence.

Supported

The National Plan acknowledges men's experience of FDSV and points to the importance of all people experiencing FDSV, including men, being supported to access services and to leave violent relationships if and when they choose to do so.

Alongside other factors, childhood exposure to family and domestic violence has been linked to future perpetration.⁹

The Government commissions and funds the Australian Longitudinal Study on Male Health (Ten to Men), a longitudinal study of males aged 10 to adulthood designed to help improve the health and wellbeing of men and boys.

In addition, the Australian Longitudinal Study on Women's Health – Mothers and their Children's health (MatCH) survey collects important health data on women and children and can be used to understand whether a mother's experience of violence can impact their children and have a lasting effect on boys growing up to men.

The PSS also captures data on violence against men and women.

DSS, in consultation with ANROWS, will consider reviewing the adequacy of advice and referral services for men as victim-survivors of FDSV. DSS undertakes ongoing reviews of how its programs support different groups.

Primary prevention

Recommendation 55

The Committee recommends that the next National Plan continue with the core philosophy of primary prevention being key to reducing family, domestic and sexual violence.

Supported

Primary prevention remains central to the overarching vision of ending violence against women and children in one generation in the National Plan. Prevention is one of four domains (in addition to Early Intervention, Response and Recovery and healing) for action.

The National Plan outlines 8 objectives under the Prevention domain including:

- Challenging the condoning of violence against women and embedding prevention activities across sectors and settings.
- Advancing gender equality and promoting women's independence and decision-making in public life and relationships.
- Strengthening positive, equal and respectful relationships between all people in public and private spheres.
- Listening to Aboriginal and Torres Strait Islander voices.
- Supporting men and boys in developing healthy masculinities and positive, supportive relationships with their male peers.
- Harnessing technology in the prevention of violence against women and children.
- Investing in making workplaces safe and preventing sexual harassment.
- Elevating the voices of children and young people as victim-survivors in their own right.

Recommendation 56

The Committee recommends that the Australian Government, with state and territory governments, provide increased funding for developmentally appropriate primary prevention campaigns, including protective behaviour education, to inform respectful attitudes around sexual consent, with an emphasis on community education, particularly young people in schools. This should include funding for Our Watch for the entire life of the next National Plan, so as to provide the organisation with greater certainty and program continuity.

Supported in principle

The Government is committed to supporting education and primary prevention campaigns in line with *Change the Story*, the nationally recognised evidence-based framework for primary prevention, developed by Our Watch.

The Government has committed the following funding for the development of appropriate primary prevention campaigns and initiatives to inform respectful attitudes around sexual consent.

- \$40 million over five years for a consent campaign to inform young people and the adults in their lives about consent and respectful relationships. This campaign aims to reduce the incidence of sexual violence.
- \$5 million over two years to conduct a national survey of secondary school-age students' understanding of consent. The results will inform the Government's work on respectful relationships and national prevention strategies.
- \$104.4 million over five years for Our Watch, the leading primary prevention organisation, so it can continue its work. Our Watch currently delivers The Line, its social marketing campaign to promote respectful relationships among young people by providing evidence-based information on issues such as dating and consent.

In addition, the Government, through its \$83.5 million Consent and Respectful Relationships Education measure (2022-23 to 2027-28), will partner with states, territories, and non-government school systems in early 2023 to support schools to deliver high quality, age-appropriate, evidence-based respectful relationships education and protective behaviours programs in states and territories, to help prevent violence and keep children safe.

Recommendation 57

The Committee recommends that the Australian Government support national research and awareness raising campaigns into sexist advertising and the negative effects of unequal gender representation.

Supported in principle

Advertising regulation in Australia is intended to strike a balance between legitimate commercial interests and appropriate community safeguards. The Australian Government has responsibility for broadcasting and online services. Advertising in outdoor settings, including train stations, stadiums, and billboards, is the responsibility of states and territories.

Most content broadcast in Australia is regulated by co-regulatory codes of practice developed by broadcasting industry sectors in accordance with the *Broadcasting Services Act 1992*. This co-regulatory system recognises the importance of television and radio content reflecting community standards, including around alcohol and gambling promotions. These codes are periodically reviewed by the relevant broadcasting sector and the Australian Communications and Media Authority.

Additionally, the content of advertisements is required to comply with the self-regulatory codes of practice developed by the Australian Association of National Advertisers (AANA), including the AANA Code of Ethics. The Codes are platform neutral (including broadcast platforms, outdoor media and social media) and adapt to keep pace with changing consumer expectations. The AANA Code of Ethics contains provisions relating to taste and decency, including requirements that advertising or marketing communication shall not depict material contrary to prevailing community standards on health and safety.

Our Watch's National Media Engagement initiative promotes the responsible and ethical reporting of violence against women by working with media outlets and journalists to increase awareness of issues with reporting on violence against women and embed best practice reporting. Activities include an Our Watch Fellowship which brings together media professionals to further develop and expand their knowledge and understanding, guidance to media professionals in the form of a tip sheet on reporting sexual harassment and sexual assault including incidents within the workplace, and encouraging

increased engagement of journalists and media professionals with Media Making Change (free online resources to promote gender equality).

The Government is committed to a program of work to modernise media regulations and fulfil the legitimate expectations of consumers and industry for consistency, transparency and equity in our regulatory environment.

Recommendation 58

Recognising that the principal drivers of family, domestic and sexual violence are gender inequality and stereotypical attitudes towards gender roles, characteristics and behaviour, together with disrespect of girls and women, the Committee recommends that the Australian Government consider establishing a gender equality strategy.

Supported

Gender equality is at the heart of the Australian Government's vision for a better future. The Government has committed to deliver a National Strategy to Achieve Gender Equality (National Strategy) in 2023. The National Strategy will guide whole-of-government action to elevate and prioritise actions to achieve gender equality. It will act as a framework for policy changes required to drive gender equality in Australia. The National Strategy will support the Government's commitment to improve women's economic equality, health and wellbeing.

The Office for Women will develop the National Strategy in consultation with women and girls around Australia, with a focus on ensuring that diverse voices are heard and included. It will complement other efforts to support gender equality, including the National Plan, implementation of recommendations from *Respect@Work: Sexual Harassment National Inquiry Report* (2020) (Respect@Work report), and the *National Women's Health Strategy 2020–2030*.

Recommendation 59

The Committee recommends that the Australian Government work with the states and territories to ensure that age-appropriate respectful relationships are taught in all Australian schools and early education settings.

Supported

The Government is committed to working in partnership with states and territories and non-government school systems to deliver high quality, age appropriate, evidence-based respectful relationships education nationally.

