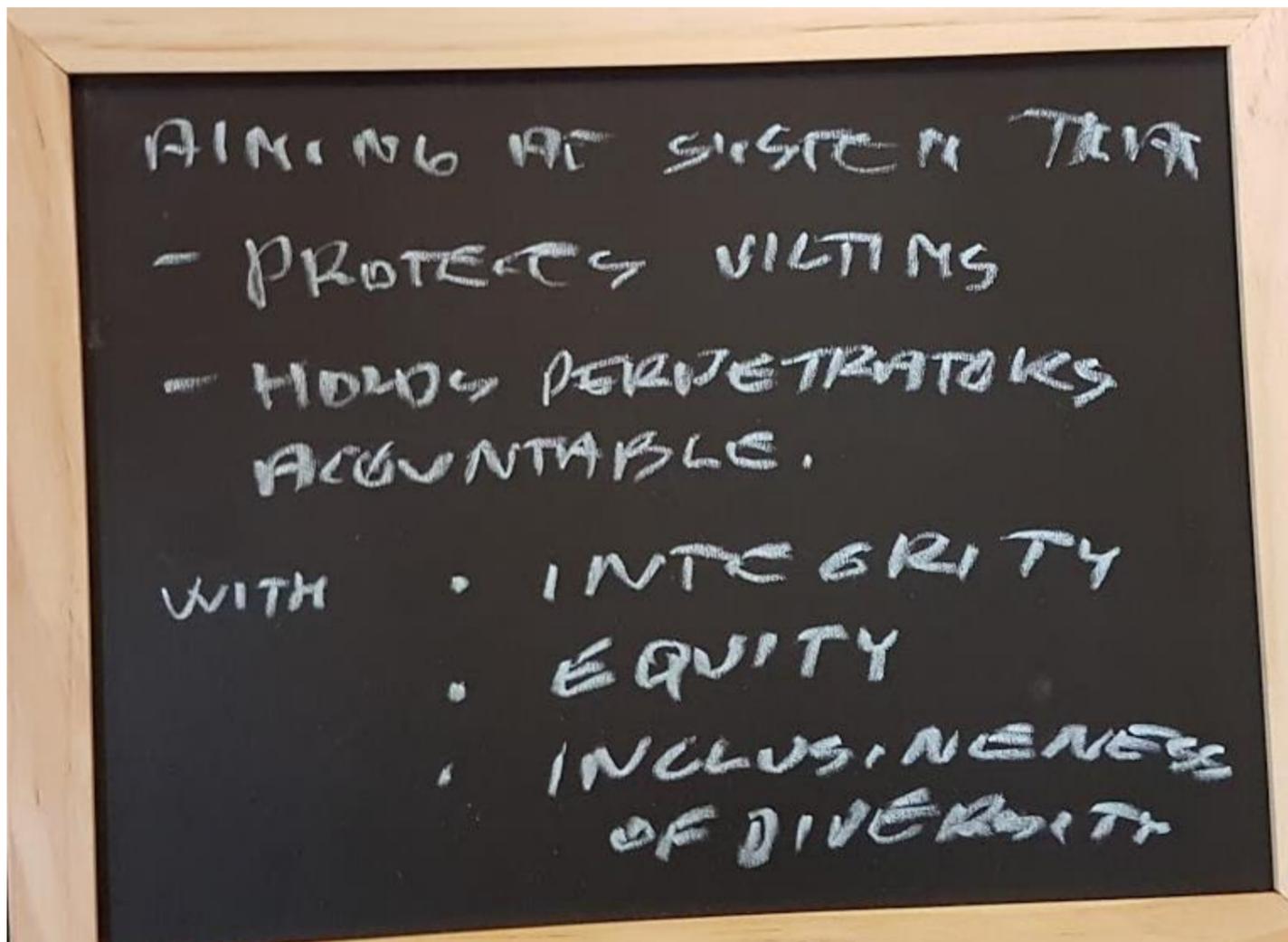


# Report

From  
**Key Partner Meeting**

23 and 24 August 2016  
Eclipse Room, Union House, University of Adelaide

## The Domestic Violence Discussion Paper



## Executive Summary

Over two days key representatives from the domestic violence system in South Australia, primarily from the non-government sector, were invited by the Attorney-General's Department (AGD) to consider the Domestic Violence Discussion Paper and generate advice collectively. This was a facilitated conversation designed to create advice by consensus where possible and identify any areas where there was little agreement.

There was a deep appreciation for the opportunity to come together as a system to consider the Discussion Paper. There was general agreement that the themes were not the only issues impacting on the sector, however participants did not deviate from their task and remained disciplined and focused on the themes under consideration. All participants were encouraged to invite others, including clients, partners and members of relevant networks to provide advice during the broader consultation process.

An overarching theme throughout the workshop that 'safety first' is a foundational principle for decision-making in legislation, policy, programs and services. It was further appreciated this requires balancing a number of factors, but as a principle its integrity cannot be compromised. 'Safety first' needs to be understood in the context of 'housing first' underpinning the current response to homelessness and this not being seen by participants, and the sector they come from more broadly, as the right lens to use in the context of domestic violence situations. It also reflects that most domestic violence funding flows out of homelessness funds and this is something participants felt strongly was a barrier to effective responses. This is reflected in the piece of advice with the most support (7.1). It may also be a feature of the number of participants at the workshop from this part of the system.

The complexity of the issues was not underestimated and any solutions need to be seen in a systems context. Participants spoke consistently about the importance of a safety first framework being embedded in all activities aimed at reducing and mitigating the impacts of domestic violence. There was support for legal reform, however as many perpetrators never enter the justice system, and solutions need to continue to be sought beyond the police and courts.

The eight themes of the Discussion Paper were fully explored by all participants and the group generated thirty-seven pieces of advice. Each of the themes received focused attention and all participants explored all themes.

Before arriving participants were asked to rank the themes in order of importance to them. At the end of the workshop the advice generated was voted on. Some priorities did not shift significantly in ranking, while others did as a result of the opportunity to analyse and explore with peers.

Theme	Ranking of importance before the meeting	Importance based on number of votes cast (V).
1. Domestic Violence Disclosure Scheme	2	3 (26 V)
2. Expiry Dates on Intervention Orders	5	4 (22 V)
3. Comprehensive Collection of Data	6	2 (33 V)
4. Allowing Video Evidence	4	6 (13 V)
5. Confidentially	7	7 (7 V)
6. Drug and Alcohol	7	8 (2 V)
7. Homelessness	1	1 (35 V)
8. Fostering Supportive Environments	3	5 (21 V)

These results are litmus tests. They test slightly different things. Participants set strong caveats around their personal voting choices which were done individually by voting which formed the ranking of the advice generated collectively. Participants were explicit in stating their views as voting needed to be understood in the context of the entire domestic violence system and not all parts of the system were canvassed in the Discussion Paper. In addition participants reserved their right and were encouraged to submit further advice independently.

