



National Plan Feedback
National Plan Delivery
Women's Safety Policy Branch
Department of Social Services

25 February 2022

National Plan to End Violence Against Women and Children 2022-2032

Westjustice welcomes the opportunity to provide written feedback to the draft National Plan to End Violence Against Women and Children 2022-2032 ("the Draft National Plan"). Westjustice is a community legal centre servicing the Western suburbs of Melbourne across the local government areas of Maribyrnong, Hobsons Bay and Wyndham. We provide free legal advice, representation, education, community development, advocacy and policy across four impact areas: family violence and family law, youth, culturally and linguistically diverse (CALD) communities, and people facing economic injustice. We work in partnership with our local communities to design and deliver services that are integrated into the places our clients already go.

Our community is one of the fastest growing areas in Australia and is highly diverse, comprising many newly arrived refugee and migrant communities, with significant representation from Asia, Africa and the Pacific Islands, a growing Aboriginal and Torres Strait Islander community, and people of many faiths and no faith. It was also one of Australia's hardest hit areas from the health and economic impacts of COVID-19 and Melbourne's lockdowns. All three LGAs saw a significant increase in family and gender-based violence rates during the pandemic, particularly amongst migrant communities.

People experiencing family and gender-based violence represent a significant portion of our case load. Last financial year alone, we assisted 1110 family violence clients, including 580 clients with intervention orders at the Sunshine and Werribee Magistrates' Courts, which are two of the busiest Magistrates' Courts in the country. Westjustice's Family Violence and Family Law Team provides legal advice, advocacy and representation through our Early Resolution Services Partnership, and Duty Lawyer services at Sunshine and Werribee Magistrates Court of Victoria. In addition, we provide Family Law advice, casework and representation in the Federal Circuit and Family Court of Australia. Additionally, our Economic Justice team comprises a Consumer and Settlement Justice team that predominantly provides consumer and civil law support to CALD communities with a focus on humanitarian arrivals; a Financial Services team in which both lawyers and financial counsellors assist victim-survivors alongside family violence workers in a Restoring Financial Safety project; and a Tenancy Team that works to prevent evictions and homelessness and ensure rental homes are safe and renters can live with dignity.

Every day, our lawyers deal with victim survivors of family violence and the real and lasting impacts that their experiences are having on their day to day lives. As such, Westjustice is strongly supportive of a dedicated national plan to address the causes of family violence, and to strengthen the justice system to support family violence victim survivors to respond and recover. We have outlined below a summary of our feedback on the draft national plan, with more detail attached based on our experiences and client stories.

However, our most pressing feedback is that this Draft National Plan does not address the urgent and immediate needs of the family violence sector. The system is in crisis across all facets, particularly in Victoria where many people are still feeling the impacts of the pandemic. The system was already overwhelmed before the pandemic, and six lockdowns in Victoria saw family violence rates skyrocket and the system feel even more pressure. The sector is chronically underfunded, under-resourced and suffering significant delays owing to COVID. This is putting more stress and trauma onto victim survivors, who remain in legal limbo or who are feeling pressured to return to relationships in light of these delays and lack of access to services. Police and Courts also lack the necessary training and resourcing to respond to family violence situations in a timely, culturally appropriate way. Support staff are struggling with more cases than they can possibly handle (across the legal, financial, judicial and health sectors) and are burning out in what is now the third year of a pandemic, with no immediate changes or additional resourcing in sight. We at Westjustice struggled to find the bandwidth to respond to this Draft National Plan, in the face of overwhelming and more pressing case numbers.

The sector needs immediate, significant and ongoing funding. Short term funding and pilots are tokenistic, incredibly disruptive and unsustainable. They also further disadvantage and marginalise migrant and refugee women. The Draft National Plan will mean very little in the longer term if the sector cannot respond to the overwhelming caseload it currently faces. The real victims here stand to be victim survivors who are already traumatised and feeling the overwhelming burden of circumstances that are not their fault and remain out of their control.

