



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

## **BUDGET ESTIMATES 2021-2022 Supplementary Questions**

**Portfolio Committee No. 5 Legal Affairs**

**ATTORNEY GENERAL AND PREVENTION OF DOMESTIC AND  
SEXUAL VIOLENCE**

Hearing: 1 November 2021

**Answers due by: 30 November 2021**

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**ATTORNEY GENERAL AND PREVENTION OF DOMESTIC AND SEXUAL  
VIOLENCE**

**Questions from Ms Abigail Boyd MLC**

**Victims of Crime Interagency meetings**

1. Did the Commissioner of Victims Rights personally attend the Victims of Crime Interagency meeting on 9 March 2021?

**ANSWER**

I am advised:

No. Senior representatives from Victims Services attended the meeting.

2. Did the Commissioner of Victims Rights personally attend the Victims of Crime Interagency meeting on 8 June 2021?

**ANSWER**

I am advised:

No. Senior representatives from Victims Services attended the meeting.

**Questions from Mr David Shoebridge MLC**

**OPCAT**

3. What is the current status of the implementation of opcat in NSW?

**ANSWER**

I am advised:

The implementation of the Optional Protocol to the Convention against Torture (OPCAT) is an initiative of the Commonwealth Government. NSW continues to participate in discussions with the Commonwealth and other jurisdictions about the implementation of OPCAT and the resources that would be required for implementation.

4. Do you accept that the community has significant concerns about the custodial oversight mechanisms in NSW?

**ANSWER**

I am advised:

The community expects transparent and effective oversight and accountability mechanisms for places of detention. NSW has existing robust and transparent oversight of adult and youth justice custodial facilities in place under the responsibility and functions of the Inspector of Custodial Services and the NSW Ombudsman.

5. Is the NSW Government still refusing to take action on this on the argument that the Federal Government should resource implementing international obligations like this?

**ANSWER**

I am advised:

NSW continues to participate in discussions with the Commonwealth and other jurisdictions about the implementation of OPCAT and the resources that would be required for implementation.

6. Are there any plans to expand oversight in prisons in NSW?

**ANSWER**

I am advised:

This question should be directed to the Minister for Corrections and Counter Terrorism, as the Minister responsible for oversight of the NSW prison system.

**Data breach laws**

7. When are you intending to introduce the data breach bill?

**ANSWER**

I am advised:

Legislation to introduce a mandatory notification of data breaches scheme is being finalised for introduction in early 2022.

8. What was the result of the consultation?

**ANSWER**

I am advised:

Submissions on the Privacy and Personal Information Protection Amendment Bill 2021 formally closed on 18 June 2021, however, a number of submissions were received later than that date. In total, the Department of Communities and Justice (DCJ) received 31 formal submissions, including from NSW public sector agencies, State Owned Corporations, interested private sector entities and interested members of the public. DCJ and the Department of Customer Service are consulting with key stakeholders to work through outstanding issues that were identified through the consultation process.

9. Will you guarantee people will have a right to be informed of breaches of their data in a timely fashion?

**ANSWER**

I am advised:

Under the proposed mandatory notification of data breach scheme, public agencies will be required to notify affected individuals if a data breach affecting personal or health information that is likely to result in serious harm occurs.

10. Would this new law have meant those affected by the Service NSW breach would have been contacted?

**ANSWER**

I am advised:

The mandatory notification of data breach scheme would require that people are notified of a breach if it is likely to cause serious harm. It is likely that this would have captured many people affected by the 2020 Service NSW breach.

11. Will you consider including actual penalties for breaches in the scheme?

**ANSWER**

I am advised:

The exposure draft Bill does not contain penalties for breaches. The NSW Government's preferred approach is to support agency compliance through education, advice, guidance and

recommendations. This is consistent with the Information and Privacy Commission's regulatory approach to privacy generally.

### **Victims Support Reviews and appeals**

12. How many internal and external reviews in 2020-21 have been:
- (a) lodged,
  - (b) determined
  - (c) pending and
  - (d) settled before a decision is made
  - (e) and what have been the grounds for appeal?

#### **ANSWER**

I am advised:

In 2020-21, the number of internal reviews:

- (a) Lodged was 928.
- (b) Determined was 1,064.
- (c) Pending: the number of reviews pending during a date range cannot be provided.
- (d) No internal reviews were 'settled' before being determined.
- (e) It is not possible to summarise data on 'grounds for appeal'.

In 2020-21, the number of external reviews:

- (a) Lodged was 50.
- (b) Determined was 50.
- (c) Pending: the number of reviews pending during a date range cannot be provided.
- (d) Settled was 6.
- (e) It is not possible to summarise data on 'grounds for appeal'.

13. How many appeals have been made to the Supreme Court and Court of Appeal and on what grounds in 2020-21?

#### **ANSWER**

I am advised:

There were 0 appeals made to the Supreme Court and Court of Appeal in 2020-21.

14. In (a) 2018-19 (b) 2019-20 and (c) 2020-21 how many internal review determinations resulted in the following outcomes:

- (a) confirmed
- (b) overturned
- (c) increased
- (d) withdrawn
- (e) remitted
- (f) deferred

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information in a readily accessible form.

15. How many as a number and percentage were legally represented in this process for each of those years?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information in a readily accessible form.

16. How many as a number and percentage of (a) represented and (b) unrepresented claimants who were successful in their review for each of those years?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information in a readily accessible form.

**Part 6 Compensation awarded by the court**

17. During February 2021 Budget Estimates the question was asked: How many Part 6 of the Victims Rights Support Act compensation awards were made over the past 5 years? The response was: “The Department of Communities and Justice does not hold this information.”

- (a) Why is this data not held by Department of Communities and Justice?
- (b) Who else holds this data?

**ANSWER**

I am advised:

- (a) Digital records relating to a compensation order made by a court do not include information on the Act/section the order is made pursuant to.
- (b) The Department of Communities and Justice is not aware of any other agency which captures this data.

**Restitution**

18. What amount was recovered through restitution in

- (a) 2018-19?
- (b) 2020-21?

**ANSWER**

I am advised:

The amount recovered through restitution in:

- (a) FY2018-19 was \$12.6 million.
- (b) FY2020-21 was \$7.9 million.

19. How many written objections to a notice of restitution order were made to the Commissioner pursuant to s62 of the Victims Rights Support Act in (a) 2018-19 (b) 2019-2020 and (c) 2020-21?

**ANSWER**

I am advised:

The number of written objections to a notice of restitution order made to the Commissioner in:

- (a) 2018-19 was 203\*.
- (b) 2019-20 was 390.
- (c) 2020-21 was 244.

*\*Data is for period after 12 December 2018. For consistency, data prior to this was not included as it was recorded differently.*

20. In relation to question 4, what were the grounds for objection?

**ANSWER**

I am advised:

In relation to preceding question 19, the Department of Communities and Justice does not hold this information in a readily accessible format.

21. In relation to question 4 with a breakdown by number and percentage for each financial year, how many objections were:
- (a) Allowed in whole?
  - (b) Allowed in part?
  - (c) Disallowed?
  - (d) Confirmed the decision?
  - (e) Confirmed the decision with variation to reduce the payable?
  - (f) Reversed the decision?
  - (g) And what were the reasons for the decision?

**ANSWER**

I am advised:

In relation to the preceding question 19, the Department of Communities and Justice does not hold this information in a readily accessible format.

**Restitution actions**

22. How many requests did Victims Services receive from applicants not to pursue restitution/requested waivers for restitution actions not to be pursued against the offender
- (a) in total
  - (b) in relation to domestic violence (as a number and percentage)
  - (c) in relation to sexual assault and child sexual abuse (as a number and percentage) for each of the following:
    - i. 2018-19
    - ii. 2019-20 and
    - iii. 2020-21

**ANSWER**

I am advised:

There are no provisions under the *Victims Rights and Support Act 2013* for receiving requests from applicants for victims support not to pursue or to waive restitution.

23. Of these, how many were granted
- (a) in total
  - (b) in relation to domestic violence (as a number and percentage)
  - (c) in relation to sexual assault and child sexual abuse and on what basis in
    - i. 2018-19



- ii. 2019-20
- iii. 2020-21?
- iv. What reasons were provided?

**ANSWER**

I am advised:

See response to supplementary question 22.

24. How many were denied
- (a) in total
  - (b) in relation to domestic violence (as a number and percentage)
  - (c) in relation to sexual assault and child sexual abuse and on what basis in
    - i. 2018-19
    - ii. 2019-20 and
    - iii. 2020-21?
    - iv. What reasons were provided?

**ANSWER**

I am advised:

See response to supplementary question 22.

**Changes implemented since 1 July 2020**

25. What's the number of applications attempted to be lodged with Victims Services that are not accepted for any reason between 1 July 2020 -30 June 2021? What was the reason why the application was not accepted?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information, as data on reasons for not accepting an application is not available in a readily accessible form.

Applications may not be accepted for reasons including, but not limited to: incomplete application forms; unsigned application forms; duplicate applications; failure to attach government-issued identification; or failure to include bank account details.

26. How many calls have there been to the (a) Victims Access Line (VAL) and (b) Aboriginal Contact Line (ACL) from 1 July 2020 – 30 June 2021?

**ANSWER**

I am advised:

The number of calls from 1 July 2020 to 30 June 2021 to:

- (a) the Victims Assistance Line (VAL) was 67,922.
- (b) the Aboriginal Contact Line (ACL) was 2,815.

27. What was the nature of the call referred to in question 9 and what was the response by VAL and ACL?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information in relation to supplementary question 26.

28. How many people have VAL or ACL assisted to collect evidence to support their claim for Victims Support in 2020-21?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information.

29. How many people have VAL or ACL assisted by contacting a counsellor on their behalf and organising a counselling appointment in 2020-21?

**ANSWER**

I am advised:

The VAL and ACL do not provide this assistance. The VAL and ACL can instead provide assistance about how to find and contact a counsellor.

