

## Can you provide data on the length of time women and children remain in a refuge? Transcript p.26

The average stay at a refuge is usually between 6 to 12 weeks but this depends on the individual circumstance of women, it is important to note however that it is becoming increasingly difficult for women to access other safe and affordable housing options, including within both the social housing and private housing market. Therefore women may stay longer in refuges even though their safety needs may not require it. Unfortunately the data reports from the Australian Institute of Health and Welfare do not provide a breakdown on the length of accommodation periods by service target groups. Therefore it is not possible to provide data on the average length of stay for women accessing specialist homelessness services targeting women and children experiencing domestic and family violence.

The data reports also do not provide a breakdown on the length of accommodation periods by the type of SHS accommodation being offered. There are different types of SHS accommodation available such as crisis accommodation and transitional accommodation. Transitional accommodation is longer term accommodation. Below is a table from the AIHW Report on SHS services in NSW 2010/11. As can be seen from the table the median length of accommodation for women and children was 40 days. This has been progressively increasing over the years (this would include the vast majority of women's refuges targeting women escaping DV as there are only three single women's services with this explicit target group). The median length of stay for women alone who are 25 and over, was 16 days.

**Table A24: Closed support periods in which clients were accommodated: mean and median length of accommodation by client group, by reporting period, 2006–07 to 2010–11 (days)**<sup>1</sup>

Client group	Mean					Median				
	2006–07	2007–08	2008–09	2009–10	2010–11	2006–07	2007–08	2008–09	2009–10	2010–11
Male alone, under 25	47	50	51	70	78	12	13	14	18	20
Male alone, 25+	38	39	47	49	66	7	9	11	11	14
Female alone, under 25	52	61	62	75	83	12	16	16	17	20
Female alone, 25+	43	58	65	78	67	8	12	17	22	16
Couple no children	48	112	53	51	87	6	23	7	14	25
Couple with children	135	141	195	173	153	65	73	102	101	99
Male with children	89	103	134	109	162	65	66	89	70	80
Female with children	71	90	106	115	111	22	29	36	37	40
Other	143	222	174	79	123	43	72	49	34	50

<sup>1</sup> Australian Institute of Health and Welfare 2011. Government-funded specialist homelessness services: SAAP National Data Collection annual report 2010–11: New South Wales. Cat. no. HOU 252. Canberra: AIHW, p.32

This report is attached (Attachment 1)

We have also attached for you the first **National quarterly** report from the Australian Institute of Health and Welfare from the Specialist Homelessness Services Collection, this new collection replaced the previous SAAP data collection (Attachment 2).

**Some key statistics from the National SHS Quarterly report were:**

“In the September quarter 2011, the agencies that participated in SHSC reported 26,987 [in Australia] clients escaping domestic and family violence. This group accounted for 34% of all clients of specialist homelessness services.”<sup>2</sup>

SHS clients (including children) who were escaping domestic and family violence were predominantly female (77%)<sup>3</sup>. Females under the age of ten accounted for 14% of all females escaping domestic and family violence. Half the males that reported escaping domestic and family violence were under 10 years of age<sup>4</sup>. Children under 10 accounted for 22% of people escaping domestic and family violence.

**Response to questions regarding access to social housing (transcript p.27)**

Applications for social housing are made through the Housing Pathways Register. Applicants no longer apply for priority housing directly, their need for urgent housing is assessed through the social housing application process. If an application shows that a person has an urgent housing need that cannot be resolved in the private rental market applicants ‘may’ be assessed for priority housing. Urgent housing needs can include broadly the following categories

Unstable housing circumstances

At risk factors – this includes domestic violence, sexual assault, child abuse

Existing accommodation is inappropriate for basic housing requirements

This may include severe overcrowding; substandard property conditions; lack of essential facilities; needed secure accommodation to take a child out of care; severe and ongoing medical condition; and disability<sup>5</sup>

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<sup>2</sup> Australian Institute of Health and Welfare (2012). Specialist Homelessness Services Collection: first results. Cat. no. HOU 262. Canberra:, p.26

<sup>3</sup> Ibid, p.26

<sup>4</sup> Ibid, p.26

<sup>5</sup> Information sourced directly from the Housing Pathways website

<http://www.housingpathways.nsw.gov.au/Ways+we+can+Help/Social+Housing/Social+Housing+Eligibility+Products+and+Allocations+Policy+Supplement.htm#efphuhn>

