

2021

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**GOVERNMENT RESPONSE TO ASSEMBLY RESOLUTION DATED 30
MARCH 2021 - FAMILY AND DOMESTIC VIOLENCE - LEGISLATIVE
REFORMS**

**Presented by
Shane Rattenbury MLA
Attorney-General**

PAGE LEFT INTENTIONALLY BLANK

Key Terms

Term	Abbreviation
Australian National Research Organisation for Women's Safety	ANROWS
Council of Attorneys-General	CAG
Domestic and family violence	DFV
Domestic Violence Prevention Council	DVPC
Family violence as defined under the <i>Family Violence Act 2016</i>	FV
<i>Family Violence Act 2016</i>	The Act
Family Violence Order	FVO
National Domestic Violence Order Scheme	NDVOS
National Strategic Framework for Information Sharing Between the Family Law and Family Violence and Child Protection Systems	National Framework
Office of the Coordinator-General for Family Safety	OCGFS
Police-Issued Safety Notices	PISNs
Report from the Review of the Implementation of the <i>Family Violence Act 2016</i> (ACT)	The Report
Review of the Implementation of the <i>Family Violence Act 2016</i> (ACT)	The Review
Special interim family violence order	SIFVO
<i>We Don't Shoot Our Wounded: Aboriginal & Torres Strait Islander Victims of Family Violence – Access to Justice and Access to Services in the ACT</i> (2009)	<i>We Don't Shoot Our Wounded</i> Report

Introduction

In 2019, the Government engaged Professor Lorana Bartels and Emeritus Professor Patricia Eastaerl to review the extent to which the *Family Violence Act 2016* (the Act) was operating as intended, and had resulted in systemic and/or cultural change (the Review). The consultants were also asked to look at possible ways to increase the Act's effectiveness.

The Act was introduced in 2016 and made important changes to further strengthen the ACT's response to domestic and family violence, including implementation of a number of the recommendations from the Australian Law Reform Commission and NSW Law Reform Commissions' 2010 report *Family Violence: A National Legal Response* (ALRC Report 114).

The Act allows ACT Courts to make a range of orders intended to provide protection from domestic and family violence and creates offences for breach of these orders. The Act also allows for the enforcement of domestic and family violence orders made in other jurisdictions in Australia and New Zealand. For the financial year to 31 May 2021 the ACT Magistrates Court dealt with 1,208 applications related to family violence orders under the Act, including 1,106 applications for a family violence order; 74 after-hours orders; and 19 Court-initiated family violence orders.

The Review was not required by statute but rather initiated by the Government to ensure that ACT legislation was keeping pace with community need and developments in understanding and practice in responding to domestic and family violence. The Review proceeded largely by way of interviews undertaken with professional stakeholders and with a small cohort of people who had lived experience of domestic and family violence.

The Report offered valuable insights into a diverse range of stakeholder views about the Act and how it affects the response to domestic and family violence in the ACT. Stakeholder interviews indicated that the Act offered a broader definition of family violence than the previous legislation, had led to improvements in interagency communication, and had increased the ease and speed of obtaining an interim order.

Some stakeholders had concerns about the ambiguity of some provisions, the scope of the people and abusive behaviours captured by the Act, police enforcement of family violence orders, resourcing issues, and gaps in information sharing and cooperation between agencies and across parts of the justice sector. Some of the diversity in participant views appears to be derived from differing occupational-related experiences and/or values, as well as their familiarity with legislative interpretation practices. Many of the concerns of the lived experience participants reflected issues with court processes, inter-agency communication and continuity of services.

The recommendations reflect a range of perspectives and challenges within the system. Many of the recommendations propose further work and analysis with stakeholders is required to sufficiently unpack the complexity of the issues and identify appropriate, evidence informed responses.

The Government agrees or agrees-in-principle to most of the 18 recommendations. There is a substantial work program already underway including on legislative responses to some of the issues raised in the Report.

