



LEGISLATIVE COUNCIL

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Portfolio Committee No. 5 – Legal Affairs

ATTORNEY GENERAL AND PREVENTION OF DOMESTIC VIOLENCE

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ATTORNEY GENERAL AND PREVENTION OF DOMESTIC VIOLENCE

Questions from the Hon Mark Buttigieg MLC (on behalf of the NSW Labor Opposition)

Street Beat Program, Miyay Birray Youth Service, Moree

1. Is the Minister aware that funding for the Street Beat Program run by the Miyay Birray Youth Service in Moree has discontinued?

Answer

I am advised:

Please refer to the answer to Question Taken on Notice 4.

2. Please advise what negotiations took place between Miyay Birray Youth Service and the Minister or/and department relating to future recurrent funding for the service? Please describe how negotiations were conducted, i.e. meetings (provide date and location) or correspondence etc.

Answer

I am advised:

Please refer to the answer to Question Taken on Notice 4.

3. How many representations about this issue did the Minister or Department receive?
 - (a) From Miyay Birray (please provide number and date)
 - (b) Moree Police (please provide number and date)
 - (c) Moree PCYC (please provide number and date)
 - (d) Other (please provide number and date)

Answer

I am advised:

- (a) The Department of Communities and Justice received correspondence from Miyay Birray in December 2019.
- (b) No known representations were made to the Minister or the Department by the Moree Police.
- (c) No known representations were made to the Minister or the Department by the Moree PCYC.

(d) Correspondence from the Member for Northern Tablelands was referred to my office by the Minister for Police and Emergency Services in January 2020. My office also corresponded with the Member in February 2020.

4. Has the Minister received advice or a briefing on the benefits of the Street Beat Program to the Moree community? If yes, when?

Answer

I am advised:

In March 2017, I was briefed on the CSF Panel's assessment and recommendations for the second round of the CSF Grants Program, which included the funding application for the Street Beat Program.

5. Has any analysis or research been conducted by the Minister or Department about the program? If yes, is it publically available?

Answer

I am advised:

Please see the answer to Question Taken on Notice 4.

6. Please provide a timeline of the decision making process that resulted in the Minister refusing to refund the service.

Answer

I am advised:

Please see the answer to Question Taken on Notice 4.

7. Will replacement funding be provided? If so, when?

Answer

I am advised:

Please refer to the answer to Question Taken on Notice 4.

8. When was the decision made to discontinue the funding to the Street Beat Program?

Answer

I am advised:

Please refer to the answer to Question Taken on Notice 4.

Country and regional magistrates

9. Proportionately fewer inquests are conducted by country magistrates than fulltime city coroners. Moreover, regional coroners rarely conduct inquests in which recommendations to prevent future deaths and injury are made. Country coroners don't have the time to do their jobs properly do they?

Answer

I am advised:

The allocation of resources to the coronial jurisdiction is a matter for the Chief Magistrate.

10. Over 21700 deaths were reported to regional magistrates in the nine year period 2010-18 but only 394 inquests were conducted (1.8% of the cases). In only 31 did they produce recommendations to help avoid preventable deaths. They're simply not in a position to spend as much time on inquests as they should. Isn't that the case?

Answer

I am advised:

The allocation of resources to the coronial jurisdiction is a matter for the Chief Magistrate.

11. Are you continuing to have discussions with the Bar Association about legal aid rates for private practitioners?

(a) What is the status of those discussions?

Answer

I am advised:

Legal Aid NSW is continuing to have discussions with the NSW Bar Association about changes to its fee scale following the NSW Government's record investment of \$88

million in additional funding over four and a half years. For example, Legal Aid NSW is meeting regularly with the NSW Bar Association about revising the preparation fee paid to barristers for indictable matters.

In January 2020, Legal Aid NSW introduced the first set of changes to its fee scale – a revised fee scale for summary and children’s court criminal law defended hearings and a revised travel allowance.

Legal Aid NSW expects to implement the remaining elements of its fee package, including an increase in the hourly rate for solicitors (and a commensurate increase for barristers), revised fee for indictable preparation and a revised fee for gaol visits in July 2020.

12. Figures from the Parliamentary Budget Office suggest a pilot scheme of rehabilitation facilities and a Drug Court at Dubbo could be established for about \$28m over 4 years. Surely that’s not too large a figure to deliver something every candidate for the electorate of Dubbo last year called for?

Answer

I am advised:

The NSW Government continues to consider options for expansion of the Drug Court of NSW, including locating a Drug Court in Dubbo.

