



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

**STANDING COMMITTEE ON HEALTH
AND COMMUNITY WELLBEING**

(Reference: [Inquiry into Annual and Financial Reports 2021-2022](#))

Members:

**MR J DAVIS (Chair)
MR J MILLIGAN (Deputy Chair)
MR M PETERSSON**

TRANSCRIPT OF EVIDENCE

CANBERRA

FRIDAY, 4 NOVEMBER 2022

**Secretary to the committee:
Dr A Chynoweth (Ph: 620 75498)**

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 4.17 pm.

Appearances:

Berry, Ms Yvette, Deputy Chief Minister, Minister for Early Childhood Development, Minister for Education and Youth Affairs, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women

Community Services Directorate

Rule, Ms Catherine, Director-General

Windeyer, Ms Kirsty, Coordinator-General for Family Safety and Coordinator-General for the Prevention of Sexual Violence

THE ACTING CHAIR (Mr Milligan): Good afternoon. I am stepping in to chair this hearing, as Mr Davis has another engagement. On behalf of the health and community wellbeing committee, welcome to the hearing on annual and financial reports for 2021-22. In the proceedings today we will examine the annual report of the Community Services Directorate.

Please be aware that the proceedings today are being recorded and transcribed by Hansard and will be published. The proceedings are also being broadcast and webstreamed live. When taking a question on notice, it would be useful if witnesses could use the words, “I will take that as a question taken on notice.” This will help the committee and witnesses to confirm questions taken on notice from the transcript.

In this session we will hear from the Minister for the Prevention of Domestic and Family Violence. Welcome, Ms Berry, and officials. Can I remind witnesses of the protections and obligations afforded by parliamentary privilege and draw your attention to the privilege statement? Can you please confirm for the record that you understand the privilege implications of that statement?

Ms Berry: Yes.

THE ACTING CHAIR: Thank you. As we are not welcoming opening statements, we will go straight to questions. I have a question on the Room4Change Program. DVCS is funded to deliver the Room4Change Program, and it has been extended for another year, following the release of an independent evaluation of the program. Does the ACT government have plans to establish this program more permanently by committing to extending the program for more than one year at a time?

Ms Berry: Thanks for the question. The program has been relatively successful. It is a complicated and complex piece of work. It is our intention to understand the review and the work going forward.

Given the new focus that the federal government has placed on making sure that perpetrators, and people who commit violence, are at front of mind, as we manage domestic and family violence across the country, it is about wanting to end domestic and family violence within a generation. Making sure that we can change the

behaviour of people who use violence is very much the focus of the federal government, and here in the ACT.

Our program, Room4Change, is one of only two, I think, in the country. Ours is a little bit different to the one that exists in Western Australia. It has definitely been a nation-leading program, and we are keen to see it supported. Of course, those are decisions for budgets, but there is no decision that the government would be making to end that program.

THE ACTING CHAIR: Is there currently a level of demand for this program? Is there a waiting list or an increase in demand at all?

Ms Berry: We can provide you with a bit of detail. It is a fairly specialised program, and it includes residential, group and individual work with individuals who use violence. I will ask Ms Windeyer to provide a bit more detail.

Ms Windeyer: Thank you, Minister. I have read and acknowledge the privilege statement. In relation to the Room4Change Program, I have some data in relation to participation. From January to June this year, 30 people who used violence were engaged in that program. Five men were supported through the residential program and 26 men were engaged in the Room4Change Program as participants and supported by outreach.

In that time as well, as part of that program, because partner support is a vital part of that Room4Change Program, 48 women received that partner support. They were current and ex-partners of men who were participating in the program. Collectively, those women had 103 children under the age of 18 in their care.

THE ACTING CHAIR: Does the government actively promote this program? Wouldn't that encourage more participants?

Ms Windeyer: There are particular boundaries and reasons why people may be invited to participate in that program, and they need to be assessed for suitability for that program. That would happen by DVCS. Referrals to that program could be made through a number of avenues. That might include other service providers in the sector, DVCS, police, the courts, or the various systems where people are working in the domestic and family violence space.

DR PATERSON: In the annual report it talks about the ACT government beginning to collect case data and seeking information back from other government agencies to undertake a historic review of domestic violence deaths. What will that review look like and how far back are you looking? Who will be doing the review?

Ms Berry: It is really important work. Ms Windeyer, do you have some information on that?