The Government recognises that legislation and legislative reform is just one aspect of responding to domestic and family violence in the ACT. A range of other initiatives contribute to the ACT's response, beyond the recommendations of this Review.

The Government is committed to looking at the end-to-end system for domestic and family violence, developing new and sustainable ways of working across government and community that focus on intervening earlier, reducing barriers to access, joining up and integrating services, responding to diverse needs, and holding perpetrators to account. Important elements of this work are improving integration, information sharing and interagency cooperation, and shifting the service response away from focus on crisis to provide more comprehensive support from prevention to recovery and stability.

The 2020-21 Budget invested \$24.4 million over four years for Safer Families initiatives, and the 2021-22 Budget will include additional funding on top of this amount. This increases investment in a range of measures to strengthen the capacity of frontline services to respond to domestic and family violence, improve coordination across government, build important partnerships with the community sector and test promising new approaches. This investment has improved outcomes but the Government acknowledges there is more work to do.

The Government acknowledges the Review did not include sufficient levels of engagement with Aboriginal and Torres Strait Islander peoples. The ACT Government remains committed to responding to the findings of the 2009 *We Don't Shoot Our Wounded* Report. This report examined the high level of violence, the social consequences it causes, barriers to service accessibility, the lack of early interventions and culturally appropriate services. The *We Don't Shoot Our Wounded* Report recommends how government can work with the Aboriginal and Torres Strait Islander community to develop community-led responses that decrease violence and improve safety.

The Government also recognises the needs of people with disability go beyond what is recommended by the Review, and the Government's response to domestic and family violence links to the Government's commitment to supporting access to justice for people with disability. In August 2019, the Government launched the 2019 Disability Justice Strategy 2019-2029 and First Action Plan 2019-2023. One of the goals of the strategy is for the ACT to have a disability responsive justice system and the First Action Plan contains a number of actions aimed at achieving this goal, including the development of accessible information. Another action under the First Action Plan is the creation of a Community of Practice by placing Disability Liaison Officers in key justice agencies including ACT Courts and Tribunal, ACT Policing, Legal Aid ACT and the Office of the Director of Public Prosecutions to assist people with disability to navigate the justice system and also to foster cultural change in organisations, both of which will serve to improve access to information.

The Report touched on strengths and opportunities for service coordination and police responses to allegations of sexual assault, but no specific recommendations were made. The Government has commenced work with stakeholders on appropriate prevention, response and legal reform in relation to sexual assault.

The following section sets out the 18 recommendations and the related initiatives that are underway.

Government Response

Recommendation	Response	Implementation Progress
<p>1. Amending the Act to refer to specific types of abuse, especially technological abuse, and include specific examples of such abuse (e.g. electronic surveillance). Further consultation, especially with Aboriginal and Torres Strait Islander and culturally and linguistically diverse groups, should be undertaken in relation to cultural abuse.</p>	<p>Agreed-in-principle</p> <p>The Government supports a definition of family violence (FV) that is fit for purpose, including to capture the full spectrum and cycle of coercive control.</p> <p>The Act current defines FV broadly, including:</p> <ul style="list-style-type: none"> • physical violence or abuse; • sexual violence or abuse; • emotional or psychological abuse; • economic abuse; • threatening behaviour; • coercion or other controlling behaviour; and • any violence in front of a child. <p>The current definition of FV appears sufficiently broad to cover some or all of the types of abuse the Review identified as needing to be included in an expanded definition. However, stakeholder feedback included in the Review indicates that the definition may not be operating, in practice, as intended.</p> <p>The Government recognises that further consideration and consultation with stakeholders will be necessary to identify fit-for-purpose responses, including where practice change may be more appropriate to give effect to the recommendation's intent. The Government acknowledges in particular the Review's recommendation that further consultation is required with Aboriginal and Torres Strait Islander people and culturally and linguistically diverse communities to ensure that the definition of FV reflects the diverse needs and experiences of victim/survivors across our community.</p>	<p>The ACT Government is participating at a national level to develop a consistent definition of domestic and family violence (DFV) across jurisdictions as part of the next National Women's Safety Plan, consistent with the recommendations of the House Standing Committee on Social Policy and Legal Affairs' Inquiry into family, domestic and sexual violence (report delivered March 2021).</p> <p>Feedback at both the ACT and national level indicates that technological abuse is not always recognised as DFV. The ACT Government is currently engaging with stakeholders to discuss how best to tackle technological abuse.</p> <p>In relation to the exploration of cultural abuse as a type of abuse under the Act, the Government will be guided by the Domestic Family Violence Prevention Council Aboriginal and Torres Strait Islander Reference Group, and outcomes of the Reference Group's consultation with community, in prioritising responses to the <i>We Don't Shoot Our Wounded</i> Report. This will ensure implementation efforts reflect community-led and identified priorities. If identified as a primary consideration through this process, there will be scope to undertake further consultation and response around definitions of cultural abuse in a DFV context.</p> <p>In December 2020, the Minister for the Prevention of Domestic and Family Violence, Minister Berry wrote to the Domestic Violence Prevention Council (DVPC) seeking advice on options for criminalising coercive control, recognising that coercive control can involve a wide range of behaviours.</p>

