



Australian Government

Department of Social Services

National Outcome Standards for Perpetrator Interventions

Baseline report, 2015–16

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Abbreviations

ABS	Australian Bureau of Statistics
AIHW	Australian Institute of Health and Welfare
ANZSOC	Australian and New Zealand Standard Offence Classification
COAG	Council of Australian Governments
DSS	Department of Social Services
FDV	Family and domestic violence
NOSPI	National Outcome Standards for Perpetrator Interventions

Symbols

—	nil or rounded to zero
N/A	not applicable
n.a.	not available
n.p.	not publishable because of small numbers, confidentiality or other concerns about the quality of the data

This report should be read in conjunction with the following NOSPI documents:

- [National Outcome Standards for Perpetrator Interventions \(2015\) Commonwealth of Australia \(Department of Social Services\)](#); and the
- [Glossary for the National Outcome Standards for Perpetrator Interventions](#).

Executive Summary

This is the first national report on the National Outcome Standards for Perpetrator Interventions (NOSPI). The data are based on a 12-month period (1 July 2015 to 30 June 2016). Given the current quality of available data, this baseline report does not make national comparisons (over time) or comparisons between states/territories. Rather, the report provides an opportunity for each jurisdiction to describe their data against the standards and to highlight their priorities and achievements in a nationally compiled format. When considered together, the report provides a national snapshot of the efforts underway in 2015 – 2016 in each jurisdiction to implement the Standards. It is intended that the NOSPI will be reported against nationally and annually.

Keeping perpetrators accountable across all systems is one of the six national priority areas under the Third Action Plan 2016–19 of the *National Plan to Reduce Violence against Women and their Children 2010–2022*. A key action outlined in the Third Action Plan is to implement key performance indicators against the NOSPI and develop an approach to report against these indicators annually to drive further refinements and improvements.

The NOSPI Headline Standards and scope were developed through extensive consultation with all jurisdictions and non-government experts in every state and territory in mid-2015, and were agreed by the Council of Australian Governments (COAG) on 11 December 2015.

The Headline Standards are:

1. Women and their children's safety is the core priority of all perpetrator interventions
2. Perpetrators get the right interventions at the right time
3. Perpetrators face justice and legal consequences when they commit violence
4. Perpetrators participate in programmes and services that enable them to change their violent behaviours and attitudes
5. Perpetrator interventions are driven by credible evidence to continuously improve
6. People working in perpetrator intervention systems are skilled in responding to the dynamics and impacts of domestic, family and sexual violence

During 2016, the Commonwealth, in consultation with jurisdictions, worked collaboratively to develop draft indicators to measure outcomes across the NOSPI. The Australian Institute of Health and Welfare (AIHW) undertook rigorous analysis of these data to develop an initial set of 27 potential national indicators, which could possibly be reported on within the current limitations of data. The indicators provide a mix of output and outcome indicators. The six indicators being reported against in this benchmark report are all output indicators. As data development improves, it is hoped that it will be possible to develop outcome indicators which could best demonstrate achievement towards the NOSPI, for jurisdictions to aspire to and work towards in the future.

The AIHW assessed the suitability of the available experimental¹ ABS and jurisdictional data for reporting against those indicators. The assessment showed that three of the four indicators using ABS data (19, 20 and 22) and three of the seven indicators using jurisdictional data (3, 16 and 23) were suitable for use in this report. The other indicators were not considered suitable for reporting at this stage. This was largely due to consistency, completeness and comparability issues that meant the data could potentially be misleading and/or open to misinterpretation. However, the process of compiling these data has been an important first step in driving data improvement.

Key findings

Indicator 3: Across the selected states and territories, the proportion of police-attended FDV incidents where police issued intervention orders ranged from 18% to 61%.

Indicator 19: In 2015–16, the proportion of defendants proven guilty for sexual assault and related offences ranged from 16% in the Magistrates' courts to 75% in the Higher courts.

Indicator 20: Across selected states and territories, the proportion of defendants whose cases were adjudicated or withdrawn who were proven guilty for a breach of violence order in the Magistrates' Court ranged from 76% to 97%. Of the defendants who were proven guilty for breach of an FDV order, the proportion who received a custodial sentence ranged from 8.9% to 62%.

Indicator 22: Across the selected state and territory Magistrates' courts, the average duration from initiation of court procedures to finalisation ranged from:

- 54.6 days (median duration of 7.7 days) to 159.6 days (median duration of 86.8 days) for breach of violence orders
- 130.2 (median duration of 102.9 days) to 205.1 days (median duration of 140.7 days) for sexual assault and related offences.

Indicator 16: Across selected states and territories, the number of perpetrators who were assessed as suitable and ready to commence community-based behaviour change programs in 2015–16 was recorded. However, only three jurisdictions were able to disaggregate the data to report on waiting times for behaviour change programs. As the data for this indicator are limited to three jurisdictions, this indicator is considered exploratory. Further work is needed to determine whether data improvements can be made.

Indicator 23: Across selected state and territory courts and corrective services systems:

- 49% to 100% of perpetrators found suitable commenced a behaviour change program
- 45% to 68% of perpetrators assessed as suitable completed a behaviour change program.

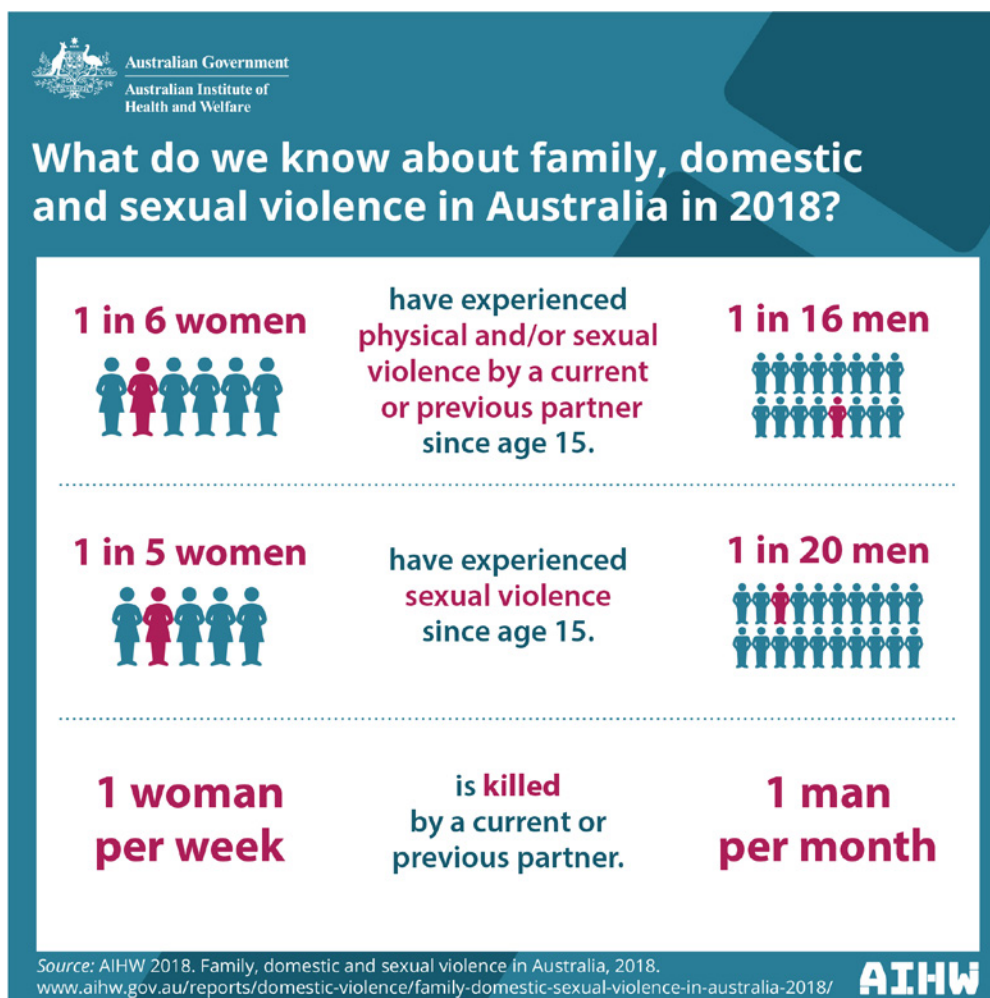
The initial NOSPI reporting is a 'first step' which will improve understanding of the collective national efforts in this area and drive data enhancements and reporting. Future reports will be a valuable tool for assisting governments to monitor progress against the NOSPI and plan future policy priorities.

¹ Experimental data is termed 'experimental' as it is the first attempt to publish this data. The data are collected from states and territories who have differing definitions and data collection methods, the implications of which are still being determined. It is not comparable between jurisdictions due to differences in definitions and data collection methods.

1. Introduction

1.1. Policy and program context

Family, domestic and sexual violence² against women is a serious problem in Australia³ and most perpetrators are male.⁴ To address this, it is important to intervene effectively with men who use violence in order to end their violence now, and prevent it in the future. Holding perpetrators to account can change the future for those who use or experience family, domestic and sexual violence.



2 **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**. **Sexual violence** refers to behaviours of a sexual nature carried out against a person's will. It can be perpetrated by a current or former partner, other people known to the victim, or strangers.

There is no consistent legal definition of family violence across jurisdictions, and different jurisdictions have different legislation about what actions and behaviours constitute family violence. (Australian Institute of Health and Welfare 2018, "Family, domestic and sexual violence in Australia"). Refer also to the definitions of these offences in the "NOSPPI Indicator Reporting Framework and Data Specifications", May 2017.

3 See figure above. Australian Bureau of Statistics (ABS) 2016 Personal Safety Survey (PSS), <http://www.abs.gov.au/ausstats/abs@.nsf/mf/4906.0>

4 Three in four victims of domestic violence reported the perpetrator as male. Most (96%) female victims of sexual violence since the age of 15 reported the perpetrator as male. More than half (54%) of women who had experienced current partner violence, experienced more than one violent incident. Australian Bureau of Statistics (ABS) 2016 Personal Safety Survey (PSS), <http://www.abs.gov.au/ausstats/abs@.nsf/mf/4906.0>

Each state and territory has different legislation, different enablers and different barriers in perpetrator interventions. However, all Australian governments are committed to make improvements to perpetrator interventions and to develop standards at a national level to achieve consistent results. Each part of the perpetrator accountability system is an essential part of the solution, including police, courts, corrections, perpetrator offender programs and services, child protection services and a range of community services.

Keeping perpetrators accountable across all systems is one of the six national priority areas under the Third Action Plan 2016–19 of the *National Plan to Reduce Violence against Women and their Children 2010–2022*. A key action outlined in the Third Action Plan is to implement key performance indicators against the National Outcome Standards for Perpetrator Interventions (NOSPI)⁵ and develop an approach to report against these indicators annually to drive further refinements and improvements to perpetrator interventions. This document provides baseline information on selected NOSPI indicators, the conceptual framework and detailed reporting requirements.

The Headline Standards, scope and supporting framework of the NOSPI were agreed by the Council of Australian Governments (COAG) on 11 December 2015. First Ministers noted that implementation materials, including performance indicators and a reporting framework, would be developed by the Commonwealth, in consultation with states.⁶

NOSPI has been designed to drive reform across the perpetrator system, improving the way the system works together to ensure that:

- there is **confidence** in the Australian community that the system works and that family, domestic and sexual violence is being recorded and dealt with appropriately
- the system is **accountable** to the public, making sure that women and children are protected by a system which keeps perpetrators in view
- the system **reduces violence** by making sure that perpetrators are held to account and face consequences for their violence, as well as providing services to work with them to change their behaviours and attitudes.

More information about the NOSPI can be obtained from the Commonwealth Department of Social Services website (www.dss.gov.au).

5 The objective and key principles of the NOSPI are based on foundational work commissioned under the *National Plan to Reduce Violence Against Women and their Children 2010–2022 (the National Plan)*, including the 2012 Urbis literature review of perpetrator programs and findings from a series of national consultation forums and dialogue interviews with government representatives and service providers undertaken by the Commonwealth Government in 2013.

The Urbis literature review revealed mixed evidence regarding the effectiveness of domestic and sexual violence perpetrator intervention programs, and outlined the need for better evaluation and accountability mechanisms within the system.

Under the *First Action Plan (2010–2013)* of the *National Plan*, governments committed to working together to draft national standards for perpetrator interventions.

6 As the NOSPI reporting has commenced with 2015–16 information, it is important to note the context in which this reporting was undertaken. In 2015, Ms Rosie Batty, an Australian family and domestic violence campaigner and survivor, was awarded Australian of the Year. At the same time, Victoria commenced Australia's first Royal Commission into Family Violence, and the Queensland Special Taskforce completed the *Not Now, Not Ever: Putting an End to Domestic and Family Violence in Queensland* report on putting an end to domestic and family violence. As a result, 2015 was a key moment in time where there was a greater awareness and understanding of the complexities of domestic, family and sexual violence in Australia at the government, service and community level.

1.2. Development of the National Outcome Standards for Perpetrator Interventions (Headline Standards)

The NOSPI Headline Standards are shown in Figure 1.1. These Standards and scope were developed through extensive consultation with all jurisdictions and non-government experts in every state and territory in mid-2015. It is intended that the NOSPI will be reported against nationally and annually.

