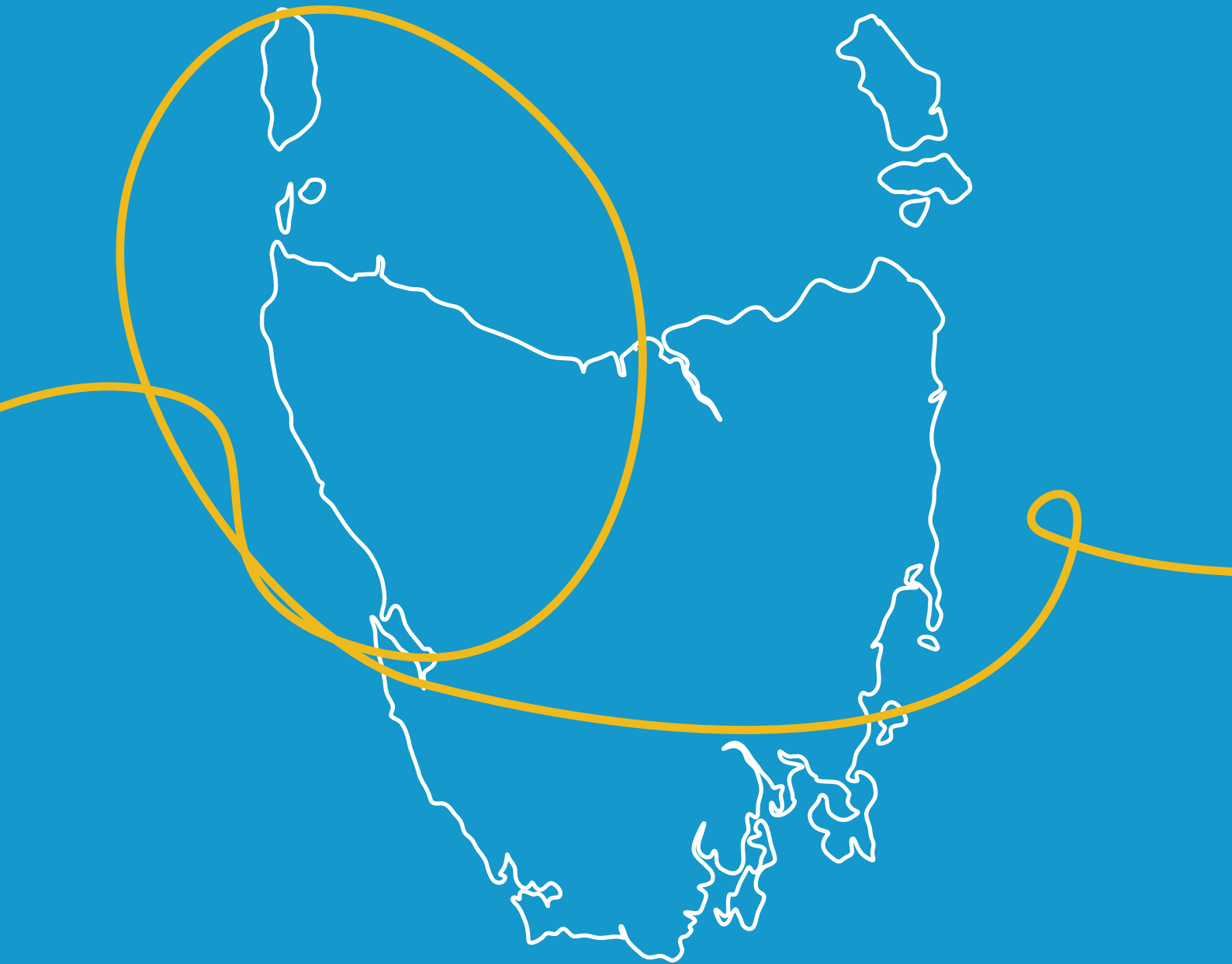


# Unsafe and Unhoused

Barriers to addressing domestic and family violence in North West Tasmania



Ginny Toombs

WORKING FOR  
A JUST TASMANIA



SOCIAL  
ACTION &  
RESEARCH  
CENTRE

# Acknowledgement of Country

Anglicare Tasmania acknowledges and pays respect to the Tasmanian Aboriginal community as the traditional and original owners and continuing custodians of this land, lutruwita, on which this project has taken place. We acknowledge Elders past and present, and Aboriginal people who have participated in and are connected with this research.

## Acknowledgements

Anglicare acknowledges the many people and organisations who contributed to this research.

Particular thanks go to Anglicare practitioners for sharing your passion, knowledge, and determination for better outcomes. Thank you for the incredibly important work you do, and to the people you work with for their strength and resilience.

Thank you to other Anglicare colleagues for your invaluable expertise, unwavering support and guidance.

# About Anglicare Tasmania

Anglicare, in response to the Christian faith, strives to achieve social justice and to provide the opportunity for people in need to reach fullness of life.

## Our values

### Hope

Confidently reaching for fullness of life.

### Compassion

Showing empathy and care for those in need.

### Justice

Promoting the fair distribution of resources and opportunities.

### Respect

Recognising the inherent value and dignity of every person.

## Anglicare Tasmania's Social Action and Research Centre

The Social Action and Research Centre investigates how and why Tasmanians are affected by poverty and inequality. We use what we learn to advocate for changes that improve people's lives.

Our qualitative research centres on the lived experience of Tasmanians. It often features the voices of people who use Anglicare services and our frontline workers.

Our quantitative research uses data to demonstrate social trends.

We brief government and stakeholders on our research and create opportunities for networking and collaboration.

## Content warning

This report discusses domestic and family violence. If the content raises any issues for you and you would like to speak to someone for support, the below services can be contacted 24/7:

### **1800RESPECT**

phone [1800 737 732](tel:1800737732), text [0458 737 732](tel:0458737732),  
online [www.1800respect.org.au](http://www.1800respect.org.au)

### **Lifeline**

phone [13 11 14](tel:131114), online [www.lifeline.org.au](http://www.lifeline.org.au)

### **13YARN**

For Aboriginal and Torres Strait Islander people: phone [13 92 76](tel:139276)

## How we did this research

We undertook this research by:

- reviewing relevant literature
- obtaining quantitative data:
  - Reviewing participant demographics of the RAIN program for the financial year 2023/24
  - Analysing Housing Connect enquiries from July 2024 across the Front Door service in the North, South, and North West
  - Undertaking desktop analysis of available information on units in crisis shelters designated for women and children in Tasmania's major regions
  - Analysing de-identified Anglicare Tasmania Financial Counselling service files from July 2024
- obtaining qualitative data:
  - Interviews with Anglicare practitioners
  - Consultation with key stakeholders including Homes Tasmania, specialist legal services and community housing.

# Terminology

**Family violence** refers to violence between family members, typically where the perpetrator exercises power and control over another person. The most common and pervasive instances occur in intimate (current or former) partner relationships and are usually referred to as **domestic violence** (AIHW 2018).

We have endeavoured to use the term **domestic and family violence (DFV)** throughout this report. Where the term 'family violence' is used is generally because services or sources we refer to use this terminology.

We have used the term **victim-survivor** to refer to people who have experienced violence. It acknowledges the harm, pain and suffering of being a victim of crime, while also illustrating their strength and resilience (Women Against Abuse 2024).

**Protective orders** is a collective term to refer to both FVOs and PFVOs. Family Violence Orders (FVOs) can be made by the Court on application. The Court can make an order if satisfied that a person has committed family violence and may again commit family violence. FVOs can include conditions the Court considers necessary, for example requiring the offender not to attend certain premises or contact the applicant. Police Family Violence Orders (PFVOs) can be made and issued by authorised police officers.

**Homelessness** is defined as when a person does not have a home or suitable accommodation that meets their needs. People are considered to be experiencing homelessness if their current living arrangement is in a dwelling that is inadequate; or has no tenure, or if their initial tenure is short and not extendable; or does not allow them to have control of and access to space for social relations. This definition includes people who are couch-surfing, living in overcrowded conditions and who don't have appropriate agency where they live, as well as people who are sleeping rough (Shelter Tas 2021).

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# Executive summary

For a number of years, staff of a domestic and family violence support service in North West Tasmania have been concerned that there is 'often no way to keep women and children safe'. This project responds to those concerns by identifying barriers to supporting victim-survivors and recommending actions to address them.

Anglicare Tasmania is funded by the Tasmanian Government to deliver Relationship Abuse of an Intimate Nature (RAIN), a free service that supports people impacted by domestic and family violence. Experiences of participants and staff of the RAIN program and other services reveal that there are barriers to participants achieving their goals and being safe due to:

- lack of affordable and readily available housing
- constraints on access to support services
- system responses that fail to keep victim-survivors safe and prevent further trauma.

Despite higher rates of domestic and family violence (DFV) in North West Tasmania, provision of crisis accommodation specifically for victim-survivors of DFV in the region is lower than in the rest of the state (per capita). At a minimum, additional investment in services in the North West is needed to address the level of need in the region.

This report identifies barriers that can prevent victim-survivors of DFV in the North West achieving their goals.

To address the most pressing needs of DFV victim-survivors in North West Tasmania, Anglicare Tasmania recommends that:

## 1. The Tasmanian Government fund and deliver more crisis accommodation, transitional housing and social homes in North West Tasmania including:

- a. increasing crisis accommodation **that is safe and suitable** for women and children fleeing domestic violence to meet demand, based on the regional prevalence of DFV
- b. ensuring that homes provided to tenants under the Rapid Rehousing program are safe and suitable for the needs of victim-survivors
- c. building **an additional 967 social homes**

1

## 2. The Tasmanian Government implement additional measures to improve access to housing, including:

- a. measures to bring existing housing stock into the long-term residential rental market
- b. consideration of 'meanwhile use' transitional housing for victim-survivors of DFV
- c. supporting family reunification by subsidising community housing to provide parents awaiting reunification with housing that meets the needs of the reunified family.

