

Key Policy in discussion	REDUCING VIOLENCE AGAINST WOMEN
Portfolio and or agency	Multi Agency
Date Issued	20 May 2023

Key Portfolio Issues

The 2023-24 Budget introduces two new measures expressly aimed at reducing violence against women: the women’s safety measure, and the women’s safety – First Nations measure. These measures provide modest additional funding to the \$1.7b announced in last year’s October budget. Pending the forthcoming release of the new action plan (the first of two to be released under the National Plan to End Violence Against Women 2022-23), as well as the first stand-alone Aboriginal and Torres Strait Islander Action Plan to End Violence against Women and Children, it is difficult to ascertain if the 2023-24 measures are plugging the right gaps. That said, we welcome the acknowledgment that additional new funding will be needed to support the Aboriginal and Torres Strait Islander Plan, and are also pleased to see a first vital step in protecting women on temporary visas. Our key concerns are that the new plans be clear and transparent in how funds are being allocated, and that the Commonwealth Government takes a stronger leadership role in ensuring access and equity in service delivery, and in building capacity in the specialist workforce.

Budget Measures

The 2023-23 Budget contains two measures expressly aimed at women’s safety.

Women’s Safety

Payments (\$m)	2022-23	2023-24	2024-25	2025-26	2026-27
Department of the Treasury	-	91.5	79.1	-	-
Federal Court of Australia	-	10.3	7.7	7.8	7.8
Department of Social Services	-	8.0	19.1	13.5	9.5
Attorney-General’s Department	-	5.6	5.8	5.6	5.6
Department of Home Affairs	-	5.1	2.0	1.4	1.5
Australian Law Reform Commission	-	1.7	-	-	-
Total – Payments	-	122.3	113.6	28.2	24.4

Source: [Budget Paper No 2](#), p. 88

Women's Safety – First Nations

Payments (\$m)

	2022-23	2023-24	2024-25	2025-26	2026-27
National Indigenous Australians Agency	-	19.0	37.8	6.9	6.5
Department of Social Services	-2.3	10.7	38.0	67.1	22.9
Total – Payments	-2.3	29.7	75.8	74.0	29.4

Source: Budget Paper No 2, p. 90

Women's safety

The Women's Safety measure includes new monies directed in four key areas.

National Plan: \$159 million to extend the National Partnership on Family, Domestic and Sexual Violence Responses with state and territory governments; \$24.3 million to pilot an additional referral pathway for the Support for Trafficked People Program; \$8.5 million for initiatives aimed at early intervention, including developing a national perpetrator risk assessment framework for frontline service providers, extending Mensline Changing for Good Service and developing a national perpetrator referral database of services to improve uptake of intervention services.

Migrant women and women on temporary visas: \$10 million to expand the family violence provisions within the Migration Regulations 1994 to most permanent visa subclasses to ensure that visa applicants do not feel compelled to remain in a violent relationship to be granted a permanent visa. The Government also announced it is extending the current Temporary Visa Holders Experiencing Violence Pilot to January 2025 (paid for using existing funds).

Family law property settlements and international child abduction matters: \$33.1 million to fund the Federal Circuit and Family Court of Australia and the Family Court of Western Australia to continue and expand the Family Law Priority Property Pool program nationally; \$13.4 million to extend the Lawyer assisted Family Law Property Mediation program to assist separated couples to mediate and reach agreement on a family law property division; \$7.4 million to introduce a financial assistance scheme to enable eligible respondent parents impacted by international parental child abduction to have equivalent access to legal representation as applicant parents; \$5.3 million for a package of early alternative dispute resolution intervention measures, designed to divert families from contested Hague Convention proceedings and improve safety outcomes; \$5.7 million to improve capability in the Attorney General's Department to obtain and make evidence about family violence available to the courts in Hague Convention cases.

Sexual violence: \$6.5 million to strengthen sexual assault and consent laws and improve justice responses to sexual violence. This includes funding for a ministerial level national roundtable, an independent national inquiry by the Australian Law Reform Commission into justice responses to sexual violence across Australia, and establishment of an expert advisory group to inform the inquiry; \$12.1 million to develop and distribute social media resources for young people on consent with advice from an expert advisory group and to support community led sexual violence prevention pilots.

