Safe State

Acting to End Sexual, Domestic and Family Violence

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Safe State

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Making the case for change

Every person has the right to be safe and to live free from violence. This includes every Aboriginal and Torres Strait Islander, culturally and linguistically diverse (CALD), lesbian, gay, bisexual, trans, intersex and queer (LGBTIQ) person and every person with disability.

A good government is accountable to specialist workers and the wider community for ensuring that every person experiencing, or who has experienced, sexual, domestic and family violence is supported to heal, has a safe home and can access justice.

THE REALITY

Before the age of 15, one in six girls and one in nine boys are physically or sexually abused. From the age of 15, one in four women experience violence by a current or previous partner and one in five women are sexually assaulted or threatened.[1]

1 in 6 girls and 1 in 9 boys *are physically or sexually abused*

1 in 4 women 15 + *experience violence by a current or previous partner*

1 in 5 women *are sexually assaulted or threatened*

It's time to act now to ensure every person can live free from violence. It's time to make NSW a Safe State.

THE SOLUTIONS

We're calling on all parties to make NSW a Safe State by committing to:

1. Create cultural change to prevent violence and promote gender equality

Sexual, domestic and family violence is gendered. In Australia, women are eight times more likely to experience sexual violence by a partner than men and nearly three times more likely to have experienced domestic and family violence than men.[2]

2. Provide immediate and ongoing support for people experiencing violence

Services are not funded enough to give immediate and ongoing support to every person experiencing sexual, domestic and family violence. In particular, women with disability, LGBTIQ and CALD people and children and young people are falling through the gaps.

3. Ensure people experiencing violence have a safe home

Domestic and family violence is currently the leading cause of homelessness.[3] Every person experiencing domestic and family violence should have the choice and support to safely stay in their homes and to access safe crisis and long-term housing.

4. Ensure people experiencing violence can access justice safely

Services are not funded enough to give every person who has experienced sexual, domestic and family violence the legal, social and financial support they need to access justice. Courts are not always safe and NSW Police sometimes do not respond appropriately to all reports.

5. Enable Aboriginal and Torres Strait Islander Peoples to lead change to end violence

The ongoing impacts of colonisation and gender inequality intersect to drive violence against Aboriginal and Torres Strait Islander women. First Nations' Peoples are best placed to lead change to end violence against women and children in their communities.

6. Be accountable to specialist workers and the wider community

The NSW government should make preventing and ending sexual, domestic and family violence its key priority. It should act on the advice of experts and improve service and system responses to ensure every person experiencing violence receives a quality response.

1. Create cultural change to prevent violence and promote gender equality

Every person has the right to be safe in their relationships, schools, workplaces and communities.

THE REALITY

In Australia, women are eight times more likely to experience sexual violence by a partner than men and nearly three times more likely to have experienced domestic and family violence than men.[4]

Aboriginal and Torres Strait Islander women are three times more likely to experience violence and are more than 30 times more likely to be hospitalised as a result of domestic and family violence than non-Indigenous women.[5]

CALD women can be at a higher risk of experiencing sexual, domestic and family violence when they are socially isolated, face language barriers or have limited knowledge about their rights. They may fear or distrust the police, government services and courts.

Women with disability can also be at higher risk of experiencing violence. One in five women in Australia have a disability. Over one third of women with disability experience domestic and family violence and up to 90 per cent of women with intellectual disability have been sexually assaulted.[6] In Australia, 18.5 per cent of the total Australia population have some form of disability.

One quarter of LGBTIQ people have experienced sexual assault and women and transgender people are even more likely to experience sexual assault. Two in four (41 per cent) men and 28 per cent of women in same-sex relationships have experienced physical domestic violence. Almost one quarter (24 per cent) of children and young people have experienced family violence as a result of their gender identity or sexuality.[7]

Additionally, older women and women from rural, regional and remote areas face increased rates of violence and additional barriers to addressing the violence.

THE SOLUTIONS

a. Establish an independent statutory body for the primary prevention of gender-based violence

In New South Wales (NSW), there is a lack of co-ordination of primary prevention of gender-based violence programs and a lack of resources for the development of a primary prevention workforce.

A state-wide body on primary prevention should be established to address the gendered and other drivers of violence against women, children and young people, LGBTIQ people, Aboriginal and Torres Strait Islander people, CALD people, people with disability and older people.

The body should work closely with researchers, practitioner experts and organisations to co-ordinate the development and delivery of evidence-based primary prevention activities in metropolitan and rural and regional NSW. Settings for primary prevention activities include schools, workplaces, community organisations, faith-based and cultural organisations, business, sports, arts and media.

We're calling on parties to:

Commit $12 million over four years to establish an independent statutory body focused on the primary prevention of gender-based violence. The body should coordinate state-wide evidence-based primary prevention programs; provide expert advice to government and organisations; engage and partner with diverse communities; and build a primary prevention workforce.

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b. Make prevention of gender-based violence a key priority in NSW secondary schools

Whole school respectful relationships education programs help students, staff, parents and community members to understand the drivers of gender-based violence and how they can change their attitudes and behaviours to prevent violence. It involves working with schools as an educational institution and workplace to address the drivers of gender-based violence across the school curriculum and through the school's policies, practices and activities.

The evaluation of a whole school respectful relationships program in 19 Victorian schools found that it improved the knowledge, attitudes and behaviours of students and school staff.[8] The World Health Organisation (WHO) has found that school-based programs that address gender norms have prevented domestic and family violence in the United States of America (USA) and Canada.[9]

Currently, community and health workers deliver respectful relationships programs in NSW schools on an ad hoc basis. A long-term, coordinated, best practice whole school respectful relationships program is needed across NSW schools so that we can end gender-based violence within this generation.

The program should:

- Align to the 'National Standards for the Primary Prevention of Sexual Assault through Education' by the National Association of Services Against Sexual Violence.
- Be trauma-informed and ensure that any student, school staff member, parent and community member who discloses violence is appropriately supported.
- Be adapted to the local context, accessible and culturally safe for Aboriginal and Torres Strait Islander, CALD, and LGBTIQ people, and people with disability.
- Enable and support schools to participate on a voluntary basis in a mix of metropolitan, rural and regional areas and be adapted to the needs of local communities.
- Consult and engage with a range of current providers of primary prevention gender-based violence programs, experts and establish a youth advisory group.
- Be led by a Gender Equality Unit within NSW Government in partnership with the Department of Education and informed by an expert advisory group.

We're calling on parties to:

Commit $14.7 million over four years to implement a long-term, coordinated, best practice whole school respectful relationships program for students, staff, parents and community members in 100 secondary schools.

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c. Become a member of Our Watch to drive cultural change to prevent gender-based violence

The NSW Domestic and Family Violence Prevention and Early Intervention Strategy 2017-2021 acknowledges that domestic and family violence occurs in a culture shaped by attitudes, beliefs, behaviours, structures and systems that drive violence. However, the strategy does not set out how we can achieve the cultural change to prevent gender-based violence and does not provide adequate funding to undertake this work. The strategy also excludes sexual violence.

Our Watch is an organisation that is driving nation-wide change in the culture, behaviours and power imbalances that lead to violence against women and their children through its evidence-based 'Change the Story' framework.[10] The NSW government is the only state or territory government in Australia that is not a member of Our Watch.

The NSW Domestic Violence Death Review Team (DVDRT) recommended in its 2015-17 Report that the NSW Government give consideration to becoming a member of Our Watch and that the DVDRT Secretariat work together with Our Watch to analyse media reporting around murder suicides in New South Wales and disseminate its research findings.

We're calling on parties to:

Make NSW a member of Our Watch to support the national evidence-based 'Change the Story' shared approach for the prevention of violence against women and their children in Australia.

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d. Provide respectful relationships education to women with disability

Improving the understanding of women with disability of respectful relationships and sexual, domestic and family violence promotes their safety and increases the likelihood of women seeking support if they are experiencing violence. Research has found that women with disability value learning from, and being supported by, their peers about respectful relationships and violence because they can relate to their experiences.[11]

The NSW Government is funding a two-year pilot project for respectful relationships peer education for women and girls with intellectual disability. This pilot provides a platform to develop a state-wide cross-disability respectful relationships peer education program, acknowledging that one in five women have disability.

We're calling on parties to:

Commit $675,000 over two years to disabled people's organisations to develop a NSW specific education program for women with disability about the nature of violence, based on the principles of Victoria's Gender and Disability Workforce Development Program, and People with Disability Australia's Peer Education Respectful Relationships training.