13. Granted the comparative growth in some centres in rural and regional NSW and historical local court staffing levels that no longer match this demand, what steps will you take to increase local court sittings in country NSW?
 - (a) Has the Local Court made any proposals to you to address the mismatch between demand for services and court resources in country NSW?

Answer

I am advised:

The allocation of magistrates and listing of matters is a matter for the Chief Magistrate.

14. When will you be at the point of site selection for the South West Sydney Legal precinct?

Answer

I am advised:

The NSW Government is in discussion with the Federal Government. The strategic business case will proceed once discussions with the Federal Government are finalised. Confirmation of the site for the Justice Precinct will commence once the business case is complete and approval to proceed with the project is received.

15. Upgrading equipment to a desired level as indicated in the recent Auditor General's Report on your Department dated 18.12.19, has been estimated to cost \$14m pa for 3 years.

- (a) How much of that funding has been obtained?
- (b) Is there any likelihood of that being obtained if there's a requirement for a 3% efficiency dividend?
- (c) Has the problem of outdated technology arisen because of previous efficiency dividend demands?

Answer

I am advised:

- (a) The Department receives a minor works budget each year, and prioritises investment in technology assets and other works accordingly.
- (b) Both major and minor capital works are not subject to efficiency dividends.
- (c) Technology hardware replacement is funded by the Department's minor capital works budget, which is not subject to efficiency dividends.

16. What Representations or submissions did you make to the Federal Government on their Identity Matching Bill?

- (a) Were you satisfied with this Bill in regard to privacy, transparency and safeguards?

Answer

Please see the answer to Question Taken on Notice 13.

17. The unregulated growth of facial recognition technology has very serious potential consequences for privacy, but there is very little legal control. Why wouldn't you agree with the Australian Human Rights Commission proposal that all further introduction of the technology be subject to a moratorium until there's a legal framework put in place?

Answer

I am advised:

The Australian Human Rights Commission Proposal 11 is directed at the Australian Government and is within the responsibility of the Commonwealth Attorney-General, the Hon Christian Porter MP.

Australian jurisdictions have legislative and policy frameworks in place to protect the privacy of citizens. For citizens of NSW, relevant Acts include the *Privacy and Personal Information Protection Act 1999* (NSW) and the *Privacy Act 1989* (Cth).

The Australian Government is working with states, territories and other stakeholders to establish and enhance the legal and regulatory landscape for the use of facial recognition technology, including the National Facial Biometric Matching Capability and the Facial Matching Services (FMS) it provides.

All Australian Information and Privacy Commissioners and their offices, including the Office of the Australian Information Commissioner and the NSW Information and Privacy Commissioners, have been, and continue to be, consulted in the development and implementation of the FMS.

The FMS is not yet fully operational, and is still in the implementation phase. NSW has not uploaded any data to the National Facial Biometric Matching Capability at this stage.

18. The NSW Police use a face matching services technology.
- (a) How do you regulate or oversee their use of this technology?
 - (b) were you consulted on the introduction or use of the technology?
 - (c) What privacy protections are there in the use of facial recognition technology by NSW Police?

Answer

I am advised:

The NSW Police Force has been using biometric technologies since 2004 to enhance its investigations, law enforcement and protections of the NSW community. Any questions about the NSW Police Force's use of those technologies should be directed to the Minister for Police and Emergency Services, the Hon David Elliott MP.

Under the *Privacy and Personal Information Protection Act 1998* (NSW) (PIIP Act), the NSW Privacy Commissioner is responsible for investigating privacy complaints regarding NSW public sector agencies, including the NSW Police Force in connection with the exercise of its administrative and educative functions.

Members of the public may also make complaints about serious misconduct or serious maladministration involving the NSW Police Force to the NSW Law Enforcement Conduct Commission (LECC), which is responsible for detecting and investigation serious misconduct or serious maladministration in the NSW Police Force.

19. The Trustee and Guardian Annual Report 2018-19 at p.4 refers to the options to implement the recommendations of the NSWCRRC Review of the Guardianship Act being identified. What are the options?

Answer

I am advised:

The NSW Government is closely considering the recommendations made by NSWLRC Report 145, *Review of the Guardianship Act 1987*. The NSW Government, including the NSW Trustee and Guardian, is working to identify the range of options available for implementing the recommendations made in the Report. This work is ongoing and will be informed by recommendations of the Royal Commission into Aged Care Quality and Safety and the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

20. The Trustee and Guardian Annual Report 2018-19 also notes that Trustee and Guardian have identified the costs flowing from the recommendations of the NSW LRC Review of the Guardianship Act. What are those costs?

Answer

I am advised:

The NSW Government is working to identify the costs of various options for implementing the Report's recommendations. This work is ongoing and will be informed by analysis of the implementation of similar reforms in jurisdictions such as Queensland and Victoria.

