



Government of **Western Australia**  
Department of **Communities**

# Office for Prevention of Family and Domestic Violence

**27 August 2024**

# Agenda



1. Welcome and Acknowledgement – Dr Nicole Leggett, Executive Director
2. System Reform Plan Implementation Update
3. Update from the Office of the Commissioner for Victims of Crime – Katalin (Kati) Kraszlan
4. Presentation from Centre for Women’s Safety and Wellbeing – Tanya Elson, Senior Advisor
  - Improved information sharing practices
  - Sector consultation on required upgrades to Specialist Homelessness Information Platform (SHIP)
5. Q&A

# System Reform Plan implementation



- Friday 6 September, National Cabinet reconvenes to discuss family and domestic violence and the activities tasked at the 1 May 2024 meeting, as follows:
  - Police Ministers Council and the Standing Council of Attorneys-General will be tasked to develop options for improving police responses to high risk and serial perpetrators, including considering use of focused deterrence and fixated threat strategies.
  - First Ministers agreed to improve information sharing about perpetrators across systems and jurisdictions, led by the Commonwealth Minister for Women.
  - First Ministers agreed that States and Territories will explore opportunities to strengthen national consistency and drive best practice approaches across jurisdictions, including relating to risk assessment and responses to sexual assault, led by Victoria and South Australia.
  - Strengthening and building on prevention work through targeted, evidence-based approaches.
  - Maintaining a focus on missing and murdered First Nations women and children, and the impact of domestic and family violence in First Nations communities.

[Meeting of National Cabinet on gender-based violence | Prime Minister of Australia \(pm.gov.au\)](https://www.primeminister.gov.au/news-releases/2024/09/06/national-cabinet-meeting-on-gender-based-violence)

# System Reform Plan implementation



- **Senate Inquiry into Missing and murdered First Nations women and children**
  - Report tabled in Parliament (The Senate) on 15 August 2024
  - Conclusions and 10 recommendations described in Chapter 7
  - Report available at this link: [Missing and murdered First Nations women and children \(aph.gov.au\)](https://aph.gov.au)
- **The Domestic, Family and Sexual Violence Commission Yearly Report to Parliament (2024)**
  - Report tabled in Parliament on 21 August 2024
  - Key findings across five chapters on: progress on the National Plan; embedding lived experience; improving capacity of systems; engaging men; and building workforce capacity
  - Report available at this link: [Tabled documents | Document 7093 \(aph.gov.au\)](https://aph.gov.au)
- **Unlocking the Prevention Potential: Accelerating action to end domestic, family and sexual violence. Report of the Rapid Review of Prevention Approaches**
  - Jointly released by Commonwealth Ministers for Women and for Social Services on 23 August 2024.
  - Expert Panel has made 21 recommendations (several recommendations comprise multiple parts) across six key areas: a national emergency; the prevention potential; prevention through people; prevention through responses; prevention through systems; prevention through learning and data
  - Report available at this link: [Unlocking the Prevention Potential: accelerating action to end domestic, family and sexual violence \(pmc.gov.au\)](https://pmc.gov.au)

# Office of the Commissioner for Victims of Crime



Kati Kraszlan

Commissioner for Victims of Crime



## Current Activities

Office of the Commissioner for Victims of Crime



# Overview

- Current Legislation
- Election Commitments
- Coercion and Control
- Family Violence Reform Plan



## Legislation

- Family Violence Legislation Reform Act 2024
  - Mandatory Electronic Monitoring – Bail and Sentencing
    - subject to a family violence restraining order (FVRO) and subsequently accused or convicted of a further family violence offence;
    - subject to a serial family violence offender declaration who are accused or convicted of a family violence offence; and
    - who are subject to an FVRO and released from prison under an early release order or a post-sentence supervision order for a family violence offence.
  - A person who breaches directions set by the CCO can be immediately arrested by police without a warrant.





## Legislation

- Inserts a definition of coercion and control into the *Family Violence Legislation Reform Act 2024*
  - Behaviour or a pattern of behaviour referred to in subsection (1)(b) of the Restraining Orders Act of 1997
    - (a) may occur over a period of time; and
    - (b) may be more than 1 act, or a series of acts, that \ when considered cumulatively coerces or controls the family member or causes the member to be fearful; and
    - (c) is to be considered in the context of the relationship between the person and the family member as a whole



## Legislation

- Acknowledges children as victims of Family Violence in their own right:
  - Amended Section 3(1) of the Restraining Order Act 1997 - definition of designated family relationship
    - (d) one of whom is a child who —
      - (i) ordinarily resides, or resided, with the other person; or
      - (ii) regularly resides or stays, or resided or stayed, with the other person; or
    - (e) one of whom is, or was, a child of whom the other person is a guardian



