



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

**STANDING COMMITTEE ON JUSTICE
AND COMMUNITY SAFETY**

(Reference: [Inquiry into domestic and family violence—policy approaches and responses](#))

Members:

MS E LEE (Chair)
MS B CODY (Deputy Chair)
MS N LAWDER
MR C STEEL

TRANSCRIPT OF EVIDENCE

CANBERRA

TUESDAY, 27 MARCH 2018

Secretary to the committee:
Mr A Snedden (Ph: 620 50199)

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

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Amended 20 May 2013

The committee met at 1.00 pm.

FRANKLIN, MS CARMEL, CEO, Care Inc Financial Counselling Service and Consumer Law Centre of the ACT

SAMRA, MS ELIZABETH, Principal Solicitor, Consumer Law Centre of the ACT

THE CHAIR: Good afternoon, everyone, and welcome. I declare open this fifth public hearing of the Standing Committee on Justice and Community Safety inquiry into domestic and family violence—policy approaches and responses. Today the committee will be hearing from Care Inc Financial Counselling Service and the Consumer Law Centre, the Minister for Police and Emergency Services and officials from ACT Policing, and the Women’s Centre for Health Matters. On behalf of the committee, I thank all the witnesses for making the time to appear today.

We will now move to the first witnesses appearing today, Carmel Franklin and Liz Samra, from Care Inc. On behalf of the committee, thank you for appearing today and for Care Inc’s written submission to the inquiry.

I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the pink coloured privilege statement before you on the table. Can you please confirm for the record that you understand the privilege implications of the statement?

Ms Franklin: Yes, we do.

Ms Samra: Yes, we do.

THE CHAIR: I also remind witnesses that the proceedings are being recorded by Hansard for transcription purposes and are now being webstreamed live and broadcast live. Before we proceed to questions from the committee, perhaps, Ms Franklin, I could ask if you would like to make an opening statement to the committee.

Ms Franklin: Yes. Firstly, thank you very much for providing us with the opportunity to speak to the committee and to talk to you about our experiences of economic abuse in the work that we do. By way of brief background, we work with people who are on low to moderate incomes and who are in financial difficulty. They are in financial difficulty because of a change of circumstance, relationship, employment, health, because of chronic poverty, because of poor lending practices—the royal commission is highlighting those right as we speak—or because of a lack of financial literacy, especially for people who have recently arrived in the country. Our role is to provide people with information about what their options are, to provide advice about what they can do, including legal advice, to advocate on their behalf where it is necessary and to provide education around upskilling people.

Increasingly we are seeing clients, primarily women, who are impacted by economic abuse and in the last 12 to 18 months our work has skyrocketed. I would say that probably the majority of Liz’s clients, for example, would be women who have been impacted by economic abuse, which is part of a broader domestic violence. It is not the only aspect of domestic violence.

The sorts of things that we are seeing are where a partner has forced somebody else to sign a contract under duress, for which they will receive no benefit. They control all the household finances and do not provide enough money for the other person to cover basic household expenses, where all the bills are in one name—for example, a utility bill—so that if the woman leaves the house she is still contractually obligated to pay that bill, even though she is not actually incurring the debt.

Refusing to pay child support is quite common. Fraudulently using somebody else's PIN or signature is something that we see regularly—a whole range of other things. But they are the main things that we are seeing in our work. We are seeing clients who are in severe financial hardship. They are traumatised by their experiences of domestic violence, often are at risk of homelessness and generally have no idea what their options are, particularly if somebody else has controlled the finances and they actually do not know where their money goes or how they would even pay a bill.

We are really pleased that economic abuse is recognised in the Family Violence Act 2016, but we still think it is perhaps not well understood—the implications and the devastating impacts of it—and we do not think there is enough resourcing in that area for services like ours, even though we do get some very practical outcomes. We are very happy to talk about examples where we have been able to get debts waived, debts reduced, hardship arrangements put in place, where we have been able to upskill the people who have not had an opportunity to learn to deal with household finances—a lot of practical outcomes, we think, in that space which will actually improve people's financial situation and therefore their overall wellbeing.

My final comment really is that we have seen that over the last couple of years the banks, for example, have responded very well to the area of economic abuse and we can get some very good outcomes. We think the same could happen with some of the government debts that we come across. People have sundry housing debts, for example, where they really should not have to pay those when it is the result of family violence. We see a lot of problems with fines, where people have occurred fines but they may not have been the person who was driving the car. It might just be that the car is in their name. Victoria has got a system that recognises that. We do think that there are some practical responses that could be looked at.

THE CHAIR: Did you want to add anything?

Ms Samra: No, not at this point.

THE CHAIR: We might go to questions then. I will kick off. You were referring to the recognition of economic abuse as falling within the ambit of domestic and family violence and that has led to, I suppose, more clients coming to see you. Can you explain how clients come to you? Is it a referral? Do they sort of cold call, that type of thing, for your services, particularly the economic abuse clients?

Ms Franklin: We have a national debt help line, a 1800 number, that clients contact us on. In terms of the economic abuse, we have had a partnership with the Women's Legal Centre and have had a small grant through the ACT Office for Women to specifically do some more work around economic abuse. We get referrals via the Women's Legal Centre, but we have also got a lot more referrals from refuges, from

the Domestic Violence Crisis Service. Then, I guess from those referrals, there are a lot more word-of-mouth referrals where women hear about it from somebody else who might have used the service. They would be the primary ways that they would come.

We also get them via emergency relief providers, where perhaps people have ended up needing to go because they need access to food or to clothing and it is pretty clear that their situation is well beyond just that immediate need and then they are referred to us. We think we only probably see the tip of the iceberg, though.

MS CODY: Do you deal with women in other situations, not just relating to DV, or is it mainly DV?

Ms Franklin: We deal with anyone who is in financial difficulty and we certainly have women who have not experienced DV but perhaps are separated and have issues around suddenly having a reduction in the household income. But it is not to do with DV. We would do similar work, but our capacity to, say, get waiver of debts might be easier where there is clearly economic abuse.

Ms Samra: I certainly also work a lot with women that may not have been directly impacted or have experienced family violence but are single parents that are living in a perpetual state of financial hardship and may incur debts as a result of payday lending practices and consumer lease practices which just plunge them into a further cycle of debt. They are already in financial hardship and, because of their financial difficulties, have to rely on alternative forms of credit to obtain money to pay for daily living expenses. A significant proportion of our clients are in that situation as well, I would say.

MS CODY: I am sure we have had many different circumstances, but I have women that come to me in many different circumstances who have trouble understanding financial institutions and their rights and responsibilities. I have one person that I am helping at the moment who does not even know how to internet bank. Her husband dropped dead suddenly. You obviously have services that can assist all those women as well?

Ms Franklin: Yes. Although we primarily see people who are in debt, there are also people for whom it is just that they do not—

MS CODY: No, this woman is in debt.

Ms Franklin: Okay. Particularly for some older women it was kind of normal for the male partner to do all the household finances.

MS CODY: And culturally as well?

Ms Franklin: Yes. And then, when they find themselves by themselves unexpectedly, it is: one, the debt; but, two, just the lack of knowledge. It does not mean they are not very capable people. They just have not had the opportunity to learn those skills. We do have financial capability workers who can actually help mentor people and explain how systems work and we do a lot of that work in the community as well.

MS CODY: Is your service means tested? I know that is an interesting conversation to have, but I guess what I am saying is that family and personal domestic violence has no boundaries. There are no postcodes. There are no economic boundaries. There are some women who have been in a quite wealthy relationship and could be quite asset rich but are escaping from violence and are financially poor. Their assets might push them out of some of the services that organisations offer. Do you means test? I do not know if that is the right word.

Ms Franklin: To some extent. I guess, because we have a certain amount of funding and the demand is always greater, we prioritise people who are on low to moderate incomes. Anyone can access the service to get information. Our casework service tends to be more means tested. However, we have discretion and we would never cut somebody out where they might on the surface appear to have quite a high income but where their circumstances are such that they clearly need the service.

Economic abuse in domestic violence is certainly one of those areas where we see quite a strong link between gambling and economic abuse, for example. Where we see that the person actually really needs the service, regardless of income we would still support them. I guess the answer is yes and no. We always would use discretion where we could, but where we think that there are people who might be able to take information that we provide—and even written information that we can provide, say, sample letters—and go and advocate self-help, we would do that. But where they actually need ongoing advocacy we would certainly take that on.

THE CHAIR: I welcome Ms Lawder to the committee, to ask her first question.

MS LAWDER: You mentioned in your opening statement about women being liable for debt they have taken out on behalf of the partner. I am interested in that from a housing perspective. Firstly, do you see that much in housing—signing a rental agreement? A woman may have a public housing property in her name but then leave because of the violent relationship. How effective is ACT Housing in dealing with that?

Following on from that, I have heard instances of what you might think is an administrative debt, where a woman may be in a public housing property and an abusive ex-partner finds her. She leaves that public housing property quickly and then is responsible for a debt, even though there is a very valid reason for her leaving that property. Do you understand what I mean?

Ms Franklin: Yes.

MS LAWDER: Have you encountered those types of examples?

Ms Franklin: Regularly we have encountered those examples. I am just going to prefix that I am not a caseworker and probably if I had a financial counsellor here they would be able to give some more examples of that. But my understanding is that Housing have been reasonably responsive when it comes to, say, rent arrears in this situation but not very responsive around, say, sundry debts where somebody has caused damage to a property.