30. How many Victims Support Scheme applications were
- (a) received,
  - (b) awarded,
  - (c) pending,
  - (d) dismissed
- i. between 1 July 2020 to 30 June 2021 for each of the components of Victims Support relating to:
- (i) people living in regional, rural and remote areas?

- (ii) people who are homeless/risk of homelessness?
- (iii) people currently in prison/detention/closed setting?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold information on applicants' locations in a readily accessible form.

The Department of Communities and Justice does not hold information in relating to applications from people who are homeless/at risk of homelessness.

**Changes to Victims Services policies, practices and procedures**

31. Once a person submits their Victims Support application to Victims Services that person has 12 months to collect their evidence to support their claim before Victims Services closes their application. As a matter of procedural fairness, does Victims Services advise applicants in writing the earliest date by which their matter will be determined if it is before the end of the 12 month period so they know the date by which they need to provide any relevant evidence or to ask for more time?

**ANSWER**

I am advised:

On receipt of an application for a recognition payment, Victims Services advises the applicant what additional evidence needs to be provided for their claim to progress. Once that information is provided by the applicant, their matter proceeds to assessment.

If that information is not received, Victims Services contacts the applicant on at least three separate occasions within the 12 month period before closing (lapsing) their claim. If a claim is closed (lapsed), an applicant can gather their evidence and re-apply if they remain within the statutory time limits. An applicant can also lodge any additional information if they request an internal review.

32. Have there been any changes to Victims Services policies, procedure or practice in relation to internal reviews? What changes have occurred and why? What consultation was undertaken with victim-survivors and/or their advocates?

**ANSWER**

I am advised:

Victims Services administers the Victims Support Scheme in accordance with the *Victims Rights and Support Act 2013* (the Act). Operational policies, procedures and practice are regularly reviewed and updated to ensure consistency with the Act, compliance with regulatory obligations, and improved delivery of services.

Feedback from victims and their advocates is received and considered routinely as part of Victims Services' ongoing continuous service improvement work.

33. How many complaints were resolved through Commissioner's Review in 2019-20? What were the outcomes?

**ANSWER**

I am advised:

Three. All reviews determined that correct complaint handling procedures had been followed.

34. How many complaints were resolved through Commissioner's Review in 2020-21? What were the outcomes?

**ANSWER**

I am advised:

None.

35. Have there been any changes to Victims Services complaints processes in 2019-20 and 2020-2021? If yes, what are they? What consultation was undertaken in relation to this?

**ANSWER**

I am advised:

See response to supplementary question 32.

36. Does the Commissioner's Review mechanism continue to exist? If not, what has it been replaced with and why?

**ANSWER**

I am advised:

There continues to be a review mechanism in place for complaints handling in line with the Department of Communities and Justice Complaints Handling Policy.

37. What other changes to Victims Services policies, practices and procedures took place in 2019-20 and 2020-21? What consultation was there with victim-survivors and/or their advocates?

**ANSWER**

I am advised:

See response to supplementary question 32.

<b>Questions from the Hon Mark Buttigieg MLC on behalf of the Opposition</b>
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**Mannin' Up Men's Behaviour Change Program**

38. Mission Australia Central and Far West runs a Men's Behaviour Change Program called "Mannin' Up". This program covers most of western NSW, including Dubbo, Coonamble, Broken Hill and Walgett.
- (a) How is the Mannin' Up program delivered?
  - (b) Where is the Mannin' Up program delivered from?
  - (c) Given the distances between areas covered by Mission Australia's MBCP, is there capacity for the delivery of online services to individuals referred to the Mannin' Up program?
    - i. Has there been any study into the effectiveness of an online service delivery model as opposed to an in-person service delivery model?

**ANSWER**

I am advised:

- (a) Mission Australia is registered to deliver programs face to face.
- (b) Mission Australia is registered to deliver programs in:
  - i. Broken Hill
  - ii. Dubbo
  - iii. Orange
  - iv. Walgett
  - v. Central and Far West.
- (c) Mission Australia is not registered to deliver online programs.
- (i) The online delivery of programs is an emerging area. In NSW, providers must register under the Practice Standards and Compliance Framework for Men's Behaviour Change Programs in order to deliver online programs, and are expected to contribute to the evidence base.

39. Nine of the eleven LGAs in NSW with the highest incidence of domestic violence assault are located within the catchment zone of the Mannin' Up program.
- (a) How many individuals were referred to the Mannin' Up program in the 2020-2021 financial year?
  - (b) How many individuals successfully completed the Mannin' Up program in the 2020-2021 financial year?
  - (c) How many individuals are on the waiting list for the Mannin' Up program as at 30 June 2021?

**ANSWER**

I am advised:

- (a) The Provider has reported 74.
- (b) The Provider has reported 3.

The Department of Communities and Justice does not hold this information.

40. Walgett's rate of domestic violence assault per 100,000 population is 2418.9. It is a three hour drive from Walgett to Dubbo.
- (a) If a domestic violence offender was referred to the Mission Australia MBCP from Walgett, what support is available to ensure that offender was able to access the Mannin' Up program?
  - (b) How many individuals from the Walgett LGA were referred to the Mannin' Up program in the 2020-21 financial year?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information.

41. Coonamble's rate of domestic violence assault per 100,000 population is 2172.8. It is a one hour forty five minute drive from Coonamble to Dubbo.
- (a) If a domestic violence offender was referred to the Mission Australia MBCP from Coonamble, what support is available to ensure that offender was able to access the Mannin' Up program?
  - (b) How many individuals from the Coonamble LGA were referred to the Mannin' Up program in the 2020-21 financial year?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information.

42. Moree Plains' rate of domestic violence assault per 100,000 population is 1840. It is a four hour forty minute drive from Moree Plains to Dubbo.
- (a) If a domestic violence offender was referred to the Mission Australia MBCP from Moree Plains, what support is available to ensure that offender was able to access the Mannin' Up program?
  - (b) How many individuals from the Moree Plains LGA were referred to the Mannin' Up program in the 2020-21 financial year?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information.

43. Gilgandra's rate of domestic violence assault per 100,000 population is 1439. It is a fifty minute drive from Gilgandra to Dubbo.
- (a) If a domestic violence offender was referred to the Mission Australia MBCP from Gilgandra, what support is available to ensure that offender was able to access the Mannin' Up program?
  - (b) How many individuals from the Gilgandra LGA were referred to the Mannin' Up program in the 2020-21 financial year?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information.

44. Broken Hill's rate of domestic violence assault per 100,000 population is 1338.7. It is an eight hour drive from Broken Hill to Dubbo.
- (a) If a domestic violence offender was referred to the Mission Australia MBCP from Broken Hill, what support is available to ensure that offender was able to access the Mannin' Up program?
  - (b) How many individuals from the Broken Hill LGA were referred to the Mannin' Up program in the 2020-21 financial year?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information.

45. Narrandera's rate of domestic violence assault per 100,000 population is 949.3. It is a four hour twenty minute drive from Narrandera to Dubbo.
- (a) If a domestic violence offender was referred to the Mission Australia MBCP from Narrandera, what support is available to ensure that offender was able to access the Mannin' Up program?
  - (b) How many individuals from the Narrandera LGA were referred to the Mannin' Up program in the 2020-21 financial year?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information.

46. The rate of domestic violence assault per 100,000 population in the Dubbo Regional LGA is 1120.6. How many individuals from the Dubbo Regional LGA were referred to the Mannin' Up program in the 2020-21 financial year?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information.

47. The rate of domestic violence assault per 100,000 population in the Narromine LGA is 1089.5. How many individuals from the Narromine LGA were referred to the Mannin' Up program in the 2020-21 financial year?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information.



48. Wentworth's rate of domestic violence per 100,000 population is 921.6. Wentworth is a nine hour drive from Dubbo.
- (a) If a domestic violence offender was referred to the Mission Australia MBCP from Wentworth, what support is available to ensure that offender was able to access the Mannin' Up program?
  - (b) How many individuals from the Wentworth LGA were referred to the Mannin' Up program in the 2020-21 financial year?
  - (c) Noting that there is also a Men's Behaviour Change Program located in Mildura, less than forty minutes from Wentworth across the border in Victoria, is there capacity for an individual from the Wentworth LGA to be referred to this service?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information.

**Men's Behaviour Change Programs**

49. Baptist Care Family and Counselling Services runs the Facing Up MBCP, with a catchment zone including Bankstown, Campbelltown, Penrith and Tuggerah.
- (a) How is the Facing Up MBCP program delivered?
  - (b) Where is the Facing Up MBCP program delivered from?
  - (c) How many individuals were referred to the Facing Up MBCP program in the 2020-2021 financial year?
  - (d) How many individuals successfully completed the Facing Up MBCP program in the 2020-2021 financial year?
  - (e) How many individuals are on the waiting list for the Facing Up MBCP program as at 30 June 2021?

**ANSWER**

I am advised:

- (a) Baptist Care Family and Counselling Services is registered to deliver face to face programs.
- (b) Baptist Care Family and Counselling Services is registered to deliver in Bankstown, Campbelltown, Penrith and Tuggerah.
- (c) Campbelltown – the Provider reported 118 referrals.  
Tuggerah – the Provider reported 109 referrals.

Bankstown and Penrith - the Department of Communities and Justice does not hold this data.

(d) Campbelltown – the Provider reported 30.

Tuggerah – the Provider reported 19.

Bankstown and Penrith - the Department of Communities and Justice does not hold this data.

(e) Bankstown – the Provider reported 40.

Campbelltown – the Provider reported 9.

Penrith – the Provider reported 17.

Tuggerah - the Provider reported 6.

50. Manning Support Services runs the Taking Responsibility Men’s Behaviour Change Program, with a catchment zone including Taree, Forster and Gloucester.

(a) How is the Taking Responsibility program delivered?

(b) Where is the Taking Responsibility program delivered from?