The individual pieces of advice voted on were:

### 1. Domestic Violence Disclosure Scheme

- 1.1 Access to Domestic Violence Disclosure Scheme must be through domestic violence specialist worker, who can provide support to the applicant including: risk assessments; safety training and liaising with South Australia Police (SAPOL) (V22)
- 1.2 Access to DVDS should include people in current relationship and previous partner. Others – need to have some form of relationship and demonstrate safety concerns. (V3)
- 1.3 Invest in wider dissemination of information on the existing disclosure scheme to reach public – access to the scheme (V1)
- 1.4 Align 'safety first' principles – should be multiple entry points to the Disclosure Scheme – including SAPOL, Non Government Organisations (NGOs), including Aboriginal, Culturally and Linguistically Diverse (CALD), Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ) specialist agencies). (V1)

### 2. Expiry Dates on Intervention Orders

- 2.1 To ensure a safety first approach, an expiry date should not be put on intervention orders. (V22)

### **3. Comprehensive Collection of Data**

- 3.1 The creation of a centralised coordinating body (V18)
- 3.2 Clearer links between all data collection agencies (e.g. SAPOL, health, education and government and non-government agencies) state and national. (V8)
- 3.3 All data collection should use a consistent definition of domestic violence (and the nature of DV) (V5)
- 3.4 The data collected should be accessible to relevant non-government and government agencies (V2)

### **4. Allowing Video Evidence**

- 4.1 Amend the Evidence Act to allow police video recordings to be admissible where a substantial charge comes to trial, as well as hearings for final IVs are heard (V13)

### **5. Confidentiality**

- 5.1 Amendments to Evidence Act 1929(SA) should include the same confidentiality of counselling records as applies to sexual assault offences (V5)
- 5.2 Evidence Act 1929(SA) amended to include 'a communication relating to a victim or alleged victim of domestic / family violence is, if made in a therapeutic context, protected from disclosures in legal proceedings by public interest immunity' (V2)

### **6. Drug and Alcohol Treatment**

- 6.1 Courts should (mandatory) assess the offenders holistic treatment program needs (not just drug / alcohol)(V1)

### **7. Homelessness**

- 7.1 Domestic violence sector needs its own stream of funding consistent with safety-first model, funded through the Office for Women. The Office for Women are allocated domestic violence sector funds previously administered under Housing SA. Office for women as administrator aligns with 'Right to Safety' and the State Government's lead for the National Plan (V30)
- 7.2 Expand specialist domestic violence services to implement a holistic safety first model that values knowledge and expertise (V5)
- 7.3 Develop culturally safe options for Aboriginal women and children in remote and regional areas. Genuine consultation of community members to provide community solutions to domestic / family violence. Different service models to more effectively respond. (V1)

### **8. Fostering Supportive Environments**

- 8.1 Education / awareness programs for: management in workplaces; all government and NGOs and business; and throughout the community generally with the dual purpose of prevention. Primary structure to explicitly deliver to CALD, ATSI, LGBTI, persons with disability. (V13)
- 8.2 Amend the EO act to include DFV to have a clear definition of DFV. It is our advice that making this amendment is imperative to effect culture change in the workplace and across the community (V4)
- 8.3 Workplace 'codes of conduct' within employee contracts, to include domestic violence behaviour (e.g. convictions, IVs etc.) as a breach of conduct. (V3)
- 8.4 Guidance material to be developed for employers and workers. Rights and obligations for both parties. Create independent contact officers for either party to approach (V1)

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Images in this report were all taken during the course of the workshop.

## 1. Background

The South Australian government released the Domestic Violence Discussion Paper, with a closing date for input of 4 September 2016. The Discussion Paper included eight themes for community and sector consultation. It was the intention of the South Australian Government to stimulate advice with the Discussion Paper. This advice is being sought through a range of mechanisms and including a two-day facilitated process with key partners on the themes outlined in the Discussion Paper. This is a report of the findings from the two-day Key Partner Workshop held on 23<sup>rd</sup> and 24<sup>th</sup> August 2016. An invitation to attend the workshop was extended by the Attorney-General's Department.

*"The South Australian Government's Domestic Violence Discussion Paper shines a light on the extent of domestic violence in our state, and looks at how to better protect and support victims.*

*The Discussion Paper paints a picture of domestic violence in South Australia and what is currently being done to address it, and proposes eight topics for discussion for improving the way domestic violence is handled."*  
(YouSAy.sa.gov.au)

The Key Partner workshop was designed to garner advice on the following questions asked in the Discussion Paper and prepared by the Attorney-General's Department:

### **1. Domestic Violence Disclosure Scheme**

*Who should be able to find out about someone's history of domestic violence offending? How should this scheme work?*

### **2. Expiry Dates on Intervention Orders**

*Should intervention orders (previously restraining orders) be able to expire after a certain period?*

### **3. Comprehensive Collection of Data**

*What is the best way to ensure that accurate data relating to domestic violence is collected?*

### **4. Allowing Video Evidence**

*Should police video recordings from incidents be admissible as evidence at trial?*

### **5. Confidentiality**

*Should domestic violence counselling records be exempt from being used in legal proceedings?*

### **6. Drug and Alcohol Treatment**

*Should the courts be made to send domestic violence offenders to be assessed for drug and alcohol problems?*

### **7. Homelessness**

*How can we best assist victims of domestic violence who are facing homelessness?*

### **8. Fostering Supportive Environments**

*How can we assist domestic violence victims to seek support in the workplace and other environments?*

The Honourable John Rau Deputy Premier, in his capacity as Attorney-General and Minister for Justice Reform and, the Honourable Zoe Bettison, Minister for Communities and Social Inclusion, Social Housing and the Status of Women welcomed and thanked participants on days one and two respectively.

An overview of the methodology used for this workshop is included in Appendix 1. The brief for the workshop was to generate advice from participants with consensus where possible and identify where this was not. The process was designed to enable consensus to form and to provide multiple opportunities for cross-fertilisation of ideas, hearing all the voices in the room and to foster a shared understanding of the issues amongst participants. This process resulted in advice that needs further refinement and wordsmithing, although there was an agreed view by all participants the advice forming collectively was generally held in common.

## 2. Continuum towards consensus

Over the two days over 40 people from across the domestic violence sector, sexual assault and legal services, the police, health, more generalist community service providers, cultural groups and Aboriginal leadership participated in the workshop. On arrival a number of participants commented on the diversity of people in the room both in the sense of "not the usual suspects" and also range of view points commonly held. Others noted that this was one of the first times in years that the sector had come together to collaborate and influence. By the end of the first day the group had moved to general agreement across the portfolio of themes being explored.

Early in the process, Domestic Violence Disclosure Scheme (Theme 1) and Homelessness (Theme 7) emerged as the priorities for the group, and also a sense that the proposals around confidentiality (Theme 5) didn't need significant discussion.

By the end of the two days, participants had generated thirty-seven pieces of advice to government. Many of which were acknowledged as needing more crafting; although the intent and direction of the advice was shared. See the

next section for advice by themes and Appendix 5 for full list of thirty-seven pieces of advice and analysis of how difficult they might be to implement.

Participants were asked to choose their three most important pieces of advice and rank them. While some themes only received one vote in the advice, the participants wanted to ensure that the ranking did not mean all the pieces of advice weren't important. The votes are indicators for where there is the highest alignment and priority. This reflects the general view held that there is a system to attend to domestic violence and therefore changes in any place have a systemic flow on effect across the system. Each piece of advice is it's own lever and therefore has capacity to influence and change the system.

These priorities were determined when participants voted for their first (three votes) second (two votes) and third (one vote) highest priority pieces of advice. Approximately 160 votes (V) were cast.

Theme	Ranking of importance before the meeting	Importance based on number of votes cast.
1. Domestic Violence Disclosure Scheme	2	3 (26 V)
2. Expiry Dates on Intervention Order	5	4 (22 V)
3. Comprehensive Collection of Data	6	2 (33 V)
4. Allowing Video Evidence	4	6 (13 V)
5. Confidentially	7	7 (7 V)
6. Drug and Alcohol	7	8 (2 V)
7. Homelessness	1	1 (35 V)
8. Fostering Supportive Environments	3	5 (21 V)

These results should be understood as litmus tests. They test slightly different things. Workshop votes are a total of votes cast across thirty-seven pieces of advice by theme. 160 votes cast. Participants would be most comfortable with the ranking they did of individual pieces of advice as guidance around priorities and even then they set caveats around this.