# Legislation

- Criminal Law Mentally Impaired Act 2023
  - Proclamation date - 1 September 2024
- Evidence Bill 2024
  - Increased the range of special witnesses
  - Allows for witness intermediaries
  - Disallowing improper questions
  - Introduction of body worn camera evidence



## *Leave Safe, Stay Safe*

- Leave Safe, Stay Safe was developed following a 2021 Election Commitment to give women prisoners the best chance of breaking the cycle of family violence and providing tools to avoid victimisation upon release
- The commitment was in recognition that women prisoners are a particularly vulnerable group who have often experienced high rates of family violence.
- All women prisoners at Bandyup are provided FDV awareness training.
- Those that engage with the pilot are provided one-on-one social support and legal advice to help them resolve any issues which may put them at risk, and to make better choices when returning to the community.
- Engaged women also learn about online safety from women's services network WESNET, and upon release receive a 'clean' smartphone preloaded with important information and contacts.
- The program is seeking positive results, with 60% of respondents reporting between 30-45% improvement across key metrics (e.g knowledge and safety).



## *Family and Domestic Violence Clinical Forensic Service*

- Government committed to piloting a clinical forensic service to ensure prosecutions for FDV-related offences have the best chance of success by ensuring the high-quality diagnosis and evidence collection are undertaken following an FDV-related assault.
- The pilot, which commenced in mid-2023, comprises both clinical and community services.
  - Clinical forensic evidence and medico-legal reports support FDV investigation and prosecution, including the provision of expert evidence in court proceedings.
  - The community component focuses on providing the user with wrap-around support from the point at which the user is referred to the Service until legal proceedings are finalised.
- The pilot will be evaluated in 2025/26.



## Coercion and Control

- Reviewing Legislation
  - Restraining Orders Act
  - Criminal Code
  - Victims of Crime Act
- Statutory Reviews
  - Intimate Images
  - Family Violence Legislation Reform Act 2020
    - Offences



## *Family and Domestic Violence Disclosure Scheme*

- The Office of the Commissioner for Victims of Crime (OCVoC) is investigating options for a disclosure scheme which would seek to allow victim-survivors of FDV to make timely and informed decisions about their relationships.
- Work sits under the Information Sharing pillar of the FDV System Reform plan, and will be progressed in consultation with relevant government and sector stakeholders.
- The team is currently undertaking environmental scanning and establishing information sharing requirements/constraints.
- Contemporary research, including the Monash University report *Informed and safe, or blamed and at risk* will guide scheme development.
- Scheme options will be presented to government for consideration in the first half of 2025.



## *Criminal Justice Victim Advocates*

- OCVoC is developing service model options for a Criminal Justice Advocate pilot program.
- The purpose of the CJVA pilot is to provide end-to-end support for victims of family and domestic violence as they move through the criminal justice system.
- This work sits under the Risk Management pillar of the FDV System Reform plan, and will
  - Improve outcomes for victim-survivors of FDV in the criminal justice system by providing a consistent source of information, support and advocacy throughout the process.
  - Improve the efficiency of the criminal justice system and its ability to hold FDV offenders to account by reducing case attrition and encouraging reporting.
- Service model options will be presented to government for consideration in the first half of 2025.



# Centre for Women's Safety and Wellbeing



Tanya Elson

Senior Project Advisor



CENTRE FOR  
Women's Safety  
and Wellbeing

Preventing violence  
Promoting health  
Advancing gender equality

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# **System Reform: Information sharing projects**

# System Reform Plan 2024 to 2029

## Pillars of the System Reform Plan

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### Workforce Development

A system-wide workforce where everyone is clear about their roles and responsibilities and have the knowledge and skills to provide safety-focused, family violence informed and culturally appropriate responses to victim survivors and those using violence.



### Information Sharing

The right information is shared at the right time to the right people to keep victim-survivors safe, maintain perpetrators in view and support coordination of service responses.



### Risk Assessment

Workers, organisations and agencies are required and supported to assess risk in a consistent way to inform decision making and action. This approach includes the use of specific Aboriginal family safety screening and risk assessment tools.



### Risk Management

Case coordination and specialist responses are appropriately resourced, with collaborative practices required and embedded. Victim-survivors consistently receive a sensitive and safe response and perpetrators are visible and held to account across all parts of the system.