21. Your office was quoted in July last year saying that s32 of the Mental Health (Forensic Provision) Act was, together with the rest of the Act, being reviewed by the Department of Communities and Justice. When will that review be complete?

Answer

I am advised:

Section 32 of the *Mental Health (Forensic Provisions) Act 1990* (the Act) was reviewed as part of a broader review of that Act. The review is finalised and approximately 30 stakeholder groups were consulted. A Bill that amends the Act is expected to be introduced to Parliament later this year.

22. A legal practitioner claimed in Tamworth District Court that she was bullied by a Magistrate out of making an application under s32 of the Mental Health (Forensic Provisions) Act for her client. Is there a disinclination on the part of some magistrates to use s32?

Answer

I am advised:

Magistrates have discretion to make an order pursuant to s 32 of the *Mental Health (Forensic Provisions) Act 1990*. This discretion is based on whether an order to divert the person is 'appropriate'.

NSW Women's Strategy 2018-2022: Status of Women in NSW

23. In the 24 months to December 2019, two of the 17 major crime categories were trending upwards, one was trending downwards and the remaining 14 were stable.

This should be a major cause of concern for the Minister for the Prevention of Domestic Violence and Attorney General.

- (a) What is the Minister doing to address this increase in domestic violence?
- (b) What is the Premier's response to this increase, given the failure to reduce domestic violence recidivism rates under the Premier's priority targets?
- (c) What new prevention programs will the Minister implement to reduce and halt these increases?

Answer

I am advised:

It is not clear whether the increase in domestic violence assault is due to an increase in reporting or an increase in offending.

The NSW Government has made reducing domestic and family violence (DFV) reoffending one of its highest priorities. The NSW Government is committed to the continued improvement of existing targeted evidence-based programs and interventions to support behaviour change of DFV perpetrators and increase compliance through active policing. In addition, the NSW Government is building the evidence base for new and innovative interventions with DFV perpetrators including interventions at court and on remand.

Further investment in DFV programs will be considered in the NSW Budget 2020-21.

24. What is the Minister doing to 'plug the holes our civil protection and criminal justice system' so that women and children can rely on it to keep them safe?

Answer

I am advised:

On 16 March 2020, I committed to consulting on laws to ban coercive and controlling behaviour in recognition of it being identified as a precursor to intimate partner homicides in a significant number of cases. Consultations will be undertaken in 2020.

In NSW, reforms have been introduced to ensure that Apprehended Domestic Violence Orders (ADVOs) are made for a duration that is appropriate based on the particular circumstances of a matter. The purpose of this is to better protect people experiencing domestic and family violence.

Strategies are also in place to ensure that ADVO conditions are complied with and, where they are not, that appropriate enforcement action is taken. This includes through the delivery of the NSW Police Force's state-wide ADVO compliance check program and operation of High Risk Offender Teams, which operate in each of the six police regions across NSW.

25. What is the Minister doing to ensure that women and children who have experienced domestic violence have access to the range of services they need and at the right time?

Answer

I am advised:

Safer Pathway, which operates state-wide, provides a consistent, coordinated and collaborative cross-agency response to all victims of domestic and family violence.

The Integrated Domestic and Family Violence Service (IDFVS) program aims to improve outcomes for women and children affected by domestic and family violence, through increased access to service provision, and better co-ordination of services to adult and child victims.

Staying Home Leaving Violence and Rent Choice Start Safely are the two main housing programs which respond directly to households affected by domestic and family violence.

26. What is the Minister doing to reform the law so that women and children are safe to remain in their home whilst the perpetrator leaves the home?

Answer

I am advised:

Apprehended Domestic Violence Orders (ADVOs) play a role in responding to and preventing future domestic and family violence. ADVOs are intended to be tailored to the circumstances of a situation. Where appropriate, an ADVVO may include conditions that limit a defendant from contacting the person in need of protection and/or exclude them from a particular location, such as their home or workplace.

ADVOs aim to deter perpetrators from reoffending by: increasing the risk of detection and punishment; making it more difficult for perpetrators to access victims and engage in further violence; setting clear rules for victim-perpetrator interactions; and counteracting a

victim's trivialisation of their experience of domestic violence, which may increase the likelihood of reporting violence to the police.

Staying Home Leaving Violence (SHLV) supports women and children leaving domestic and family violence to remain safely in their home or a home of their choice, and have the perpetrator removed. This provides the family with stability and allows them to remain close to their existing support network of family, friends and services whilst still ensuring their safety.

