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Inquiry into Domestic and Family Violence—Policy approaches and responses

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ACT Women's Services Network

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Submission to the Standing Committee on Justice and Community Safety Inquiry into Domestic and Family Violence - Policy approaches and responses

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Introduction

The ACT Women's Services Network welcomes the opportunity to make a submission to the the Finance and Public Administration References Committee Inquiry into Domestic Violence.

The ACT Women's Services Network is a network of women's services and organisations that exist to provide support to women in the local (and in some cases regional) Canberra community. Our members range from services who aim to respond to community needs by providing a continuum of services for women and children who are homeless or at imminent risk of homelessness particularly when this is due to domestic violence and other abuse, to services that work in fields such as advocacy, research, health, legal advice and representation, rights and equality, information provision, sexual assault and the criminal justice system. They all deliver services to and advocate on behalf of some of the most marginalised communities of women.

The purpose of the Network is to provide a peak forum for women to share information, to develop responses on common issues for women and to progress the work on those common issues.

Response to the Inquiry

As organisations who work to make the views of ACT women experiencing or at risk of experiencing domestic violence known, we are keen to ensure that the input into the Inquiry represents the specific needs and views of women (and their children) in the ACT experiencing domestic and family violence, particularly those women who are most vulnerable.

So in writing this ACT Women's Services Network submission, our response is informed by the views and concerns gained from the various member services who work with women and children in the ACT who have experienced domestic and family violence and sexual assault, and who understand and advocate about the specific issues for, and the needs of these ACT women.

a) the adequacy and effectiveness of current policy approaches and responses in preventing and responding to domestic and family violence in the ACT;

We cannot tell exactly how many people in the ACT have experienced domestic violence and family violence (including sexual assault) from reported crime statistics because most people who experience this violence do not report it to the police. (Services such as the Women's Legal Centre and Beryl Women Inc advise that this is their experience of clients who seek support from them - but have not and are not interested in reporting to police.)

We know from a report released in early February – *Specialist homelessness services 2015–16* – that the Australian Institute of Health and Welfare found that in the ACT:

- Of the 4,652 clients assisted, 56% were women;
- 7 in 10 Canberrans who sought services for domestic violence were women; and
- 8 in 10 people who sought assistance for sexual assault were women;

The report also found that funding for 'homelessness services' dropped from \$24.8 million in 2012-2013 to \$20.1 million in 2015-2016, in real terms, for the ACT.

We know that the effects of policy decisions regarding housing, legal services, and women's economic independence affect the ability of women to escape domestic violence. And because domestic and family violence is such a complex issue it requires tailored approaches to address the different needs of different communities.

All women's services in the ACT have reported increasing and substantial demand over the last few years – including domestic violence services like DVCS and the refuges, the Canberra Rape Crisis Service, the Women's Health Service, and the Women's Legal Centre.

Current funding levels for women's services in the ACT have been impacted adversely by previous Commonwealth Government decisions and the resulting cuts (or a lack of increases to meet the demand) in ACT Government funding in the ACT to 'homelessness services' and an ongoing shortfall in the ACT Government's allocation of funds to community legal services.

At the same time as reduced unit costs have been passed on in the ACT, women's services have also experienced increased numbers of women with complex issues accessing their services. But the funding for service responses do not recognise the differences in complexity and the increased costs from those complexities.

While the prevalence of violence against women remains high and continues to rise each year, the ACT Government must increase their investment and priority in the availability and development of local response/support systems, so that the safety of women and children is protected, and to ensure that individual perpetrators are held accountable.

Women's services in the ACT also report that the population of women who are homeless because of domestic and family violence is increasingly becoming a group with complex and multiple needs, that is, due to drug and alcohol dependency, complex trauma, childhood sexual assault, mental health issues and disability.

Women who have been exposed to violence have a greater risk of developing a range of health problems and report poorer physical health overall, are more likely to engage in practices that are harmful to their health and experience difficulties in accessing health services (WHO, 2000). Yet

there has not yet been a recognition in policies and approaches within health responses in the ACT, except for the funding for the Women's Health Service whose main client group is women with trauma from domestic and family violence.

Because the availability of appropriate housing and accommodation is an important consideration in many women's decisions about whether or not to leave a home where there is domestic violence, access to affordable and safe housing is crucial to their being able to re-establish their lives. But there continue to be gaps in access to housing in the ACT that is accessible, affordable, timely and that gives security of tenure for women and children leaving domestic violence (including the private rental market). The shortage of affordable and appropriate housing, with one of the most expensive housing markets of all states and territories, makes it very difficult for women leaving violence to find somewhere to live.

The long-term outcomes for women's housing, employment, health, parenting capacity and financial independence are poor. And a high proportion of women either return to the violent relationship or end up in secondary homelessness.

Yet there is a need for additional supports to address the long-term consequences that women and children escaping family violence face and that relate to domestic and family violence and not just homelessness. If organisations are able to work with victims over a longer period the outcomes around their health and safety are ultimately better, as are the outcomes for any children involved.

