

## **Parliamentary Inquiry into Family, Domestic and Sexual Violence**

### **Public hearing – 16 October 2020**

#### **RESPONSE TO QUESTIONS ON NOTICE**

##### **Question no. 1 – p 14.**

**CHAIR:** You may have heard, in the evidence from No to Violence, that they advocated for the next national plan to be established under the Intergovernmental Agreement on Federal Financial Relations, acknowledging that family violence is a core business of governments of all persuasions and all jurisdictions. Do you have a view on that?

**Mrs Brady:** I must confess that I didn't listen in to the No to Violence presentation or evidence this morning, so could I take that on notice? The only thing I would say is that it has certainly been beneficial to have the linkage through what used to be COAG. The mechanism that needs to support the ongoing work of the National Plan to Reduce Violence against Women and Children will require some sort of framework that can draw together the state, territory and Commonwealth responsibilities. But I would add that I think there's a necessity to also bring in a range of other not-for-profits and other services that are working to assist men, women and children.

FRSA considers that building stronger ownership of – and accountability for – the next National Plan across federal and state jurisdiction will be instrumental to its success. The Council of Australian Governments (COAG) provided an intergovernmental structure for securing cross jurisdictional support for the current National Plan. We believe there needs to be even greater rigour in setting out jurisdictional responsibilities and accountabilities in the successor Plan. To this end, we note that it is critical that the establishment of the National Federation Reform Council on 29 May 2020, replacing COAG, provides a vehicle for strengthening the cross jurisdictional approach to domestic and family violence. The Government's decision to retain the Women's Safety Council under this recent intergovernmental reform was welcome, but it is not enough.

The Australian Government, through the Attorney-General's Department, is currently coordinating a project to improve information sharing between the (federal) family law and (state/territory) family violence and child protection systems. This is an important initiative. However, there are still many gaps and inconsistencies that must be addressed. For example, FRSA Victorian members have recently expressed concern that the Victorian Family Violence Information Sharing Scheme, introduced under state-based reform, which enables the sharing of information between authorised organisations to assess and manage family violence risk, does not extend to Commonwealth funded family violence programs delivered by Victorian-based organisations. This presents a gap in an important scheme that otherwise helps to keep perpetrators of violence in view and helps to keep victims of that violence safe.

We share No to Violence's view that there is still a need for greater coordination and for greater consistency across the country. Increased accountability will be integral to achieving these goals. We encourage the Committee to consider all possible options, including the Intergovernmental Agreement on Financial Relations, to further compel all government parties to work together to deliver the next National Plan.

### **Question no. 2 – p 17.**

**Ms CLAYDON: Yes. When it comes to perpetrator interventions, what are the gaps in service delivery models and what needs to be improved about the programs themselves?**

**Mrs Brady: As our members are various and diverse, and as the chair has reflected in some of his questions around the types of men's behaviour change programs and that there are various models, I must concede that even amongst our own services there are variations in the way they are delivering their men's behaviour change program. I'm not sure that I can actually identify specific gaps, but I'm more than happy to go back to the members that are providing those services and seek out their advice on that particular question, if I may?**

#### *Perpetrator interventions*

FRSA's position is that a broader range of perpetrator interventions are required. Much emphasis is given to Men's Behaviour Change Programs (MBCPs) and they certainly form an important part of an intervention service delivery framework. However, MBCPs should be one of a broader suite of interventions. [Research](#)<sup>1</sup> published in June 2020 by ANROWS notes that the group-based structure of MBCPs is not suitable for all men who use violence – for example, men with a cognitive impairment – and they are not a viable model of service delivery in rural and remote areas. Other interventions, such as individual case management, are needed.

A number of FRSA members deliver Men's Behaviour Change Programs (MBCPs) – predominantly through state funding. Some FRSA members use funding under the Commonwealth *Specialised Family Violence Services*<sup>2</sup> program to deliver MBCP.

Some members also deliver intervention programs for others who use violence in the home – women, adolescents, trans and gender diverse people. It is important that programs are tailored to these cohorts and to culturally and linguistically specific cohorts and Aboriginal and Torres Strait Islander men who use violence.

FRSA members have also emphasised the importance of 'readiness' to participate in MBCPs and/or if participation is mandated in the absence of client readiness at the point of entry, the importance of helping participants find their respective motivation to change (often it is

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<sup>1</sup> Chung, D., Upton-Davis, K., Cordier, R., Campbell, E., Wong, T., Salter, M. ... Bissett, T. (2020). Improved accountability: The role of perpetrator intervention systems (Research report, 20/2020). Sydney: ANROWS

<sup>2</sup> The Commonwealth program, *Specialised Family Violence Services*, includes services such as support and counselling for individuals, families and children affected by domestic and family violence, and DV liaison (staff member working with police) – as well as MBCPs. The program is distinct from specialised family violence services – an umbrella term for state funded services dedicated to supporting victims and perpetrators of domestic and family violence.

the desire to be a better parent). If the motivation to change is absent, a different model of intervention may be more suitable.