Below is a summary of the rest of our recommendations and feedback:

Overall

- The Draft National Plan needs to better take into account the COVID-19 pandemic, including the impacts of many lockdowns, visa implications, economic stress, and the longer term impacts it will have on both victim survivors of family violence and the services designed to help them.
- The Draft National Plan does not go far enough in its support for migrant and refugee women and children, nor take into account the unique needs and responses required for each community. In taking into account the “diverse lived experiences of victim survivors”, it is vital that each of these communities receive a distinct and tailored Action Plan.
- While we are pleased that the Draft National Plan recognises the importance of women’s economic security and that economic abuse forms a large part of the family violence experience, we are disappointed that economic abuse is not included as a focus across any of the pillars. The Draft National Plan needs a clear plan about how the Government will address women’s economic security, which will go a long way to preventing, responding to, and recovering from, family violence.
- We recommend a wide-reaching information campaign that provides information on what family violence is and the options for recourse in as many languages and formats as possible.

Prevention

- The Draft National Plan should fund specialist lawyers in migration and family law property settlements in Community Legal Centres to assist in responding to family violence in a more holistic and specialised way.
- We agree that community education is a vital pillar to preventing family violence and recommend this education be as far reaching and inclusive as possible.

- Community Legal Centres should be funded to build partnerships with community services that assist migrant and refugee people to help to educate communities on what constitutes family violence, build trust between those communities and the legal sector, and aid in the recognition and prevention of family violence.

Early intervention

- We recommend further Federal resourcing and training for dedicated Early Resolution Services to ease Court backlogs and avoid retraumatising victim survivors through the stresses of the Court process.
- The Draft National Plan should advocate for, and fund, Specialist Family Violence Courts, similar to those in Victoria, to improve the court experience of a victim survivor.
- The Draft National Plan should advocate for, and fund, specialist and ongoing training for Police and Court services in responding to family violence, including in assessing and managing risk, identifying perpetrators correctly, and in understanding cultural complexities in responding to family violence, as well as for cultural liaison officers.
- The Draft National Plan should also recommend closed court contested hearings, cultural diversity in the judiciary and court staff, ongoing cultural training for the judiciary and court staff, and for interpreters to be available at all times.

Response

- The Draft National Plan should provide more funding and resources for specialist support services.
- In recognition of the vital role having a safe place to live plays in responding and recovering from family violence, we have provided a series of recommendation for making long-term housing more easily available for victim survivors, their children, and their pets.
- We also recommend the Draft National Plan consider options for victim survivors to remain in the family home, instead of bearing the default onus of finding new accommodation.
- In recognising that access to money and income is essential for victim survivors to support themselves and their families in responding to, and recovering from, family violence, we recommend the Draft National Plan advocate for a series of changes to Commonwealth financial support for victim survivors that include broadening access to support, and waiving debts incurred through economic abuse.

Recovery

- Central to response and recovery are safety, secure housing, access to money and financial supports, cultural support services, and access to employment and childcare. These supports need to be immediate, free, and ongoing.

We have provided more detail on these recommendations below. If the Taskforce would like more information about our response or any Westjustice projects or programs, or information about how we work closely with our community to co-design and deliver place-based free legal services, we would be more than happy to meet to discuss. Please contact the Legal Director, Family Violence and Family Law, Cleona Feuerring at cleona@westjustice.org.au, or the Director of Policy and Innovation, Caitlin Caruana at caitlinc@westustice.org.au.

Yours sincerely,



Melissa Hardham
CEO
Westjustice

Outlined below is our detailed feedback on the National Plan.

GENERAL FEEDBACK ON THE PLAN

COVID

The Draft National Plan to End Violence Against Women and Children (“the Plan”) does not address the COVID-19 pandemic in appropriate detail, nor consider it enough in the response. The Westjustice Family Violence lawyers – based on their previous and current employment – saw a significant rise in domestic and family violence during COVID-19, combined with Court backlogs and delays in accessing appropriate services. This rise in family violence cases is supported by a recent prominent national research project and report, the *‘Migrant and Refugee Women in Australia: The Safety and Security Study* (“the Safety and Security Study”). The Safety and Security Study found that between March and November 2020, of those who had experienced family violence, 17 percent reported that this happened for the first time, 23 percent reported that the behaviour increased in frequency, and 15 percent reported that the behaviour increased in severity.¹ **The Plan needs to take into account the impacts that COVID and lockdowns had on family violence rates and the longer term impacts it continues to have on Court backlogs, and impeded access to family violence services.**

Diverse Lived Experiences of Victim Survivors

The second Foundation Principle in the Draft National Plan is to draw on “the diverse lived experiences of victim-survivors” to “design appropriate and effective policies and solutions”. While the Plan mentions specific groups and communities, the Plan will not be successful without **a distinct and tailored Action Plan for each community**. This is vital to ensuring these communities receive the dedicated support and assistance required to meet their unique needs and experiences with family violence.