(c) How many individuals were referred to the Taking Responsibility program in the 2020-2021 financial year?

(d) How many individuals successfully completed the Taking Responsibility program in the 2020-2021 financial year?

(e) How many individuals are on the waiting list for the Taking Responsibility program as at 30 June 2021?

#### **ANSWER**

I am advised:

(a) Manning Support Services is registered to deliver face to face programs.

(b) Manning Support Services is registered to deliver in Taree, Forster and Gloucester.

(c) The Department of Communities and Justice does not hold this information.

(d) The Department of Communities and Justice does not hold this information.

(e) The Department of Communities and Justice does not hold this information.

51. North East MBCP delivers an MBCP program in Albury.

(a) How is the North East MBCP delivered?

(b) How many individuals were referred to the North East MBCP in the 2020-2021 financial year?

- (c) How many individuals successfully completed the North East MBCP in the 2020-2021 financial year?
- (d) How many individuals are on the waiting list for the North East MBCP as at 30 June 2021?

**ANSWER**

I am advised:

- (a) The North East MBCP is registered to deliver face to face programs.
- (b) The Department of Communities and Justice does not hold this information.
- (c) The Department of Communities and Justice does not hold this information.
- (d) The Provider reported 13.

52. Liberty Domestic and Family Violence Specialist Services delivers the Engage2Change men's behaviour change program in Port Macquarie.

- (a) How is the Engage2Change program delivered by Liberty Domestic and Family Violence Specialist Services?
- (b) How many individuals were referred to the Liberty Domestic and Family Violence Specialist Services Engage2Change program in the 2020-2021 financial year?
- (c) How many individuals successfully completed the Liberty Domestic and Family Violence Specialist Services Engage2Change program in the 2020-2021 financial year?
- (d) How many individuals are on the waiting list for the Liberty Domestic and Family Violence Specialist Services Engage2Change program as at 30 June 2021?

**ANSWER**

I am advised:

Liberty Domestic and Family Violence Specialist Services, Kempsey Families Inc. Specialist Support Services and Warrina Domestic and Family Violence Specialist Services deliver Engage2Change MBCP as a consortium. Data is collected across all three services.

- (a) Engage2Change is registered for face to face delivery in Coffs Harbour; Kempsey; Nambucca; and Port Macquarie.
- (b) The Provider reported 85.
- (c) The Provider reported 13.
- (d) The Provider reported 12.

53. CatholicCare Wilcannia Forbes delivers the SEEDS mens' behaviour change program at Forbes.

- (a) How is SEEDS program delivered?
- (b) How many individuals were referred to the SEEDS program in the 2020-2021 financial year?

- (c) How many individuals successfully completed the SEEDS program in the 2020-2021 financial year?
- (d) How many individuals are on the waiting list for the SEEDS program as at 30 June 2021?

**ANSWER**

I am advised:

- (a) CatholicCare Wilcannia Forbes is registered to deliver face to face programs.
- (b) The Department of Communities and Justice does not hold this information.
- (c) The Department of Communities and Justice does not hold this information.
- (d) The Department of Communities and Justice does not hold this information.

54. Men and Family delivers the MEND men’s behaviour change program program at Lismore and Tweed Heads.

- (a) How is the MEND program delivered?
- (b) Where is the MEND program delivered from?
- (c) How many individuals were referred to the MEND program in the 2020-2021 financial year?
- (d) How many individuals successfully completed the MEND program in the 2020-2021 financial year?
- (e) How many individuals are on the waiting list for the MEND program as at 30 June 2021?
- (f) The rate of domestic violence assault per 100,000 population in Tenterfield is 1152.6. The MEND program is the closest MBCP available for residents of Tenterfield.
  - i. Are individuals from Tenterfield able to be referred to the MEND program?
  - ii. If so, how many individuals from the Tenterfield LGA were referred to the MEND program in the 2020-21 financial year?
  - iii. If not, which MBCP would an individual from Tenterfield be referred to?

**ANSWER**

I am advised:

- (a) Men and Family is registered to deliver face to face programs.
- (b) Men and Family is registered to deliver programs in Lismore and Tweed Heads.
- (c) The Provider reported 52.
- (d) The Provider reported 0.
- (e) The Provider reported Lismore – 8; and Tweed Heads – 5.
- (f) The Department of Communities and Justice does not hold this information.

55. Relationships Australia runs the Building Stronger Families and Taking Responsibility men's behaviour change programs in a variety of locations across NSW.
- (a) How is the Building Stronger Families program delivered?
  - (b) How is the Taking Responsibility program delivered?
  - (c) In what locations is the Building Stronger Families program delivered?
  - (d) In what locations is the Taking Responsibility program delivered?
  - (e) How many individuals were referred to the Building Stronger Families program in the 2020-2021 financial year?
  - (f) How many individuals were referred to the Taking Responsibility program in the 2020-2021 financial year?
  - (g) How many individuals successfully completed the Building Stronger Families program in the 2020-2021 financial year?
  - (h) How many individuals successfully completed the Taking Responsibility program in the 2020-2021 financial year?
  - (i) How many individuals are on the waiting list for the Building Stronger Families program as at 30 June 2021?
  - (j) How many individuals are on the waiting list for the Taking Responsibility program as at 30 June 2021?

**ANSWER**

I am advised:

- (a) Building Stronger Families is registered as a face to face program.
- (b) Taking Responsibility is registered as a face to face program.
- (c) Building Stronger Families is registered to deliver in Fairfield; and Toongabbie.
- (d) Hunter; Illawarra; Macquarie Park; Parramatta; Penrith; and Sydney CBD.
- (e) The Department of Communities and Justice does not hold this information.
- (f) The Provider reported, Hunter - 78 referrals; Illawarra - 57 referrals; Macquarie Park - 26 referrals; Penrith - 84 referrals; and Sydney CBD - 25 referrals. In relation to Parramatta, the Department of Communities and Justice does not hold this information.
- (g) The Department of Communities and Justice does not hold this information.
- (h) The Provider reported: Hunter - 17 completions; Illawarra - 11 completions; Macquarie Park - 7 completions; Penrith - 16 completions; and Sydney CBD - 3 completions.

In relation to Parramatta, the Department of Communities and Justice does not hold this information.

- (i) The Department of Communities and Justice does not hold this information.
- (j) The Provider reported: Hunter – 35; Illawarra – 28; Macquarie Park – 39; and Sydney CBD – 75.

In relation to Parramatta and Penrith, the Department of Communities and Justice does not hold this information.

56. Relationships Australia Canberra and Regions runs the Taking Responsibility for Respectful Relationships in Wagga Wagga.

- (a) How is the Taking Responsibility for Respectful Relationships program delivered?
- (b) How many individuals were referred to the Taking Responsibility for Respectful Relationships program in the 2020-2021 financial year?
- (c) How many individuals successfully completed the Taking Responsibility for Respectful Relationships program in the 2020-2021 financial year?
- (d) How many individuals are on the waiting list for the Taking Responsibility for Respectful Relationships program as at 30 June 2021?

**ANSWER**

I am advised:

- (a) Relationships Canberra and Regions is registered to deliver face to face programs.
- (b) The Department of Communities and Justice does not hold this information.
- (c) The Department of Communities and Justice does not hold this information.
- (d) The Provider reported 0.

57. Kempsey Families Inc. runs the Engage2Change program, with a catchment including Kempsey, Nambucca Valley and Coffs Harbour.

- (a) How is the Engage2Change program delivered by Kempsey Family Inc?
- (b) Where is the Kempsey Family Inc Engage2Change program delivered from?
- (c) How many individuals were referred to the Kempsey Family Inc Engage2Change program in the 2020-2021 financial year?
- (d) How many individuals successfully completed the Kempsey Family Inc Engage2Change program in the 2020-2021 financial year?
- (e) How many individuals are on the waiting list for the Kempsey Family Inc Engage2Change program as at 30 June 2021?

- (f) The rate of domestic violence assault per 100,000 population in Kempsey is 958.1. The MEND program is the closest MBCP available for residents of Tenterfield.
- i. How many individuals from the Kempsey LGA were referred to the MEND program in the 2020-21 financial year?

**ANSWER**

I am advised:

Refer to answer at supplementary question 52.

58. Anglicare runs the STOP men's behaviour change program, with a catchment zone including Parramatta, Nowra and Ulladulla.
- (a) How is the STOP program delivered?
- (b) Where is the STOP program delivered from?
- (c) How many individuals were referred to the STOP program in the 2020-2021 financial year?
- (d) How many individuals successfully completed the STOP program in the 2020-2021 financial year?
- (e) How many individuals are on the waiting list for the STOP program as at 30 June 2021?

**ANSWER**

I am advised:

- (a) Anglicare is registered to deliver face to face programs.
- (b) Nowra, Parramatta and Ulladulla.
- (c) The Provider reported 42 referrals in Nowra. In relation to Parramatta and Ulladulla, the Department of Communities and Justice does not hold this information.
- (d) The Provider reported 10 completions in Nowra. In relation to Parramatta and Ulladulla, the Department of Communities and Justice does not hold this information.
- (e) The Provider reported 24 in Parramatta. In relation to Nowra and Ulladulla, the Department of Communities and Justice does not hold this information.

59. CatholicCare runs the Choosing Change men's behaviour change program in Fairfield
- (a) How is the Choosing Change program delivered?
- (b) How many individuals were referred to the Choosing Change program in the 2020-2021 financial year?

- (c) How many individuals successfully completed the Choosing Change program in the 2020-2021 financial year?
- (d) How many individuals are on the waiting list for the Choosing Change program as at 30 June 2021?

**ANSWER**

I am advised:

- (a) CatholicCare Fairfield is registered to deliver face to face programs.
- (b) The Department of Communities and Justice does not hold this information.
- (c) The Department of Communities and Justice does not hold this information.
- (d) The Department of Communities and Justice does not hold this information.