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e. Provide community education and bystander interventions for LGBTIQ people

There is a lack of funding for specific prevention initiatives in LGBTIQ communities despite more than one in ten Australians identifying as LGBTIQ. By improving LGBTIQ people's understanding of sexual, domestic and family violence and how to intervene in a safe and helpful way, bystanders can prevent violence and provide early support.[12]

We're calling on parties to:

Commit $400,000 over four years to a specialist LGBTIQ service to develop and deliver community education and bystander interventions for LGBTIQ communities.

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f. Develop an Aboriginal and Torres Strait Islander people led strategy to prevent violence

The NSW Domestic and Family Violence Prevention and Early Intervention Strategy 2017-2021 acknowledges that Aboriginal and Torres Strait Islander women are at higher risk of experiencing violence. However, the strategy does not commit any resources for specific primary prevention approaches or initiatives for Aboriginal and Torres Strait Islander communities.

Primary prevention initiatives for Aboriginal and Torres Islander communities must be Aboriginal and Torres Strait Islander owned and led, culturally safe and address sexual, domestic and family violence perpetrated by non-Indigenous and Indigenous men.

We're calling on parties to:

Commit $500,000 for the development of a specific Aboriginal and Torres Strait Islander people led long-term strategy to prevent violence against Aboriginal and Torres Strait Islander women and children in NSW. The strategy should be underpinned by the principle of self-determination and where appropriate, be integrated through the Aboriginal Affairs' OCHRE initiative for Local Decision Making. The strategy should outline standards for primary prevention initiatives and set out how the NSW government will adequately resource the implementation of the strategy.

g. Support CALD women to prevent violence in their communities

To prevent violence against CALD women, there is a need for programs that are culturally appropriate, accessible, community driven and inclusive of whole communities. Program facilitators should share the participants' language and cultural background wherever possible. To enable participation by CALD women, the programs should allocate resources to cover the cost of childcare, transport and address other access issues.[13]

Currently, funding for violence prevention programs for CALD communities tends to be limited and short-term. It takes time to build trust with communities and when effective programs are not maintained, this can lead to a loss of community support as well as knowledge. Small funding pools undermine collaboration due to the need to compete for funds.[14] Funding needs to be longer term, co-ordinated and programs should be evaluated to build an evidence base.

We're calling on parties to:

Commit $5 million over four years to multicultural women's organisations to support the development and delivery of culturally safe and accessible programs for the primary prevention of violence against CALD women. The programs funded should be aligned to the key principles in the Multicultural Centre for Women's Health's 2017 'Intersectionality Matters: A guide to engaging immigrant and refugee communities to prevent violence against women'.

h. Establish a Gender Equality Unit to promote gender equality through policy and law change

In NSW, women experience inequality across the areas of health, wellbeing and safety, economic empowerment and leadership. In addition to women experiencing higher levels of sexual, domestic and family violence, women earn 18 per cent less than men, hold $174,285 less superannuation at the age of 65 and mothers undertake 8.5 hours more of unpaid household work than fathers each week.[15]

NSW policy and law across these areas impacts on women differently to men and contributes to the gender inequality that drives gender-based violence. Aboriginal and Torres Strait Islander women, CALD women, women with disability and LGBTIQ people are also impacted in different ways.

An intersectional gender analysis of law and policy that affects women in NSW across all aspects of their lives should be undertaken in a systematic way. This would build an understanding of the impacts of policy and law on women and how they can be changed to promote gender equality.

We're calling on parties to:

Commit an additional $10 million per year to Women NSW to establish a Gender Equality Unit to review key existing and new policy and legislation for their intersectional gender impacts and make recommendations to government for policy and law change to promote gender equality.

i. Ensure women have the equal right to autonomy and health by decriminalising abortion in NSW

In NSW, women can be imprisoned for up to ten years for having an abortion and health professionals who supply drugs for or carry out an abortion can also be imprisoned, unless the health professional honestly and reasonably believes that continuing a pregnancy is a risk to a woman's physical or mental health.

Abortion is listed in NSW as a criminal offence in sections 82-84 of the NSW Crimes Act 1900, affecting the rights of women in NSW. Other Australian jurisdictions have modernised their laws in relation to abortion with Victoria, Northern Territory, ACT and Tasmania removing abortion from their respective crime acts.

In the context of sexual, domestic and family violence, a perpetrator may use reproductive coercion and force pregnancy through sexual assault, insisting on unprotected sex, interfering with birth control measures, restricting access to contraception or threats.[16]

Women should have reasonable and safe access to abortion services in all circumstances. Legislation relating to abortion should acknowledge abortion as a health issue. This would be consistent with contemporary clinical practice, public health standards and regulations and international human rights.

We're calling on parties to:

Repeal the criminal offences listed in sections 82-84 of the NSW Crimes Act 1900.

2. Provide immediate and ongoing support for people experiencing violence

Every person experiencing sexual, domestic and family violence should receive the immediate and ongoing support they need to be safe and heal.

THE REALITY

Between April 2017 to March 2018, 18,826 women and 3,459 children in NSW were assaulted in domestic violence related incidents recorded by Police. Over this same time period, 557 women and 541 children were sexually assaulted in domestic violence related incidents.[17] These figures do not include the women and children whose experiences of assault are not recorded by NSW Police, and also do not include the women and children who experience emotional, social, financial and cultural abuse that is not recorded by NSW Police. Eight in ten women in Australia who experienced violence from a current partner had never contacted the police.[18]

THE SOLUTIONS

a. Increase funding for specialist domestic and family violence services and crisis response services to support women experiencing domestic and family violence

Specialist domestic and family violence services report that they are unable to provide immediate and ongoing support to all women and children who seek their assistance, due to the lack of adequate funding to meet the demand.

Specialist domestic and family violence services include a range of services such as women's refuges and after-hours services that provide support and outreach, crisis accommodation and counselling. These services enhance the safety and wellbeing of women and children by providing: information and referrals to services, risk assessment and safety planning, support groups and ongoing case management to meet a range of the client's needs.

By adequately resourcing specialist domestic and family violence services, women and children will be able to access the immediate and ongoing support that they need to be safe and heal and to prevent further violence, injury and death.

We're calling on parties to:

Commit an additional $310 million over four years for specialist domestic and family violence services (including for Aboriginal and Torres Strait Islander and CALD women and children, LGBTIQ people and children, and women and children with disability) and state-wide 24/7 crisis service responses to provide immediate support and ongoing case management and coordination.

b. Fund Women's Health Centres to provide specialist health and therapeutic programs to women experiencing sexual, domestic and family violence

Sexual, domestic and family violence has profound health consequences on women and children. The Australian Longitudinal Study on Women's Health found that women who have experienced intimate partner violence have poorer mental and physical health throughout their lives.[19]

Women are more likely to disclose to a health service that they are experiencing sexual, domestic and family violence. In NSW, over 1 in 5 women disclosed domestic and family violence for the first time to a general practitioner. Despite this, women's health services do not receive specific funding to provide ongoing, targeted programs to women experiencing violence. An expansion of health interventions, such as counselling and therapeutic groups, is needed to support the expansion of programs across NSW that improve women's safety.

A recent review of women's health services commissioned by the NSW Ministry of Health noted that "it was sometimes difficult for women in NSW to access mainstream health services, especially women who have complex needs, women living on limited means and women who have experienced gender-based abuse".[20] Women's Health Centres (WHCs) across NSW provide an avenue for these women to access health-related care and support.

The review has identified that there are real benefits experienced by women as a result of the services offered through the WHCs, and it appears that the centres contribute to the following NSW health priorities:

- reducing intimate partner violence-related burden of disease
- reducing mental health related burden of disease
- reducing cancer-related burden of disease
- preventing or delaying chronic disease

We're calling on parties to:

Commit $600,000 over four years to each of the 19 Women's Health Centres in NSW to fund specialist health and therapeutic programs for women experiencing violence.

c. Fund Women's Domestic Violence Court Advocacy Services to provide case management support to women experiencing sexual, domestic and family violence

Since the expansion of the service in 2015, the Women's Domestic Violence Court Advocacy Services (WDVCASs) have experienced a 165% increase in referrals, 97% increase in clients, and 91% increase in service events. The NSW Domestic Violence Death Review Team Annual Report of 2017 highlights the need for additional supports for women attending court. The recent evaluation of WDVCASs recommends extending case management capacity to all services.

WDVCAS are the first responders to domestic violence in NSW following an incident of domestic violence involving police, meaning that case management within this service would reduce the gaps in support for women, and the need for them to tell their story to different agencies in order to receive support.