The current resourcing models focus on a homelessness response even when for many women the presenting issue is escaping domestic violence. In addition to maintaining service delivery, it is also important that the capacity of services to address the long-term impacts of DFV is strengthened. For example, funding for women's refuges does not include funding to support women and children beyond an immediate crisis response.

Yet women and their children can experience extensive and long-lasting trauma and consequences of violence – they and their children are physically, emotionally and psychologically affected by disruption to their social connections, and their children's schooling and friendships. There is a crucial need for ongoing support to ensure that women and children's initial improvement in safety and wellbeing is actually sustainable over time.

There is still limited investment in long-term post crisis support particularly for those women who have engaged with the legal and or/ justice system and not entered into a refuge or homelessness service. Where women experiencing violence are staying home in the ACT as opposed to leaving and entering the specialist homelessness system then the responses must reflect these needs. Historically there has been a service response system based on women leaving their home, but this needs to be adapted to ensure there is a suite of options available that meet the varying needs and complexity of living with/leaving domestic family violence.

And while the majority of perpetrators are men and the majority of victims are women, the effects of recent policy decisions regarding housing, legal services and other essential services are impacting disproportionately on the ability of women and children to escape violence. For example, in the current funding models for homelessness assistance services, children are not considered clients of the services and as a result there is no specific funding for children and their specific issues. It is vital to ensure that response services are adequately resourced to help those seeking assistance or justice, so that they are kept safe and adequately assisted in dealing with their unique consequences of domestic violence to reduce the overall burden, on all areas, of untreated trauma.

There is still a need to invest in challenging and changing cultures and attitudes towards domestic and family violence, including sexual assault, through primary prevention methods such as education in schools and community and workplace discussions.

This requires a coherent approach to prevention across all schools, with minimum standards that are part of the curriculum, and common education in all schools to include respectful relationships.

Not all women who experience violence come from a family situation and it's important that the new safety hub responds to those outside of a family situation adequately. Given the results from the AHRC on sexual violence on campus, specific strategies to deal with young women is key – youth-friendly services and support, as well as on-campus prevention campaigns and minimum standards of education on consent are all important.

The court system needs to be increasingly aware of trauma; and lawyers and court workers knowledgeable about trauma informed care.

b) the implementation of the ACT Government's 2016–17 funding commitments to prevent and respond to domestic and family violence in the ACT, in particular how outcomes are being measured;

The Women's Services Network welcomes the increased investment into domestic and family violence responses in the ACT through the ACT Government's Safer Families package announced last year.

Much has been achieved in this past year, and members of the women's services have been involved in contributing knowledge and expertise to the design of specific initiatives, including the Family Safety Hub and the project '*Promoting Safety and Prioritising Domestic and Family Violence in the ACT Alcohol and Other Drug Sector*'.

The Network recommends the ACT Government increase funding to current frontline services and staff to ensure services can be provided to women while the package is being developed and implemented. Specifically, the Network recommends:

- Funding to the services who have expertise in delivering trauma informed support for those who are victims of domestic and family violence – including sexual assault - are maintained while changes and new pilots are rolled out and evaluated;
- as demand increases through raised awareness in the community and the successful roll out of the Family Safety Hub and other initiatives, these services are funded to meet that demand; and
- the service need and demand is met by appropriate funding when the outcomes from the Royal Commission and other Commonwealth reviews begin to impact in the ACT.

The focus so far has been on the immediate recommendations for a Safety Hub and for responses within Government. There has not been a focus in current work to improve the early intervention, pre-crisis and non-justice responses to domestic and family violence. As a result, these issues will need some focus once the initial elements of the Safer Families packages roll out and this will require investment and planning beyond the implementation from the current funding.

The WSN recognises the importance of the ACT's involvement in developing, supporting and implementing various actions in the ACT from the three Action Plans of the National Plan to Reduce Violence against Women and their Children 2010-2022. In particular, it will be important that the ACT focus on implementing the responses for sexual violence and children from the 3rd Action Plan!

Additionally, previous consultations with the sector show the following issues need to be included in the next steps of responses in the ACT:

- The lack of culturally appropriate responses in services policy responses for Indigenous and CALD women;
- Child protection responses need to change to work with women to keep the women and the children safe and together – and understand that the women are also the victims;
- Data is needed to analyse what is really happening, to assess outcomes for individuals and across the system, and to evaluate 'what works' so future practice is more evidence-based – this data needs to focus on domestic and family violence (including sexual assault) and not just homelessness;
- There is still a need to invest in challenging and changing cultures and attitudes towards domestic and family violence, including sexual assault, through primary prevention methods such as education in schools and community and workplace discussions.

c) the issues and policy challenges (if any) for the ACT arising from the National funding and agenda/policy setting regime/framework—including how outcomes are measured and reported;

Despite the existence of data collection mechanisms like the PSS and AIC, there are still major gaps in our understanding about the prevalence and impacts of domestic and family violence, and particularly at a local level. Until these mechanisms are complemented by more detailed, cross-tabulated data from sources that capture vulnerable, isolated population groups and people who unlikely to report violence to authorities—data that is able to be disaggregated by data items such as locality, disability status, gender identity, and so on—then our understanding of the prevalence and impact of domestic and family violence remains limited.