60. Warrina DFV Specialist Services delivers the Engage2Change program in Coffs Harbour.
- (a) How is the Engage2Change program delivered by Warrina DFV Specialist Services?
  - (b) How many individuals were referred to the Warrina DFV Specialist Services Engage2Change program in the 2020-2021 financial year?
  - (c) How many individuals successfully completed the Warrina DFV Specialist Services Engage2Change program in the 2020-2021 financial year?
  - (d) How many individuals are on the waiting list for the Warrina DFV Specialist Services Engage2Change program as at 30 June 2021?

**ANSWER**

I am advised:

Refer to answer at supplementary question 52.

61. Housing Plus delivers the Accountable Men men's behaviour change program in Orange.
- (a) How is the Accountable Men program delivered?
  - (b) How many individuals were referred to the Accountable Men program in the 2020-2021 financial year?
  - (c) How many individuals successfully completed the Accountable Men program in the 2020-2021 financial year?
  - (d) How many individuals are on the waiting list for the Accountable Men program as at 30 June 2021?

**ANSWER**

I am advised:

- (a) Housing Plus is registered to deliver face to face programs.



- (b) The Department of Communities and Justice does not hold this information.
- (c) The Department of Communities and Justice does not hold this information.
- (d) The Provider reported 0.

62. Centacare New England North West runs the Disrupting Family Violence men's behaviour change program, with a catchment that includes Tamworth and Gunnedah.

- (a) How is the Disrupting Family Violence program delivered?
- (b) Where is the Disrupting Family Violence program delivered from?
- (c) How many individuals were referred to the Disrupting Family Violence program in the 2020-2021 financial year?
- (d) How many individuals successfully completed the Disrupting Family Violence program in the 2020-2021 financial year?
- (e) How many individuals are on the waiting list for the Disrupting Family Violence program as at 30 June 2021?

**ANSWER**

I am advised:

- (a) Centacare New England North West is registered to deliver face to face programs.
- (b) Centacare New England North West is registered to deliver in Gunnedah; and Tamworth.
- (c) The Department of Communities and Justice does not hold this information.
- (d) The Department of Communities and Justice does not hold this information.
- (e) The Provider reported 0.

63. EveryMan Australia runs the Working with the Man men's behaviour change program in Queanbeyan.

- (a) How is the Working with the Man program delivered?
- (b) How many individuals were referred to the Working with the Man program in the 2020-2021 financial year?
- (c) How many individuals successfully completed the Working with the Man program in the 2020-2021 financial year?
- (d) How many individuals are on the waiting list for the Accountable Men program as at 30 June 2021?

**ANSWER**

I am advised:

EveryMan Australia was not registered to deliver programs in the FY2020-21.

### **CALD-Targeted Men's Behaviour Change Programs**

64. Settlement Services International and Relationships Australia NSW run the Building Stronger Families men's behaviour change program in languages other than English.

- (a) How is the Building Stronger Families program delivered?
- (b) How many individuals were referred to the Arabic-language Building Stronger Families program in Fairfield in the 2020-2021 financial year?
- (c) How many individuals successfully completed the Arabic-language Building Stronger Families program in the 2020-2021 financial year?
- (d) How many individuals are on the waiting list for the Arabic-language Building Stronger Families program as at 30 June 2021?
- (e) How many individuals were referred to the Tamil-language Building Stronger Families program in Toongabbie in the 2020-2021 financial year?
- (f) How many individuals successfully completed the Tamil-language Building Stronger Families program in the 2020-2021 financial year?
- (g) How many individuals are on the waiting list for the Tamil-language Building Stronger Families program as at 30 June 2021?
- (h) What is the status of the implementation of the Hazaragi-language Building Stronger Families program?
  - i. Where will the Hazaragi-language program be based?
  - ii. How many Hazaragi speakers have been referred to a men's behaviour change program?

### **ANSWER**

I am advised:

- (a) Building Stronger Families is registered for face to face delivery.
- (b) The Department of Communities and Justice does not hold this information.
- (c) The Department of Communities and Justice does not hold this information.
- (d) The Department of Communities and Justice does not hold this information.
- (e) The Department of Communities and Justice does not hold this information.
- (f) The Department of Communities and Justice does not hold this information.
- (g) The Department of Communities and Justice does not hold this information.
- (h) Program materials have been developed and translated. The program is being re-branded as Dari/Farsi to support increased referrals.

- i. The Department of Communities and Justice does not hold this information.
- ii. The Department of Communities and Justice does not hold this information.

65. Does the Government have plans for the implementation of other non-English language men's behaviour change programs.
- (a) If so, which CALD communities will be targeted?

**ANSWER**

I am advised:

The Department of Communities and Justice continues to work collaboratively with the sector to support a client-centred approach to the development and delivery of men's behaviour change programs, including in culturally and linguistically diverse communities.

**Impact of MBCP on Reoffending Rates**

66. Of the individuals who attended Men's Behaviour Change Programs, how many had been convicted on domestic violence offences?
- (a) How many of these individuals successfully completed the program they attended?
- (b) How many of those who successfully completed a men's behaviour change program, how many were accused or convicted of domestic violence offences again within:
- i. The first twelve months after completing the program?
  - ii. The second twelve months after completing the program?
- (c) Of those who attended a men's behaviour change program but did not successfully complete the program to which they had been referred, how many were accused or convicted of domestic violence offences again within:
- i. The first twelve months after completing the program?
  - ii. The second twelve months after completing the program?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information.

**Domestic Violence Notification**

67. Recommendation 30 of the Domestic Violence Death Review Team 2017-2019 Report called for the NSW Police Force and the Department of Communities and Justice to review the process for notifying domestic violence victims of the release of a defendant on bail by Police or a court, without the victim being present or if the defendant is released from custody at short notice. The

recommendation also called for this process to link to Safer Pathway and provide for timely notification of victims and ensure they are linked to support services.

- (a) Was a working group established in response to this recommendation?
  - i. If so, who was on the working group?
  - ii. How many times did the working group meet?
  - iii. What consultations were undertaken by the working group?
  - iv. What recommendations did this working group provide about a staged consultation process in response to this recommendation?
  - v. What consultations, if any, were undertaken in response to these recommendations?

**ANSWER**

I am advised:

Refer to the answer to question taken on notice at transcript page 30.

**Funding for Domestic Violence Service Providers**

68. At Estimates, the Attorney-General stated that the Government wishes to move away as much as possible from the cycle of annual funding for service providers in the domestic and family violence space.

- (a) Which of the models floated by the Attorney-General, a three-year funding cycle or a five-year funding cycle, is his preferred model?
  - i. What modelling, if any, has been undertaken regarding the effectiveness of these preferred models?
- (b) What consultations are being undertaken with the sector in regards to alternative funding models?

**ANSWER**

I am advised:

The NSW Government is committed to providing funding certainty for domestic and family violence service providers. The Department of Communities and Justice is in regular discussions with the sector regarding the most appropriate funding models to meet client needs.

69. In 2014, the Government allowed generalist homelessness services to displace specialist homelessness services which had a focus on domestic violence. On 19 October 2021, the Government announced \$428.3 million to fund 75 additional women's shelters.

- (a) What influenced the Government's decision to return to a specialist service delivery model?

- i. What review, if any, was undertaken into the impacts of the 2014 decision?
  - ii. What were the recommendations of any such review?
- (b) What consultations if any were undertaken about the move away from a generalist service delivery model?
- (c) At Estimates, the Attorney-General stated that a mapping exercise was being undertaken to determine where the 75 services would best be located.
  - i. What criteria are being used in the course of this mapping exercise?
  - ii. What was the consultation undertaken in determining which criteria to use?
  - iii. When is the mapping exercise expected to be completed?
  - iv. Will the Attorney-General make the results of this mapping exercise public?
- (d) At Estimates, the Attorney-General stated that a staged tender process would be likely for the delivery of the 75 additional women's shelters.
  - i. What consultations have been undertaken with the sector regarding the tender process?
  - ii. When is the tender process expected to begin?

**ANSWER**

I am advised:

- (a) The Specialist Homelessness Services (SHS) system has continued to provide specialist responses for women and children experiencing domestic and family violence. In 2021-22, the NSW Government is investing \$67.9 million for homelessness services that have crisis accommodation and provide support for women experiencing domestic and family violence. Women's refuges provide a crucial service in assisting women and children who have experienced domestic and family violence to recover from abuse and rebuild their lives in safety. There are currently 86 women's refuges in NSW, an increase from 76 in 2014.
  - i. KPMG was engaged to undertake a Post Implementation Review of the main aspects of the reform process. The Australian Housing and Urban Research Institute (AHURI) and the University of New South Wales Social Policy Research Centre were engaged to undertake an early review of the SHS program, drawing on and including feedback from clients, service providers and stakeholders about how the SHS system reforms and service responses were being implemented. These reviews are publically available at: <https://www.facs.nsw.gov.au/providers/homelessness-services/resources/research-and-evaluation>.

- (b) The Department of Communities and Justice will undertake consultations with the domestic and family violence; housing; and homelessness sectors on service models, potential delivery partners, and locations of greatest need and opportunity in delivering the new Core and Cluster refuges.
  - (c) Locations of the new Core and Cluster refuges will be targeted to areas where there is high unmet demand for crisis accommodation, including in regional and rural areas. A range of different delivery approaches will be employed, including use of government and non-government owned land, and working with community housing providers, SHS and other organisations to deliver the new refuges.
- Construction of the new refuges will commence in FY2022-23 and will be phased across the four years. Further information about the target locations and the approach to consultation can be made publicly available as the implementation progresses.
- (d) Construction of the new refuges will commence in FY2022-23 and will be phased across the four years. Sector and local consultations are expected to commence in the first half of 2022.