2



## 3. The Tasmanian Government develop and fully implement an information sharing and risk assessment framework, that results in the effective use and recognition of the Tasmanian and Rural Risk Assessment (TARRA) tool across government and non-government agencies for the benefit of victim-survivors of DFV, including

- a. amendment of the *Family Violence Act 2004* (Tas) to recognise risk assessment completed by agencies other than the Police
- b. continuing training for Police to ensure recognition of domestic violence behaviour patterns and consistent responses to support the safety of victim-survivors

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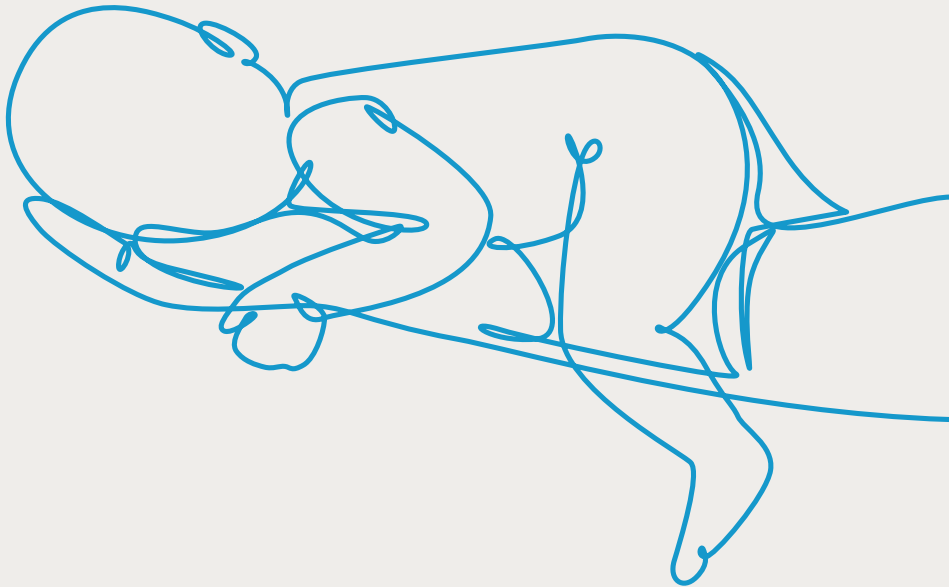
## 4. The Tasmanian Government prioritise the delivery of the NW ARCH Centre by committing to a publicly available implementation plan detailing key milestones and ensuring that victim-survivors can access the multi-disciplinary centre at the earliest possible opportunity

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5. The Tasmanian Government remove barriers to delivering the Bringing Baby Home program in the NW

5



6. The Tasmanian Government provide funding certainty to DFV support services by delivering on its commitment to 5-year contracts for frontline DFV services, and in partnership with the Federal Government, guaranteeing sufficient indexation on contracts to fund support for victim-survivors.

6

7. The Tasmanian Government increase funding for specialist family violence counselling services including children's counselling in partnership with the Federal Government, to reduce waitlists for therapeutic counselling and deliver on its commitment to increase counselling services for children and young people experiencing family violence (Tasmanian Government 2022).

7

**8. The Tasmanian and Australian Governments increase access to legal services for people impacted by DFV by:**

- a.** providing funding certainty and allowing services to offer market competitive salaries to recruit and retain lawyers
- b.** ensuring provision of permanent premises for the Family Court in Burnie
- c.** providing financial incentives to attract lawyers to work in the North West
- d.** increasing the hourly rate payable from grant funding to private lawyers to ensure representation for vulnerable women
- e.** increasing casework capacity of legal services
- f.** increasing access to the property pool pilot for parties by increasing the limit on the property pool

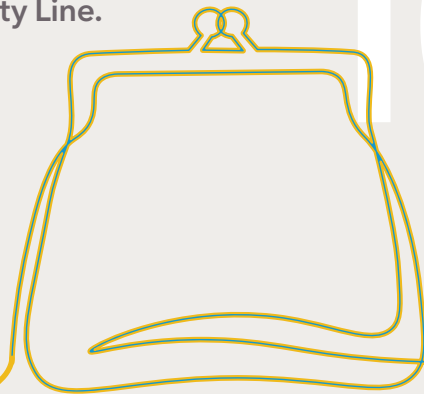
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**9. The Tasmanian Government amend the *Family Violence Act 2004* to require parties to an application for a protective order to bear their own costs, except where an application is frivolous, vexatious or in bad faith.**

9

**10. The Australian Government increase income support payments to above the Henderson Poverty Line.**

10



# The RAIN program

Relationship Abuse of an Intimate Nature (RAIN) is a free service that supports people impacted by domestic and family violence in North West Tasmania.

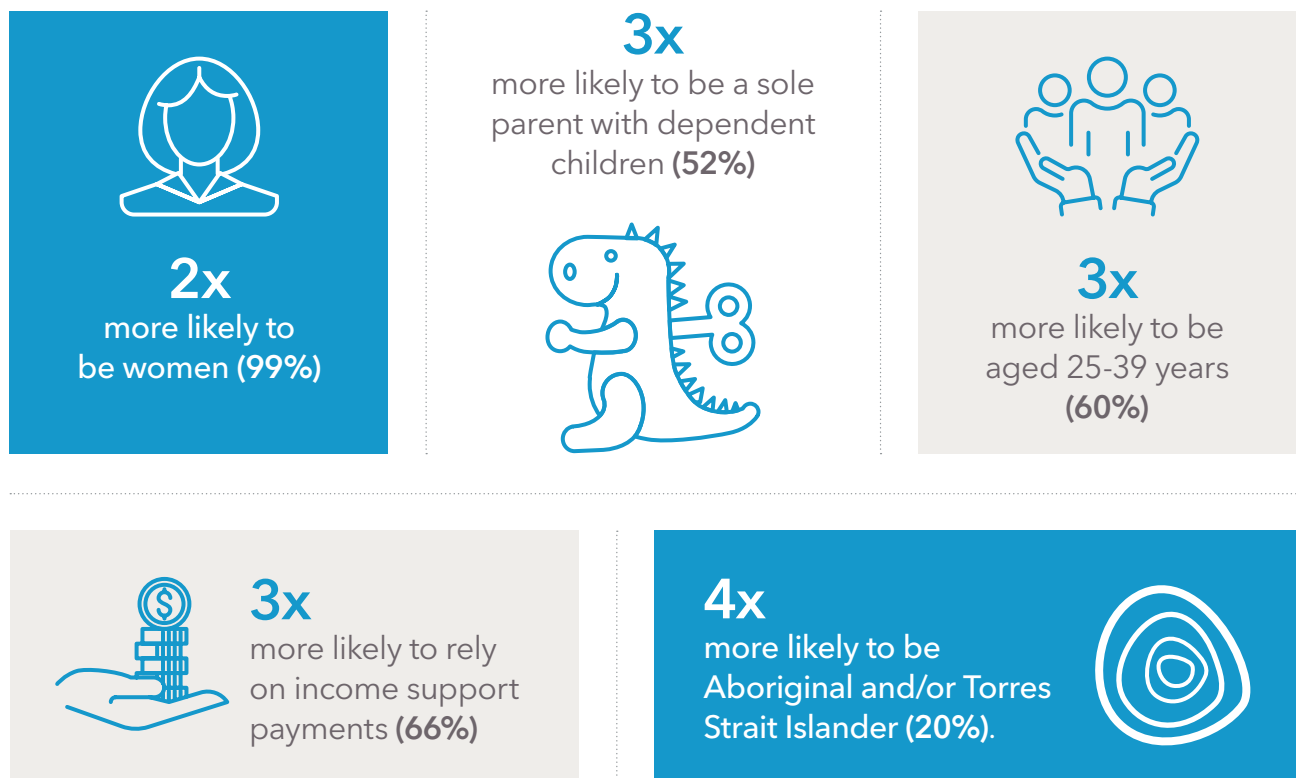
The program provides a trauma-informed service involving client-centred case management, advocacy, safety planning and counselling. With consent, RAIN can refer people they work with to other services including legal, financial, housing, health care, and sexual assault services. Although the program's ongoing work is with victim-survivors who have left a violent relationship, RAIN can also assist with information and referrals for people who are currently in a violent relationship that they plan to leave.

RAIN provides services to people of any gender affected by domestic violence, including men. References to women and children throughout this report reflect that 99% of RAIN participants are women and are not intended to diminish the experiences of men impacted by domestic and family violence.

Anglicare Tasmania provides this State Government funded service from offices in Devonport and Burnie, and provides outreach to the North West and West Coast of Tasmania.

## RAIN program participants

Compared to the Tasmanian population, they are:



Participants of the RAIN program are primarily single women aged 25-39 years who are sole-parenting dependent children and receiving low incomes. Income support payments are the main source of income for the majority of participants, including Parenting Payment, JobSeeker, and Disability Support Pension (Services Australia 2024b).

Most program participants of RAIN experience some financial difficulty. Many are disempowered due to the abuse they have experienced. For example, some participants do not have a bank account when they engage with the program. Many were prevented from having choice and control while in the abusive relationship, and have to re-build their confidence and decision-making skills. RAIN practitioners assist them to establish individual goals and support them to work towards these to regain control of their lives.

RAIN participants report higher rates of disability (36%) compared to the general population (27%) (Primary Health Tasmania 2024), and 4 in 5 report that their disability is psychiatric. They are also more likely to identify as Aboriginal and/or Torres Strait Islander than the general population of Tasmania (5.6%) (ABS 2021b). There is evidence that people with a disability are more likely to experience violence, and violence can also result in disability (AIHW 2024c). Indigenous people in Australia also experience higher rates of family violence (AIHW 2018).

In this report, the experiences of Anglicare program participants are presented through stories, but names and details have been changed to protect their privacy.



# Domestic and family violence

Domestic and family violence is a national crisis, with high numbers of women and children harmed and murdered. In Australia, it is overwhelmingly perpetrated by men against women (Commonwealth of Australia 2022).

The impacts and costs of domestic and family violence include:

- pain and suffering experienced by victim-survivors, including long-term impacts on physical and psychological health and premature death
- associated costs of moving, debt default and replacement of damaged property
- costs of being absent from work
- costs of the justice system and violence prevention programs
- costs of lost taxation revenue, increased social welfare payments and other associated government funded services (such as the RAIN program)
- costs to the public and private health systems of treating the effects of violence on victim-survivors
- second generation effects on children witnessing and living with violence (AIHW 2024a).