What we have found is that, when we have sought that that debt be waived because the person is in difficulty and it was not as a result of their own doing, there has been no response and six months later they have received exactly the same bill again. We feel that there could be a lot of improvements there. Sometimes Housing will choose not to follow up on a debt if the person has left the house and they need to be rehoused by Housing ACT.

But, again, we think that there could be a better scheme where sometimes people should be pardoned from that debt when really it came about because of another party. The house might be in their name, but the ex had agreed to pay the rent and they did not pay the rent and perhaps the tenant did not even realise the rent was not being paid for quite some time. They are the sorts of things we see where somebody is assuming that those bills are paid.

It is the same with mortgages as well, where somebody assumes the rates have been paid and it is not until they might get a letter that is heading towards a legal situation that they realise that that was never paid. We do think that there is a bit of work to do in Housing ACT around options for supporting women in this situation.

MR STEEL: My questions are also in relation to how you deal with Housing ACT. If you have a client that comes to you when they need assistance with a housing debt, for example, as a result of family violence, do you have a contact within Housing ACT that you have a relationship with, where you work through the issues your client is facing? What has been your experience?

Ms Franklin: We have a specific housing financial counsellor whose job it is to try to keep people housed, to prevent eviction from happening. So when people who have housing arrears come in, and particularly where there is economic abuse, we do not have a particular contact in Housing because it might depend on who the manager of that area is, but we have information and contacts within Housing. Our role would be to work out with the person whether they can afford to repay and, if so, how much they can afford to repay on arrears and whether there are other circumstances so that we would try argue that there should be a reduction in the debt.

We have very good outcomes in terms of setting up payment arrangements where the person pays rent and ongoing arrears. We would have less success with Housing perhaps seeing that there are some circumstances where the arrears ought not to be followed up.

MR STEEL: Do you often represent the client to Housing ACT in relation to explaining that there has been a family violence situation and they are no longer living with their partner? Is that your role?

Ms Franklin: As part of our advocacy we would be explaining why the person requires an arrangement to be put in place. We would also be very careful about what the client wants known publicly. We talk to the client about what information we would provide and make sure that they are comfortable with that. Generally we would be saying that the person is either no longer in the house or that the person living in the house is stuck with a debt that should be shared by the other person—and whether

they would consider chasing the other person for that. As part of our advocacy we would explain those situations.

Housing ACT is a fairly large bureaucracy, so it means sometimes we get better outcomes than others. I would say consistency is an issue for us; it is not across the board that you could say, “If we do this, this is the outcome that we will get.” It may happen; it may not.

MR STEEL: One of the circumstances you mentioned in your submission about how that debt arises in the first place is that the abusing partner has vandalised the house and that then results in a debt. Where those sorts of circumstances occur, have you been able to work with Housing ACT to make sure the debt is directed to the abuser and not the victim?

Ms Franklin: I think that is our biggest challenge. That is where I say we would write a letter and quite often we would get no response to that letter. It might take several months and then the client would receive another bill saying, “You still owe this money.” That is an area where I think there needs to be a better and quicker response.

THE CHAIR: Earlier you said there needs to be work done on better educating people to understand the impacts of economic abuse and that there has been a good start in that we are recognising that it is a form of domestic and family violence. Can you give us some advice about what that education might look like and what we might do to better educate people genuinely about their financial literacy in terms of knowing some of the traps and risks to look out for so that they protect themselves from getting into a situation of loss of control of their own finances?

Ms Samra: In relation to education and awareness-raising activities, Care’s financial counselling and the Consumer Law Centre have certainly been involved in that process, in collaboration with other critical services in the ACT. By way of illustration, last Thursday we attended a panel forum at Legal Aid ACT which was moderated by the Women’s Legal Service and which had representatives from our organisations, Judge Tonkin from the Federal Circuit Court, and a barrister practising in family law. That was attended by approximately 100 primarily family lawyers.

Clearly, family lawyers are aware of issues in relation to domestic and family violence and economic abuse, but one of the ways we believe we can raise awareness is by highlighting the options available to some of their clients in the area of credit, and also financial counselling. I see empowering workers as a critical way of empowering clients. In my previous role in Victoria, working in the area of elder abuse, certainly one way of getting to the target audience was providing workers with the resources available to refer to services like ours and to arm their clients with the requisite knowledge to assist them to understand their experiences.

Other areas of education and awareness-raising could look at identifying what some of the red flags are that service providers might encounter in the context of economic abuse and the banks. For example, the Australian Banking Association, the Financial Ombudsman Service and the Credit and Investments Ombudsman have put out position statements and papers directly on point. So, for example, if a credit provider was considering entering into an arrangement with a party that also had a partner

present, they would be aware of some of the potential issues if the woman is not talking in the interview and has not applied for the credit.

The credit initially may have been for the purpose of the partner and he got knocked back because he had a poor credit record and then she subsequently applied but did not obtain the benefit of the credit. These are all illustrations of identifying, for example, that a person may be in a situation where they are experiencing some kind of financial control or abuse. That is also part of the work, and it would be for not just banks but a whole lot of organisations that provide services in the ACT.

Ms Franklin: At the panel last week, one thing that was very clear was that a lot of people in the room said, “We just apportion the assets and the liabilities. We had no idea that there might be some way that you could actually get some of those debts waived.” The end result was that a lot of them said, “We think now that what we would do is refer to your services first before we went through the rest of the property settlement, to see whether there are other options for some of those debts.” I think that was really critical, although I am not quite sure what impact it is going to have on our referrals going forward.

The other thing is that we recognise that there are lots of barriers for people to access a service and often they do not really know what it is they are accessing as well. One of the things we are trying to do, particularly with vulnerable communities—say, the Aboriginal and Torres Strait Islander communities—is go out to where they might be having an event and introduce ourselves and have a chat. In doing so, we can start to have some of those conversations, because it is really about building trust with people. It is quite resource intensive, but we are trying to now spend a bit more time out in the community.

We worked previously with MARSS and now with Red Cross with people who have recently arrived. We provide individual financial literacy sessions for those groups that explain how you can set up banking and bill paying to try to, as much as possible, put in controls and prevent future financial difficulties. So we certainly try to do that wherever we can.

MS CODY: I note you raised in your opening statement and also in your submission to the inquiry gambling issues and their impact on domestic and family violence as well as debt. I came out of an abusive marriage with a gambler and had mountains of debt. I wish I had known you were around because I am sure you could have helped me. I was only on about \$25,000 to \$30,000 a year, so trying to cover all of those debts on my own was very difficult. I empathise with what you do. How much does the gambling stuff impact your work? I think it is quite an unknown quantity in the community.

Ms Franklin: I think the issue with gambling is that people are quite reluctant to come out and talk about it. We are part of the ACT Gambling Counselling and Support Service; we provide the financial counselling and community education parts of that support service. Whilst we might have it as a screening question and ask people about gambling, it is often not until maybe appointment three or four where you are thinking that something is just not adding up here—for example, the person appears to have enough income and yet they have mountains of debt—that perhaps

gambling comes out as an issue.

For family members that we see, one of the issues is that they identify that their partner had gambling problems but they do not always identify that there was economic abuse. They do not see the link there, but we have certainly noted that there is a link. It is quite complicated, because when there is gambling there are addiction issues as well. There are fraud issues as well because people will go to extremes in order to free up money. That is where you might see that they fraudulently signed something or that they are using up the equity in the home loan. The work we do is largely around protecting the assets of the family member who has been impacted by gambling. But it is not easy work because it is not always clear what is happening.

MS LAWDER: When have you encountered the situation of women, especially those who have left a violent relationship, entering into inappropriate relationships to put a roof over their heads and their children's heads and/or to get money to pay off debts? Is that something you have come across?

Ms Samra: I do not know what you mean by inappropriate.

MS LAWDER: Exploitative and sometimes violent, again to save sleeping rough or—

Ms Samra: I have certainly worked with women that have been impacted by family violence and have either entered into another relationship which may have then become violent or have returned to a violent relationship, yes.

Ms Franklin: I think more often we probably see people returning to the previous relationship because the financial issues are such that they decide it is too hard to be by themselves.

Ms Samra: Yes.

Ms Franklin: It is tragic, really.

THE CHAIR: It is very sad.

MS LAWDER: There is no easy solution.

Ms Samra: No, especially when you are crippled by financial hardship and there is a multitude of debts that you need to continue to maintain and there are children. It is particularly—

MS LAWDER: And the risk of the children being taken away if you are in inappropriate housing?

Ms Samra: Yes. We do see a lot of debts arising from school fees and childcare fees as well, which is concerning. In the context of banking practices, there are real options available for women to have debt waived or to scrutinise the contract at the point of formation to identify whether you can challenge it on grounds of irresponsible lending.

In the context of school fees, a lot of women might have incredibly large debts, with threats of having their child removed from school. She may have been the only one whose name was on the contract and she is the one that is being pursued. It is really difficult in those circumstances, I think, and the schools may not necessarily be amenable to debt waivers and may in fact be commencing legal action to recover money against the women. I think that is an issue that is quite consistent and was certainly raised at the family law pathworks network meeting last week as an issue.

MR STEEL: We had a discussion earlier in the inquiry about the financial literacy of some family violence victims as a result of their partner having control of the bank accounts and all the finances and not allowing them to be involved in the management of finances. How much support do you provide to victims of family violence to re-establish themselves and their finances?