Participants ranked the individual pieces of advice they generated and those with the strongest support were:

*Domestic violence sector needs its own stream of funding consistent with safety first model, funded through the Office for Women. The Office for Women are allocated domestic violence sector funds previously administered under Housing SA. Office for Women as administrator aligns with 'Right to Safety' and the State Government's lead for the National Plan (Theme 7)*

*Access to a Domestic Violence Disclosure Scheme must be through domestic violence specialist worker, who can provide support to the applicant including: risk assessments; safety training and liaising with SAPOL (Theme 1)*

*To ensure a 'safety first' approach, an expiry date should not be put on intervention orders. (Theme 2)*

*The creation of a centralised coordinating body [for data] (Theme 3)*

*Amend the Evidence Act to allow police video recordings to be admissible where a substantial charge comes to trial, as well as hearings for final IVs are heard (Theme 4)*

*Education / awareness programs for: management in workplaces; all government and NGOs and business; and throughout the community generally with the dual purpose of prevention. Primary structure to explicitly deliver to culturally and linguistically diverse (CALD), Aboriginal and Torres Strait Islander (ATSI), Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ), and persons with disability. (Theme 8)*

#### #safetyfirst

There was an overarching theme throughout the workshop that 'safety first' as a foundational principle for decision-making in legislation, policy, programs and services. Participants saw 'safety first' as something that needed to be understood in the context of 'housing first' which in their view underpins the current response to homelessness and this not being seen by participants (and the sector they come from more broadly) as the right lens to use in the context of domestic violence situations. It also reflects participants understanding that most domestic violence funding flows out of homelessness funds and this is something participants felt strongly was a barrier to effective responses. The piece of advice they developed with the most support reflects this (7.1).

It was further appreciated 'safety first' requires balancing a number of factors, but as a principle its integrity cannot be compromised. Participants explained that the complexity of the issues was not underestimated and any solutions need to be seen in a systems context. Participants spoke consistently about the importance of a 'safety first' framework being embedded in all activities aimed at reducing and mitigating the impacts of domestic violence. There was support for legal reform, however there was a view that because many perpetrators never enter the justice system, solutions need to continue to be sought beyond the police and courts.

They also felt that their advice was generally in direct response to the Discussion Paper, however, that there was broader systems issues needing attention. Participants provided some input around these but felt constrained in their ability to deal with these and wanted the South Australian Government to be aware of this. They were encouraged to provide further input before September 4, 2016.

In addition, participants were asked to provide support and encouragement to their colleagues and clients to complete the surveys that were available on the YourSAy website.



Close of Day 2

NB : Appendix 3 has event participants

### 3. Discussion and Advice on the Eight Themes

In this section each theme is listed with the advice generated. Please note participants recognised that further crafting of a number of the pieces of advice would be necessary to get into a final form. There was shared agreement on the general direction and intent, regardless of whether further *word-smithing* was required. Participants also agreed that in any submissions they might advance independently of the workshop would factor in the conversations from the workshop.

The pieces of advice were ranked by participants voting and are presented in the order per theme. (V) indicates the number of votes.

#### Theme 1 Domestic Violence Disclosure Scheme

**Who should be able to find out about someone's history of domestic violence offending? How should this scheme work?**

##### Overview

The implementation of the Domestic Violence Disclosure Scheme (DVDS) was broadly supported on the condition that it was accessed through a domestic violence specialist.

Participants were interested in exploring how a scheme would be managed: Single or multiple entry points? How long would data be held? etc. They also wanted to make sure that there was appropriate rigour around the system so that it couldn't be misused, such as sanctions for false reporting and not including 'alleged' acts in information disclosed.

For part of the workshop participants focused on improving the implementation of the existing Information Sharing Guidelines (ISG), which are seen as important asset. Then they returned to grapple with the prospect of a DVDS.

##### Advice

Participants reached consensus on the value of a DVDS. They felt there was more work required on the wording of a number of pieces of advice. They felt there was more work to be done around the definition of "others" in 1.2 in particular.

- 1.1 Access to DVDS must be through domestic violence specialist worker, who can provide support to the applicant including: risk assessments; safety training and liaising with SAPOL (V22)
- 1.2 Access to DVDS should include people in current relationship and previous partner. Others – need to have some form of relationship and demonstrate safety concerns. (V3)
- 1.3 Invest in wider dissemination of information on the existing disclosure scheme (ISG) to reach the public (V1)
- 1.4 Align 'safety first' principles – should be multiple entry points to the Disclosure Scheme – including SAPOL, NGOs (including Aboriginal, CALD, LGBTIQ, specialist agencies). (V1)
- 1.5 Improve awareness and practice around disclosure and provision and support services during disclosure. This must be included in agency / organisation service agreements, policies and procedures. (V0)

- 1.6 Do not change existing disclosure practices as it reflects international best practice (refers to the ISG) (V0)
- 1.7 Framework aligned to 'safety first' principles (V0)



## Theme 2 Expiry Dates on Intervention Orders

### Should intervention orders (previously restraining orders) be able to expire after a certain period?

#### Overview

The short answer from workshop participants was 'no' intervention orders shouldn't be able to expire. There was an appreciation that the State's current approach was good practice and the changes proposed may put the safety of women and children at risk.

For some participants there was both concern and frustration that this was being asked at all. There was a sense that administrative issues were driving this proposal and that this wasn't appropriate given the risks for victims.

Also, participants were unconvinced that any change would reduce administration. They generated a number of questions about how a system would be implemented and funded.

Participants spoke strongly about the onus for removing an Intervention Order (IO) needing to sit with perpetrators and their ability to demonstrate meaningful changes in attitudes and behaviour. They challenged the assumption that defendant's violence and abuse has changed if there hadn't been breaches of the order, it may just mean the system is working. They preferred reforms that would make the existing systems work more effectively in the interests of victims and mentioned training people within the judicial system, and improving enforcement.

#### Advice

The group generated five pieces of advice. When asked to prioritize 2.1 received very strong support. The group felt they had reached consensus on this.

- 2.1 To ensure a safety first approach, an expiry date should not be put on intervention orders. (V22)
- 2.2 A change to legislation to allow expiry dates would increase the risk to victims when seeking an IO extension because of the coercive nature of domestic and family violence (V0)
- 2.3 Consequences of putting an expiry date on IOs would be:
  - 1. It would put the most vulnerable and at risk people in further harm.
  - 2. Domestic and family violence sectors would be proactive in fighting a change.
  - 3. It would increase costs in supporting victims to extend IOs.
  - 4. It would put further pressure on court time to extend IOs.
  - 5. Could increase confusion for people with less capacity to understand their rights or responsibilities. (V0)
- 2.4 Intervention orders support a victim's safety. An automatic expiry date would mean a victim's safety would be compromised. Victims would be required to request for an extension of the IO date in order to maintain their safety. This would place a burden on the victim, the courts. This has resource / financial implications for the courts and the victim. (V0)
- 2.5 Consistent with a 'safety first' approach responsibility for removing intervention orders needs to remain with the perpetrator of family violence. Safety of the family violence victim while intervention order is in place is a demonstration of the effectiveness of the intervention order for victim safety and **not** a demonstration of change in perpetrator behavior and attitudes (V0)

## Theme 3 Comprehensive Collection of Data

### What is the best way to ensure that accurate data relating to domestic violence is collected?

#### Overview

Participants saw the effective use of data as a priority and having influence over the outcomes of all the other themes.

They raised concerns around current data quality on a range of fronts. A consistent definition of domestic violence that is widely understood and used was seen as an essential starting point. Linked to this was also an improvement the in collection of data against this.

Improved capacity for collecting disaggregated data they also thought important. Particularly as this relates to CALD, ATSI and persons with disability (both existing and as a result of domestic violence) was raised consistently. There was acknowledgement that most domestic violence is not being reported, therefore data is being distorted and this in turn affects perceptions of need and service offerings.

The need for centralised data collection was identified with some important existing systems needing integration and refining both across the State and nationally. The national homelessness data collection system (H2H) was seen as pivotal, and participants understanding was that H2H does not collect data relating to domestic violence but could into the future due to the unique data management arrangements in South Australia.

Participants expressed the view that improved data collection, integration and access is likely to serve a number of diverse stakeholder needs both for government and NGOs and this would likely span planning prevention programs to tracking perpetrators.

The point was made that integrated data collection needed to go beyond the criminal justice system which is 'at the pointy end'. Some of the feedback at the end of the event was they felt the emphasis in the Discussion Paper was too narrow and procedural.