Children's exposure to domestic and family violence causes trauma and can adversely impact children's development as well as the parent's caregiving capacity (Moore et al. 2017). Childhood trauma or adverse childhood experiences, including family violence, are identified in SARC's research report *Young in love and in danger* as risk factors increasing the prevalence of domestic violence in the intimate relationships of young Tasmanians (Hobbs 2022).

People are more likely to experience deep disadvantage if they are unemployed, are dependent on income support, have poor health or a disability, are single parents with children, have low levels of education, are Indigenous Australians or are a single adult (McLachlan et al. 2013). Single parents with dependent children experience the highest levels of poverty persistence (McLachlan et al. 2013). RAIN participants are at very high risk of ongoing disadvantage, as most participants have more than one of these risk factors.

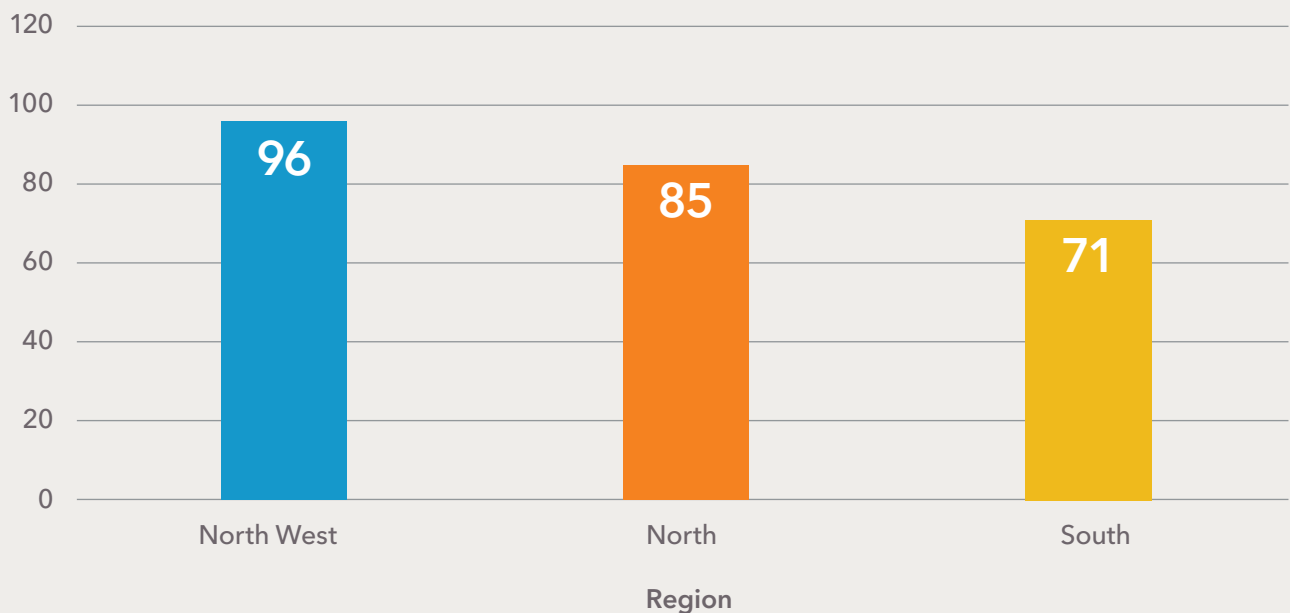
Some communities are at greater risk, including regional and remote communities (Campbell et al. 2024).

**Breaking the cycle of domestic and family violence is vitally important to reduce persistent disadvantage.**

## Incidence in North West Tasmania

Rates of family violence in Tasmania's North West are higher than in other regions of the state (see Figure 1 below) (Tasmania Police 2024). In 2024, 35% more family violence incidents per capita were reported by Tasmania Police in the North West than in the South and 13% more than in the North.

**Figure 1 Tasmanian regional family violence rates are highest in the North West**  
Family violence incidents reported per 10,000 population, 3 year average, May 2024



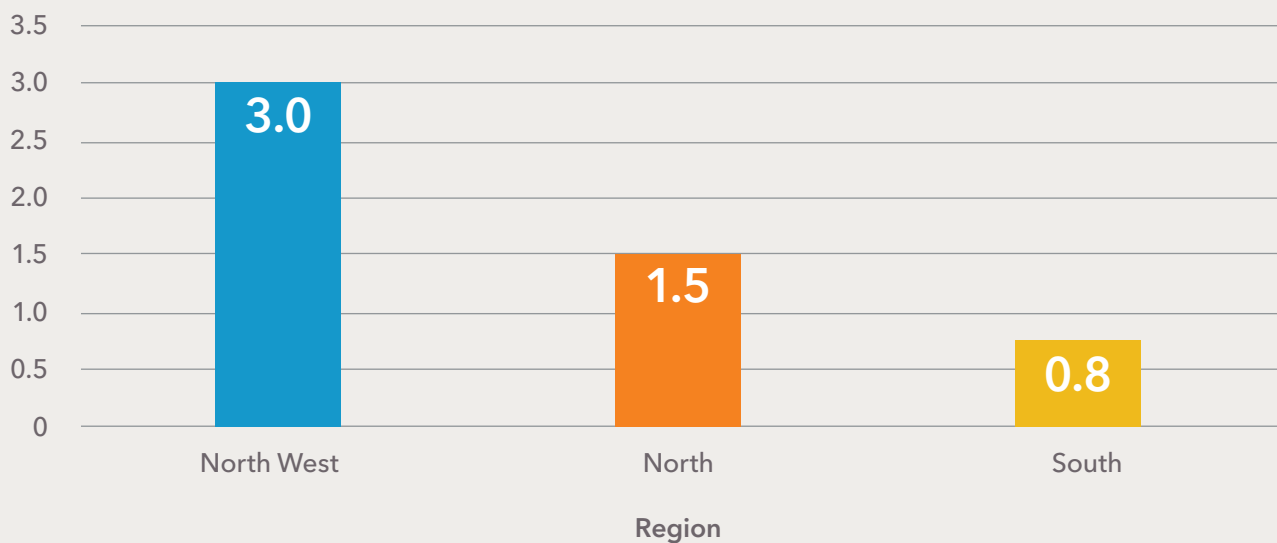
*Tasmanian Department of Police, Fire and Emergency Management (2024), Australian Bureau of Statistics (ABS) population estimate 2023*

The proportion of people reporting domestic or family violence as a reason for seeking housing assistance through Housing Connect is significantly higher in North West Tasmania compared to other regions of the state (see Figure 2 below). Analysis of Anglicare Tasmania's Housing Connect data for July 2024 found that, per capita, people in the North West of the state were twice as likely to cite DFV as a reason for seeking assistance as people in the North.

**When compared to Housing Connect clients in the South, North West Housing Connect clients were almost four times more likely to be experiencing DFV.**

**Figure 2 North West Tasmanians were more likely to seek housing assistance due to DV (July 2024)**

People citing DV as a reason for seeking housing support per 10,000 population



*Housing Connect Front Door data July 2024, Australian Bureau of Statistics (ABS) population estimate 2023*

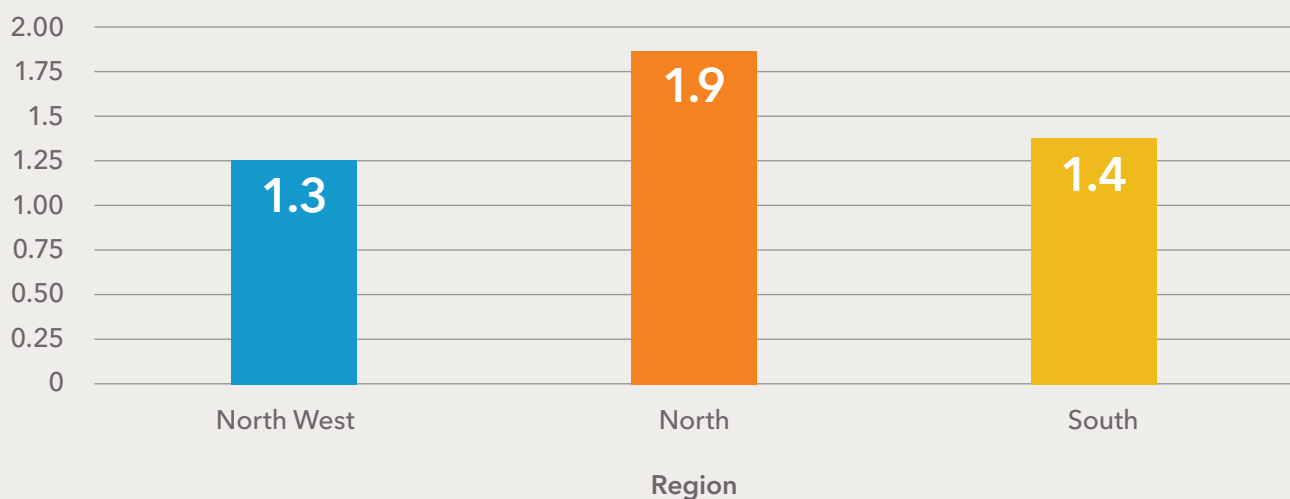
## Crisis accommodation in North West Tasmania

A key support needed to assist victim-survivors is the provision of crisis accommodation suitable for women and children.

Per capita, the North West has fewer units in crisis shelters for women and children compared to the North and South, despite having higher rates of DFV (see Figure 3 below).

**Figure 3 North West Tasmania has fewer crisis shelter units for women and children per capita**

Units per 10,000 population, July 2024



*Desktop analysis of available information on crisis accommodation units from Shelter Tasmania, Hobart Women's Shelter, McCombe House, Jireh House, Launceston Women's Shelter, Oakleigh House, Warrawee Women's Shelter & ABS population estimate 2023*



# Barriers to outcomes: Housing

...inadequate housing options limit women's and children's ability to leave violent situations and present barriers to accessing help and support.