Currently, a large proportion of men who participate in MBCPs are court mandated to do so.<sup>3</sup> FRSA's position is that there is potential to increase early intervention responses to men who use violence – that is, interventions before men engage with the criminal and justice systems. Family and relationship services are one touchpoint for earlier intervention. Staff in the family and relationship services sector are trained to screen for early indicators of family or domestic violence and to identify violence risk. Referral to state-based dedicated family violence services may be appropriate. In some cases, however, with staff specifically trained in domestic and family violence, appropriate support and engagement may be provided within the context of family and relationship services to the victims of, and the perpetrators of, domestic and family violence.

#### *Improving perpetrator intervention programs*

FRSA members have emphasised that companion support services for the partners/ex-partners of MBCP participants and for their children are important components of MBCPs. Supports for children in their own right is a specific gap in the service delivery model that our members have highlighted.

At the same time, an integrated service delivery model that links MBCP participants to other supports they may need – for example, treatment for substance misuse and/or mental illness – is important to their success. Further, as noted in the ANROWS research, if the basic needs (notably, accommodation) of participants in MBCPs are not being met, their capacity to engage meaningfully in the program is significantly curtailed.

#### **Question no. 3 – pp 18-19.**

**Ms MURPHY:** I'm very interested in your evidence and I'm sorry that I didn't hear all of it. There is one question that I particularly want to ask. If it has been covered, let me know if I missed it when I accidentally had to drop out. I would be interested in hearing your thoughts about services, particularly those around counselling and support in the Family Court, that assist children who have either been the direct victims of domestic violence, or victims of domestic violence by witnessing it, not only as the legal processes are navigated but in terms of support and trauma induced counselling, for their future wellbeing. What's your view about what's happening in that area? Is it enough? Could there be more or could there be better?

....

**Mrs Brady:** I would add that, both in this submission and the family law one, part of the rationale for really asking or having greater attention to children's rights and needs is that, when we look directly at the family law services and what we are provided funding for within the family law services, the major focus around that is assisting the parents who are

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<sup>3</sup> CEO of No to Violence, Jacqui Watt, has estimated that roughly 80% of men who attend a MBCP have been court-mandated (or referred via a police intervention), and 20% voluntarily attend. (24 June 2020, [Proof Committee Hansard](#) - evidence to Joint Select Committee on Australia's Family Law System, p. 25.

**separating, to come to plans around how they're going to bring up their children, moving forward. We are now funded to do property, as well, but the main focus has always been on children. Therefore, the bulk of the funding has been provided around mediation and resolution of those parenting arrangements and not so much specifically around the children. Although, there are services within our organisations that provide—and we refer to it in our submission—what is referred to as child-inclusive practice, where the intention is for the mediators or the family dispute resolution people who are working with the parents to be speaking directly with the children, to be engaging with them, to be listening to them, to be feeding back to the parents what they are hearing and what the children are dealing with. Of course, though, family violence also brings heightened concerns around that information and how that's being dealt with—so, all sorts of measures around parental emotional regularity and all those sorts of factors have to be taken into account.**

**Having said that, there is a small program that's funded under the Attorney-General's family law services that is specifically focused on supporting children after separation. I don't have to hand how specific that might be in relation to any matters around violence, but I can certainly go out to our network and achieve a better picture of that, if I may take that on notice.**

The Supporting Children after Separation Program is funded by the Attorney-General's Department and administered by the Department of Social Services as part of a suite of family law services.

The Supporting Children after Separation Program provides support for children and young people of all ages who need some help coping with and understanding their parents' separation. Children and young people can come to the Program at any time during or after the separation process. The support provided through the Program may be individual counselling or group work with children of similar ages.

The Program does not specifically target children who have experienced domestic/family violence. However, FRSA members have indicated that a relatively high proportion of clients accessing family law services experience or are at risk of domestic and family violence. A survey of FRSA members undertaken in 2017 indicated that of the survey respondents, 75% reported that violence was present in 60-80% of cases at the point of intake across family law services. One of our members that delivers the Supporting Children after Separation Program estimates that 70-80% of the children currently being supported by the Program in their organisation are impacted by family violence. FRSA members assess for domestic and family violence risk at the point of intake and through the service delivery journey and address the safety needs of parents and children.

FRSA members that deliver the Supporting Children after Separation Program have advised that generally the children and young people that come to the program do not come specifically for support related to family violence. However, where issues of family violence are present, they are identified early in the process and appropriate supports and interventions are put in place. Depending on the status of the family violence issues (whether it is historical or current) and the safety risk of the child/young person, support may be offered through the Program and/or the child/young person is referred to specialist family violence and trauma based supports where they are available. In these circumstances, FRSA



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members work collaboratively with these other organisations to ensure the child/young person is receiving appropriate supports.