Currently only the Macarthur and Wagga Wagga WDVCASs are funded to provide case management for victims, and this has only been funded in the 2018 budget for a further 12 months until June 2019. In 2017, Macarthur WDVCAS provided case management services to 2,409 clients and Wagga Wagga WDVCAS provided case management services to 558 clients. Clients interviewed in the recent program evaluation who had access to case management services reported being extremely satisfied with the service received.[21]

Case management for women and children experiencing sexual, domestic and family violence improves their safety and wellbeing by: providing crisis and ongoing support tailored to their needs; helping them to navigate different service and legal systems safely; improving their access to a range of services; assessing risk on an ongoing basis and creating a safety plan; and supporting their long-term recovery.

If each of the WDVCAS services across NSW were funded to provide case management support for women experiencing domestic and family violence, this would improve their safety and wellbeing and their access to justice. Comprehensive support is particularly important for women who face additional barriers to accessing help, such as women with disability and young people. Macarthur WDVCAS is the only WDVCAS that has specialist disability focused and youth focused caseworkers.

We're calling on parties to:

Commit $14 million over four years for 145 caseworkers across 29 Women's Domestic Violence Court Advocacy Services, based on the current Domestic Violence Intervention Court model in Wagga Wagga and Macarthur.

d. Increase funding for the NSW Rape Crisis Centre to support women experiencing sexual violence

Over the last 24 months to March 2018, there has been a 7.2 per cent increase in sexual assault and 6.3 per cent increase in other sexual offences across NSW recorded by Police.[22] Importantly, sexual assault is a crime that is significantly underreported. In Australia, almost one in five women and one in 20 men have experienced sexual violence since the age of 15 years. Almost one in ten women and one in 22 men have experienced sexual abuse before the age of 15 years.[23]

NSW Rape Crisis Centre is the 24/7 telephone and online crisis counselling service for anyone in NSW who has experienced or is at risk of sexual assault and their supporters. Counselling for women who were sexually assaulted in childhood are also available from Women's Health Centres across NSW. Due to the high number of people who experience sexual assault in NSW, the Rape Crisis Centre is currently unable to meet the demand for its services.

Additional funding would allow the NSW Rape Crisis Centre to assist more people who have experienced sexual assault to access specialist trauma-informed counsellors when they need it, online therapeutic and support groups and access information and support about sexual violence. More people who have experienced sexual assault will be supported to understand their rights and options and empowered to make their own decisions to heal and recover.

We're calling on parties to:

Commit an additional $1.7 million funding per year to the NSW Rape Crisis Centre.

e. Fund support during pregnancy and for the first 1000 days after birth for women at risk of experiencing domestic and family violence

Pregnant women are at a higher risk of experiencing sexual, domestic and family violence from their partner. A violent partner is more likely to start using violence or to increase the frequency and severity of the violence against a pregnant woman. This is harmful to the woman and to the unborn child as high levels of stress caused by the violence can affect the child's brain. This is why the period leading up to pregnancy and the first 1,000 days after birth is when targeted support is most needed for women and children at risk of experiencing violence.[24]

A 2015 review commissioned by the NSW Government identified nurse-led home visiting programs as one of the most promising strategies for improving child development outcomes, with multiple studies demonstrating a return on investment of between 1.26 and 5.7. The largest nurse-led home visiting program in NSW, 'Sustaining NSW Families', currently operates in nine sites across the state.

A 2015 evaluation of 'Sustaining NSW Families' found a strong case for its state-wide rollout given the positive outcomes being achieved for children and parents, and an estimated $9,769 net benefit per child completing at least one year of the program.[25] Though the 2018-19 State Budget announced $4.3 million to provide 35 nurses for increased post-natal home visits, more significant investment is needed to ensure more women and children can access the program across NSW.

A state-wide rollout of this type of program should also focus on ensuring the program is trauma-informed and tailored appropriately to the local context and diverse communities, including in regional and remote areas. In particular, it would need to address the needs of Aboriginal and Torres Strait Islander people, CALD people, LGBTIQ people and people with disability.

We're calling on parties to:

Commit to an additional $55 million, including:

- $33.75 million to establish six new sites for the 'Sustaining NSW Families' program
- $18 million in recurrent funding to roll out sustained nurse-led home visits and provide ongoing support during pregnancy and at least up to the first 1000 days of birth for women, children and families at risk of experiencing violence across NSW
- $2.85 million for an additional 23 nurses for increased post-natal home visits across NSW

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f. Support women with disability to leave violence by meeting their crisis disability support needs

Women with disability experiencing domestic and family violence are more likely to experience abuse over extended periods of time. Where the carer of a woman with disability is her intimate partner, she is also at higher risk of sexual violence. Women with disability may face particular barriers to leaving a perpetrator of violence due to their disability support needs, economic dependence and social isolation.[26]

Providing attendant care and other supports for women with disability experiencing domestic and family violence enables them to meet their disability support needs and helps to address the barriers to leaving a violent situation. In NSW, there is no specific initiative to provide attendant care to women and children with disability experiencing domestic and family violence. The National Disability Insurance Scheme is not a crisis service and cannot provide an immediate response to support women with disability to safely leave a perpetrator of violence.[27]

Currently, women with disability may be forced to choose between using Victims Services support to purchase urgent items they require upon leaving violence or to meet their disability support needs. Ensuring that women with disability can access crisis disability support would help to address this, and potentially increase access to domestic and family violence services for women with disability who have certain disability support needs.

In Victoria, women and children with disability who are experiencing domestic and family violence can access immediate crisis support worth up to $9,000 including attendant care, equipment hire, Auslan interpreting and transport costs. There should be an equivalent initiative in NSW so that women and children with disability experiencing domestic and family violence can access the support they need to be safe. This should include outreach work to ensure that women and services know about the pilot and the available care.

We're calling on parties to:

Commit to providing $1 million over two years for a pilot project to ensure women with disability who are leaving domestic and family violence can access crisis disability supports.

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g. Ensure women with disability can access sexual, domestic and family violence services

Women with disability often face a number of barriers to accessing specialist domestic and family violence services and crisis accommodation. Information for clients may not be in accessible formats or workers may not communicate with women with disability in an appropriate and effective way. Services and crisis accommodation may be physically inaccessible to women with disability, including women with physical, vision or hearing impairments, or may be otherwise inaccessible to women with intellectual or psychosocial disability. Workers, including managers, may hold attitudes or behave in ways based on stereotypes and myths that make women with disability feel unsafe.[28]

Specialist domestic and family violence services and crisis accommodation providers should make changes to become more accessible to women with disability. Online and print information should be developed in a range of accessible formats and Auslan and other interpreters should be made available. Service environments, including entrances, walkways and rooms, should be made more physically accessible. Staff should be trained and upskilled to engage respectfully with people with disability.

We're calling on parties to:

Commit $6.42 million over three years to fund the assessment of the accessibility of sexual, domestic and family violence services and Specialist Homelessness Services by women with disability, supported by a disabled people's organisation where necessary.

Commit specific funding to sexual, domestic and family violence and homelessness services to improve their accessibility, in line with Domestic Violence NSW and People with Disability Australia's 'Women with Disability and Family and Domestic Violence Services: A Guide for Policy and Practice'.

h. Provide support to LGBTIQ people experiencing sexual, domestic and family violence

There is little data available on the prevalence of sexual, domestic and family violence in LGBTIQ communities in Australia. The commonly cited Australian Bureau of Statistics' 'Personal Safety Survey' does not collect data on LGBTIQ identity. Small Australian studies and overseas research indicate that LGBTIQ people experience domestic and family violence at similar, if not higher, rates as heterosexual people.[29] A national survey conducted by the Australian Human Rights Commission found that LGBTIQ students experienced higher levels of sexual harassment and that bisexual and asexual students experienced the highest levels of sexual assault.[30]

LGBTIQ people experiencing domestic and family violence may not seek support due to fear of, and actual, discrimination and stigma. LGBTIQ people may not recognise what they are experiencing as domestic and family violence since it is commonly portrayed as occurring in heterosexual relationships. LGBTIQ people also experience domestic and family violence in unique ways, for example perpetrators may use homophobia, transphobia and heterosexism as a way to exert power and control by threatening to 'out' their partner or family member.[31]

We're calling on parties to:

Commit $1 million over five years to a state-wide specialist LGBTIQ domestic and family violence and specialist LGBTIQ sexual violence service to provide interventions and support to LGBTIQ communities.

Commit $50,000 in research into sexual violence in LGBTIQ communities that focuses on prevalence rates, existing community awareness and successful interventions.

i. Make mainstream and domestic and family violence services safe for LGBTIQ people

There is a lack of services and resources, especially in smaller cities and rural areas, that recognise and respond to the specific needs of LGBTIQ people. Yet LGBTIQ people, including children and young people, often experience continued abuse and violence from their families and communities across their lifespan, related to their gender and sexual identity.