Ms Franklin: Initially we deal with what their financial hardship is, and the debt, and once that has been stabilised then we work with the client on their setting up a system that will work for them going forward. We do try to provide quite a lot of support, because for some people, again, it is not about capability; it is about upskilling of knowledge and skills around this area. We do that through the financial counsellors, who will work with people to set up a more realistic budget. But we also then would refer through to our community education team, who can then provide a bit more of that mentoring and help people to set up payment arrangements, say, with their utility bills, so that they are paying it fortnightly rather than having a bill that comes in quarterly.

Within our resource capacity we do that, and we think there needs to be more of that happening. It is probably about being out in the community doing that before the debt is incurred, rather than at the moment, where it happens more that we have seen people who have got masses of debt, we have stabilised that situation and then we are able to do it. It would be really good to be able to have some of those conversations earlier in the situation.

MS CODY: As a supplementary to what Mr Steel was talking about, women fleeing domestic violence are often scared and have often been sheltered from a whole bunch of stuff and kept sort of down low. I know that you are a counselling service. Do your counselling services help to target women, to empower them to have their say and to think and ask the right questions from a financial perspective?

Ms Franklin: Absolutely. Most of our financial counsellors do have a counselling background and, whilst we are working around the finances, it is very much the case that we will advocate on people's behalf where that seems to be what is needed. But it is about providing people with skills so that in the future they feel comfortable to do that themselves.

Quite often it is about information. They do not know there are hardship options available to them. Once they know and once they have had perhaps some success with that—we might start by doing some of the advocacy and then over time it might be that we make phone calls, say, to their credit provider with them in the room—it might be that it is the client that is actually doing their own advocacy but we are there as a support person. We try to shift it. Perhaps when they are in crisis and they are

feeling really vulnerable we offer to do that. As they move along that spectrum, we do it with them to the point where they feel, “Okay, if this happens again, I know who I can contact, and I feel comfortable that I might be able to ring the bank and they are not going to say, ‘Too bad. Pay me the money.’”

THE CHAIR: Given the time—you might take this on notice anyway—I want to ask: in terms of information sharing with other agencies, we have had some evidence so far of the difficulty of a lot of clients seeing different agencies for different purposes and having to retell their story, and there is a lack of information sharing. I am just wondering whether you have any relationship with other agencies on how you share, given confidentiality issues and the like, and what you might like to see improve in that area. Perhaps if you want to take that on notice, that would be really helpful for us.

Ms Franklin: Sure. I am happy to give a very brief response to it.

THE CHAIR: Yes.

Ms Franklin: For example, with the Women’s Legal Centre we are very mindful of safety and confidentiality, but we do have with a number of services a third-party referral form where—as long as the client signs it and they are happy for that to happen—some information can be provided to us prior to us making contact with the—

MS CODY: A referral?

Ms Franklin: Yes, and it will say why it is that the client wants to come to us. We have got a bit of an idea from the outset so that if we do call them we can say, “We understand you are calling about X, and this is what we can do,” without them having to perhaps cold call us and say, “I am calling about Y.” Again, we would only do that if it was very clear that there was the consent of the client.

THE CHAIR: And if there is further that you can expand on, please do let us know. That would be really helpful.

Ms Franklin: Yes, certainly.

THE CHAIR: Our scheduled time is up. When available, a proof transcript will be forwarded to witnesses to provide an opportunity to check and suggest any corrections. If you do have some further information, please do provide it to the committee. The answers would be appreciated within two weeks. That is our general thing.

On behalf of the committee, I thank Ms Carmel Franklin and Ms Liz Samra of Care Inc Financial Counselling Service and the Consumer Law Centre for appearing today. I now suspend the hearing. The committee will resume its hearing at 3 pm and we will hear from the Minister for Police and Emergency Services, followed by the Women’s Centre for Health Matters.

Hearing suspended from 1.34 to 3.00 pm.

GENTLEMAN, MR MICK MLA, Minister for Police and Emergency Services
CRAFT, SUPERINTENDENT MATT, Acting Superintendent, ACT Policing
BEAUMAN, SERGEANT NICOLE, Acting Station Sergeant, ACT Policing
CALATZIS, DETECTIVE SUPERINTENDENT MICK, Detective
Superintendent, ACT Policing

THE CHAIR: The Standing Committee on Justice and Community Safety will now resume the public hearing of its inquiry into domestic and family violence—policy approaches and responses. On behalf of the committee, I thank the Minister for Police and Emergency Services, Mr Craft, Ms Beauman and Mr Calatzis for appearing today and for the written submission from ACT Policing. I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the privilege statement before you on the table. Can each of you confirm for the record that you understand the privilege implications of the statement?

Mr Gentleman: Thank you, chair. Yes, we do.

THE CHAIR: I remind witnesses that our proceedings are being recorded by Hansard for transcription purposes, webstreamed and broadcast live. Before we proceed to questions from the committee, minister, would you like to make an opening statement?

Mr Gentleman: Yes, thank you, chair, I have a short statement for the committee. Firstly, thank you for your invitation to appear before you and for the opportunity to provide a statement in relation to the inquiry into domestic and family violence. The ACT government is committed to continuing its important work towards eliminating domestic, family and sexual violence in our community, and the government has made significant progress against commitments made since releasing our response to family violence in 2016.

Those commitments have included additional funding for front-line services and legislative reform to the Family Violence Act 2016 to effect real change in the lives of those experiencing domestic, family and sexual violence. The government response to family violence emphasised the need for stronger leadership and accountability. The creation of the office of Coordinator-General for Family Safety has addressed this by providing a focal point for whole-of-government leadership. The government has invested more than \$4.5 million in the past year to enhance family violence services and support those who have been affected.

The commitment to family safety will continue, with an investment of \$23.5 million over four years from 2017-18, and the ACT's Coordinator-General for Family Safety, supported by the safer families team, will drive cultural change and reform, in partnership with government agencies and the wider community.

Another innovative family centred approach is being tested through the justice reinvestment trial. In 2015 the ACT government committed to co-designing a justice reinvestment trial to deliver a family focused approach to Aboriginal and Torres Strait Islander families in contact with the justice system. The co-design process involved consultation with government, the community sector, academia and people with direct

experience in the justice system. The government has dedicated \$850,000 from the confiscated assets trust fund to support the trial. A key priority of the trial will be to examine how support services can impact on the incidence of domestic and family violence. The trial will also deliver additional resources to Aboriginal-run organisations, the Domestic Violence Crisis Service and, of course, ACT Policing.

My ministerial direction to ACT Policing emphasises that the efforts to prevent and reduce family violence and recidivist offenders must remain a priority. ACT Policing established the family violence coordination unit in October 2015 to ensure that police implement best practice policies and procedures when responding to domestic and family violence. The unit has allowed ACT Policing to progress and enhance a pro-intervention policy, develop and implement strategies to reduce risk and ensure that offenders are held accountable.

This unit has achieved this by providing extensive training to all front-line police and ongoing support for victim safety and perpetrator accountability. Additionally, the unit directly provides support to the ACT community in obtaining protection orders. Since the establishment of the family violence coordination unit, a number of significant projects have been implemented, with a focus on victim safety and supporting and streamlining the judicial process.

These initiatives include the family violence evidence-in-chief initiative, which allows a recording of the victim's statement to be used in court as the victim's primary evidence; the family violence risk assessment tool, which provides a thorough and consistent approach for ACT Policing to assess the risk posed by an offender to the victim in family violence settings; the employment of two dedicated family violence liaison officers to help victims apply for family violence orders; and participation in the co-design of the government's proposed family safety hub.

ACT Policing works closely in partnership with other government and non-government organisations to prevent family violence incidents. We are continually striving for improvement in preventing family violence incidents. Recent recommendations from Coroner Morrison regarding protection orders are currently under consideration by the family violence intervention program coordinating committee, for advice to government.

All Canberrans have the right to feel safe and to be safe, and the ACT government, working hand in hand with the community, is committed to continuing our work towards collaboratively eliminating family violence in our community. Thanks for the opportunity to provide that statement. The officers and I are ready for questions.

THE CHAIR: Thank you very much.

MS CODY: What training has ACT Policing undertaken and what you have learned from other jurisdictions to help support victims of domestic and family violence?

Supt Craft: For the purpose of the record, I am currently in the role of acting superintendent, ACT Policing intelligence, but my substantive role is as the officer in charge of the ACT family violence coordination unit.

In relation to training, we provide a range of services right from recruit level, where we are speaking to the recruits whilst they are at the college, delivering them training in relation to family violence matters—how they go about investigating them, what are the processes around it and what is the governance around it. We have put all of our front-line troops through training in relation to the family violence evidence-in-chief interviews. We spent several days going through the process for that. We were able to capture all of the constables in front-line policing. And we continue to have interaction with the teams out on the road and provide services to them on an ongoing needs basis.

MS CODY: You mentioned you were working with all officers from recruit level right through. Have you picked up learnings from interstate that you are implementing? Are there specific parts of the recruit college that focus on how first responders help deal with people suffering domestic and family violence?

Supt Craft: Yes, very much so. A lot of our initiatives have been developed in cooperation with our law enforcement partners. An example is the evidence-in-chief interviews—we spoke to New South Wales Police about that and we adopted a model similar to theirs. They were heavily involved in the early development of the package and the training.

With the risk assessment tool, we went to Tasmania and found a really good model they use, which we have adapted to our needs. We are constantly engaging with our law enforcement partners both here in Australia and around the world to see what is best practice, how we can tap into their skills, what works well for them and if we can get that into the way we do our business in Canberra.