It should be noted that people in DVDS discussions spoke very strongly about the value of the ISG and the importance of continued improvements in the implementation of this important tool for protecting vulnerable children and adults.

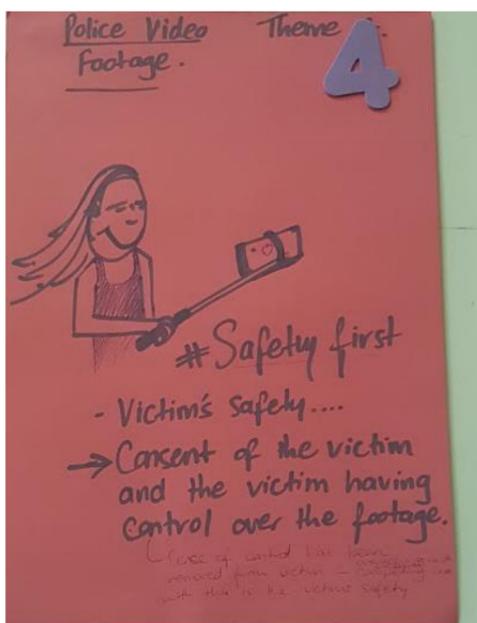
## Advice

The group felt the final piece of advice about training and education needed more work. That 3.4 was a bit procedural but that the first three were strong and there was consensus.

- 3.1 The creation of a centralised coordinating body (V18)
- 3.2 Clearer links between all data collection agencies (e.g. SAPOL, health, education and government and non-government agencies) state and national. (V8)
- 3.3 All data collection should use a consistent definition of domestic violence (and the nature of domestic violence) (V5)
- 3.4 The data collected should be accessible to relevant non-government and government agencies (V2)
- 3.5 Training and education should be embedded within any model used and to the collecting agencies (clearer education about the nature and definition of domestic violence) (V0)

## Theme 4 Allowing Video Evidence

### Should police video recordings from incidents be admissible as evidence at trial?



#### Overview

The short answer from the participants was 'yes'. The single piece of advice generated by this group reflects this and the sense of consensus the group as a whole had about it. As did their ranking of this single indicator as one of their top four priorities.

Participant reasoning for this was the potential for an increase in convictions and a decreased pressure on victims to carry the burden of evidence.

They wanted issues around privacy, consent, safe management of footage, cultural considerations, among other things, managed with care.

The group saw consent as a key issue and noted the different layers of consent e.g. for intervention orders and trials. They wanted to be reassured that victims consent would be required.

They also expected protocols would be put in place to manage the use of footage sensitively to avoid re-traumatizing victims. They mentioned specifically closed court sessions and the need also be careful how if misused this could be used to reinforce cultural stereotypes and stigma.

Privacy was also important to participants: particularly as this related to victims', children's identities and those caught on video that were unconnected with the crime. They expected safe storage and careful protection of this against tampering and selected use of footage.

## Advice

- 4.1 Amend the Evidence Act to allow police video recordings to be admissible where a substantial charge comes to trial, as well as hearings for final IVs are heard (V13)

## Theme 5 Confidentiality

### Should domestic violence counselling records be exempt from being used in legal proceedings?

#### Overview

Throughout the event, this theme received the least attention. For most, it was a “no brainer”.

Consensus was reached early on this with most of the subsequent discussion revolving around that the definition is of ‘therapeutic context.’

#### Advice

- 5.1 Amendments to Evidence Act 1929(SA) should include the same confidentiality of counselling records as applies to sexual assault offences (V5)
- 5.2 Evidence Act 1929(SA) amended to include ‘a communication relating to a victim or alleged victim of domestic / family violence is, if made in a therapeutic context, protected from disclosures in legal proceedings by public interest immunity’ (V2)
- 5.3 Advocacy at federal level for amendments to federal legislation in relation to protection of counselling records in federal courts i.e. family court (V0)
- 5.4 Set standard within SA and advocate that all Australian states and territories adopt amendments to state-based legislation (V0)



## Theme 6 Drug and Alcohol Treatment

### Should the courts be made to send domestic violence offenders to be assessed for drug and alcohol problems?

#### Overview

This one received the lowest levels of support from the group. Mainly because it was felt to sit in a more complex set of issues for both individual offenders and systemically. Interestingly the documentation around the facts and data relating to this subject is some of the clearest by theme.

As the advice suggests, the people who worked on this, felt there was a more holistic approach that needed to be taken. People feeding back on this spoke most clearly about the limitations of the scope of the discussion and that this theme in particular reflected this.

They also noted the very limited services available and if this change was made the need for attention to both quality (specialist services that could attend to drug and alcohol issues *and* other co morbidities), quantity (enough services for the likely referrals) and diversity (appropriate for ATSI communities as well as the broader community).

The group acknowledged they hadn't dealt with all the questions posed by the paper but felt they had consensus on the advice being given.

#### Advice

- 6.1 Courts should (mandatory) assess the offenders holistic treatment program needs (not just drug / alcohol) (V1)
- 6.2 IOs may be a doorway (opportunity) for defendant's to be assessed and offered appropriate treatment e.g. IO condition to include assessment / programs (V1)

## Theme 7 Homelessness

### How can we best assist victims of domestic violence who are facing homelessness?

This theme was consistently one of the two highest priorities throughout the event.

Some of the underlying factors that people felt needed to be addressed were the lack of alignment between the homelessness sector (a national policy area and funding stream) and domestic violence (the mandate of the State).

Participants expressed the view that this meant 'housing first' strategies, though not well enough resourced, often overran a 'safety first' approach. Some felt the value of specialist domestic violence services were poorly understood by those working in the homelessness space. Issues around the cultural appropriateness of housing stock for both Aboriginal and CALD communities were also raised.

Participants expressed the view that what they saw as a 'lack of alignment' also means that data collection does not reflect domestic violence as a factor driving homelessness, though unlike other states, South Australia might be in a position to address this. Participants stated that these meant opportunities for that early intervention and post crisis support were being missed. People spoke about the potential to join up services across a continuum.

Participants felt there is also some work to be done on a universal definition on homelessness and its adoption and application systems-wide.

People spoke about the way forward including the implementation of other reports into homeless and domestic violence; specifically, a separate funding stream for specialist domestic violence services and the need for secure funding ideally in five year funding blocks.

### **Advice**

The first recommendation received the most support of all of the pieces of advice developed on the day, receiving one sixth of the votes. When the group were asked whether they had reached consensus they replied 90%. There was one piece of advice that on reflection was not making enough sense so it was removed and that the other statements needed more work.

- 7.1 Domestic violence sector needs its own stream of funding consistent with safety-first model, funded through the Office for Women. The Office for Women is allocated domestic violence sector funds previously administered under Housing SA. Office for women as administrator aligns with 'Right to Safety' and the State Government's lead for the National Plan (V30)
- 7.2 Expand specialist domestic violence services to implement a holistic safety first model that values knowledge and expertise (V5)
- 7.3 Develop culturally safe options for Aboriginal women and children in remote and regional areas. Genuine consultation of community members to provide community solutions to domestic / family violence. Different service models to more effectively respond. (V1)

## **Theme 8 Fostering Supportive Environments**

### **How can we assist domestic violence victims to seek support in the workplace and other environments?**

#### **Overview**

Discussion on this theme focused initially on workplace issues and then expanded beyond this to include disability group environments, community groups, faith based environments, ethnic communities and sporting clubs. At the end of the meeting participants felt they needed to do more work around 'fostering supportive environments' outside the workplace.

In discussions around this theme, the poor quality of data around persons with disability was heard the loudest. More generally, there were questions about what data on this theme was available and whether it was actually possible to set workplace standards.

The advice generated around this spans community awareness, specific workplace policy change, legislative change and suggested practice change.