The difficulty for women who have experienced domestic and family violence accessing social housing is not so much related to policies of Housing NSW but a combination of a lack of social housing stock overall and also the inconsistent application of Social Housing Policies. From feedback we have received from members, women who have experienced domestic and family violence can face additional barriers to applying for social housing or other Housing NSW products that are due to the practices of some Housing NSW offices or staff, these can include:

- Some Housing Offices are now only accepting Police Statements or copies of ADVOs as evidence of domestic and family violence despite policies clearly identifying that numerous other forms of evidence can be provided;
- In some Housing offices Start Safely is the only option being provided
- Some women are being informed by some Housing offices that they are able to apply for social housing or other Housing NSW products if they are currently being accommodated by a specialist homelessness service, including women's refuges and transitional women's housing services
- In some regions Housing offices are telling women not to bother applying because of the waiting list but this would mean that they are not being assessed for eligibility of other housing products or priority housing.

The WRM would welcome the opportunity to work with Housing NSW to address some of these issues and have contacted Housing NSW in relation to these matters. A previous study that the WRM undertook in partnership with the University of Western Sydney Urban Research Centre, on the 'Impact of Housing on the lives of women and children post domestic violence crisis accommodation' recommended that:

- Increased training be provided to Housing NSW staff on domestic and family violence; and
- New regional specialist domestic and family violence specialised support worker positions be established to support Housing NSW staff and to strengthen interagency partnerships with domestic violence services.<sup>6</sup>

### **Question - Refuges work with children , particularly boys (transcript:p.28)**

All WRM member services acknowledge children as clients in their own right and have done so for many years, this acknowledgement and commitment to responding to the needs of children has assisted in the development of a range of responses and services for children. Programs for children who have experienced violence are diverse.

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<sup>6</sup> Gander, C., Champion, T., Camacho Duarte, O., Phibbs, P., 2009, *The Impact of Housing on the lives of women and children –Post Domestic Violence Crisis Accommodation.*, NSW WRM WP Inc. & University of Western Sydney: Urban Research Centre,p.33

Women's refuges provide a range of child support programs delivered by child support workers and other staff within services. Many of the child support programs have been developed to address the specific needs of children and young people that have experienced domestic and family violence whilst others may have a prevention focus such as Love Bites which aims to promote healthy relationships.

Working with children who are either accommodated by refuges or elsewhere could be viewed as prevention and early intervention as there is extensive evidence that children who experience homelessness are more likely to be homeless later in life.

We have attached a section from the WRM Child Support Orientation Kit which was developed by Child Support Workers with the WRM which provides an overview of Child Support Programs (Attachment 3<sup>7</sup>).

### **Outside brokering services (Transcript: p.28)**

Refuges have varying capacity to broker in services for women and children, however this for the majority of services is quite limited due to funding constraints. In 2011 the NSW WRM partnered with Homelessness NSW, Y Foundations and FACS to deliver stage one of the Specialist Homelessness Services Capacity Building Project. The first stage of this project involved regional forums with SHS services across the state. SHS funded domestic violence services reported during these forums consistently that it was difficult to get access to a range of specialist supports for both women and children.

There are three specific domestic and family violence services within the Homelessness Action Plan that were funded through the National Partnership Agreement Against Homelessness (DV HAP). The DV HAP projects use a partnership model of wraparound support services. The target group are women with or without accompanying children who are in crisis and experiencing domestic violence who are at imminent risk of becoming homeless. The DV HAP's are funded to provide 20 support packages to women accessing the Start Safely Rental Subsidy through Housing NSW and 10 support packages to women with social housing tenancies. The WRM is aware that both the Illawarra and Western Sydney projects are exceeding their targets and the same is probably also true of the Hunter project. The lead agencies for each of these projects have established multiple coordination groups. The Domestic Violence Support Western Sydney Service (DVSWSS) has five coordination groups, for example as it covers a large geographical area. Each of the

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<sup>7</sup> NSW WRM Child Support Steering Group 2010, WRM Child Support Orientation Kit pp.82-84)

coordination groups is convened by a specialist domestic violence service and partner agencies involved in the group deliver a range of supports and services to women and children experiencing domestic and family violence. Some stakeholders include Housing NSW; Brighter Futures, Family Support services, Women's Health Services, Mental Health services, Legal Centre, WDVCS, Women's Counselling, Police DV Liaison Officers.