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Women's Safety - First Nations

This measure includes: \$145.3 million to support activities which address immediate safety concerns for First Nations women and children who are experiencing, or at risk of experiencing, family and domestic violence; \$23.2 million to partner with local organisations to design, deliver and evaluate community led, place based, trauma aware and culturally responsive healing programs for First Nations children and families impacted by family violence; \$17.6 million to deliver on family safety initiatives under the Aboriginal and Torres Strait Islander Action Plan; \$7.8 million over 5 years to support the development of a standalone First Nations National Plan for Family Safety, including governance, secretariat and data arrangements.

Background: current circumstances of women's safety

- **How safe are women in Australia?**

Personal safety survey: The Australian Bureau of Statistics (ABS) recently released the [2021 Personal Safety Survey \(PSS\)](#) results. The PSS represents the most authoritative source of population-based data – in terms of sampling size and reputation – about Australians' experiences of violence.

The survey found that sexual violence is overwhelmingly experienced by women: 20 per cent of women - or one in five - have experienced a sexual assault since the age of 15, compared to one in twenty men (5 per cent).

While it is true that non-sexual physical violence is experienced more by men (34 per cent compared to 27 per cent for women since the age 15), this is only with respect to physical assault by a stranger. Twenty-four per cent of men have experienced a physical assault by a stranger, compared to 5 per cent of women.

In contrast, 28 per cent of women have experienced a physical assault from a person known to them, compared to 24 per cent of men. Fourteen per cent of women, compared to 5 per cent of men, have experienced a physical assault from a cohabiting partner of the opposite sex.¹ Women are 3 times more likely to have been physically assaulted by a male partner, than a man by a female partner.²

Men are more likely to be physically assaulted by a male neighbour or acquaintance than they are by a female partner.

The biggest story revealed by the PSS – which is no surprise to people working in the health, justice, education or community services sectors – is men's violence. While data continues to highlight victimhood – which is essential in terms of designing and resourcing services aimed at responding to violence – flipping the data to focus on perpetrators reveals the stark truth. It's

¹ Comparative same-sex data was not considered sufficiently reliable by the ABS for inclusion.

² 'Cohabiting partner' is used here rather than 'intimate partner' (which includes girl/boyfriends and dates) because ABS determined that IPV data was unreliable in this context.

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all about men. This makes clear where prevention, early intervention and cultural change programs need to focus.

Ninety-one per cent of people experiencing a sexual assault since they were 15 were assaulted by a man, 90 per cent of people experiencing physical violence since they were 15 experienced it from a man, 89 per cent of people experiencing sexual harassment since they were 15 were harassed by a man.

Homicide data: Critically, the PSS does not collect data relating to the seriousness or impact of the violence. According to [Australian Institute of Criminology data \(Table A34\)](#), in 2019-20, 258 people were murdered: 226 people were murdered by men, and 32 murdered by women. In terms of intimate partner homicide, men murdered 36 female partners and 2 male partners; women murdered 6 male partners and no female partners.

While the PSS data finds that women are 3 times more likely to have been physically assaulted by a male partner than a man by a female partner, the AIC data finds that in the year 2019-20 women were 6 times more likely to be murdered by their opposite sex partner, than men. Women or girls are also significantly more likely than men or boys to be killed by a parent, child, sibling or other relative.

National community attitudes survey: The [National Community Attitudes Towards Violence Against Women Survey \(NCAS\) 2021](#) data has also been recently released, and provides an invaluable supplement to the PSS and homicide data. The NCAS provides essential insight into where prevention and education activities are required to address violence against women.

The NCAS, for example, found that 41 per cent of respondents believed that domestic violence was perpetrated equally by men and women, in direct contrast the actual rates established by the PSS. The NCAS exposed other important policy and service gaps, including that 2 in 5 people did not know how to access domestic and family violence services; as well as providing clear evidence of entrenched inequality. Over a third of respondents, for example, believed that women used accusations of sexual assault maliciously which is, again, contrary to all evidence.