Figure 1.1: National Outcome Standards for Perpetrator Interventions Headline Standards



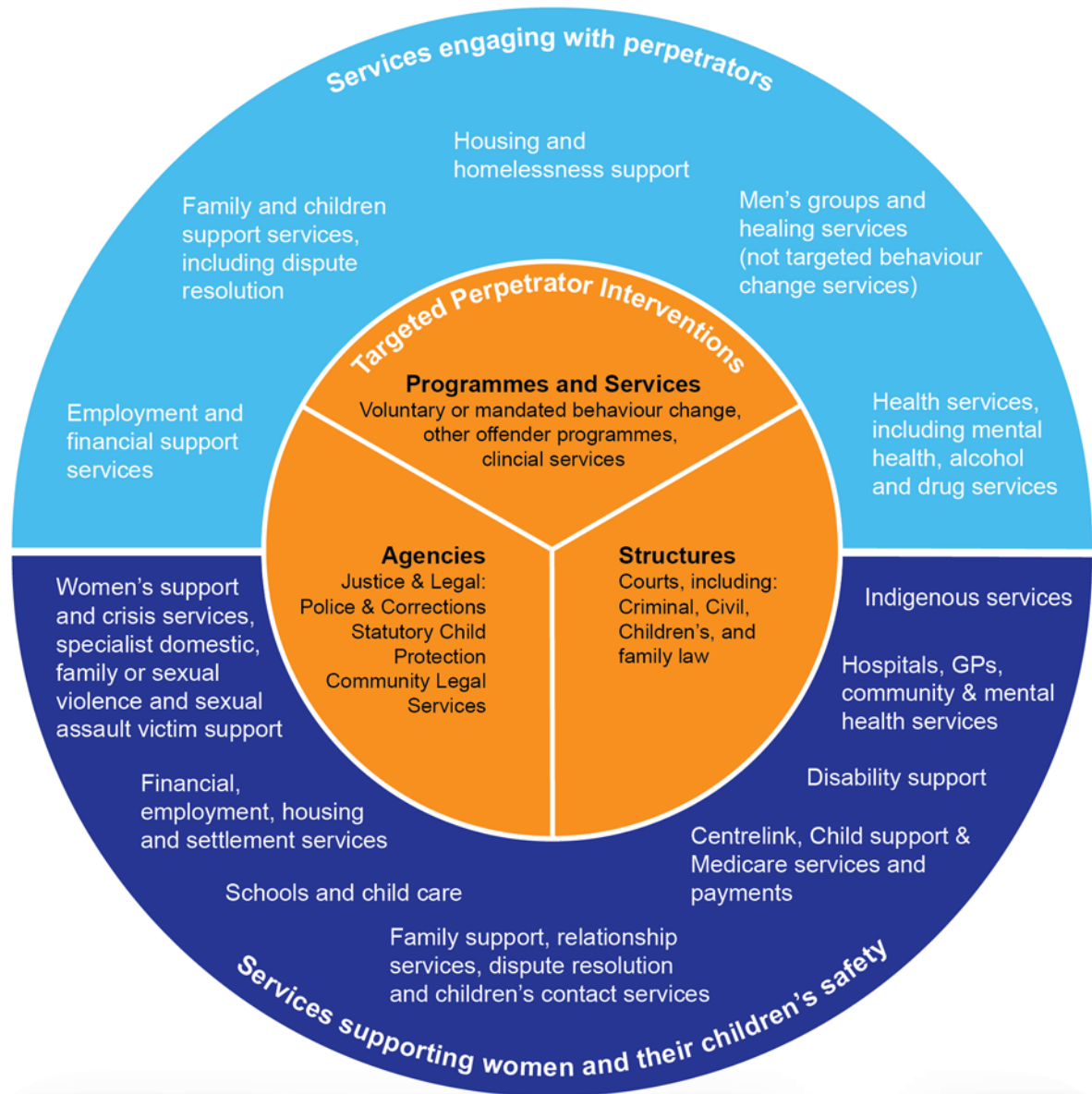
1.3. Scope of the NOSPI

The NOSPI scope diagram agreed by COAG (Figure 1.2) illustrates the broad range of services, agencies and structures that are involved in the **perpetrator accountability system**. The reporting framework for NOSPI focuses on the development of indicators for targeted perpetrator interventions (orange layer of the diagram).

The services and agencies in the two blue semi-circles of the scope diagram are identified because of their role in supporting the targeted perpetrator interventions and their potential to keep perpetrators in view. The consultations also revealed a strong need for integration and coordination between those services and systems directly intervening with perpetrators, those that support women and their children and those that engage with perpetrators on other issues (blue layers of the diagram).

Figure 1.2: Scope of the National Outcome Standards

These standards apply to **targeted perpetrator interventions** (including the programmes and services that interact with perpetrators, the agencies that guide the interventions and the structures that support them), **services engaging with perpetrators** and **services supporting women and their children’s safety while the perpetrator engages with the accountability system**.



Broader Elements Beyond the Scope of the National Outcome Standards

Primary Prevention

Policy and Legislation

Local Communities

Family and Friends

1.4. Process for development of the NOSPI indicators

Comprehensive reporting against the NOSPI sets an ambitious task for jurisdictions, agencies and services over the medium to long-term. During 2016, the Commonwealth, in consultation with jurisdictions, worked collaboratively to develop draft indicators to measure outcomes across the NOSPI.

The NOSPI indicators were developed following a review of available data and other reporting information from women’s safety, health, justice and corrections agencies and after consultation with government agencies and non-government service providers. Available data from each jurisdiction were mapped against each Headline Standard.

The Australian Institute of Health and Welfare (AIHW) undertook rigorous analysis of these data to develop an initial set of 27 potential national indicators, which could possibly be reported on within the current limitations of data (see Table 1.1). The majority of indicators are output indicators.⁷

Table 1.1: Summary of NOSPI indicators

The six indicators reported against in this report are highlighted in green.

Indicator	Links to headline standards	Reported under Headline Standard	Data source
1 Proportion of reported family and domestic violence (FDV) incidents where a victim risk assessment was made.	1, 5, 6	—	Not feasible to report nationally
2 Proportion of police reported FDV incidents where the victim was referred to an appropriate service or program for assessment.	1, 5, 6	—	Not feasible to report nationally
3 Proportion of police-attended FDV incidents where police issued FDV intervention orders on behalf of the victim.	1, 2, 3	1	Provided by states and territories
4 Proportion of victims reporting sexual assault referred to specialist sexual assault services.	1, 5, 6	—	Not feasible to report nationally
5 Proportion of victim referrals where contact with the victim occurred: a) FDV b) Sexual assault	1, 5, 6	—	Not feasible to report nationally

⁷ In future reports, the Perpetrator Interventions Working Group will work with the AIHW to agree upon a small number of outcome indicators which could best demonstrate achievement towards the NOSPI, for jurisdictions to aspire to and work towards.

Indicator	Links to headline standards	Reported under Headline Standard	Data source
6 Proportion of child protection notifications that record FDV in the notification.	1, 5, 6	—	Not feasible to report nationally
7 Proportion of FDV cases that are managed by FDV case tracking.	1, 2	—	Not feasible to report nationally
8 Proportion of women (and their children) who felt safer: a) before b) at the time of c) after the perpetrator intervention was operating.	1, 2, 4, 5, 6	—	Not feasible to report nationally
9 Proportion of cases where alternative options for providing evidence (such as video conferencing) were available to the victim (when offered or requested): a) FDV b) Sexual assault	1, 3	—	Not feasible to report nationally
10 Proportion of women who experience FDV who are re-victimised by the same perpetrator within 12 months.	1, 4	—	Not feasible to report nationally
11 Proportion of children who experience FDV who are re-victimised within 12 months.	1, 4	—	Not feasible to report nationally
12 Proportion of perpetrators who are assessed for perpetrator intervention programs: a) FDV (behaviour change programs) b) Sexual assault (clinical treatment)	1, 2, 4	—	Not feasible to report nationally

Indicator	Links to headline standards	Reported under Headline Standard	Data source
13 Proportion of FDV incidents where the perpetrator was referred to an appropriate service or program for assessment.	1, 2, 3, 4	—	Not feasible to report nationally
14 Proportion of referrals of perpetrators that proceed to a case management plan (or equivalent).	1, 2, 4, 5, 6	—	Not feasible to report nationally
15 Average time from breach of an order to court outcome: a) FDV b) Sexual assault	1, 2, 3	3	ABS
16 Proportion of perpetrators assessed as suitable and ready to commence community-based behaviour change programs, but who waited longer than x* months. *Could be disaggregated by less than 1 month, 1–3 months, 4–6 months, etc.	1, 2, 4	4	Provided by states and territories
17 Proportion of incidents reported to or recorded by police where charges were laid (where appropriate): a) FDV b) Sexual assault	1, 2, 3	—	Not feasible to report nationally
18 Proportion of perpetrators that are first time offenders: a) FDV b) Sexual assault	2, 3, 4	—	Not feasible to report nationally
19 Proportion of sexual assault charges that result in convictions.	1, 2, 3	3	ABS
20 Proportion of reported breached FDV intervention orders that have a further legal consequence: a) charge b) conviction c) custodial sentence	1, 2, 3, 4	3	ABS

Indicator	Links to headline standards	Reported under Headline Standard	Data source
21 Average time from police report: a) FDV (legal consequence/ application for court order) b) Sexual assault (charge)	1, 2, 3	—	Not feasible to report nationally
22 Average time from charge to court outcome: a) FDV breach of order b) Sexual assault	1, 2, 3	3	ABS
23 a) Proportion of perpetrators who commence a behaviour change program (or other perpetrator interventions); b) Proportion of perpetrators who complete a behaviour change program (or other perpetrator interventions)'. .	2, 4, 5, 6	4	Provided by states and territories
24 Proportion of FDV perpetrators who participate in services that offer support for partners (including ex-partners).	1, 4, 5, 6	—	Not feasible to report nationally
25 Proportion of FDV perpetrators who perpetrate again with a new FDV or sexual offence within 12 months of completing a behaviour change program (or other perpetrator interventions).	2, 3, 4	—	Not feasible to report nationally
26 Proportion of interventions that meet minimum practice standards (or other validated standards).	2, 4, 5	—	Not feasible to report nationally
27 Proportion of staff providing perpetrator interventions who meet minimum practice standards (or other validated standards).	4, 5, 6	—	Not feasible to report nationally

Specifying indicators for the agreed Headline Standards and associated outcomes

Although feedback on the 27 potential national indicators from stakeholders was generally supportive, a number of issues were identified, including:

- a lack of consistent and/or variable data collection methods across states/territories and within particular sectors
- the need to define the scope and terminology of the indicators to assist in interpretation.

To address these issues, the AIHW developed data specifications and definitions for each of the 27 indicators, outlined the scope of each indicator and highlighted which sector of the perpetrator accountability system would report against particular indicators.

Robustness of the indicators

The development and mapping of the indicators for each of the standards was based on detailed descriptions provided as part of the NOSPI. The process for developing the indicators was a balance between capturing all outcome areas of interest against what data are currently available and minimising the reporting burden on data providers.

Most of the indicators are output indicators. While some indicators can be reported from the outset, others are more aspirational and will require further data development. Some indicators are stronger than others (with regard to how valid, specific and measurable they are) and the 'measurability' of some indicators varies across the jurisdictions.

It is envisaged that as data collection is improved and additional indicators become available over time, the reports can be built upon and strengthened.

It is important to note that further work is required to develop and implement a uniform set of standards, classifications and business rules to guide the national recording and reporting of FDV-related offences. Therefore, data provided by jurisdictions should not be compared.

Reporting

For the purposes of reporting against the NOSPI indicators in this report, the data are based on a 12-month period (1 July 2015 to 30 June 2016). Data are being reported according to NOSPI data specifications, which have specific definitions of terms (please see the definitions section of this report on page 60). For instance, NOSPI data specifications restrict 'perpetrators' to males over the age of 18. These specifications mean that data may look different to how states and territories would normally report. Data published in NOSPI reports should not be compared to other publications which use different definitions.

Given the current quality of available data, this baseline report does not make national comparisons (over time) or comparisons between states/territories. Rather, the report provides an opportunity for each jurisdiction to describe their data against the standards and to highlight their priorities and achievements in a nationally compiled format. When considered together, the report provides a national snapshot of the efforts underway in 2015 – 2016 in each jurisdiction to implement the Standards. The initial NOSPI reporting is a 'first step' which will improve understanding of the collective national efforts in this area and drive data enhancements and reporting.

While diversity data about specific vulnerable groups, such as Indigenous Australians, women with disability, culturally and linguistically diverse (CALD) Australians and lesbian, gay, bisexual, transgender, and/or intersex (LGBTI) Australians, may be collected by states and territories, it is not always suitable for publication. This can be for a range of reasons including data quality issues relating to poor identification of such groups, as well as small numbers leading to reliability and confidentiality issues. Where possible, diversity data have been included.

Future reports will be a valuable tool for assisting governments to monitor progress against the NOSPI and plan future policy priorities.

Indicators included in the baseline report

Initially, four indicators (15, 19, 20 and 22) were identified as suitable for inclusion in this baseline report, using data sourced from the Australian Bureau of Statistics (ABS) *Criminal Courts Australia* publication (Catalogue Number 4513.0). An additional seven indicators (3, 6, 16, 17, 18, 21 and 22) were also selected as possible indicators for inclusion, using data sourced directly from the jurisdictions.

The AIHW assessed the suitability of the available experimental ABS and jurisdictional data for reporting against those indicators. The assessment showed that three of the four indicators using ABS data⁸ (19, 20 and 22) and three of the seven indicators using jurisdictional data (3, 16 and 23) were suitable for use in this report.

The data for the other possible indicators (15, 6, 17, 18 and 21) were not considered suitable for reporting at this stage. This was largely due to consistency, completeness and comparability issues that meant the data could potentially be misleading or open to misinterpretation. However, the process of compiling these data has been an important first step in driving data improvement.

For these reasons, it should not be assumed that where data is not presented for a jurisdiction, that the jurisdiction is not collecting any data or information.

8 Some of the ABS indicators are proxy measures.

2. Headline Standard 1: Women and their children’s safety is the core priority of all perpetrator interventions

Women and their children’s safety is the reason why our systems must intervene effectively against perpetrators. The community must feel confident that the system will protect people when they report violence and hold the perpetrator to account. This means that multiple parts of the community and service and justice systems are involved in dynamic risk assessments and sharing relevant information. They should respond to reports of violence immediately to reduce the risk of further violence.

Perpetrator interventions must include elements focused on assessing, monitoring and responding to changes in the perpetrator’s risk of committing further violence against the women and their children. Effective programs for perpetrators must also have in place mechanisms that provide opportunities for victim/survivors to access ongoing partner contact and family or other support services wherever appropriate.

Perpetrator interventions must have regard to the needs of women and their children from diverse cultures, communities and circumstances and help all victim/survivors get suitable support whenever they are involved with the perpetrator accountability system.

Box 2.1 outlines the indicator that can be reported under Headline Standard 1 for this 2015–16 baseline report. Information about activities undertaken at the state and territory level to address Headline Standard 1 is at **Annex A**.