For example, for migrant and refugee women, the Plan does not address the lived experience of family violence and aspects of control unique to these communities. Our experience of assisting migrant and refugee women aligns with the Safety and Security Study, which found that temporary visa holders consistently reported proportionately higher levels of family violence than non-migrant women, including controlling behaviours. The study reported that 40 percent of temporary visa holders had experienced family violence, compared with 32 percent of Australian citizens and 28 percent of permanent visa holders.

In the experience of our duty lawyers, our Early Resolution Services, and our Family Violence and Family Law Clinics, migrant and refugee women are afraid to report or seek assistance in relation to controlling family violence behaviours (such as threats, demanding more dowry or money, financial control and so on) because of their visa status and the requirement to prove a genuine and ongoing relationship under Migration Law. These women are under threat from the perpetrator to not report anything or the perpetrator would withdraw sponsorship and have them deported, often without their children. This means that many migrant and refugee women only report or seek assistance when family violence has escalated to physical and/or sexual violence.

¹ Segrave, M. Wickes, R, and Keel, C. (2021) Migrant and Refugee Women in Australia: The Safety and Security Survey. Monash University, pp. 9 and 34.

Dedicated and tailored plans for each of these communities will therefore address the unique circumstances and experiences of each group, recognising that there is no single, “coverall” approach to addressing family violence.

Economic Security and Economic Abuse

While we are pleased that the Draft National Plan recognises the importance of women’s economic security and that economic abuse forms a large part of the family violence experience, we are disappointed that economic abuse is not included as a focus across any of the pillars. The Draft National Plan **needs to go further in recognising and addressing the unique dynamics of economic abuse**, including coercive control and financial abuse. The Draft National Plan also **needs a clear plan about how the Government will address women’s economic security**, which will go a long way to preventing, responding to, and recovering from, family violence. We have outlined some specific recommendations on economic security under the ‘response’ and ‘recovery’ pillars.

Information Campaigns

In our experience, victim survivors have a limited understanding of what constitutes family violence and what help and support they are entitled to. We recommend an ongoing information campaign targeted at victim-survivors on what family violence can look like (including coercive control and financial abuse) and where to get financial, legal and safety help. This information should be in as many languages as possible and in as many formats as possible – television, radio, social media, written word and spoken word. It should also be in places where people are already going – shopping centres, schools, medical services and so on. This could be coupled with the education campaign (see below) so that members of the community understand the signs of family violence as well. This will go a long way to helping more people to recognise what constitutes violence and where to get help.

PILLAR ONE: PREVENTION

Migration Law

The Draft National Plan does not adequately address migration policy, which is a responsibility of Commonwealth Government. Given the unique experience of migrant women, **we recommend that Community Legal Centres that practice in family violence have a fully funded migration lawyer** to assist clients that have been referred to them from early intervention partnerships, such our partnership with Mercy Hospital². The Safety and Security Study supports the need for free and accessible migration law advice. The study found that only 22 percent of the participants who were temporary visa holders and/or who had indicated that they had experienced migration-related controlling behaviours were confident in relation to knowing the visa they held and their rights connected to that visa in Australia.³

² Our family violence partnership with the Werribee Mercy Hospital saw a lawyer co-located in the antenatal program of the hospital to provide advice and casework in relation to family violence (pre-COVID). Clients were identified by hospital staff such as social workers and antenatal clinicians and referred safely and discreetly to the lawyer, without the knowledge of the perpetrator. Over its nearly six years in operation, the program has particularly provided early intervention assistance to women who didn’t necessarily recognise that they were experiencing family violence or where family violence was in the early stages, as well as some cases of very serious violence. A large proportion of clients seen by the service were women from refugee and migrant backgrounds.