Recommendation	Response	Implementation Progress
<p>2. That all relevant stakeholders work towards addressing the issues identified with after-hours orders and further consider the practical advantages and disadvantages of adopting PISNs as an alternative model.</p>	<p>Agreed</p> <p>The Government supports the recommendation for further work to respond to the issues with after-hours notices identified by some participants in the Review. Police can apply to the Court for an after-hours order on a victim's behalf outside of 'ordinary business hours', and the criteria for seeking such an order is identical to the criteria for seeking an interim family violence order (FVO). In 2018/19 there were 89 after-hours orders made. In 2019/20, there were 120 after-hours orders made.</p> <p>Notwithstanding this level of utilisation of after-hours orders the Government acknowledges the feedback detailed in the Review indicates that the current scheme may not be operating as effectively as it should be.</p> <p>The Government also recognises that there was a diversity of views expressed in relation to police-issued safety notices (PISNs), with a number of participants expressing concern about the proposal to introduce PISNs. Whilst PISN schemes operate in a number of other jurisdictions, there have been no independent evaluations of similar schemes in other states. This means there is no clear evidence about whether PISNs increase victim safety.</p> <p>A key consideration in any move to PISNs will be the role of police in applying for FVOs, noting that it is not generally the practice of ACT Policing to act as applicant in FVO proceedings (unlike the arrangements in other jurisdictions). Any implementation of PISNs would need to ensure that adequate training for police officers was available, there was a robust risk assessment tool in place, that the use of PISNs did not undermine the pro-arrest, pro-charge policy and that there was an availability for ACT Policing to act as the applicant for any PISN taken out.</p>	<p>The Government will use the insights gained from the Review in taking forward further consultation in collaboration with ACT Policing, ACT Courts and Tribunals, and other stakeholders to identify whether PISNs should be introduced into the ACT, other alternative models and how they would either replace or operate alongside the current after-hour orders scheme. Any such reform would seek to balance the safety and wellbeing of victims, the need for procedural fairness, and the operational realities faced by ACT Policing and ACT Courts.</p>
<p>3. Further examination of the SIFVO regime, including collation of data on the use of such orders.</p>	<p>Agreed-in-principle</p> <p>The Government is supportive of reviewing the special interim family violence order (SIFVO) regime, including continued collection of data on the use of such orders. However, The ACT Government notes that the SIFVO was not an explicit focus of the Report, and as such collected limited evidence in support of this recommendation. The SIFVO regime was introduced by the <i>Crimes (Domestic and Family Violence) Legislation Amendment Act 2015</i> to allow a court to extend interim Domestic Violence Orders when there are current criminal charges unresolved before the</p>	<p>ACT Courts and Tribunal and the Victims of Crime Commissioner have discussed the need for victims to be notified when a SIFVO is finalised, and the ACT Magistrates Court has recently reviewed the manner in which SIFVOs are managed and interact with criminal matters.</p>