Box 2.1: Indicator reported under Headline Standard 1 for 2015–16

Indicator 3—Proportion of police-attended FDV incidents where police issued FDV intervention orders on behalf of the victim.

Indicator 3: Police-issued FDV intervention orders

The ability of police to issue intervention orders on behalf of victims is a key initiative, which recognises the need to protect women and their children from possible repercussions arising from applying for intervention orders themselves, such as retaliation by perpetrators, and to reduce the burden and responsibility of victims to protect themselves. In all jurisdictions (except the Australian Capital Territory), police have the power to issue immediate interim intervention orders to perpetrators.

As police are often first responders, FDV intervention orders issued at the time of the incident can provide immediate legal protection to prevent further violence. A perpetrator who then engages in further incidents of violence and breaches the order commits a criminal offence.

Description:	Proportion of police-attended FDV incidents where police issued FDV intervention orders on behalf of the victim.
Numerator:	The number of police-attended FDV incidents where police issued an FDV intervention order on behalf of the victim (during the 12-month reporting period).
Denominator:	The number of FDV incidents attended by police (during the 12-month reporting period).
Data source:	Provided by jurisdictions.
Reporting sector:	Police
Data availability:	New South Wales, Victoria, Queensland, South Australia, Northern Territory, Tasmania, Western Australia

Key findings

Across the selected states and territories, the proportion of police-attended FDV incidents where police issued intervention orders ranged from 18% to 61%.

New South Wales

In New South Wales, the number of police-attended FDV incidents where police issued an FDV intervention order on behalf of the victim was determined by the number of incidents where a domestic Apprehended Violence Order was issued. A single Person of Interest may have multiple Apprehended Violence Orders served in a year. When this has occurred, all cases have been counted (Table 2.1).

Table 2.1: Proportion of police-attended FDV incidents where police issued intervention orders, New South Wales, 2015–16

	Number	Per cent
Violence orders issued	28,312	43.9
Total FDV incidents attended by police	64,460	

Source: Data provided by NSW Police force NSWPF (sourced from its Computerised Operational Policing System (COPS))

Victoria

In Victoria, police can issue a Family Violence Safety Notice (FVSN) to provide immediate protection to victims of family violence (under the *Family Violence Protection Act 2008*). A FVSN acts as an application for a family violence intervention order (FVIO) by police and a summons for the respondent to attend court for the first mention date for the FVIO application. Police can also apply to the Magistrates' Court for a FVIO on behalf of a victim. Where a FVIO application has been made, the Court may make an interim order where such an order is necessary to ensure the safety of the victim, to protect a child, or to preserve the victim's property pending a final decision about the application. An interim order generally lasts until the FVIO application is finally determined.

In Victoria, the proportion of police-issued intervention orders was measured as the number of family incidents where police have indicated that they would be applying for an intervention order, and incidents where police issued a Family Violence Safety Notice. The data was provided by Crime Statistics Agency Victoria, and includes only incidents that involve affected family members and other parties (Table 2.2).

Table 2.2: Proportion of police-attended FDV incidents where police issued intervention orders or Family Violence Safety Notices, Victoria, 2015–16

	Number	Per cent
Violence orders issued	15,392	31.2
Total FDV incidents attended by police	49,402	

Source: Data provided by Crime Statistics Agency Victoria

Queensland

In Queensland, this indicator was measured as the proportion of police attended incidents that resulted in a police issued Domestic Violence Order application. The total number of FDV incidents attended by police relate to breaches, referrals and police applications (Table 2.3). If an incident related to more than one of the above (for example, breach and referral), this was counted once for this indicator.

Table 2.3: Proportion of police-attended FDV incidents where police issued intervention orders, Queensland, 2015–16*^

	Number	Per cent
Intervention orders issued	22,048	25.6
Total FDV incidents attended by police	86,018	

Source: Queensland Police Service, via the Queensland Police Records and Information Management Exchange

* Data accurate as at the date provided, however figures may vary due to the settling of data over time.

^ Total FDV incidents attended by police includes breach (contravention) occurrences, where an intervention order or conditions for protection are currently in place.

South Australia

In South Australia, the data supplied for interim intervention orders issued contained both police issued interim orders and court issued interim orders (Table 2.4). Not all police attendances resulted in an interim order being issued, as there are strict guidelines for police to follow.

When police respond to an FDV incident, the person taking the report can take one of two courses of action. Where a substantive criminal offence is apparent, a Police Incident Report is completed. Where no substantive criminal offence is committed, a Domestic Abuse Report is completed. The data includes all Police Incident Reports and Domestic Abuse Reports over the identified period.

Table 2.4: Proportion of police-attended FDV incidents where police and court interim orders were issued, South Australia, 2015–16

	Number	Per cent
Violence orders issued	4,133	18.7
Total FDV incidents attended by police	22,088	

Source: Data provided by South Australia Police

Tasmania

In Tasmania, data for this indicator were sourced from the Tasmania Police Family Violence Management System. A FDV incident in this system is defined as an incident in which family violence has occurred, or is likely to occur (Table 2.5). Family relationships are restricted to marriage and significant de facto relationships.

Table 2.5: Proportion of police-attended FDV incidents where police issued intervention orders, Tasmania, 2015–16

	Number	Per cent
Violence orders issued	1,956	61.4
Total FDV incidents attended by police	3,188	

Source: Data provided by Tasmanian Police Family Violence Management System

Western Australia

In Western Australia, this indicator measured the number of Police Orders issued by the Western Australia Police Force following attendance at a family violence incident (Table 2.6).

Police Orders are issued for up to 72 hours against the perpetrator of FDV to provide instant, but temporary protection for affected family members where violence or the fear of violence is present. A Police Order restrains a person for a designated period of time, affording the affected family member an opportunity to seek a court issued Violence Restraining Order.

Table 2.6: Proportion of police-attended FDV incidents where police issued intervention orders, Western Australia, 2015–16

	Number	Per cent
Violence orders issued	14,522	44.5
Total FDV incidents attended by police	32,619	

Source: Data provided by Western Australia. Data extracted from the Western Australia Police Force Incident Management System Family Violence Incident Reports.

Northern Territory

In the Northern Territory, the number of FDV incidents attended by police is determined by an FDV involvement flag that is mandatorily recorded against every incident (Table 2.7). Police-issued intervention orders are the number of domestic violence order applications made by police to the courts. This included the formal application after an interim order has been made by police.

Table 2.7: Proportion of police-attended FDV incidents where police issued intervention orders, Northern Territory, 2015–16

	Number	Per cent
Violence order applications by police	3,576	17.8
FDV incidents attended by police	20,100	

Source: Data provided by Northern Territory Police. Violence orders issued were extracted from the Integrated Justice Information System (JIS), and police-attended FDV incidents were extracted from the Police Real-Time Online Management Information System (PROMIS).

Diversity

Perpetrator interventions must have regard to the needs of men, women and children from diverse cultures, communities and circumstances. A person's cultural or gender identity, their disability status and/or their geography can affect the level and type of service that will provide the best outcomes for both victims and perpetrators.

Data that could measure geographic diversity were available in 2015–16 for one jurisdiction. This ranged from 39% in Major Cities to 46% in Inner Regional areas (see Table 2.8 below).

Table 2.8: Proportion of police-attended FDV incidents where police issued intervention orders, by remoteness, one jurisdiction, 2015–16

	Orders issued	Incidents	Per cent
Major Cities	16,925	42,952	39.4
Inner Regional	7,289	15,958	45.7
Outer Regional	2,042	4,537	45.0
Remote	418	996	42.0
Very Remote*	-	-	-
Not stated/Unknown	1,638	17	

Source: Data provided by the NSW Police Force

* The NSW Police Force assigned the 76 Local Area Commands (LACs) a remoteness classification based on where most incidents in the command occurred. Across all LACs, most incidents occurred in towns (larger residential settlements). For this reason, no LACs were assigned the classification 'very remote'. This does not mean there were no FDV incidents or orders issued in 'very remote' locations in NSW, but rather the majority occurred in towns which were not considered 'very remote' under the ABS classification.

3. Headline Standard 2: Perpetrators get the right interventions at the right time

Systems and services must play an effective role in ending perpetrators' violence by working together at every opportunity to identify, keep sight of and engage with perpetrators.

It is imperative that our systems and services share relevant information about perpetrators and victims wherever possible, including information on victim/survivor safety and perpetrator risk. This may also include the response of frontline workers outside targeted perpetrator intervention services (i.e. child protection, health or community organisations).

This information must be used to help the perpetrator accountability system respond in an integrated way so that the right parts of the system can engage with the perpetrator at the most effective times to reduce the risk of further violence, minimise the impact of any violence that does occur and give the perpetrators opportunities to change their violent behaviours and attitudes.

Interventions need to be relevant to the individual and must be approached with an understanding of the psychological complexities of abuse and control. To achieve results, interventions must be suitable to the culture, language, sexuality and gender identity of perpetrators.

Effective interventions with perpetrators must include specific responses suited to perpetrators who are engaging with the system for the first time as well as persistent reoffenders. The perpetrator intervention system should respond in integrated ways that provide treatment options for issues such as mental illness or substance abuse.

For 2015–16, data were not available for reporting against Headline Standard 2. For indicators relevant to Headline Standard 2, but not yet reportable, see Table 1.1. Information about activities undertaken at the state and territory level to address Headline Standard 2 is at **Annex A**.

4. Headline Standard 3: Perpetrators face justice and legal consequences when they commit violence

Legal, civil and community justice responses to perpetrators are powerful tools that can interrupt and respond to violence against women and their children.

The pursuit of justice through the legal system can be a very difficult experience for victims of domestic, family and sexual violence. The intention of this standard is to shift the burden from women and their children protecting themselves to our justice and legal systems. It should result in:

- perpetrators facing appropriate justice and legal consequences for their violence
- perpetrators understanding what those consequences mean
- victim/survivors being informed about the consequences that the perpetrator faces
- the system responding effectively to perpetrators who do not comply with the mandatory justice and legal consequences and sanctions placed on them (for example an intervention order or an order to attend a behaviour change or other offender program).

Many jurisdictions have undertaken legal reform to protect victims and develop an appropriate legal response to violence against women. Justice and legal systems should be competent at engaging effectively with perpetrators from diverse cultures, communities and circumstances and producing fair outcomes for victim/survivors.

The ability of Australia's legal systems to ensure that perpetrators face justice and legal consequences is a critical factor in increasing the confidence of women that the system will hold perpetrators to account. While each jurisdiction has its own legal framework, similar approaches have been taken across the country to improve the way courts respond to family, domestic and sexual violence.

For the 2015–16 collection period, data are available to report on three Indicators under this Standard (see Box 4.1). Information about activities undertaken at the state and territory level to address Headline Standard 3 is at **Annex A**.

Box 4.1: Indicators reported under Headline Standard 3 for 2015–16

The following Indicators capture the application of legal consequences:

- Indicator 19 Proportion of sexual assault charges that result in convictions
- Indicator 20 Proportion of reported breached FDV intervention orders that have a further legal consequence
- Indicator 22 Average time from charge to court outcome

Indicator 19: Sexual assault convictions

This Indicator is a measure of the perpetrator accountability system's response to perpetrators of sexual assault and the extent to which it delivers legal and justice consequences. For this Indicator, sexual assault and related offences include both FDV and non-FDV related offences.

Description:	Proportion of sexual assault charges that result in convictions
Numerator:	The number of convictions of sexual assault (during the 12-month reporting period).
Denominator:	The total number of charges of sexual assault that receive a judgement (during the 12-month reporting period).
Data source:	Criminal Courts, 2015–16 Australian Bureau of Statistics, Cat no. 4513.0
Reporting sector:	Courts
Data availability:	New South Wales, Victoria, Queensland, Western Australia, South Australia, Tasmania, Australian Capital Territory, Northern Territory

Data from the criminal courts are only available from the point at which a defendant enters the criminal court system, not from the point of police charge. For this reason, the indicator measure is regarded as a proxy measure. The proportion of convictions are calculated as a proportion of all adjudicated and withdrawn outcomes at a particular court level. Defendants finalised by transfer to a higher court level are not included in the total.

Data for perpetrators convicted of sexual assault and related offences are available for all jurisdictions. These data do not indicate the sex of the victim nor the perpetrator. However, males make up about 97% of the adjudicated population for FDV sexual assault (ABS personal communications). The data also do not indicate the age of the perpetrator. Disaggregated data on diverse populations are not available.

When considering the following findings, it is important to note that each jurisdiction has its own legislation for which types of offences are addressed. Therefore, comparisons across jurisdictions should not be made.

In addition, defendants with a principal offence of sexual assault and related offences are more likely to be transferred from the Magistrates' court to the Higher court compared with defendants for other offences, and are therefore more likely to be finalised by transfer. The high proportion of transfers for these offences should be taken into consideration when interpreting data by method of finalisation as it may affect the proportion of defendants proven guilty for these offences.

Key findings

In 2015–16, the proportion of defendants proven guilty for sexual assault and related offences ranged from 16% in the Magistrates' courts to 75% in the Higher courts.

New South Wales

In New South Wales Higher Courts, 68% of defendants (or 421 defendants) whose cases were adjudicated or withdrawn were proven guilty of sexual assault and related offences. In the local courts, 59% (507 defendants) were proven guilty (Table 4.1).

Table 4.1: Defendants finalised for sexual assault and related offences by court method of finalisation and court level, New South Wales, 2015–16

Method of finalisation	Higher Courts		Local Courts	
	Number	Per cent	Number	Per cent
Acquitted	139	22.3	187	21.7
Proven guilty	421	67.7	507	58.7
Withdrawn by prosecution	62	10.1	169	19.6
All outcomes adjudicated or withdrawn	622	100	863	100
Transfer to other court levels			758	
Total finalised^(a)	654		1,629	

(a) Total finalised includes defendants deceased or unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations not elsewhere classified and defendants for whom a method of finalisation could not be determined.

Note: These data do not indicate whether the perpetrator was male or female.

Source: Data provided by ABS 2017

Victoria

In Victorian Higher Courts, 71% of defendants (or 338 defendants) whose cases were adjudicated or withdrawn were proven guilty of sexual assault and related offences. In the Magistrates' courts, 81% (585 defendants) were proven guilty (Table 4.2).