As part of this commitment, the Government is investing \$83.5 million over six years. The first stage is to establish a National Respectful Relationships Education Expert Working Group with representation from government and non-government education sectors, and experts to guide program design and advise schools on delivery that suits the needs of their school community. The Working Group will oversee:

- a rapid review of how consent education programs are currently being delivered in schools to establish what works and identify gaps; and

- the development of a national accreditation framework or guide to provide assurance to school communities that they are delivering and receiving high quality evidence-based consent and respectful relationships education programs.

The Government recognises that a partnership approach to consent and respectful relationship education will strengthen, and support implementation of evidence based and age appropriate programs in schools, while also acknowledging that the delivery of respectful relationships education in schools is the responsibility of state and territory governments, non-government education authorities and individual schools.

Recommendation 60

<p>The Committee recommends that the next National Plan adopt a public health approach to preventing and managing drug and alcohol related harms experienced by families and children, involving all jurisdictions, including local governments.</p>

Supported in principle

The National Plan recognises the complex interplay of gender-based violence and alcohol, drugs and mental health, and highlights the need for services to be appropriately equipped to support victim-survivors.

The Government's approach to managing drug and alcohol related harms is outlined in the *National Drug Strategy 2017-2026* and the *National Alcohol Strategy 2019-2028*. The National Plan aligns to these strategies to ensure victim-survivors are able to access longer-term recovery and support in relation to drug and alcohol related harms.

Early intervention and behaviour change

Recommendation 61

The Committee recommends that the next National Plan include measures to support the social services sector (including the health, mental health, disability, family and relationships, and alcohol and other drugs sectors) to have a greater role in identifying and responding to family, domestic and sexual violence.

These measures should include but not be limited to:

- training for all staff in identifying family, domestic and sexual violence and working with perpetrators;
- measures to support increased information sharing about perpetrators; and
- measures to support a more consistent national approach to risk assessment and risk management.

Supported

The National Plan recognises the need for a strong workforce comprised of people with the skills to prevent and respond to gender-based violence across all four domains of prevention, early intervention, response and recovery and healing. This includes workers outside the specialist FDSV sector, such as workers in the criminal justice system, healthcare, and educational institutions among others.

The National Plan highlights the importance of integrating education on the drivers of gender-based violence, and how to respond to and report it, into the foundational training of the non-specialist workforce as part of gaining their qualifications. Beyond receiving foundational training, non-specialist workers should also receive ongoing, expert training and learning and development on preventing and responding to gender-based violence.

Initiatives the Government is implementing to support the social services sector to have a greater role in identifying and responding to FDSV include:

- Consideration of options for enhancing FDSV training for healthcare workers as part of the Government's response to the Victorian Coroner's Court's investigation into the death of Fatima Batool. Options will include mandatory training as part of the Continuing Professional Development modules of GPs, psychiatrists and psychologists. These options will be presented to the Health Ministerial Council in 2023.
- Funding to CRANaplus, the peak professional body for the remote and isolated health workforce in Australia. CRANaplus supports health professionals working in remote areas, or other circumstances of professional isolation, with education, training and professional development opportunities, and mental health and wellbeing support, which could cover the areas of FDSV.
- Funding for DV-alert until 2026-27 to provide training to community frontline workers to recognise, respond and refer instances of family and domestic violence. The Government will also continue to fund the Accredited Training for Sexual Violence Responses program, building workforce capability of health professionals and frontline workers to better recognise and respond to victims of sexual violence in a supported rights-based and autonomous fashion.

- Agreement through the National Mental Health and Suicide Prevention Agreement (the National Agreement), which came into effect on 8 March 2022, to develop education and reference materials to enhance the mental health and suicide prevention workforce’s understanding of FDSV, including sexual harassment, and child maltreatment (Schedule A, clause 6b). The National Agreement sets out the shared intention of the Australian Government and states and territories to work in partnership to improve the mental health of all Australians, while ensuring the sustainability and enhancing mental health and suicide prevention services.
- Consideration of the evaluation of the ‘Improving Health System Responses to Domestic and Family Violence Primary Health Network’ pilots, which is due to be finalised in February 2023. The pilot was launched across 6 Public Health Networks in 2019 and expanded with more primary care services in 2022. One of the key aims of the pilot is to enhance education and training opportunities for primary care staff to better care for victim-survivors of family and domestic violence.
- Working in partnership with First Nations experts to design, deliver and evaluate a resource for use by health workers, which aims to increase health worker capability to engage in trauma-aware, healing-informed, culturally appropriate first disclosure conversations with First Nations victim-survivors of child sexual abuse, and support referral to specialist services, under the *National Strategy to Prevent and Respond to Child Sexual Abuse 2021-2030*.
- A further \$3 million to build cultural safety in non-Indigenous family safety services and referral systems who provide support to vulnerable First Nations clients. This program is being co-designed with First Nations family safety service providers, with program design and evaluation to be undertaken by First Nations organisations and in partnership with First Nations researchers.

Recommendation 62

The Committee recommends that the next National Plan include measures to leverage the existing network of Primary Health Networks to improve the identification and response to family, domestic and sexual violence in general practices. These should include consideration of a national rollout of the *Recognise, Respond, Refer* program, subject to a positive evaluation of the current trial.

Supported in principle

Under the National Plan, effective intervention approaches will be embedded in a variety of settings and sectors, including healthcare. The National Plan recognises general practitioners are often the first point of contact for victim-survivors seeking advice and support, and emphasises the need to build capacity in services, including general practice, to identify and respond to FDSV.

The Recognise, Respond, Refer (RRR) program was developed by the Brisbane South PHN in partnership with the Australian Centre of Social Innovation. The RRR program relies upon the expertise of GPs and other primary health care professionals to identify the early signs of FDSV and connects GPs and their patients to FDSV referral networks. The RRR program includes whole-of-organisation training provided by FDSV specialists free of charge to general practices in the PHN region. Under the Fourth Action Plan of the former National Plan, the then Government provided \$7.5 million to expand the existing RRR program and pilot new family and domestic violence programs at five additional PHNs from 2019-20 to 2021-22. An evaluation of the existing RRR program and the pilot models is underway with the final evaluation report to be provided to Government in February 2023.

In the 2022-23 Budget, the Government announced it will be investing a further \$48.7 million over four years from 2022-23 to 2025-26 to support victim-survivors of FDSV and child sexual abuse to navigate the health system and to support the implementation of the National Plan.

This funding will extend and expand the existing six Family and Domestic Violence PHN pilots and establish a pilot in each state and territory to provide increased support to primary care providers to assist in the early identification and intervention of FDSV and child sexual abuse, and provide coordinated referrals to support services. The funding will also go towards developing national resources for primary health care staff to support people who have experienced sexual violence and includes funding for a national evaluation of the extended and expanded pilot models. This evaluation will inform Government consideration of any preferred pilot models of care.