#### **Advice**

- 8.1 Education / awareness programs for: management in workplaces; all government and NGOs and business; and throughout the community generally with the dual purpose of prevention. Primary structure to explicitly deliver to CALD, ATSI, LGBTI, persons with disability. (Theme 8) (V13)
- 8.2 Amend the EO act to include DFV to have a clear definition of DFV. It is our advice that making this amendment is imperative to effect culture change in the workplace and across the community (V4)
- 8.3 Workplace 'codes of conduct' within employee contracts, to include domestic violence behaviour (e.g. convictions, investigations etc.) as a breach of conduct. (V3)
- 8.4 Guidance material to be developed for employers and workers. Rights and obligations for both parties. Create independent contact officers for either party to approach (V1)

#### 4 Reflection from Facilitators

The people who attended this workshop worked very hard with notable discipline. Many of them were senior practitioners who made time for this above a range of other competing priorities. They valued the diversity in the room and the invitation from the Attorney General's Department to contribute. Participants expressed a desire for the Attorney-General's Department to keep them informed and up to date concerning domestic violence reform.

Report prepared by

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For the Attorney-General's Department

September 2016

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## Appendices

### Appendix 1 - Overview of Methodology

The process designed for the Key Partner Meeting set out to go beyond idea generation and work towards advice and to reach consensus and/or identify barriers to consensus. The design offered the opportunity for active participation, reflection and avoided *group think*, to build on the depth of participants' knowledge and experience and to value their time.

The process followed the ORID<sup>1</sup> method and Force Field Analysis<sup>2</sup>. ORID stands for objective, reflective, interpretative and decisional. This is a proven method to support focussed conversations and is based on the theory that both data and emotional responses are necessary to undertake quality analysis and come to considered decision-making. Force Field Analysis helps with choices and to identify what are the factors supporting and getting in the way that might be harnessed or need to be addressed.

Invitees were asked to rank the eight themes in order of importance to them as part of the registration process.

Key messages about how the outcome of the workshop would be used were woven through the process by the facilitators and the Attorney-General's Department staff. These included:

- This process is about consolidating the sector's advice for the Attorney-General's consideration.
- Future decisions made by the South Australian Government relating to these topics will be informed by high quality and measured key partner and sector feedback.
- The advice from this workshop will join broader community feedback and sector surveys, all of which will be considered in future decision-making processes.
- Organisations and individuals are encouraged to submit further feedback through the online survey at [yoursay.sa.gov.au](http://yoursay.sa.gov.au) or via email to [dvdiscussion@sa.gov.au](mailto:dvdiscussion@sa.gov.au).

### Appendix 2 – Event Agenda

This two-day workshop will be independently facilitated by Moira Deslandes and Kate Simpson. To prepare for the workshop, please come willing to share your questions, concerns and ideas to build advice for the Attorney-General.

#### Day 1

8.45am	Registration. Tea and coffee on arrival.
9.15am	Welcome  Hon. John Rau, Attorney-General
9.25am	Setting the Scene and outlining process  a. What brings us together? b. Why now? c. Why us? d. What will we achieve by the end of the two days? e. What are the principles for us to work together?
9.40am	Checking in with one another
9.45am	Round 1: Questions  Participants will identify and brainstorm the questions they need answered as they build their advice.  The questions will be collected and curated, looking for themes and diversity of thought.
	Morning break
	Round 2: Objective  Participants will self-select into eight groups and focus on one of the consultation topics, using the questions generated in Round 1.
	Walk Around Review of all inputs to date
	Lunch break
	Round 3: Reflective  Two discussion areas will be canvassed in self-selected groups to deepen reflection.
	Listening to each other  Small groups will begin to form advice.
	Break
	Round 4: Interpretative  This round will deeply explore the issues or challenges relating to

<sup>1</sup> Brian Stanfield R, (2008) *The Art of Focused Conversation. 100 ways to Access Group Wisdom in the Workplace*. Canadian Institute for Cultural Affairs

<sup>2</sup> Kurt Lewin, 1943 see also [https://www.mindtools.com/pages/article/newTED\\_06.htm](https://www.mindtools.com/pages/article/newTED_06.htm)

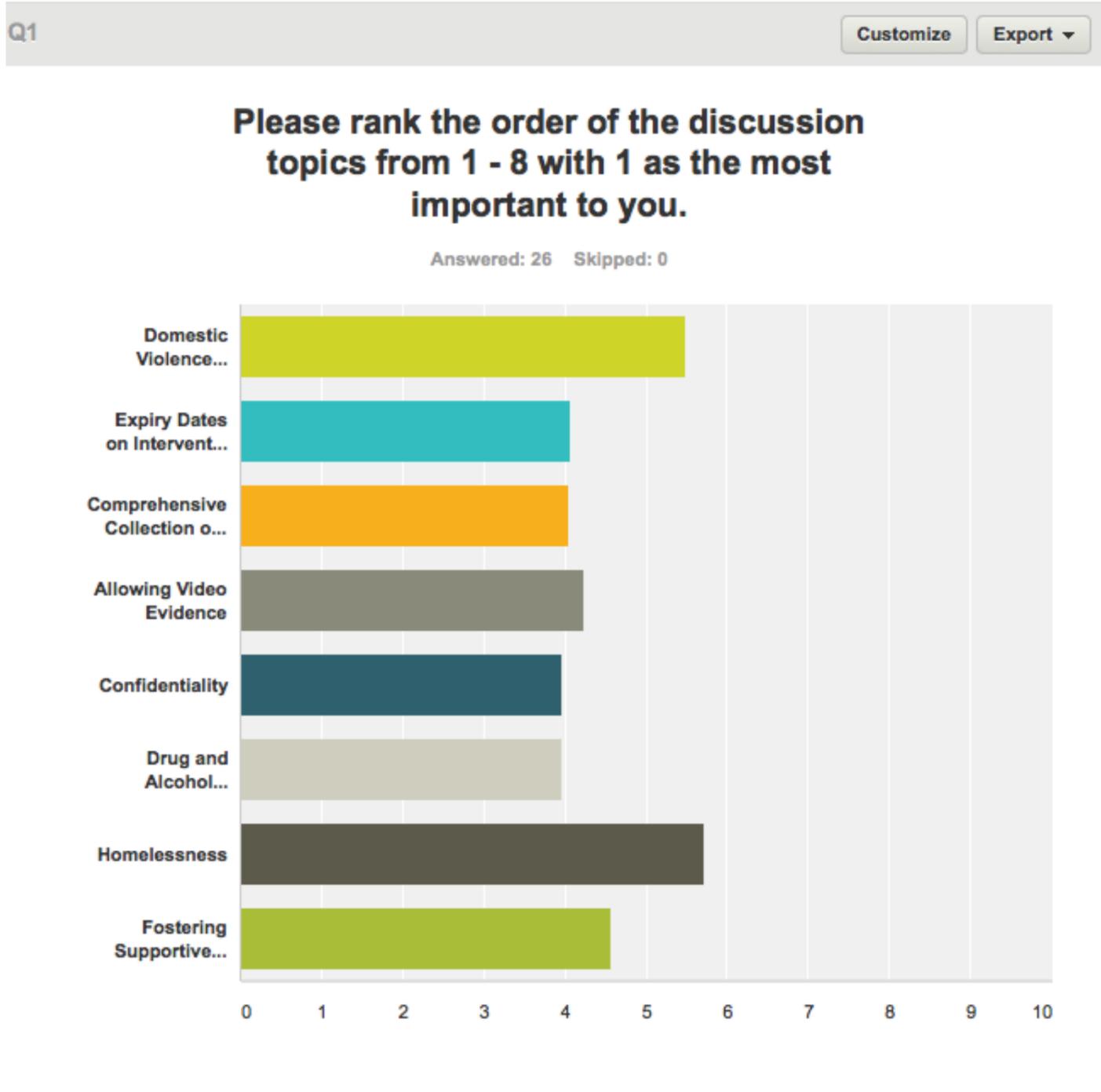
	<p>each topic. Participants will build on the knowledge and data of the previous rounds.</p> <p>A set of guiding questions will be provided to each group, and their responses will be recorded.</p>
4.45pm	Close and check-out of Day 1