Mainstream services often lack an understanding of and sensitivity to LGBTIQ people's experiences of sexual, domestic and family violence, including the threat of 'outing' as a form of control. Services discriminate against LGBTIQ people in a range of ways. For example, intake forms can marginalise trans and intersex people and trans women may be excluded from 'women only' services.

Mainstream community, health and legal, and domestic and family violence services must recognise that LGBTIQ people experience sexual, domestic and family violence and must provide safe and appropriate responses. Each mainstream domestic and family violence service should understand the experiences of LGBTIQ people and ensure that the service is inclusive of them.

We're calling on parties to:

Commit $200,000 per year to a state-wide specialist LGBTIQ service to provide targeted support, training and resources to mainstream services across the state.

Commit to investigate the potential for mandatory specialist LGBTIQ workers to be employed in government funded domestic and family violence services state-wide.

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j. Increase CALD women with disability's understanding of sexual, domestic and family violence

Multicultural and disability advocacy organisations report that CALD women with disability often face socio-economic disadvantage and language barriers in addition to disability-related barriers to accessing services. Women With Disabilities Australia has highlighted CALD women with disability as a particularly at risk group and the need for specific support and information for these women.[32]

We're calling on parties to:

Commit funding to multicultural women's organisations to increase CALD women with disability's understanding of sexual, domestic and family violence and provide information and referrals about available services.

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k. Research CALD women with disability's experiences of sexual, domestic and family violence

Australia's National Research Organisation for Women's Safety (ANROWS) has found that there is little known about the prevalence of sexual, domestic and family violence among CALD people with disability.[33] Research to understand the prevalence of the issue and experiences of CALD women with disability would enable the NSW government and sector to develop relevant policies and programs to address their needs.

We're calling on parties to:

Commit funding for research into the prevalence and experiences of sexual, domestic and family violence among CALD women with disability.

l. Ensure children and young people who have experienced violence receive their own specialist support

Children and young people have distinct experiences of sexual, domestic and family violence. However, the current service system is not supported nor resourced to provide specialist support to children that addresses their unique and complex needs. Childhood trauma impacts a person's health, wellbeing, education, relationships and housing outcomes across their life cycle. Children and young people who have experienced trauma are at greater risk of entering the out-of-home-care system and coming into contact with the justice system.

Children and young people who experience sexual, domestic and family violence should be recognised as individual clients in their own right. They should receive specialist, child and youth-centred, trauma-informed support to help them feel safe at home, in culture and country and to recover from their experience. A specialist worker for children and young people should be embedded in every refuge, NSW Health sexual assault service, domestic and family violence service and Staying Home Leaving Violence program location in NSW.

We're calling on parties to:

Commit $32 million over four years to embed a specialist worker to provide child and young people-centred, trauma-informed support for children and young people in every refuge, NSW Health sexual assault service, domestic and family violence service and 'Staying Home Leaving Violence' program location in NSW.

m. Support men who use violence to change their behaviour

Men who use family violence must be held accountable for the harm they cause to their families. Men's Behaviour Change Programs (MBCPs) support men who have used abusive and controlling behaviours towards their partners or family members to change their behaviour and build healthy and respectful relationships. The NSW Department of Justice's Minimum Standards for MBCPs provides a benchmark for programs to operate and be eligible to receive government funding and referrals. However there is currently no dedicated funding for the MBCP sector, apart from the four NSW Pilot programs that are in the final year of dedicated funding.

Currently there are nine NSW accredited programs running twenty-two MBCPs across the state. These programs are generally funded internally by organisations from various funding sources. This means that there is little oversight from funders on how that money is allocated or reported on in regards to MBCP outcomes. Programs are often allocated only enough funds to meet minimum program requirements for Intake and Assessment, a group program and minimal Partner Contact. Due to a lack of dedicated staffing, this work may not be integrated both within the service or the wider sexual, domestic and family violence service system.

Tailored case management programs are best practice when working with men who use sexual, domestic and family violence who often have complex histories and needs. Integrating a case management system into MBCPs means that the program would be tailored to individual dynamic risk factors and service needs (mental health, alcohol and other drug misuse, poverty, homelessness, literacy and cultural requirements). Increased individual sessions alongside group participation that are tailored to risk levels and delivered by skilled MBCP practitioners enhance program participation and increase safety and reduce risk to partners, ex-partners and children who have experienced sexual, domestic and family violence.

We're calling on parties to:

Commit $30 million over three years to NSW Registered Men's Behaviour Change Programs for community based interventions including tailored case management, additional individual sessions as well as group programs and partner support. The funded programs must meet the NSW Department of Justice Practice Standards for Men's Behaviour Change Programs.

3. Ensure people experiencing violence have a safe home

Every person experiencing domestic and family violence has the right to a safe home.

THE REALITY

In 2016-17, 40 per cent of clients seeking Specialist Homelessness Services in Australia were experiencing domestic and family violence. Of these, 91 per cent were women and 48 per cent were single parents with a child or children.[34] People experiencing domestic and family violence need support to stay safely in their homes and connected to their support system of family, friends, school and communities. Being able to stay in their home promotes stability and can enable women to continue their education and maintain their employment.[35]

When individuals and families need to leave their home, they must have access to appropriate crisis and transitional housing. In NSW, 34 per cent of people who are seeking support from specialist homelessness services are turned away. For people recovering from violence, access to social and affordable housing must be viable options over the long term. Research indicates that NSW requires an additional 5,000 social housing homes a year until 2026 for low income households and 7,500 additional affordable rental homes for people in rental stress.[36]

THE SOLUTIONS

a. Give people experiencing violence the choice and support to remain safely in their home

Staying Home Leaving Violence (SHLV) aims to prevent women experiencing domestic and family violence and their children becoming homeless or having to move away from their support system of family and friends, and the school and community where they live.[37] It is important that women are empowered to choose to remain in their own home safely or to move to a new home safely.

The program supports women experiencing domestic and family violence and their children to stay safely at home if they choose. This is achieved by working with NSW Police and the courts to remove a violent partner from the home and by providing safety planning, improving home security, help in managing finances, support for children, and help with the legal process.

A study of women across three NSW sites found that 14 out of 17 of those women were living free from violence following their use of a SHLV service at the time the research was conducted.[38] Women provided positive feedback about their SHLV service providing emotional as well as practical longer-term support for them and their children to take out AVOs and report breaches, protect their children, maintain stable housing and regain their confidence and self-esteem.

Despite the evidence that the SHLV program can effectively support women and their children to live free from violence, the program is not available to women and children experiencing domestic and family violence across NSW. The NSW Safer Pathway reforms aim to ensure that people experiencing violence receive a consistent, effective responsive regardless of where they

live, by streamlining and integrating safety assessment, referrals and service coordination for people experiencing domestic and family violence.[39] As part of this response, women and their children who have experienced domestic and family violence should be supported to stay safely in their homes and communities in all cases where it is safe and practicable to do so.

We're calling on parties to:

Commit additional funding of $7.5 million per year to the Staying Home Leaving Violence program to meet the current demand to support women to stay safe at home.

Commit to fund the full integration of the Staying Home Leaving Violence program with the Safer Pathway reforms state-wide to ensure that every woman and child who is experiencing domestic and family violence is given the option and support to stay in their home safely.

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b. Ensure all women and children experiencing domestic and family violence can immediately access crisis and transitional housing

NSW has a lack of safe crisis and transitional housing support for women and children experiencing violence who need to leave their home. These women and children often face lengthy waits and navigate fragmented processes when attempting to secure crisis and transitional housing and are routinely referred to emergency temporary accommodation, often in motels or caravan parks, which are often unsafe, while they are waiting for longer-term options to become available.[40]

This can lead to women experiencing domestic and family violence staying in, or returning to, live with a violent partner due to a lack of safe housing. The NSW Domestic Violence Death Review Team found there were a number of women who were killed between 2015-17 who had been unable to obtain refuge or temporary housing.[41] In January 2015, 26 year old Leila Alavi was killed by her husband after she had been turned away from refuges up to a dozen times.[42]

We're calling on parties to:

Commit to provide additional $150 million over four years for crisis and transitional housing provided by specialist domestic and family violence services and Specialist Homelessness Services to ensure 300 additional crisis accommodation places for people experiencing domestic and family violence.