Other data sources: To genuinely make progress towards ending violence against women, the status and experiences of women and girls needs to be considered and measured across all elements of how we live – including in relation to climate change, the economy, the welfare system, employment, childcare, education and housing – to track progress towards the inextricably linked goals of equality and safety.

- **What are the current mechanisms and funding arrangements to support women’s safety?**

National Plan to End Violence Against Women and Children 2022-2032: [The national plan](#) is a critical framework document articulating a national vision for ending violence against women and children in one generation. It sets out principles and priorities to guide yet-to-be-released actions plans. Importantly it centres women’s specialist services – along with victim-survivors – as vital to the plan’s success; and, in a major advance on the first plan, demonstrates a clear and comprehensive understanding of gender inequality as the root cause of gender-based

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violence, along with the emphasis on victim-survivors voices in the plan. The national plan does not in itself commit funds, or outline or articulate funding, although funds are committed through usual budget processes against various initiatives contained within it. The plan is implemented through two five-year action plans and a dedicated Aboriginal and Torres Strait Islander action plan.

Our Watch: [Our Watch](#) was established under the first National Plan to Reduce Violence against Women and their Children 2010-2022, and was initially funded by the federal and Victorian governments. All governments now contribute. The key focus of Our Watch is on the primary prevention of violence against women, through the development of tools and resources, training and communications activities.

Australia's National Research Organisation for Women's Safety: [Australia's National Research Organisation for Women's Safety](#) (ANROWS) was also established as an initiative of Australia's first National Plan to Reduce Violence against Women and their Children 2010–2022 by federal, state and territory governments. Its primary function is to build the evidence base that supports ending violence against women and children in Australia.

Domestic, Family and Sexual Violence Commission: The Domestic, Family and Sexual Violence Commission is a new Executive Agency established within the Australian Public Service. [According to the federal government](#), the commission is intended to provide 'oversight of the National Plan and...work across states and territories to help coordinate key national safety and service frameworks' as well as 'track the progress of the new [national plan], and provide regular reports to Parliament.'

Services: While the provision of services to support women and children escaping violence is generally perceived as a matter for states and territories, the federal government provides both direct and indirect funding through a variety of mechanisms. Funding of some women's refuges and crisis housing is, for example, provided through the National Housing and Homelessness Agreement, as well as through discrete federal programs such as the Safe Places Emergency Accommodation Program. In a similar fashion, some specialist women's legal services are funded via the National Legal Assistance Partnership, and a range of services – including refuges, court advocacy services, and perpetrator interventions – receive funding under the National Partnership on Family, Domestic and Sexual Violence Responses. A 2022 member survey by [Women's Services Network \(WESNET\)](#) found that over one half of specialist women's domestic and family violence services reported receiving *direct* funding from the Commonwealth.

Industry bodies: In terms of industry representation, and with respect to specialist domestic and family violence services, most – but not all – states have state-funded peak bodies such as Safe and Equal in Victoria, and DV New South Wales. WESNET, the national peak body representing specialist domestic and family violence services is not funded at all, following defunding by the Howard government. Sexual assault services are also represented by a

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national body – the National Association of Services Against Sexual Assault (NASASV) – as well as state bodies such as the Queensland Sexual Assault Network.³

Gender implications of these measures

It is important to note that the 2023-24 women’s safety budget measures represent new money - that is, money that is *additional* to the \$1.7 billion investment in the October Budget for women’s safety initiatives. Commentary on the gender implications of the budget is limited to the 2023-24, except to note key omissions and recommendations. It is also worth noting that the first *action plan* under the National Plan to End Violence Against Women and Children 2022-2032 has yet to be released, and it is therefore difficult to determine in isolation if the new money is hitting the right gaps. While NFAW is very pleased to see additional investment in women’s safety, the funding remains insufficient to meet existing service shortfalls, much less to effect generational change quickly. We remain concerned about the effectiveness of the delivery of some initiatives, and a lack of transparency in allocation of funds against the national plan.