## **Victims Services**

70. Victims Services undertook an internal review of the changes announced by the Commissioner in April 2020, which took effect from 1 July 2020.
- (a) Has this review been finalised?
    - i. If not, when is it expected that the review will be finalised?
  - (b) Has a report been completed in relation to this review?
    - i. If so, when was the report completed?
    - ii. What recommendations were included in the report?
    - iii. Will the report be made publically available?
    - iv. If so, when will the report be made publically available?
  - (c) Noting that the submissions to this review were due on 5 March 2021, will submissions to this review be made publically available?
    - i. If so, when will they be made publically available?
    - ii. How many submissions were received by Victims Services in the course of this review?
    - iii. Which organisations and agencies provided formal submissions and/or informal feedback in the course of the review?

**ANSWER**

I am advised:

Please refer to my previous answer to question on notice 7381 in the Legislative Council.

71. Prior to 1 July 2020, when Victims Services issued requests for documents to support Victims Support applications did government departments and agencies request payment for the documents?
- (a) If so, which departments and agencies requested payment for the provision of documents?
  - (b) When were requests for payment for documents made?
  - (c) How much did Victims Services spend on collection of documents to support Victims Support applications in:
    - i. The 2014-2015 financial year?
    - ii. The 2015-2016 financial year?
    - iii. The 2016-2017 financial year?
    - iv. The 2017-2018 financial year?
    - v. The 2018-2019 financial year?
    - vi. The 2019-2020 financial year?
    - vii. The 2020-2021 financial year?

**ANSWER**

I am advised:

There is no provision in the *Victims Rights and Support Act 2013* to pay government agencies where Victims Services has requested the production of documents, and no money has been paid for this purpose.

72. On what issues were the Victims Advisory Board consulted in:
- (a) The 2018-2019 financial year?
  - (b) The 2019-2020 financial year?
  - (c) The 2020-2021 financial year?

**ANSWER**

I am advised:

Please refer to my previous answer to question on notice 7381 in the Legislative Council.

73. How many times did the Victims Advisory Board meet in:
- (a) The 2018-2019 financial year?

- (b) The 2019-2020 financial year?
- (c) The 2020-2021 financial year?

**ANSWER**

I am advised:

Please refer to my previous answer to question on notice 7381 in the Legislative Council.

74. In each financial year from 1999-2000 until 2009-2010, the Victims Advisory Board published a yearly report on activities. Why did the Victim Advisory Board cease publishing a year report on activities?

- (a) Will a yearly report on activities covering financial year 2020-2021 be published?
  - i. If so, when will the report be published?
  - ii. If not, why not?

**ANSWER**

I am advised:

Please refer to my previous answer to question on notice 7381 in the Legislative Council.

75. Historically, victims of serious crimes were able to access up to 22 counselling sessions through Victims Services, with more available upon reapplication. The reapplication process has recently been altered.

- (a) How many victims of serious crimes accessed counselling sessions through Victims Services in:
  - i. The 2014-2015 financial year?
  - ii. The 2015-2016 financial year?
  - iii. The 2016-2017 financial year?
  - iv. The 2017-2018 financial year?
  - v. The 2018-2019 financial year?
  - vi. The 2019-2020 financial year?
  - vii. The 2020-2021 financial year?
- (b) Of these, how many applied for further counselling sessions?
  - i. How many applications for further counselling sessions were granted?
- (c) What was the total cost to the NSW Government of these counselling services in:
  - i. The 2014-2015 financial year?
  - ii. The 2015-2016 financial year?
  - iii. The 2016-2017 financial year?



- iv. The 2017-2018 financial year?
  - v. The 2018-2019 financial year?
  - vi. The 2019-2020 financial year?
  - vii. The 2020-2021 financial year?
- (d) What consultation was undertaken before the decision was taken to alter the reapplication process?
- (e) What was the rationale behind the alteration?
- i. What is the expected savings as a result of these alterations?

**ANSWER**

I am advised:

All victims of an act of violence are eligible to apply for the same standard amount of counselling under the Victims Support Scheme. Clause 5 of the Victims Rights and Support Regulation 2019 authorises up to 22 hours of counselling, and states that additional hours cannot be authorised unless there are exceptional circumstances. Victims who were children at the time of the act of violence are not required to show exceptional circumstances. The Regulation has not been amended.

- (a) and (b) The Department of Communities and Justice does not hold this information. Victims Services' data does not distinguish between 'serious crimes' and other crimes.
- (c) The cost to the NSW Government\* of all counselling services:
  - i. In FY2014-15, it was \$8.2 million.
  - ii. In FY2015-16, it was \$10.0 million.
  - iii. In FY2016-17, it was \$12.3 million.
  - iv. In FY2017-18, it was \$14.6 million.
  - v. In FY2018-19, it was \$20.4 million.
  - vi. In FY2019-20, it was \$22.7 million.
  - vii. In FY2020-21, it was \$27.1 million.
- (d) and (e) The reapplication process has not been altered. Approved counsellors remain able to request additional hours on behalf of their clients if they believe that the hours are needed to assist in the client's recovery from the act of violence.

*\*Note: These figures represent the payments made to counsellors in accordance with the Victims Rights and Support Regulation 2019. It does not include on costs or administration expenses.*

## Increases in Domestic Violence

76. What factors have caused the increases in domestic violence in the following local government areas:

Local Government Area	Jul 2016 - Jun 2017	Jul 2017 - Jun 2018	Jul 2018 - Jun 2019	Jul 2019 - Jun 2020	Jul 2020 - Jun 2021	Rate per 100,000 population Jul 2020 - Jun 2021	2 year trend and annual percent change (Jul 2019-Jun 2021)	5 year trend and average annual percent change (Jul 2016-Jun 2021)
Eurobodalla	143	166	174	154	214	556.2	Up 39.0%	Up 10.6%
Lismore	158	189	213	184	274	627.1	Up 48.9%	Up 14.8%
Lithgow	95	85	118	115	146	675.8	Up 27.0%	Up 11.3%
Liverpool	945	885	870	975	1089	478.5	Up 11.7%	Up 3.6%
Muswellbrook	97	90	105	138	131	799.9	Stable	Up 7.8%
Mid-Coast	416	420	432	496	527	561.6	Stable	Up 6.1%
Nambucca	102	108	121	122	164	828.1	Stable	Up 12.6%
Parramatta	671	703	781	818	869	337.9	Up 6.2%	Up 6.7%
Port Macquarie-Hastings	273	239	273	315	377	446	Stable	Up 8.4%
Ryde	203	228	289	321	307	233.9	Stable	Up 10.9%
Sutherland Shire	469	480	565	669	670	290.5	Stable	Up 9.3%
Tenterfield	48	39	70	43	76	1152.6	Up 76.7%	Up 12.2%
Upper Hunter Shire	28	36	57	62	75	528.9	Stable	Up 27.9%
Queanbeyan-Palerang Reg'l	141	135	118	190	179	293	Stable	Up 6.1%

### ANSWER

I am advised:

Research shows that the causes of domestic and family violence are complex, and are affected by an interplay of factors at individual, family, community and societal levels, including the recent impacts of the COVID-19 pandemic. Rates of reported domestic (and family) violence in any location can be influenced by changes in the awareness of domestic (and family) violence, the willingness to report incidents, and policing activity.

77. What action has your government take in each of those local government areas to address the causes of domestic violence?

**ANSWER**

I am advised:

Primary prevention is one of six strategies under the NSW Domestic and Family Violence Blueprint for Reform 2016-2021 (the Blueprint). The NSW Domestic and Family Violence Prevention and Early Intervention Strategy 2017-2021 (the Strategy) is a commitment under the Blueprint, and sets out a direction for implementing prevention and early intervention across government, non-government organisations and communities.

78. What action has your government taken to address the incidences of domestic violence in each of those local government areas?

**ANSWER**

I am advised:

The FY2021-22 NSW Budget committed \$687 million over four years for domestic and family violence (including \$80 million of Commonwealth funding).

Safer Pathway provides a consistent, coordinated and collaborative cross-agency response to victims of domestic and family violence wherever they live in NSW, including all of the identified local government areas.

Staying Home Leaving Violence supports women and children to remain safely in their own home, or a home of their choice, after leaving a violent relationship. This program is currently delivered in Liverpool; and Parramatta. Additional funding of \$32.5 million over four years from FY2021-22 will enable a significant expansion of this program across NSW.

The Integrated Domestic and Family Violence Service is a multi-agency, integrated and coordinated response to domestic and family violence among high-risk target groups and in targeted communities, delivered in Liverpool; and Port Macquarie-Hastings.

The Domestic Violence Response Enhancement provides enhanced after-hours crisis response to support homelessness service responses, including women's refuges, for women and children experiencing or at risk of homelessness because of domestic and family violence. The program is delivered in Eurobodalla; Lithgow; Liverpool; Mid-Coast; Port-Macquarie Hastings; Queanbeyan-Palerang; and Upper Hunter.

Men's behaviour change programs focus on working with perpetrators to recognise their violent behaviour and develop strategies to stop reoffending. They are currently delivered in multiple locations across NSW, including Lismore; Parramatta; and Upper Hunter.

## Modern Slavery

79. How many companies operating in New South Wales have been found to have modern slavery in their supply chains – since the Modern Slavery Act was granted Royal Assent?
- (a) In those three years since this Act was granted Royal Assent – how many people in modern slavery were used in the supply chains of companies operating in New South Wales?

### ANSWER

I am advised:

The *Modern Slavery Act 2018* (NSW) has yet to commence. Any questions about this Act should be directed to the Special Minister of State, as the Minister responsible for the legislation.

## Women's Legal Service

80. The federal budget included an announcement of new funding for women's legal centres to be distributed by the states and territories via the National Legal Assistance Partnership. Subsequent Commonwealth/State negotiations saw the criteria loosened so that eligibility was no longer limited to women's legal centres. NSW recently announced that \$4m of this funding has been allocated to Legal Aid NSW, while the remainder may be applied for through an application process open to all legal assistance providers.
- (a) Is the Attorney able to provide information as to the negotiation process that saw this Commonwealth funding allocated in this way in NSW?