Stakeholders in the coordination groups meet to discuss potential gaps in the local region with view to identifying and progressing strategies and actions to address these. "They also provide referrals, be paid for services provided to the client, purchase other supports (e.g. school fees, counselling, dentistry, payment of utilities etc) under the program and participate in ongoing case management in order to prevent women and children re-entering homelessness"<sup>8</sup>.

The access to brokerage funds is invaluable as it can often mean the difference between women and children accessing much needed specialist supports in a timely fashion. To give one example, a woman with a three year child was referred to the DVS HAP project by Housing NSW. At the initial case management meeting with the woman the caseworker identified that the 3 year old may have required some additional supports in relation to their developmental needs. After several case management meetings the woman and the worker agreed that it would be beneficial for the child to see a child psychologist. As there was a long wait to access the public health care system the DVS paid for access to a child psychologist and paediatrician, following these appointments and assessments the child was diagnosed with autism. Following this diagnosis the woman and child were both supported to access a disability support service which provides support to the child and the mother.

The Domestic Violence Support Western Sydney Service (DVSWSS) is undertaking its own evaluation of the service. The interim findings of this evaluation will be available at the end of May 2012. A copy of this interim evaluation committee can be made available to the committee if required.

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<sup>8</sup>Domestic Violence Support Western Sydney Service, 2010, About the Domestic Violence Support Western Sydney Service <http://www.dvswss.com.au/about-dvswss/>

## **Pregnancy and domestic and family violence (transcript: p, 31)**

The quarterly report for the Specialist Homelessness Services Data collection reported the need for pregnancy assistance for 1280 clients in Australia during the September period. This includes females of all SHS services across Australia not just women's refuges and not just women who have experienced and disclosed domestic and family violence. This also only includes clients where a need for support was identified. This report has been included as Attachment 2.

## **Needs for Migrant and Refugee Women**

### **Case study from a refuge in a rural area, demonstrating lack of services for women on spousal visas settling in Rural NSW.**

Case Study:

A 60 year old Iranian women (MS), married to Turkish husband, arrived in Australia on spousal visa in March 2011. The husband had been residing in Australia for a couple of years prior to her arrival.

In May MS was referred to refuge. MS speaks, reads and writes no English. The husband was providing no money to her, (even though his son had signed forms to say he would go assurance for her and provide money to her at an agreed amount).

MS's told the refuge through an interpreter that her husband was pushing, shoving, hitting, shouting, calling her names, threatening to send her back to Iran, demanding sex three to four times a day, telling and showing photos of him with naked women in various poses and telling her she had to do that. If she did not do it, he told her the police would make her do it, or arrest her.

Because of the police threats MS was too frightened to take any further action the first time she came to the refuge.

Shortly after her visit to the refuge her husband took her to Turkey, promising to take her to Iran to visit her family in November. In Turkey he ripped her passport and visa up and abandoned her and he returned to Australia.

MS had to be smuggled across the border to Iran to her family, however the family showed no sympathy and said her return was bringing shame on family.

The Refuge began to receive frantic emails from a service in Iran that supports abused women.

Over one and a half months the manager of the refuge arranged to act as an authorised person for MS with the Dept. of Immigration and Citizenship and many forms and phone calls later MS arrived in Australia early January.

MS's Husband's grandson was informed of her re-entry into Australia and MS's husband picked her up from Melbourne. MS was brought back to Griffith and it started over again, however, this time the sexual abuse and violence was worse and she feared for her life. During this period a migrant settlement service was supporting MS and her husband.

MS found her way to the refuge again, with numerous physical injuries. The Refuge is still supporting MS including support to obtain a protection order, income support, accessing medical support, applying for permanent residency through DV provisions, linking MS to English classes. The refuge is covering all of MS costs.

MS had applied for a visa on a previous occasion and was refused. MS did not know what to do as she was frightened of the police and authorities as had been told constantly by husband that would be sent back to Iran.