*The National Plan to End Violence against Women and Children 2022-2032 (Commonwealth of Australia 2022)*

## The Tasmanian Government's housing commitment:



in the first four years, we are focused on elevating assistance to Aboriginal Tasmanians, women and children, young people and households experiencing family violence



and



the housing needs of women in Tasmania will be addressed by... targeting supply and support initiatives to assist women and children escaping family violence.



*Tasmanian Housing Strategy Action Plan 2023-27 (Tasmanian Government 2023c)*



Available and affordable housing is essential in addressing the DFV emergency. The proportion of people seeking housing assistance from Housing Connect due to DFV is significantly higher in the North West of the state, highlighting the urgent need for this region to be prioritised in the state's housing and DFV responses.

Research has found that support programs for women and children affected by DFV cannot compensate for the absence of affordable and appropriate housing (Flanagan et al. 2019). Frontline DFV services may be unable to provide effective support to a person if they cannot be housed in a place of safety.

Frontline DFV practitioners work closely with accommodation services and advocate strongly for victim-survivors to be housed. However, they cannot always assist them to a place of safety because **there are insufficient short- and long-term housing options for women in the North West, especially for people on low incomes.**

For example, if a person is homeless following a significant DFV incident, the practitioner can arrange urgent contact to Housing Connect to assist with applying for all available housing options. These include shelter accommodation, social housing, assistance into private rental, and Rapid Rehousing for family violence. Shelters are regularly full and there can be lengthy wait lists for longer term options. Housing Connect aims to ensure they have the best possible chance of being housed and in some cases can broker funding for short-term accommodation. However, a long-term housing outcome may not eventuate for that person for months or years due to a lack of affordable homes.

There are consequences for the safety and wellbeing of women and children. Women may remain living with the perpetrator of violence to keep themselves and their children housed, or opt for sub-standard housing options such as caravan parks or free camps. Where women and children move in with family and friends, this can cause overcrowding and place strain on relationships with informal supports.

An inability to leave a violent situation due to having nowhere to go can exacerbate the stress and trauma experienced by victim-survivors. Without being housed in a safe home, the person may not be able to engage further in their recovery and meeting their goals. For example:

...it is unlikely that a woman can take full advantage of trauma counselling if she and her children are living in their car.

*(State of Victoria 2016)*

Impact Economics and Policy found that

*by providing women with financial support and somewhere to go, so that they do not have to return to their violent partner, some of the costs of domestic and family violence can be avoided. Some of the costs, including those to the second generation, will have already been incurred, but it is estimated that \$28,030 in costs can be avoided annually for every woman supported to not return to violence (Impact Economics and Policy 2023).*

## Insufficient crisis accommodation in the NW

The Housing Strategy recognises that ‘the provision of crisis accommodation can be critical to help people during an experience of homelessness so they are not forced to stay in or return to an unsafe environment’ (Tasmanian Government 2023b).

As long as domestic and family violence is occurring, access to crisis accommodation is needed to ensure people can safely leave a violent situation. Whilst victim-survivors should not be uprooted from their home and community wherever possible, often women and children must leave for their safety. This means there is an ongoing and permanent need for the provision of specialist crisis accommodation services (Batterham et al. 2023). Shelters in Tasmania are already unable to cope with demand. Impact Economics and Policy estimated there is an immediate need for an additional 1,708 crisis beds across Tasmania to meet unmet demand, which would cost approximately \$45.8 million per year in additional funding to operate (Impact Economics and Policy 2023).

The Housing Strategy, based on a Housing First model that prioritises permanent and stable housing for people experiencing homelessness, is welcomed (Tasmanian Government 2023b). However, a successful Housing First model requires quick access to long-term housing which is currently not always available. The *Rapid Review into Prevention Approaches* highlighted the urgent need for crisis accommodation in remote and regional communities (Campbell et al. 2024).

Regional comparison of shelter crisis units shows that in the North West, there are 1.3 crisis units for women and children per 10,000 population, compared to 1.9 in the North and 1.4 in the South (see Figure 2).

Our analysis counted only self-contained crisis units in shelters designated for women and children. Shared accommodation is not considered appropriate crisis accommodation, particularly for families escaping domestic and family violence (Batterham et al. 2023).

Currently, in the North West there are two facilities that can provide crisis accommodation to women and children. Between the two facilities there are a total of 15 self-contained crisis units specifically for women.

The women's shelter has 10 self-contained crisis units and capacity for 4 women and their children in shared accommodation.

The second facility has 5 crisis units for women and children, 3 units for men with or without children, and 14 transitional units for families. They report that family violence remains the major reason people seek accommodation in their crisis units (33.73%) (Shelter Tas 2023).

### **Women's crisis accommodation in the North West is not suitable for all**

In addition to capacity concerns, the North West crisis accommodation options are located close to population centres. That means those in more remote areas such as the West Coast may have to fund increased petrol bills or rely on goodwill of others to transport them, if they are willing and able to leave their community and uproot children from school.

Suitable crisis accommodation is self-contained, accessible for people with disabilities, and safe, with staff onsite 24/7 (Batterham et al. 2023). There are often as many or more children than adults in shelters so safe spaces for children and appropriate supports are important for breaking the cyclical nature of family violence (Donnelly 2020).

The women's shelter could be upgraded to be disability accessible. Currently, its units have some steps and most have the shower over a bath. The shelter is not able to accommodate teenage sons over the age of 16, and they are unable to take visitors. These are valid safety concerns, but many women need visits from their informal supports, such as a family member, friend, or older child.

## **No new units specifically for women and children have been built in the North West in the last 5 years**

The Tasmanian Government reports that in the four years to June 2023, 91 additional units of crisis and transitional accommodation were completed. This included 35 additional units for women in the North and South, 25 units for men in the South and 31 units for young people in the North and North West (Tasmanian Government 2023a). There is no report of new units for women being built in the North West.

The Housing Strategy Action Plan 2022-2027 commits to '...expanding and renewing crisis and transitional accommodation, including ... delivering more crisis and transitional accommodation places for women, to provide immediate shelter' (Tasmanian Government 2023c). The 2024-25 Tasmanian State Budget allocates \$1.2 million of funding to support two shelters in the South of the state. These developments are welcomed but do not address the pressing need in the North West.

## **The capacity of the women's shelter is functionally decreasing**

The North West women's shelter was previously limited to women and children escaping domestic and family violence, and now accepts women facing homelessness for any reason. It is important for all people facing homelessness to have access to crisis accommodation. However, without an increase to available crisis accommodation, the broadening of scope reduces the availability of crisis accommodation for women and children escaping domestic and family violence.

Women accessing crisis accommodation in the North West are often unable to find suitable long-term accommodation to exit into due to a lack of housing. Private rentals are less affordable and often landlords prefer to rent properties to couples or candidates with higher incomes. Priority status on the social housing wait list does not necessarily result in being quickly housed due to lack of housing supply. The current average wait time in Priority category on the Housing Register is 90.5 weeks (Homes Tasmania 2024). Women must choose to either stay longer in crisis accommodation, exit to unsuitable circumstances, or attempt to access shelters in other regions. Women staying longer in crisis accommodation due to a lack of exit options further decreases capacity to accept women and children escaping violence.



## Rapid Rehousing for Family Violence is not always rapid or safe

Rapid Rehousing for Family Violence is an ongoing program funded by the Tasmanian Government that provides access to affordable rental homes to people and families affected by domestic and family violence (Tasmanian Government 2022). Private landlords lease their properties to community housing providers, who lease them directly to eligible tenants. The Tasmanian Government states that a total of 50 properties were available through the Family Violence Rapid Rehousing Program as of 30 June 2023 and there were 195 applicants for them (Tasmanian Government 2023a). The State Budget 2024-25 announcement of additional funding over 2 years for up to 100 more properties for the program is welcomed (Tasmanian Government 2024c).

The Director, Housing Policy and Programs, has discretion to approve more (or fewer) properties in a particular region if required due to an identified change in demand and need (Homes Tasmania n. d.). Homes Tasmania informed us that in August 2024, 45% of Rapid Rehousing properties were in the North West, 35% in the South, and 20% in the North. The higher rates of DFV in the North West region and higher proportion of people seeking housing assistance due to DFV demonstrate that the higher rates of Rapid Rehousing properties in the North West are appropriate and further properties can be sought in the region.

To enable Rapid Rehousing to effectively provide urgent access to safe housing for people escaping domestic and family violence, it requires sufficient supply of long-term housing to enable tenants to exit. A person's tenure in a Rapid Rehousing property may expire before long-term social housing is available, despite being in Priority on the wait list. With low incomes and tight long-term rental supply, they are often unable to afford a private rental. To avoid exiting people to homelessness, community housing providers will seek permission to extend the short-term leases in these transitional properties, leading to a delay in other applicants accessing the program.

Homes Tasmania states in relation to Rapid Rehousing: 'Homes will be safe. It is critical that people feel safe in their new homes and are able to recover from the trauma of domestic and family violence. Allocations will be sensitive to the needs of affected clients.' (Homes Tasmania n. d.) Homes Tasmania can ensure that additional properties sought for the program meet the needs of clients by seeking properties with safety features.

See, for example, Matilda's story.

## Matilda's story

Matilda fled a long-term relationship due to domestic violence. Together with her youngest child Kieran, she found refuge in a women's shelter. A protective order was issued with terms that the perpetrator of violence could not contact her.

She was approved for a Rapid Rehousing property while living in the shelter. When her family violence support worker attended the property to visit, they were concerned by the low level of security. Both external doors had large glass panels in them which were not safety glass and could be easily broken. There were no security screen doors. The rear door had a large dog door, big enough for a person to fit through. Despite this, pets were not permitted at the property. The worker advocated for security screen doors to be installed to increase Matilda's sense of safety.



## Lack of long-term housing

The lack of long-term housing prevents people exiting from crisis accommodation. This results in bottlenecks in crisis accommodation and transitional housing, including Rapid Rehousing programs.

### Social housing

to deliver a Housing First approach, Tasmania needs an adequate supply of social housing, and a viable workforce to provide wraparound and specialist supports

*The Tasmanian Housing Strategy 2023-2043 (Tasmanian Government 2023b)*

The Housing Strategy states that Housing Register applicants who are escaping family violence will be prioritised and this is welcomed. However, prioritisation of applicants cannot address a fundamental lack of affordable housing.