Table 4.2: Defendants finalised for sexual assault and related offences by court method of finalisation and court level, Victoria, 2015–16

Method of finalisation	Higher Courts		Magistrates' Courts	
	Number	Per cent	Number	Per cent
Acquitted	83	17.5	11	1.5
Proven guilty	338	71.2	585	80.6
Withdrawn by prosecution	54	11.4	130	17.9
All outcomes adjudicated or withdrawn	475	100.0	726	100.0
Transfer to other court levels			80	
Total finalised^(a)	484		800	

(a) Total finalised includes defendants deceased or unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations not elsewhere classified and defendants for whom a method of finalisation could not be determined.

Note: These data do not indicate whether the perpetrator was male or female.

Source: Data provided by ABS 2017

Queensland

In Queensland Higher Courts, 59% of defendants (or 576 defendants) whose cases were adjudicated or withdrawn were proven guilty of sexual assault and related offences. In the Magistrates' courts, 55% (or 113 defendants) were proven guilty (Table 4.3).

Table 4.3: Defendants finalised for sexual assault and related offences by court method of finalisation and court level, Queensland, 2015–16

Method of finalisation	Higher Courts		Magistrates' Courts	
	Number	Per cent	Number	Per cent
Acquitted	142	14.5	13	6.3
Proven guilty	576	58.9	113	54.6
Withdrawn by prosecution	260	26.6	81	39.1
All outcomes adjudicated or withdrawn	978	100	207	100
Transfer to other court levels			900	
Total finalised^(a)	983		1,118	

(a) Total finalised includes defendants deceased or unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations not elsewhere classified and defendants for whom a method of finalisation could not be determined.

Note: These data do not indicate whether the perpetrator was male or female.

Source: Data provided by ABS 2017

South Australia

In South Australia Higher Courts, 60% of defendants (or 189 defendants) whose cases were adjudicated or withdrawn were proven guilty of sexual assault and related offences; in the Magistrates' courts, 16% (49 defendants) of defendants were proven guilty (Table 4.4).

Table 4.4: Defendants finalised for sexual assault and related offences by court method of finalisation and court level, South Australia, 2015–16

Method of finalisation	Higher Courts		Magistrates' Courts	
	Number	Per cent	Number	Per cent
Acquitted	62	19.7	10	3.3
Proven guilty	189	60.0	49	16.4
Withdrawn by prosecution	64	20.3	240	80.3
All outcomes adjudicated or withdrawn	315	100	299	100
Transfer to other court levels			337	
Total finalised^(a)	315		640	

(a) Total finalised includes defendants deceased or unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations not elsewhere classified and defendants for whom a method of finalisation could not be determined.

Note: These data do not indicate whether the perpetrator was male or female.

Source: Data provided by ABS criminal courts 2017

Western Australia

In Western Australia Higher Courts, 67% of defendants (or 252 defendants) whose cases were adjudicated or withdrawn were proven guilty of sexual assault and related offences. In the Magistrates' courts, 47% (46 defendants) were proven guilty (Table 4.5).

Table 4.5: Defendants finalised for sexual assault and related offences by court method of finalisation and court level, Western Australia, 2015–16

Method of finalisation	Higher Courts		Magistrates' Courts	
	Number	Per cent	Number	Per cent
Acquitted	79	20.9	5	5.2
Proven guilty	252	66.7	46	47.4
Withdrawn by prosecution	47	12.4	46	47.4
All outcomes adjudicated or withdrawn	378	100	97	100
Transfer to other court levels			428	
Total finalised^(a)	377		534	

(a) Total finalised includes defendants deceased or unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations not elsewhere classified and defendants for whom a method of finalisation could not be determined.

Note: These data do not indicate whether the perpetrator was male or female.

Source: Data provided by ABS criminal courts 2017

Tasmania

In Tasmania's Supreme Court, 78% of defendants (or 47 defendants) whose cases were adjudicated or withdrawn were proven guilty of sexual assault and related offences. In the Magistrates' courts, 52% of defendants (15 defendants) were proven guilty (Table 4.6).

Table 4.6: Defendants finalised for sexual assault and related offences by court method of finalisation and court level, Tasmania, 2015–16

Method of finalisation	Supreme Courts		Magistrates' Courts	
	Number	Per cent	Number	Per cent
Acquitted	3	5.0	11	37.9
Proven guilty	47	78.3	15	51.7
Withdrawn by prosecution	10	16.7	3	10.3
All outcomes adjudicated or withdrawn	50	100.0	29	100.0
Transfer to other court levels			64	
Total finalised^(a)	61		93	

(a) Total finalised includes defendants deceased or unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations not elsewhere classified and defendants for whom a method of finalisation could not be determined.

Note: These data do not indicate whether the perpetrator was male or female.

Source: Data provided by ABS criminal courts 2017

Northern Territory

Northern Territory data are not available for Indicator 19.

Australian Capital Territory

In the ACT Higher Courts, 74% of defendants (or 25 defendants) whose cases were adjudicated or withdrawn were proven guilty of sexual assault and related offences. In the Magistrates' courts, 41% (7 defendants) were proven guilty (Table 4.7).

Table 4.7: Defendants finalised for sexual assault and related offences by court method of finalisation and court level, Australian Capital Territory, 2015–16

Method of finalisation	Higher Courts		Magistrates' Courts	
	Number	Per cent	Number	Per cent
Acquitted	6	17.6	0	0
Proven guilty	25	73.5	7	41.2
Withdrawn by prosecution	3	8.8	10	58.8
All adjudicated outcomes	34	100	17	100
Transfer to other court levels			43	
Total finalised^(a)	37		57	

(a) Total finalised includes defendants deceased or unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations not elsewhere classified and defendants for whom a method of finalisation could not be determined.

Note: These data do not indicate whether the perpetrator was male or female.

Source: Data provided by ABS 2017

Indicator 20: Consequences for FDV breaches

This Indicator is a measure of the effectiveness of the perpetrator accountability system's response to perpetrators who do not comply with the mandatory justice and legal consequences and sanctions placed on them. This includes an intervention order or an order to attend a behaviour change or other perpetrator intervention program.

Description: Proportion of reported breached FDV intervention orders that have a further legal consequence:
a) charge
b) conviction
c) custodial sentence.

Numerator: The number of reported breached FDV intervention orders that have a further legal consequence (charge, conviction or custodial sentence) (during the 12-month reporting period).

Denominator: The total number of reported breached FDV intervention orders initialised in court (during the 12-month reporting period).

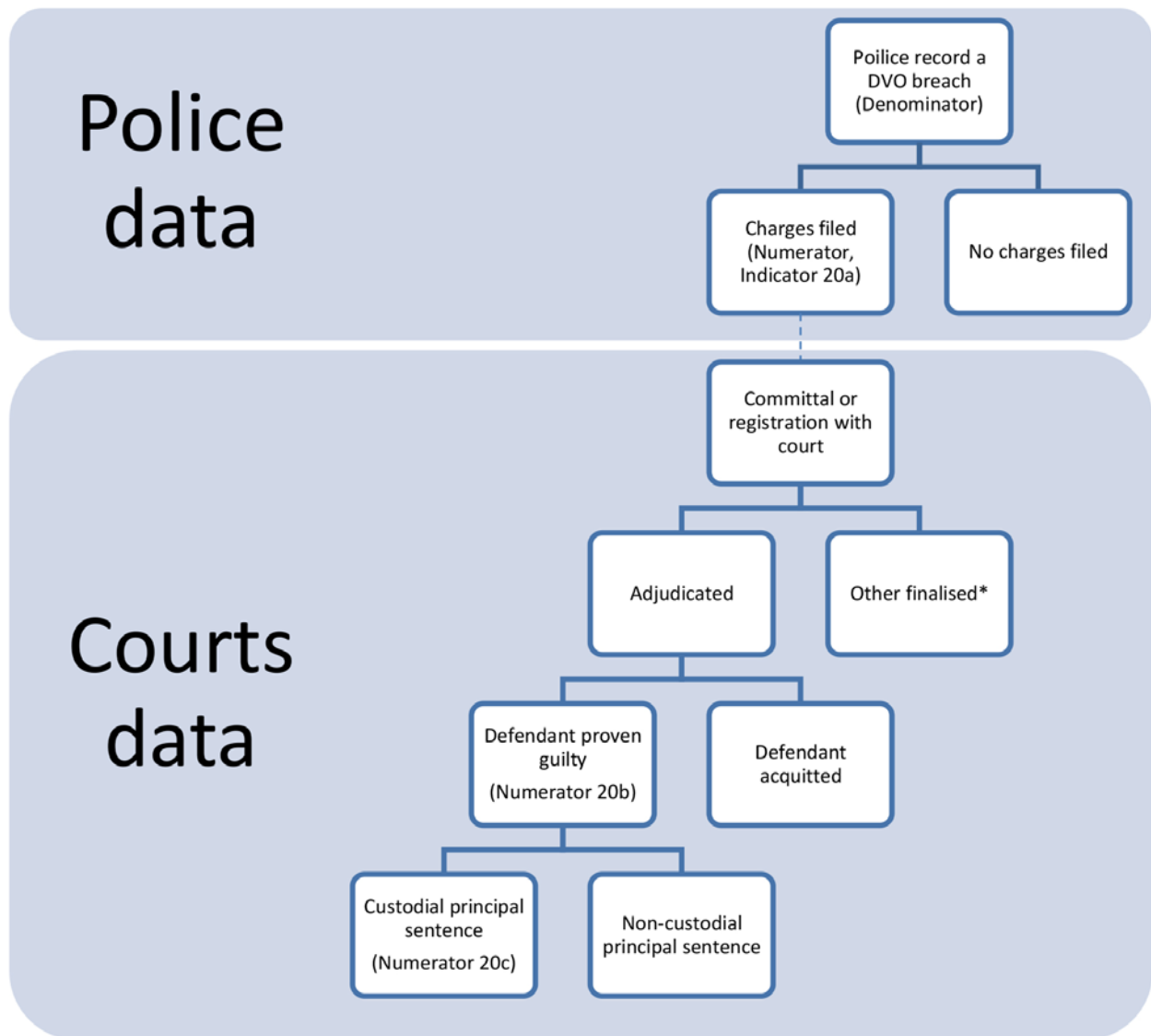
Data source: Experimental family and domestic violence statistics (selected states and territories), Criminal Courts, 2015–16 Australian Bureau of Statistics, Cat no. 4513.0

Reporting sector: Courts

Data availability: New South Wales, Victoria, Western Australia, Tasmania, Australian Capital Territory, Northern Territory

Police data on the number of reports of a breached apprehended violence order that result in a charge are not available at a national level. As this formed the denominator for the three components of Indicator 20, the indicator cannot be measured as intended in this report. In future, to report on this Indicator more accurately, police data could be linked to courts data to follow police reports through the justice system to their final outcome, as shown in Figure 4.1. Future work to link this data will prompt the need for careful assessment and response to any confidentiality, security and the ethical issues, at an intra-jurisdictional level.

Figure 4.1: Ideal data captured for Indicator 20

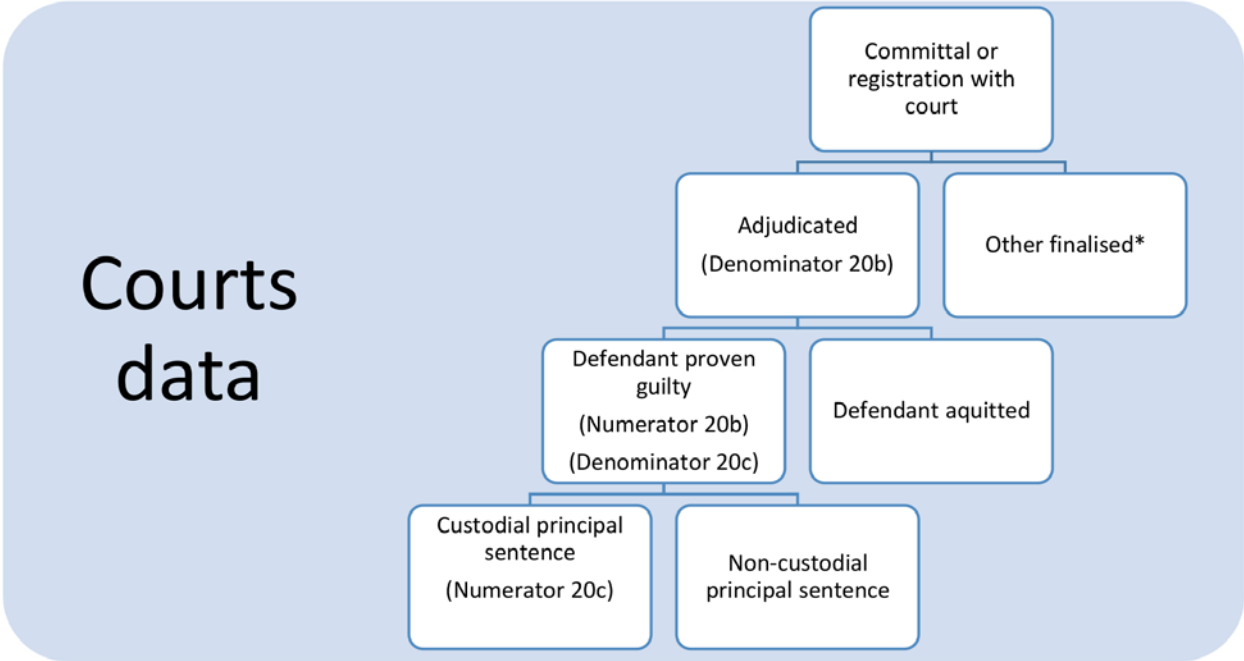


* Includes cases withdrawn by prosecution, transferred to another court, defendants deceased or unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations not elsewhere classified and defendants for whom a method of finalisation could not be determined

The data provided below are proxy measures for Indicators 20b and 20c and represent the proportion of cases adjudicated or withdrawn in courts where the defendant was proven guilty (proxy for Indicator 20b) and the proportion of guilty verdicts that resulted in a custodial sentence (proxy for indicator 20c). Data are available from the criminal courts for defendants finalised for breached FDV intervention orders for all jurisdictions except Queensland and South Australia (see Figure 4.2).