³ Ibid., p. 42

We also recommend that Community Legal Centres be funded for specialist lawyers for property settlements in family violence cases (see below).

Education

Ongoing and targeted community education is essential to preventing family violence for all segments of the community, not just victim survivors or those accessing family violence services. It needs to include community leaders, support workers, the health sector, school and education services and the general public so everyone can play a role in identifying family violence indicators early and responding appropriately. Acknowledging that men need to be involved in this education, these education sessions should include men and also women specific sessions such as through mother's/parents' groups.

Additionally, **Community Legal Centres should be funded to build partnerships with community services that assist migrant and refugee people.** This will enable Community Legal Centres to provide legal information to various communities about what constitutes family violence, the legal definitions of family violence, the legal and court system in relation to family violence and family violence support services. It would also greatly assist with early intervention. As an example, Westjustice has partnerships and provide legal services and educational sessions with various community groups such as ethnic groups from Burma, the Sudanese, and Indian communities as well as the Maternity, Neonatal and Paediatric Service at Werribee Mercy Hospital. These have proven useful in educating these communities on all their legal rights (not just in relation to family violence) and have helped in building trust and familiarity between these communities and the legal sector.

PILLAR TWO: EARLY INTERVENTION

Early Resolution Service (ERS)

In early 2021, the Victorian Government funded Westjustice for the Early Resolution Service (ERS), which is a unique partnership between Victorian Legal Aid (VLA), select Community Legal Centres, the Magistrates' Court of Victoria, and Victoria Police. The ERS funds Westjustice to provide legal assistance to victim survivors prior to their court hearings at the Sunshine and Werribee Magistrates Courts and resolve them in advance of their hearings where possible. This avoids the all-too-common situation where duty lawyers are receiving instructions from victim survivors the day off their hearings, which is stressful and traumatic.

Our Early Resolution Service (ERS) is a significant project when we look at Pillar Two of the Draft National Plan and has the potential to be expanded nationally, with some changes to strengthen the program. Overall, Westjustice lawyers have been successful in speaking with clients prior to the court date, obtaining their instructions and providing legal advice, providing referrals to support services where necessary, and representing clients at the court hearing date. However, our attempts to negotiate to resolve the matter prior to the court date with the other parties' representatives have proved difficult. This is due to a combination of factors, such as some clients being uncontactable, the late referrals from the Court and Victoria Police not being appropriately resourced for this important component of ERS.

We recommend further resourcing and training for dedicated Early Resolution Services at a Federal Government level, to ease Court backlogs and avoid retraumatising victim survivors through the stresses of the Court process.

Specialist Family Violence Courts

We are highly supportive of the Specialist Family Violence Courts that operate in Victoria, in the same buildings as Magistrates' Courts but offer specialist court staffing (legal and non-legal), dedicated police prosecutors and advocates, specialist service providers, remote witness facilities, and additional powers for Magistrates. These courts provide a more specialised environment and aim to improve a victim survivor's experience in the court system. **We strongly recommend the Draft National Plan advocate for, and fund, similar courts and associated services being rolled out across the country, in recognising the unique legal and judiciary needs of a family violence victim survivor.**

Police

From our work on the Family Violence Duty List and through the ERS, there is a great deal of work still to be done in **educating Police across Australia in responding to family violence, including in assessing and managing risk, identifying perpetrators correctly, and in understanding cultural complexities in responding to family violence.** For example, it is vital that Police are familiar with disclosures or non-disclosures by women from culturally and linguistically diverse backgrounds in her community/household and understanding the consequences for her when these disclosures are made. We have assisted many women who have ultimately stated that they regret having contacted the Police as it has eroded their agency to make decisions about their family unit. In many instances, these women did not want a full no contact order but rather wanted their intimate partner to receive a warning and be advised of the consequences for further family violence behaviours, but Police simply made the Family Violence Safety Notice anyway.