This \$48.7 million of grant funding formed part of a broader package of initiatives for *Strengthening health system response and trauma informed recovery care for survivors of family domestic and sexual violence* to a total value of \$135.9 million from 2022-23 to 2025-26. The other components of this package include:

- \$67.2 million over four years from 2022-23 to pilot a new model of trauma-informed recovery care embedded in existing services for people who have experienced FDSV. The pilot program will be delivered through six PHNs across Australia to improve coordination and access to services.
- \$25.0 million over five years from 2022-23 to support the Illawarra Women’s Health Centre (the Centre) to establish a Women’s Trauma Recovery Centre. The Centre is designed to be an integrated, specialised, and dedicated service, offering individualised multidisciplinary and multisectoral wrap-around support to women impacted by FDSV. The Centre will aim to improve long-term health and psychosocial outcomes for women and families.

Recommendation 63

The Committee recommends that the Australian Government provide additional funding to No to Violence to support the national operation of the Men’s Referral Service for a further three years.

Supported

The National Plan recognises the need to hold perpetrators to account through effective interventions that stop their violence to keep women and children safe.

In the October 2022-2023 Budget the Government committed \$10.8 million over four years to support No to Violence to deliver:

- a Men’s Referral Service offering confidential telephone counselling and referrals for perpetrators of domestic violence to help change their behaviour
- the Brief Intervention Service which provides multi-session telephone counselling to men seeking support to change their violent or controlling behaviour.

Recommendation 64

The Committee recommends that the Department of Social Services review the adequacy of referral services for perpetrators of family, domestic and sexual violence. The review should give consideration to the need for greater consistency across jurisdictions and the establishment of a single nationally

coordinated intake point for perpetrators seeking behavioural change.

Noted

Recognising that perpetrators of FDSV may access services via a number of pathways, DSS currently funds two national services as key referral points for men requiring support to change their behaviour:

- No to Violence Men's Referral Service which provides national direct telephone and online support and referrals for men who are using violent and controlling behaviour.
- MensLine Australia which provides a national telephone and online support, information and referral service for men with family and relationship concerns.

Any national models for referrals will require consultation with state and territory governments. A 'no wrong door' approach needs to be taken to ensure perpetrators can access services regardless of which pathway they take.

Recommendation 65

The Committee recommends that the Australian Government and state and territory governments provide additional dedicated funding for perpetrator behaviour change programs.

This should include funding to trial new perpetrator intervention models, and specialised perpetrator behaviour change programs for Aboriginal and Torres Strait Islander people, people from culturally and linguistically diverse backgrounds, people with mental illness, people with disability, adolescents, people of diverse sexuality and gender, and women.

Funded programs should be integrated with specialist family and domestic violence and other services, and should include an evaluation component consistent with the proposed national outcomes framework, which will contribute to building the evidence base on perpetrator interventions.

This funding should not be delivered through reductions in funding to services for victim-survivors.

Supported

The Government will consult with state and territory governments on implementation of this recommendation.

In the October 2022-23 Budget the Government committed significant funding to educate men who use violence to be aware of and change their behaviour, including:

- \$10.8 million over four years to enable No to Violence to continue national coverage for the Men's Referral Service, a direct telephone and online support for men who use violent and controlling behaviour, and the Brief Intervention Service, telephone-based counselling for men who use violence. There is also funding for a combined independent evaluation of the Men's Referral Service, the Brief Intervention Service and MensLine's Changing for Good programs to be undertaken during 2022-23 and 2023-24. It is anticipated that this evaluation will contribute to building the evidence base on perpetrator interventions.
- \$25 million over five years will be provided to the states and territories through a National Partnership Agreement, to apply innovative approaches to address FDSV perpetrator behaviour. These approaches, which may include technological solutions such as electronic

monitoring, will help hold offenders to account, prevent them from reoffending, and improve victim protection.

- \$35 million over five years for a national early intervention trial for young men and adolescent boys aged 12-18 who present with adverse childhood experiences including FDSV, and are at risk of perpetrating sexual harm or violence.
- \$27.8 million over two years to extend Aboriginal and Torres Strait Islander family safety services, and provide funding for up to 18 existing providers funded under the former National Plan. The commitment includes an evaluation of program activities.

The 2022-23 Budget further delivered a historic First Nations Justice package worth a record \$99 million, aimed at Closing the Gap and improving the lives of Aboriginal and Torres Strait Islander peoples. It will be jointly delivered by AGD and National Indigenous Australians Agency (NIAA).

A flagship measure under the First Nations Justice package is a \$81.5 million justice reinvestment commitment to reduce the disproportionate rates of Aboriginal and Torres Strait Islander adults and young people represented in the criminal justice system and to address the underlying drivers to incarceration and recidivism. This is an ongoing Budget commitment comprised of two primary elements:

- \$69.0 million over four years from 2022-26 (\$20 million ongoing from 2026-27) for place-based community-led justice reinvestment grant initiatives
- \$12.5 million over four years from 2022-26 (\$3.1 million ongoing from 2026-27) to establish an independent National Justice Reinvestment Unit to coordinate initiatives at a national level.

Funded activities will be community-led, but may include support for specialised behaviour change programs that are integrated with specialist family and domestic violence services, and services for victim-survivors.

Recommendation 66

To support an increase in the number of perpetrators attending and completing behaviour change programs, the Committee recommends that:

- the Australian Government and state and territory governments establish a centralised online register of perpetrator intervention programs; and
- state and territory governments provide funding for perpetrator court support workers to enable offenders to be referred to appropriate behaviour change programs and other support services.

Supported in principle

The Government will consult with state and territory governments on implementation of this recommendation.

The Government provides funding to the FASS program for dedicated men's support workers who engage with male victims and alleged perpetrators of family and domestic violence who have matters before the family law courts. These interventions include referrals to men's behavioural change programs and other support services.

While a centralised register of services is not currently in place, DSS currently funds two national

services as key referral points for men requiring support to change their behaviour:

- No to Violence Men's Referral Service which provides national direct telephone and online support and referrals for men who are using violent and controlling behaviour.
- MensLine Australia which provides a national telephone and online support, information and referral service for men with family and relationship concerns.

Recommendation 67

The Committee recommends that the next National Plan include measures to support increased use of technology in delivering perpetrator behaviour change programs, where it is safe to do so. These measures should aim to support programs including but not limited to:

- programs for specific cohorts in sparsely populated regional, rural and remote areas who would not otherwise have access to specialised programs; and
- alternatives to group-based programs for perpetrators for whom such programs are not appropriate.