Commit to develop a funded ten-year plan to end homelessness that is integrated with the NSW domestic and family violence service system and addresses: all the drivers of homelessness, including the lack of affordable housing, poverty and domestic and family violence; rapid rehousing for people who are homeless and help them to stay there; and the over-representation of Aboriginal people in the homelessness service system.

c. Ensure women on temporary visas experiencing violence and their children can access a safe home

Women on temporary visas are at higher risk of experiencing sexual, domestic and family violence. An Australian government report found that "perpetrators of domestic and family violence use the threat of losing the right to remain in Australia as a means of controlling women, and motivating them to stay in violent relationships".[43]

Women on temporary visas experiencing violence face particular barriers accessing housing, income, healthcare, legal support and education and care for their children, due to their temporary visa status.[44] Services report that this group of women are more likely to stay with or return to a violent partner due to a lack of safe options. Women experiencing violence are on a range of temporary visas, including partner, family, working, student, visitor and carer visas.

In NSW, women on temporary visas can access temporary accommodation for only a few days if they are experiencing domestic and family violence. This group of women face barriers to accessing crisis accommodation due to their inability to access income, as they are not eligible for Centrelink and often do not have the right to work or have children in their care. NSW crisis accommodation providers are turning away women on temporary visas as they do not consider they are able to accommodate them for extended periods of time. Women on temporary visas cannot access social or community housing which is only available to permanent residents and citizens.[45]

We're calling on parties to:

Commit to increase funding to specialist domestic and family violence services and Specialist Homelessness Services to provide accommodation, social and material support to women on temporary visas who are experiencing sexual, domestic and family violence.

Commit to change housing eligibility policies so that women on temporary visas can apply for social and community housing and rental assistance and subsidies.

d. Ensure people experiencing domestic and family violence can access social housing

Women with children leaving violence need access to long-term accommodation to rebuild their lives. In our current high-cost housing market where affordable housing is limited and rare, often the only option is social housing or subsidised private rental. At 30 June 2017, there were nearly 56,000 people who had been assessed as eligible for social housing who were waiting for a home to become available.[46] This is despite social housing being only available to people on low incomes – a household must not exceed specified income limits. For example, a household with one adult and two children must not earn more than $1,030 before tax.[47] The current waiting times for social housing are very long. In most areas across NSW, the expected waiting times are between five to 10 years for a property and many are 10+ years.

We're calling on parties to:

Commit to provide $130 million over four years for new social housing and head-leasing of properties for people experiencing, or who have experienced, domestic and family violence.

e. Support people experiencing domestic and family violence to secure private rental housing

Due to the long waiting times for social housing, it is important that there are other alternatives to support people experiencing domestic and family violence to have a safe, stable home. Start Safely provides a short to medium-term subsidy for people experiencing domestic and family violence to secure private rental accommodation if they are eligible for social housing.[48] Start Safely can help to prevent a person from becoming homeless and financially support them to live in stable housing.

We're calling on parties to:

Commit to provide additional $25 million per year to Start Safely to meet the current demand to help people leaving domestic and family violence move into stable housing in the private rental market.

f. Enable a person who is experiencing domestic and family violence to end their tenancy immediately without penalty

People experiencing domestic and family violence may be prevented from leaving a violent partner if they are renting the home in which they are living and face difficulties in ending their tenancy without penalty. In May 2018, the NSW government announced additional proposed changes to the Residential Tenancies Act 2010 (NSW) to allow tenants to terminate their tenancy immediately and without penalty by providing evidence of domestic violence through a statutory declaration made by a medical professional, in addition to a provisional, interim or final AVO, certificate of conviction or family law injunction.

Though the proposed changes are very positive, many women who experience domestic and family violence will still not be able to provide the evidence required. In 2017, Women's Legal Service NSW conducted a survey of women experiencing domestic and family violence that found women reported the violence to domestic violence workers, psychologists, community workers, social workers, homelessness workers, child protection workers, nurses and disability advocates.[49]

We're calling on parties to:

Commit to implement legislative changes to the Residential Tenancies Act 2010 (NSW) to ensure a person experiencing domestic and family violence can end their tenancy immediately without penalty when they provide their landlord a notice of termination with evidence of domestic violence. Evidence should include a declaration from a list of competent people that includes: psychologists, social workers, health workers, counsellors, domestic violence specialist workers, sexual assault specialist workers, disability advocates, community access workers, Aboriginal Corporations, homelessness or housing workers and tenancy workers.

g. Prohibit the blacklisting of tenants who have experienced domestic and family violence and hold perpetrators of violence accountable for any damage they cause to rental property

We're calling on parties to:

Commit to prohibit landlords, their agents and database operators from blacklisting a tenant and from listing any personal information about a person on a residential tenancy database if they have knowledge that the person experienced domestic and family violence.

Commit to hold perpetrators of violence accountable for any damage they cause to the property.

4. Ensure people experiencing violence can access justice safely

Every person who has experienced violence should receive the legal, social and financial support they need to access justice safely.

THE REALITY

In 2017, 29,513 Apprehended Domestic Violence Orders were granted, 45,606 domestic violence offences and 1,077 child sex offence charges were finalised in NSW local courts. Importantly, only two in ten women in Australia who experienced violence from a current partner had contacted the police.[50] 3,288 domestic violence offences charges were finalised and 490 child sex offences charges were finalised in NSW Children's Courts. Over 40 per cent of family law matters that go to court involve allegations of domestic and family violence.[51]

THE SOLUTIONS

a. Provide legal and social support to women experiencing sexual, domestic and family violence

Women and children experiencing sexual, domestic and family violence are more likely to have multiple and complex legal issues relating to Apprehended Violence Orders, family law, care and protection of children, victims support, housing and tenancy and debt. This means that women and children experiencing sexual, domestic and family violence often have to engage with a number of institutions including Police, Child Protection and different courts.[52]

Women's Legal Service NSW and Wirringa Baiya Aboriginal Women's Legal Centre provide specialist legal information, advice and casework to women experiencing sexual, domestic and family violence. These services take steps to ensure legal support is provided in a culturally safe way, in person and over the phone, and employ Aboriginal workers. These services also do outreach at Women's Health Centres, Family Relationship Centres, Women's Correctional Centres, Aboriginal Community Controlled organisations and in Aboriginal communities, to ensure more women who experience violence can access legal help.

Women's Legal Service NSW turns away 30 per cent of women seeking their services due to a lack of adequate funding and resources. Similarly, the Productivity Commission has found there is a significant level of unmet legal need among disadvantaged women who experience domestic and family violence, particularly in family law and civil law.[53]

Wirringa Baiya Aboriginal Women's Legal Centre is an Aboriginal Community Controlled organisation that provides specialist legal information, advice and casework to Aboriginal and Torres Strait Islander women, youth and children on a range of family law and civil law matters, including care and protection matters. Other Aboriginal Community Controlled legal services in NSW include the Family Violence Prevention Legal Services (FVPLSs) and the Aboriginal Legal Service (ALS), which also assist women experiencing sexual, domestic and family violence.

Increased funding for specialist women's legal services and programs, FVPLSs, ALS and Community Legal Centres would enable more women and children experiencing violence to receive the legal support they need.

In addition, specific funding for lawyers and social workers for the Legal Education and Advice in Prison (LEAP) for Women program is needed to provide family and civil law legal assistance for women in prison. Women in prison and at risk of entering prison have often experienced high rates of sexual, domestic and family violence across their lifespan from childhood.

We're calling on parties to:

Commit to providing $25.86 million additional funding per year for specialist women's legal services and community legal centres across NSW to meet the multiple and complex legal needs of women and children experiencing domestic and family violence. This must include legal and social support for Aboriginal women, women living in regional, rural and remote areas and women in prison.

- Additional $4 million per year to Wirringa Baiya Aboriginal Women's Legal Centre
- Additional $4 million per year for the Women's Legal Service NSW
- $1.8 million per year for the Legal Education and Advice in Prison (LEAP) for Women program to provide family and civil law legal assistance for women in prison
- Additional $5.72 million per year for the Aboriginal Legal Access Program to employ Aboriginal legal access workers at community legal centres across NSW
- Additional $10.34 million per year to embed care and protection teams consisting of solicitors and community support workers in community legal centres across NSW
- Additional funding for each of the Family Violence Prevention Legal Services in NSW and the Aboriginal Legal Service to expand their domestic and family violence, family law and care and protection work

b. Make courts safe for people who have experienced sexual, domestic and family violence

People who experience sexual, domestic and family violence can be required to attend court to provide evidence of the violence. People can experience intimidation, abuse and physical violence by the perpetrator and their supporters while waiting for their case to be called, during the court hearing, or when leaving the court. These risks to a person's safety often cause fear and anxiety and can make attending court a traumatising experience.