Recommendation	Response	Implementation Progress
	<p>court. The intent was to increase protections available to victims of domestic violence where there are related criminal charges until the related criminal charges are heard and a decision is made on the final orders. The ACT Government notes that understanding surrounding use and impact of SIFVOs is limited, but recognises further work is required to deliver an evidence-based response to the concerns.</p>	
<p>4. That the intersection between ACT and Federal responses to FV and family law issues be considered as a matter of urgency, taking into account the relevant findings and recommendations of the Standing Committee and ALRC and relevant inter-jurisdictional practices.</p>	<p>Agreed</p> <p>The Government continues to support inter-jurisdictional responses to DFV and family law issues and is committed to working in collaboration with Commonwealth agencies in responding to these issues. The ACT Government notes significant work in this area was underway prior to the Review through the Council of Attorneys-General (CAG). The CAG had committed to improving the sharing of information between family law courts and state/territory agencies (primarily police, courts, child protection and corrections). This was a key priority of the CAG, and remains a priority for CAG's successor, the Meeting of Attorneys-General.</p> <p>On 29 November 2019, CAG endorsed in principle a National Strategic Framework for Information Sharing Between the Family Law and Family Violence and Child Protection Systems (the National Framework). The National Framework will facilitate appropriate sharing of information between Commonwealth, state and territory agencies in the interests of child welfare and prevention of DFV.</p>	<p>In November 2020, Attorneys-General agreed that the National Framework is one of the priorities for the Meeting of Attorneys-General in 2021. The Commonwealth is leading the development of this proposal. The ACT Government will continue to work with the Commonwealth and other jurisdictions with a view to settling the National Framework. The timing for ACT law reform remains subject to the progress of this inter-jurisdictional work.</p> <p>The Government will continue to leverage the findings and recommendations of the ACT Standing Committee on Justice and Community Safety, the Australian Law Reform Commission and relevant inter-jurisdictional practices to ensure coordinated responses to DFV and family law issues.</p>
<p>5. That any legislative and/or practical barriers to placing children on orders be identified and removed, to ensure children's safety is the paramount consideration.</p>	<p>Agreed-in-principle</p> <p>The Government is committed to ensuring the safety of children. Under the existing provisions, the Act highlights that children's safety is paramount. Section 36 requires that, in deciding the conditions to be included in an FVO, a court must give paramount consideration to the safety and protection of the affected person and any child directly or indirectly affected by the respondent's alleged violence. FVOs can be applied for by persons affected by FV against the person who used violence. A person may also apply for an order to apply in relation to their child or children who ordinarily live with them.</p> <p>The ability to place children on orders is also reflected on the ACT Magistrates Court website under its Family Violence Orders webpage and related FAQ webpage.</p>	<p>The Government acknowledges that Review participants identified that practical barriers, rather than legislative barriers, were experienced in placing children on orders. While there are some measures in place to assist with such issues, the Government acknowledges the need to remain vigilant in tackling practical and legislative barriers.</p> <p>ACT Government services are frequently working together to ensure that children are protected in the context of DFV and applying for FVOs. For example, Legal Aid's family violence unit at the Magistrates Court regularly refers clients to Legal Aid's family law practice and/or the Family Advocacy and Support Service where legal assistance is provided to address factors impacting on safety of children where the Magistrates Court is unlikely, or has declined, to</p>