Further, Police are often not adequately equipped or resourced to provide a victim survivor with proper information about the legal processes and options at the time of making a Family Violence Safety Notice. This can also contribute to such women wanting to withdraw their complaint and for the FVIVO to be dismissed. Compounding this is that Police do not always use interpreters to obtain statements, resulting in admissions or statements which are not accurate or reflective of a victim survivor's current circumstances.

It is also important that Police receive regular targeted training and supports to appropriately identify the primary aggressor when attending a call out to a family violence incident. In our practice, we have seen many cases where women have been misidentified as the aggressor or perpetrator of family violence when they have been acting in self-defence. The criminalisation of these women in the criminal justice system also has adverse impacts in relation to their family law and child protection matters. The Police need to be able to access information to assess the bigger picture, including previous history of calls, attendances at the place of incident and criminal matters. This information can be essential for Police in forming an on-the-spot risk assessment.

Judiciary

While family violence is a specialised jurisdiction, many courts are not specialist Family Violence Courts and Magistrates do not have the level of training to preside on the Family Violence list. Magistrates lack adequate ongoing training in engaging sensitively and appropriately, the dynamics of family violence, particularly around coercive control and economic abuse, which victim survivors have commonly been victim to, especially those from linguistically diverse backgrounds. **It is vital courts are properly trained in Family Violence and that Magistrates receive ongoing and specialist training in not just**

family violence law, but how to engage properly, sensitively and culturally appropriately in family violence matters.

We have represented victim survivors before Magistrates who have made inappropriate, comments with racial stereotypes about the cultural background of victim survivors and Respondents. A negative experience or improper comments from the bench have a significant impact on women's ability to feel culturally safe, to disclose family violence, seek support and in the recovery process. Our Settlement Justice work has also highlighted the dramatic difference between outcomes and approaches for people who are new to Australia and from non-English speaking backgrounds and those who are not. We have seen a number of examples of Courts, Police, and perpetrator support services either appearing to treat parties differently based on their ethnic background, or simply putting matters in the "too hard basket". **Courts and Police need appropriate cultural liaison officers who are accessible and appropriate to the public for their area – meeting this need could be identified through census data.**

From our practical experience, Magistrates are also not considering the misidentification of women as perpetrators in the early stages of the proceedings. Victim survivors face further trauma by way of this process. While Police share their risk assessments with the Court, it is important for them to also provide a summary as to how they arrived at their conclusions, particularly where a woman is excluded from their family home or when children are separated from their mother. **To assist Magistrates identifying these situations, an intersectional and evidence-informed approach is essential. We would like to see support services be able to share information with the Court by way of a short report, to assist in the correct identification of the perpetrator at the early stages of the proceedings. We would also advocate for information sharing from Police and support services to be made available to legal services assisting so as to guide the resolutions of matters.** As detailed above, this would prevent criminalisation of women in the criminal justice system.

Magistrates' Court Processes

At present, Magistrates' Courts are not equipped to provide trauma-informed, and person-centred responses to family violence. The Magistrates Courts in which we practice are backlogged and this results in matters being unnecessarily prolonged. During COVID-19, some Courts adjusted their administrative process whereby group listing were used to deal with increased demand, which further contributed to backlogs and delays. It also prevents duty lawyers from assisting, advising and negotiating on behalf of people seeking legal assistance on the day of court, which leads to matters being adjourned and listed for mention again.

Moreover, the process of contested hearings does not provide for a trauma-informed, culturally safe, or person-centred responses. This is because victim survivors have to re-live traumatic events while they are being examined and cross examined in open court with many people watching on. For migrant and refugee women, this is compounded when they are addressed and questioned by a male dominant and/or Caucasian bench and court staff. **To ensure that the court system is trauma-informed, culturally safe, and person-centred, we recommend closed court contested hearings, cultural diversity in the Judiciary and court staff, and ongoing cultural training for the Judiciary and court staff.**

Courts and tribunals are also not designed to properly account for family violence situations. Often, victim survivors and alleged perpetrators have to face one another not just in the

Court Room, but in waiting rooms or other communal areas. Many of these venues need drastic renovations to improve their safety practices and mechanisms. Phone and videoconference options are welcomed but may not be appropriate for all victim-survivors where they are impacted by the digital divide – if a victim-survivor can only appear in person this should be arranged safely.

