

**INQUIRY INTO NSW GOVERNMENT'S USE AND
MANAGEMENT OF CONSULTING SERVICES**

Organisation: Illawarra Women's Health Centre

Date Received: 17 August 2023

Abigail Boyd
Chair - Public Accountability and Works Committee
Parliament of NSW
By email: PAWC@parliament.nsw.gov.au;

15 August 2023

Submissions to the Inquiry into the NSW Government's use and management of consulting services.

Dear Ms Boyd

Thank for your accepting this late submission.

I would like to bring to the Committee's attention the inappropriate and disrespectful use of a consulting firm by the NSW Department of Communities and Justice for the preparation of the NSW Sexual Violence Plan and the NSW Domestic Violence Plan 2022-27.

Acknowledged best practice to ensure legitimacy of plans regarding sensitive and complex issues such as domestic, family and sexual violence, is that the plans must be informed by a robust and genuine public consultation process, including and importantly, with people with lived experience. The National Plan to End Violence Against Women and Children 2022-2032 states that lived experiences of victim-survivors must inform policies and solutions.

It is incumbent on the NSW Government to make sure the diverse views and perspectives of victim-survivors are central in developing its plans. Victim-survivors are the people most affected by the plans, they are whom these plans are intended to serve, and they hold specific and contextual expertise that comes from lived experience as well as firsthand knowledge of services, systems, and structures that are meant to support them but have sometimes failed them.

It is also critical that any consultation process is implemented by an experienced and trusted provider and that sufficient time is allowed to ensure all stakeholders have the opportunity to contribute.

The firm that was engaged to facilitate consultation sessions for NSW Sexual Violence Plan 2022-27 and the NSW Domestic Violence Plan 2022-27 was WSP, a US based global engineering business, which is far removed from victim-survivors in NSW and the local expertise of the domestic, family, and sexual violence sector.

Issues for Committee to consider

1. Engagement, experience and expertise

There is no evidence, and questions that were posed at the time were unanswered, as to how WSP were engaged. Was it an open tender process? If so, what was the selection criteria was used? Did this include, for example, experience in the domestic, family and sexual violence sector and experience consulting women with lived experience, ensuring appropriate safety and confidentiality mechanisms were in place?

There is no publicly available evidence that WSP has any experience or understanding of: the sector in general or NSW in particular; how to work with people with lived experience; how domestic and family

violence impacts on women; or how to work in a violence and trauma informed way. The final plans reflect this.

As an example, *Pillar 4: Recovery and Healing* in the Domestic Violence Plan, is substandard, ill informed, limited and in some aspects, potentially harmful. This vague and generalised response includes:

1. A lack of understanding, and recognition, of the prevalence and severity of post-separation abuse and the use of systems to continue to abuse.
2. No recognition that systems themselves can recreate, perpetuate, perpetrate and amplify trauma.
3. No recognition that recovery and healing services across the health and justice systems are fragmented and siloed.

2. Treatment of women with Lived Experience

There was no consultation process to proactively and specifically seek feedback from victim-survivors. This fails the expectation set by the National Plan and political rhetoric about centring victim survivors voices. Moreover, any engagement with women was not undertaken in a trauma informed and trauma sensitive way.

This was evidenced when victim-survivor advocate and specialised sexual assault lawyer Ms Karen Iles was repeatedly stonewalled in her attempts to provide feedback on the NSW Sexual Violence Plan. An example of this was when she was finally offered two time slots for a 30 minute phone call within the next 24hrs. Relevant correspondence showing that can be provided on request.

It was also suggested to Ms Iles that she should connect with Full Stop Australia to provide her victim-survivor input, notwithstanding she was also seeking input as a legal practitioner representing clients and was therefore in a unique position to provide insight into this area as both as practitioner and survivor.

Victim survivors have long been demanding that they be allowed to speak for themselves, and not be filtered through sector organisations 'representing' them. Especially when those organisations receive government funding that may inhibit advocacy.

It is critical that the NSW Government understand – and clearly both the Government and WSP did not, that victim-survivors cannot all be represented or consulted through one panel or be limited to a single service advisory panel. Critical to engaging with and centring victim survivors' input is providing options and pathways through which their voices can be safely heard. Not all victim survivors want to work with Full Stop Australia, indeed, some do not feel safe doing so. There should have been other consultation options for victim-survivors.

3. Consultation timeframe

The public consultation period for both plans was just under three weeks, which is already difficult. When there are – at the same time - other consultation processes due on the same day (the NSW Government's Core and Cluster funding tender and submissions on the draft NSW coercive control legislation) it becomes virtually impossible to gather considered and in-depth feedback: an underfunded and stretched sector simply does not have the time or resources to contribute properly. As a community-based organisation, our response if we had had the time, would have included consultation with clients. With many clients in complex life circumstances finding the time and resources is already difficult and this unrealistic turnaround time demonstrates WSP were not serious about receiving or incorporating feedback.

This situation is compounded if you are a victim-survivor, not in a paid position for this work or with caring and safety responsibilities, wanting to make a submission. A trauma informed approach recognises the effort and emotional labour it takes victim-survivors to speak to events that have

violated them. It is not 'business as usual' and time is required to allow people to work through these processes in a supported way that does not cause more harm – including 'being silenced' by not being able to participate due to short time frames.

At best, this process was disrespectful and at worst designed to intentionally avoid engagement. Government deadlines and announcements are not more important than the impact on people's lives that these plans are supposed to support. It is vital that Governments take leadership on working with victim-survivors and communities if they want to deliver plans, services, and outcomes that actually benefit victim-survivors and reduce sexual violence.

4. Other issues

- a. The format used to gather feedback was difficult to respond to. It lacked the context about how it was developed and what precise feedback was being sought – thereby creating another barrier to genuine consultation.
- b. There was no information provided as to whether written submissions would be made public and no information on the confidentiality of the process.

Conclusion

The engagement of WSP compromised the integrity of both plans. It is yet another example of where outsourcing government responsibility and core public services to consulting firms who lack contextual expertise, relationships and trust with key stakeholders, and are so poorly placed to do this work ethically, results in ineffectual policy and has a potentially harmful impact on the exact people this work is supposed to support and help.

I would welcome the opportunity to discuss this submission in person with Committee.

Kind regards

Sally Stevenson AM
Executive Director