

Senate Finance and Public Administration Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Additional Estimates 2016 - 2017

Prime Minister and Cabinet Portfolio

Department/Agency: Department of the Prime Minister and Cabinet
Outcome/Program: Outcome 1: Prime Minister and Cabinet
Topic: National Domestic Violence Order Database

Senator: Kakoschke-Moore, Skye

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Question:

Senator KAKOSCHKE-MOORE: I suppose my follow-on questions from that were: what were some of the barriers for there being a complete national database? I know in Western Australia, for example, they have not passed legislation yet.

Senator Cash: It is a really interesting question that you raise. It sounds so easy—a national database; again, the better department is A-G's because it controls this—but one of the issues in the first instance was that not everybody had a computer database. It was absolutely fascinating that a jurisdiction was still doing things in paper, so it had to build its own database before it could even consider it. We can get you the list of barriers but we need to speak with A-G's.

Senator KAKOSCHKE-MOORE: Which state was that?

Senator Cash: My understanding is, and I would hate to verbal the particular state in case it is not, is that it was Tasmania, but I will ensure that we get the information so I am not verballing them.

Answer:

Developing a full national capability for sharing Domestic Violence Order (DVO) information between police and courts requires a level of integration with existing state and territory police and court systems and processes. This is challenging due to the variation in the information management systems used by police and courts and how well connected these systems are. For example, some jurisdictions (e.g. New South Wales) already have systems enabling the efficient sharing of information between courts and police in the jurisdiction. In contrast, other jurisdictions (e.g. Tasmania) have systems that require a high level of manual intervention (e.g. scanning and emailing) to share information between courts and police.

In December 2015, the Council of Australian Governments (COAG) agreed to implement a national DVO scheme. Under this scheme, information sharing between states will be improved. This will enable DVOs issued in one state to be automatically recognised and enforced in all others. State police forces will be able to work more closely with each other to reduce domestic violence offences.

To give effect to the national DVO scheme, COAG agreed to implement: (i) model laws; (ii) a comprehensive national DVO information sharing system that police and courts will be able to use for evidentiary purposes and to enforce DVOs; and (iii) an interim DVO information sharing system that will provide police and courts with information on all DVOs that have been issued, but will not have the same evidentiary and enforcement capacity as the comprehensive system.

An update on these is below:

1 Model laws

New South Wales, Victoria, Queensland, South Australia, Tasmania, the Australian Capital Territory and the Northern Territory have passed the model laws. Western Australia will likely introduce its legislation later this year.

2 Comprehensive national DVO information sharing system

The comprehensive information sharing system, or the National Order Reference System, will support the model laws. The system will take several years to fully implement however implementation to date is on track. The Australian Criminal Intelligence Commission (ACIC) has established a project team; engaged a Project Board and business and technical advisory groups; and developed business requirements and solution architecture.

3 Interim DVO information sharing system

In November 2016, the ACIC delivered the technical capability for the interim information sharing system, or the Interim Order Reference System, including a new web portal that will allow courts read only access to DVO information held in the National Police Reference System (NPRS). The interim system will underpin the model laws until the comprehensive system is developed.

In relation to the interim system, no court has needed to update its IT system to use the new web portal. Each police agency provisions information into the NPRS to make it available to other jurisdictions. The ACIC and state and territory police and court agencies are working through the legal and administrative arrangements to provide courts access to the system.