Recommendation	Response	Implementation Progress
		include children on an Order, or to extend protective conditions to children.
<p>6. That the presumption against bail in section 9F of the <i>Bail Act 1992</i> (ACT) be reviewed in the context of a broader consideration of the terms and operation of that Act and relevant FV policies.</p>	<p>Agreed-in-principle</p> <p>The Government agrees that any future reviews of the <i>Bail Act 1992</i> will further consider section 9F.</p> <p>Whether the presumption against bail in section 9F of the <i>Bail Act 1992</i> should be amended to lower the threshold for granting bail was one of the issues ACT Government asked the consultants to consider as part of the Review. However, consultation disclosed no clear options for reform.</p> <p>The Government recognises that the policy objective of the current Act is to strike the right balance between the safety and wellbeing of victims of FV, and the accused’s right to liberty and the common law presumption of innocence until proven guilty. Human rights, including victim safety, should be paramount when considering bail.</p> <p>The Government notes the diversity of views on this issue amongst key stakeholders in relation to the presumption against bail, with the larger group of stakeholders opposed to the idea of lowering the threshold for bail.</p>	<p>Any future reviews of the <i>Bail Act 1992</i> will consider section 9F.</p>
<p>7. That responses to breaches of suspended sentences in FV cases be reviewed in the context of suspended sentences generally.</p>	<p>Agreed-in-principle</p> <p>Broadly, the Government agrees that FV sentences should be reviewed with a focus on victim safety and whether there should be legislative amendment to remove or place limitations on the Court’s discretion to impose suspended sentences for breaching suspended sentences in FV matters.</p> <p>As part of the sentencing process, the courts must take into account the objective nature of the offending, the seriousness of the offence, the subjective circumstances of the offender, and treatment of similar matters by courts in the past. Suspended sentences are one tool available for the courts to use in sentencing to take into account all relevant factors of the offence.</p> <p>The Government notes that there were divergent views amongst the consulted stakeholders, with some sectors of the opinion that the courts’ discretion</p>	<p>Government is liaising with stakeholders about options for amending the <i>Crimes (Sentencing) Act 2005</i> to better provide for consideration of FV in sentencing. Any amendments to the <i>Crimes (Sentencing) Act 2005</i> will be developed in consultation with stakeholders to ensure the intended outcome improves the appropriateness of sentencing in FV matters.</p>

Recommendation	Response	Implementation Progress
	<p>should be limited when responding to breaches of a suspended sentence. By contrast, those working in the DFV and women's sectors tended to disagree.</p> <p>The Government recognises the need for further consideration to address this issue before any specific changes are progressed.</p>	
<p>8. Legislative reform to limit the subpoena of and subsequent cross-examination on victim impact statements (VIS).</p>	<p>Agreed-in-principle</p> <p>Subpoena related issues had been raised as part of consultation on the <i>Victims Rights Legislation Amendment Bill 2020</i>. ACT Government supports further consideration of solutions to this issue, including possible legislative change. Any legislation would need to balance the rights of the defendant to a fair trial under the Human Rights Act with the rights of victims in proceedings.</p>	<p>The Government is considering options, including looking at other jurisdictions' processes, to address issues regarding the subpoenaing and cross-examination of victim impact statements.</p>
<p>9. Legislative reform to limit disclosure of counselling communications in FV matters or claims for financial assistance compensation.</p>	<p>Agreed</p> <p>The Government acknowledges the majority of stakeholders who expressed an opinion on this issue agreed that legislative amendments should be introduced to limit the disclosure of counselling communications or claims for financial assistance compensation. A recent external review of financial assistance compensation, the Victim Services Scheme and victim of crime levies similarly recommended that victims' financial assistance compensation applications and supporting documentation should not be admissible in legal proceedings. The ACT Government is currently considering this review.</p> <p>The Government agrees that legislative reform should occur to limit the disclosure of counselling communications or claims for financial assistance compensation made under the <i>Victims of Crime (Financial Assistance) Act 2016</i> in FV matters.</p>	<p>The Government will use the insights gained from the Review and will be guided by case law, legal research and the best practice of other jurisdictions in any future reforms in this space. As a complex legislative change, further consideration will be required to identify appropriate resourcing and sequencing requirements.</p>
<p>10. That better systems be set in place to ensure that people experiencing FV are fully informed and therefore better equipped to protect themselves and suggest that external experts in the fields of FV and communications be</p>	<p>Agreed-in-principle</p> <p>The Government recognises that systems can always be improved and is committed to ensuring that people experiencing DFV are fully informed and therefore better equipped to protect themselves. Actions noted under Recommendation 12 contribute to this objective.</p> <p>This work is being considered as part of the Family Safety integrated framework.</p>	<p>The work program currently being progressed by the Office of the Coordinator-General for Family Safety (OCGFS) will achieve significant components of the intent of this recommendation. The focus on prevention and early response are priority areas for ensuring accessible and available information for people at risk of experiencing DFV. An important element of this work includes better support for victim-survivors who may not engage with specialist DFV services and those who navigate through the system by themselves. These people require information so they</p>