Ms Windeyer: I do. In September 2021, the Domestic Violence Agencies Act was amended to establish the ACT Domestic and Family Violence Death Review. In my position, I was appointed as coordinator of the ACT death review in December.

To date, we have nearly completed work on the development of a database. It is recognised that a death review is important in order to understand and improve service and system responses to domestic and family violence. At this stage we are looking at how far back we will go. In the ACT we are fortunate in that, because we are a relatively small jurisdiction, we do not have a massive number of deaths each year. We will go back, probably for a significant period of time, so that we can get enough data to enable us to look at system changes and things that we need to do in order to improve the system response. It is likely that it will go back to the early 2000s.

DR PATERSON: Will you be looking at every touchpoint that they had with an ACT government agency, mapping that and comparing?

Ms Windeyer: We have the powers to request information from various agencies. We will be doing that. The extent to which that will be relevant will depend on the case that we are looking at. First off, we will put all of the relevant data into the database. It gives us the capability to look at that data—for example, we can look at themes and those types of things. We might then decide, depending on what comes out of that, to look at particular topics, for example.

We also have particular types of cases. For example, we have an expanded definition of what will be in that death review; it includes suicides, where there is a domestic and family violence component. It also includes near-deaths. We might decide, for example, to focus on a particular theme. It could be, for example, where there has been strangulation. That enables the capacity to do that, rather than necessarily looking, as we might do, at each matter, to the extent of really detailed chronology. But I would expect that we would do that for some matters.

DR PATERSON: Are we communicating with the families of those people about this review?

Ms Windeyer: There is the capacity to do that. Again, that is in the legislation. That would be case by case, depending on the circumstances.

DR PATERSON: Would it seek to engage those families in the review, in terms of asking questions about what happened?

Ms Windeyer: That is one of the advantages that we have in the way the deaths review has been set up, compared to some other jurisdictions, where they cannot ask questions of family members, or they are not involved. We can do that. With respect to those questions of family members, it will depend on the circumstances, and on their wishes.

DR PATERSON: Through that lens, will there be any view given to what happened to the perpetrators—where they have ended up and the government response to them?

Ms Windeyer: Yes, it will.

Ms Berry: It is quite a big piece of work, unpacking each of those individual, probably very complex deaths, over a period of time, and putting together the puzzle, I guess, of all of the different services, across government and community, that those

people or their family members might have had access to, or touched on in some way. It is about understanding what services were missed along the way, and what we could do better, now that we understand what happened in these circumstances.

It is a critical piece of work to try to unpack what has happened in those circumstances, so that we can do better in responding to, and, hopefully, preventing deaths from occurring.

THE ACTING CHAIR: What kind of supports will the expansion of the Multicultural Hub Women's Service provide for multicultural women escaping or recovering from domestic and family violence?

Ms Rule: That is a multicultural portfolio question.

THE ACTING CHAIR: It does not come under the domestic and family violence area?

Ms Rule: I do not have a deep knowledge of the Multicultural Hub, and we do not have the officials here. I suspect that it is a hub that provides a multiplicity of services, including, potentially, referral to DV services, as well as to other services. It does not sit within this outcome area; it belongs in the multicultural portfolio.

Ms Windeyer: I can expand on that by saying that, through the domestic and family violence national partnership agreement, the Multicultural Hub Women's Service was given some support for multicultural women escaping or recovering from domestic and family violence. That service includes support for women on temporary visas.

THE ACTING CHAIR: I want to ask about the Family Violence Safety Action Pilot. I take it that it comes under your area. Can you provide some details of the kind of information that is shared between the ACT government and non-government services for the integrated case management delivery by the pilot?

Ms Berry: This is another really important piece of work that is happening in the ACT. This pilot will tell us a lot about people who are experiencing violence. It is also important to have eyes on people who commit violence and look at how we can better manage those situations.

Ms Windeyer: The Family Violence Safety Action Pilot is a collaborative response to high-risk domestic and family violence. It commenced operation in October 2020. It got off the ground really quickly, in response to the COVID-19 pandemic and increased reports of and severity of domestic and family violence. It involves integrated case management and information sharing on high-risk cases of domestic and family violence, particularly where there is risk of lethality or harm.