The SHLV service model is based on prevention and early intervention principles, with case management activities focusing on preventing women and families from becoming homeless as a result of domestic and family violence. The program provides a range of support elements for victims such as safety planning, improving home security, assistance in managing finances, support for children and helping women throughout the complicated legal process.

Services are located in locations where rates of violence are higher. The SHLV services provide practical and emotional support to families escaping domestic violence.

SHLV services work in partnership with key agencies such as the NSW Police Force, Women's Domestic Violence Court Advocacy Services, NSW Health services, housing services and relevant partners in the non-government sector.

27. What primary prevention programs are you funding in our schools and community centres to change cultural attitudes and tolerance of domestic violence?

Answer

I am advised:

The NSW Government recognises the importance of students in NSW being educated about respectful, safe and healthy relationships, including domestic and family violence. Funding to deliver programs in state secondary schools falls within the portfolio responsibility of the Minister for Education and Early Childhood Learning.

The NSW Government continues to embed early intervention and primary prevention strategies into policy and program development under the NSW Domestic and Family Violence Prevention and Early Intervention Strategy 2017 – 2021, including the respectful

relationships education within the Personal Development, Health and Physical Education syllabus for kindergarten to Year 10 across all NSW schools.

28. Why didn't the Minister consult with the women's domestic violence peaks prior to the National meeting regarding their call to action and priorities?

Answer

I am advised:

As the Minister for the Prevention of Domestic Violence, I regularly engage with domestic violence peaks and organisations in NSW.

The NSW Domestic and Family Violence and Sexual Assault Council provides expert advice directly to me on key aspects of domestic and family violence and sexual assault policy and reform in NSW. The Council includes members from Domestic Violence NSW, No to Violence, Warringa Baiya Aboriginal Women's Legal Centre, Women's Safety NSW and Settlement Services International.

Safer Pathway

29. The Government says it is committed to consulting with peak bodies representing the women's and domestic violence sectors. Yet Women's Safety NSW, representing the WDVCAS sector which underpins the Safer Pathway model, is only funded for two full-time positions. Will the Minister commit to the funding model proposed and submitted to the Minister by Women's Safety NSW?

Answer

I am advised:

Women's Safety NSW have been advised that there will be no additional funds.

30. If the Government is not prepared to adequately fund Women's Safety NSW how will it perform its role in consulting the WDVCAS sector, providing advice to Government, changing community attitudes to domestic violence, etc?

Answer

I am advised:

Legal Aid NSW has administered funding for Women's Safety NSW (previously known as WDVCS NSW Inc.) since it was established as an incorporated organisation in 2011.

The role of Women's Safety NSW is to advocate in relation to systemic policy issues that impact upon Women's Domestic Violence Court Advocacy Service clients. Women's Safety NSW is not funded to undertake broader advocacy or community engagement work.

31. WDVCS workers across the state have identified effective case management as the number one priority for victim support- particularly in rural and regional areas; for Aboriginal and women and children and women of culturally linguistically diverse backgrounds.
- (a) Will the Minister commit, via a whole of government approach, to funding a case management model as part of the WDVCS model?

Answer

I am advised:

Currently, the NSW Government funds case management services at two Women's Domestic Violence Court Advisory Services (WDVCS): Macarthur (via Macarthur Legal Centre) and Wagga Wagga (via Wagga Wagga Family Support Service). This funding is a legacy of the Domestic Violence Intervention Court Model (DVICM) and is outside the usual funding stream for WDVCSs. Funding is provided on a year-by-year basis for these two centres only. The NSW Government committed fixed term funding to 30 June 2020 to continue Macarthur and Wagga Wagga's case management function for another year.

An evaluation, by Parenting Research Centre, of WDVCS case management services is currently underway. This evaluation will inform future funding decisions around case management.

The NSW Government also funds other programs that provide specialist case management for victim-survivors of domestic and family violence, including Staying Home Leaving Violence and the Integrated Domestic and Family Violence Services Program. However, these services are not currently available state-wide.

32. What compliance and tendering arrangements have been put in place to ensure that services tendering for the WDVCAS in 2020 employ staff with specialist experience and relevant qualifications in working with women and children affected by domestic and family violence?

Answer

I am advised:

All WDVCAS providers have to comply with a service agreement and policy as well as a procedure manual. These documents require WDVCASs to employ staff with the appropriate skills, qualifications and experience to work with women and children experiencing domestic and family violence. The policy and procedure manual also includes position descriptions, which set out the essential requirements for all WDVCAS roles.

Legal Aid NSW monitors providers' compliance with the service agreement through regular service visits and mentoring; oversight of WDVCAS staffing arrangements; review of half-yearly reports; and analysis of WDVCAS data.

For WDVCAS locations that are currently going through a tender process, one of the assessment criteria relates in part to appropriate staffing policies.