Recommendation	Response	Implementation Progress
<p>funded to develop and test information systems for a sustained period of time, allowing for ongoing monitoring to illuminate and rectify persistent communication gaps.</p>		<p>understand the responses available to them and how to access them.</p> <p>The ACT has also introduced a co-located police liaison officer from ACT Policing within the courts as part of the Lighthouse Project, to assist with better information sharing with Family Law Courts. Child and Youth Protection Services has also established a Family Court Liaison Officer role to support the provision of information to the Court. This position commenced in June 2020. COVID saw delays to the actual co-location of this role in the Family Court, however since the beginning of 2021, the Child and Youth Protection Services officer has been co-located at the Family Court two days per week.</p>
<p>11. The establishment of a working group, led by the Coordinator-General for Family Safety, to review the findings and suggestions of this review and develop an effective information sharing model to enhance family safety, with particular consideration of cases where no criminal charges have been laid.</p>	<p>Agreed-in-principle</p> <p>Better sharing of information and cooperation between ACT agencies is a long term, whole-of-government objective to improve services and meet community expectations. Improved information sharing to help people at risk from DFV and improve perpetrator accountability is a well-recognised and well-supported objective which has been identified in a number of reviews and reform programs.¹ The Government, through the OCGFS, is leading a range of initiatives to provide fit-for-purpose responses to DFV, including where no criminal charges are laid or there is no contact with the justice system. This includes a focus on improved information sharing.</p> <p>The Government is also participating in national initiatives to improve information sharing across jurisdictions to support child protection and family safety, including the National Domestic Violence Orders Scheme (NDVOS) and the development of the National Framework (described in response to Recommendation 4). The NDVOS enables FVOs issued in any Australian jurisdiction to be automatically recognised and enforceable across Australia.</p>	<p>The OCGFS and the Victims of Crime Commissioner are running a Safety Action Pilot to trial better integrated responses, risk assessment and risk management. This pilot allows a short to medium term wraparound case management service for high-risk victims and offenders that also captures those not necessarily involved in the judicial system.</p> <p>An interim NDVOS system commenced in 2017. Work to finalise a permanent NDVOS will be dependent on further advice from the Commonwealth, and an assessment of resourcing and implementation implications. It is anticipated the final scheme would include a comprehensive national information sharing system that police and courts could use to enforce orders.</p>

¹ L Glanfield AM, [Report of the Inquiry: Review into the System level responses to family violence in the ACT](#), 2016; Domestic Violence Prevention Council, [Review of Domestic and Family Violence Deaths in the ACT](#), 2016; Community Services Directorate, [Domestic Violence Service System Gap Analysis Project Final Report](#), 2016.