The data do not indicate the sex of the perpetrator, nor the age or sex of the victim. Additional information about specific data issues in the ABS' *Criminal Courts Australia* publication is available for each jurisdiction under Indicator 22.

Figure 4.2: Available data for Indicator 20



* Includes cases withdrawn by prosecution, transferred to another court, defendants deceased or unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations not elsewhere classified and defendants for whom a method of finalisation could not be determined

Key findings

Across selected states and territories, the proportion of defendants whose cases were adjudicated or withdrawn who were proven guilty for a breach of violence order in the Magistrates’ Court ranged from 76% to 97%. Of the defendants who were proven guilty for breach of an FDV order, the proportion who received a custodial sentenced ranged from 8.9% to 62%.

New South Wales

In New South Wales, 88% of defendants (or 3,392 defendants) whose cases were adjudicated or withdrawn in the local courts were proven guilty for FDV-related breach of violence orders. Of these 3,392 defendants, 772 (23%) received a custodial sentence (Table 4.8).

Table 4.8: Defendants finalised for breach of violence orders by outcome and court level, New South Wales, 2015–16

Method of finalisation	Higher Courts		Local Courts	
	Number	Per cent	Number	Per cent
Acquitted	0	0	245	6.3
Proven guilty	22	100	3,392	87.8
Withdrawn by prosecution	0	0	228	5.9
All outcomes adjudicated or withdrawn	22	100	3865	100
Transfer to other court levels	0		28	
Total finalised^(a)	28		3,898	
Principal sentence of defendants proven guilty				
Custodial orders			772	22.8
Non-custodial orders			2,620	77.2
Total proven guilty			3,392	100.0

(a) Total finalised includes defendants deceased or unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations not elsewhere classified and defendants for whom a method of finalisation could not be determined.

Note: These data do not indicate whether the perpetrator was male or female.

Source: Data provided by ABS 2017

Victoria

In Victoria, 90% defendants (or 3,172 defendants) whose cases were adjudicated or withdrawn in the Magistrates' courts were proven guilty for FDV-related breach of violence orders. Of these 3,172 defendants, 283 (8.9%) received a custodial sentence (Table 4.9).

Table 4.9: Defendants finalised for breach of violence orders by outcome and court level, Victoria, 2015–16

Method of finalisation	Magistrates' Courts	
	Number	Per cent
Acquitted	4	0.1
Proven guilty	3,172	89.5
Withdrawn by prosecution	367	10.4
All outcomes adjudicated or withdrawn	3,543	100
Transfer to other court levels	0	
Total finalised^(a)	3,543	
Principal sentence of defendants proven guilty		
Custodial orders	283	8.9
Non-custodial orders	2,889	91.1
Total proven guilty	3,172	100.0

(a) Total finalised includes defendants deceased or unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations not elsewhere classified and defendants for whom a method of finalisation could not be determined.

Note: These data do not indicate whether the perpetrator was male or female.

Source: Data provided by ABS 2017

Western Australia

In Western Australia, data from criminal courts were used to identify defendants finalised for at least one FDV-related breach of violence orders. The finalised defendants were identified by using the police flag provided at the time of prosecution.

In Western Australia, 96% of defendants (or 1,453 defendants) whose cases were adjudicated or withdrawn in the Magistrates' courts were proven guilty for FDV-related breach of violence orders. Of these 1,453 defendants, 155 (11%) received a custodial sentence (Table 4.10).

Table 4.10: Defendants finalised for breach of violence orders by outcome and court level, Western Australia, 2015–16

Method of finalisation	Magistrates' Courts	
	Number	Per cent
Acquitted	7	0.5
Proven guilty	1,453	96.0
Withdrawn by prosecution	53	3.5
All outcomes adjudicated or withdrawn	1,513	100
Transfer to other court levels	0	
Total finalised^(a)	1,514	
Principal sentence of defendants proven guilty		
Custodial orders	155	10.7
Non-custodial orders	1,298	89.3
Total proven guilty	1,453	100.0

(a) Total finalised includes defendants deceased or unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations not elsewhere classified and defendants for whom a method of finalisation could not be determined.

Note: These data do not indicate whether the perpetrator was male or female.

Source: Data provided by ABS 2017

Tasmania

In Tasmania, 76% of defendants (or 403 defendants) whose cases were adjudicated or withdrawn in the Magistrates' Courts were proven guilty for FDV-related breach of violence orders. Of these 403 defendants, 115 (29%) received a custodial sentence (Table 4.11).

Table 4.11: Defendants finalised for breach of violence orders by outcome and court level, Tasmania, 2015–16

Method of finalisation	Magistrates' Courts	
	Number	Per cent
Acquitted	91	17.2
Proven guilty	403	76.0
Withdrawn by prosecution	36	6.8
All outcomes adjudicated or withdrawn	530	100
Transfer to other court levels	0	
Total finalised^(a)	530	
Principal sentence of defendants proven guilty		
Custodial orders	115	28.5
Non-custodial orders	288	71.5
Total proven guilty	403	100.0

(a) Total finalised includes defendants deceased or unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations not elsewhere classified and defendants for whom a method of finalisation could not be determined.

Note: These data do not indicate whether the perpetrator was male or female.

Source: Data provided by ABS 2017

Northern Territory

In the Northern Territory, 96% of defendants (or 959 defendants) whose cases were adjudicated or withdrawn in the Local Court were proven guilty for FDV-related breach of violence orders. Of these 959 defendants, 596 (62%) received a custodial sentence (Table 4.12).

Table 4.12: Defendants finalised for breach of violence orders by outcome and court level, Northern Territory, 2015–16

Method of finalisation	Local Courts	
	Number	Per cent
Acquitted	7	0.7
Proven guilty	959	96.0
Withdrawn by prosecution	33	3.3
All outcomes adjudicated or withdrawn	999	100
Transfer to other court levels	0	
Total finalised^(a)	999	
Principal sentence of defendants proven guilty		
Custodial orders	596	62.1
Non-custodial orders	363	37.9
Total proven guilty	959	100.0

(a) Total finalised includes defendants deceased or unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations not elsewhere classified and defendants for whom a method of finalisation could not be determined.

Note: These data do not indicate whether the perpetrator was male or female.

Source: Data provided by ABS 2017

Australian Capital Territory

In the ACT, 89% of defendants (or 75 defendants) whose cases were adjudicated or withdrawn in the Magistrates' courts were proven guilty for FDV-related breach of violence orders. Of these 75 defendants, 28 (37%) received a custodial sentence (Table 4.13).

Table 4.13: Defendants finalised for breach of violence orders by outcome, Australian Capital Territory, 2015–16

Method of finalisation	Magistrates' Courts	
	Number	Per cent
Acquitted	—	0
Proven guilty	75	89.3
Withdrawn by prosecution	9	10.7
All outcomes adjudicated or withdrawn	84	100
Transfer to other court levels	0	
Total finalised^(a)	86	
Principal sentence of defendants proven guilty		
Custodial orders	28	37.3
Non-custodial orders	47	62.7
Total proven guilty	75	100.0

(a) Total finalised includes defendants deceased or unfit to plead, transfers to non-court agencies, other non-adjudicated finalisations not elsewhere classified and defendants for whom a method of finalisation could not be determined.

Note: These data do not indicate whether the perpetrator was male or female.

Source: Data provided by ABS 2017

Indicator 22: Time from charge to court outcome for FDV breach of order or sexual assault

This indicator is a measure of the perpetrator accountability system's timeliness in responding to breaches of FDV orders and perpetrators of sexual assault.⁹

Description:	Average time from charge to court outcome: a) FDV breach of order b) Sexual assault
Numerator:	The sum of days from charge to court outcome for all a) FDV breach of order or b) Sexual assault cases with a court outcome (finalised during the 12-month reporting period).
Denominator:	The total number of cases where a perpetrator is charged with a) FDV breach of order or b) Sexual assault and having a court outcome (finalised during the 12-month reporting period).
Data source:	Experimental family and domestic violence statistics (selected states and territories), Criminal Courts, 2015–16 Australian Bureau of Statistics, Cat no. 4513.0
Reporting sector:	Courts
Data availability:	New South Wales, Victoria, Western Australia, Tasmania, Australian Capital Territory, Northern Territory

This indicator is intended to measure the timeliness of the perpetrator accountability system from the point of police charge to court outcome.

The ABS criminal courts data are only available from the point at which a defendant enters the criminal court system, which is either the date of committal or the date of registration, depending on the process of entry into that court level. Accordingly, the available data cannot be used to measure the time between charge and initiation of court proceedings. The average time from initiation in the criminal court system to finalisation for FDV breach of order or sexual assault offences will be used as a proxy indicator of average time from charge to court outcome. Data from the ABS criminal courts collection are available to report against this indicator for defendants finalised in all jurisdictions except Queensland and South Australia.

Due to the limitations of these data, Indicator 22 and Indicator 15 are captured by the same proxy measures. In order for Indicators 22 and 15 to be reported exactly to the specifications, it would be necessary to have linked police and courts data. For the purpose of this report, only Indicator 22 will be reported.

⁹ The inclusion of FDV breach of orders enables the indicator to measure the timeliness of the justice system response for cases that are required to proceed through the criminal courts system. This approach excludes cases where victims choose not to press charges, or where cases are withdrawn. In addition, the timeliness of court outcomes for FDV breach of orders can also shed light on how swiftly justice system mechanisms (such as FDV orders) operate, once they have been put in place.

For the sexual assault component of this Indicator, data relating to the duration from initiation to finalisation is only available for sexual assault and related offences flagged as FDV-related. This excludes non-FDV related sexual assaults and will underestimate the total number of recorded sexual assaults that occurred in the reporting period. These data do not indicate the sex of the perpetrator, nor the age or sex of the victim.¹⁰

Data from the criminal courts are intended to show how perpetrators move through the justice system for incidents of family, domestic and sexual violence where criminal charges have been laid by the police. As there is no consistent process to identify family, domestic and sexual violence in police or courts data across states and territories, comparisons across jurisdictions should not be made.

Key findings

Across the selected state and territory Magistrates' courts, the average duration from initiation of court procedures to finalisation ranged from:

- 54.6 days to 159.6 days for breach of violence orders; and
- 130.2 to 205.1 days for sexual assault and related offences.

New South Wales

In New South Wales, defendants finalised in the criminal courts were identified as FDV-related where an offence was recorded as FDV-related either in the charge, or where the matter was identified as FDV-related in court. In New South Wales local courts date of initiation is based on the date of first appearance rather than date of registration.

The average duration from initiation to finalisation for defendants finalised for FDV breach of violence orders was:

- 272.3 days in the Higher Courts (with a median duration of 213.5 days)
- 79.1 days in the local courts (with a median duration of 49.7 days)

The average duration from initiation to finalisation for defendants finalised for FDV-related sexual assault and related offences was:

- 410.2 days in the Higher Courts (with a median duration of 359.8 days)
- 200.9 days in the local courts (with a median duration of 175.7 days)

Victoria

In Victoria, defendants finalised for FDV-related offences were identified using the police FDV flag transferred to the Magistrates' courts with the prosecutions information. The Victorian Higher Courts do not receive the police FDV flag, so there are no FDV data available for this court level. Victoria is currently reviewing how FDV offences are flagged across all court levels, which may allow Higher Courts data to be reported in the future.

¹⁰ The intention of NOSPI is that family violence incidents where the victims are not women or children under 18 are out of scope.

Data about defendants who attend court from custody are initiated manually in the court recording system rather than via the automated process which populates the FDV flag from the police system. As a result of this, a lower than expected level of FDV flagging occurs for selected offence types such as sexual assault and related offences.

The average duration from initiation to finalisation for defendants finalised for FDV breach of violence orders was:

- 79.1 days in the Magistrates' Courts (with a median of 53.2 days)

The average duration from initiation to finalisation for defendants finalised for sexual assault and related offences was:

- 165.2 days in the Magistrates' Courts (with a median of 154.7 days)

Western Australia

In Western Australia, data from criminal courts were used to identify defendants finalised for at least one FDV-related offence in each of the court levels. The finalised defendants were identified by using the police flag provided at the time of prosecution.

The average duration from initiation to finalisation for defendants finalised for FDV breach of violence order was:

- 81.2 days in the Magistrates' Courts (with a median duration of 18.9 days)

The average duration from initiation to finalisation for defendants finalised for sexual assault and related offences was:

- 246.4 days in the Higher Courts (with a median duration of 239.4 days)
- 205.1 days in the Magistrates' Courts (with a median duration of 140.7 days)

Tasmania

In Tasmania, data from criminal courts were used to identify defendants finalised for at least one FDV-related offence for the Children's Courts and the Magistrates' Courts using the Matter Family and Domestic Violence flag populated by police and transferred to the courts with the prosecutions information. The Tasmanian Supreme Court does not receive a FDV flag, so no FDV data are available for this court level.

The average duration from initiation to finalisation for defendants finalised for FDV breach of violence order in Tasmania was 159.6 days in the Magistrates' Courts with a median duration of 86.8 days.

Data were not available for sexual assault and related offences.

Northern Territory

In the Northern Territory, data from criminal courts were used to identify defendants finalised for at least one FDV-related offence using the FDV flag populated by police and transferred to the courts with the prosecutions information. In the Northern Territory Magistrates' Courts, date of initiation is based on the date of first appearance rather than the date of registration.

The average duration from initiation to finalisation for defendants finalised for FDV breach of violence order in was:

- 54.6 days in the Magistrates' Courts (with a median duration of 7.7 days)

The average duration from initiation to finalisation for defendants finalised for sexual assault and related offences was:

- 170.1 days in the Higher Courts (with a median of 177.1 days)
- 130.2 days in the Magistrates' Courts (with a median duration of 102.9 days)

Australian Capital Territory

In the ACT, data from criminal courts were used to identify defendants finalised for at least one FDV-related offence in each of the court levels. The finalised defendants were identified using a combination of the police flag provided at the time of prosecution and their Family and Domestic Violence specialist court lists.