**In 2023, Impact Economics and Policy estimated '4,239 additional social housing properties are needed to meet the long-term housing needs of Tasmanian women and children', including 967 in the North West of Tasmania** (Impact Economics and Policy 2023). Their estimate includes additional houses to meet the needs of women fleeing domestic and family violence.

The Housing Strategy Action Plan commits to building 2,000 new social homes by 2032 with 500 of those (25%) planned for the North West (Tasmanian Government 2023c). This falls far short of the number of houses needed if the government is to deliver on the commitments of the Tasmanian Housing Strategy and its supporting Action Plan.





## The private rental market

Anglicare Tasmania's [Rental Affordability Snapshot \(RAS\)](#) looks at how many advertised private rental properties are appropriate and affordable for 14 types of household on low incomes, where affordable means that rent is no more than 30% of household income (Claxton & Bennett 2024).

The 2024 RAS found that there were **no affordable rental homes in the North West's main population centres of Burnie and Devonport.**

- A standard 3-bedroom house in Devonport would cost nearly half their income for a single parent with two children receiving Parenting Payment.
- A basic 2-bedroom unit in Burnie would cost \$290, which would be 42% of income for a single parent with one child (under 14) receiving Parenting Payment.
- There were only three homes suitable for a single parent receiving Parenting Payment with two children, which were all in remote locations on the West Coast with limited access to services and public transport.
- There was not even a room in a share-house that was affordable for a person receiving JobSeeker.

The RAS found that although properties in the NW still cost more than single parents receiving income support can afford, the overriding issue in the North West is supply rather than price (Claxton & Bennett 2024). Reports of difficulty competing for private rentals is confirmed by recent AHURI research findings that only half of the most affordable private rentals (by quintile) were let to renters in the lowest income quintile (Reynolds et al. 2024).

People who are unable to find an affordable rental either enter rental stress or homelessness. As the cost of living and rents have risen faster than income support, people in the lowest quartile have increasingly entered homelessness (Claxton & Bennett 2024).

Housing data from the Australian Institute of Health and Welfare's Rental Affordability Index also confirms there are **no appropriate and affordable rental properties in Burnie or Devonport** for:

- single people with 1-2 young children receiving Parenting Payment
- single people with a child receiving JobSeeker
- single people receiving DSP, JobSeeker or Youth Allowance
- single people receiving minimum wage
- single people with 2 children receiving minimum wage and Partial Parenting Payment (AIHW 2023).

Given that the majority of RAIN participants are single parents with dependents, mostly with government payments as their main source of income, this data demonstrates there are **no affordable rental properties for them in the major population centres of the North West.**

The complexity of responding to the housing crisis and the challenges of increasing new housing supply are acknowledged. However, consideration should be given to measures to bring existing housing into the long-term residential rental supply, including:

- additional incentives to bring unoccupied dwellings into the long-term residential rental market (there were 5512 unoccupied private dwellings across the 8 North West Coast LGAs on Census night) (ABS 2021a)
- incentives to bring short-stay accommodation into the long-term rental market
- an empty homes levy, such as has been recommended by the Tenant's Union or the proposal that will be introduced in Victoria in 2025 (Tenants' Union of Tasmania 2023; Premier of Victoria 2024).

Ideally, such measures would be dependent on the long-term regional rental vacancy rate and apply only when vacancy rates are below a defined threshold (for example, 2.5%).

Measures to improve conditions for renters, including allowing pets and improving security of tenure, should also be considered.

A further option is 'meanwhile use' transitional housing, which utilises buildings awaiting development for transitional housing. The Tasmanian Government has committed to developing a framework for meanwhile use by 31 December 2024, which is welcomed (Tasmanian Government 2023c). Women's Community Shelters NSW deliver a meanwhile use housing model for women and children escaping family violence which provides transitional accommodation and support designed to prevent re-entry into homelessness or return to an unsafe home (Women's Community Shelters 2023). Meanwhile use options can assist in the short term to complement long term solutions, but ultimately cannot address the critical shortage of appropriate, affordable, secure long-term housing (Committee on Community Services 2022).



## Jen's story

Jen lives in a remote area of Tasmania with her 2 young children, Angus and Adam. Jen moved to the remote area when Angus was young due to the availability and affordability of housing. She left behind her family and friends and had no supports upon her move.

Jen entered a new relationship with Rob and fell pregnant with Adam. Jen started to experience domestic violence from Rob which escalated throughout her pregnancy. Police were called to Jen's residence, Rob was arrested and a Police Family Violence Order (PFVO) was issued to protect her and the children.

Jen was concerned Rob was breaching the PFVO and wanted him to leave her alone as it was impacting her wellbeing, safety, and ability to parent. She wanted her and her children to feel safe. Jen needed to leave her current community where she had no supports and relocate to a regional area to feel safe. Jen left with her children and stayed with her sister in a regional area. She was referred to Housing Connect who assisted her to apply for social housing and Rapid Rehousing, and allocated a housing support worker. After 4 months of living with her sister and no housing outcome, Jen felt she had no choice but to move back to the rental property in the remote area. Living with her sister was putting a strain on their relationship.

Jen had engaged with all the appropriate services but due to a lack of affordable and appropriate housing Jen had to move back to the remote area. Jen felt that the lack of housing availability and affordability were failing her and the children.

# Barriers to outcomes: system response

## Introduction

As Tasmania does not have an integrated, whole-of-system response to DFV, system responses can be ineffective at keeping victim-survivors safe and can further traumatised and disadvantage them.

Police responses to domestic and family violence can be improved, including the understanding of patterns of behaviour typical to DFV including coercive control. Coercive control includes a broad range of tactics and behaviours that perpetrators utilise to control and micromanage the lives of their partners, including threats to harm, psychologically controlling acts, stalking, financial abuse, social isolation, technology-facilitated abuse, and systems abuse (Beckwith et al. 2023). The commencement of training on coercive control received by Tasmania Police in September 2024 is welcomed (Pridham 2024), as adequate, timely, and DFV-informed police response and investigation is a critical prevention measure (Campbell et al. 2024).

A framework for risk assessment and information sharing is also much needed. The recent *Rapid Review of Prevention Approaches* recommended that all governments develop a shared understanding and language about risk by developing nationally consistent risk assessment and management principles, which are to be applied across all roles making decisions or providing support to people in relation to domestic, family, and sexual violence and taking a proactive approach to preventing misidentification (Campbell et al. 2024).



## Police response

The Tasmanian Government recognises that the 'Department of Police, Fire and Emergency Management has a lead role in the reduction and management of family violence in Tasmania' (Tasmanian Government 2024a). The need to improve police responses to be trauma-informed, culturally safe, promote safety and wellbeing, and hold perpetrators to account is recognised as an action under the National Plan (Commonwealth of Australia 2023).

Domestic and family violence is generally part of a long-term pattern, and a common understanding of what constitutes family violence is paramount to effective system response (Victorian Government 2018). Police responses have historically been 'incident based' and have not always recognised patterns of behaviour. This can lead to misidentification of victim-survivors as perpetrators and fail to keep victim-survivors safe. Tasmania Police advise they are moving away from an 'incident based' response and this is welcomed (Pridham 2024).

Some victim-survivors have had experiences with police not making arrests or issuing PFVOs where family violence incidents relate to property damage or behaviour not constituting physical assault. In some instances where there is an existing protective order, police have not been willing to deem incidents as breaches where the behaviour is not physical. This is despite the *Family Violence Act 2004* (Tas) recognising many types of family violence including property damage, verbal abuse, emotional abuse, threats, coercion and intimidation.



### Samantha's story

Samantha was pregnant, and her ex-partner was living on the property in a separate unit. He was agitated as he did not want her mother attending the birth of the child. He broke into the main property to verbally abuse her and caused damage to the property. She reported this to police. They attended and did not issue a PFVO or press charges as there had been no physical assault, despite evidence of property damage.

Frontline legal services advise that when police attend an incident, victim-survivors can display a tendency to admit to physical acts they have committed whereas perpetrators tend to lie, which poses difficulty for police gathering evidence. For example, the victim-survivor admitting 'I hit him, but it was to stop him strangling me' and the perpetrator denying strangling at all. In circumstances where no physical evidence remains of the strangulation attempt police can have difficulty gathering evidence and misidentify the woman as the perpetrator.

Police can be better aware of patterns of behaviour typical to domestic violence, and improve listening to victim-survivors as demonstrated by Emily's experience.

## Emily's story

Emily had an ex-partner, Jerry, who was stalking her. She was concerned for her mental health.

Over the years, Jerry had caused damage to Emily's car and hidden near her home. She had moved houses a number of times but he would always find her.

Emily felt she had done all the right things as she had been to police about the stalking. She found that the police would not help her as the relationship was not deemed to be a 'significant relationship' to meet the criteria to issue a PFVO, and they advised it was a civil matter.

Jerry began putting money into her bank account, sometimes 5 cents with messages such as 'I will get you'. Or he would place a larger amount such as \$300 into her account with a message 'I love you'. Emily reported this to police and was told they could not do anything and she should go and spend the money. This went on for some time until she went to the bank to see if there was anything they could do.

The bank looked into it and notified police raising their safety concerns for Emily. The police responded by contacting Emily and informing her they were concerned for her safety. They were able to finally arrest Jerry.



Mary-Anne's experience below highlights a number of difficulties with the system response when leaving a violent relationship that can cause further distress and compromise safety. Police misidentified her as the perpetrator of violence and issued her a PFVO. This meant she could not access shelter accommodation or a Flexible Support Package of funds to get back on her feet. She was also unable to apply for a Working With Vulnerable People registration through her employment. She had to apply to have the PFVO revoked through the Courts, and her ex-partner Michael could oppose that. There was a risk she could be ordered to pay Michael's legal costs if she was not successful.

## Mary-Anne's story

Mary-Anne has two young children, Kyle and Erin, with her now ex-partner Michael. They held a mortgage together on the family home.

Mary-Anne left home with the children when Michael's coercive controlling behaviours and violence against both her and the children began escalating.