### ANSWER

I am advised:

The Commonwealth and NSW Governments regularly cooperate to ensure that the best outcomes can be achieved for the people of NSW.

The Commonwealth Attorney-General has clarified that the women's funding announced under the National Legal Assistance Partnership 2020–2025 (NLAP) was intended for any service that provides frontline legal services to women, including those experiencing or at risk of domestic and family violence.

Under the terms of the NLAP, states and territories are responsible for determining how this funding is allocated between legal assistance providers in their jurisdictions, including Legal Aid Commissions, Aboriginal and Torres Strait Islander Legal Services, and Community Legal Centres.

The approximately \$3.8 million of these funds quarantined for Legal Aid NSW (compared with the total of approximately \$10 million available under this funding stream) allows Legal Aid

NSW to continue its existing Domestic Violence Unit service, ensuring the ongoing high demand for this critical support for vulnerable women as a result of COVID-19 can be met.

### **Children in Detention**

81. How many children aged under 14 were detained in juvenile justice in NSW in 2020-21?
- (a) Of those detained, how many children were:
- i. Detained following conviction?
  - ii. Detained on remand?

#### **ANSWER**

This question should be directed to the Minister Henskens, as the Minister responsible for Youth Justice.

82. How many children aged under 14 who were detained in juvenile justice in 2020-21 were Aboriginal and/or Torres Strait Islander?

#### **ANSWER**

This question should be directed to the Minister Henskens, as the Minister responsible for Youth Justice.

### **Community Legal Funding**

83. In recent years the Commonwealth and State Governments have been contributing additional amounts to community legal centres to cover increases in salaries mandated by the Fair Work Commission's Social, Community, Home Care and Disability Services Industry Award Equal Remuneration Order (SACS ERO). These increases are intended to remedy historical undervaluing and underpayment of workers in feminised industries. Under National Legal Assistance Partnership (NLAP), the Commonwealth has rolled SACS ERO amounts into baseline allocations for community legal centres going forward (from NLAP Year 2 onwards).
- (a) Is the Attorney General able to confirm that NSW will follow suit?

#### **ANSWER**

I am advised:

Yes, the Fair Work Commission's Social, Community, Home Care and Disability Services Industry Award Equal Remuneration Order (SACS ERO) amounts will be rolled into NSW Government baseline allocations for Community Legal Centres from 1 July 2022. SACS ERO amounts have been confirmed for the next 10 years until 2029-30.

84. Community Legal Centres NSW's pre-budget submission called for an extra \$8.77m to be allocated annually to enable the sector to respond to unmet legal need.

(a) What consideration has been given to increasing the level of funding available to community legal centres in NSW?

**ANSWER**

I am advised:

On 7 November 2021, the NSW Government announced \$83 million of joint state and federal funding for Community Legal Centres over the next three years. \$64.7 million will be allocated to allow Community Legal Centres to continue delivering core services. Eligible Community Legal Centres will also be invited to apply for \$18.6 million earmarked for areas of greatest need, including for rural and remote communities and domestic and family violence services. This funding model will provide certainty for the sector and target unmet need across NSW.

85. Funding security is of vital importance for centres, and the clear intention of NLAP is to enhance the security of funding for the community legal centres sector.

(a) What work has been done to move community legal centres to five-year funding cycles and to give centres confidence that they will not have their current levels of funding reduced?

**ANSWER**

I am advised:

The process for allocating Community Legal Centre funding for the remainder of the National Legal Assistance Partnership (NLAP) until 30 June 2025 has recently been announced. The process invests more than \$83 million for the community legal sector over a three-year funding cycle. Of this, \$64.7 million of core funding will be directly allocated to Community Legal Centres to provide funding security up to 30 June 2025. The remaining \$18.6 million will be allocated through an application process. From 1 July 2025, it is expected that the Community Legal Centre funding will move to a five-year funding cycle to align with the next NLAP.

86. The Commonwealth allocated significant additional one-off funds to community legal centres in 2020-21 (on top of NLAP contributions) to assist in legal responses to the summer bushfires of 2019-20 and Covid-19. The additional Commonwealth funds have now been largely expended, and yet the ongoing Covid-19 crisis in NSW is continuing to mean elevated demand for legal assistance from disadvantaged communities who are experiencing increased domestic violence, financial hardship, homelessness, job insecurity, and more.

- (a) What consideration is the Government giving to a top-up for community legal centres given the continuing Covid-19 crisis?

**ANSWER**

I am advised:

On 7 November 2021, the NSW Government announced \$83 million of joint state and federal funding for Community Legal Centres over the next three years. The Commonwealth will also provide an additional \$95 million over the next four years to the NSW legal assistance sector through the National Legal Assistance Partnership 2020-2025 (NLAP), a portion of which will be allocated to Community Legal Centres.

87. Community Legal Centres NSW's Pre-Budget Submission called for \$1.5 million recurrent funding for community legal centres to respond to and prepare for future disasters. The current Covid-19 crisis across NSW has heightened the need for such ongoing funding.

- (a) What consideration has been given to funding community legal centres in an ongoing capacity to respond to crises and disasters?

**ANSWER**

I am advised:

Please see response to Supplementary Question 86.

**National Legal Assistance Partnership**

88. What advice has the Attorney General received in relation to the delegation of the community legal centres program to NSW Legal Aid?

**ANSWER**

I am advised:

Under the National Legal Assistance Partnership 2020-2025 (NLAP), states and territories may delegate all aspects of the administration of Commonwealth funding for Community Legal Centres, except for funding allocation decisions to individual Community Legal Centres. Where delegated to a legal assistance provider, these costs can be met using NLAP baseline funds (cl. 55). The NLAP prevents NSW from using NLAP baseline funds for this purpose (cl. 56).

On the advice of the Department of Communities and Justice, responsibility for the administration of Commonwealth funding for Community Legal Centres in NSW has been delegated to Legal Aid NSW's Community Legal Centres Program (CLCP) Unit. The CLCP Unit also administers state funding to Community Legal Centres.

Legal Aid NSW does not make funding allocation decisions in relation to individual Community Legal Centres.

89. What advice has the Attorney General received in relation to the management of the community legal centres program by the Department of Communities and Justice?

**ANSWER**

I am advised:

Under the National Legal Assistance Partnership 2020-2025 (NLAP), states and territories may delegate all aspects of the administration of Commonwealth funding for Community Legal Centres, except for funding allocation decisions to individual Community Legal Centres.

On the advice of the Department of Communities and Justice, responsibility for the administration of Commonwealth funding for Community Legal Centres in NSW has been delegated to Legal Aid NSW's Community Legal Centres Program (CLCP) Unit. The CLCP Unit also administers state funding to Community Legal Centres.

Legal Aid NSW does not make funding allocation decisions in relation to individual Community Legal Centres.

**Victims Support - General**

90. Please provide the following in respect of applications for counselling through victims support from 1 July 2020 – 30 June 2021 for domestic violence, sexual assault and child sexual assault offences:

- (a) A breakdown of applications received for each category of offence, expressed as percentage and total number;
- (b) A breakdown of applications that resulted in awards of funding for each category of offence, expressed as a percentage and total number;
- (c) A breakdown of applications pending for each category of offence, expressed as a percentage and total number;
- (d) A breakdown of applications lapsed for each category of offence, expressed as a percentage and total number; and,
- (e) A breakdown of applications dismissed for each category of offence, expressed as a percentage and total number.



## **ANSWER**

I am advised:

From 1 July 2020 – 30 June 2021, the number (and percentage) of applications\* for counselling under the Victims Support Scheme:

- (a) Received was:
  - i. 11,450 (60.33% of all applications) for domestic violence.
  - ii. 2,156 (11.36% of all applications) for sexual assault.
  - iii. 2,167 (11.42% of all applications) for child sexual assault.
- (b) Applications for counselling do not result in an award of funding to the applicant.
- (c) Numbers of applications pending during this time period cannot be determined.
- (d) No counselling applications were lapsed. The lapsing provision under the Victims Rights and Support Act 2013 is not applicable to counselling, as no evidence is required to make an application.
- (e) Dismissed was:
  - i. 42 (<0.01% of applications) for domestic violence.
  - ii. 3 (<0.01% of applications) for sexual assault.
  - iii. 12(<0.01% of applications) for child sexual assault.

*\*Data is based on act of violence as identified by the applicant and may not be referable to the final outcome. e.g. applicants may identify 'sexual assault' as the act of violence, but be determined to be eligible for support as a victim of child sexual assault.*

91. From 1 July 2020 – 30 June 2021, how many applications for “financial assistance – immediate needs” through victims support have been:

- (a) Received;
- (b) Awarded;
- (c) Pending;
- (d) Lapsed; and
- (e) Dismissed.

## **ANSWER**

I am advised:

From 1 July 2020 – 30 June 2021, the number of applications for financial assistance (immediate needs) under the Victims Support Scheme:

- (a) Received was 8,613\*.

*\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.*

(b) With an approval was 6,816 (19,177 individual claim items).

(c) Numbers of applications pending during this time period cannot be determined.

(d) Lapsed was 0.

(e) With a dismissal was 5,008 (14,590 individual claim items).

*Note: The outcome of a financial assistance claim may include an award of eligible claim items and dismissal of others.*

92. From 1 July 2020 – 30 June 2021, how many applications for “financial support – economic loss” through victims support have been:

(a) Received?

(b) Awarded?

(c) Pending?

(d) Lapsed?

(e) Dismissed?

#### **ANSWER**

I am advised:

From 1 July 2020 – 30 June 2021, the number of applications for financial assistance (economic loss) under the Victims Support Scheme:

(a) Received was 8,613\*.

*\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.*

(b) With an approval was 1,001 (2,733 individual claim items).

(c) Numbers of applications pending during this time period cannot be determined.

(d) Lapsed was 0.