The average duration from initiation to finalisation for defendants finalised for breach of violence order was:

- 137.9 days in the Magistrates' Courts (with a median duration of 91.7 days).

Data were not available for the Higher Courts.

The average duration from initiation to finalisation for defendants finalised for sexual assault and related offences was:

- 259.7 days in the Higher Courts (with a median duration of 275.1)
- 169.4 days in the Magistrates' Courts (with a median duration of 111.3 days)

Diversity

Data about system engagement with perpetrators from diverse cultures, communities and circumstances are only available from ABS criminal courts data in relation to Indigenous status. Data from the criminal courts publication contain information about the duration from initiation to finalisation for Aboriginal and Torres Strait Islander finalised for one or more FDV-related offence by principal offence.

New South Wales

In New South Wales, the average duration from initiation to finalisation for Aboriginal and Torres Strait Islander defendants finalised for FDV-related breach of violence orders offences was:

- 17.8 days in the Higher courts (with a median duration of 84.7 days)
- 89.6 days in the local courts (with a median duration of 63.0 days).

The average duration from initiation to finalisation for Aboriginal and Torres Strait Islander defendants finalised for sexual assault and related offences was:

- 336.7 days in the Higher courts (with a median duration of 273.0 days)
- 184.8 in the local courts (with a median duration of 189.7 days).

Northern Territory

In the Northern Territory, the average duration from initiation to finalisation for Aboriginal and Torres Strait Islander defendants finalised for FDV-related breach of violence orders offences was 49 days in the Local courts (with a median duration of 6.3 days).

The average duration from initiation to finalisation for Aboriginal and Torres Strait Islander defendants finalised for sexual assault and related offences was:

- 134.4 days in the Higher courts (with a median duration of 133 days)
- 128.8 days in the Local courts (with a median duration of 105 days).

5. Headline Standard 4: Perpetrators participate in programs and services that enable them to change their violent behaviours and attitudes

This Headline Standard is about inviting or mandating men to engage with and complete programs designed to enable them to take responsibility for their violence and work towards changing their violent behaviours and attitudes. While perpetrators are involved in targeted programs, they are also visible to the system, not only keeping them accountable but also allowing assessment of ongoing risk to women and their children. For the 2015–16 collection period, data are available to report on two Indicators under this Standard (see Box 5.1).

Box 5.1: Indicators reported under Headline Standard 4 for 2015–16

- Indicator 16 Waiting time for community-based interventions
- Indicator 23 Perpetrators commencing and completing programs

Participation and completion of programs for perpetrators of family and domestic violence and sexual assault

State and territory governments are primarily responsible for the delivery of voluntary and mandated perpetrator programs. State government funding of community-based perpetrator programs are often linked to compliance with minimum practice standards.

Throughout Australia, governments fund mandated psycho-educational programs both within corrections settings and in the community. Community-based corrections programs may be mandatory requirements as part of a non-custodial sentence, or may be for offenders under community supervision. Community-based programs are largely delivered by nongovernment organisations.

These programs are designed to help participants work intensively on changing the thinking, attitudes and feelings that led to their offending behaviour. There are separate programs to treat sexual offenders. During programs, individuals will work on understanding and taking responsibility for their offending behaviour, examine victim issues, identify their offence pathway and develop self-management plans to assist them to stop using violence.

Further information about the specific perpetrator programs available in each state and territory can be found at **Annex A**.

Indicator 16: Waiting time for community-based interventions

This indicator provides a measure of the accessibility for suitable perpetrators to community-based behaviour change programs. This indicator only includes perpetrators who are suitable and ready to commence, and excludes perpetrators who may have to complete a sentence or other program in preparation.

Description:	Proportion of perpetrators assessed as suitable and ready to commence community-based behaviour change programs, but who waited longer than x ¹¹ months.
Numerator:	The number of perpetrators who were assessed as suitable and ready to commence a community-based behaviour change program and commenced after waiting a) less than 1 month, b) 1–3 months, c) 4–6 months, d) more than 6 months (during the 12-month reporting period).
Denominator:	The total number of perpetrators who were assessed as suitable and ready for a community-based behaviour change program (during the 12-month reporting period).
Data source:	Provided by jurisdictions.
Reporting sector:	Specialist services
Data availability:	South Australia, Tasmania, Australian Capital Territory

Data for Indicator 16 are provided directly from jurisdictions and will be presented for selected states and territories.

Key findings

Across selected states and territories, the number of perpetrators who were assessed as suitable and ready to commence community-based behaviour change programs in 2015–16 was recorded. However, only three jurisdictions were able to disaggregate the data to report on waiting times for behaviour change programs. As the data for this indicator are limited to three jurisdictions, this indicator is considered exploratory. Further work is needed to determine whether improvements can be made.

South Australia

In South Australia, 70% of perpetrators waited less than 1 month to commence a community-based intervention program, and 30% of perpetrators waited between 1 and 3 months (Table 5.1).

¹¹ Could be disaggregated by less than 1 month, 1–3 months, 4–6 months, more than 6 months etc.

Table 5.1: Proportion of perpetrators assessed suitable and ready to commence community-based behaviour change programs by waiting time, South Australia, 2015–16

	Number	Per cent
Less than 1 month	19	70.3
1–3 months	8	29.6
Total assessed as suitable and ready to commence	27	

Source: Data provided by the Department of Corrective Services' master files for Domestic and Family Violence Intervention Program

Tasmania

In Tasmania, the waiting time for perpetrators assessed as suitable and ready to commence community-based behaviour change programs ranged from 2.9% of perpetrators who waited less than 1 month to 30% who waited more than 6 months (Table 5.2). Data only relate to behaviour change programs delivered by Community Corrections, Department of Justice.

It is important to note the numerator and the denominator as currently described do not include the same people. The denominator counts perpetrators assessed as suitable and ready to commence during 2015–16. The numerator counts perpetrators assessed as suitable and ready to commence who commenced a program in 2015–16. A substantial number of these offenders may have been assessed prior to 2015–16.

Table 5.2: Proportion of perpetrators assessed suitable and ready to commence community-based behaviour change programs, and commenced by waiting time, Tasmania, 2015–16

	Number	Per cent
Less than 1 month	3	2.9
1–3 months	16	15.7
4–6 months	18	17.6
More than 6 months	31	30.4
Total assessed as suitable and ready to commence	102	

Source: Data provided by Tasmania Department of Justice, Community Corrections, Family Violence Offender Intervention Program Administrative Data

Australian Capital Territory

In the ACT, 55 men were assessed suitable and ready to commence community-based behaviour change programs administered by the EveryMan Australia. While the program provider did not collect specific data on waiting times, it advised that all individuals were contacted within 48 hours of referral and, upon being found suitable for the program and willing to participate, they were signed on as participants within a seven-day period.

Diversity

Information about how long perpetrators from diverse circumstances waited before participating in perpetrator programs is only available for South Australia for the 2015–16 collection period and the numbers are too small for publication.

Indicator 23: Perpetrators commencing and completing programs

Perpetrators may be encouraged or mandated to commence and complete programs designed to enable them to take responsibility for, and stop using, violence. Behaviour change programs aimed at enabling perpetrators to stop their violence play an important role in the perpetrator accountability system.

Indicator 23 measures the proportion of perpetrators assessed as suitable who commenced and completed a behaviour change program.

Description:	<ul style="list-style-type: none"> a) Proportion of perpetrators who commence a behaviour change program (or other perpetrator intervention). b) Proportion of perpetrators who complete a behaviour change program (or other perpetrator intervention).
Numerator:	<ul style="list-style-type: none"> a) The number of perpetrators who commenced a behaviour change program (or other perpetrator intervention) (during the 12-month reporting period). b) The number of perpetrators who completed a behaviour change program (or other perpetrator intervention) (during the 12-month reporting period).
Denominator:	<ul style="list-style-type: none"> a) The total number of perpetrators who were assessed and found suitable for a behaviour change program (or other perpetrator intervention) (during the 12-month reporting period). b) The total number of perpetrators who commenced a behaviour change program (or other perpetrator intervention) (during the 12-month reporting period).
Data source:	Provided by jurisdictions.
Reporting sector:	Services
Data availability:	New South Wales, Queensland, South Australia, Tasmania, Western Australia, Australian Capital Territory

Data for Indicator 23 are provided directly from jurisdictions and will be presented for selected states and territories. Jurisdictional data are considered exploratory as they are derived according to common indicator specifications but draw from a wide range of information systems and reflect varied policies and practices. Therefore, comparisons across jurisdictions should not be made.

Key findings

Across selected state and territory courts and corrective services systems:

- 49% to 100% of perpetrators found suitable commenced a behaviour change program
- 45% to 68% of perpetrators assessed suitable completed a behaviour change program.

There may be participants who commence a program prior to the data collection period but complete the program within the data collection period. The data does not identify or differentiate these clients. Perpetrators who were referred and assessed as suitable may not have commenced, or had the opportunity to complete, the program during the same period. Similarly, there will be clients who commence a program towards the end of the data period, but will not have completed during the data collection period. Further, perpetrators can be assessed as suitable for a program, but not be able to commence the program until the following reporting period. Consequently, the two measures are not directly comparable.

New South Wales

In New South Wales, 49% of perpetrators assessed as suitable commenced a Corrective Services behaviour change program in 2015–16 (Table 5.3). For this period, Corrective Services New South Wales also recorded a 68% completion rate for behaviour change programs (Table 5.4).

The data indicate the proportion of eligible offenders who commence and complete behaviour change programs at the point of exit from Corrective Services management, rather than those who commence or complete within a 12-month period. This approach reflects the service delivery model of Corrective Services New South Wales, where offenders are assessed as eligible for the program and then participation is determined by the length of an offender’s sentence.

Table 5.3: Proportion of perpetrators assessed as suitable who commenced a behaviour change program, New South Wales, 2015–16

	Number	Per cent
Commenced BCP	535	48.9
Total	1,094	

Source: Data provided by New South Wales Corrective Services

Table 5.4: Proportion of perpetrators assessed as suitable who completed a behaviour change program, New South Wales, 2015–16

	Number	Per cent
Completed BCP	365	68.2
Total (commenced)	535	

Source: Data provided by New South Wales Corrective Services

Queensland

In Queensland, 53% of perpetrators assessed as suitable commenced a behaviour change program in 2015–16 (Table 5.5). For this time period, Queensland Corrective Services also recorded 52% as having completed behaviour change programs (Table 5.6).

It should be noted that this data does not capture all Queensland perpetrators and include only those perpetrators who were assessed as suitable, and had commenced, or completed the Men’s Domestic Violence Education and Intervention Program in Southport and Logan as at 30 June 2016. It should

not be interpreted as a state-wide reflection of the number of assessments for commencement of behaviour change programs.

The difference between the number of assessments undertaken, and the actual number of men commencing the program, differ for many reasons including: their order coming to an end, returning to custody, non-compliance, relocation, employment and/or health concerns.

Table 5.5: Proportion of perpetrators assessed as suitable who commenced a behaviour change program, Queensland, 2015–16*

	Number	Per cent
Commenced BCP	88	52.7
Total	167	

(a) Refers to court mandated community-based behaviour change program.

(b) Behaviour change programs excludes those administered in corrective services.

Source: Data provided by Domestic Violence Prevention Centre Gold Coast Inc

* Data accurate as at the date provided, however figures may vary due to the settling of data over time.

Table 5.6: Proportion of perpetrators assessed as suitable who completed a behaviour change program, Queensland, 2015–16

	Number	Per cent
Completed BCP	46	52.3
Total (commenced)	88	

Source: Data provided by Queensland Corrective Services

South Australia

In South Australia, 92% of perpetrators assessed as suitable commenced a court-mandated behaviour change program, and 90% of perpetrators assessed as suitable commenced a behaviour change program administered by the Department for Correctional Services (Table 5.7). For this time period, South Australia also recorded a 45% completion rate for court-mandated community-based behaviour change programs and a 71% completion rate for behaviour change programs administered by the Department for Correctional Services (Table 5.8).

Table 5.7: Proportion of perpetrators assessed as suitable who commenced a behaviour change program, South Australia, 2015–16

	Courts program		Corrections program	
	Number	Per cent	Number	Per cent
Commenced BCP	301	91.8	80	89.9
Total	328		89	

Source: Data provided by Data provided by the Department for Correctional Services, South Australia

Table 5.8: Proportion of perpetrators assessed suitable who completed a behaviour change program, South Australia, 2015–16

	Courts program		Corrections program	
	Number	Per cent	Number	Per cent
Completed BCP	135	44.9	57	71.3
Total (commenced)	301		80	

Source: Data provided by Data provided by the Department for Correctional Service, South Australia

Tasmania

In Tasmania, 63% of perpetrators assessed as suitable commenced a behaviour change program (Table 5.9). In this time period, Tasmania also recorded a 92% completion rate for behaviour change programs administered by Community Corrections, and a 62% completion rate for behaviour change programs administered by the Tasmania Prison Service (Table 5.10).

Data provided by Tasmania is limited to the Family Violence Offender Intervention Program delivered by Community Corrections, and the Stopping Violence program delivered by the Tasmania Prison Service. Data provided about the rate of commencement of behaviour change programs relates to intervention programs delivered by Community Corrections, Department of Justice only (Table 5.9). The Tasmania Prison Service also administers intervention programs but the data cannot be combined, as the programs have different parameters.

Table 5.9: Proportion of perpetrators assessed as suitable who commenced a behaviour change program, Tasmania, 2015–16

	Number	Per cent
Commenced BCP	64	62.7
Total	102	

Source: Data provided by Tasmania Department of Justice, Community Corrections, Family Violence Offender Intervention Program Administrative Data

Table 5.10: Proportion of perpetrators assessed as suitable who completed a behaviour change program, Tasmania, 2015–16

	Community corrections		Tasmania prison service	
	Number	Per cent	Number	Per cent
Completed BCP	59	92.2	24	61.5
Total (commenced)	64		39	

Source: Data provided by Tasmania Department of Justice, Community Corrections, Family Violence Offender Intervention Program Administrative Data

Western Australia

In Western Australia, 81% of perpetrators assessed as suitable commenced a behaviour change program in 2015–16 (Table 5.11). For this time period, Western Australia also recorded a 51% completion rate for behaviour change programs (Table 5.12).