**Day 2**

9.30am	<p>Welcome back</p> <p>Hon. Zoe Bettison, Minister for the Status of Women</p>
	<p>Check – in</p> <p>Participants will hear an overview of yesterday's activities and an update of any new information.</p>
	<p>What makes good advice?</p> <p>Participants will provide input on the process for formulating advice, and how to frame advice for decision makers</p>
	<p>Round 5: Advice generation and prioritising</p> <p>In this round each group will build their advice and move into weighting the advice.</p>
	<p>Break</p>
	<p>Force Field Analysis</p> <p>The advice generated will be evaluated using a force field analysis tool.</p>
	<p>Walk Around</p> <p>Participants will have the opportunity to follow-up, check their advice against questions from the first session and identify any adjustments or additions that are required.</p>
	<p>Lunch</p>
	<p>Priorities</p> <p>Advice will be listed and grouped as being high, medium or low ranking in each of the eight areas.</p> <p>Participants will make a list of their priorities, and will have the opportunity to trade ideas and make pitches.</p>
	<p>Last reflection</p> <p>What's missing? Is there any further advice that hasn't come out yet?</p>
	<p>What happens next ?</p>
5.00pm	Check-out and close of Day 2.

### Appendix 3 – Pre meeting Priorities Survey

AGE 1: This is a single question survey. Thanks for your help.



	1	2	3	4	5	6	7	8	Total	Score
Domestic Violence Disclosure Scheme	23.08% 6	15.38% 4	15.38% 4	15.38% 4	15.38% 4	3.85% 1	3.85% 1	7.69% 2	26	5.50
Expiry Dates on Intervention Orders	7.69% 2	11.54% 3	15.38% 4	7.69% 2	11.54% 3	15.38% 4	11.54% 3	19.23% 5	26	4.08
Comprehensive Collection of Data	3.85% 1	11.54% 3	7.69% 2	26.92% 7	7.69% 2	7.69% 2	23.08% 6	11.54% 3	26	4.04
Allowing Video Evidence	16.00% 4	12.00% 3	8.00% 2	12.00% 3	8.00% 2	8.00% 2	12.00% 3	24.00% 6	25	4.24
Confidentiality	0.00% 0	15.38% 4	7.69% 2	11.54% 3	23.08% 6	11.54% 3	26.92% 7	3.85% 1	26	3.96
Drug and Alcohol Treatment	3.85% 1	15.38% 4	11.54% 3	3.85% 1	23.08% 6	15.38% 4	3.85% 1	23.08% 6	26	3.96
Homelessness	30.77% 8	19.23% 5	7.69% 2	7.69% 2	11.54% 3	15.38% 4	7.69% 2	0.00% 0	26	5.73
Fostering Supportive Environments	15.38% 4	0.00% 0	26.92% 7	15.38% 4	0.00% 0	23.08% 6	7.69% 2	11.54% 3	26	4.58

## Appendix 4 – Meeting Participants

<b>AGENCY</b>	<b>CONTACT</b>
Aboriginal Legal Rights Movement	Jodie McRae
Aboriginal Legal Rights Movement	Sharmaine Wilson
Anglicare	Shaya Nettle
Centacare	Vicki Lachlan
Centacare	Susie Smith
Centacare	Kara Piltz
Central Domestic Violence Service	Maria Hagias
Commissioner for Aboriginal Engagement	Frank Lampard
Commissioner for Victim's Rights	Michael O'Connell
DCS	Toula Glezos
Family Violence Legal Service Aboriginal Corporation	Kendall Field
Gender Consortium, Flinders University	Anuradha Munkur
Junction Australia	Jessica Stevens
Kornar Winmil Yunti	Craig Rigney
Legal Services Commission	Carmella Chiappetta
Legal Services Commission	Jennie Paynter
Lutheran Community Care	Michelle Busto
Migrant Resource Centre	Cynthia Caird
Migrant Women's Support Service	Milenka Vasekova
Multicultural Communities Council of SA	Miriam Cocking
Multicultural Communities Council of SA	Helena Kyraizopoulos
National Council of Women Australia	Sheila Dickinson
Northern Domestic Violence Service	Julie Felus
Nunga Mi: Minar	Sharlane Von Sender
Nunga Mi: Minar Southern Domestic Violence Service	Sue Underhill
OARS Community Transition	Louise Kelly
ODPP	Julie Bertossa
Office for the Commissioner for Aboriginal Engagement	Terry Sparrow
One Community SA	Matt Osborn
Regional Domestic Violence and Aboriginal Family Violence Service (Uniting Care)	Patricia Rollins
Regional Domestic Violence and Aboriginal Family Violence Service (Uniting Care)	Katrina Almond
Relationships Australia SA	David Tully
Relationships Australia SA	Brad Sargent
Relationships Australia SA	Mike Harris
SA Council of Community Legal Centres	Catherine McMorrine
Salvation Army	Jenny Cook
SAPOL	Jo Shanahan
SAPOL	Phoebe Maxwell
South Australian Council of Social Service	Phil Saunders
Uniting Communities	Angela Dessart

Victim Support Service	Jodie Sloan
Women with Disabilities SA	Margie Charlesworth
Women's Legal Service	Zita Ngor
Yarrow Place Rape and Sexual Assault Service	Katrina Dee

## Appendix 5 – References

The key documents (Discussion Paper and Discussion Paper Summary) are accessible at <http://www.agd.sa.gov.au/initiatives/domestic-violence-discussion-paper>

In addition

Storify – for images and twitter activity captured during the two-day workshop can be accessed <https://storify.com/MoiraDeslandes/domestic-violence-discussion-paper>

## Appendix 6 – Advice with factors working for and against

<b>1.1 Access to Domestic Violence Disclosure Scheme must be through Domestic Violence specialist worker, who can provide support to the applicant including: risk assessments; safety training and liaising with SAPOL V22</b>			
Driving Force (Positive)	Score Hi-Med-Lo	Score Hi-Med-Lo	Restraining Force (Negative)
<ul style="list-style-type: none"> <li>Informed knowledge of DV</li> <li>Improved safety</li> </ul>	H H	H M H H	<ul style="list-style-type: none"> <li>Increased costs to DV specialists</li> <li>To set up access to knowledge etc</li> <li>Increase additional staff / resources</li> <li>Increase need for accreditation training</li> </ul>
<b>1.2 Access to DVDS should include: people in current relationship and previous partner. Others – need to have some form of relationship and demonstrate safety concerns. V3</b>			
Driving Force (Positive)	Score Hi-Med-Lo	Score Hi-Med-Lo	Restraining Force (Negative)
Safety	H	H H H	<ul style="list-style-type: none"> <li>Evidence to be provided</li> <li>Providing of support on collection of information</li> <li>Increase rise on others if there is not support services in place when information is given</li> </ul>
<b>1.3 Invest in wider dissemination of information on the existing disclosure scheme to reach general public – access to the scheme V1</b>			
Driving Force (Positive)	Score Hi-Med-Lo	Score Hi-Med-Lo	Restraining Force (Negative)
<ul style="list-style-type: none"> <li>More women have more access to information, especially those that do not currently engaged with services.</li> </ul>	H	H	<ul style="list-style-type: none"> <li>Managing rights to confidentiality and privacy.</li> </ul>
<b>1.4 Align safety first principles – should be multiple entry points to the disclosure scheme – including SAPOL, NGOs (inc Aboriginal, CALD, LGBTI, specialist agencies). Primary focus : safety. Appeal process. V1</b>			
Driving Force (Positive)	Score Hi-Med-Lo	Score Hi-Med-Lo	Restraining Force (Negative)
<ul style="list-style-type: none"> <li>Consumer choice – victim</li> <li>For victims that fear SAPOL, they can still obtain info.</li> <li>Advocate for most vulnerable victims (Aboriginal communities)</li> </ul>	H H H	H M H	<ul style="list-style-type: none"> <li>Other entry points won't have resources / capacity skills / knowledge</li> <li>Privacy breach</li> <li>Civil liberties. Not client centred. ? disempowered</li> </ul>
<b>1.5 Improve awareness and practice around disclosure and provision and support services during disclosure. This must be included in agency / organisation service agreements, policies and procedures. V0</b>			
Driving Force (Positive)	Score Hi-Med-Lo	Score Hi-Med-Lo	Restraining Force (Negative)
<ul style="list-style-type: none"> <li>Preventative approach</li> <li>Safety of women / children</li> <li>Consistent approach</li> <li>On the ground access for women who</li> </ul>	H H H H	H M H	<ul style="list-style-type: none"> <li>Organisational policies (government and non-government).</li> <li>Administrative burdens</li> <li>Resources \$\$\$</li> </ul>