People experiencing violence face particular barriers when attending court in rural, regional and remote areas, where the courts are often very small and have limited facilities. People who have experienced violence can be required to spend many hours in close physical proximity with the perpetrator which puts their safety at risk. Many regional and remote courts have no meeting rooms for lawyers to speak with their clients privately and no safe rooms.[54]

Aboriginal and Torres Strait Islander women and CALD women may face additional barriers to attending court. They may fear community reprisal and shaming about the sexual, domestic and family violence. They may have to attend court alone because their community does not approve or the perpetrator has kept them socially isolated. CALD women with disability can face even greater challenges, as the disability supports in place may not be culturally appropriate.[55]

By ensuring that all people who have experienced sexual, domestic and family violence can access courts safely, people will be more likely to engage with the justice system to ensure their safety and hold perpetrators of violence accountable.

We're calling on parties to:

Commit to provide safe waiting areas and rooms that are accessible for people with disability, separate entry and exit points, quality audio-visual link and interpreting facilities across 152 Local, 9 Children's and 14 family law courts.

Commit to provide financial support for travel, childcare and other costs to enable people who have experienced sexual, domestic and family violence to safely attend court.

c. Establish specialist domestic and family violence courts

People who have experienced domestic and family violence should be able to access a court that understands domestic and family violence, supports them to participate in a fair hearing and holds perpetrators of violence to account. In NSW, people who are experiencing domestic and family violence can be required to attend different courts on multiple occasions for Apprehended Violence Order applications, criminal matters related to domestic and family violence, and family law matters.[56] This can be a confusing and intimidating process and may re-traumatise people who have to re-tell their experiences of the violence again and again.

Specialist integrated domestic and family violence courts with combined jurisdiction should be established in NSW to hear apprehended violence order matters, criminal matters related to domestic and family violence, and family law matters (to the extent that family law jurisdiction is conferred on NSW courts). This was recommended by the NSW and Australian Law Reform Commissions in their 2010 report on legal responses to family violence.[57] The evaluation of the Southport Domestic and Family Violence Court found that matters and services were better coordinated and that people who experienced violence were more satisfied and more likely to perceive there was procedural justice and that offenders were being held accountable.[58]

The Commissions recommended that the courts should have specialist judicial officers and prosecutors; provide regular domestic and family violence training for judicial officers, prosecutors, lawyers and registrars; provide legal and non-legal support for victim-survivors; and make arrangements to enhance the safety of victim-survivors.

In addition, the court should draw on the Southport model to include: dedicated courtrooms; closed court proceedings; allocated Magistrates; case management; dedicated court registry with staff who understand domestic and family violence; provide support to people who have used violence; and enhanced coordination and strengthened collaborative relationships between the court, domestic and family violence services, police prosecutors and duty lawyers.

We're calling on parties to:

Commit to establish specialist domestic and family violence courts in metropolitan and regional and regional areas of NSW in meaningful partnership with relevant local stakeholders.

Commit to ensure the specialist domestic and family violence courts are culturally safe and accessible to Aboriginal and Torres Strait Islander, CALD and LGBTIQ people and people with disability.

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d. Improve access to recognition payments and financial support for people who have experienced sexual, domestic and family violence

In NSW, primary victims of an act of violence are eligible to apply for a 'recognition payment' from Victims Services NSW that acknowledges the trauma they suffered. There are different categories of recognition payments that relate to homicide, sexual assault, grievous bodily harm, child abuse, assault and robbery. There is no specific category relating to domestic and family violence. The most common category for domestic violence is assault that provides the lowest recognition payment of $1,500.

To be eligible for financial assistance, people who have experienced violence must make an application within two years of the act of violence or two years after the day of turning 18 years. There is an exception for child sexual abuse, though only limited financial support is available if the person who has experienced child sexual abuse applies after the two year time limit. If they apply after two years they are not eligible for medical and dental expenses.

For a recognition payment, people who have experienced domestic violence, sexual assault and child abuse must make an application within 10 years from the act of violence (or 10 years after the day of turning 18 years). There is no time limit for a recognition payment for child sexual abuse. Of the 759 recognition payment applications that were dismissed in 2016-17, the application being 'out of time' accounted for 18 per cent of the dismissals.[59]

People who have experienced violence may not disclose their experiences nor seek support for many years due to fear and stigma, not identifying what has happened is a crime, and family and social pressures.[60] A person should receive recognition of their trauma and be financially supported to recover no matter how many years have passed since they experienced violence, and often the trauma is ongoing.

We're calling on parties to:

Commit to improve the victim support scheme by strengthening the Victims' Rights and Support Act and Scheme to introduce:

- better recognition of sexual assault through higher recognition payments,
- better recognition of physical and psychological forms of domestic violence through higher recognition payments, including for a series of related acts,
- removing upper time limits for recognition payments for victims of domestic violence, sexual assault and child abuse; and
- removing the two year time limit for all forms of financial assistance for victims of domestic violence, sexual assault, child sexual assault and child abuse.

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e. Ensure ready and easy access to brokerage funding for all people experiencing domestic and family violence

There is a great need for people experiencing domestic and family violence to have immediate access to financial supports in order to increase their safety and wellbeing. Research indicates that the time following a violent incident can be particularly unsafe for women.[61] Research also indicates that a lack of access to money can be a key factor for women staying in violent relationships.[62]

In NSW, Victim Services packages for immediate needs are difficult to access due to the large amount of paperwork involved and a long wait time. The 2016-17 Victim Services' data profiles show that the average time for immediate needs payments for Domestic Violence are 8.6 weeks (shortest time is the same day and longest time is 3 years). The average processing time for immediate needs payments for sexual assault is 10.2 weeks (shortest time is the same day and longest time 3.1 years).[63]

We're calling on parties to:

Commit to enable specialist domestic and family violence services to flexibly dispense Victim Services Support Packages for immediate needs to people experiencing domestic and family violence to increase their safety and wellbeing.

f. Establish additional domestic and family violence forensic units across the state

There is a lack of high quality forensic medical facilities in NSW to support people who have experienced domestic and family violence who are physically injured to obtain evidence for legal processes. The Domestic Violence Documentation Project, first trialled in Nepean Hospital in 2010, ensures a team of forensic doctors and nurses record a history of events and provide full examination and documentation of injuries, diagrams, digital photos, expert opinion and expert witnesses if required. The report is submitted to NSW Police to be added to the court case file. Within the first year, the Forensic Medical Unit recorded an 18 per cent increase in convictions compared to when standard reports are used in court.[64] The medical unit also provides social support and medical interventions as necessary.

Fund a further 6 DV forensic units across the state in regional and metro areas to substantially increase the number of people able to access forensic medical facilities, increase the number of convictions of domestic violence offenders and improve the level of medical treatment provided to victims.

g. Train NSW Police officers to respond appropriately and consistently to breaches of Apprehended Violence Orders (AVOs)

Whilst police practices have improved, people experiencing domestic and family violence who report breaches of AVOs do not receive consistent responses to all reports of breaches.[65] This is traumatising, may deter people from making future reports of violence and increases the risks to their safety. Australian research has found that "nearly 60 per cent of police surveyed indicated their belief that "often" victims assisted a perpetrator to breach a Domestic Violence Protection Order, affecting enforcement".[66]

Certain groups who are at risk of experiencing domestic and family violence face particular barriers to reporting breaches of AVOs. The National Family Violence Prevention Legal Services Forum has raised concerns that when Aboriginal and Torres Strait Islander people women violence, police may 'disbelieve, minimise or trivialise' their experiences.[67] CALD women experiencing violence may need an interpreter and women with disability may need supports to report violence. LGBTIQ people may fear that they will experience discrimination from Police.

We're calling on parties to:

Commit to ensuring NSW Police Officers respond appropriately and consistently to, and collect evidence of all, breaches of AVOs, including of non-physical violence. NSW Police Officers should meet regularly with the local domestic and family violence services to enable the service to raise any AVO breaches that have not been responded to.

Commit to substantially increase the mandatory evidence-based training to new and experienced NSW Police Officers to understand the nature and dynamics of domestic and family violence and work with people experiencing violence in a culturally safe and disability aware way.

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h. Train NSW Police officers on how to identify a person who is the predominant aggressor of domestic and family violence

Police have sometimes incorrectly identified women who are experiencing domestic and family violence as the perpetrator. This can increase the risk to a woman's safety by discouraging her from seeking support from Police in the future. If an Apprehended Domestic Violence Order (ADVO) is taken out against her, this can have severe consequences including: intervention by child protection services, a loss of care of children in family law proceedings and loss of employment.[68]

Women's Legal Service NSW research into women defendants to ADVOs in local courts in NSW in 2010 found:

"Over two-thirds of our women clients defending AVOs reported that they were the victims of violence in their relationships. Fewer than 40 per cent of these clients had a final AVO made against them when the case came before the court.