Supported

The National Plan recognises the need to focus on perpetrator interventions to stop violence from escalating and ensure the safety of women and children. This includes supporting the use of technology in delivering perpetrator behaviour change programs to support specific cohorts with limited access to specialised programs in sparsely populated regional, rural and remote areas who would not otherwise have access to specialised programs, and alternatives to group-based programs for perpetrators.

In the October 2022-23 Budget the Government committed to providing funding to measures that use technology in delivering behaviour change and alternatives to group-based programs for perpetrators, these include:

- \$10.8 million over four years to enable No to Violence to continue national coverage for the Men's Referral Service, a direct telephone and online support for men who use violent and controlling behaviour, and the Brief Intervention Service, telephone-based counselling for men who use violence where a men's behaviour change program is not available or appropriate.
- \$25 million over five years provided to the states and territories through a National Partnership Agreement, to apply innovative approaches to address FDSV perpetrator behaviour. These approaches, which may include technological solutions such as electronic monitoring, will help hold offenders to account, prevent them from reoffending, and improve victim protection. States may choose to use the funding to trial measures to support alternatives to group-based programs for perpetrators, and programs for specific cohorts in sparsely populated regional, rural and remote areas with limited access to specialised programs.
- \$35 million over five years for a national early intervention trial for young men and adolescent boys aged 12-18 who present with adverse childhood experiences including FDSV, and are at risk of perpetrating sexual harm or violence.

The National Plan outlines commitments in relation to building the evidence base on the effectiveness of men's behaviour change programs and other perpetrator interventions, as well as enhancing perpetrator interventions and other services for men using violence in regional, remote and very remote locations.

Recommendation 68

The Committee recommends that the Australian Government and state and territory governments provide dedicated funding to perpetrator behaviour change program providers and specialist family and domestic violence services to deliver support services for partners, ex-partners, children, and other family members of perpetrators enrolled in perpetrator behaviour change programs.

Supported in principle

The Government will consult with state and territory governments on implementation of this recommendation.

The National Plan envisages a future with a comprehensive and coordinated crisis response system including the operation of perpetrator interventions as part of an ecosystem of programs and in partnership with women's services.

Currently, the Government provides funding to the following programs which support perpetrators and young men and adolescent boys at risk of perpetrating family and domestic violence to change their behaviour:

- No to Violence's Men's Referral Service which is a national telephone and online support service that provides counselling, information and referrals for men who are seeking assistance to stop their violent behaviour.
- No to Violence's Brief Intervention Service which provides multi-session telephone based counselling for men who use violence, where a men's behaviour change program is not available (for example due to wait times) or appropriate.
- Specialised Family Violence Services (SFVS) – SFVS providers deliver a range of services including specialised counselling for children, family capacity building and education sessions, with some providers using some or all of their funding to deliver men's behaviour change programs.
- MensLine Australia's Changing for Good which is a self-referral service that reinforces and maintains behavioural and attitudinal change in men who have undertaken a men's behavioural change program in the last 12 months.
- MensLine Australia which provides a national telephone and online support, information and referral service for men with family and relationship concerns.
- Innovative perpetrator responses over five years (2022-23 to 2026-27) to work in partnership with states and territories to apply innovative approaches to address perpetrator behaviour.
- Early intervention trial over five years (2022-23 to 2026-27) for young men and adolescent boys aged 12-18 who present with adverse childhood experiences including FDSV, and are at risk of perpetrating sexual harm of violence.

The Government also funds services to support victim-survivors of FDSV such as 1800RESPECT, Keeping Women Safe in their Homes (KWSITH) and SFVS. Additionally, DSS will undertake an evaluation of SFVS, which will further inform its understanding of how SFVS services support the partners, ex-partners, children, and other family members of perpetrators who access the services.

The Commonwealth supports states and territories through the FDSV National Partnership. States and territories fund a range of frontline services to support victim-survivors, in addition to perpetrator responses such as group-based men's behaviour change programs, including those that are court-mandated, and men's telephone counselling and referral services.

The Government will also provide \$169.4 million over four years from 2022-23 to work in conjunction with states and territories to support 500 additional frontline service and community workers supporting women and children experiencing FDSV.

Recommendation 69

The Committee recommends that the Department of Social Services lead the development of a national outcomes framework for evidence-based perpetrator behaviour change programs.

Supported in principle

The former Council of Australian Governments (COAG) endorsed the National Outcome Standards for Perpetrator Interventions (NOSPI) on 11 December 2015. The NOSPI measured the outcomes achieved by perpetrator interventions across Australia. The standards were developed throughout 2015 and are based on extensive consultation with government and non-government sector experts.

Work to collect and report data against the NOSPI concluded in 2021. This work found that substantial data improvement is required before national outcomes related to perpetrator interventions can be meaningfully measured.

Under the National Plan, the Outcomes Framework will provide a suite of indicators to measure violence (including FDSV) over time. Some of these indicators may relate specifically to perpetrators, and behaviour change programs.

Additional work will need to be undertaken to determine the best measures for behaviour change programs. Perpetrator behaviour change programs are diverse, and data are not collected uniformly across services or states and territories.

In 2022, ANROWS published an overview of reviews, which looks at the effectiveness of interventions for perpetrators of family and domestic violence. This review forms the most consolidated evidence-base for perpetrator interventions to date.

Recommendation 70

The Committee recommends that the Australian Government, working with states and territories where appropriate, provide funding for research on the backgrounds, characteristics, and recidivism rates of perpetrators of family violence with a view to informing future policy and practice in relation to perpetrator interventions. This should include research on adolescents, women, and children who perpetrate violence against their parents, as well as men.

The Committee further recommends that the Australian Government consider the development of an annual national, population level survey on the perpetration of family violence.

Partially supported

The National Plan outlines commitments in relation to building the evidence base on the effectiveness of men's behaviour change programs and other perpetrator interventions, as well as enhancing perpetrator interventions and other services for men using violence in regional, remote and very remote locations.

The Government acknowledges the important work of ANROWS in leading the national FDSV research agenda and has committed additional funding of \$23 million over five years in the 2022-23 Budget for ANROWS to continue its role in providing national leadership on data and evidence related to violence against women and children. The ANROWS research program will include a focus on perpetration.

In the absence of a feasibility study and costings analysis, and noting the research strategy being undertaken by ANROWS, an annual, population level survey on perpetration may not provide additional data over what can be collected through research projects or provide meaningful trend analysis. Further work would need to be undertaken before determining whether a survey is the right mechanism to better understanding perpetration in our community.