Recommendation	Response	Implementation Progress
<p>12. That all relevant forms and orders be reviewed to ensure they are presented in plain English.</p>	<p>Agreed</p> <p>The ACT Government acknowledges the importance of making all forms and orders available in plain English to ensure accessibility.</p> <p>ACT Courts and Tribunal will review all relevant forms and orders to ensure they are presented in plain English, in consultation with the Victims Advisory Board.</p> <p>Some people with disability, particularly those with cognitive impairment, may require resources to be in Easy English (in addition to plain English). Easy English uses simplified language supported by meaningful images and is more accessible for people who have difficulty reading and understanding written information.</p>	<p>ACT Courts and Tribunal have already commenced a review of court forms to make them clearer and easier to understand and improved the information available on its website for applicants seeking FVOs and respondents. This process drew on input from relevant stakeholders including the Victims Advisory Board.</p> <p>The Disability Justice Strategy is working with ACT Government agencies to develop accessible information in Easy English and a variety of other formats.</p>
<p>13. That a link to Victim Support ACT appear on the ACT Courts and all FV agencies' websites in order to promote victims' access to appropriate support.</p>	<p>Agreed-in-principle</p> <p>The Government acknowledges the importance of providing access to the Victim Support ACT website on the ACT Courts and DFV agencies websites so that individuals requiring support are aware that these services exist and can easily access them.</p> <p>The ACT Courts and Tribunal website includes links to victim support agencies, including Victim Support ACT and other relevant DFV services.</p> <p>The <i>Charter of rights for Victims of Crime</i> in the <i>Victims of Crime Act 1994</i>, which commenced on 1 January 2021, requires all justice agencies (including courts when acting in an administrative capacity) to provide victims with certain information, including about any services that provide assistance to victims (section 18C(c)).</p>	<p>The Government is supportive of including a link to Victim Support ACT, including a short description about the service, on all relevant government funded websites that support DFV victims, noting both that information is already available on the ACT Courts' website and that Courts' website content is a matter for the Chief Justice, Chief Magistrate and President of the ACT Civil and Administrative Tribunal.</p> <p>While the Government supports non-government DFV services including a similar link to Victim Support ACT, it is up to those services to determine the appropriateness of such action.</p>
<p>14. The allocation of adequate funding to meet the needs of all those affected by family violence.</p>	<p>Agreed-in-principle</p> <p>The Government will continue to prioritise available funding for DFV matters.</p> <p>The Family Safety Levy, established in 2016, provides opportunities for bringing about change and improvement in our response to DFV in the ACT. Safer Families Package was the largest ever ACT funding commitment to address DFV: \$21.42 million over four years in 2016-17 Budget. Since 2016, Safer Families projects has</p>	<p>The 2020-21 Budget invested \$24.4 million over four years for Safer Families initiatives, and the 2021-22 Budget will include additional funding on top of this amount. This funding supports a range of initiatives that strengthen the capacity of frontline services to respond to DFV, improve coordination across government, build important partnerships with the community sector and test promising new approaches.</p>

Recommendation	Response	Implementation Progress
	<p>built an important foundation that has strengthened the capacity of frontline services to respond to DFV, improved coordination across Government, built important partnerships with the community sector and tested promising new approaches.</p>	<p>Some funded initiatives since 2016 have been:</p> <ul style="list-style-type: none"> • enhanced child protection case management and coordination; • improved access to Legal Aid ACT; • enhancing Court process for FVOs initiative; • support and referral through specialist drug and alcohol treatment services; • more frontline domestic violence and rape crisis services (Canberra Rape Crisis Centre and Domestic Violence Crisis Centre); • translation and interpreting services to enhance access to justice for non-English speakers; • extending the Room4Change program to help prevent DFV; • Safer Families Assistance program to support for women and children to leave violence; and • supporting new parents experiencing DFV through the Health Justice Partnership.
<p>15. Further consultation with culturally diverse and Aboriginal and Torres Strait Islander communities in relation to culturally appropriate responses to family violence.</p>	<p>Agreed</p> <p>The ACT Government is committed to the <i>We Don't Shoot Our Wounded</i> Report recommendations regarding how government can work with the Aboriginal and Torres Strait Islander community to develop community-led responses that decrease DFV and improve safety.</p>	<p>The ACT Government is currently working with the Aboriginal and Torres Strait Islander reference group of the DVPC to progress family safety priorities as outlined in the <i>We Don't Shoot Our Wounded</i> Report.</p>
<p>16. That the Government fund additional research, aimed at identifying the cracks that allow FV offenders to continue to exert control, including how these abuses take place.</p>	<p>Agreed-in-principle</p> <p>The Government is committed to supporting a research agenda which informs evidence-based responses to DFV, including research into how abuse takes place.</p>	<p>The ACT Government continues to contribute annual funding to the Australian National Research Organisation for Women's Safety (ANROWS). The ACT Government, along with other jurisdictions, actively contributes to setting the research agenda for ANROWS. The expansive ANROWS research output has consistently focused on identifying gaps in the service system for DFV.</p> <p>The OCGFS, through the Family Safety Hub, works in partnership with the DFV sector and people with lived experience to research and identify gaps, and co-design and test responses. Insights identified through <i>the Family Safety Hub Design: Insights Report</i> and</p>