Many of the women defending AVOs reported that when police had been called after a violent incident, they felt that their version of events had not been viewed as credible compared with the other party, due to the circumstances of their heightened stress and anxiety.

Other women reported that they believed the other party had deliberately initiated AVO proceedings as a further mechanism of controlling their behaviour, by giving them the ability to threaten them with reports to police in the future.

In the majority of cases where women were defending AVOs, the other party's complaint related to a single incident only. In several of these cases injuries to the other party could be indicative of self-defence, such as scratching or biting on the arm or hand."

We're calling on parties to:

Commit to increase the level of mandatory training to new and existing NSW Police Officers on how to identify who is the predominant aggressor when attending incidents and collecting evidence of domestic and family violence.

i. Train NSW Police Officers and prosecutors to identify attempted strangulation

People experiencing domestic and family violence who are strangled by their partners are at high risk of being killed, with one study finding that the risk of future homicide increased by eight times.[69] People who have been strangled also experience long-term physical and psychological impacts. However attempted strangulation is often not identified by NSW Police Officers and prosecutors who may lack understanding of the signs and symptoms.

Studies have found that police need improved training to recognise strangulation and attempted strangulation.[70] People who have been strangled often do not understand the seriousness of the incident and they often do not think they need medical attention. In about half of all cases, victims will show no visible injury, however there will usually be temporary symptoms. The more serious effects of non-fatal strangulation may only emerge days or weeks after the event. If a charge is made for a lesser offence, such as assault instead of strangulation, this does not indicate the seriousness of the offence and the high level of harm and risk to the person experiencing violence.

We're calling on parties to:

Commit to introduce mandatory training for new and existing NSW Police Officers and prosecutors to recognise the signs and symptoms of strangulation and attempted strangulation, to collect the relevant evidence, refer appropriately to health professionals and make the appropriate charges.

5. Enable Aboriginal and Torres Strait Islander Peoples to lead change to end violence against Aboriginal and Torres Strait Islander women and children

Every Aboriginal and Torres Strait Islander woman and child has the right to live free from violence.

THE REALITY

Aboriginal and Torres Strait Islander women experience violence at three times the rate of non Indigenous women and are 30 times more likely to be hospitalised due to domestic and family violence.[71] Three in five Aboriginal and Torres Strait Islander women have experienced sexual or physical violence perpetrated by an intimate partner.[72] Violence against Aboriginal and Torres Strait Islander women and children is perpetrated by men of all cultural backgrounds.[73]

The ongoing impacts of colonisation on Aboriginal and Torres Strait Islander people, families and communities and for non-Indigenous people and society, in addition to gendered factors, drive violence against Aboriginal and Torres Strait Islander women.[74] Some of these impacts include systemic oppression and racism; racialised structural inequalities of power; and condoning of, and insufficient accountability for, violence against Aboriginal and Torres Strait Islander people.[75]

Aboriginal and Torres Strait Islander children are at greater risk of experiencing domestic and family violence and are seven times as likely to experience child abuse or neglect as non-Indigenous children.[76] Domestic and family violence is a factor contributing to Aboriginal children being removed from their families at increasing rates and 7.4% of all Aboriginal children are in Out Of Home Care (OOHC), compared to 1% of all children and young people in NSW.[77]These Aboriginal children experience poorer health, education and wellbeing outcomes while in OOHC and across their lifespan.[78]

Aboriginal and Torres Strait Islander women experience violence at **3 times the rate** *of non indigenous women*

Aboriginal and Torres Strait Islander women are **30 times** *more likely to be hospitalised due to domestic and family violence*

3 in 5 Aboriginal and Torres Strait Islander women *have experienced sexual or physical violence*

THE SOLUTIONS

a. Establish an Aboriginal and Torres Strait Islander Women's Advisory Group and specialist unit on Sexual, Domestic and Family Violence to inform whole of NSW government

Aboriginal and Torres Strait Islander women who are experiencing sexual, domestic and family violence face a range of barriers to reporting and seeking support including: fear and mistrust of government agencies and Police; discrimination and culturally inappropriate responses; community pressure to not report violence to the Police or to not leave a violent relationship; and poverty and disadvantage due to the ongoing impacts of colonisation and dispossession.[79]

Aboriginal and Torres Strait Islander women hold cultural knowledge and have lived experiences that enable them to better understand how government strategy, policies and programs impact on their communities. Enabling Aboriginal and Torres Strait Islander women to hold a central role in informing the development of government strategy, policies and programs related to sexual, domestic and family violence would promote the safety and wellbeing of women and children.

The establishment of an Aboriginal and Torres Strait Islander Women's Advisory Group would help to ensure that the government prioritises preventing and ending violence against Aboriginal and Torres Strait Islander women in a way that upholds their right to self-determination. Research has found that when Indigenous Peoples control the responses to issues facing their communities, better outcomes are achieved.[80]

We're calling on parties to:

Commit to establish an independent Aboriginal and Torres Strait Islander Women's Advisory Group to provide direct, meaningful and regular advice to whole of NSW government on strategy, policies and programs related to sexual, domestic and family violence. The group should have access to regular engagement with Ministers and Departmental Secretaries. The Advisory Group should consist of Aboriginal and Torres Strait Islander women with expertise in sexual, domestic and family violence from a range of metropolitan, rural, regional and remote areas. Sitting fees, travel costs and other necessary supports should be provided to enable participation in the Advisory Group.

Commit to establish a highly specialised unit on preventing and ending sexual, domestic and family violence against Aboriginal and Torres Strait Islander women and children in the NSW Department of Premier and Cabinet. The unit should be staffed by people with relevant expertise and provide advice and coordinate activities across whole of NSW government, as well as reporting directly to the Premier. The unit should work closely with, be guided by and provide secretariat support for the Aboriginal and Torres Strait Islander Women's Advisory Group.

b. Ensure Aboriginal and Torres Strait Islander women and children experiencing sexual, domestic and family violence can access specialist, culturally specific and culturally safe support

Due to the ongoing impacts of colonisation, Aboriginal and Torres Strait Islander women and communities often distrust mainstream services, the government and the legal system due to fear of removal of children. Aboriginal and Torres Strait Islander women may also experience discrimination or culturally inappropriate responses from mainstream services and may not believe that they will 'understand and respect the[ir] needs, autonomy and wishes'.[81]

Many Aboriginal people strongly prefer to receive services from Aboriginal Community Controlled Organisations (ACCO).[82] These services are well connected to communities and are better able to engage community members and to understand and respond to trauma.[83] ACCOs hold the knowledge and relationships to refer people to the culturally safe services to address their accommodation, support and healing needs.[84]

It is essential that there are well resourced ACCOs to provide specialist support to Aboriginal and Torres Strait Islander women experiencing sexual, domestic and family violence that is safe and confidential. Aboriginal and Torres Strait Islander women may feel concerned about privacy and the community and pressure to stay with a violent partner and to keep their family together.[85]

We're calling on parties to:

Commit to provide $60 million to ACCOs with specialist expertise in sexual, domestic and family violence to expand their services for Aboriginal women and children.

6. Be accountable to specialist workers and the wider community

A good government is accountable to specialist workers and the wider community for preventing and ending sexual, domestic and family violence.

THE REALITY

There are a lack of adequate accountability mechanisms and structures to enable specialist workers and the wider community to hold the NSW government accountable for preventing and ending sexual, domestic and family violence. The government is not joined up and programs are often ad hoc, short term and lack coordination.

THE SOLUTIONS

a. Move the responsibility for sexual, domestic and family violence to a central government agency

In Australia, one woman is killed every week by a current or former partner.[86] Sexual, domestic and family violence should be the key priority of the NSW government. Yet coordination of NSW Government actions for sexual, domestic and family violence is currently held by a small agency (Women NSW) within the Department of Family and Community Services. This limits its ability to provide a whole-of-government and cross-agency policy and monitoring role.

We're calling on parties to:

Commit to establish a Sexual, Domestic and Family Violence Unit in the Department of Premier and Cabinet to coordinate activities across NSW Government. The unit should report directly to the Premier on progress in preventing and ending sexual, domestic and family violence and supporting people who have experienced sexual, domestic and family violence in NSW. The unit should formally engage specialist women's sexual, domestic and family violence services to provide expert sector input into government decision-making.

b. Implement all recommendations of the NSW Domestic Violence Death Review Team

The NSW DVDRT reviews domestic violence related deaths and uses the cases "as a window, or a lens, into systems, services and communities, identifying opportunities for intervention, prevention or where the story may have been changed".[87] The DVDRT makes recommendations to the NSW government for policy and law changes to prevent domestic and family violence and improve the responses to domestic and family violence.