Meeting service shortfalls: Victim-survivors of gender-based violence urgently require universal access to essential services, including crisis support, information, referrals, court advocacy, case management, supported accommodation, legal advice and advocacy and income support. Perpetrators of gender-based violence need universal access to accredited men’s behaviour change programs.

The combined impact of COVID-19, natural disasters, cost-of-living pressures, labour shortages and the housing crisis on women’s specialist services has been profound with demand for services growing along with acute workforce pressures. More women are needing help but experiencing greater difficulty in accessing it. [In a recent survey of domestic and family violence specialist services](#), the overwhelming majority identified ‘managing workloads’ and ‘attracting staff’ as their biggest workforce challenges, sitting alongside ‘insufficient funding’ and ‘uncertain funding’ as the dominant financial challenges.

[A recent sector forum reported](#) (WESNET, 2023) that domestic and family violence services were routinely turning away around 30 per cent of people who could be eligible for safety upgrades, and that with even motel accommodation hard to find at this time, many women were remaining in unsafe circumstances. In the context of legal services, it was reported that 40 per cent of the women who seek assistance from women’s legal services are turned away, and that these women are likely to remain in a dangerous situation and continue to experience abuse and trauma.

Compared to other community service sectors, the specialist women’s domestic, family and sexual violence sector is almost exclusively not-for-profit, reliant on government funding, with limited supplementation by fundraising and philanthropic efforts.

³ The funding status the National Association of Services Against Sexual Assault and state sexual assault bodies is not known.

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While the continuation of the National Partnership Agreement (\$159 million) is most welcome the method and mode of delivery is important, and the quantum is very likely to be insufficient. Further, the funding is only for a further two years, which makes it difficult for services to plan their medium-term capacity to meet service demand. A national approach is essential in ensuring equity in accessing services, so that each person can get the same level of response wherever they are. The current differences between state and territory service and funding models, and legislation and policy, inhibits services' ability to achieve a good service standard for all clients.

A national approach: The \$8.5 million for initiatives aimed at early intervention, including developing a *national* perpetrator risk assessment framework for frontline service providers and developing a *national* perpetrator referral database of services to improve uptake of intervention services, is welcomed.

The scope of the problem requires national responses, and more needs to be done in this area including, as outlined above, a national approach to ensure access and equity in services. Other key policy gaps include the development of national service and quality standards, and national workforce approaches.⁴ While the new Commission appears to have been tasked with a national co-ordination role, along with the Women and Women's Safety Ministerial Council, there are many key underpinnings that have yet to be developed (as far as NFAW is aware) and which will require at least close collaboration with sector representatives.

Workforce: NFAW notes that there are no new 2023-24 monies directed towards workforce capacity building, and that little known is beyond the 500 new worker commitment made in the 2022-23 Budget about what might be funded in the forthcoming action plan.

Domestic and family violence service workers are skilled and dedicated, but chronically undervalued by the community they support. One of the big barriers to addressing workforce issues in the sector is the prevailing view that these services are solely a matter for state/territory governments. Unlike within some of the other caring sectors, there is no national workforce strategy and no funded peak body to ensure cohesive and coordinated approaches to build workforce capacity or capability. The lack of national standards, accreditation or quality assurance mechanisms can create incorrect perceptions about a lack of professionalism within the sector.

Specialist services: NFAW was very pleased to see the centering of specialist services in the new National Plan. This must be supported by preferencing in terms of funding by both states and the Commonwealth, and with tendering and grants processes that do not favour large, generalist organisations. [The impact and effectiveness of specialist services is underpinned by a set of good practice principles that are supported by international research and evidence-based practice \(AWAVA, 2016\).](#)

⁴ Noting that NASASV has developed a '[National Standards of Practice Manual for Services](#)' for sexual assault services.

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It has been noted by the sector (WESNET, 2023) that defunding specialist services means fewer services for women, not just in terms of women's choice but also in overall coverage and availability. Budget decisions under the former federal government of moving funding from women's services to community legal centres and legal aid resulted in depriving women of access to the services they needed. Other essential characteristics of women's specialist services are their ability to leverage knowledge, networks and expertise to wrap a range of services around women; as well as being one of the only ways that marginalised women in particular know that they will get access to trauma-informed care. Reducing access to specialist services reduces safety and increases risks for victim-survivors.