33. A lack of safe housing, referral points, and long waiting lists due to a lack of funding, resulting in a lack of capacity across the system, means that women who are victims of domestic violence and their children, are unable to receive services when needed. This situation I am told is recurrent across the service system.

- (a) What is the Minister doing to ensure that women referred through Safer Pathway are able to get help when needed?

Answer

I am advised:

Anyone referred to Safer Pathway is eligible to receive information, safety planning and referrals to local services. Women victims are also able to access support and advocacy in relation to the court process. Safer Pathway does not have a 'wait list', and the only case in which a victim referred to Safer Pathway would not receive a service, is where they cannot be contacted.

Wagga and Macarthur WDVCASs are currently funded to provide case management to support women to identify their needs and goals and to access appropriate services and thereby reduce re-victimisation and achieve safety, recovery and well-being. An evaluation by the Parenting Research Centre of WDVCAS case management services at Wagga Wagga and Macarthur is currently underway. This evaluation will inform decisions around future models of case management.

An evaluation of the NSW Domestic and Family Violence Blueprint for Reform has been completed. The final report is due in early 2020. The evaluation will help determine the extent to which the Blueprint has achieved its objectives and is having an impact on the community and the domestic and family violence service system.

34. At the recent meeting of the Federal and State Women's Safety Ministers, a no-interest loans scheme was announced which provides women victims of domestic violence with a \$2,000 loan.
- (a) What will the Minister for the Prevention of Domestic Violence doing in response to this criticism?

Answer

I am advised:

The No Interest Loans Scheme for women experiencing family and domestic violence (NILS-DV) was announced by the Australian Government in November 2018 for a commencement date of 1 July 2020. Funding is provided under the Women's Economic Security Package. The measure was referred to by the Commonwealth Minister for Families and Social Services, Senator Anne Ruston, on 8 March 2020, providing a timely reminder on International Women's Day that this important initiative commences in just over three months.

The NSW Government funds a range of initiatives to support women and children experiencing domestic and family violence. For example, financial assistance for immediate needs up to \$5000 is available to a primary or family victim of an act of violence. Examples of the types of expenses that may be approved as an immediate need include medical expenses, home security upgrades and urgent relocation costs.

35. The Australian Women Against Violence Alliance (AWAVA) has prepared a public statement, signed off by over 80 specialist domestic violence organisations. This statement identifies clear gaps in the system which places women and children at risk. It also sets out priority actions required to fix the system.

(a) What will the Minister do to respond to the identified gaps in the government's response to domestic violence in NSW?

Answer

I am advised:

The NSW Government supports AWAVA's approach that, in order to improve the safety of women and children, both major long-term reforms and immediate interventions are required.

The NSW Government is committed to taking actions to address domestic and family violence, through meaningful and sustained investment. To date, the Government has invested \$431 million over four years to respond to domestic and family violence. This investment is in addition to the hundreds of millions of dollars the Government spends each year to combat domestic and family violence through mainstream services in justice, police, health, child protection, social housing and homelessness services.

The Government will continue to be tough on perpetrators and support victims and their children to help keep them safe.

The Government recognises that there is a strong intersection between state and federal jurisdictions dealing with domestic and family violence. Where appropriate, the NSW Government has and will continue to advocate to the Federal Government to ensure victims of violence and their children are kept safe.

Building Domestic and Family Violence Aware Workforce

36. Which NSW Departments and workers are trained on the nature and dynamics of sexual assault, domestic and family violence and how is this done?

Answer

I am advised:

The NSW Government is committed to strengthening its response to clients who have experienced domestic and family violence and sexual assault, and has invested \$10 million per

annum from 2017-18 to improve the capacity of services to meet the needs of victims and survivors of child abuse and neglect, sexual assault, and domestic and family violence. The Stronger Communities Domestic and Family Violence Strategy 2020-2024 includes a focus on improving the domestic and family violence capabilities of the justice sector workforce, which will include the development of training.

The Education Centre Against Violence (ECAV) delivers trauma informed training to assist workers to understand and respond effectively to the underlying trauma issues victim-survivors experience. This is available to government and non-government domestic and family violence sector employees. The central focus of ECAV training is to improve the emotional, social and physical wellbeing, protection and safety for victims of interpersonal violence, through holistic care that empowers victims to grow and heal.

37. What is the NSW Government doing to ensure that Aboriginal and Torres Strait islander and culturally and linguistically diverse women, women with disability and LGBTIQI who are experiencing violence can access specialist and culturally safe support?