MS CODY: I know it is early days, but have you noticed some improvements in the way police officers are managing when they are first responders, particularly when they are coming into a very violent situation? Has the training been beneficial to those officers and also the people who are the victims of domestic and family violence?

Supt Craft: Very much so, and that was one of the key drivers of the change for the evidence-in-chief interviews—to be able to capture the emotions of the scene as best we possibly can. So we speak to the victim on tape close to the event, as soon as we get there. We capture the emotion, the injuries, the potential damage to property and things like that. That can be shown to the court, and that has that impact on the court. It also negates, a lot of the time, the need for the victim to appear before court, thereby reducing trauma.

Our focus is on the victim and providing a service that is beneficial for them, to try to reduce the trauma. We are finding that works really well. It has taken the troops a little bit of time to get used to the change, with the new processes. In the past it was just about taking a statement, and a lot of the time that was very sterile and it might have been offsite. But now, using the quick, simple tool of a video, we are hoping that cuts down on time and helps them to get through the process quickly.

THE CHAIR: You have talked about learning from all the other jurisdictions in terms of what you are looking at. Is there something that you are aware of that you have seen elsewhere that we do not have currently in the ACT that you think may be

worth exploring?

Supt Craft: It is an interesting question. Other states are doing some interesting work in relation to recidivist offenders. New South Wales have done some work in relation to high-risk recidivist offenders. But, as I said, we took our time, back when the unit was established, to try to find best practice around Australia, and that was only three years ago. We are constantly looking to develop our processes for us to have best practice and to pick what is good, what works really well, and to try to implement it here in the ACT. I think that is working quite well. To answer your question: currently, nothing stands out that we are not doing. We are doing a lot more than we used to, but there is always room to grow and develop.

Sgt Beauman: We recently had the opportunity for some members of the Tasmanian police to visit us, which allowed for information exchange around what we are doing and best practice in family violence. That also allowed us to inquire about legislation they have under their Family Violence Act relating specifically to information sharing not falling under the information-sharing provisions of other legislation. That is very specific in their Family Violence Act, and that is certainly something we have raised internally and would like to explore further.

THE CHAIR: My substantive question was on information sharing, but I might come back to it.

MS LAWDER: Acting Superintendent Craft, I think in your statement you mentioned that the evidence-in-chief laws are similar to those in New South Wales.

Supt Craft: Yes.

MS LAWDER: How do they differ or what is the difference?

Supt Craft: They do not differ a great deal. Obviously, the New South Wales Evidence Act is slightly different to the ACT Evidence Act. There are some slight differences in legislation. I cannot tell you off the top of my head, but basically it is the same process, it is the same ideas and concepts and we are hoping the same results occur.

They had some really good results when they introduced it. They saw some significant improvements in the level of service they provided to the victims and it was really well accepted by the courts. It was a very strong message to the court. The magistrates and the lawyers could actually see the emotions and it really impacted on them in assessing the sentencing.

MS LAWDER: I think that—I could be wrong—in New South Wales that evidence can be used even if the victim chooses not to pursue the case. Is that the case here in the ACT as well?

Supt Craft: Yes, we have similar provisions. Historically we have had issues with victims who initially would provide a statement to police and then, when the time came to go to court, perhaps they had reconciled issues with the family and they were not as willing to attend court. There are times when we can use that evidence-in-chief

interview as their primary evidence and the court can allow that to get through as their evidence. But we engage with the victim at all steps along the way and we try to help them through that process. But it can be complicated.

MS LAWDER: I think I have heard some comment that when a perpetrator of violence is first served with the DVO that can be the most dangerous time sometimes for the victim.

Supt Craft: Yes.

MS LAWDER: Have you any changes or can you think of anything that you may be able to do that would reduce that danger?

Supt Craft: It is a challenging question to articulate when the high risks are. When we are serving an order on a perpetrator and perhaps it comes out of the blue and it is a surprise to them then obviously they can get quite emotional about it and quite aggressive.

MS LAWDER: I am thinking in a way of the Tara Costigan case.

Supt Craft: Yes, exactly right. I know the people who served that order on him and it had quite an impact on those troops and they were quite upset about the fact that they were the ones who served it. But they are experienced constables who are serving these orders. It is not like they thought—

MS LAWDER: It is not meant to be a criticism at all.

Supt Craft: Yes, I know.

MS LAWDER: Is there something else we can add to that process?

Supt Craft: There is always scope for us to look at options, particularly when it comes to advising victims to ensure that they are kept up to date with what is going on. But it is challenging at times to serve orders on people. Sometimes we cannot give that real-time information to victims. We continue to work really hard to service the victims, to ensure that the victim knows as soon as possible after we have served that order that that person now has a copy of that order. They are pre-warned, for want of a better word, that this person now has a copy of this and potentially it could be a motive.

But the people serving the order take their time to explain it to them and try to negate some of those emotions. If there is a risk then we would expect them to report that and try to look at some strategies. It is challenging.

MR STEEL: I was just going to ask about a suggestion that has come up, a recommendation to our public inquiry and in some of the submissions about the police taking an active role in or having the responsibility for applying for family violence orders. I just wondered what your response to that issue was and whether you thought there was some merit in that recommendation.

Supt Craft: The rollover with our order liaison officers has been fantastic. They do a really good job of working with vulnerable victims. There is some really good scope to do more with that, particularly for our, as I said, vulnerable members of the community that have had trouble. They are too frightened to do it themselves or there might be a language barrier or they might not understand the process. We have had some really good results with that, to help them through that.

The challenge comes when we start to talk about broader orders, because the volume of orders is quite significant and it is a challenging one to prioritise which ones we focus on. We have two order liaison officers who go through that process to try to get tasked by the members on the road or to look at jobs to see which ones can best be served. As I said, if we expand that out, it comes down to a resource issue and it will be very challenging.

MR STEEL: One of the benefits that have been suggested if police apply for the orders, as opposed to the victims having the responsibility, is to take that burden away from the victims so that it is not inflicted back. It allows that decision to be made by an officer rather than having to make it themselves. What is your experience, I suppose, or your involvement in applying for family violence orders or assisting some people through the current system in that sense?

Supt Craft: Yes, there are provisions in there for us to apply for orders on their behalf, but we see our role as assisting people through that process and trying to empower those people to take those actions themselves. We understand it is a very traumatic time for the victims and we try to help them through that process because there are going to be times down the track when they are going to need to take some of those actions themselves, and we try and give them the ability to do some of those things themselves.

At the end of the day we can apply for an order on their behalf, but if the matter goes before the court for hearing then obviously they are going to have to appear. We help them through that process. We explain the process. We, for want of a better phrase, hold their hand through that process and try to give them the skills to—

MR STEEL: Manage?

Supt Craft: Yes, manage some of those problems themselves. And that is really the focus. We talk about police safety notices. We have some broad discussions and we are looking into options around police safety notices. Our order liaison officers work hand in hand with victims.

Det Supt Calatzis: If I can also help my colleague, I am in charge of judicial operations, which family violence also covers. In the mid-1990s the legislators here in the ACT got the first Victims of Crime Act for the ACT, and I think also the first Victims of Crime Commissioner. The strength of the victim has been legislated for for well over 20 years here in the ACT. I suppose their protection is very, very strong through that piece of legislation, albeit that, as the Acting Superintendent said wisely as well, we do have that fallback that we can take them out. Largely, it has worked quite well, especially with the family violence regime.

THE CHAIR: There was a specific question that the committee had put—and we got a response from ACT Policing that it would actually be discussed at the inquiry—on statistics on children and youth offender rates concerning domestic and family violence. Is there any information available on that?

Mr Gentleman: Yes, I have got some statistics here that might help. In relation to family violence incidents involving children and younger persons, the number of juveniles charged with family violence related offences has decreased. Forty-seven young people were charged between 1 February 2016 and 28 February 2017. The ACT Policing databases regarding young persons charged with family violence related offences are unlikely to present an accurate picture of the prevalence of young persons actually involved in family violence. In regard to the statistics for family violence generally, there has been an overall decrease in the 12 months to 28 February 2018 of family violence related incidents that police responded to and reported offences as well, and also persons charged with family violence offences.

If we have a look at related incidents, police responded to 2,385 family violence related incidents during the 12 months to 28 February 2018, and that is an 18.1 per cent decrease when compared to the previous 12 months. Does that help?

THE CHAIR: I think so. Thank you very much, minister. My substantive question is actually about info-sharing and data-sharing issues. I understand that one of the things that you brought up in your submission was the need for consistent categorisation to guide decision-making in a multi-agency context. Can you maybe expand on that a little more and on what that might look like?

Mr Gentleman: I think it is about the importance of information being readily available to police to ensure that they have up-to-date information, particularly about the family itself, but then in regard to the touchpoints that family might have had with government agencies and other directorates, for example. Health is a good example of information sharing. If we are able to understand that a particular family has had touchpoints with the ACT government in Health or in family services, for example, then that can assist ACT Policing in their decision-making.

THE CHAIR: And is that currently available to police? Are they able to access that type of information?

Mr Gentleman: There is some sharing available at the moment, but it is not as quick as it could be. The government are considering how we can improve on that.

MS LAWDER: Following on from that, was there anything specific in the Glanfield inquiry relating to police procedures and sharing of information?