Perpetrator interventions: NFAW notes that the additional \$8.5 million for early intervention includes funds to extend the Mensline Changing for Good Service. Noting the PSS survey results that men perpetrate almost all violence against women, this type of focus on early intervention is essential. NFAW notes that domestic and family violence specialist services also run a significant proportion of perpetrator programs. It is important that these services continue to be supported to do this given their complex understanding of safety and how culture can play a role. Most specialist DFV services are situated and embedded within the communities they serve and understand the full set of circumstances that need to be taken into account when assessing safety and risk of the individual and their families.

Supporting women on temporary visas: The \$10 million to expand the family violence provisions within the Migration Regulations 1994 to most permanent visa subclasses to ensure that visa applicants do not feel compelled to remain in a violent relationship to be granted a permanent visa is most welcome. This is a good first step in ensuring the safety of women on temporary visas.

Temporary visa holders experiencing family violence in Australia face multiple barriers to accessing safety, support, and justice, and these barriers can cause women to remain in situations that are harmful and dangerous. The [Blueprint for Reform: Removing Barriers to Safety for Victims/Survivors of Domestic and Family Violence Who Are on Temporary Visas](#) is the culmination of work by the National Advocacy Group on Women on Temporary Visas Experiencing Violence, aimed at ensuring safety and justice to victims/survivors of family violence, regardless of visa status and type. It focuses on reforms to the migration system, and on access to social security, housing and specialist services.

First Nations women: NFAW welcomes the acknowledgement by the Women's Safety – First Nations budget measure that additional funds will be required to support the first Aboriginal and Torres Strait Islander Action Plan under the National Plan. We also welcome funding provided over 5 years from 2022-23 to support the development of a stand-alone First Nations National Plan for Family Safety, which Aboriginal and Torres Strait Islander women and communities have been calling for.

NFAW acknowledges the disproportionate impact of gendered violence on First Nations women, and the need for Government to support and fund self-determined services and

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policies. The recent [Wiyi Yani U Thangani National Summit](#) called for First Nations women's voices, experiences and solutions to be centred in decision-making about their futures.

NFAW supports the Aboriginal and Torres Strait Islander Advisory Council on family, domestic and sexual violence, and any calls the advisory council may make to ensure adequate resourcing of the action plan. We note the importance of ongoing First Nations governance for the Action Plan and stand-alone Plan.

Sexual violence: NFAW is pleased to see an additional \$6.5 million to strengthen sexual assault and consent laws and improve justice responses to sexual violence. As recommended in our submission to the Legal and Constitutional Affairs References Committee Inquiry into current and proposed sexual consent laws in Australia, national harmonisation in consent laws should be pursued to ensure that all Australian women are protected in similar terms, regardless of where they live. Affirmative consent should be the clear and unambiguous national standard.

Similarly, NFAW welcomes the \$12.1 million commitment to develop and distribute social media resources for young people on consent with advice from an expert advisory group and to support community led sexual violence prevention pilots. This is consistent with NFAW's previously expressed support for the development and delivery of education programs regarding clear and unambiguous consent and respectful relationships. To be successful the expert advisory committee must include diverse young people as well as experts from both communications and violence prevention fields. It is also critical that this work addresses the underlying drivers of gendered violence and engages the broader community, including adults, or complements other programs that do so.

Technology abuse: Although not expressly in the women's safety budget measures, NFAW notes that the Government will provide an additional \$134.1 million over 4 years for the Office of the eSafety Commissioner to continue to support Australians online, including through enhanced educational, outreach and investigatory activities (Online Safety measure, Budget Paper No. 2, p. 179), and this is intended to support the Commission's remit with respect to women's safety. NFAW would also like to note that very specific strategies need to be understood and implemented with a view to the distinct characteristics, threats and risks of technology abuse when the abuser is (or was) an intimate or cohabiting partner, and these may be best done by, or at least in close consultation with, specialist DFSV and women's organisations.