Answer

I am advised:

The NSW Government is committed to a whole of government approach to responding to and supporting victims of domestic and family violence and sexual assault including Aboriginal and Torres Strait Islander people, culturally and linguistically diverse women, women with disability, and LGBTIQ communities.

The Government supports at-risk or vulnerable cohorts through seven Domestic Violence Innovation Fund projects.

For culturally and linguistically diverse communities, including Aboriginal communities, these programs are:

- From the Ground Up to Equality (Arab Council Australia);
- Finding Safety (Jesuit Refugee Service);
- Building Stronger Families (formerly Safety Without Borders) (Relationships Australia); and
- Kalypi Paaka Mirika Healing program (Maari Ma Health); and

- ReThink! Anti-violence project (2Connect Youth & Community).

For people with disability, these programs are:

- Respectful Relationships Peer Educators (People with Disability Australia); and
- Building Access for Women with Disability (People with Disability Australia).

In February this year, the Aboriginal and Torres Strait Islander Women's Domestic and Family Violence Forum, the first of its kind in NSW, was held at the Parliament of NSW and provides a vital and unique opportunity for women to have their voices heard.

As part of the NSW Domestic and Family Violence Blueprint for Reform 2016-2021: Safer Lives for Women, Men and Children (the Blueprint), the Government engaged ACON to work with domestic and family violence service providers to make services accessible and inclusive of LGBTIQ communities.

The Stronger Communities Domestic and Family Violence Strategy 2020-2024 focuses on tailoring existing justice and communities services to better meet the diverse needs of domestic and family violence victims, including Aboriginal and Torres Strait Islander and Culturally and Linguistically Diverse Communities, women with disabilities and LGBTIQ communities.

Our Watch and Change the Story

38. Beyond joining Our Watch and the Innovation Fund, what is the Government doing to address the gendered drivers of violence against women and their children, as identified through 'Change the Story'?

Answer

I am advised:

The NSW Government recognises that views about women and gender inequality are drivers of violence against women and their children. These drivers require long-term preventive strategies to achieve attitudinal and cultural change throughout the community.

The Government launched the NSW Domestic and Family Violence Blueprint for Reform 2016-2021: Safer Lives for Women, Men and Children (Blueprint) in August 2016. Primary prevention is one of six Blueprint strategies to address domestic and family violence.

The Government continues to embed early intervention and prevention strategies into policy and program development under the NSW Domestic and Family Violence Prevention and Early Intervention Strategy 2017–2021.

The Government also works with all Australian Governments in implementing the National Plan to Reduce Violence against Women and their Children 2010–2022, which includes primary prevention as national priority one.

To date, the Government has invested \$431 million over four years to respond to domestic and family violence. This investment is in addition to the hundreds of millions of dollars the Government spends each year to combat domestic and family violence through mainstream services in justice, police, health, child protection, social housing and homelessness services. The Government will continue to be tough on perpetrators and support victims and their children to help keep them safe.

39. What is the NSW Government doing to ensure lesbian, gay, bisexual, trans, intersex and queer people who are experiencing domestic and family violence can access the supports they need to be safe?

Answer

I am advised:

The NSW Government is committed to a whole of government approach to responding to and supporting victims of domestic and family violence and sexual assault including gay, lesbian, bisexual, transgender, intersex and queer (LGBTIQ) communities.

As part of the NSW Domestic and Family Violence Blueprint for Reform 2016-2021: Safer Lives for Women, Men and Children (Blueprint) the NSW Government engaged ACON to work with domestic and family violence service providers to make services accessible and inclusive of LGBTIQ communities.

As part of the NSW Sexual Assault Strategy, ACON is developing a learning package to build the capacity of frontline workers to provide best practice, inclusive support for LGBTIQ communities who have experienced sexual assault. The learning package is expected to be available this year.

40. How will the Government work with the NSW Women's Alliance to incorporate the recommendations in A Safe State into the next version of the *NSW Domestic and Family Violence Blueprint for Reform 2016-2021*?

Answer

I am advised:

The Government is committed to working with the domestic and family violence service sector in the development of the next NSW domestic and family violence strategy. The Government will consult with a wide range of stakeholders, including members of the NSW Women's Alliance.

41. When will the Government release the evaluation of the *NSW Domestic and Family Violence Blueprint for Reform 2016-2021* conducted by KPMG?

Answer

I am advised:

The NSW Domestic and Family Violence Blueprint for Reform: Annual Report Card 2018-19 - Year Three was released in December 2019.

The NSW Domestic and Family Violence Blueprint for Reform 2016-2021 evaluation process is ongoing and will contribute to the development of the next NSW Domestic and Family Violence Strategy.