The NSW Government has indicated that it does not support DVDRT Recommendations 1.1 and 1.2 to become a member of Our Watch and for the DVDRT Secretariat to work with Our Watch to analyse media reporting around murder suicides in New South Wales and disseminate its research

findings. [88] The NSW Government also indicated it "supported in principle, subject to available resources" Recommendation 29.1 to fund an expansion in allocation of social and affordable housing for clients escaping domestic and family violence.

The NSW government should implement all recommendations of the NSW DVDRT by committing the necessary funding and resources to prevent women and children from being killed.

We're calling on parties to:

Commit to implement all recommendations of the NSW Domestic Violence Death Review Team and allocate resources to ensure their full implementation.

Commit to provide reasons whenever recommendations of the NSW Domestic Violence Death Review Team are not fully supported or implemented.

Commit to reform membership of the NSW Domestic Violence Death Review Team to include additional non-government representation of sector experts and members from rural and regional areas and to ensure parity in the number of NSW Government and non-government members.

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c. Reform the NSW Domestic and Family Violence and Sexual Assault Council

Specialist workers in the sexual, domestic and family violence sector have valuable knowledge and expertise to contribute to policy-making and decision-making processes. NSW government should engage with the sector in a meaningful and effective way that values their skills and experience and enables them to genuinely influence and shape policy. Government advisory bodies should represent the diversity of the sexual, domestic and family violence sector.

The NSW Domestic and Family Violence and Sexual Assault Council brings together representatives from government, non-government organisations and academia to provide advice to the NSW Government on legislation, policy and programs.[89] The NSW Government should be accountable to the members of the Council to ensure that concerns raised are adequately addressed.

We're calling on parties to:

Commit to expand membership of the NSW Domestic and Family Violence and Sexual Assault Council (the Council) to include additional non-government organisation representatives from the sexual, domestic and family violence sectors including:

- organisations representing or working with Aboriginal and Torres Strait Islander, CALD and LGBTIQ women, and women with disability and women in prison;
- women's legal services;
- women's health services;

- women who have experienced sexual, domestic and family violence;
- organisations based in rural and regional areas; and
- the Australian National Research Organisation for Women's Safety (ANROWS).

Commit to amend the Council's Terms of Reference to include oversight of the implementation of the NSW Domestic and Family Violence Blueprint for Reform 2016-2021: Safer Lives for Women, Men and Children; the NSW Domestic and Family Violence Prevention and Early Intervention Strategy 2017 – 2021; and the NSW Sexual Assault Strategy 2018-2021.

Commit to improve the transparency and accountability of the Council by ensuring that:

- the NSW Domestic and Family Violence Reforms Delivery Board meets with the Council four times a year to seek its advice;
- the Council Secretariat publically publishes timely communique after meetings;
- the Council provides an annual report, published on a Government website;

Commit to support the participation of non-government representatives from sexual, domestic and family violence services by paying their sitting fees and travel costs and the costs of any support workers to enable women with disability to attend Council meetings.

Commit to change the name of the Council to the NSW Sexual, Domestic and Family Violence Council to ensure all forms of sexual violence are included.

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d. Reform the NSW Domestic and Family Violence Reforms Delivery Board

We're calling on parties to:

Commit to strengthen the capacity of the NSW Domestic and Family Violence Reforms Delivery Board (the Board) to provide governance and ensure accountability across the service system by amending its Terms of Reference to require: a minimum of four meetings per year with the NSW Sexual, Domestic and Family Violence Council, and a minimum of four meetings per year with the Aboriginal and Torres Strait Islander Women's Advisory Group on sexual, domestic and family violence.

Commit to change the name of the Board to the NSW Sexual, Domestic and Family Violence Reforms Delivery Board to ensure all forms of sexual violence are included and amend the Board's Terms of Reference to include oversight of the implementation of the NSW Sexual Assault Strategy 2018-2021.

e. Establish a taskforce focused on improving the criminal justice response to sexual violence

We're calling on parties to:

Commit to establish a taskforce to conduct a comprehensive review of the criminal justice response to sexual violence. The taskforce should comprise government and non-government agencies, legal practitioners, judicial officers and court staff, sexual violence service providers, academics and people who have experienced sexual violence if they are willing. The taskforce should be resourced $3.5 million over 18 months and be supported by a specially formed unit of the NSW Law Reform Commission.

f. Improve regional governance to support coordinated local decision-making

We're calling on parties to:

Commit to improve regional governance to support coordinated local decision-making in rural and regional areas across the service system. Create a mechanism to enable rural and regional sexual, domestic and family violence service providers to raise policy and program issues in rural and regional areas with government and to ensure government must address those issues.

g. Develop and implement a whole-of-system workforce strategy to ensure high quality responses to sexual, domestic and family violence in a trauma-informed way

We're calling on parties to:

Commit to provide $2 million in funding over two years to develop and implement a comprehensive workforce capability strategy to ensure high quality responses to sexual, domestic and family violence across the whole service system. The strategy should identify current knowledge and skill gaps and develop an educational and professional development package for workers and students in the fields of social work, healthcare and medicine and law on:

- How to work in a trauma-informed way with people who have experienced sexual, domestic, and family violence;
- How to work effectively with people who have used violence; and
- How to work in a culturally safe way with Aboriginal and Torres Strait Islander, CALD and LGBTIQ people and people with disability.

h. Train specialist, mainstream, and government workers, legal practitioners, judicial officers and court staff to respond to sexual, domestic and family violence in a trauma-informed way

We're calling on parties to:

Commit to investing $10 million over two years to provide immediate training on the nature and dynamics of sexual, domestic and family violence and how to respond to people experiencing violence in a trauma-informed way to:

- Sexual, domestic and family violence workers.
- All child protection workers in the Department of Family and Community Services (FACS) and non-government service providers;
- Workers in the housing, health and education sectors; and
- Legal practitioners, judicial officers and court staff.

The training could include the Education Centre Against Violence's four-day competency-based course on 'Practical skills in responding to people who experience domestic and family violence'.

i. Train specialist, mainstream, and government workers, legal practitioners, judicial officers and court staff to work in a culturally safe and disability aware way with Aboriginal and Torres Strait Islander, CALD and LGBTIQ people and people with disability

We're calling on parties to:

Commit to fund Aboriginal Community Controlled Organisations, immigrant women's organisations, LGBTIQ specific organisations and disabled people's organisations that work with people experiencing sexual, domestic and family violence to provide training on how to work in a culturally safe and disability aware way to:

- Sexual, domestic and family violence workers;
- All child protection workers in the Department of Family and Community Services (FACS) and non-government service providers;
- Workers in the housing, health and education sectors; and
- Legal practitioners, judicial officers and court staff.

NSW Women's Alliance

The NSW Women's Alliance was established in 2012 by a number of NSW peak organisations and state-wide service providers responding to and working to prevent violence against women. It meets monthly to discuss policy and legal issues relating to sexual, domestic and family violence.

The Alliance developed this policy platform for A Safe State in the lead up to the 2019 NSW Election to call on all political parties to act to end sexual, domestic and family violence. It builds upon the Alliance's previous platform for A Safer State developed in the lead up to the 2015 NSW Election.

Current members:

- Domestic Violence NSW (co-convenor)
- Rape and Domestic Violence Services Australia (co-convenor)
- Women's Health NSW
- Women's Domestic Violence Court Advocacy Service NSW
- Women's Legal Service NSW
- Wirringa Baiya Aboriginal Women's Legal Service
- Immigrant Women's Speakout Association NSW
- People With Disability Australia (NSW)
- ACON
- Multicultural Disability Advocacy Association
- No To Violence
- NSW Council of Social Service (NCOSS)
- WESNET
- Youth Action

NSW WOMEN'S ALLIANCE

DOMESTIC VIOLENCE NSW

acon HERE FOR HEALTH

WIRRINGA BAIYA ABORIGINAL WOMEN'S LEGAL CENTRE INCORPORATED

WOMEN'S LEGAL SERVICE NSW

Women's Domestic Violence Court Advocacy Service NSW Inc

Rape & Domestic Violence Services Australia

women's health nsw

pwda PEOPLE WITH DISABILITY AUSTRALIA

ncoss NSW Council of Social Service

WESNET The Women's Services Network

No to Violence Working together to end men's family violence

IMMIGRANT WOMEN'S SPEAKOUT ASSOCIATION NSW INC.

YOUTH ACTION

MDAA

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