Recommendation 71

The Committee recommends that state and territory governments work with local community-based organisations to design and implement place-based models of justice reinvestment, similar to that used in the Maranguka Justice Reinvestment Project, as a matter of priority across Australia.

Noted

The Australian Government has an ambitious First Nations Justice agenda aimed at Closing the Gap and improving the lives of Indigenous Australians. As part of the October 2022 Budget, the Government committed \$69 million in new funding over four years from 2022-23 (and \$20 million annually from 2026-27) for place-based community-led justice reinvestment projects, including early investments in Alice Springs, Northern Territory and Halls Creek, Western Australia. Successful and holistic implementation of the justice reinvestment commitment to turn the tide on incarceration of First Nations peoples will require Commonwealth, state and territory governments to collaborate and partner with First Nations peoples in both the design and operation of justice reinvestment initiatives.

AGD and NIAA, through a joint Taskforce, are stewarding the implementation of the Government's justice reinvestment commitment. The Taskforce is prioritising the Government's early justice reinvestment commitments in Alice Springs and Halls Creek which is anticipated to be delivered in early 2023, as well as designing and developing the justice reinvestment grants program and independent national justice reinvestment unit with First Nations people and relevant justice reinvestment experts. Once the design of the program is completed, First Nations communities and organisations will be invited to apply for justice reinvestment funding – anticipated at this stage from mid-2023. In early 2023, the Government will also work in partnership with First Nations stakeholders and justice reinvestment experts to provide readiness support to communities across Australia, ahead of the national grants program opening.

Responses to assist victim-survivors

Recommendation 72

The Committee recommends that the Australian Government and state and territory governments commit to increasing the overall baseline funding for specialist family and domestic violence service providers.

Supported in principle

The Government will consult with state and territory governments on implementation of this recommendation.

The Government funds 38 SFVS providers for a total of \$50.3 million over five years from 2022-23 to 2026-27.

The 2021-22 Budget also committed funding of \$260.0 million for the FDSV National Partnership with state and territory governments to support frontline FDSV services and to trial new initiatives to support women and children experiencing violence.

In the October 2022-23 Budget, the government committed an additional \$10.7 million under the FDSV National Partnership to bolster frontline FDSV services in the Northern Territory.

The Government has also committed to ongoing funding for 1800RESPECT, the national service that provides counselling, information and support to people affected by FDSV.

Recommendation 73

The Committee recognises the importance of the provision and availability of supportive housing models to assist victim-survivors of family, domestic and sexual violence to find safety for themselves and their children. The Committee recommends that the Australian Government and state and territory governments collaborate to identify programs that could be implemented across the country, and ensure that specialist and ‘wrap-around’ support services have access to dedicated, long-term funding.

Supported in principle

The Government has committed to establishing a \$10 billion Housing Australia Future Fund (the Fund). Each year, a portion of the investment returns will be made available to fund acute housing needs. In the first five years, the investment returns will fund:

- \$100 million for crisis and transitional housing options for women and children experiencing family and domestic violence and older women on low incomes who are at risk of homelessness.

The Government will consult with state and territory governments on implementation of this recommendation. Under the National Housing and Homelessness Agreement (NHHA), state and territory governments are responsible for determining priorities and the type and locations of services funded. States and territories also make decisions about social housing, including the building, allocation, and refurbishment of dwellings.

The Government funds the Safe Places Emergency Accommodation (Safe Places) program, which is a capital works grant program funding the renovation, building or purchase of dwellings to support women and children experiencing family and domestic violence.

In September 2020, organisations across the country funded under the \$60 million Safe Places program were announced. A supplementary announcement as part of the 2021-22 Budget increased available funding to the Safe Places program by \$12.6 million. The safe places being delivered through the program are becoming available progressively from mid-2021 to the end of 2024.

On 25 October, the Government committed \$100 million over five years from 2022-23 to continue funding under the Safe Places Program through the Safe Places Inclusion Round (Inclusion Round). The Inclusion Round will deliver up to 720 new safe places for women and children across Australia. Once completed, this will bring the total number of safe places to around 1,500 (including the first tranche of projects). The Inclusion Round will focus on increasing the number of new and appropriate emergency accommodation places for Aboriginal and Torres Strait Islander women and children, women and children from culturally and linguistically diverse backgrounds, and women and children with disability, including those who experience the intersection of racism, ableism and sexism.

All Safe Places projects must satisfy the requirement to provide appropriate family and domestic violence services alongside the emergency accommodation. The department will ensure adequate engagement with states occurs prior to and through the implementation of the Inclusion Round to ensure there are appropriate long-term funding options for specialist support services.

Recommendation 74

The Committee recommends that the Australian Government and state and territory governments collaborate in the provision of affordable housing solutions in Australia to meet long-term needs for those made homeless by family, domestic and sexual violence, and to address the backlog of victim-survivors who cannot access affordable housing

Supported in principle

The Government has established the Housing and Homelessness Ministerial Council with state and territory Housing and Homelessness Ministers in order to provide a forum to progress critical housing and homelessness reforms, including improving housing supply, affordability and accessibility, and pathways out of homelessness.

The Government has committed to implementing a number of initiatives to help Australian households more easily access safe and affordable housing. These initiatives include:

- The Regional First Home Buyer Guarantee brought forward by three months to commence on 1 October 2022 provides eligible first home buyers in regional areas to buy a home with a deposit of as little as 5% without paying Lenders Mortgage Insurance.
- The expansion of the remit of the National Housing Infrastructure Facility to more flexibly deploy up to \$575 million to accelerate the supply of social and affordable housing.
- A Housing Accord, announced in the 2022-23 Budget, bringing states and territories, the Australian Local Government Association, and representatives from the superannuation and construction sectors together to unlock quality, affordable housing supply over the medium term. Under the Accord, the Australian Government will provide \$350 million over five years, with ongoing availability payments over the longer term, to deliver an additional 10,000 affordable dwellings. States and territories will also support up to an additional 10,000 affordable homes, increasing the dwellings that can be delivered under the Accord up to 20,000.

- A Housing Australia Future Fund, which will build 30,000 new social and affordable housing properties in its first five years. Over the first five years, investment returns will fund \$100 million for crisis and transitional housing options and build around 4,000 social housing properties allocated for women and children experiencing family and domestic violence and older women on low incomes who are at risk of homelessness.
- The Help to Buy shared equity scheme provides eligible Australians to buy a home with a smaller deposit and smaller mortgage.
- A National Housing Supply and Affordability Council to independently advise the Australian Government on housing policy. It will be responsible for delivering advice on options to improve housing supply and affordability, reporting on key issues in housing policy, and promoting the regular collection and publication of data on housing supply, demand and affordability.
- A National Housing and Homelessness Plan establish a clear national strategy to address the significant challenges facing the housing and homelessness sector.