Police had already attended the family home because of Michael's use of weapons. There were a number of other concerning behaviours experienced by Mary-Anne, including regularly accusing her of cheating on him, threatening suicide if she left him, and filming them having sex without her consent.



The risk assessment that a DFV worker completed with Mary-Anne placed her at high risk of being seriously injured or killed by Michael. Mary-Anne and her worker requested that a Police Family Violence Order (PFVO) be placed on Michael so that he would be accountable for his behaviour and Mary-Anne and her children would feel safe.

When collecting the last of her belongings from the family home, Mary-Anne found that Michael had damaged them. She attended a police station to report it and was advised he would be arrested and charged with property damage, and issued a PFVO.

Several days later, Mary-Anne was advised by police that they had decided not to issue a PFVO.

Several services advocated for Mary-Anne but were not successful in changing this decision as the police response was incident based, and there had not been a specific incident.

After Michael made his own statement to police in response to their enquiries, a PFVO was placed on Mary-Anne. She was given no explanation, and Michael's behaviour continued to escalate.

Mary-Anne was advised she could apply to revoke the PFVO, however Michael could oppose the application, and if she was unsuccessful, there was a possibility she could be ordered to pay Michael's legal costs.

Because she had a PFVO against her, Mary-Anne was not able to seek refuge in a shelter or access a Flexible Support Package of funds. It also meant she was not eligible to apply for the Working with Vulnerable People registration that she needed for her work.





## Risk assessment and information sharing

A framework for cross-agency information sharing and risk assessment is urgently needed in Tasmania. The Tasmanian Government has committed to continuing to implement legislative reform to strengthen legal responses to family violence (Tasmanian Government 2022). This is vital to reduce siloed information on risk and keep victim-survivors safe. Tasmania's Commission of Inquiry into the Tasmanian Government's responses to child sexual abuse in institutional settings discussed issues with information held in silos and highlighted the importance of shared commitment by services to collaboration, including for legislation and related processes to enable effective information sharing (State of Tasmania 2023).

Risk assessment and management mechanisms assist practitioners to identify a person's risk of experiencing domestic and family violence, the risk of violence recurring or escalating, and to initiate a response aimed at reducing the risk (State of Victoria 2016). The framework could be modelled on the Victorian Government's Multi-Agency Risk Assessment and Management (MARAM) Framework and Family Violence Information Sharing Scheme, which are both established under Victoria's *Family Violence Protection Act 2008*.

The MARAM Framework is a legislative instrument and creates a system-wide approach and shared responsibility for family violence risk assessment and management, as it is incorporated into law, regulation, policy, and practice guides (Victorian Government 2018). Framework organisations are required to align their policies, procedures, practice guidance, and tools, including risk assessment tools, to the framework (Victorian Government 2018). The MARAM Framework was redeveloped following the findings of the Victorian Royal Commission in 2016. The Royal Commission followed a Coronial Inquest into the murder of 11-year-old Luke Batty by his father.

The findings of the Royal Commission are relevant to Tasmania's current family violence response. The Royal Commission found that 'the safety of victims is undermined by inadequate methods for sharing information between agencies about perpetrator risk. This is exacerbated by outdated information technology systems' (State of Victoria 2016). Tasmania can utilise the recommendations from the Victorian Royal Commission, which were developed with significant input from victim-survivors, as well as the recent Commonwealth *Rapid Review*, which recognises the domestic violence crisis as a national emergency (Campbell et al. 2024).

The Family Violence Information Sharing Scheme (FVISS) was also introduced in Victoria after the Royal Commission. It prescribes information sharing entities (ISEs) including police, government agencies, specialist family violence services, GPs, nurses, homelessness support services, migrant case workers, mental health services, and others. Some agencies are also prescribed risk assessment entities including police, child and family services, and specialist family violence services.

Under similar reforms, specialist family violence services would be information sharing entities and risk assessment entities. This means they could request and share with other ISEs information relevant to assessing or managing family violence risk (Family Safety Victoria 2021).

Currently in Tasmania, the Family Violence Act 2004 only recognises risk assessments and safety audits completed by police. Information is shared between government agencies at Integrated Case Coordination meetings, but non-government specialist family violence services cannot attend these meetings.

Women's Legal Services Australia and National Legal Aid have recommended a national family violence risk information sharing scheme and register implemented by Commonwealth, State and Territory governments, which could be modelled on the Victorian FVISS. They recommend a focus on agency and safety of the victim-survivor and best practice including informed consent (Women's Legal Services Australia 2024b).

The Tasmanian Government has already committed to implementing standardised risk assessment processes across government and non-government family and sexual violence services (Tasmanian Government 2022):

*A formal pilot of the Tasmanian and Rural Risk Assessment (TARRA) tool, following training for the specialist family violence services, will be undertaken during 2023-24. This pilot will include developing pathways to provide the de-identified data captured through this process, to better inform the understanding of risk and safety for victim-survivors (Tasmanian Government 2023a).*

The TARRA provides a structured framework to assess the level of risk and identify known risk factors when evaluating a person's circumstances. It is used in combination with the specialist DFV practitioner's existing professional judgement, intersectional analysis and trauma-informed practice. The idea of standardised risk assessment processes in Tasmania was first introduced in the 2019 Family and Sexual Violence Action Plan (Tasmanian Government 2019), however the TARRA is not yet operational across agencies. Training is required for frontline staff about use of the TARRA and changes are needed to the *Family Violence Act 2004* to ensure the TARRA is recognised by police and the Courts.

## What could have been different for Mary-Anne with the recommended reforms?

Frontline DFV services and Tasmania Police would both be information sharing and risk assessment entities, and could have shared information to assess family violence risk.

The risk assessment completed with her DFV worker would have been recognised by other agencies, including police.

The information provided by the DFV service could have corroborated Mary-Anne's story, police may have better understood Michael's pattern of behaviour, and avoided misidentifying Mary-Anne as the perpetrator.



# Barriers to outcomes: Services

## Introduction

Victim-survivors often need a range of supports including legal, financial, and mental health services as shown in Figure 4 below.

**Figure 4: Services responding to family, domestic and sexual violence**

### Specialist

- Helpline/online
- Sexual violence services
- Specialist FDV services
- FDV legal
- FDV advocacy
- Perpetrator intervention

### Health

- Hospitals – in-patient, emergency and outpatient care
- Mental health
- Primary health care
- Child and family health
- Perinatal health
- Ambulance
- Alcohol and other drug treatment

### Community and welfare

- Counselling and crisis support
- Crisis payments
- Specialist homelessness
- Child protection
- Disability
- Financial counselling
- Community and social housing
- Family and relationship
- Immigration and settlement

### Justice

- Legal aid/ community legal
- Police
- Courts
- Corrections

*Adapted from Australian Institute of Health and Welfare (2024b)*

People engage with specialist DFV supports at various stages of their journey. Some people self-refer, and in many cases, are referred by other services.

Unfortunately, due to the limited capacity of some other services, victim-survivors of DFV in the North West may be unable to access much-needed specialist supports to assist them to begin to recover and reach their goals. Some particular service gaps are described below.

## Family violence services

Family violence support services are under significant pressure with demand often exceeding capacity. Funding certainty for these services and sufficient indexation on funding contracts is required.

Specialist domestic and family violence counselling services, including therapeutic counselling for adults and children affected by DFV, are under significant pressure to keep up with service demand. Often, services must operate waitlists, or have periods of shutting their books to new clients. Accessing counselling for children in particular can be difficult, and there is a need for increased early intervention and prevention services in the region to support child safety.

Private psychology is unaffordable for victim-survivors on low incomes. The recommended fee for a 40-60 min session with a clinical psychologist is \$315 and the Medicare rebate is \$141.85 (Australian Psychological Society 2024), leaving a large gap fee to be paid.

If parents and children cannot access counselling to support their recovery from trauma, the cycle of trauma can perpetuate. Children abused or exposed to DFV can experience ongoing consequences including stress, anxiety, and impaired social, emotional, and educational functioning (Kaspiew et al. 2017). There is significant evidence as to the lifelong negative impacts of adverse experiences early in life (Moore et al. 2017).

## There are long waitlists for childcare in the region

Anglicare practitioners report that some participants have experienced waitlists for childcare as long as 1-2 years in the North West. Childcare provides significant support to parents, particularly those who are working or experiencing other life stressors. People may have limited informal supports and without childcare cannot access work and appointments. Childcare availability in Tasmania is much lower in regional and remote areas than in inner Hobart (Hurley et al. 2022).



## Supported accommodation for vulnerable mothers and babies

Anglicare practitioners report that the Bringing Baby Home program is not yet available in the North West. This program, run by the Department of Education, Children and Young People is a supportive residential program to keep a parent and baby together at home. The program is not yet available as 'there have been some challenges in expanding the program in the North-West due to lack of property and staffing and these issues continue to be considered and addressed' (Department of Premier and Cabinet [Tas] 2023).

These barriers to program availability in the North West must be urgently addressed, due to higher rates of DFV in the region and consequences for vulnerable mothers and babies. A child's health and wellbeing is shaped by the physical environment and community they grow up in (Moore et al. 2017). In circumstances where the Child Safety Service is understaffed, with only 40 percent of positions filled in June 2024 (Hansard, 12 June 2024), programs to keep parents and children safe at home are critical.