The Rural issues the refugees and the women they support face are:

**A substantial increase in the settlement of CALD women in rural areas and a lack of appropriate supports.**

MS was required to complete documents along with refuge staff in relation to her story and violence. It is a complicated process to have a visa changed it requires an enormous amount of paperwork including substantiation and evidence of events etc.

It had to be in MS's language (Farsi) and then had to be translated by an official translator into English and then certified by JP. The refuge rang the Immigration Dept. to request that if they have interpreters could she write it out and send it. No, they couldn't do this. The Dept. suggested we take it to the Iranian Consulate and they will have people who can do it. The refuge explained they were a service in a reasonably isolated rural area where there was no Iranian Consulate.

The Dept. then suggested the refuge should take it to a Farsi speaking Immigration Lawyer. Same problem there wasn't one.

The only option was to send it to Sydney to an official translator, have them do it, have it certified and sent back then send it to Immigration. This takes time.

When the service takes MS to Centrelink they have to order a translator and it may be a man then the connection does not work. MS will not talk to a man about the sexual abuse.

Another appointment is made but there is no guarantee that it will not be a man next time.

The refuge is also supporting MS to take out an AVO. The court can access interpreters, but once again there is no guarantee that it will be a woman. In this case the refuge worker talked to the chamber magistrate, he wrote it out, the translator was contacted by phone and the Magistrate read out each word, TIS translator relays to MS and she relays it to let the refuge worker know if it is correct.

Refuges are reporting seeing more women than ever before from diverse CALD backgrounds who are experiencing violence.

This is a particular issue for rural services and for refugees who are not in large regional centre, where there is some access to a range of culturally diverse organisations.

This issue is occurring more and more as the governments are encouraging migrants to settle in rural areas that have very little access to culturally specific services.

The Refuge reported that there is a Migrant Settlement service the Griffith area, with one full time English Speaking Worker and one part-time Turkish speaking Worker. When the family breaks down as a result of violence they do not have a framework of working to support the women.

Predominately they continue to support the male. The service reports that this is not an isolated case study, but happens on a semi frequent basis.



## Supplementary Questions

1. **The Committee received evidence about a six-week program that the Refuge Movement developed in conjunction with the police in Condobolin that educated women about domestic violence, including its effect on children and its legal implications (Evidence, 28 February 2012, p 7). Are similar programs run throughout NSW? Can you briefly provide details about these programs and discuss their effectiveness?**

The project to which the committee referring to is the Lachlan Domestic Violence Education Program is a partnership between Forbes Women's Refuge, Police, Community Services, Department of Corrective services and Attorney General's. Under the partnership Police, Community Services, Corrective Services and local courts refer women to the program. The education program is run over six weeks and covers a range of issues in relation to domestic and family violence and the available services and responses to domestic and family violence. Participant evaluations of the program have been positive, with many participants noting their increased understanding of the dynamics of domestic and family violence and the impact this has on their children. A range of other service providers in the region have accessed the program to assist new staff to build understanding of domestic and family violence. The Domestic Violence Regional Coordinator is currently coordinating an evaluation of this program.

We are aware of range of groups and programs that members deliver that aim to increase women's understanding of the dynamics of domestic and family violence what responses are available and what support services can be accessed. The content of these programs can vary but certainly there are quite a few. These activities complement the accommodation and case management component of our members work as they enable members to offer intervention at an earlier point that can prevent the escalation of violence and abuse and provide additional entry point to support services and responses. Unfortunately, however we cannot provide the committee with the exact number of groups or programs operating. Below are two more examples.

The **Solid Koori Families** group is a partnership between Marcia Women's Refuge, Campbelltown Family Support Services, Vinchez Women's Refuge and the Domestic and Family Violence Intervention Service. The SKF group includes various guest speakers on a diverse range of topics from practical living skills to domestic and family violence and group participation in violence prevention activities and community events such as NAIDOC week. The group meets once a week during the school term and has a strong focus on addressing domestic and family violence.