Mr Gentleman: There was quite a bit, I think. I do not have any detail on the inquiry in front of me, though.

MS LAWDER: Have you implemented those recommendations from the Glanfield inquiry? It was about children taken into care, where a parent or the carer may already have had a criminal record, which was not necessarily taken into account or known about by another directorate, just to use one example.

Mr Gentleman: The government did make a detailed response to the inquiry, but what I might do is just take the detail of that on notice. We will come back. We will provide a holistic response.

MS LAWDER: But it was about information sharing, very much so?

Mr Gentleman: Yes.

THE CHAIR: In terms of information sharing, we talked about the example of getting information from Health. It is realistic that people facing domestic and family violence issues may, as a first point of call, go somewhere else, like a refuge or some other community-based service. Do you have any open channels for sharing information with those types of organisations?

Supt Craft: Yes, very much so. Part of our day-to-day business is information sharing. We have a really strong relationship with the Domestic Violence Crisis Service. We speak to them I would not say daily but regularly. We also do case tracking each Monday morning, where police chair a committee, for want of a better phrase, with key partner agencies and discuss ongoing family violence matters before the court and victim care and making sure we are supporting that judicial process. We get together and discuss and share information face to face, which is really good. We constantly have discussions and meetings with our key agencies to look at ways of doing things better.

THE CHAIR: Are there any improvements we can make in terms of the type of information? It seems like what we are getting from some of the other organisations that have given evidence is that different agencies might collect different types of information and there is not a consistent data collection system across all the different agencies involved in this space.

Sgt Beauman: To add to what Acting Superintendent Craft said, we rely for the information sharing at the moment in our case-tracking process upon the provisions in the Crimes (Sentencing) Act 2005. It is a good provision, but it restricts us in the sense that we can really only share information where it relates to a person charged with an offence, a victim of an offence, or a person convicted or found guilty of an offence. While we are very much trying to work more in that early intervention and prevention space, this essentially restricts us from really having some good conversations, if I can say that, around the issues that we can identify.

There are some discussions we have been having, and I know there will be some further discussions in relation to the information sharing under the Coordinator-General for Family Safety and what we might be able to look at there. Obviously we get a lot of information from our members that attend a scene, talking to witnesses and victims, and that information informs the risk assessment tool, but we are somewhat limited in how far we can use that at this point, so there is definitely scope to enhance the system.

THE CHAIR: The coordinator-general is appearing as well, so we can ask a bit more there too.

MS CODY: I want to touch more on the learnings from other jurisdictions. I know Victoria have done a bunch of work on this, and the committee was lucky enough to go to Victoria and listen to some of the things they have done. Have you spoken with Victoria Police, for example?

Supt Craft: We have. We are always looking for different and better ways of doing things, and part of that development is speaking to other jurisdictions and seeing how they do it. We do have plans to get to Victoria and have a closer look at their family violence portfolio. During the development of the national domestic violence orders scheme, which I was on the committee for, I had lots of dealings with all jurisdictions around Australia, both the police and the courts. We had some really robust discussions that enabled me to get a good grasp of what other jurisdictions are doing, and having some good contact points.

We are certainly interested in what others are doing, and we know Victoria is doing good work, not just in family violence but in lots of other different ways. We are certainly open to looking at how we can best use our resources to look at this problem.

MS CODY: Before domestic violence rates of reporting were as high as they are now I had some very good interactions with ACT Policing, and they were always very good and very supportive. I would like to thank you and the officers I dealt with in the past.

Supt Craft: Yes, I do understand. When the family violence coordination unit was set up, Superintendent Jo Cameron was in the chair at the time and she developed a lot of this strategy. She went to Victoria and talked to them, as well as going to Tasmania, and this is where we got the risk assessment tool from. We are certainly looking to not reinvent the wheel, for want of a better phrase, to see how other states do it. We are all heading towards the same path, so it makes sense that we share our knowledge.

MS CODY: I have not looked at the latest statistics, so I apologise in advance, but is ACT Policing still a little heavier on the male side of FTE?

Mr Gentleman: I would not say it is heavy; they are certainly fit people. But we are trying to head in the direction of a better gender balance, and we have taken the necessary steps in the right direction, particularly the appointment of the new CPO. She is doing a fantastic job. Of course, the government has an overarching policy in emergency services to support women in all of those services. We will keep working on it and see if we can recruit as many women into the job as we can.

MS CODY: Are you doing work internally to raise awareness of officers being able to determine if one of their officers is a victim or a perpetrator of violence? Is work underway within the organisation to help support your own officers?

Supt Craft: There is. In the broader AFP and nationally we have education around police being involved in those situations.

Sgt Beauman: We have a new internal response to family violence, so it is the AFP's own response. There are recommendations within it for how colleagues and managers

look at supporting members through the process if they become a victim themselves.

MS CODY: I know for a fact that sometimes you do not know how to respond to someone that is a victim, and you also do not know how to respond if you notice some quirks that could be perpetrator related. I think it is very important for everyone to do those sorts of things, but I wondered if you guys were looking at it, which you are.

Supt Craft: It is certainly challenging, but we are taking a broader whole-of-AFP approach to it, as opposed to just ACT Policing. There has been a lot of work behind the scenes in and around our cultural reform packages as well.

MS LAWDER: I have a question about the vulnerability of people, generally women, when they leave a domestic violence situation and may be in a safe house. How do you feel about what may be called safe at home schemes, where there is CCTV? Sometimes, unfortunately, a perpetrator of violence may discover that safe house and come back again. Should we be implementing CCTV in these houses?

Supt Craft: Very much so. As I said earlier, we work very closely with DVCS, who implement a lot of these programs. We provide advice and guidance and support for the particularly vulnerable victims to look at increasing security around the house, whether it is CCTV, padlocks, things like that. But also more broadly they look at cybersecurity as well. We find there is a growing issue around tracking, cyberbullying and harassment—as more and more apps become available it becomes easier. I know Telstra run a program where you can hand your phone in and they give you a new phone. All the apps and all the contacts stay in there, but that phone is gone, so there is no tracking or that sort of thing, which is fantastic. I certainly encourage the government to support those sorts of initiatives, because they can be costly. I know DVCS work really hard in that space.

MS LAWDER: Do you provide—or is it up to someone like DVCS who owns or operates the houses—advice about the best quality or type of CCTV, for example, and alarm systems?

Supt Craft: Yes, I think they do. I do not know the specifics.

MS LAWDER: So it is a matter more for the provider, not for the police?

Supt Craft: Yes, I think they put them in touch with a standard provider that provides locks and cameras and all that sort of thing. In this day and age, cameras are quite cheap and you can buy them from anywhere.

MS LAWDER: My point is: is it valuable for you?

Supt Craft: Yes, very much so.

MS LAWDER: What level of quality is needed, or does it not matter?

Supt Craft: The higher quality the better. The cameras they have these days are fantastic quality, particularly when we are talking about stalking-type offences, where a perpetrator continues to harass the person. The more they have to protect themselves,

as well as provide information and evidence to us, the better. The last thing we want to do is take statements from people, but there is insufficient evidence to proceed. We certainly encourage them to have as much as they possibly can, and it is for their own safety. It is a really good initiative.

THE CHAIR: Talking about the digital and online issues that are becoming more prevalent now, the ACT recently passed the intimate images legislation. I know it is quite early days, but have you had any feedback on how that has impacted on addressing those types of issues?

Supt Craft: It is fantastic, because we had some gaps in the legislation around intimate images, and I know there have been prosecutions since that legislation has been introduced. Apologies, I cannot give you the stats, but I will certainly take that on notice. There is a broader issue around cybersecurity that, as technology gets better and better, there will be more and more challenges for policing. Particularly when it comes to victims, your traditional forms of stalking and harassing are going to become more cyber than they were before. That makes for challenging times for police.

MR STEEL: My question is in relation to the ministerial direction around supporting the efforts of the Coordinator-General for Family Safety. I was just wondering in what ways you were supporting the coordinator-general thus far.

Supt Craft: We have been engaged quite early with the family safety hub. My predecessors engaged in the early stages, and I know our Chief Police Officer is also engaging with the director-general and having those face-to-face discussions quite regularly because we see ACT Policing as being a key stakeholder in this, in the development of any sort of family safety hub, and we strongly support those initiatives. It has been a consistent approach right from the start.

MR STEEL: So it has mainly been around the hub at this point? Is it a critical friend? I cannot find the exact terminology.

THE CHAIR: Critical friend, yes.

MR STEEL: Yes, as a critical friend of the government?

Supt Craft: Yes.

MR STEEL: And what is your view on the family safety hub? I think it mentions in the submission that it should be focused on safety as opposed to crisis. Can you elaborate on that?

Supt Craft: We are certainly supportive of the family safety hub. We are still awaiting more specific details of exactly how the hub will look, and I know there are some discussions in and around that. My apologies; I do not know exactly what stage they are up to but, as I said, any initiative that helps victims and is targeted at victim protection is a wonderful thing.

Mr Gentleman: There is an opportunity too, with ACT Police working with the

safety hub, to ensure that we move to the appropriate response but are prepared for early intervention and prevention as well. The learnings from those relationships can help in the prevention of family violence too.

THE CHAIR: I want to turn to paragraph 14 of the ACT Policing submission, where you state that for the 2016-17 financial year the level of acceptance of support services by alleged perpetrators was 16.2 per cent and that a massive 83.8 per cent of eligible offenders either declined or did not respond. Do we know why? Obviously the goal is to have everyone accept the service, but there are obviously some factors why. Do we have any reasons why?