# Information sharing

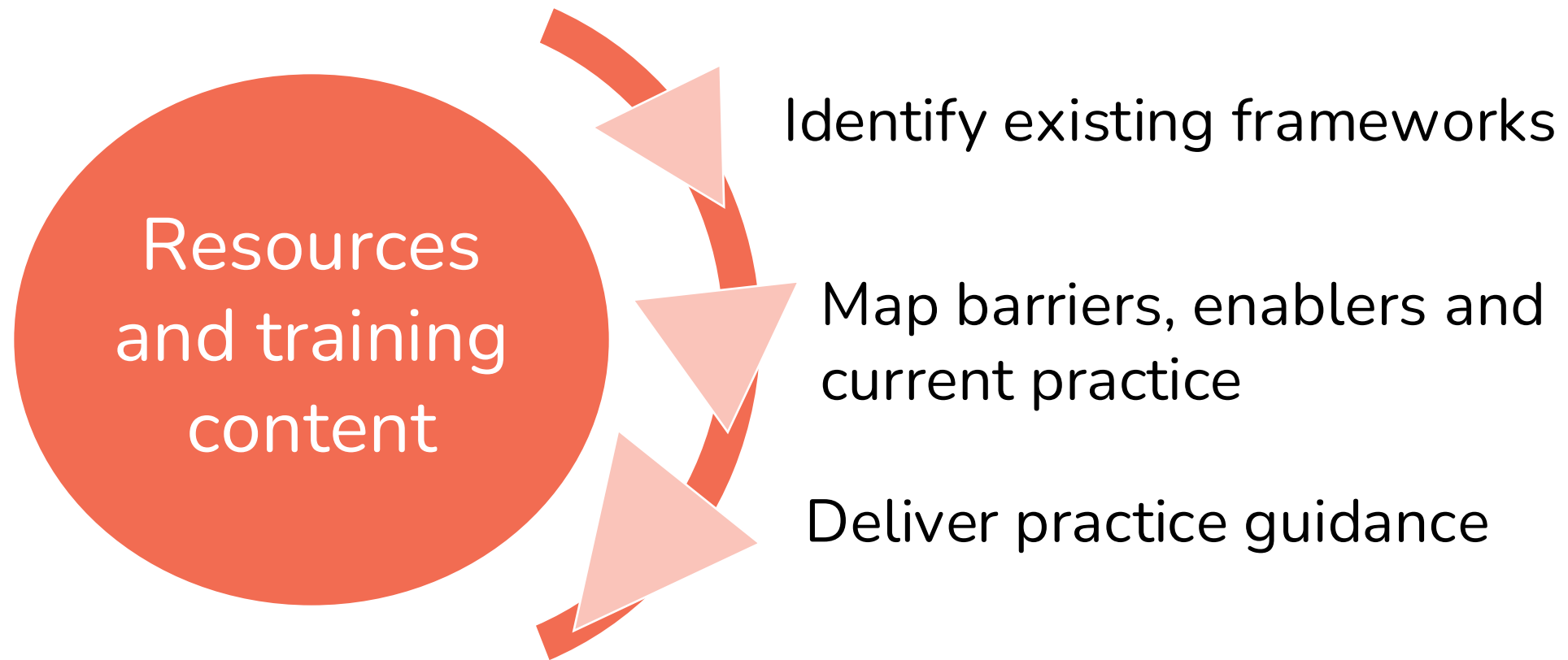


We commit to...	Which means
<b>Supporting better information sharing within existing legal frameworks</b>	Ensure government agencies, non-government organisations and Aboriginal Community Controlled Organisations are sharing what they can under current legislative and policy arrangements to provide better connected and coordinated services for victim-survivors.
<b>Enhancing information sharing between specialist family and domestic violence services</b>	Upgrade the Specialist Homelessness Information Platform, SafeNet system and Family Violence Incident Report Triage Application, to improve data capture and information sharing.
<b>Enabling data sharing between Police, Communities and Justice</b>	Develop a dashboard to share real time data between Police, Communities and Justice, as a potential step towards an integrated dashboard that includes data from other government agencies, non-government organisations and Aboriginal Community Controlled Organisations. Dashboard design and governance will include consideration of privacy, confidentiality, and data sovereignty for Aboriginal people.
<b>Establishing a central information point</b>	Design a central information point to connect existing information relevant for risk assessment and management of family and domestic violence to support information sharing across the system, including with non-government organisations and Aboriginal Community Controlled Organisations.
<b>Considering a dedicated disclosure scheme for victim-survivors</b>	Consult on the design of a dedicated disclosure scheme for victim-survivors to seek information on intimate partner history of family and domestic violence.

# Supporting better information sharing

Supporting better information sharing within existing legal frameworks

Ensure government agencies, non-government organisations and Aboriginal Community Controlled Organisations are sharing what they can under current legislative and policy arrangements to provide better connected and coordinated services for victim-survivors.



# Enhancing information sharing

Enhancing information sharing between specialist family and domestic violence services

Upgrade the Specialist Homelessness Information Platform, SafeNet system and Family Violence Incident Report Triage Application, to improve data capture and information sharing.



Inform SHIP enhancements

Jurisdictional review

Sector consultation & engagement

Evidence & recommendations



## More information

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[admin@csws.org.au](mailto:admin@csws.org.au)

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CENTRE FOR  
Women's Safety  
and Wellbeing

# Q&A

Please send all queries to the below inbox:

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