(e) With a dismissal was 1,123 (2,808 individual claim items).

*Note: The outcome of a financial assistance claim may include an award of eligible claim items and dismissal of others.*

93. From 1 July 2020 – 30 June 2021, how many applications for recognition payments through victims support have been:
- (a) Received?
  - (b) Awarded?
  - (c) Pending?
  - (d) Lapsed?
  - (e) Dismissed?

**ANSWER**

I am advised:

From 1 July 2020 – 30 June 2021, the number of applications for recognition payments under the Victims Support Scheme:

- (a) Received was 13,155.
- (b) Awarded was 9,900.
- (c) Numbers of applications pending during this time period cannot be determined.
- (d) Lapsed was 0.
- (e) Dismissed was 2,647.

94. What is the number and percentage of applications for victims support by age and gender?
- (a) For counselling?
  - (b) For financial assistance – immediate needs?
  - (c) For financial support – economic loss?
  - (d) For recognition payments?

**ANSWER**

I am advised:

Please refer to my previous answer in March 2021 to supplementary question 49.

95. Over the last five years, how many claims, lodged by Aboriginal and/or Torres Strait Islander people, for counselling have been:
- (a) Received?
  - (b) Awarded?
  - (c) Pending?
  - (d) Lapsed?
  - (e) Dismissed?

## **ANSWER**

I am advised:

For the five years ending 30 June 2021, the number of applications by Aboriginal and/or Torres Strait Islander people for counselling:

- (a) Received was 12,297.
- (b) Aggregate data on the outcome of counselling applications is not readily available as data was recorded differently across this period.
- (c) Numbers of applications pending during this time period cannot be determined.
- (d) No counselling applications were lapsed. The lapsing provision under *the Victims Rights and Support Act 2013* is not applicable to counselling as no evidence is required to make an application.
- (e) Aggregate data on the outcome of counselling applications is not readily available as data was recorded differently across this period.

*Note that applicants are not required to disclose whether they identify as Aboriginal or Torres Strait Islander.*

96. Over the last five years, how many claims, lodged by Aboriginal and/or Torres Strait Islander people, for financial assistance – immediate needs have been:

- (a) Received?
- (b) Awarded?
- (c) Pending?
- (d) Lapsed?
- (e) Dismissed?

## **ANSWER**

I am advised:

For the five years ending 30 June 2021, the number of applications by Aboriginal and/or Torres Strait Islander people for financial assistance (immediate needs):

- (a) Received was 5,710\*.

*\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.*

- (b) With an approval was 2,657 (7,034 claim items).
- (c) Numbers of applications pending during this time period cannot be determined.
- (d) Lapsed was 0.
- (e) With a dismissal was 2,002 (5,666 claim items).

*Note: The outcome of a financial assistance claim may include an award of eligible claim items and dismissal of others.*

97. Over the last five years, how many claims, lodged by Aboriginal and/or Torres Strait Islander people, for financial support – economic loss have been:

- (a) Received?
- (b) Awarded?
- (c) Pending?
- (d) Lapsed?
- (e) Dismissed?

**ANSWER**

I am advised:

For the five years ending 30 June 2021, the number of applications by Aboriginal and/or Torres Strait Islander people for financial assistance (economic loss):

- (a) Received was 5,710\*.

*\* Data on applications received for financial assistance is combined for immediate needs, economic loss, and funeral expenses as it cannot be readily broken down because they are often submitted on a single application.*

- (b) With an approval was 432 (1,044 claim items).
- (c) Numbers of applications pending during this time period cannot be determined.
- (d) Lapsed was 0.
- (e) With a dismissal was 381 (747 claim items).

*Note: The outcome of a financial assistance claim may include an award of eligible claim items and dismissal of others.*

98. Over the last five years, how many claims, lodged by Aboriginal and/or Torres Strait Islander people, for recognition payments have been:

- (a) Received?
- (b) Awarded?
- (c) Pending?
- (d) Lapsed?
- (e) Dismissed?

**ANSWER**

I am advised:

For the five years ending 30 June 2021, the number of applications by Aboriginal and/or Torres Strait Islander people for recognition payments:

- (a) Received was 10,230.
- (b) Approved was 5,382.
- (c) Numbers of applications pending during this time period cannot be determined.
- (d) Lapsed was 0.
- (e) Dismissed was 1,330.

99. In 2020-21 what is the average payment for:

- (a) Immediate needs?
- (b) Economic loss?
- (c) Recognition payments?

**ANSWER**

I am advised:

In 2020-21, the average payment for:

- (a) Immediate needs was \$3,996.
- (b) Economic loss was \$2,945.
- (c) Recognition payments was \$4,374.

100. In 2020-21, to determine applications for financial assistance for immediate needs, financial support for economic loss, recognition payment, and counselling, what was the:

- (a) Shortest time?
- (b) Longest time?
- (c) Average time?

**ANSWER**

I am advised:

In FY2020-21:

- (a) The shortest time to determine an application for:
  - i. immediate needs was 1 day.
  - ii. financial support for economic loss was 1 day.
  - iii. recognition payment was 1 day.

- (b) The longest time\* to determine an application for:
  - i. immediate needs was 2,436 days.
  - ii. financial support for economic loss was 1,855 days.
  - iii. recognition payment was 2,774 days.

- (c) The average time\* to determine an application for:
  - i. immediate needs was 22 days (median was 9 days).
  - ii. financial support for economic loss was 59 days (median was 17 days).
  - iii. recognition payment was 360 days (median was 294 days).

*\*Note: Many applications are incomplete when lodged and are not ready to be determined. Therefore these figures represent the time taken from when an applicant has lodged an application (which may be incomplete) to when an application is determined.*

The Department of Communities and Justice does not hold information on time taken to determine counselling applications for these time periods. However, many counselling applications are determined on the same day they are received.

101. How many applicants have responded to the client satisfaction survey in 2020-2021?
- (a) How are applicants selected to respond to the client satisfaction survey?
    - i. Provide a summary of responses.

**ANSWER**

I am advised:

1,957 responses were received from clients who were approved for support from Victims Services between 1 July 2020 and 30 April 2021. Data is not yet available for the period May and June 2021 (as at 1 November 2021).

- (a) Client satisfaction surveys are issued to applicants over 18 years for counselling, financial assistance for immediate needs and the Immediate Needs Support Package who were approved for support in that year.
  - i. In the first 10 months of FY2020-21, 82% were satisfied or very satisfied with the service they received from Victims Services.

## Victim Support - Counselling

102. What is the number of:

- (a) Applications made, number of applications approved and number of applicants who actually attend counselling in 2020-2021?
- (b) Applicants who actually accessed counselling by phone, video and in person appointments in 2020-21?
- (c) Counsellors in each regional, rural and remote area in which they are located?
  - i. How many new Victims Support clients they assist each financial year?
- (d) New Victims Services Approved Counsellors appointed in 2020-21?
  - i. And in which geographical areas?
- (e) Total Victims Services Approved Counsellors?
- (f) Days, on average, between the counsellor being contacted and their first available appointment?
- (g) Applications for counselling where the victim-survivor is located in a closed institution, for example, Correctional Centre, Youth Detention?
  - i. What is the number of approved applications?
  - ii. What is the number of application who received counselling in a closed institution?

### ANSWER

I am advised:

- (a) In FY2020-21, the number of:
  - (i) applications made was 18,978.
  - (ii) applications approved was 18,809.
  - (iii) clients who attended\* a counselling session was 21,885.

*\*Data on attendance is based on the number of applicants who had at least one counselling session invoiced as at 30 June 2021 for an appointment in FY2020-21.*

- (b) In FY2020-21, the number of applicants who accessed\* counselling:
  - i. By phone was 7,547.
  - ii. By video was 2,064.
  - iii. In person was 19,388.

*\*Note: Applicants may utilise multiple types of counselling in the course of a year.*

- (c) As at 1 November 2021, the number of active Victims Services Approved Counsellors located outside of Sydney/Blue Mountains was at least 580 (>50%).
  - i. The Department of Communities and Justice does not hold this information in a readily accessible format.



- (d) The number of new Victims Services Approved Counsellors appointed in FY2020-21 was 191.
  - i. Of these, 127 were located outside Sydney/Blue Mountains.
- (e) There are 1,101 active Victims Services Approved Counsellors as at 1 November 2021.
- (f) Please refer to my previous response in March 2021 to supplementary question 54(e).
- (g) Please refer to my previous response in March 2021 to supplementary question 54(f).

103. What is the number and percentage of applications for counselling made more than 10 years after the act of violence?

- (a) What is the number and percentage of these relating to domestic violence, sexual assault, child abuse and child sexual abuse?

**ANSWER**

I am advised:

The number (and percentage) of applications for counselling made more than 10 years after the act of violence in FY2020-21 is 5,229 (28% of all applications).

- (a) 4,858 (93%) of these related to domestic violence, sexual assault, and child sexual abuse.

104. How often does Victims Services contact Approved Counsellors to check the material on the Victims Services website is up-to-date, including to confirm waiting times?

**ANSWER**

I am advised:

Approved Counsellors are required to update their availability in the online portal, which is reflected on the online listing and is refreshed weekly.

**Victims Support – Domestic Violence, Sexual Assault, Child Abuse, and Child Sexual Abuse**

105. What number and percentage of matters were dismissed in relation to domestic violence due to:

- (a) No act of violence was determined:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?

- (b) Out of time:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (c) Duplicate application:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (d) Not an eligible victim:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (e) Other (including use of a motor vehicle, dog, property):
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (f) Not an eligible family victim:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (g) Related act:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (h) Adverse factors:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (i) Application withdrawn by applicant or due to death of applicant:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (j) Received other entitlements:
  - i. In 2018-19?

ii. In 2019-20?

iii. 2020-21?

(k) Not an eligible victims as application is for secondary victim:

i. In 2018-19?

ii. In 2019-20?

iii. 2020-21?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this information in a readily accessible form.