Supt Craft: Yes, this is the challenge. I am sure Nicole could provide some more specific details. In the ACT the perpetrator program is run through ACT Policing and we have a perpetrator program staff member who makes direct contact with our offenders, which is different to how they do it in other jurisdictions.

We see as one of the challenges the fact that the police who are taking those intervention actions by arresting the offender are then the ones contacting them later to say, “Do you want to take part in a perpetrator program?” It is challenging to have that uptake and that buy-in. We are looking at options and strategies for how we can increase those uptakes because we see strongly that the perpetrator program is a really good initiative to break that cycle of violence.

We need to engage our perpetrators because we are finding the same perpetrators coming up time after time, and if we can somehow reduce that or encourage the change in behaviour it is a very positive thing. Did you have anything further to add to that?

Sgt Beauman: No. I was only going to say that it is very much an area that we just yesterday were having a conversation around progressing and looking at what more we can do. Our member running the perpetrator program works very closely with EveryMan. We are in for change under the DVCS program, obviously, with referrals, but they meet regularly to talk about various issues. As Acting Superintendent Craft said, a lot of the hesitation that we are finding anecdotally is that the perpetrators are reluctant to engage so much with a representative of our organisation, even though it is not a police officer. We are certainly exploring more around that currently.

THE CHAIR: Would that be, moving forward, perhaps taking it away from going through police and moving toward some of the community groups that are working in that area?

Mr Gentleman: Some of the programs that EveryMan run.

Sgt Beauman: Yes. I think it is important to note that the member coordinates and makes the contacts but he is not actually facilitating the behavioural change programs. We do rely on EveryMan and Room4Change to actually facilitate those programs. It is essentially referrals to it, but it is even in that contact that there is a bit of reluctance there to take it up.

MS CODY: I have a supplementary off the back of that. It goes to one of the points

that you raised and that the committee was asking about before in regard to youth perpetrators. Do you tend to spend a little more time working to ensure that, particularly from a youth perpetrator perspective, there is a bit more encouragement to help them, to get them into different programs?

Supt Craft: Yes, very much so. We look at young offenders. One of our primary objectives with young offenders is to keep them out of that judicial system. If we could spend a little extra time on matters to try and look at different ways of dealing with it, then it will certainly be beneficial down the track.

We always engage DVCS and our other partners, but when it comes to young offenders, yes, we can certainly work with our other key partners to develop some strategies—things like case tracking, where we are dealing with matters potentially before the court and there other ways we can do it. That is a bit of a work in progress and we see it as a key. Dealing with young offenders is a real challenge.

MS LAWDER: I am just thinking back to the previous Assembly. I think in March 2015 the Assembly passed a motion which led to the convening of an extraordinary meeting of the Domestic Violence Prevention Council. I am not sure if you were there, Minister Gentleman. There was a report to, I guess, the Attorney-General about that and it included, for example, strangulation as an offence and allowing victims to give evidence via video, I think.

Mr Gentleman: That does bring back—

MS LAWDER: No, it was about allowing the first statements as evidence. I was just wondering whether there were other recommendations relevant to the police and whether you have fully implemented those.

Mr Gentleman: Again, I think the government responded to the committee's report and moved—

MS LAWDER: I am talking about the implementation, rather than—

Mr Gentleman: That is right, and moved in the manner that you have discussed here today. In regard to all the recommendations, I would have to go back and have a look at that, but I am happy to take that on notice and come back to you.

MR STEEL: I know you provided some figures before around the reduction in offending rates for family violence offenders, but there has been a large increase in the number of family violence reports over the past few years, with the focus on family violence across the country. I was just wondering what the government's and ACT Policing's responses have been to that in terms of resourcing.

Mr Gentleman: I think the extra investment from government to ACT Policing and the listing of family violence as a priority, and my instructions to Policing, are the direct result of what has been occurring. As I said, we have seen a decrease in the last 12 months, but there was quite a large increase prior to that time. It is important to then get all those learnings, but the extra resources and the extra effort in a legislative sense as well, I think, have gone well towards responding to that so far. But, as I said

in my opening statement, we do not want to see any family violence in the ACT. We need to keep working at it, keep providing police and of course the other services with as much support as we can in both a resource sense and a legislative sense.

MS CODY: I know that I have spoken a little about members of ACT Policing in particular, but we have got so many opportunities to hear from other organisations that also directly help. I have some questions for you guys. In regard to support for your staff members that are front line and that see the first response to the domestic violence, do you have counselling services and support services in place to help them move through the process as well? It can be quite confronting.

Supt Craft: Yes, very much so. We do and we have got a really good process in place. We have our welfare officer network that is now being rolled out to the AFP nationwide. They saw ACT Policing as one of the great models of how to do it. We offer a range of welfare and psychiatric services to our members that are free of charge and that they can go to at any time. There is some really good support from team leaders. We do mental health. We work with the mental health team quite regularly. We do lots of mental health training.

The welfare of our members is one of our paramount concerns and it has been well recorded and spoken about through the broader AFP for the last few years. We have got two welfare officers who are on call 24 hours a day, seven days a week. They go out to responsive issues. They assist with all types of matters. When the troops go to critical incidents, when they go to family violence incidents, they are there. That is their first port of call. We have also got mentors in the workplace. People can go and speak to people. We do have a good system set up.

Det Supt Calatzis: We have also got a process through the police operations so that at any one time any number of police officers could be dispatched to family violence matters. There is a balance of how many they can go to. They have also got a very good, accurate system to say, “We are not going to dispatch Constable X or Constable Y at Belconnen or city police station anymore; they have already been to one at the same time.” For most of them, once they are involved in one of those matters, they are traumatic. They are lengthy for them as well. I know this not only from my police service, but I have also got a son on the front line as well in policing in the ACT. They have also got to be involved in the criminal justice system as well as in bail positions and supporting the victim. Also, there is a criminal justice solution, obviously, with the apprehension.

MS CODY: That was my next point. For those members who are the first responders, they take the evidence via video now. They then have to track that case through the rest of the system as well, which can be time-consuming and distressing for them.

Det Supt Calatzis: It is time-consuming, but, as my colleague Acting Superintendent Craft said, we have all our checks and balances and they also have a strong peer support network. Plus, our culture has changed with the cultural reform. We are also very much into general health and wellbeing. For the last 15 to 20 years we have probably had the best gyms in Canberra. People are encouraged, for their own health, to use the gyms or any one of our other facilities before, during or after operationally viable. We also have flexible work arrangements, even for people on the front line,

and that probably has not been heralded enough.

THE CHAIR: You refer to measuring success or potential success in your submission, on page 16. Can you expand on that a bit more? You gave a few examples that identified measures that could include some of these factors, but could you go into more detail about what that might look like? That might help us in talking to some of the other agencies about how they measure success, so that we have a consistent approach.

Mr Gentleman: First off, a reduction in family violence is a measure of success. I would be concerned about less reporting because we are still aware that family violence occurs.

Supt Craft: It is challenging because if we look at quantity of measurements in relation to the number of incidents reported we are not focusing enough on who is not reporting family violence, and one of our big concerns is the under-reporting of family violence, particularly from our culturally and linguistically diverse population. We have a very broad demographic in the ACT, and one of our challenges is what we are not hearing about. There has been a lot of media around family violence in the last couple of years, which has seen, as the minister has said, that spike in reporting. That has plateaued a little bit now, so how to measure the under-reporting is very challenging.

We can measure quantity in and around evidence-in-chief interviews of the number of early pleas of guilty, which is one of the measures we have. We encourage offenders to plead guilty early because the evidence is right there. That saves the victim going through a lengthy process. It helps them. It reduces the impact on the court. It has a monetary impact, which is great. But it is very difficult to measure the impact of things like perpetrator programs because behavioural change programs take some time. We need to work out how we measure breaking that inter-family cycle of violence where the children become offenders. It is a real challenge. In short, I am struggling. We can give you some simple quantitative data, but it is the quality that is a challenge for us.

THE CHAIR: I was not expecting a be-all and end-all solution.

Supt Craft: I just wanted to give you a little bit of scope around some of the challenges we face. As I said, the under-reporting presents probably our biggest challenge.

Sgt Beaman: An ANZPAA family violence working group is coming up in the next week or two, which our DCPO of crime will be attending. That is specifically to talk about the measures of family violence and what is being done around the country. Hopefully, that will bring back some ideas and provide some input into what is being done across the country as well.

THE CHAIR: Is that happening very soon?

Sgt Beaman: Next week.

THE CHAIR: Could you provide any information you are able to to the committee as a result of that? We will be continuing with our inquiry so that will still be enough time for us to consider some of that.

Sgt Beuman: Of course.

MS CODY: You mentioned the culturally and linguistically diverse communities. How do you respond in instances like that? Do you have interpreters and are there ways in which you are working from a cultural perspective to understand where they are coming from?

Supt Craft: We have a lot of challenges in that field. Yes, we have access to interpreters 24 hours a day over the phone. We can use telephone interpreter services. Part of the cultural reform package is to try to develop broader cultural recruiting in our ranks so that we reflect the community. We also work closely with DVCS, who have some programs in relation to things like that.