**Penrith Domestic Violence Services Domestic Violence Group** runs over has 9 weekly, 2 hour sessions. The group is run each school term for clients of the service and referrals are also received by:

- **Community Services Child Protection Caseworkers** where women have been referred to the program as part of case management process
- **Counsellors** in the community
- **Bolwarra and Boronia transitional centre Emu Plains Correctional Centres** where issues are related to Domestic Violence are identified
- **Other services**
- **Women also refer themselves** (also from the above services not mandated)

The sessions are as follows

1. What is Domestic Violence
2. Types of abuse and the cycle of Violence
3. Myths and Facts around Domestic Violence and where do these come from
4. Why do we end up in abusive relationships
5. How does Domestic Violence effect Children
6. Self Esteem What is it and how do we improve it
7. How does Domestic Violence effect children
8. What can we do for our children
9. How can we change the Family cycle Recap past weeks

But these are just two more examples amongst many programs. As our submission notes most if not all women's refuges provide domestic violence education groups or courses to women and often these are delivered in partnership with other local service providers. Members provide these early intervention activities from both within their core funding but they also sometime seek funding through other sources. Sometimes these can be through one-off grants which is great in some respects, but it also means that some of these efforts have a short life span as the service cannot often continue providing the group within their existing resources.

In relation to the effectiveness of these programs service providers will often undertake their own evaluations through surveys of participants and if they have positive feedback they will try to sustain the program and adjust it accordingly. Currently, a comprehensive understanding of what early intervention and prevention activities that women's refuges undertake is lacking within Government. This is in part due to the lack of available resources to undertake more formal evaluations on these activities and to promote them extensively.

**2. Your submission provides a distressing description of the experience some women escaping domestic violence face because they are unable to secure emergency accommodation (p 6).**

- a) Can you provide examples of successful refuge service providers? What strategies do these service providers employ that make them successful?

We think our members do a very good job in improving the safety of women and children. That is not to say that we should not be constantly seeking to strengthen good practices across our refuges and other related services, this should be happening across the entire service system response. Refuges have been evolving over time since the first refuge was established and now days the provision of refuge accommodation is only one part of service delivery by women's refuges. In part many of these changes have been due to both the collective and individual advocacy and commitment to improving responses to women and children.

Previous evaluations of the SAAP program, which was the previous funding program for refuges and other specialist homelessness services reported that services were by and large doing quite well but they lacked sufficient funding even to maintain their current capacities let alone to meet the unmet demand<sup>9</sup>. The SAAP IV evaluation found that "innovative models have been explored and developed and SAAP now provides a continuum of support which includes early intervention"<sup>10</sup>. Unfortunately, there has not been an evaluation of existing specialist homelessness services for some time and no increase in core funding to services. There was new investment in responding to homelessness through the National Partnership Agreement on Homelessness. Three specific projects in Western Sydney, the Hunter and the Illawarra were funded and these are doing well but these were funded for a fixed period of time and it is not clear if these programs will continue to operate even until their evaluations have been finalised and considered by funding bodies.

Refuges have also been great advocates within their local communities, they recognise that they in isolation cannot in many circumstances deliver long term safe outcomes for women and children so they engage in a lot of networks and interagency committees and in a range of areas they have taken responsibility for establishing and maintaining these committees. They have built partnerships with other service providers and these partnerships are diverse, in the main refuges and other domestic and family violence services have sought to build a coordinated service system which includes partnerships with Police for example. Their success in doing this varies, however and is dependent on the commitment of other agencies. This again highlights the need for an integrated and strong service system that includes support, monitoring and transparent reporting of regional actions and structures that are clearly linked to a state-wide framework.

There are a range of barriers that often inhibit refuges capacity to achieve long term safe outcomes. Another key barrier is access to long term safe and sustainable housing for women and children. It is well known there is an extreme shortage of safe and affordable housing both in terms of social housing and the private rental market in most of the state. Refuges in many areas have built partnerships with community housing providers and in some areas they have also sought to increase partnerships with private real estate agents to increase access to housing, however refuges still have difficulty exiting women into long term housing. Members report that even when housing is more available, often women are discriminated against by real estate agents and landlords because they have

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<sup>9</sup>Erebus Consulting Partners, 2004, National Evaluation of the Supported Accommodation Assistance Program (SAAP IV) Final Report, pp.8-9

<sup>10</sup>Ibid, p.4

experienced domestic and family violence, this is a particularly acute problem for Aboriginal women and children.

- b) What recommendations would you like to see the Committee make to ensure a greater range of emergency accommodation for women experiencing domestic violence?