In 2022-23, the Australian Government expects to spend around \$5.1 billion in Commonwealth Rent Assistance to help eligible Australians on income support payments pay their rent and around \$1.6 billion through the NHHA to support state and territory governments to deliver housing and homelessness services and programs.

Recommendation 75

The Committee recommends that the Australian Government and state and territory governments:

- consider implementing policies to remove perpetrators rather than victim-survivors in cases of family, domestic and sexual violence, where this can be achieved without threat to the safety of victim-survivors; and
- consider funding for emergency accommodation for perpetrators to prevent victim-survivors being forced to flee their homes or continue residing in a violent home.

Supported in principle

The Government acknowledges the importance of shifting the burden of ending violence away from women and children and towards those who use violence. This includes removing perpetrators rather than victim-survivors from the family home where feasible.

To achieve this, the Government funds the KWSITH program, which supports women and their children to stay in their own home, or a home of their choice, where it is safe and appropriate to do so. It provides a range of safety responses such as risk assessments and safety planning. It also provides home security upgrades, such as locks, alarms, security screens, and technology security such as monitored personal safety devices, surveillance cameras and electronic sweeping and debugging.

The Government will consult with state and territory governments on implementation of this recommendation. Under the NHHA, state and territory governments are responsible for determining priorities, and the type and locations of services funded. States and territories also make decisions about social housing, including the building, allocation and refurbishment of dwellings.

Recommendation 76

The Committee recommends that the Australian Government, in conjunction with state and territory governments, resource additional research regarding the intersection between mental health and family, domestic and sexual violence. There should be a particular focus on the lived experiences of victim-survivors and the children of victim-survivors who have experienced both family violence and mental health issues.

Supported

There is an existing strong evidence base examining the intersection between mental health and FDSV. This includes reports such as *Violence against women and mental health* (2020) which is a synthesis of ANROWS's research on the topic, as well as *Domestic violence, risk factors and health* (2018) based on findings of the Australian Longitudinal Study on Women's Health.

In March 2021, \$10.0 million was announced for a new national research centre, called ALIVE, to help lead a generational shift in mental health care. ALIVE brings together researchers, health professionals, people with lived experience of mental ill-health and carers to deliver better models of mental health care, and help create a more compassionate, person-centred mental health system.

Guided by lived experience, this evidence-based model will emphasise early identification and prevention over crisis support, and take a holistic approach, addressing physical as well as mental health.

Future research will identify opportunities for better coordination of services and more accessible and successful care models that can be rolled out to reach more people across primary care and the community.

Recommendation 77

The Committee recommends that the Australian Government, in partnership with the New South Wales Government, fund a trial program of the Illawarra Women's Health Centre's Women's Trauma Recovery Centre. This funding could be part of a pilot program over a five-year period with a view, subject to positive evaluation, to rolling out similar services around the country.

Supported

The Government recognises victim-survivors often need life-long support to recover and heal from trauma. Through the October 2022-23 Budget, the Government announced \$25.0 million over five years to support the Illawarra Women's Health Centre to establish a Women's Trauma Recovery Centre in the Illawarra region.

Guided by co-design with victim-survivors, the Women's Trauma Recovery Centre will provide trauma-informed services to women who have experienced FDSV. Services will:

- be integrated, specialised and dedicated to offering individualised, multidisciplinary and multisectoral support, as needed over their lifetime
- address the impacts of FDSV, to improve long term health and psychosocial outcomes for women and their families, including breaking the cycles of ongoing exposure to violence, and intergenerational trauma; and
- provide opportunities for research partnerships to lead recovery responses to FDSV, and be an evidence-based model of care.

Services are expected to commence in the 2023-24 financial year.

Recommendation 78

The Committee recommends that the Australian Government and state and territory governments provide additional funding on a 50-50 basis to community legal centres for a minimum of five years to assist victim-survivors of family, domestic and sexual violence. Such funding should be tied to appropriate reporting mechanisms and performance indicators, including but not limited to the full disclosure of funding provided to community legal centres by the states and territories.

Noted

The Government shares responsibility for funding the legal assistance sector, including community legal centres, with the states and territories. The Government is supportive of complementary investments that reflect this joint responsibility, although any arbitrary funding split may not recognise the complexity associated with funding arrangements.

The Government is delivering more than \$2.4 billion over five years through the NLAP to legal aid commissions, community legal centres, and Aboriginal and Torres Strait Islander Legal Services. The NLAP delivers baseline funding for these organisations, as well as specific funding for the specialist DVUs, Health Justice Partnerships (HJPs), and FASS that some legal aid commissions and community legal centres operate.

Under the NLAP, people experiencing, or at risk of, family violence are identified as a priority client group for legal assistance services. The NLAP includes \$129 million in funding over four years for the delivery of dedicated legal assistance to women, including those experiencing, or at risk of, family violence. Payment of NLAP funding is contingent on the provision of reporting against agreed outputs and performance indicators.

The Government will continue to collaborate with the states and territories to understand and address the funding needs of the legal assistance sector, in order to ensure that it is equipped to deal with current and future challenges.

Recommendation 79

The Committee recommends that the Australian Government and state and territory governments provide funding on a 50-50 basis to legal aid commissions and community legal centres to engage more social workers experienced in family violence, child protection and family law matters.

Noted

The Government shares responsibility for funding the legal assistance sector, including legal aid commissions and community legal centres, with the states and territories. The Government is supportive of complementary investments that reflect this joint responsibility, although any arbitrary funding split may not recognise the complexity associated with funding arrangements.

Social workers with appropriate skills play an important complementary role in the delivery of legal assistance services. Social workers can provide support in the areas of FDSV, child protection and family law as they are able to assess and advise on risks, impacts of trauma and also identify therapeutic responses and make referrals to assist clients where appropriate. They are skilled to support engagement with children.

The Government is delivering more than \$2.4 billion over five years through the NLAP to legal aid commissions, community legal centres, and Aboriginal and Torres Strait Islander Legal Services. The NLAP includes specific funding for the specialist DVUs, HJPs, and FASS delivered by some legal aid commissions and community legal centres. DVUs and HJPs provide legal assistance and other forms of support, including wrap-around services, to women experiencing or at risk of domestic violence. The FASS program is funded to be provided in all family law court registry and circuit court locations across Australia, to provide integrated frontline legal assistance services with social support services.

This recommendation could also be addressed by providing increased funding to specialist social support services and ensuring strong referral pathways are in place between legal services and social support services.