<ul style="list-style-type: none"> <li>need it</li> <li>Better information sharing and transparency across government and NGOs.</li> </ul>	M	H H M	<ul style="list-style-type: none"> <li>Resourcing for implementation</li> <li>Language accessibility 'easy read' and culturally accessible</li> <li>Privacy laws ie full disclosure including allegations / interim IOs.</li> </ul>
<b>1.6 Do not change existing disclosure practices as it reflects international best practice V0</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Reduced cost</li> <li>Broad scope</li> </ul>	H H	H	<ul style="list-style-type: none"> <li>Current system requires review / reform</li> </ul>
<b>1.7 Framework aligned to safety first principles V0</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Women and children are kept safe, protected.</li> <li>Men will be held accountable for using VAW</li> <li>Whole of community can hold men accountable</li> <li>Effectively influence culture change</li> <li>No longer behind closed doors, its everyone's business</li> <li>More knowledge / understanding of safety first principles</li> <li>Greater consistency will provide confidence for users including women / children</li> </ul>	H H H H	H H	<ul style="list-style-type: none"> <li>Men applying natural justice – principles to find info that violates the safety first principles.</li> <li>Victims shame without her permission to share / disclose.</li> </ul>
<b>2.1 To ensure a safety first approach, an expiry date should not be put on intervention orders. (Theme 2)</b>			
<b>V22</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Safety of victims.</li> <li>Perp accountability.</li> <li>Community awareness / expectations</li> <li>Safety first approach</li> <li>Women and children will be at risk of serious harm / death if IOs expire</li> <li>Re-traumatization, expense for victims will be high</li> <li>Overburdening of court system to prove their at risk</li> </ul>	H H H H H H	H H	<ul style="list-style-type: none"> <li>Administrative barriers</li> <li>Court Authority is advocating for this change</li> </ul>
<b>2.2 A change to legislation to allow expiry dates would increase the risk to victims when seeking an IO extension because of the coercive nature of domestic and family violence V0</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Safety first</li> <li>Onerous on victim</li> </ul>	H H	H	<ul style="list-style-type: none"> <li>Men's Rights Organisation</li> </ul>
<b>2.3 Consequences of putting an expiry date on IOs would be:</b>			
<ol style="list-style-type: none"> <li>It would put the most vulnerable and at risk people in further harm.</li> <li>domestic and family violence sectors would be proactive in fighting a change.</li> <li>It would increase costs in supporting victims to extend IOs.</li> <li>It would put further pressure on court time to extend IOs.</li> <li>Could increase confusion for people with less capacity to understand their rights or responsibilities. V0</li> </ol>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Victim safety</li> <li>Cost to government</li> </ul>	H H	H H	<ul style="list-style-type: none"> <li>CAA and magistrates</li> <li>CAA and magistrates</li> </ul>
<b>2.4 Intervention orders support a victims safety. An automatic expiry date would mean a victims safety would be compromised. Victims would be required to request for an extension of the IO date in order to maintain their safety. This would place a burden on the victim, the courts... etc. This has resource / financial implications for the courts and the victim. V0</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Safety first.</li> <li>Not placing financial psychological burden on victim</li> <li>Unjust onus on the victim</li> <li>Doesn't work interstate</li> </ul>	H H H H	H	<ul style="list-style-type: none"> <li>Increased resources</li> <li>Courts Admin Authority want this change.</li> </ul>
<b>2.5 Consistent with a safety first approach responsibility for removing intervention orders needs to remain with the perpetrator of family violence. Safety of the family violence victim whole intervention order is in place is a demonstration of the effectiveness of the intervention order for victim safety and NOT a demonstration of change in perpetrator behaviour and attitudes V0</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>

<ul style="list-style-type: none"> <li>Victim safety</li> <li>Perpetrator accountability to demonstrate change of behaviour</li> <li>Sector support ie Police, DV services, broader community service</li> <li>Safety first approach 'a right to safety'</li> </ul>	H H H H	H H	<ul style="list-style-type: none"> <li>CAA reluctance</li> <li>Ability to education magistrates and judicial officers to take on safety first approach.</li> </ul>
<b>3.1 The creation of a centralised coordinating body V18</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>More accurate and reliable data to inform policy and services</li> <li>Consensus on the importance of data</li> <li>Result in more accurate and responsive services</li> </ul>	H M H	H M H H	<ul style="list-style-type: none"> <li>Not disaggregated</li> <li>Which agency is responsible for the .... Body</li> <li>Financial cost involved</li> <li>Tendency to work in silo</li> </ul>
<b>3.2 Clearer links between all data collection agencies (eg SAPOL, health, education and government and non-government agencies) state and national. V8</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Consistent collaboration of data</li> <li>More accurate reflection of actual incidences of DV</li> <li>Research, policy, practice will be improved as a result</li> <li>Better allocation of funds / resources to address DV (fairer and equitable)</li> <li>Regional / remote services are adequately resourced to meet demand</li> </ul>	H H H H H	H H H	<ul style="list-style-type: none"> <li>Costs of implementation</li> <li>Broader implementation issues eg ISG regional consider</li> <li>Current culture is not conducive to info sharing</li> </ul>
<b>3.3 All data collection should use a consistent definition of domestic violence (and the nature of DV) V5</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Consistency – strong commitment from sector to this approach</li> </ul>	H	H	<ul style="list-style-type: none"> <li>Resourcing cost of development and implementation</li> </ul>
<b>3.4 The data collected should be accessible to relevant non-government and government agencies V2</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Safety first</li> <li>Best practice, evidence – based approaches, more effective models, intervention strategies and resources</li> <li>Cultural change</li> <li>Streamlining resources for (greater efficiencies)</li> <li>Evidence based</li> </ul>	H H H H H	M H H M H H	<ul style="list-style-type: none"> <li>Misuse of information</li> <li>Access to information</li> <li>Availability of data and databases for DV</li> <li>Cultural reluctance to collaborate between government and non-government (distressful relationships)</li> <li>Quality of data</li> <li>Diversity of data</li> </ul>
<b>3.5 Training and education should be embedded within any model used and to the collecting agencies (clearer education about the nature and definition of DV) V0</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Consistency</li> <li>Accurate picture of D&amp;FV for SA</li> </ul>	H M	M H	<ul style="list-style-type: none"> <li>Cost</li> <li>Additional cost / resources regional / remote</li> </ul>
<b>4.1 Amend the Evidence Act to allow police video recordings to be admissible where a substantial charge comes to trial, as well as hearings for final IVs are heard V13</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Reduces burden on women</li> <li>Safety first – public interest benefit</li> <li>Evidence based verdicts</li> <li>Perp accountability</li> <li>Community exp</li> <li>SAPOL expectations</li> <li>Early resolutions in prosecutions</li> </ul>	H H H H H M	M H H M M	<ul style="list-style-type: none"> <li>May not preclude women from being available at court – pressure on women</li> <li>Charges being dropped</li> <li>Legal push back</li> <li>Hearsay precedent</li> <li>Inability to cross examine – defence lawyers won't like it</li> </ul>
<b>5.1 Set standards within SA and advocate that all Australian states and territories adopt amendments to state-based legislation V 0</b>			
<b>Driving Force (Positive)</b>	<b>Score</b>	<b>Score</b>	<b>Restraining Force (Negative)</b>