Recommendation	Response	Implementation Progress
		<p><i>Now You Have Heard Us, What Will You Do: Insights from young people on domestic and family violence</i> drew on engagement with people who had experienced DFV. This work informs the design and delivery of small-scale pilots that test responses to these gaps. Successful pilots can be scaled into the service system.</p>
<p>17. That the Government fund a biennial external independent review of the FV landscape in relation to both the legislation and its operation.</p>	<p>Noted</p> <p>The Government acknowledges the importance of reviewing legislation and its operation and values the expertise within a range of existing agencies and advisory bodies, including the DVPC. While recognising the critical role of legislation, its operation, and regular review, the ACT Government is committed to continuing to ensure responses to DFV go beyond legislative responses.</p>	<p>The Justice and Community Safety Directorate regularly participates in working groups that aim to review responses to DFV and improve them, including:</p> <ul style="list-style-type: none"> • the National Personal Protection Injunction Working Group – responsible for implementation of the new Federal Family Violence Orders scheme, which will allow federal family law courts to issue protection orders enforceable across states and territories; • the National Firearms and Weapons Policy Working Group – ensuring that Federal Family Violence Orders will prompt appropriate action by state and territory firearms registries; and • the Family Violence Working Group – coordinating national responses on a range of issues including information sharing, and criminal justice responses to DFV. <p>Further consideration will be given as to how to create opportunities for review of the DFV landscape in future reform discussions.</p>
<p>18. That the ACT Government, in responding to the recommendations of this review, give due consideration to the suggestions for improvements to legislation, policy and practice provided by those with first-hand professional and/or lived experience of</p>	<p>Agreed</p> <p>The Government understands the value of and is committed to engaging with the DFV sector and people with lived experience of DFV during the development of improvements to the DFV system. Privileging the expertise of those with the lived experience of domestic violence, and in the sector, is essential in providing responses that will best meet the needs of the community.</p>	<p>The Family Safety Hub was established in 2018 by the OCGFS and brings together various stakeholders with varying experiences in DFV to co-design, deliver and test new solutions for responding to DFV. Stakeholders have included front-line workers, people with lived experience, people working in the DFV sector, children and young people (including LGBTIQ+ children and young people) and others with relevant experience.</p> <p>The Government is currently undertaking consultation with relevant stakeholders on various pieces of DFV work, including:</p> <ul style="list-style-type: none"> • amendments to FV sentencing laws, including consideration of

Recommendation	Response	Implementation Progress
FV.		<p>aggravated offences for FV offending;</p> <ul style="list-style-type: none"> • the OCGFS is leading a project to design an integrated approach to DFV in the ACT, including a review of legislation and processes that can impact information sharing; • a pilot DFV information sharing program that focusses on the assessment of risk using shared information within various agencies in the DFV sector to create a full picture of that risk; • a Family Violence Death Review, which includes targeted consultation with select stakeholders. The Review aims to identify system improvements to avoid future DFV deaths; • the Sexual Assault Prevention and Response Program, announced by Minister Berry on 28 April, to develop prevention, response and law reform recommendations; • a review of the DVPC and the <i>Domestic Violence Agencies Act 1986</i>; • developing men's behaviour change standards; • rollout of ACT Public Service DFV training; • responding to <i>We Don't Shoot Our Wounded</i> Report priorities • testing and implementing the ACT common Risk Assessment Framework; and • developing responses for children and young people out of the Listening and Learning project.