The Government will continue to collaborate with the states and territories to understand and address the funding needs of the legal assistance sector, in order to ensure that it is equipped to deal with current and future challenges. If this recommendation were to be implemented, Aboriginal and Torres Strait Islander Legal Services should be included as the clients of these service providers would also benefit from increased access to social workers.

Recommendation 80

The Committee recommends that, subject to positive evaluation of the Legal Aid Commission Small Claims Property Trials, the Australian Government along with states and territory governments fund on a 50-50 basis the establishment of a small property mediation program.

Supported in principle

The Government is considering future funding of the Lawyer-assisted Family Law Property Mediation: Legal Aid Commission Trial (LAC Trial) following an independent evaluation by AIFS.

The findings of the evaluation support the implementation of the LAC Trial on an ongoing basis, as an efficient way of assisting parties with modest property pools to resolve post separation financial matters. AIFS recommended some adjustments to the program to support effective implementation on a long-term basis.

To date, funding of \$17.5 million has been provided over four financial years, through to 30 June 2023, for all legal aid commissions to trial legally-assisted property mediation. The program aims to improve the economic security of women, by helping women with small value property disputes to achieve equitable, affordable and timely property settlements.

The Joint Select Committee on Australia's Family Law System second interim report recommended ongoing funding and expansion of this program pending a positive evaluation.

Recommendation 81

The Committee recommends that the Australian Government, in collaboration with state and territory governments, implement a national electronic database of domestic violence orders to support the National Domestic Violence Order Scheme. The database should include provisional, interim, and final domestic violence orders and should record breaches of orders.

In addition, the Australian Government should:

- work with state and territory governments to develop standardised training material to be

delivered to relevant staff alongside the introduction of the database; and

- consider whether the database should be accessible by specialist family and domestic violence service providers in addition to courts and police.

Supported in principle

The NDVOS was agreed by the former COAG in December 2015 and commenced in November 2017. NDVOS is a statutory scheme under which jurisdictions automatically recognise and enforce one another's domestic violence orders. It is currently underpinned by an interim information-sharing solution that leverages the National Police Reference System to provide police and courts with information on domestic violence orders issued across Australia. The NDVOS and the interim system ensure police have greater situational awareness when responding to domestic violence incidents, improving both victim and police safety, and ensure local courts can recognise, amend and otherwise effectively deal with domestic violence orders, even if issued interstate.

The Government has committed to undertake a review of family and domestic violence order frameworks. This would include considering the merits of, and options for, a comprehensive information sharing system to underpin NDVOS, such as the National Criminal Intelligence System (NCIS), currently being developed by the Australian Criminal Intelligence Commission to support collation and sharing of criminal intelligence and information across state, territory and Commonwealth law enforcement.

Subject to national agreement to use the NCIS or other platform for this purpose, the Government will ensure that appropriate training is available to relevant state and territory agencies, and that consideration is given to access needs for courts, police and other relevant stakeholders.

Recommendation 82

The Committee recommends that the Australian Government, in consultation with state and territory governments, expand the National Domestic Violence Order Scheme to include orders issued under the *Family Law Act 1975* and orders issued under state and territory child protection legislation.

Noted

The Government will consider the scope of the NDVOS as part of its review of family and domestic violence order frameworks, including whether any additional relevant orders should fall within the Scheme.

The Government is also working with state and territory governments to improve information-sharing between systems and jurisdictions, including work to finalise the *National Strategic Framework for Information Sharing between the Family Law and Family Violence and Child Protection systems* (National Framework). The National Framework will enhance and expand the flow of information between the family law courts and relevant state and territory agencies, ensuring decision-makers have access to the information needed to assess, manage and respond to risks of family violence and child abuse. While the National Framework is still being finalised, the proposed scope would include family law court orders as well as child protection information.

Recommendation 83

The Committee recommends that the Department of Social Services commission research on the potential

benefits and risks to victim-survivor safety of the establishment of a publicly accessible register of convicted family, domestic and sexual violence offenders.

Supported in principle

The Government acknowledges the important work of ANROWS in leading the national FDSV research agenda and has committed additional funding of \$23 million over five years in the 2022-23 Budget for ANROWS to continue its role in providing national leadership on data and evidence related to violence against women and children. Future research will include a focus on perpetration which may include consideration of research into the benefits of such a register.

Recommendation 84

The Committee recommends that the Australian Government work with the states and territories to adopt a variant of the United Kingdom's 'Silent Solution' for silent calls for police assistance.

Noted

Policing responses to FDSV are the primary responsibility of state and territory governments. The Government will work with state and territory governments to consider the merits of best practice models for police assistance in a domestic context, including the United Kingdom's silent calls for police assistance.

Recommendation 85

The Committee recommends that the states and territories increase criminal penalties for breaches of apprehended or domestic violence orders, and ensure that the judiciary receives further training about the importance of security to victim-survivors of family, domestic and sexual violence and their families.

Noted

Criminal penalties for breaches of apprehended or domestic violence orders is the responsibility of state and territory governments. The Government will work with state and territory governments through appropriate national fora, such as SCAG, to consider the appropriateness of existing criminal penalties for breaches of apprehended or domestic violence orders issued within their jurisdiction.

The Government, with the states and territories, co-funds the AIJA to develop and maintain the National Domestic and Family Violence Bench Book (Bench Book). The Bench Book is an online resource for judicial officers considering legal issues relevant to family and domestic violence related matters. The Government also co-funds the NJCA to deliver the FVitC training program for judicial officers, which builds upon the Bench Book. The Bench Book addresses topics such as fair hearing and safety; trauma-informed judicial practice; protection orders; victim-survivor experience of court processes; dynamics of domestic violence; coercive control; and economic and financial abuse. Future updates to the Bench Book and FVitC training will consider current recommendations.

Recommendation 86

The Committee recommends that the Australian Government and state and territory governments jointly develop a mechanism to provide resources to victim-survivors to assist them to leave their home and resettle to escape a violent relationship. This should include examining ways in which the Commonwealth may recover the costs from the perpetrator.

Supported

In October 2021, the Government established a two-year trial of the EVP to provide financial assistance to victim-survivors leaving a violent intimate partner relationship to establish a home free from violence. The EVP provides victim-survivors with individualised financial assistance packages of up to \$5,000, including up to \$1,500 in cash or cash equivalents and the remaining funds provided in goods, services and supports. In the October 2022 Budget, the Government committed an additional \$240 million to continue the EVP after the end of the trial, until 30 June 2026.

The Government is also establishing a two year Aboriginal and Torres Strait Islander place-based trial of the EVP in the Cairns region, to commence in early 2023. The place-based trial will be delivered by an Indigenous-led organisation located in the Cairns region to provide specialised and culturally-appropriate support for Aboriginal and Torres Strait Islander victim-survivors to establish a home free from violence. The place-based trial intends to assess and respond to the particular needs and experiences of Aboriginal and Torres Strait Islander people experiencing intimate partner violence.