The Department of Justice offers behaviour change programs to clients in the community and prisons. Data were collected by the Offender Programs Division in the Department of Justice and cover details of programs in the community. Data on voluntary programs provided in Western Australia are not included.

There are also a number of other exclusions: ‘Fly In, Fly Out’ workers, clients with unmanaged mental health or those with orders of less than four months. These individuals would not be assessed as suitable and are not included in the data.

Table 5.11: Proportion of perpetrators assessed as suitable who commenced a behaviour change program, Western Australia, 2015–16

	Number	Per cent
Commenced BCP	358	81.4
Total	440	

Source: Data provided by the Department of Justice, Western Australia

Table 5.12: Proportion of perpetrators assessed as suitable who completed a behaviour change program, Western Australia, 2015–16

	Number	Per cent
Completed BCP	181	50.6
Total (commenced)	358	

Source: Data provided by the Department of Justice, Western Australia

Australian Capital Territory

In the Australian Capital Territory, 84% of perpetrators assessed as suitable commenced a behaviour change program administered by ACT Corrective Services, and 100% of perpetrators assessed as suitable commenced a behaviour change program administered by EveryMan Australia (Table 5.13). For 2015–16, ACT Corrective Services recorded a 58% completion rate for behaviour change programs, and EveryMan Australia recorded a completion rate of 52% (Table 5.14).

In the ACT, the Domestic Abuse Program (DAP) is a mandatory behaviour change program for those assessed as suitable. Corrective Services runs the DAP both in custody and in the community. Data provided in Table 5.13 and Table 5.14 are for the community DAP programs only.

It should be noted that the program that commenced on 29 June 2015 has been included, as it ended on 2 September 2015.

Table 5.13: Proportion of perpetrators assessed as suitable who commenced a behaviour change program, Australian Capital Territory, 2015–16

	Corrections program		Everyman Australia program	
	Number	Per cent	Number	Per cent
Commenced BCP	43	84.3	55	100
Total	51		55	

Source: Data provided by the Australian Capital Territory Justice and Community Safety Directorate and Community Services Directorate

Table 5.14: Proportion of perpetrators assessed as suitable who completed a behaviour change program, Australian Capital Territory, 2015–16

	Corrections program		Everyman Australia program	
	Number	Per cent	Number	Per cent
Completed BCP	25	58.1	30	52.3
Total (commenced)	43		55	

Source: Data provided by the Australian Capital Territory Justice and Community Safety Directorate and Community Services Directorate

Diversity

Data about perpetrators from diverse circumstances participating in perpetrator programs were only available for New South Wales, South Australia and Tasmania. For these states, data were available by age group and Indigenous status.

New South Wales

In New South Wales, the proportion of perpetrators who were assessed as suitable and commenced a Corrective Services behaviour change program ranged from 45% for perpetrators aged 18–29 to 49% for perpetrators aged 40 years and over (Table 5.15). The completion rate for behaviour change programs ranged from 63% for perpetrators aged 18–29 to 78% for those aged 40 years and over.

Table 5.15: Proportion of perpetrators who commenced or completed a behaviour change program, by age group, New South Wales, 2015–16

Age	Commenced a BCP		Completed a BCP	
	Number	Per cent	Number	Per cent
18–29	229	44.8	146	63.8
30–39	180	47.9	113	72.9
40+	147	48.5	55	77.5

Source: Data provided by Corrective Services New South Wales

Data are also available for perpetrators in New South Wales by Indigenous status. The proportion of perpetrators assessed as suitable who commenced a behaviour change program was 47% for both Aboriginal and/or Torres Strait Islander perpetrators and non-Indigenous perpetrators (Table 5.16). The proportion of perpetrators who completed a behaviour change program ranged from 63% for Aboriginal and/or Torres Strait Islander perpetrators to 72% for non-Indigenous perpetrators.

Table 5.16: Proportion of perpetrators who commenced or completed a behaviour change program by Indigenous status, New South Wales, 2015–16

Indigenous status	Commenced a BCP		Completed a BCP	
	Number	Per cent	Number	Per cent
Aboriginal and/or Torres Strait Islander	233	47.6	147	63.1
Neither Aboriginal nor Torres Strait Islander	323	46.3	234	72.4

Source: Data provided by Corrective Services New South Wales

South Australia

In South Australia, the proportion of perpetrators who were assessed as suitable and commenced a court mandated behaviour change program ranged from 85% for perpetrators aged 40 years and over, to 95% for those aged 18–29. For perpetrators who were assessed as suitable for a program administered by Corrections, the proportion who commenced ranged from 86% for men aged 40 years and over, to 93% for men aged 30–39 (Table 5.17).

The completion rate for court-mandated behaviour change programs ranged from 31% for perpetrators aged 30–39 to 60% for those aged 40 years and over. For behaviour change programs administered by Corrections, the completion rate ranged from 55% for perpetrators aged 18–29 to 92% for those aged 40 years and over.

Table 5.17: Proportion of perpetrators who commenced or completed a behaviour change program, by age group, South Australia, 2015–16

Age	Court program				Corrections program			
	Commenced a BCP		Completed a BCP		Commenced a BCP		Completed a BCP	
	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent
18–29	93	94.9	49	52.7	29	90.6	3	55.2
30–39	133	93.7	41	30.8	26	92.9	13	69.2
40+	75	85.2	45	60.0	25	86.2	5	92.0

Source: Data provided by South Australia

Data are also available for perpetrators in South Australia by Indigenous status. The proportion of perpetrators who were assessed as suitable who commenced a court mandated behaviour change program was 105% for Aboriginal and Torres Strait Islander perpetrators and 87% for non-Indigenous perpetrators. For perpetrators who were assessed as suitable for a behaviour change program administered by Corrections, the proportion who commenced was 91% for Aboriginal and Torres Strait Islander perpetrators and 90% for non-Indigenous perpetrators (Table 5.18).

It is possible for a perpetrator to commence a behaviour change program if they were assessed as suitable in a previous time period. Similarly, some perpetrators may have commenced a behaviour change program in two different reference periods. For this reason, some proportions may be greater than 100%.

The completion rate for court-mandated behaviour change programs was 59% for Aboriginal and Torres Strait Islander perpetrators and 36% for non-Indigenous perpetrators. For behaviour change programs administered by Corrections, the completion rate was 70% for Aboriginal and Torres Strait Islander perpetrators and 72% for non-Indigenous perpetrators.

Table 5.18: Proportion of perpetrators who commenced or completed a behaviour change program by Indigenous status, South Australia, 2015–16

Indigenous status	Court program				Corrections program			
	Commenced a BCP		Completed a BCP		Commenced a BCP		Completed a BCP	
	Number	Per cent	Number	Per cent	Number	Per cent	Number	Per cent
Aboriginal and/or Torres Strait Islander	49	105.4	35	59.3	20	90.9	14	70.0
Neither Aboriginal nor Torres Strait Islander	208	87.4	75	36.1	60	89.6	43	71.7

Notes:

1. The variable to identify Aboriginal and/or Torres Strait Islander status is a combined field. It is not possible to differentiate the cultural identities any further.
2. Proportions may be larger than 100% as perpetrators who completed a behaviour change program may have commenced before the reference period.

Source: Data provided by South Australia

Tasmania

In Tasmania, the proportion of perpetrators who were assessed as suitable and commenced a courtmandated behaviour change program ranged from 47% for perpetrators aged 30–39 to 82% for those aged 40 years and over (Table 5.19). The completion rate for courtmandated behaviour change programs ranged from 83% for perpetrators aged 19–29 to 100% for those aged 30 years and over.

All data reported relates only to behaviour change programs delivered by Community Corrections, Department of Justice.

Table 5.19: Proportion of perpetrators who commenced or completed a behaviour change program by age group, Tasmania, 2015–16

Age	Commenced a BCP		Completed a BCP	
	Number	Per cent	Number	Per cent
18–29	24	64.9	20	83.3
30–39	18	47.4	18	100.0
40+	22	81.5	22	100.0

Source: Data provided by Tasmania

In Tasmania, the proportion of perpetrators who were assessed as suitable and commenced a behaviour change program delivered by Community Corrections was 47% for Aboriginal and Torres Strait Islander perpetrators and 67% for non-Indigenous perpetrators (Table 5.20).

Table 5.20: Proportion of perpetrators who commenced or completed a behaviour change program by Indigenous status, Tasmania, 2015–16

Indigenous status	Commenced a BCP		Completed a BCP	
	Number	Per cent	Number	Per cent
Aboriginal and/or Torres Strait Islander	9	47.3	8	88.9
Neither Aboriginal nor Torres Strait Islander	55	67.1	51	92.7

Source: Data provided by Tasmania

6. Headline Standard 5: Perpetrator interventions are driven by credible evidence to continuously improve

Evaluative processes must be built into perpetrator interventions to build the evidence base for ‘what works’, promote innovation based on evidence and actively engage in continuous improvement.

Understanding how best to intervene with men who use violence against women and their children (including abusive, controlling and sexually inappropriate behaviours) contributes to managing risk and reducing violence. The evidence base for perpetrator interventions is not yet comprehensive, but is emerging over time.

This standard supports evidence-based and evidence-building practices within the agencies, structures, services and programs that make up the perpetrator accountability systems and relies on the consistent evaluation of programs and services.

For 2015–16, data were not available for reporting against Headline Standard 5. For indicators relevant to Headline Standard 5, but not yet reportable, see Table 1.1. Information about activities undertaken at the state and territory level to address Headline Standard 5 is at **Annex A**.

7. Headline Standard 6: People working in perpetrator intervention systems are skilled in responding to the dynamics and impacts of domestic, family and sexual violence

A range of people, including generalist and specialist professionals and practitioners, can have a significant impact in addressing and reducing violence against women and their children through their interactions with perpetrators.

People working in the perpetrator accountability system require support and access to professional development opportunities. They need to understand the dynamics of domestic, family or sexual violence, including gender dynamics, and how to intervene safely and appropriately with perpetrators, keeping sight of the impact interventions can have on women and their children.

This workforce includes frontline professionals in specialist FDV or sexual assault services, as well as those who may be the first responders, including police, health or child protection workers. A consistent approach to the delivery of services by staff and professionals requires those working with perpetrators to hold minimum qualifications and/or have minimum experience, such as:

- Group facilitators and other relevant workers will have appropriate knowledge of and training on the effect of family and domestic violence on women and children.
 - This includes formal training about family and domestic violence. Where possible, training should be provided by a recognised training institution or facilitators with expertise in family and domestic violence and/or perpetrator intervention.

In addition, practitioners facilitating men's family and domestic violence behaviour change programs will have, as a minimum, formal group work training from a recognised training institution, which could include tertiary or vocational training.

It is important to develop workforces capable of providing interventions that are effective with perpetrators from diverse cultural communities and social and family contexts.

For 2015–16, data were not available for reporting against Headline Standard 6. For indicators relevant to Headline Standard 6, but not yet reportable, see Table 1.1. Information about activities undertaken at the state and territory level to address Headline Standard 6 is at **Annex A**.

Conclusion

This first NOSPI report is a benchmark which provides a snapshot of the state of the perpetrator intervention sector nationally in 2015 – 2016. Given the current quality of available data, this baseline report does not make national comparisons (over time) or comparisons between states and territories.

For 2015–16, data were only available for reporting against Headline Standards 1, 3, and 4. Six of the 27 indicators were reported on in this report (Indicators 3, 16, 19, 20, 22 and 23). It was not possible to report on the other indicators because of limitations in consistency, completeness and comparability of data which could have led to misinterpretation. It is hoped that subsequent NOSPI reports will be able to report against increasing numbers of indicators as the data collection improves and that all Australian governments will work towards getting better at reporting outcomes in perpetrator interventions.

As further reports are released, and data sources are built and improved, reporting against the NOSPI framework will be a valuable mechanism for governments to assess, progress and plan future policy priorities in the perpetrator space. As reporting against the NOSPI framework improves, all jurisdictions should be better able to keep perpetrators accountable and thereby improve safety for women and children.

Acknowledgements

Australian governments have committed to the National Outcome Standards for Perpetrator Interventions (NOSPI) because we know how important it is for women and their children to be safe, and live free from violence.

The Department of Social Services would like to acknowledge the contribution of the Australian Institute of Health and Welfare for their considerable work on this report and the Australian Bureau of Statistics for their valuable contribution.

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- Australian Capital Territory Justice and Community Safety Directorate
- Australian Capital Territory Community Services Directorate
- South Australia Department for Correctional Services
- Department for Communities and Social Inclusion, South Australia
- South Australia Police
- Adelaide Magistrates Court
- Attorney General's Department, South Australia
- Department of Premier and Cabinet, Tasmania
- Department of Justice, Tasmania
- Department of Police, Fire and Emergency Management, Tasmania
- Department of Health and Human Services, Tasmania
- Department of Premier and Cabinet, Victoria
- Department of Health and Human Services, Victoria
- Family Safety Victoria
- Department of Justice and Regulation, Victoria
- Victoria Police
- Crime Statistics Agency, Victoria
- Courts Victoria
- Office of Prevention and Women's Equality, Victoria
- Northern Territory Government
- Office for Women's Safety, Northern Territory
- Northern Territory Police
- Department of Justice, Northern Territory

- Department of Correctional Services, Northern Territory
- Queensland Department of Child Safety, Youth and Women
- Queensland Police Service
- Queensland Corrective Services
- Queensland Department of Justice and Attorney-General
- Department of Justice, Western Australia
- Department of Communities, Western Australia
- Western Australia Police Force
- Department of Justice, New South Wales
- New South Wales Police Force
- New South Wales Family and Community Services (Women NSW).

Definitions

The NOSPI definitions (Table 6) generally follow the definitions used in the *National Plan to Reduce Violence against Women and their Children 2010–2022*. Please note the definitions may differ from the technical and legal definitions used for specific purposes. The NOSPI definitions may differ from those used by states and territories. As a result, the data presented in this report may look different to that in other publications, and it should not be compared to other (non-NOSPI) publications.