106. What number and percentage of matters were dismissed in relation to sexual assault due to:

(a) No act of violence was determined:

i. In 2018-19?

ii. In 2019-20?

iii. 2020-21?

(b) Out of time:

i. In 2018-19?

ii. In 2019-20?

iii. 2020-21?

(c) Duplicate application:

i. In 2018-19?

ii. In 2019-20?

iii. 2020-21?

(d) Not an eligible victim:

i. In 2018-19?

ii. In 2019-20?

iii. 2020-21?

(e) Other (including use of a motor vehicle, dog, property):

i. In 2018-19?

ii. In 2019-20?

iii. 2020-21?

(f) Not an eligible family victim:

i. In 2018-19?

- ii. In 2019-20?
  - iii. 2020-21?
- (g) Related act:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (h) Adverse factors:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (i) Application withdrawn by applicant or due to death of applicant:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (j) Received other entitlements:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (k) Not an eligible victims as application is for secondary victim:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?

**ANSWER**

I am advised:

See response to supplementary question 105.

107. What number and percentage of matters were dismissed in relation to child sexual assault due to:
- (a) No act of violence was determined:
    - i. In 2018-19?
    - ii. In 2019-20?
    - iii. 2020-21?
  - (b) Out of time:
    - i. In 2018-19?
    - ii. In 2019-20?

- iii. 2020-21?
- (c) Duplicate application:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (d) Not an eligible victim:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (e) Other (including use of a motor vehicle, dog, property):
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (f) Not an eligible family victim:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (g) Related act:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (h) Adverse factors:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (i) Application withdrawn by applicant or due to death of applicant:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (j) Received other entitlements:
  - i. In 2018-19?
  - ii. In 2019-20?
  - iii. 2020-21?
- (k) Not an eligible victims as application is for secondary victim:

- i. In 2018-19?
- ii. In 2019-20?
- iii. 2020-21?

**ANSWER**

I am advised:

See response to supplementary question 105.

108. What is the total expenditure in 2020-21 on:

(a) Counselling?

- i. As a number and percentage, how much expenditure was awarded due to sexual assault?
- ii. As a number and percentage, how much expenditure was awarded due to child sexual abuse?
- iii. As a number and percentage, how much expenditure was awarded due to domestic violence?

(b) Financial assistance for immediate needs?

- i. As a number and percentage, how much expenditure was awarded due to sexual assault?
- ii. As a number and percentage, how much expenditure was awarded due to child sexual abuse?
- iii. As a number and percentage, how much expenditure was awarded due to domestic violence?

(c) Financial support for economic loss – including a breakdown of actual loss of wages?

- i. As a number and percentage, how much expenditure was awarded due to sexual assault?
- ii. As a number and percentage, how much expenditure was awarded due to child sexual abuse?
- iii. As a number and percentage, how much expenditure was awarded due to domestic violence?

(d) Recognition payments?

- i. As a number and percentage, how much expenditure was awarded due to sexual assault?
- ii. As a number and percentage, how much expenditure was awarded due to child sexual abuse?

- iii. As a number and percentage, how much expenditure was awarded due to domestic violence?

**ANSWER**

I am advised:

In FY2020-21, the total amount:

- (a) Paid for counselling was \$27.1 million. A further breakdown by act of violence is not readily available, as more than one act of violence may be linked to a single counselling session.
- (b) Awarded for financial assistance for immediate needs was \$27,237,954. Of this,
- i. \$870,222 (3.2% of all awards) was for sexual assault\*.
  - ii. \$288,472 (1.1% of all awards) was for child sexual assault\*.
  - iii. \$22,831,897 (83.8% of all awards) was for domestic violence\*.
- (c) Awarded for financial assistance for economic loss was \$2,948,259, including \$430,632 for actual loss of wages. Of this,
- i. \$188,097 (6.4% of all awards) was for sexual assault\*, including \$20,197 for actual loss of wages.
  - ii. \$199,341 (6.8% of all awards) was for child sexual assault\*, including \$0.00 for actual loss of wages.
  - iii. \$894,150 (30.3% of all awards) was for domestic violence\*, including \$132,869 for actual loss of wages.
- (d) Awarded for recognition payments was \$43,325,500. Of this,
- i. \$6,988,500 (16.1% of all awards) was for sexual assault\*.
  - ii. \$15,176,500 (35% of all awards) was for child sexual assault\*.
  - iii. \$12,178,500 (12.1% of all awards) was for domestic violence\*.

*\*Data is based on act of violence as identified by the applicant and may not be referable to the final outcome. e.g. applicants may identify 'sexual assault' as the act of violence, but be determined to be eligible for support as a victim of child sexual assault.*

109. What is the number and percentage of assaults resulting in grievous bodily harm (GBH) claims where the GBH is a psychological injury that have been awarded?

- (a) Of these:
- i. What is the number and percentage assisted by Victims Services alone in each financial year since the commencement of the new scheme?

- ii. What is the number and percentage where the applicant has been assisted by an advocate since the commencement of the new scheme?
- iii. What is the number and percentage where the applicant has been legally represented since the commencement of the new scheme?

**ANSWER**

I am advised:

The Department of Communities and Justice does not hold this this information in a readily accessible form.

110. As a result of domestic violence, what was the average payment, in 2020-21, for:
- (a) Immediate needs?
  - (b) Economic loss – including a breakdown of actual loss of wages?
  - (c) Recognition payments?

**ANSWER**

I am advised:

In 2020-21, the average award for domestic violence victims for:

- (a) Immediate needs was \$4,265.
- (b) Economic loss was \$2,622 overall (average of \$4,429 was awarded for loss of earnings).
- (c) Recognition payments was \$2,644.

111. As a result of sexual assault, what was the average payment, in 2020-21, for:
- (a) Immediate needs?
  - (b) Economic loss – including a breakdown of actual loss of wages?
  - (c) Recognition payments?

**ANSWER**

I am advised:

In 2020-21, the average award for sexual assault (including child sexual assault) victims for:

- (a) Immediate needs was \$3,339.
- (b) Economic loss was \$2,468 overall (average of \$2,525 was awarded for loss of earnings).
- (c) Recognition payments was \$8,095.



112. Due to s 44 factors, what is the number and percentage of claims, in 2020-21, involving domestic violence which services were:
- (a) Refused?
    - i. Broken down by number and percentage of each of the s 44 factors?
  - (b) Assistance was reduced?
    - i. Broken down by number and percentage of each of the s 44 factors?

**ANSWER**

I am advised:

The number (and percentage) of claims in 2020-21 involving domestic violence which were refused or reduced due to s 44 factors was 14 (<0.01% of all claims).

The Department of Communities and Justice does not hold a breakdown of s 44 factors that applied to these decisions in a readily accessible form.

113. Due to s 44 factors, what is the number and percentage of claims, in 2020-21, involving sexual assault which services were:
- (a) Refused?
    - i. Broken down by number and percentage of each of the s 44 factors?
  - (b) Assistance was reduced?
    - i. Broken down by number and percentage of each of the s 44 factors?

**ANSWER**

I am advised:

The number (and percentage) of claims in 2020-21 involving sexual assault which were refused or reduced due to s 44 factors was 8 (<0.01% of all claims).

The Department of Communities and Justice does not hold a breakdown of s 44 factors that applied to these decisions in a readily accessible form.

**Department of Communities and Justice**

114. Does Communities and Justice propose or is it seeking voluntary redundancies among staff this year?
- (a) How many redundancies are involved?
  - (b) What proportion of the Departmental staff is involved?
  - (c) How many redundancies have already occurred?
  - (d) If that many redundancies do not occur voluntarily what do you propose as an alternative?

## **ANSWER**

I am advised:

- (a) A total of 147 voluntary redundancies will have been approved by the Department of Communities and Justice between January and December 2021. All employees will have been declared excess in accordance with the Department of Premier and Cabinet Managing Excess Employee policy.
- (b) 153 out of 23,450\* (0.65%) departmental staff are involved.
- (c) In 2021, 144 voluntary redundancies have occurred as at 12 November 2021.
- (d) In accordance with the Department of Premier and Cabinet Managing Excess Employee policy, an excess employee can choose to accept a voluntary redundancy or decline the offer and pursue a three-month redeployment period. If an employee is unsuccessful in being redeployed across the NSW government sector, they will exit with a forced redundancy.

*\*Source: Workforce Profile Report 2019–20.*

115. Did Simone Walker, Deputy Secretary of Strategy, Police and Commissioning address Department of Communities and Justice staff via a Zoom meeting on 6 December last year – or any date near to that?
- (a) What did Ms Walker say about redundancies?

## **ANSWER**

I am advised:

On 4 December 2020, staff in the Strategy, Policy and Commissioning Division (SPC) joined a Division wide online forum as part of a regular series of SPC forums. A range of topics were discussed, including the reform program in the SPC Division.

Ms Simone Walker, then Deputy Secretary, SPC, flagged that the SPC reform program would recommence in the new year (being 2021) and would include an upfront voluntary redundancy program.

## **Fitzsimmons Graffiti**

116. What was the daily cost of security at the Shane Fitzsimmons mural?
- (a) How many security guards were present at any one time?
  - (b) What is the total amount paid for security?

**ANSWER**

I am advised:

Sydney Trains deployed security staff to the Erskineville site to ensure no further damage was incurred to its property and the mural. Questions on the details of this arrangement should be referred to the Minister for Transport and Roads.

**South West Sydney Legal Precinct**

117. In October last year an announcement was made of \$1 million for a business case to investigate the potential development of a Community and Justice Precinct in Campbelltown.

- (a) What was the financial contribution to this of the State Government?
- (b) What was the financial contribution of the Federal Government?
- (c) What was the financial contribution of Campbelltown Council?

**ANSWER**

I am advised:

- (a) \$600,000.
- (b) \$200,000.
- (c) \$200,000.