We have also experienced significant delays and multiple adjournments where the Police are relying on risk assessments from the state child protection agency (Department of Fairness, Families and Housing) to investigate safety concerns relating to children. This results in further Court backlogs and compounds the experience women victim survivors have in having their family violence matters progressed and resolved in Court. Women are more often the primary carer of the children and, in circumstances where the perpetrator has been excluded from the home pending investigation, delays can exacerbate financial challenges and prevent some women from continuing employment due to having the full burden of caring responsibilities. This can have devastating, long-term impact on families and in the recovery process.

We therefore recommend significant, immediate, ongoing funding to address these backlogs and resourcing shortages for Community Legal Centres, Courts, Police and state child protection agencies. These delays are having a particular effect in Victoria, which felt the impacts of COVID more than most states, and urgent intervention and funding are needed to stem ongoing, long-term, devastating impacts on family violence survivors.

Interpreters

Prior to online hearings due to COVID-19, the Magistrates' Court's booking of interpreters for in person hearings at court disadvantages victim survivors and perpetrators from linguistically diverse communities. The Sunshine and Werribee Magistrates' Courts generally book interpreters in the morning until 1:00pm. This means that if matters are stood down and then go before the court after 2:00pm, non-English speaking victim survivors and perpetrators do not understand what is being said in court, what the outcomes are, what their obligations are and what the next steps in the process are, for example, their next court date. It is then left to legal representatives to contact their clients the following day with interpreters to explain what occurred in court. This places further strains on Community Legal Centre's limited resources. **For the justice system to be culturally safe and person-centred, interpreters need to be available at all times.**

It also needs to be acknowledged that some victim survivors from linguistically diverse backgrounds face barriers with the use of interpreters. This is particularly so for smaller cultural communities where they know the interpreter or have common relationships with other community members. In these situations, it may be embarrassing or be seen as shameful for the female victim survivor to take legal action against a male or other community members. These women may seek adjournments or request for the application to be withdrawn because they feel pressured to do so, knowing that culturally their choice to leave the relationship due to family violence would not be supported by the community. This places woman and children at further risk of family violence.

PILLAR THREE: RESPONSE

Support Services

From our work on the Family Violence Duty List, ERS work and Family Violence and Family Law Clinics, we have seen that there are unacceptably long wait times for victim survivors to access family violence support services and case management support. In many instances, it is four weeks from point of initial contact.

In addition, there is a lack of specialised support for complex family violence cases at various intersections. For example, the misidentification of a female victim survivor as the perpetrator can result in the female victim survivor being ineligible for services.

Support services require more funding and resourcing, and more specialist support services are required for complex cases.

Housing

While the Draft National Plan lists secure housing as a focus area, there is a lack of immediate safe long-term housing available for victim survivors, their children, and their pets. Secure housing and income support are essential for victim survivors who may otherwise return to perpetrators or risk being thrust into homelessness or an unaffordable private housing market if they do not receive assistance to support themselves and their families adequately. This means having access to safe and secure housing across the spectrum from crisis to longer term sustainable, social housing. To achieve this:

- A proportion of all social housing stock should be designated for victim-survivors, both with and without children.
- Housing support agencies should be better funded, including family violence specialists, to help victim-survivors find new appropriate housing. Currently dedicated support for the process of applying for new homes is extremely limited and these agencies are at or over capacity in Melbourne's West. This was only made worse during lockdowns and now the aftershock of the COVID-19 pandemic.
- Encourage private landlords who wish to do so to go on a register in which they will receive and prioritise women and children who are escaping family violence.
- Ensure people who flee family violence are able to safely house their pets. Currently, there are only ad hoc charitable operations doing this for women in very limited geographic areas. Victim survivors often have to give pets away or surrender them to shelters. This will often be a further punishment of a victim, and a further barrier to leaving the situation.
- Similarly, there is no consistent funding for storage of goods and removalists, or specialist facilities built to store victims' belongings when they go into refuges. This is applicable to all victims, but in our casework we have found it is more difficult for people with disability to move belongings from their home. There should be dedicated funding or services to facilitate this.
- Harmonise family violence rental laws and regulations across all states and territories. Victoria made significant amendments to rental laws with respect to family violence two years ago. Your outcomes as a renter facing family violence (including property damage, lease breaks and economic abuse) should not be a lottery based on where you happen to reside in Australia.
- Fund Legal Aid Commissions and Community Legal Centres to assist victim survivors with family law property settlements. This is a vital step to securing economic independence after leaving a violent relationship, yet it is significantly underfunded.
- At a coordinated national level, there needs to be better training and standards of property management. Agents too often fail to offer accessible services to people.