	<b>Hi-Med-Lo</b>	<b>Hi-Med-Lo</b>	
<ul style="list-style-type: none"> <li>Consistency</li> </ul>	H	H H	<ul style="list-style-type: none"> <li>Difficulty in agreement</li> <li>Increased costs for applying</li> </ul>
<b>5.2 Advocacy at federal level for amendments to federal legislation in relation to protection of counselling records in federal courts ie family court V0</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Safety first</li> <li>Cross jurisdictional context</li> <li>Community confidence</li> </ul>	H M H	H M H	<ul style="list-style-type: none"> <li>Changing legislation</li> <li>Cross jurisdictional context</li> <li>Shifting traditional attitudes</li> </ul>
<b>5.3 Evidence Act 1929(SA) amended to include 'a communication relating to a victim or alleged victim of domestic / family violence is, if made in a therapeutic context, protected from disclosures in legal proceedings by public interest immunity' V2</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Protecting victims right to privacy and safety</li> <li>Both victim and perpetrator may not seek counselling and support services</li> <li>Definition of where DV/FV counselling is occurring and in what context is it exempt?</li> <li>Opportunity to 'flag' counselling client as someone who has experienced DV or experiencing DV so that their supports are exempt across multiple service domains</li> </ul>	H H M H	L L L	<ul style="list-style-type: none"> <li>Process of changing legislation</li> <li>Defining what counselling is confidential or not? Define what therapeutic context.</li> <li>Would this apply to both perpetrator and victim?</li> </ul>
<b>5.4 Amendments to Evidence Act 1929(SA) should include the same confidentiality of counselling records as applies to sexual assault offences V5</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Existing precedence</li> <li>Safety first</li> </ul>	H H	H L M	<ul style="list-style-type: none"> <li>Privacy concerns expressed by offenders / perpetrators / defence counsel</li> <li>Judicial processes to be introduced and magistrates hearing takes time</li> <li>Would this prevent course of justice / hinder administration of justice. Should victims be able to give permission if records may support course of justice.</li> </ul>
<b>6.1 Courts should (mandatory) assess the offenders holistic treatment program needs (not just drug / alcohol) V1</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Needs of the victim should paramount the needs of the offender.</li> <li>Comorbidity</li> <li>Implementation of NOPSI standards (office for women focussing) flexibility</li> </ul>	H	H H	<ul style="list-style-type: none"> <li>Men generally.</li> <li>Discounting accountability.</li> <li>Where is evidence for only D&amp;A?</li> <li>How to get a 'holistic' assess when services siloed.</li> <li>Lack of perp programs.</li> </ul>
<b>6.2 IOs may be a doorway (opportunity) for defendant's to be assessed and offered appropriate treatment eg IO condition to include assessment / programs V1</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>To improve women's safety and reduce DV</li> <li>Opportunity to identify and access highest risk factors to connect to support services</li> <li>Reduce re-offending</li> <li>Cultural change: shifting from punitive to rehabilitative</li> </ul>	H H H H	M M H M H H	<ul style="list-style-type: none"> <li>Referral points</li> <li>Consistent services (skilled, experienced, specialist)</li> <li>Accessible (statewide)</li> <li>Resources</li> <li>Skilled services and programs (therapeutic supports)</li> <li>Timeliness (ie co-location)</li> <li>Government commitment</li> </ul>
<b>7.1 Domestic Violence sector needs its own stream of funding consistent with safety-first model, funded through the Office for Women. The Office for Women are allocated DV sector funds previously administered under Housing SA. Office for women as administrator aligns with 'Right to Safety' and the State Government's lead for the National Plan V30</b>			
<b>Driving Force (Positive)</b>	<b>Score</b>	<b>Score</b>	<b>Restraining Force (Negative)</b>

<ul style="list-style-type: none"> <li>Specialists in DV will drive effective service delivery</li> </ul>	Hi-Med-Lo H	Hi-Med-Lo H H	<ul style="list-style-type: none"> <li>Homelessness sector lose funding and power</li> <li>Sets up a competition for funds from the same pool</li> </ul>
<b>7.2 Expand specialist DV services to implement a holistic safety first model that values knowledge and expertise V5</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>DV knowledge</li> <li>Increased awareness around DV</li> <li>Community expectations political pressure</li> <li>Client benefit provide outcomes and safety</li> </ul>	H H H H	H M M	<ul style="list-style-type: none"> <li>Resources</li> <li>Traditional funding models</li> <li>Complexity of administrative transfer of contracts</li> </ul>
<b>7.3 Develop culturally safe options for Aboriginal women and children in remote and regional areas. Genuine consultation of community members to provide community solutions to domestic / family violence. Different service models to more effectively respond. V1</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Safety first and social justice.</li> <li>Improve community based engagement in Aboriginal solutions. For example, NOY Women's Council absent today.</li> <li>Inclusivity</li> <li>Culturally appropriate services</li> <li>Service responses based on local ownership / empowerment.</li> <li>Implementation of recommendations from consultations to date.</li> </ul>	H H H H H H	M M H H	<ul style="list-style-type: none"> <li>Huge service response gap in APY lands (DV homelessness)</li> <li>Lack of engagement and understanding of challenges in Aboriginal communities</li> <li>Inconsistent government support, reducing ability for services to be effective ie workforce, have the same face for support.</li> <li>Absence of follow up – ie lack of follow up after consultation</li> </ul>
<b>7.4 State and federal government communicate to ensure efficiency and effectiveness by program administration duplication, streamline data collection eg state and federal data base entries required (removed)</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Improved efficiency and effectiveness</li> <li>Cost effective</li> <li>Improved victim safety and outcomes</li> <li>Increases service providers ability to delivery on care services</li> </ul>	H H H M	M M	<ul style="list-style-type: none"> <li>Politics – different states and territories recording data differently. Hard to get national picture / stats.</li> <li>Federal and state relationships.</li> </ul>
<b>8.1 Education / awareness programs to management in workplace, all government and NGOs and business, throughout the community generally with the dual purpose of prevention. Primary structure to explicitly delivered to CALD, ATSI, LGBTI, PWD. V13</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Need for greater understanding of F&amp;DV.</li> <li>Supporting victims.</li> <li>Prevent job loss and worker rights.</li> <li>Cultural changes in organisations and wider community.</li> </ul>	H H H H	H M H	<ul style="list-style-type: none"> <li>Cost</li> <li>Willingness of people to participate.</li> <li>One size fits all mentality.</li> </ul>
<b>8.2 Amend the EO act to include DFV to have a clear definition of DFV. It is our advice that making this amendment is imperative to effect culture change in the workplace and across the community V4</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Cultural change</li> <li>Workplace health and safety</li> </ul>	M M	M/L M/L M	<ul style="list-style-type: none"> <li>Complexity defining within legislation</li> <li>Utility of the EO Act</li> <li>Opposing advocates</li> </ul>
<b>8.3 Workplace 'codes of conduct' within employee contracts, to include domestic violence behaviour (eg convictions, IVs etc) as a breach of conduct. V3</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Cultural change</li> <li>Behavioural change</li> </ul>	M M	H H H	<ul style="list-style-type: none"> <li>Workplace vs private</li> <li>Industrial issues and implications</li> <li>Take up across industrial sectors.</li> </ul>
<b>8.4 Guidance material to be developed for employers and workers. Rights and obligations for both parties. Create independent contact officers for either party to approach V1</b>			
<b>Driving Force (Positive)</b>	<b>Score Hi-Med-Lo</b>	<b>Score Hi-Med-Lo</b>	<b>Restraining Force (Negative)</b>
<ul style="list-style-type: none"> <li>Cultural change</li> <li>WHS</li> <li>Rights at work</li> <li>Access to info</li> </ul>	H H H M	H M M	<ul style="list-style-type: none"> <li>Take up by employers and certain sectors</li> <li>Developing resourcing</li> <li>Resource required</li> <li>Pre-existing manual / literature</li> </ul>