We understand, for example that, through various technology trial initiatives funded under the Women's Safety Package, there has been a significant expansion of private sector security companies working with survivors of domestic and family violence and that there are concerns in the sector about some of the behaviour and motivations of private sector security companies.

Safety in international child abduction cases for women and children fleeing violence: The Hague Convention on the Civil Aspects of International Child Abduction, to which Australia is a signatory, provides a lawful procedure for seeking the return of abducted children to their home country. However, concerns have been raised over a significant period about the use of

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the Convention in cases of domestic and family violence where one parent attempts to leave unsafe circumstances with their child.

In December 2022, the Government [amended the law](#) to ensure that allegations of family and domestic violence can be considered before return orders are made for children under the Hague Convention. The 2023-24 Budget allocated funding over 4 years to introduce a financial assistance scheme to enable eligible respondent parents to have equivalent access to legal representation as applicant parents; funding for early dispute resolution intervention measures designed to divert families from contested Hague Convention proceedings and improve safety outcomes; and to improve capability in the Attorney-General's Department to obtain and make evidence about family violence available to the courts in Hague Convention cases.

These are positive investments aimed at addressing a systemic issue regarding the legal framework affecting the safety of victim-survivors of domestic and family violence, particularly migrant women. Evaluation of the measures, including understanding the experience of victim-survivors and their children, will be important to understand the impact of the measures and whether further action is required on this issue.

Workplace safety and support at Parliament House: While the Budget allocates \$51.7 million to establish the statutory Parliamentary Workplace Support Service which will provide human resources functions for parliamentarians and their staff, only \$5.7m of this is allocated (and only in 2023-24) to respond to recommendations made in the Sex Discrimination Commissioner's report [Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces](#) (2021). To ensure success of this measure, it will be critical that the appropriate expertise is engaged when developing training and other activities, and that the reporting framework creates an impetus for continuous improvement in relation to Parliamentary workplace culture and support for staff.

Recommendations

NFAW recommends:

That further urgent investment is made to expand the capacity of specialist women's services to meet the needs of women and children escaping violence. Funding must be adequate and predictable, to enable services to be safely and fairly staffed.

That the forthcoming action plan and Aboriginal and Torres Strait Islander action plan under the National Plan makes clear how funding is being allocated, and that funding is assured over the course of the action plan, particularly for services.

The development and implementation of a national approach to funding to ensure equity in accessing services, so that each person can get the same level of response wherever they are. Nationwide mechanisms need to be put in place to enable government recognition of the true cost of service delivery to ensure services can provide salaries that recognise the value of staff and the complexity of working in specialist domestic violence services.

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That national peak representative bodies be better enabled and supported to carry out their roles in domestic, family and sexual violence services across Australia. The absence of federal government support – compared to other sectors – sends a strong signal to the sector that is inconsistent with a commitment to improving the safety of women and girls.

The development of a national workforce strategy to ensure cohesive and coordinated approaches to building workforce capacity and capability. Recognised national standards, accreditation and quality assurance mechanisms need to be developed to properly articulate - and modulate - the level of professionalism within the sector and to assist in fair and adequate wage-setting processes.

A national service and worker census - similar to the Victorian specialist family violence workforce census - should be undertaken at regular intervals.

Investment in First Nations led programming and services and systemic policy reforms informed by the key priorities put forward by the Aboriginal and Torres Strait Islander Advisory Council on family, domestic and sexual violence and Aboriginal community-controlled organisations and peak bodies.

That the Australian Government adopt the recommendations from the *Blueprint for Reform: Removing Barriers to Safety for Victims/Survivors of Domestic and Family Violence who are on Temporary Visas*.

The development of sector-driven standards to apply to private security providers working within the DFV sector, with the aim of rewarding and encouraging ethical behaviour to keep women and children safe.

That funding be allocated, to undertake work to assist the sector with reviewing and monitoring security and other services so that organisations and individuals seeking to purchase services from the private security sector can have independently reviewed information, and a safe space for organisations and individuals to share and report their experiences of using private security services.