Primary Prevention

42. Prior to signing up to Our Watch, the government maintained the position that its efforts were already achieving its primary prevention aims, what whole of community primary prevention programs has the Government invested in? What is the total amount spent on these initiatives?

Answer

I am advised:

The decision to join Our Watch builds on the NSW Government's existing work to prevent violence before it occurs, such as prevention and early intervention projects funded through the \$20 million Domestic Violence Innovation Fund and through our ongoing support for Australia's National Research Organisation for Women's Safety (ANROWS).

43. How much funding and resources has the NSW Government dedicated to addressing the gendered drivers of violence against women and their children, as identified through the national framework of “Change the Story”?

Answer

Please refer to the answer provided for Supplementary Question 38.

44. How will the Primary Prevention strategies in NSW Women’s Strategy 2018-2022 be integrated with the next Domestic and Family Violence Blueprint for Reform?

Answer

I am advised:

Please see the response to Supplementary Question 2 for the Attorney General and Minister for Prevention of Domestic Violence hearing on 2 September 2019.

45. Will we see investment in a comprehensive primary prevention strategy in line with the Change the Story Framework from the NSW Government OR will it continue to be a piecemeal approach of small pilot projects?

Answer

I am advised:

The NSW Government launched the NSW Domestic and Family Violence Blueprint for Reform 2016-2021: Safer Lives for Women, Men and Children (Blueprint) in August 2016. The Blueprint is a whole of government strategy to address domestic and family violence and can be accessed here: http://domesticviolence.nsw.gov.au/data/assets/pdf_file/0004/379849/dfv-blueprint-forreform.pdf.

Primary prevention is one of six Blueprint strategies to address domestic and family violence. The Government continues to embed early intervention and prevention strategies into policy and program development under the NSW Domestic and Family Violence Prevention and Early Intervention Strategy 2017–2021. NSW is now part of a cohesive national primary prevention approach to domestic and family violence and this shared approach to prevention is articulated in the Change the story framework, which is available here: <https://www.ourwatch.org.au/What-We-Do/National-Primary-Prevention-Framework>.

Research into the Causes of Domestic Violence

46. How much funding is the government committing to research into domestic & family violence?

Answer

I am advised:

Research on domestic and family violence that is funded by NSW Government is mainly undertaken by Australia's National Research Organisation for Women's Safety (ANROWS). NSW contributes \$544,460 per annum to ANROWS.

The Government may also directly commission research in line with government priorities either via a competitive tender process and/or via the Government's prequalification scheme.

47. How much funding is the government committing to research into what causes domestic and family violence including:

- (a) why & when perpetrators use violence?
- (b) what should perpetrator programs be targeting in prevention?
- (c) what makes a perpetrator intervention program successful?

Answer

I am advised:

Research on domestic and family violence that is funded by NSW Government is mainly undertaken by Australia's National Research Organisation for Women's Safety (ANROWS). NSW contributes \$544,460 per annum to ANROWS.

Information on violent behaviour and perpetrator intervention programs can be found on the ANROWS website: <https://www.anrows.org.au/perpetrator-interventions-research/>.

Some examples of ANROWS research into perpetrator interventions involving NSW based study sites include:

- Exploring the client-worker relationship in Men's Behaviour Change Programs;
- Invisible Practices: Intervention with fathers who use violence;
- Good practice in delivering and evaluating interventions for young people with sexually abusive behaviours; and

- Developing and testing LGBTIQ programs for perpetrators and survivors of domestic and family violence.

Other ANROWS research involving national sites include:

- Improved accountability – the role of the perpetrator intervention systems;
- Perpetrator Interventions in Australia: A national study of judicial views and sentencing practice for domestic violence offenders;
- The PIPA project—Positive Interventions for Perpetrators of Adolescent violence in the home (AVTTH);
- Defining quality of life indicators for measuring perpetrator intervention effectiveness; and
- Community-based approaches to sexual offender reintegration.

Aboriginal Women and Children

48. Given the high rates of the unacceptably high rates of incarceration of Aboriginal women and young people and the clear links with domestic violence and homelessness, what programs is the Department of Justice funding to address domestic and family violence in the Aboriginal community to keep women and children safe?

Answer

I am advised:

The NSW Government is committed to a whole of government approach to responding to and supporting victims of domestic and family violence, including Aboriginal and Torres Strait Islander women and young people.

The Stronger Communities Domestic and Family Violence Strategy 2020-2024 will include specific actions to strengthen the entire Stronger Communities Cluster response to domestic and family violence in Aboriginal communities. This will include exploring opportunities to co-design solutions and support community-led initiatives.