The Government provides support to reduce financial and other barriers temporary visa holders face when experiencing violence through the national, two-year Temporary Visa Holders Experiencing Violence Pilot (the Pilot). Under the Pilot, temporary visa holders experiencing family and domestic violence are eligible for financial assistance of up to \$3,000 and legal assistance to address their migration, family law and family and domestic violence matters.

There are also a number of other Commonwealth Government-funded services and programs available to victim-survivors to assist them to leave their home and resettle to escape a violent relationship, including:

- No interest loans for women experiencing family and domestic violence provide safe, affordable credit to help women with the financial costs of establishing a new household, such as relocation expenses, rental bonds, rental payments and essential household items.
- Emergency relief, which can assist people to meet their immediate basic needs in terms of financial distress or hardship.
- Financial Counselling, which can help people in personal financial difficulty to address their financial problems, manage debts and make informed choices.
- The KWSITH initiative, which the Government funds through state and territory governments and select non-government providers to deliver services to improve the safety of women and their children who have experienced family and domestic violence. The KWSITH initiative supports women and their children to stay in their own home, or a home of their choice, where it is safe and appropriate to do so through a range of safety responses such as risk assessments, safety planning, home security audits and upgrades, technology upgrades and case management.

It is important to note that the delivery of support services in each jurisdiction is the responsibility of state and territory governments.

Recommendation 87

The Committee recommends that the Australian Government, in conjunction with state and territory governments, ensure that the next National Plan recognises that family, domestic and sexual violence impacts upon workplaces.

Supported

The National Plan recognises the impacts of FDSV upon workplaces and places particular emphasis on the role of business and industry to prevent and respond to violence against women and children. The National Plan highlights the Champions of Change Coalition’s framework for workplace action on family and domestic violence as one example of an evidence-based approach to underpin and guide business and industry action.

The Government has committed to implementing all 55 recommendations of the Respect@Work report and 28 recommendations of *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces* (2021), as reiterated in the National Plan, to ensure all workplaces are safe for women.

The Respect@Work report emphasises the shared responsibility of Commonwealth, state and territory governments, and the private sector, including business and industry, in implementing the recommendations of the report.

In recognition of the impact of family and domestic violence on employees and workplaces, the Government delivered on its commitment to legislate 10 days paid family and domestic violence leave per year as a universal workplace right under the National Employment Standards for all employees, including casuals. This will ensure no woman is forced to choose between their safety and their economic security. Paid family and domestic violence leave under the National Employment Standards commenced from 1 February 2023 for many employees and commences on 1 August 2023 for employees of small businesses with fewer than 15 employees.

Recommendation 88

The Committee recommends that the next National Plan include greater emphasis and specific detail on the crucial role of work and economic equality in the advancement of gender equality and the prevention of family, domestic and sexual violence.

Supported

The National Plan recognises that economic inequality persists in society, manifesting through the gender pay gap and superannuation gap for example. This impacts on gender equality, a key cross-cutting focus throughout the National Plan. Advancing gender equality is vital to preventing violence against women and children, and is recognised as a key objective under the Prevention domain of the National Plan.

The National Plan promotes women’s economic equality by emphasising the need to remove barriers, including access to affordable childcare and housing, and ensure women’s equal participation in the workforce.

The Government has also committed to the development of a National Strategy to Achieve Gender Equality that articulates the structural reforms required to achieve gender equality in Australia. The National Strategy will complement the National Plan and include a focus on women’s economic security and independence.

Notes

¹ H Boxall and A Morgan, ‘Who is most at risk of physical and sexual partner violence and coercive control during the COVID-19 pandemic?’, *Trends & Issues in Crime and Criminal Justice*, 618, Australian Institute of Criminology, 2021, doi:10.52922/ti78047

² B Harris and D Woodlock, ‘‘For my safety’ Experiences of technology-facilitated abuse among women with intellectual disability or cognitive disability’, eSafety Commissioner, 2021, <https://www.esafety.gov.au/research/technology-facilitated-abuse-women-intellectual-or-cognitive-disability>. The report revealed that the tactics used for technology-facilitated abuse of women with intellectual or cognitive disability are like those faced by all women, but there are some unique differences.

³ C Brown, M Yap, A Thomassin et al, ‘Can I just share my story? Experiences of technology-facilitated abuse among Aboriginal and Torres Strait Islander women from regional and remote areas’, eSafety Commissioner, 2021, <https://www.esafety.gov.au/research/technology-facilitated-abuse-among-aboriginal-and-torres-strait-islander-women>. The report revealed that abuse facilitated through technology has a serious and long-lasting impact on Aboriginal and Torres Strait Islander women.

⁴ M Dragiewicz, P O’Leary, J Ackerman et al, ‘Children and technology-facilitated abuse in domestic and family violence situations’, eSafety Commissioner’, 2020, <https://www.esafety.gov.au/research/children-and-technology-facilitated-abuse-domestic-and-family-violence-situations>. The report revealed the impacts of technology-facilitated abuse on children and highlights the range of strategies used for protection and intervention. Among the findings the research found that technology-facilitated abuse of children featured in 27% of domestic violence cases.

⁵ A Powell, A Flynn and S Hindes, ‘Technology-facilitated abuse: National survey of Australian adults’ experiences’, ANROWS, 2022, <https://www.anrows.org.au/publication/technology-facilitated-abuse-national-survey-of-australian-adults-experiences/>.

⁶ C Teunissen, H Boxall, S Napier et al, ‘The sexual exploitation of Australian children on dating apps and websites’, *Trends & issues in crime and criminal justice*, 658, Australian Institute of Criminology, 2022, doi.org/10.52922/ti78757.

⁷ Australian Bureau of Statistics, ‘Personal Safety Survey (PSS)’, ABS, 2017.

⁸ D Woodlock, K Bentley, D Schulze et al, ‘Second National Survey of Technology Abuse and Domestic Violence in Australia’, WESNET, 2020, <https://wesnet.org.au/about/research/2ndnatsurvey/>.

⁹ J Ogilvie, L Thomsen, J Barton et al. ‘Adverse childhood experiences among youth who offend: Examining exposure to domestic and family violence for male youth who perpetrate sexual harm and violence’, ANROWS, 2022, <https://www.anrows.org.au/project/adverse-childhood-experiences-and-the-intergenerational-transmission-of-domestic-and-family-violence-in-young-people-who-engage-in-harmful-sexual-behaviour-and-violence-against-women/>.