Since the commencement, it was evaluated by Stopping Family Violence, which is a peak body in Western Australia. That evaluation was overwhelmingly positive. It helps to build service knowledge and understanding of domestic and family violence, improves perpetrator visibility and accountability, and increases service accountability to victim survivor safety. As a result of that, in the last budget, there was money committed to expand the pilot into a program. It is now a program. It brings together

the various partners in the system to ensure the safety of those really high-risk cases.

THE ACTING CHAIR: The pilot is now a program?

Ms Windeyer: It is now a program, yes.

THE ACTING CHAIR: Does that mean it has funding in future budgets?

Ms Windeyer: There is funding in future budgets; correct.

THE ACTING CHAIR: Is it annually, is it triennial, is it over two or three periods, or is it just funding at the end of each year, for review?

Ms Windeyer: It is funded for three years.

DR PATERSON: With that project, where is it run out of?

Ms Windeyer: It is in the Victims of Crime Commissioner's office, and it is in partnership with the Domestic Violence Crisis Service, so there are some workers funded to it from the Domestic Violence Crisis Service.

DR PATERSON: I am interested in whether there is a need for more case management type work. People make contact with the crisis service, in crisis, but what do we have to work with those people long term, to ensure there is a bit of continuity in the response that they receive?

Ms Windeyer: With the pilot, yes, because it is focused on those high-risk cases; and people can come in and out of it. It is not that they can be there for one time only. We do know that domestic and family violence is not linear. It does not necessarily end. People certainly can come in and out.

In terms of that high level of support that is received while they are in what is now the Family Violence Safety Action Program, with the workers there, when people are exiting that program, they do work with the other partners. It depends on the circumstances as to who that might be. That might be another sector provider; it might be a government service. It depends on what is needed to ensure that there is some continuity of support.

DR PATERSON: Because it is run through the Victims of Crime Commissioner, do they have to have hit the criminal justice system?

Ms Windeyer: No, they do not. That was part of the expansion of the service. In the ACT we have had for many decades a case referral system, where we look at those cases which are in the criminal justice system—case tracking, it is called. That has been happening. This program, when it was a pilot, was to expand that to more partners, to ensure that more partners were involved and so that there would be more information sharing. Also, it can involve matters that are not in the criminal justice system.

DR PATERSON: I am interested to know where we are at in terms of the sexual

assault response and prevention task force review recommendations, and whether the recommendations that were agreed to are progressing.

Ms Berry: There were a number of commitments announced in the 2022-23 budget, to fund, as a first step, the implementation of some of the reforms that have been outlined in the report. There is a significant amount of funding; in fact, there is \$4.4 million for the pilot multidisciplinary centre, \$1.4 million for the structured consultation program with victim survivors of sexual assault, \$1.5 million for sexual violence advisers in the ACT, to provide expert advocacy, system navigation and linkages, and supports to victim survivors of sexual violence.

There is \$935,000 over two years to consult with the Aboriginal and Torres Strait Islander communities to make sure that we have culturally informed implementation of some of the report recommendations. There is \$1.4 million for the development of a long-term prevention strategy to change the attitudes and behaviours that perpetrate sexual violence, and data research into sexual violence forensic medicine, which is also another very important piece of work, to understand what is happening in our system responses to those situations. There is \$585,000 over two years to conduct a specialist services review of agencies.

Is there a bit of an update on that work, if it has started yet, or when it is going to start? It has only just been funded.

Ms Windeyer: Yes, I can give a couple more details about things that have happened so far. In addition to those, as you would know, the Assembly passed the Crimes (Consent) Amendment Bill in May this year, which articulates the circumstances in which consent is not given.

In relation to other pieces of legislation, in October, the Attorney-General presented in the Assembly the Sexual Assault Reform Legislation Amendment Bill, which will implement five law reform proposals, which were outlined in recommendation 23 of the report. There is the review of matters—recommendation 15 of the report—not progressed to charge. That was a funding commitment in relation to a multidisciplinary review of sexual assault matters not progressed to charge, to understand the high attrition rates. That work is currently underway.

DR PATERSON: When is that work—that particular review—expected to be finished or be publicly tabled?

Ms Windeyer: There are two prongs to it. One part of that is looking at individual cases. The second part is the systemic type of response. At the moment, because of ensuring that the review does not taint or hinder any potential criminal prosecution into the future or the criminal process, it does have to be very careful. It is expected that the review will report in the second half of next year.

Ms Berry: In addition to that, the co-chairs have been appointed.