Instead, they rely on legal services and community workers to carry out transactional work for them, or inappropriately rely on the children of renters to communicate with potential tenants who don't speak English. From a family violence perspective this affect a victim's ability to access the private rental market.

We also strongly recommend the Commonwealth Government explore and implement options for women and children to stay safely in their own home. The default in family violence situations has always been that the victim-survivor flee, which is a major contributor to victim survivors staying with the perpetrator. This should include funding for victims to assist them to stay in their own home, such as family violence specific payments to supplement rent and utilities.

Income

Access to money and income is essential for women victim survivors to support themselves and their families, and are vital elements of the 'Prevention', 'Response' and 'Recovery' pillars. Financial pressure is not only a catalyst for abuse, it also means a victim survivor has limited ways and means out of a relationship. **The Commonwealth Government needs to sustainably fund specialist initiatives to assist people experiencing economic abuse.** While Centrelink does offer crisis payments for family violence, this payment is currently only available to Australian citizens and within seven days from deciding to leave a violent relationship. **This timeframe should be substantially increased, and the payment should be extended to migrant and refugee women, and those on temporary visas. Permanently raising the rate of JobSeeker will also go a long way to the financial security of victim survivors, and may help to alleviate some of the financial stress that is a catalyst for family violence in the first place.**

Moreover, we have seen debts raised by Centrelink because a victim survivor was forced to obtain certain benefits fraudulently or the application forms were completed by the perpetrator on behalf of the victim survivor with false information. **The Federal Government should establish a scheme for victim survivors of family violence to apply to have their Services Australia/Centrelink debts waived if the debt was incurred in circumstances of economic abuse.**

Finally, the **Government should withdraw the National Consumer Credit Protection Amendment (Supporting Economic Recovery) Bill 2020 immediately.** This Bill would diminish current protections for would be victim survivors in terms of the enquiries a lender makes about any borrower and a credit product's benefit prior to lending. Instead of the Bill, reforms should be introduced require credit providers to have appropriate family violence identification processes in order to prevent coerced or economically abusive lending situations.

PILLAR FOUR: RECOVERY

Central to response and recovery are safety, secure housing, access to money and financial supports, cultural support services, and access to employment and childcare. These supports need to be immediate, free, and ongoing.

Once perpetrators are excluded from the family home due to a FVIVO, there needs to be immediate supports in place for women who may now have the full parental responsibilities for their children. Securing this support can be particularly difficult for migrant and refugee women who may not have the support of family in the country to help, have limited friends due to being isolated, and are being pressured by their community to re-enter the relationship once

the legal process has ended. **Easy and quick access to support services, respite services, and free childcare will assist victim survivors in the recovery process.**

The Draft National Plan does not address the Commonwealth Government's policy on income support. This is particularly the case for migrant and refugee women who are not able to access Centrelink benefits. There needs to be some concrete actions around economic security for victim survivors. In addition to the income measures above, we recommend:

- Migrant and refugee victim survivors on temporary visas be given full employment rights and access to Centrelink benefits as soon as they have left violent relationships;
- A National Flexible Support Packaging Scheme: Government should provide long term funding for a national flexible support packaging scheme, similar to the one operating in Victoria. Funding to improve home and personal security should be funded separately; and
- Investment in Integrated Services partnerships to address Economic Abuse: Government should consider funding a national rollout of legal and financial counselling services within an integrated services context. It could be modelled on Westjustice's award winning ['Restoring Financial Safety Project'](#), an integrated services partnership between Westjustice and a Family Violence Service, McAuley Community Services for Women that aims to improve the financial security of women who have left a violent relationship.