Det Supt Calatzis: According to our latest ACT Policing report, over 20 per cent of our officers speak second languages. I speak a second and third language. I am a son of migrant parents who came to this country, like many other people, so that has been generational at the same time. We have also had strong community engagement forums since time immemorial between ACT Policing and the ethnic groups in the ACT. That is very, very strong—we have over a 90 per cent trust factor in ACT Policing for community engagement. That is just something we have never taken for granted.

MS CODY: There would be some cultures that would not necessarily see police as being able to assist; they view police as people to be wary of. Are there things you are doing to help address those matters?

Det Supt Calatzis: With the diaspora of new settlers coming into the ACT and so forth, ACT Policing is constantly engaged with new settlers from other migrant countries. That has been a longstanding program. I cannot remember the acronym for it.

Supt Craft: For example, we deal with the Department of Home Affairs. We have some cultural issues around people coming in on short-stay and long-stay visas. They become a bit of a tool for family violence offending. We work with immigration and we have those broader discussions around specific people and supporting them through a process. Some of the under-reporting revolves around the fact that an offender might be key to the victim being here, and if the victim reports the matter to police potentially they can be sent home. So we work closely with people like immigration saying, “Hang on. Can you help us?” They engage with the victims to explain the measures and to put in place interim solutions to ensure that they stay in the country and get out of this violent situation. That is a real challenge for us, but we have a really good relationship with a lot of our broader law enforcement partners.

MS LAWDER: This is another demographic group: statistically women with disabilities are over-represented in violence against women. Does the police force have any specific training regarding people with disability to help with those reports?

Supt Craft: Obviously through recruit training we try to capture as much as we possibly can, based on demographics and cultural training as well as mental health training.

MS LAWDER: No specific disability awareness?

Supt Craft: Off the top of my head, no, but just thinking back through my own career I know there have been times when we have engaged disability services to provide training to front-line troops about better ways of doing things. Also, within the community we have similar victims and offenders who have certain challenges and then we tend to learn from those. We rely closely on our support agencies to help us with those sorts of problems.

MS LAWDER: I noticed Victoria Police are talking about a potential online reporting tool which may help some of those groups with their reporting. Is that something that you may be thinking of implementing?

Supt Craft: Yes, very much so. We have rolled out recently, AFP-wide, a mobility solution, that is, all of our front-line troops are now issued with brand-new phones, iPhone 7s, that have apps developed specifically for policing. Part of the way we are headed is looking at how we do things better, and online reporting is certainly a measure we have looked at. We have rolled out online reporting to other portfolios around traffic and some other areas where it works really well and speeds up the process. We are certainly looking at options for people to report crime in all sorts of different ways and not just the usual picking up the phone. Some people are not comfortable doing that and we need to try to tap into those people to capture under-reporting as best we possibly can.

THE CHAIR: Thank you. As our scheduled time has come to an end, we will leave it there. When available a proof transcript will be forwarded to witnesses to provide an opportunity to check the transcript and suggest any corrections. If witnesses undertook to provide further information—I think a few questions were taken on notice—the committee does not set a strict deadline but it would be appreciated if we could get the responses within about two weeks so that we can make best use of them in our deliberations. On behalf of the committee, I thank you, minister, and your officers, for attending today to give evidence to this inquiry.

Mr Gentleman: Thank you, chair. Just before we close, I put on the record my thanks to ACT police for the work they do every day but particularly in this area of domestic violence. It often is the most difficult part of the job.

THE CHAIR: Thank you.

WILLIAMS, MS MARCIA, Chief Executive Officer, Women’s Centre for Health Matters

THE CHAIR: On behalf of the committee, thank you, Ms Williams, for appearing today and for the written submission to the inquiry from the Women’s Centre for Health Matters. I remind you of the protections and obligations afforded by parliamentary privilege and draw your attention to the privilege statement before you on the table. Can you please confirm for the record that you understand the privilege implications of the statement?

Ms Williams: Yes, I do, and I have read it.

THE CHAIR: Thank you. I remind you that the proceedings are being recorded by Hansard for transcription purposes and are being webstreamed and broadcast live. Before we proceed with questions from the committee, do you have an opening statement?

Ms Williams: No. We have provided that in the submission, so I am happy just to start.

THE CHAIR: Thank you.

MS LAWDER: I am interested in some of the points you made about housing and homelessness—for example, about housing affordability being an issue in the ACT. Canberra has a lot of issues around this, but I am interested in your views specifically about women who may seem to be on a moderate or reasonable income but their assets and money may be tied up in a mortgage they are legally obliged to pay. Do you see many instances like that, where women are cash poor and really struggling?

Ms Williams: Very much and, in fact, I think we referred to a report we did with DVCS to look at their client base. We have also worked with a range of women that have left DV situations. We refer to them as the missing middle because the normal responses in the ACT around that level—whether it is legal services, housing support, access to refuges and those sort of things—are always targeted at that lower income level. That is great; we really need that support for those areas, but we are seeing women losing their houses when they are in that \$50,000 up to \$100,000 range. That relates to the fact that when you go from a double income with a mortgage or even rental payments in Canberra you end up living at a level of poverty.

We are hearing that from women themselves—it is a level of poverty and it is really hard to get over that. You have all the issues about the bills that come in regularly. You often have the issues of waiting for a property settlement. Obviously in the ACT we encourage women to stay in their own homes if it is safe for them and their children. But all of those costs build up with the delays in the system, the family law system and the costs of all of that. So we are seeing that range of women really becoming the new ones in that poor area.

MS LAWDER: Is there not much available to help them because a lot of the services are devoted to the people who are very poor?

Ms Williams: Yes, I think that is the gap we are missing. We have been doing a bit of work—I have a report here the committee can look at, our *Beyond crisis* report—deliberately trying to engage with business and industry on their responsibilities in this, particularly around the housing side of things and looking to find some real estate agents or others who might look at how they could work with mum-and-dad-investor home owners to think about things like forgoing a bond for a woman and her children who might stay for a long period of time in a place if they could actually afford to get into it. It is a market for the investors at the moment, so it is very hard to find that.

There is still a lack of awareness among many of the people in that industry of the true picture of women leaving domestic violence; they are not all the stereotypical ones. We have started some of that work, so I think there are some opportunities to keep that going.

MS LAWDER: Adding to that complex mix, you mentioned legal support, but non-payment or protracted debate about child support payments, for example, will feed into that.

Ms Williams: Yes, and long delays in accessing the family law court—\$30,000 is around the average cost—

MS CODY: And the rest.

Ms Williams: Exactly. There are all of those costs, and I think that is why we often see women opting out of the system—it is easier to opt out rather than continue in it. We have been talking to a range of women who say, “My kids miss out if I keep on trying to get access to all of those things that we should have access to.” I am preaching to the converted, I know.

MS LAWDER: I will ask a question I have already asked someone else today: do you sometimes see or hear, even anecdotally, about women who may enter into inappropriate relationships to get a roof over their head or their children’s heads and to pay off debt or anything like that?

Ms Williams: No. We deal a lot with all the services and I can honestly say I do not think I have ever had that raised. That is not to say it might not happen, but I think we are more likely to see a woman who has left decide it is too hard and go back to the relationship, rather than stay out of it.

The other thing I forgot to mention is that we have initiated a program called access beyond crisis that we developed with the partners as part of this. One of the things we have done is target it not at the group that already get the government assistance but at that next range, the \$50,000 to \$100,000 range. It has just started, and we are finding the sorts of things they can get access to in that are things like a bond or a mortgage payment that you cannot pay because it is at the same time as utilities. It is a no-interest loan, and those are the sorts of things we need to look at that can be put in place. Otherwise, these women either head back into the relationship or they come into the system when they no longer have a house and are in crisis and are no longer eligible on the same basis as if they had left straight away and were in crisis. I think

there is some work around how we support people to stay out of that system.

MR STEEL: My question is in relation to the mention in your submission that many women feel that some of the formal responses to domestic and family violence, such as child protection, hold them and not the perpetrator responsible for ensuring their own and their children's safety. Do you have any suggestions about how child protection and any other services the ACT government runs could better approach the issue?

Ms Williams: As part of the Domestic Violence Prevention Council we are doing quite a bit on that around children and young people because it comes up all the time. Women are being told they are not protecting their kids because they have left and they do not have a home or a range of other things. Some of those things are not things they can control. Some examples we had recently were of them being told they needed to do certain things to make sure they could prove they were protecting their children. In that situation you are powerless. You are like: "Either that or I lose my children." So then, when they do not turn up at those things and are asked why, it is simple things like: "It's on the other side of town and I've got no money for a bus." There are a range of things.

The other things that are really starting to be looked at in the ACT are things like the ACT Law Reform Council talking about doing things differently and using restorative practice. So, rather than being punitive and blaming and forcing someone to take responsibility for actions they are unable to do, it is looking at how you might work differently in that space. We all think that has some possibilities because it becomes about being restorative and repairing that relationship between child protection and the people involved in child protection.

Training is a big one for child protection. They are at the pointy end and it is really difficult. The other thing we hear, too, with regard to mandatory reporting is that many might be reported because it is mandatory but so many people are under the threshold. So they have gone through the process and then they are put back out and there is no support for them to address the issues they still have.

There is something around understanding their statutory function but also how they can play a part in connecting them to what is available and building up some of that data about what is needed to support some of these women who find it difficult. They want to protect their children, and they are, but the circumstances are such that people do not recognise what they are doing.

MS CODY: My mum was a school teacher and she used to pick up some children to bring them to school every morning because the mum just could not quite get there. She did that to support them and to make sure the mum would not lose her children. That was what my mum did—she went and got these kids and took them to school every morning.