Ms Windeyer: Christine Nixon and Karen Fryer. Everybody has been working very hard. There is an oversight committee, with those two chairs. I am on it, in my position, as well as the Chief Police Officer, the Victims of Crime Commissioner and

the Director of Public Prosecutions. Underneath that, we have established a working group, which has representatives of each of those organisations on it. That group has been working very hard to ensure that proper processes are in place to ensure that access to information can be legally obtained by those who need it, and to get on board an independent researcher, so that that person can bring best practice to looking at what has happened and what should happen, and to conduct the review.

Ms Berry: We appointed a coordinator-general as well.

Ms Windeyer: Yes. That is my other position—Coordinator-General for the Prevention of Sexual Violence. That was recommendation 24 of the report.

THE ACTING CHAIR: As I understand it, the Australian Childhood Foundation will be delivering a new domestic and family violence service for children under the age of 12. This service will commence in term 1 next year. How long is the pilot period, and will there be an independent evaluation conducted of the service to assess the effectiveness and inform its future?

Ms Windeyer: The pilot will initially commence with four groups. That will be two children's groups and two non-violent partner groups. They run concurrently. It is funded for two years of delivery at the moment. Yes, it is intended that the data from the pilot will be evaluated. That will happen, and there will be expansion of the groups over the course of the year, depending on how that evaluation occurs. It will be evaluated as we go.

THE ACTING CHAIR: How are the participants for the pilot program selected?

Ms Windeyer: The Australian Childhood Foundation is looking at that at the moment. There is a range of different ways in which they might be selected, and that is to be determined at the moment.

THE ACTING CHAIR: There seem to be a lot of pilot programs happening in this space. Will they all be evaluated at some point? What is the likelihood that these pilot programs will turn into a program and be further supported?

Ms Rule: It is the point of the pilot program—to see whether they work or not.

THE ACTING CHAIR: Yes, I know. But is it likely that you do support most programs or are there some programs that you do not support, and that may not be as effective as you had hoped?

Ms Rule: They get supported if they are effective, and if they are not effective then we re-evaluate whether there is an adjustment to the approach, or why the program is not effective. I do not think we would take forward business cases in budget on programs that had been shown to be ineffective.

THE ACTING CHAIR: Does that happen in this area? It is a very sensitive area.

Ms Berry: I cannot recall any. I would say that, in the domestic and family violence space, and the sexual assault prevention space, they are very complicated and

complex areas. We, as a community, and as a government and a service system, are continuously learning about how we can improve our responses, how we can improve education around it not happening in the first place. That is through a range of different pilots across a range of different areas.

The children's response came out of an extraordinary meeting which identified that young people who are in homes or in spaces where they are exposed to domestic and family violence do need different kinds of support. We want to understand the best way that we can support that. That is what the pilot is about—unpacking that and identifying what is the best way to provide that support. Who provides that support? What is the kind of trauma that we are talking about here? It is different to other kinds of trauma that young people might be exposed to. Of course, for Aboriginal and Torres Strait Islander people, there is a whole other kind of trauma—generational trauma combined with violence that they might have experienced or been exposed to in their homes.

Piloting is about trialling and testing things to see whether they are working or not; then adjusting them and taking them forward, or changing them and calling them something else, if that is where the pilot goes.

Room4Change was one of those pilots which was successful. Initially, it was a pilot, and it was based on what we had learned from Western Australia and from creating our own model.

DR PATERSON: Are we doing any work, or have any programs, that target young people who may be the offenders in domestic violence?

Ms Windeyer: It is one of the things we have been talking about with sector participants. That is something they have raised with us. In order to look at that, we did some youth sector training. We funded that so that the youth sector workers would have better skills in speaking with young people who are both experiencing domestic and family violence and using it.

We did hear, through the insights program that the Family Safety Hub did, that that was one thing that young people were very concerned about. They could see that they might be starting to use the types of behaviours that they had experienced. That is something that we are looking at in the future.

THE ACTING CHAIR: On behalf of the committee, I would like to thank the Minister for the Prevention of Domestic and Family Violence and directorate staff for their attendance today. We would also like to thank all other ministers, statutory office holders and officials who have appeared throughout the day for their attendance.

If witnesses have taken any questions on notice, could you please get those answers to the committee secretary within five working days of receipt of the uncorrected proof transcript? If members would like to put any questions on notice, please get those to the committee secretary within five working days of the hearing. Today's hearing is now adjourned.

The committee adjourned at 4.47 pm.