Approaches to preventing and responding to domestic violence need to be coordinated across jurisdictions, but with flexibility to enable various initiatives to be informed and driven by local populations. Community organisations play an important role in community awareness and education, but there is little resourcing focused on early intervention that needs to be done at the local level.

The *National Plan* called for the implementation of homelessness services under the *National Partnership Agreement on Homelessness* to “improve housing options for women victims of violence,”¹ and cites intergovernmental strategies on funding of homelessness services, affordable housing, emergency relief and financial counselling services, and the funding of specialist homelessness projects as effective ongoing interventions in this area.

When the Federal Government revised the funding allocations made to states and territories in the National Affordable Housing Agreement in 2012-13, the main reductions to Housing and Homelessness services in the ACT were borne by services that specialise in responding to the needs of women, children, and young people living with the impacts of trauma such as domestic violence or sexual assault. These services included gender specific services offering a model of care that allowed gender segregated support and housing options, which can be a determining factor for women seeking support. Reduced capacity was also passed on to sexual assault and domestic violence services. This was at a time when these services (and others like them—for instance, the Women's Legal Centre) were experiencing very significant increases in demand.

¹ COAG, 2012, *National Plan to Reduce Violence Against Women and their Children*.

While there have been extensions to the *National Partnership Agreement on Homelessness* (NPAH) it is a concern that the future of this agreement is unknown beyond the extension, and we are yet to see any other significant long term investment in funding of generalist and specialist homelessness services/projects, affordable housing, or emergency relief/financial counselling services.

Funding must be available to assist women given that homelessness is but one effect of trauma, and considering the range of effects from domestic violence on women and their children. Women and their children escaping domestic violence require the right specialist skills and knowledge that fit their requirements from the time they make the decision to leave (or stay) and throughout the whole process, and this should not solely be for services that sit solely within the homeless sector. There needs to be increased housing availability that responds to the varied needs of women as well as the need to invest in services, that are broader than just housing

Recent funding cuts have led to a shift away from specialist women's services – yet women and children escaping domestic violence require high levels of support and physical security, access to immediate basic needs support such as clothing, food and medication and may never have accessed any kind of community service in the past. These needs and the issues faced by the women and their children do not generally fit into facilities designed to respond to generalist forms of poverty and homelessness.

There is a need to ensure that specialist services demonstrating expertise in the diverse needs and experiences of women are adequately funded. There needs to be long-term, meaningful funding of sustainable, gendered, specialist responses to domestic and sexual violence. Women's specialist domestic violence and sexual assault services need to be adequately funded and because they have a unique target group, their interventions and outcomes should not be included in the future housing and homelessness service system under the National Partnership Agreement on Homelessness.

Federal Government funding of community legal services has also had an impact on the ability of individual women to escape domestic violence, to keep their family safe in the immediate and the longer term, and to get the access to justice they deserve. The *National Plan* acknowledges the need to increase funding for legal assistance programs, especially those which assist victims of domestic and family violence.

Legal advice and ongoing representation in the areas of family law, particularly in relation to parenting arrangements and property settlement are crucial to women's ability to leave violent relationships and ensure long term safety and security for themselves and their children. The ACT Women's Legal Centre includes a specialist domestic violence unit that provides ongoing legal advice and representation and wrap around support for vulnerable women experiencing domestic violence. This unit is funded through the Commonwealth Women's Safety Package. This funding will expire 30 June 2019, which means there is no certainty for this unit past that date. Despite an explicit focus on FDV, the ACT Government has not yet provided any specific funding to the Centre to build this small unit or provide longer-term certainty to this unique function. Uncertainty with regards to core Commonwealth funding to community legal services over the past 18 months has also greatly affected other ACT community legal centres' ability to provide legal advice to women experiencing FDV on a range of other legal matters including housing, social security and debt.

There needs to be long term investment in primary prevention initiatives and approaches that focus on the issues at a local level and which respond to the unique needs of the local community. No

single initiative will prevent violence against women, so dedicated funding must be provided to the primary prevention sector to ensure activities can be delivered across range of local settings.

There needs to be an improvement in access to culturally appropriate specialist domestic violence homelessness services and other support services for Aboriginal and Torres Strait Islander women and children who continue to be disproportionately affected by family and domestic violence. The Network recommends the next ACT Whole of Government Aboriginal and Torres Strait Islander Agreement, which is currently under development, include specific actions and initiatives to support Aboriginal women in the ACT respond to violence and keep their families together through this process.

Housing responses need to ensure that women escaping domestic and family violence, including sexual violence in all its forms, have access to safe and affordable housing options - whether they may remain in the family home, seek crisis accommodation in a refuge or other emergency housing, or move to more appropriate and affordable long term housing.

This will require an investment in secure, appropriate, affordable and adaptable accommodation for women, particularly vulnerable women, by increasing the supply of affordable housing, and providing increased support for low income renters.

d) best practice policy approaches and responses being undertaken in other jurisdictions to prevent and/or respond to domestic and family violence; and

e) any other related matters.

The Women's Services Network welcomes any questions or further discussion about this Submission.