Ms Williams: Yes, and I think there are lots of examples where people just pitch in and do it, but it is sad that it is not a formal and built-in approach to the way we do business. So much of that is also about the silos—we have child protection here and Housing there and there are all those other bits in between, but they go through those

and that is it. It is about looking at how you connect those and where are the gaps.

MR STEEL: What sorts of things do you think child protection is currently requiring victims to do where they do not have a lot of control? You mentioned they have certain conditions they require.

Ms Williams: I am not an expert in that.

MR STEEL: Do you think it is leaving the house? Is that one requirement?

Ms Williams: It can be. It depends on the situation, and that is the tough bit. When we talk to other providers in the space, they say it is very hard sometimes to figure out what was the cause of child protection calling a woman in and speaking to her. You can have a one-off incident and a person is straight in to talk to child protection. You will have someone else who a teacher might have reported seven times and they are never brought in and they are under the threshold. It is really hard to understand some of the consistency of the decisions, and I think there is a gap in feedback not only to the mandatory reporters but to the women. Some of that restorative practice is really important in that aspect.

There are such a wide range of examples. We hear often that women are told that because they have left and have no accommodation they are not protecting their children. That is a sad indictment, because what are you supposed to do? If they stay or they go back, you can still be treated as someone who is not—

MS LAWDER: Or they are living in a two-bedroom house with four kids and they are told that is not appropriate and they are at risk of losing their kids.

Ms Williams: Yes. It is that consistency in approach and thinking through what the issue is that we are trying to address and how we support them to be more protective of their children. In most cases, they have left to do exactly that. A wide variety of women get caught up in this.

THE CHAIR: In answer to Mr Steel's substantive question you talked about the need for data. I know on page 11 of your submission you say that better data is also needed to analyse what is happening and to assess the outcomes. Can you give us an example of what you mean by better data? Do you have something in mind that you think that we should be collecting that we are not or that we could be collecting in a different way?

Ms Williams: I think the answer is yes. I think there are a lot of things, and it is not easy. I think one of the issues is that we collect data in silos. We know how many people go through housing assistance, we know how many are in child protection but we do not actually have a picture of those people and what they are accessing and what they are not accessing.

I think some of the data is driven by what the commonwealth demands in terms of reporting about programs. In the housing space for example, service providers always comment about how the data is all about what the ACT government needs to respond but what they are missing and the one thing that comes up all the time is: we have got

more children in the system than we have women in the system often but they are not picked up because they are not counted in the data. To us, that is a gap and that is also that gap about following people across and being able to think about what is missing.

I think from that point of view too—and you have probably heard it in the discussions—we often have programs that get started and the evaluations of them give us a report of how well they are doing. And it is the numbers. It often is not about how well they are doing.

I guess for me, in particular, coming from a women's service, I want men's programs that actually support perpetrators. You need that and in some cases it can be really useful early in a domestic violence situation to help the woman and the family stay together at the very early stages. But we do not see a lot of evaluations around those types of things.

We have now got the room 4 change program that DVCS is rolling out and that is going to be evaluated. I think that is a great thing because I think we can prove then if it is working, how it is working for both the family and the perpetrators but also with that investment, the money, how long is it keeping them out of that. I do not think we see that in a lot of the other programs.

Probably in relation to children's programs too, there is some of that that needs to be built in so that we can prove we are doing the right thing and invest in things that work long term and do have a payback, I guess, into the system so that we know that we are keeping people out of poverty or out of another domestic violence relationship.

THE CHAIR: And just on that, when you were talking about one of the gaps being that children are not counted—and we know that there are a lot—you also mentioned on page 10 of your submission that it goes also to the funding because they are not counted and—

Ms Williams: That is so, yes. We were talking earlier today that a client is who you fund for but so often the families that go into that—I do not know whether you have had any refuges through—have got five or six kids as part of a family and the funding is only about the woman. How do you, as a refuge or any of those other services that are trying to make sure the kids are okay as well, support them?

If there is no money attached to them and it is only to the mother, then how do they do that? Most of them work very hard at trying to get external donations. That is very hard in this environment. I know that I have accompanied many of them to discussions with businesses and that it is just not attractive to invest in for so many donors in the ACT, which I think is a sad thing as well, yes.

MS CODY: I was just reading point 2 of your submission about the impacts on women and the costs. I really appreciated the fact that you talked about the physical and mental health impacts on the victims. But also you raised the financial burden of this. You are saying there is an estimated \$12.6 billion that the victims have to bear. Can you maybe draw a little more—

Ms Williams: Yes. I think it is the things that we were talking about earlier, that most

of the costs that are borne by the women are things like the loss of property. They end up pulling out of a property settlement. I think I quoted in there that there is evidence that shows that women end up with about 40 per cent of property in anything like this, in a property settlement. There is already that loss.

There is the loss of work hours. So often when you are going through a process to try to retain your kids, you need to think about all the legal costs. It is all those costs that mount up in trying to spend all that time out of work and make sure that you are going through the whole process. It is things like child care. You cannot take children with you to legal services and you cannot take them into courts or, if you do, it is often quite traumatising for them. There are things about the child care and the access to child care if you do not have supports around you.

It is that long-term impact. Your super is affected by the time out of the work force. It is this long-term impact on women that they bear the brunt of. So often the men—the perpetrators; I will go back to the common language—the perpetrators end up with a higher share of a property. They have not got the same issues about looking after the children because generally it is the women. They actually still retain their super, they still retain all that and it is the women who lose that period where they are often out of the work force. And depending on how good their work force is, it is those issues of mental health—how you get access to counselling and supports, except in the free system from DVCS—and the sexual assault and sexual violence impact on their life long term and their ability to continue working or on the time they take off work.

There are myriad costs that they actually absorb as part of that and it still surprises me that when we look at that amount in the ACT for women compared to government costs—I always assumed that government costs would be bigger because you are trying to provide a system—it shows that imbalance about how much they do, yes.

MS CODY: You added in there the cost of taking time off work and I just want to note that today is the day the Fair Work Commission's decision to approve five days domestic leave without pay—

Ms Williams: Without pay, yes.

MS CODY: At least it is a start. It is a conversation starter.

Ms Williams: Yes, and I think it is a recognition that there are a whole lot of issues that mean you do not have that time at work. The without pay is the issue.

MR STEEL: The federal government's new childcare package provides additional childcare subsidy for up to 13 weeks at 100 per cent of the cap. It is not necessarily 100 per cent if it is a higher fee but it is 100 per cent of an average fee for victims of family violence and that starts from 1 July. Do you think that is going to make a difference and is 13 weeks enough to—

Ms Williams: No.

MR STEEL: cover how long victims are in a period of crisis, I suppose, or do they need longer?

Ms Williams: Yes. I am not an expert in the childcare area but I know we have spent quite a bit of time talking to women about the childcare issues and trying to influence the childcare industry to think how they also support this because we do find that women cannot afford it. The child care is the one that goes. I was listening to someone today saying, “It doesn’t cost that much, does it?” It really is a big chunk of the money out of it. Women always tell us that the time that they can access that free or up to the cap is not enough. When you have just left or stayed, you are trying to organise housing, you are trying to get in to see all the legal support, you are trying to get your kids into counselling, yourself into counselling, and you are trying to get all the evidence that you need. Thirteen weeks is not a lot of time. We are already into the year almost 13 weeks, are we not?

MS CODY: I had a wonderful employer when I left and, honestly, I could not have done it without him.

Ms Williams: Yes.

MS CODY: I just could not have.

Ms Williams: I think that the workforce is really important in that you can see employers that are really taking up the issues and making sure that they offer supports. But most women do it with the support of families, if they have them, or they do not access the childcare system because it is just not affordable even with those subsidies at the moment. I have not had time to really look at it but I would be interested in talking to women after those figures come in and see whether there are the same barriers there.

We have been exploring with some of the community-based deliverers of child care in the ACT, and one particular one, about whether they might be able to provide some pre-support that is not about 13 weeks but at a point in time where someone has got an appointment, giving it free around that time. Whether it is a court case or whether it is something else it becomes an additional support that they can give for people who might not otherwise access it. We know that early childhood education and care are really important to the kids as well. It is their one bit of not being in that system.

MR STEEL: Are you aware of any that provide that extra trauma-informed response for the child who may be a victim as well?

Ms Williams: Not off the top of my head. I know that Community Options and DVCS are working on looking at a model. We would be really keen to look at how that will work. We have talked to the childcare providers and they are all very aware of the need to think about it. I guess, for us, the issue is not so much the cost to those who can afford to access it but so often the childcare centres have to have a certain amount of staff on to be able to handle a certain number of children and so often some of those places are not full.

We are funding them anyway because they have had to put people on. Why do we not use those in a better way to support people who really cannot access it otherwise and really need it to do those sorts of things like attending legal or court attendances, those

sorts of things?

THE CHAIR: Unless there are any burning questions, we might draw that to a close. Thank you very much for coming to give evidence. When available, a proof transcript will be forwarded to you to provide an opportunity to check and suggest any changes. I do not think you took anything on notice.

Ms Williams: I do not think so.

THE CHAIR: On behalf of the committee, I thank you for appearing today on behalf of the Women's Centre for Health Matters. I now close this hearing. The committee will continue its hearing program for this inquiry on Tuesday, 3 April. Thank you.

Ms Williams: Thank you.

The committee adjourned at 4.28 pm.