## Amelia and Luna's story

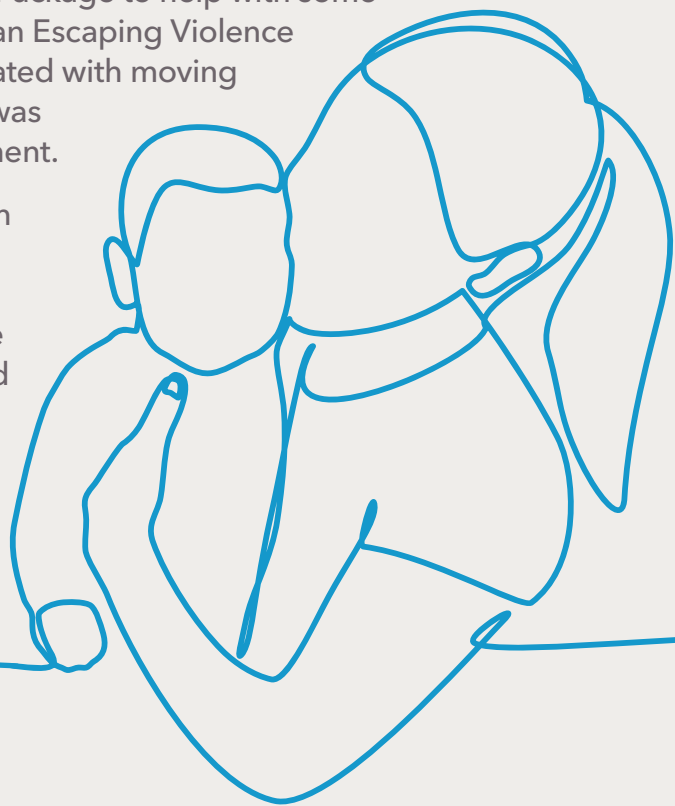
As a child, Amelia was in State care due to the neglect of her parents. Amelia started using methamphetamine in her early teens.

When Amelia gave birth to Luna, she was grieving the recent death of her partner, Walter, and was also being threatened by her former partner, Peter. Experiencing a high level of stress, Amelia began using substances to self-medicate shortly after Luna's birth and soon after engaged with child safety and family support services.

Amelia had limited insight into how to care for Luna due to her childhood experiences and had experienced extensive domestic violence, complex trauma, grief and loss. Wraparound services for Amelia from a range of services supported stabilisation of her situation.

Due to ongoing threats from her former partner, domestic violence support services were eventually able to secure a Rapid Rehousing Property in another town for her safety, a Flexible Support Package to help with some bills and purchase items for Luna, and an Escaping Violence Payment to assist with the costs associated with moving and furnishing her new home. Amelia was also assisted to receive Parenting Payment.

Amelia and Luna received support from a range of services to address many challenges. However, if they had been able to access the Bringing Baby Home program in the North West, Amelia and Luna could have been provided with a safe residential environment and the targeted support they needed much earlier and the long-term outcomes for both of them may have been improved.



## Income support and financial abuse

The income support system can exacerbate poverty and disadvantage (Flanagan et al. 2019). Government income support payment policy can conflict with policy responding to violence against women and their children, and can cause women who have left violence to end up in poverty (Summers 2022). Anglicare Australia recommends an immediate increase to income support payments to above the Henderson poverty line (Azize 2024). Improving women's economic security is considered a best practice domestic violence prevention strategy (Campbell et al. 2024).

The interaction between payments, housing, and services can cause further barriers. For example, where child protection removes children due to inadequate housing situations such as crisis accommodation, the household income can then be reduced as the parent is no longer eligible for Family Tax Benefit allowances. The family can only reunite if stable housing is found. However their capacity to pay for suitable housing is reduced due to the withdrawal of the Centrelink benefit (Everybody's Home 2024). In other circumstances, the person may be receiving Parenting Payment which is then reduced to single person payment. These situations can trap people in a cycle of disadvantage and fail to support families in their parenting role.

People seeking reunification with their children can have difficulty accessing a suitable social housing property that meets their needs. Community housing providers charge rent based on full occupancy of properties, and may not be able to move a single person into a multi-bedroom property in the hope they will regain custody of their children. Family reunification could be supported in social housing by subsidising community housing providers up to full occupancy levels, to enable people seeking family reunification to obtain a suitable multi-bedroom property that will allow them to regain custody of their children.

The income support system and child support payments can be weaponised by perpetrators, subjecting victim-survivors to further financial stress. For example, Anglicare's financial counsellors report high levels of DV for service users. In the month of July 2024 19.5% of client cases involved disclosure of DV to their counsellor. Anglicare's financial counsellors report that many clients are single mothers coming to the service with debt following the end of a violent relationship who are not receiving child support payments. 16% of financial counselling clients in July 2024 who were single parents reported child support payments not being paid to them. In many cases they report being fearful of seeking child support.

we see financial abuse where they are made to take out the bills and loans in their name, and the partner never made any contributions to the bill and then now they have all this debt

*Financial Counsellor, NW Tasmania*



The recent *Rapid Review* recommended immediate audits of the weaponisation of government systems. This includes systems where 'significant harm is occurring' such as family law, child support, taxation, and immigration systems (Campbell et al. 2024). The fragmented system of service delivery to women and children affected by violence is open to exploitation and other aspects of the system, including private law, mediation, family dispute resolution, and adversarial processes for making parenting arrangements, are similarly open to abuse by perpetrators of family violence (Kaspiew et al. 2017).

## **Payments for escaping family and domestic violence**

There are several payments available for people who have experienced family and domestic violence. These include the Escaping Violence Payment, Flexible Support Packages, and Services Australia's Crisis Payment. Payments to support victim-survivors are welcomed, however some barriers exist.

Services Australia's Crisis Payment requires the person to make contact within 7 days of the change of circumstances. The amount they can receive is no more than one week's worth of their regular payment and they need a safe way to be contacted as a social worker will call to speak with them. They must also be able to provide photo ID and some way to prove their circumstances. They also require a safe bank account to receive the payment (Services Australia 2024a). Some victim-survivors struggle to meet all of these criteria.

The Escaping Violence Payment is supported by the Australian Government. It provides up to \$5000 of financial assistance for a person who recently left or is planning to leave an intimate partner violence situation and is in financial stress (Uniting 2024). The Escaping Violence payment is welcome and is provided efficiently, but cannot be entirely effective if there is no long-term housing for women, children and their pets.

Flexible Support Packages are provided through the Tasmanian Government and are up to a maximum of \$6000 for essentials (Tasmanian Government 2024d). Practitioners report that the likelihood of receiving the maximum payment of \$6000 has reduced significantly in recent years, highlighting the high level of demand. A key barrier with Flexible Support Packages is that the person must have made a report to Tasmania Police to be eligible. Victim-survivors experiencing DFV often do not wish to go to Police due to fear of antagonising the perpetrator and placing themselves at further risk. Some victim-survivors have also had poor experiences with Police. This is another good reason for providing a functional risk assessment that is accepted across agencies ([refer to page 33](#)).

## An ARCH Centre in the North West

ARCH Centres provide coordinated and collaborative, trauma-informed and victim-survivor-centred support for people affected by sexual violence (Tasmanian Government 2024b). The Tasmanian Government has established ARCH Centres in the North and South under the *Tasmanian Family and Sexual Violence Action Plan 2022-2027* and has committed to establishing a third centre in the North West (Tasmanian Government 2022, 2023a). As at August 2024, Tasmania Police reports that a precise location for the North West centre is yet to be confirmed (Maloney 2024).

Tasmania Police has led development of the centres in conjunction with sexual assault services to improve specialisation for police and coordinate responses to sexual violence. They enable victim-survivors to receive integrated support in a safe place (State of Tasmania 2023). The multidisciplinary approach is also an example of multi-agency collaboration and information sharing. ARCH service delivery is supported by the Safe Families Coordination Unit in the Department of Police, Fire and Emergency Management which was expanded to coordinate data for all reports of sexual violence (Tasmanian Government 2023a).

ARCH Centres have the potential to deliver best-practice crisis response, including empowerment of victim-survivors through a person-centred approach, maintaining focus on risk and safety, using evidence based and intersectional approaches, providing integrated and multi-disciplinary responses, applying a trauma-informed approach, protecting and promoting understanding of victim's rights, and holding perpetrators to account (Social Ventures Australia 2024). The *Rapid Review* highlighted the value of police co-responder models that provide collaborative responses and increase access to forensic examination. Importantly, collaborative approaches are central to victim-survivor choice. (Campbell et al. 2024)

The Tasmanian Government can prioritise delivery of its commitment to establish the North West ARCH Centre to ensure victim-survivors in the region have access at the earliest opportunity.



## Frontline legal services

The Tasmanian Government has committed to providing legal assistance to people experiencing family and sexual violence (Tasmanian Government 2022). Victim-survivors in the North West face a number of barriers to accessing the legal support services they need.

### Capacity of services to meet demand

Victim-survivors can experience barriers to accessing legal services due to a lack of capacity. Legal services have difficulty recruiting and retaining staff in the North West which impacts significantly on their capacity to provide representation to clients. A lack of funding certainty, resulting in an inability to offer market competitive salaries, and a shortage of lawyers in the area contribute to the problem.

Women's Legal Services Australia estimate more than 1,000 women per week have to be turned away from their services across Australia due to a lack of capacity (Women's Legal Services Australia 2024a). With additional funding, Women's Legal Services can better meet the demand for assistance and operate a best practice service delivery model, including expansion of health justice partnerships, domestic violence units, and other integrated service models (Women's Legal Services Australia 2024a).

There are several legal services in the North West for victim-survivors.

Women's Legal Service is a specialist service funded by the Commonwealth government and has an office in Burnie which was established as a specialist family violence unit due to the location being identified as a DFV hotspot (Kempton 2015). The Burnie office provides legal information, advice and support to clients in the North West who have experienced family violence.

Safe at Home, the government's integrated criminal justice response to family violence, is provided by Tasmania Legal Aid. Safe at Home's services include advice and assistance in relation to FVOs. Tasmania Legal Aid also has an in-house family law practice, children's representatives, and criminal law practice.

Tasmania Legal Aid provides the *Family Law Property Mediation Trial*. The limit for the property pool held by the parties under this program is \$500,000 (Legal Aid Commission of Tasmania 2019). Anglicare practitioners report the limit can be an issue, as some victim-survivors may not have access to the assets but be ineligible for the program due to the overall value of property. An increase to the limit on this property pool is recommended, especially due to increased house prices.

*Just Healthy Families* (JHF) is a health justice partnership including Women's Legal Service and Tasmania Legal Aid. This service is located in venues in the community including child and family learning centres. Data from JHF indicates that East Devonport Child and Family Learning Centre had the highest number of clients, dependents and families assisted by a significant proportion (260, the next highest being St Helens Child and Family Centre at 165) (Just Healthy Families 2023). This demonstrates the high level of need in the area.