Broadly we would recommend:

- Explicit commitment and targets to reducing the number of women and children turned away from women's refuges by both Commonwealth and NSW Governments.

To be able to effectively monitor these efforts there is a need for urgent improvement in data collection and reporting on the demand for refuges and other emergency accommodation for women and children who are experiencing domestic and family violence. Last year the old data collection system for Specialist Homelessness Services ended and the National Homelessness Services National Data system was implemented. The WRM however through the implementation of the new data collection system has identified some processes which significantly inhibit the ability of the new data collection system to accurately capture the demand on specialist homelessness services by women and children who are experiencing domestic and family violence.

The Community Services, Domestic Violence Line provides many referrals to women's refuges throughout NSW and is a significant entry point to services and support for women and children experiencing domestic and family violence including women and children who are homeless or at risk of homelessness. However, the Domestic Violence Line does not supply data through the SHS national data collection system unlike the many other homelessness telephone referral services in Australia. Additionally current referral systems and practices at the DV Line do not allow for the provision of callers details to be recorded by SHS services in their 'Unassisted person' collection when the request for accommodation cannot be met by the Specialist Homelessness Service.

Not having some process in place to record these requests made through the DV Line will result in a significant undercount of the number of women and children who require the increased safety that refuge accommodation provides. The NSW WRM is of the view that this issue would best be resolved by the DV Line contributing data to the SHS National Data Collection. We have made this recommendation to both Community Services and the Australian Institute of Health and Welfare but as yet we have not received any indication of what action will be taken.

Increased data collection and reporting on requests for Temporary Accommodation through Housing NSW, the outcomes of these requests and the reasons why Temporary accommodation is needed (eg. Escaping domestic and family violence) is also required.

- Increased investment in women's refuges – that builds on their expertise and experience in delivering not only refuge accommodation and intensive support to accommodated clients but also their expertise in delivering prevention, early intervention and longer term support

to women and children, including support to women and children to remain in their homes once the perpetrator is removed.

- Increased flexibility of rental subsidies for women and children experiencing domestic and family violence. The NSW WRM supports the Start Safely subsidy but many members have highlighted that the length of the subsidy is not sufficient time for some women and that the eligibility guidelines for the subsidy are too restrictive and exclude a number of women and children who may benefit greatly from the subsidy.
- Policies and programs aimed at improving women and children's access to long term safe and affordable housing
- Sufficient ongoing and secure funding for women's refuges and other Specialist domestic violence and homelessness services.
- Longer term funding contracts so that services can confidently plan for the future and improve staff retention
- Ongoing workforce development and training that meets the needs of both new practitioners but also more experienced practitioners
- An integrated service system

**3. On our recent visit to Melbourne the Committee spoke to representatives of the Neighbourhood Justice Centre in Collingwood who promoted a 'welfare approach' to dealing with domestic violence matters. For example, alcohol, drug and mental health counselling services were offered to domestic violence respondents in recognition of the fact that domestic violence does not often happen in isolation of these issues. What is your view here?**

We are not aware of the specific work undertaken by the Neighbourhood Justice Centre in Collingwood so we will not comment on their work, however we caution against just taking a 'welfare approach'. We would prefer an integrated response to domestic and family violence across the justice, legal and human services systems. As part of this perpetrators should be held accountable for their actions, we recognise that whilst there may be factors such as alcohol or other drug use or mental illness that can exacerbate acts of domestic and family violence they are not the cause of it.

That is not to say that perpetrators of violence should not receive treatment and services to address their alcohol or other drug issues or mental illness where these exist but these should not be held up as a way to stop perpetrators from being violent and abusive.

**4. Your submission is critical of the lack of a strategic response to domestic violence by the government, non-government organisations and the courts (pp 19-20). How do you recommend the NSW Government address this?**

We could learn from the experience of other jurisdictions like Victoria but that is not to say the WRM supports wholesale replication of it. Some key elements we believe are pivotal to building an integrated response to domestic and family violence are:

- The development of explicit targets, performance measures, indicators and transparent and regular reporting against these
- The development of protocols or MOUs between key stakeholders including non-government specialist domestic and family violence services to support the development of integrated responses at local and regional levels
- Governance structures that are genuinely inclusive of the NGO sector at the regional and statewide level;
- Increased monitoring and reporting on local and regional efforts to improve integration including efforts to increase engagement with the NGO sector  
Increased coordination between related reform areas including the Homelessness Action Plan and Keep Them Safe, for example Increased involvement of DV Regional Coordinators with local DV Committees, regional Homelessness Committees and Keep Them Safe Regional Coordinators
- Increased coordination between the family law system and state based responses to family violence and children's safety. Other recommendations relating to Family Law and the intersections with state based systems include:
  - Increased training and education amongst Police, Courts and Child protection workers to dispel the myth, that once women and children enter into Family Law proceedings it is no longer their responsibility to respond
  - Expand services that have been established to provide advocacy and support to women and children attending family court, such as the NSW WRM's Women's Family Law Support Service, currently the WFLSS does not have an ongoing funding source, yet programs such as the WFLSS were highlighted by Professor Chisholm in the Family Violence Courts Review and the Australian and NSW Law reform Commissions Family Violence Report <sup>11</sup>.
  - Implementation of recommendation 19- 1 of the Australian and NSW Law reform Commissions Family Violence Report that The NSW WRM supports the recommendation made by the ALRC and NSW LRC that: "Federal, state and territory governments should, as a matter of priority, make arrangements for child protection agencies to provide investigatory and reporting services to family courts in cases involving children's safety. Where such services are not already provided by agreement, urgent consideration should be given to establishing specialist sections within child protection agencies to provide those services."<sup>12</sup>

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<sup>11</sup> Chisholm, R., 2009, Family Courts Violence Review, p.151. & Australian Law reform Commission & NSW Law reform Commission, 2010, Family Violence: A National Legal Response, p. 1384

<sup>12</sup> ALRC & NSW LRC, 2010, *Family Violence: A National Legal Response*, Commonwealth of Australia, p.59

- And most importantly, genuine engagement and partnership with non-government specialist domestic violence services and other partners in the development of the next strategic framework which we understand work has already commenced, however the WRM has yet to be engaged with this work but this is something that we look forward to.

5. The Committee has received evidence from a number of participants that the definition of domestic violence should be narrowed to intimate partner violence and violence between family members (Evidence, 20 February 2012, p 39). What's your opinion on this issue?

We have addressed this question in our submission to the review of Crimes (Domestic and Persona Violence) Act. The discussion paper that was released for that review suggested that some relationships currently defined as being a domestic relationship in the Act should not, these included flatmates, people who have lived or are living in the same residential facility and paid or unpaid carer relationships

We agreed that these types of relationships should not be in the scope of domestic relationship as too broader definition of 'domestic relationship' fails to acknowledge the dynamics of domestic and family violence and therefore the need for different service responses to improve the safety and wellbeing of victims of domestic and family violence. This is not to say, however that relationships that fall into these other categories do not necessarily need legal protections, beyond that which is provided for in personal violence provisions, when violence occurs but that we do not believe violence in these types of relationships should be viewed as a domestic violence offence.

The WRM acknowledges the complexities of this discussion as there would be examples where there are relationships within the above definitions that should be viewed as domestic in nature particularly in relation to carers.

In our submission we indicated our support for the definition of a domestic relationship proposed by the NSW and Australian Law Reform Commissions in their Family Violence report which was that state based family violence legislation should include as a core group past or current intimate partners –irrespective of the gender of the two parties, family members, relatives, children of an intimate partner, those who fall within Indigenous concepts of family and those who fall within culturally recognised family groups.

If the definition is not adopted in the Act then the existing definition in the Act should at least be amended to explicitly state 'irrespective of the gender of the two parties' as this will assist in raising awareness of and strengthening responses to domestic violence within the Gay, Lesbian, Bi-sexual, Transgender , Intersex (GLBTI) community.

## **6. What recommendations would you like to see come out of this inquiry?**

We have provided numerous recommendations in the above responses and within our submission. Of critical importance is the need for specialist domestic and family violence services involvement in the development and implementation of the new Domestic, Family

and Sexual Violence Framework. We have welcomed the news of the Framework and that the Department of Family and Community Services has, through this Inquiry, indicated that the non-Government sector will be more involved in the development and implementation of it. We welcome this, and we hope this engagement occurs soon so that the Framework's development can be informed by the expertise and experience that exists within both the non-Government and Government sectors.