The NSW Domestic and Family Violence Blueprint for Reform 2016-2021: Safer Lives for Women, Men and Children (Blueprint) identifies the need for an increased focus on prevention and early intervention strategies to achieve a substantial and continued reduction in the rate of domestic and family violence.

A key measure to achieve this is the investment in primary prevention projects funded through the delivery of the NSW Government's \$20 million Domestic and Family Violence Innovation Fund.

Kalypi Paaka Mirika Healing Program (Maari Ma Health) is a program funded under the first round of the Innovation Fund. The Kalypi Paaka Mirika Healing Program is a culturally relevant program that will equip Aboriginal people to recognise and respond to behaviours that can lead to violence. This program is being delivered in the Far West region of NSW and has been developed by and for the Aboriginal communities of Broken Hill, Wilcannia and Menindee, based on their views on family violence.

The Department of Communities and Justice (the Department) recently supported Domestic Violence NSW to host the Aboriginal and Torres Strait Islander Women's Domestic and Family Violence Forum, the first of its kind in NSW. The forum facilitated a dialogue between Aboriginal and Torres Strait Islander women representatives and the NSW Government on key policy and program responses to domestic and family violence.

Additionally, the Department engages with Aboriginal stakeholders in the contracting of domestic and family violence programs and services, and operates in accordance with NSW Government commitments to Aboriginal people.

49. It is understood that Women's Safety NSW provided a funding proposal to the Government which requested enough funds to employ Aboriginal and Multicultural identified policy and advocacy positions within this peak body to specifically advise on legislative and policy reform as it affects these particular target groups. Will the Government commit to providing this essential funding for this peak industry body for women's safety in the 2019/20 budget?

Answer

I am advised:

Please refer to the answer provided for Supplementary Question 29.

50. Regarding Wirrawee Gunya, can you tell me how an organisation that submitted for a tender that was costed by the department with no Aboriginal 24/7 Crisis Refuge in the specifications is meant to absorb the additional \$700k operational cost and accept that they are funded adequately?

Answer

I am advised:

Please refer to the answer provided for Question Taken on Notice 27.

Questions to the Department of Community and Justice (DCJ):

51. When will the Department keep their commitment to appropriately fund Western Sydney's Wirrawee Gunya?

Answer

I am advised:

Please refer to the answer provided for Question Taken on Notice 27.

52. In 2017 the Department offered all Specialist Homeless Services an extended 3-year funding contract. At that time the Department offered WCDVS a 1-year contract unless they agreed to include Wirrawee Gunya in the contract with no additional funding.

Answer

I am advised:

In 2017, a three year contract from 1 July 2017 - 30 June 2020 was signed by WCDVS, which includes continuing Wirrawee Gunya as a crisis refuge.

PREVENTION OF DOMESTIC VIOLENCE

Questions from Ms Abigail Boyd MLC

Domestic & Family Violence

53. What new investment has been made in this financial year in social housing infrastructure to ensure victims have accommodation options when they leave a violent relationship?

Answer

I am advised:

The NSW Government will invest \$1 billion in 2019-20 towards a range of homelessness and social and affordable housing programs, including supports, to provide accommodation to people escaping domestic and family violence.

Significant additional funds have been committed for those leaving violent relationships in the current COVID19 climate to expand accommodation and service provision options.

54. What new and dedicated resources are being committed to support the voices of children and young people who are experiencing or have experienced domestic violence?

Answer

I am advised:

The NSW Government is committed to a whole of government approach to responding to and supporting victims of domestic and family violence and sexual assault, including children and young people.

In November 2019, Youth Justice released the Domestic and Family Violence Youth Justice Strategy 2019-2022. This will form the basis of their actions to support the broader Cluster Strategy. The Youth Justice approach identifies actions aimed at addressing the needs of young people impacted by domestic and family violence. Where other approaches to addressing domestic and family violence have typically focused on offending relating to adult intimate partner violence, the targeted approach of Youth Justice is the first of its kind in NSW.

There are a range of resources available for Department of Communities and Justice (DCJ) caseworkers to strengthen practice when working with families, children and young people where domestic and family violence is a risk factor. The DCJ Casework Practice site contains specialist resources on working with families where domestic and family violence is a risk factor. The Domestic and Family Violence Practice Kit has a dedicated chapter titled “Domestic and Family Violence: Working with Children”. Furthermore, the Office of the Senior Practitioner is leading a project to update the Caseworker Development Program to align with contemporary practice and the NSW Practice Framework. The new program will be focused on working with families where there is domestic and family violence.

55. Beyond joining Our Watch and the Innovation Fund, what is the Government doing to address the gendered drivers of violence against women and their children, as identified through ‘Change the Story’?

Answer

I am advised:

Please refer to the answer provided for Supplementary Question 38.