The Tasmanian Government has committed to expanding the JHF program in the Tasmanian State Budget 2024-25 (Tasmanian Government 2024a). This is a welcome announcement, however recruitment and retention of a lawyer based in Burnie may still be an issue. Practitioners report that this service is mostly limited to initial advice work in the North West, and an increase to casework capacity is urgently required.

National Cabinet's announcement of \$4.7 billion for frontline family violence services includes funding of \$3.9 billion from the Commonwealth for frontline legal assistance services from 1 July 2025 (Basford Canales 2024). A proportion of this funding could be used to address the urgent need for DFV legal support services, including Women's Legal Service and Tasmania Legal Aid in North West Tasmania, through:

- financial incentives to attract lawyers to work in the North West. For example, the Tasmanian Government announced financial incentives to recruit and retain Child Safety Workers in the North West (Premier of Tasmania 2024)
- funding certainty including sufficient indexation of federal grant funding, to allow services to offer market competitive salaries
- flexibility in the use of Commonwealth grant funding to allow briefing of barristers
- increase to the hourly rate payable to private lawyers on grant funding to ensure representation for clients where services have no capacity and refer out to private
- increase to casework services, not those limited to advice only.

## Information sharing

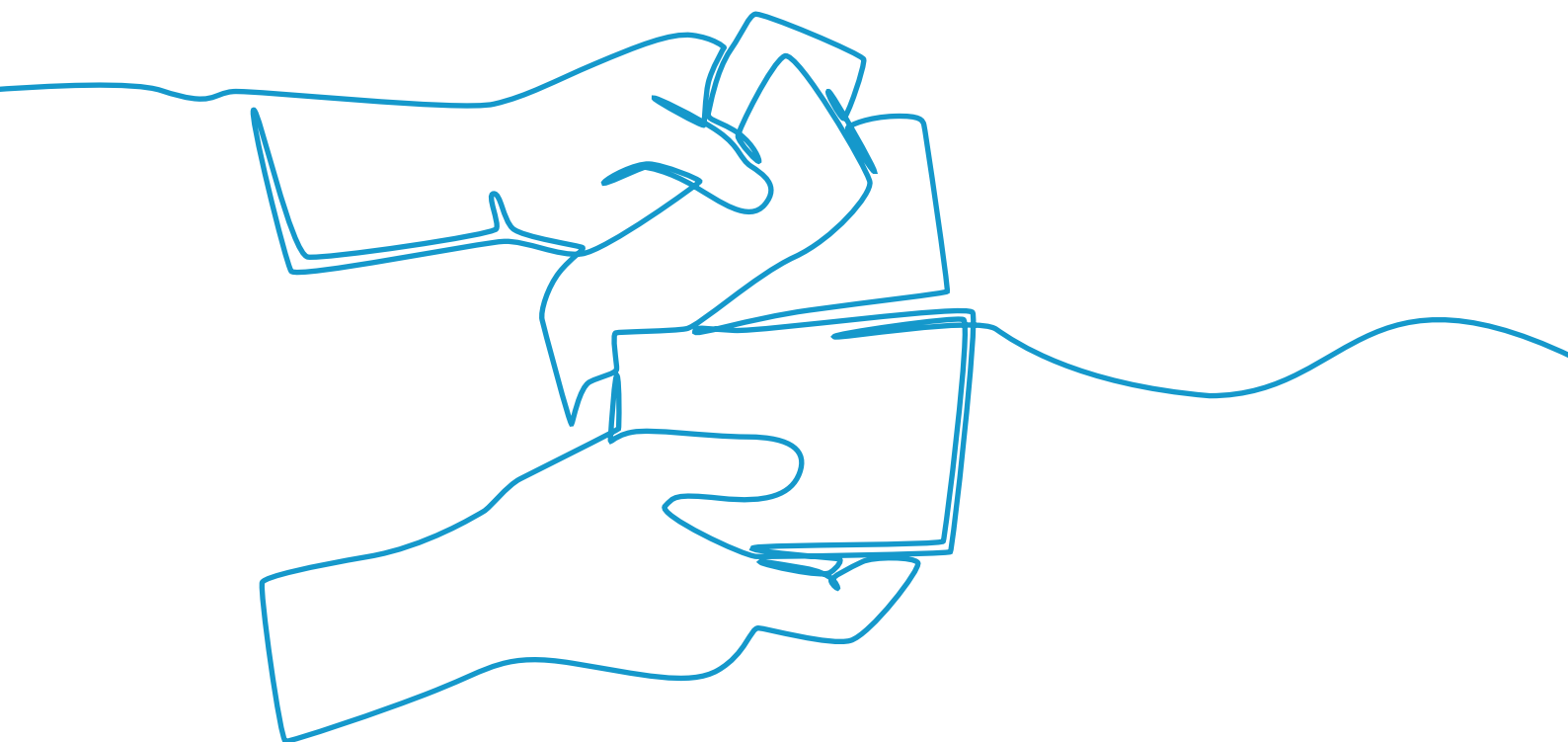
Frontline services report a gap in information sharing between the Family Court, a federal jurisdiction, and State agencies. Family Court processes gather a significant amount of information in relation to family violence risk and this may be the first time that information is gathered on the persons involved. It is important this is captured following the end of proceedings. Under Victoria's FVISS, Courts can voluntarily participate in the scheme.

## Risk of orders to pay costs

A significant barrier for women seeking applications for protective orders is the risk that the court will make an order for them to pay the other party's costs if their application is unsuccessful. While this may be reasonably rare, it can happen, and the possibility of it acts as a deterrent for women to seek protective orders for their safety, as they cannot afford to be required to pay the other party's costs.

Section 34 in the *Family Violence Act 2004* (Tas) provides discretion to the court to order either party to pay costs as it considers reasonable in applications for FVOs: 'The court hearing an application under this Act made by a person other than a police officer may, if the court thinks fit, order either party to pay such costs as the court considers reasonable.'

In Victoria, section 54 of the *Family Violence Protection Act 2008* (Vic) states that parties will bear their own costs, unless an application is frivolous, vexatious or in bad faith or exceptional circumstances. The Tasmanian legislation should be amended to reflect this, to remove the risk of a costs order being made against them acting as a deterrent to victim-survivors seeking a protective order for their safety.



## The Family Court has not had premises in the North West

The Federal Circuit Court and Family Court of Australia has never had its own dedicated premises in the North West, and due to a lack of available premises in recent years, the Court has had to sit in Launceston on several occasions (Wylie 2024). Anglicare practitioners report that participants cannot afford travel to Launceston for in-person appearances, and attending via video link is not ideal or accessible for all.

The announcement that the Tasmanian Government is working with the Federal Government to accommodate Family Court matters in the new Burnie Court Complex will improve access to justice for victim-survivors in the North West (Bird 2024). Director of Tasmania Legal Aid, Kristen Wylie, stated:

*This commitment has been a long time coming...a lack of dedicated, safe and secure family court facilities on the North-West Coast, has already had consequences for some of our most vulnerable clients (Bird 2024).*

## Julia's story

Julia lived on the West Coast and had to attend Court face to face in Launceston on the same day as her ex-partner. She had to arrange care for her two young children and access funding to cover her travel. Julia felt that these circumstances negatively impacted her ability to give her evidence and felt retraumatised by the way the system operated.



# Addressing the barriers

## Recommendations

Based on the findings of this report, to address the most pressing needs of DFV victim-survivors in North West Tasmania, Anglicare Tasmania recommends that:

- 1. The Tasmanian Government fund and deliver more crisis accommodation, transitional housing and social homes in North West Tasmania** including:
  - a. increasing crisis accommodation that is safe and suitable for women and children fleeing domestic violence to meet demand, based on the regional prevalence of DFV
  - b. ensuring that homes provided to tenants under the Rapid Rehousing program are safe and suitable for the needs of victim-survivors
  - c. building an additional 967 social homes
- 2. The Tasmanian Government implement additional measures to improve access to housing**, including:
  - a. measures to bring existing housing stock into the long-term residential rental market;
  - b. consideration of 'meanwhile use' transitional housing for victim-survivors of DFV
  - c. supporting family reunification by subsidising community housing to provide parents awaiting reunification with housing that meets the needs of the reunified family.
- 3. The Tasmanian Government develop and fully implement an information sharing and risk assessment framework**, that results in the effective use and recognition of the Tasmanian and Rural Risk Assessment (TARRA) tool across government and non-government agencies for the benefit of victim-survivors of DFV, including
  - a. amendment of the Family Violence Act 2004 (Tas) to recognise risk assessment completed by agencies other than the Police
  - b. continuing training for Police to ensure recognition of domestic violence behaviour patterns and consistent responses to support the safety of victim-survivors
- 4. The Tasmanian Government prioritise the delivery of the NW ARCH Centre** by committing to a publicly available implementation plan detailing key milestones and ensuring that victim-survivors can access the multi-disciplinary centre at the earliest possible opportunity
- 5. The Tasmanian Government remove barriers to delivering the Bringing Baby Home program** in the NW
- 6. The Tasmanian Government provide funding certainty to DFV support services** by delivering on its commitment to 5-year contracts for frontline DFV services, and in partnership with the Federal Government, guaranteeing sufficient indexation on contracts to fund support for victim-survivors.

- 7. The Tasmanian Government increase funding for specialist family violence counselling services** including children's counselling in partnership with the Federal Government, to reduce waitlists for therapeutic counselling and deliver on its commitment to increase counselling services for children and young people experiencing family violence (Tasmanian Government 2022).
- 8. The Tasmanian and Australian Governments increase access to legal services for people impacted by DFV by:**
  - a.** providing funding certainty and allow services to offer market competitive salaries to recruit and retain lawyers
  - b.** ensuring provision of permanent premises for the Family Court in Burnie
  - c.** providing financial incentives to attract lawyers to work in the North West
  - d.** increasing the hourly rate payable from grant funding to private lawyers to ensure representation for vulnerable women
  - e.** increasing casework capacity of legal services
  - f.** increasing access to the property pool pilot for parties by increasing the limit on the property pool.
- 9. The Tasmanian Government amend the Family Violence Act 2004 to require parties to an application for a protective order to bear their own costs**, except where an application is frivolous, vexatious or in bad faith.
- 10. The Australian Government increase income support payments to above the Henderson Poverty Line.**



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