Table 6: NOSPI definitions (from NOSPI indicator reporting framework and data specifications – May 2017)

Term	Definition
Perpetrator	Perpetrator is the term used in the NOSPI to describe males who commit domestic and family violence against women or children, or who commit sexual violence against women. For the purpose of the NOSPI report, perpetrators are males aged 18 years and over. The term ‘sexual violence offender’ can also be used to describe male perpetrators of sexual violence in the context of clinical services for sex offenders. It is important to note that interventions with perpetrators of child sexual abuse are not covered by the NOSPI due to the highly specialised nature of many interventions with child sex offenders. The term is intended to cover all men who commit one or more identified acts of domestic or family violence against women and their children, or sexual violence against women, whether or not they have ever been arrested, charged with a crime, or had an intervention order issued against them. This covers terms used across the perpetrator accountability system such as alleged offender, defendant, prisoner, etc. For the purposes of the NOSPI the term ‘perpetrator’ will be primarily used for consistency with the National Plan, as well as to keep a focus on the serious nature of the behaviour.
Perpetrator Interventions	For the scope of the NOSPI, perpetrator interventions include all actions, practices and programs that are specifically targeted to address the behaviours, attitudes and beliefs of men who have used violence against women. This incorporates men’s behaviour change programs, clinical services, and legal interventions by police, courts and corrections. The orange circle in Figure 1.2 provides a summary of targeted perpetrator interventions that are in scope. Interventions that target primary prevention are not within scope of the NOSPI.

Term	Definition
<p>Perpetrator accountability system</p>	<p>This is the overarching name used in the NOSPI for the range of different interventions that governments and community partners make in response to identified acts of domestic, family and sexual violence. The primary aims of the perpetrator accountability system are to stop perpetrators' violence, to hold perpetrators accountable for their violence, and to ensure women and children are safe and free from violence.</p> <p>The NOSPI indicators in this report focus on targeted perpetrator interventions that engage with a perpetrator directly because of their violence, or risk of perpetrating domestic, family or sexual violence. This includes but is not limited to the structures, agencies and programs which make decisions or orders that directly relate to perpetrators' interactions with the women and children against whom they have used violence. It also includes programs and services that work directly with the perpetrator with the purpose of enabling him to change his violent behaviours and attitudes.</p>
<p>Victim</p>	<p>Victim is the term used in the NOSPI to describe women and their children who have experienced domestic, family and sexual violence by a male perpetrator. Some people prefer to use the phrase 'women who experience violence' because they consider it labels the behaviour perpetrated against the women rather than the woman herself and acknowledges the efforts many victims of violence make to protect themselves and their children from domestic and family violence. To balance these perspectives the term 'victim' is primarily used in the NOSPI; however, the phrase 'women [and their children] who experience violence' may be used in the NOSPI with the same meaning as 'victim'.</p>
<p>Family and domestic violence</p>	<p>Family and domestic violence refers to violence committed by someone against a family member or members, as well as violence against an intimate partner. This can include a specified family or domestic relationship such as:</p> <ul style="list-style-type: none"> Partner/spouse/husband/wife (including former) Boyfriend/girlfriend (including ex-boyfriend/girlfriend) Parent (including step-parent) Child (including step-child) Other relative (including but not limited to grandparent, sibling, aunt/uncle, cousin, niece/nephew) Carer Kinship relationships. <p>The term 'family violence' is the most widely used term to identify the experiences of Indigenous people, because it includes the broad range of marital and kinship relationships in which violence may occur.</p>

Term	Definition
Family and domestic violence (FDV) incidents	<p>Family and domestic violence incidents are often identified in datasets by the use of an FDV flag. The application of an FDV flag to an incident may vary across jurisdictions (and sectors) due to differences in state and territory legislation. For example, the identification of FDV incidents by police can be influenced by policy and can vary, from professional judgement through to the use of screening tools as part of risk assessment frameworks. There is no uniform process to identify FDV events across state and territories; therefore, jurisdictions' results should not be directly compared.</p>
Family and domestic violence (FDV) related offences	<p>Family and domestic violence related offences are those with an FDV flag (see above) and classified under the Australian and New Zealand Standard Offence Classification (ANZSOC) as:</p> <ul style="list-style-type: none"> 01 Homicide and related offences 02 Acts intended to cause injury 03 Sexual assault and related offences 05 Abduction, harassment and other offences against the person 121 Property damage 153 Breach of violence and non-violence orders. <p>This is the same definition of FDV-related offences as used for the Australian Bureau of Statistics Recorded Crime Victims and Offenders publications.</p>
Sexual violence	<p>Sexual violence is behaviour of a sexual nature directed toward a person which makes that person feel uncomfortable, distressed or threatened, and to which that person has not freely given consent, or which involves another person using physical, emotional, psychological or verbal force or coercive behaviour against that person. Sexual violence can take place in the context of family or domestic violence (for example, an act of sexual violence committed against an intimate partner or a family member) or outside of the family or domestic violence context (for example, an act of sexual violence committed by a neighbour, work colleague, co-tenant, carer, or stranger).</p>

Term	Definition
<p>Sexual assault</p>	<p>Sexual assault is commonly used to describe a legally-defined criminal offence which involves physical assault of a sexual nature directed towards another person without their consent. For the purpose of the NOSPI, sexual assault offences are those that are included in the Australian and New Zealand Standard Offence Classification (ANZSOC) under division 03 (sexual assault and related offences).</p> <p>Sexual assault may or may not be a feature of a family and domestic violence incident. Some of the NOSPI indicators require data to be provided for FDV offences and sexual assault offences. For these indicators, data should be reported as follows:</p> <ul style="list-style-type: none"> • FDV offences (exclude FDV sexual assault offences) • Sexual assault offences (include FDV and non-FDV related). <p>For the purposes of the NOSPI, sexual assault perpetrated against children is excluded.</p>
<p>Victim risk assessment</p>	<p>A victim risk assessment is the process of identifying the presence of a risk factor and determining potential consequences and their timeframe and likelihood. A victim risk assessment includes an assessment for women and any children. Ideally, a victim risk assessment should be dynamic, and is typically conducted at multiple points of the perpetrator accountability system. This is to ensure the continuing relevance and effectiveness of the risk assessment. It will include those subsequent risk assessments undertaken after the initial report. For example, while a perpetrator is still awaiting the start of a program and during the program, the risk of harm to the victim and children is still being assessed.</p> <p>Risk assessments for women and children victims of family violence are currently not standardised across Australia, but as a minimum they must be informed by:</p> <ul style="list-style-type: none"> • evidence-based methods which can identify factors associated with further family and domestic violence • the risk assessor’s professional judgement based on the information provided by the victims and their situation and the victim’s own risk assessment of their safety. <p>In practice a dynamic risk assessment tool is not always used, but rather an initial risk assessment is taken at a point in time in each sector of the perpetrator accountability system. To be included in this indicator, the victim risk assessment should be undertaken in response to a report of FDV being made to justice/judicial system or mainstream services.</p>

Term	Definition
<p>Legal consequences/ action</p>	<p>For the purposes of the NOSPI, legal consequences are legal actions initiated against the alleged perpetrator in relation to a FDV or sexual assault offence. This can include court and non-court actions (as defined by the ABS).</p> <p>For police—court actions include the laying of charges against an alleged perpetrator that must be answered in court. Perpetrators may be taken into custody, granted bail or issued with a summons for these charges pending an appearance in court. Non-court actions include legal actions such as informal or formal cautions/warnings, conferencing, counselling.</p> <p>For court—this includes an outcome of criminal proceedings in which a court accepts that a charge is proven through a guilty plea entered by a defendant or the defendant is found guilty by the court.</p>
<p>Breach of violence and non-violence restraining orders</p>	<p>This is defined as an act or omission breaching the conditions of a violence or nonviolence related restraining order where there is a legal consequence/ action. This is further specified under ANZSOC Subdivision 153, which includes the Groups: Breach of violence order (1531) and Breach of non-violence order (1532).</p>

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Annex A: States and Territories

Headline narrative reporting

New South Wales (NSW)

In September 2015, the Premier's Priority to Reduce Domestic Violence Reoffending within 12 months was announced. This increased the focus on perpetrators of Domestic and Family Violence (DFV), and consideration of what can be done to change abusive behaviour and reduce reoffending.

The various initiatives that New South Wales is undertaking to address violence against women and to hold perpetrators to account are outlined below.

Headline Standard 1: Women and children's safety is the core priority of all perpetrator interventions

a) Assessing a perpetrator's risk of committing further violence

New South Wales police are guided by the *New South Wales Police Force standard* and mandatory use of the *Domestic Violence Safety Assessment Tool (DVSAT)* and the mandatory reporting guide. The DVSAT was developed so that police officers and service providers could accurately and consistently identify the degree of risk of future harm to domestic violence victims in both intimate partner and non-intimate relationships. Since 1 July 2015, it has been mandatory for police officers attending domestic violence related incidents anywhere in New South Wales to administer the DVSAT to victims.

b) Monitoring changes in the perpetrator's risk of committing further violence

In April 2016, the New South Wales Government commenced the *Domestic Violence Disclosure Scheme (DVDS)* in four pilot sites. The Scheme allows a person who has concerns about their current or former partner, or concerned third parties, to apply at a participating police station to receive information on whether their current or former partner has a history of domestic violence or any other relevant offences. The DVDS is a tool in a suite of options within NSW that supports and enables those experiencing DFV to make informed decisions about their safety, to seek assistance, undertake safety planning, or decide whether to remain in the relationship.

c) Perpetrator interventions should support victims

The New South Wales *Safer Pathway* program was launched in September 2014. Safer Pathway is a streamlined and integrated approach to safety assessment, referrals and service coordination for victims of domestic violence. Domestic violence victims across New South Wales receive consistent, effective responses, regardless of where they live. This is achieved by: consistently assessing the threat to victims' safety; providing a single contact point for victims to access the support they need more easily and reducing the need to repeat their story; and working together to provide victims at serious threat of harm due to domestic violence with a targeted, priority response. By June 2016, four Safety Action Meeting sites were established in New South Wales. By the end of 2018, there will be 49 Safety Action Meeting sites established in New South Wales. The NSW Police Force routinely refers victims identified as being 'at serious threat' to support services and assesses the risk of harm to children.

Headline Standard 2: Perpetrators get the right interventions at the right time

a) The system intervenes early to ensure perpetrators get the right interventions at the right time

The New South Wales Government committed targeted funding of \$5.28 million over three years to pilot four community-based men's behaviour change programs (MBCPs) to support men to take responsibility for their behaviour and stop using violent and abusive behaviour in domestic and family relationships. The pilot programs provide:

- more extensive direct support for women,
- indirect support to children via women receiving support,
- more direct individual support to men to complement the group programs,
- the expansion of capacity-building initiatives in the sector and
- the provision of education programs to the broader community.

The programs will respond to the diverse needs of participants and their partners, meet the NSW Minimum Standards for Men's Behaviour Change Programs and better determine the sector benchmarks for quality practice.

In June 2016 new funding of \$8 million was announced for community-based perpetrator interventions to enhance existing and expand non-government organisation (NGO) led programs targeting perpetrators of DFV.

Intervening with first time offenders is a key way to reducing the risk of further or escalating violence. In 2016, a manual Person of Interest (POI) police referral pilot program commenced in New South Wales, designed to intervene with perpetrators at their earliest contact with the criminal justice system (even if charges are not laid).

This pilot was conducted in six police Local Area Commands (LACs), and required police in each LAC to record and provide details of all consenting male POIs identified in family violence incidents to the Men's Telephone Counselling & Referral Service, who would then contact each POI by telephone within two days to offer services.

b) Perpetrators face appropriate justice and legal consequences for their violence

On 1 June 2015 the New South Wales Government introduced Domestic Violence Evidence in Chief (DVEC). DVEC allows a video-recorded statement taken by police from a domestic violence complainant to be admissible as the complainant's evidence in chief in domestic violence offence proceedings. The objectives of DVEC are to improve victim participation in, and experience of, the criminal justice process, reduce the time it takes courts to hear domestic violence matters and increase conviction rates.

In June 2016 the New South Wales Parliament passed the Crimes (Domestic and Personal Violence) Amendment (Review) Act 2016 to expand domestic violence offences to all New South Wales and Commonwealth criminal offences where the defendant coerces, controls or causes the victim to fear for their safety. The amendments also broadened the definition of 'domestic relationship' and introduced plain English apprehended domestic violence orders (ADVOs) to increase defendants' understanding of and compliance with orders.

Headline Standard 4: Perpetrators participate in programs and services that enable them to change their violent behaviours and attitudes

a) Participation in Perpetrator Programs

Throughout Australia, corrections agencies fund mandated criminogenic and psychoeducational programs both within corrections settings and in the community. A key intervention used by New South Wales and Tasmania is EQUIPS (“Explore, Question, Understand, Investigate, Practice and Succeed”), which targets those offenders identified at a medium to high risk of re-offending. This suite of programs was developed and licensed by Corrective Services New South Wales. The EQUIPS Domestic Abuse Program is based on a psycho-behavioural framework and has strong therapeutic influence in its delivery. It has a strong emphasis on inviting perpetrators to accept responsibility for their offending behaviour and encourages them to increase their level of accountability to the wider community.

As perpetrators of violence against women can present with complex problems, they are also able to attend programs that address substance abuse or address parenting. The EQUIPS suite of programs, which includes drug and alcohol addiction as well as aggression programs, are available in New South Wales Correctional Services and Community Corrections. New South Wales offers the Violent Offender Therapeutic Program in custody as an intensive program addressing all types of violence including family and domestic violence.

b) Participation and completion of programs for perpetrators of sexual assault

Adult sex offender programs delivered in correctional settings are often tailored to whether the sex offender is assessed as a high or low risk of re-offending. Corrective Services New South Wales operates the programs for perpetrators of sexual assault:

- PREP – Preparatory Program for Sexual Offenders
- CUBIT – Custody-Based Intensive Treatment (CUBIT) Program
- CORE – CUBIT Outreach
- Deniers Program
- Custody-based Maintenance Program
- Self-regulation Program: Sexual Offenders
- Community-based Treatment Group
- Community-based Maintenance Program
- Community-based Risk Management Intervention

They are designed to help participants work intensively on changing the thinking, attitudes and feelings that led to their offending behaviour. There are separate programs to prepare, motivate, treat and then maintain the treatment gains of sexual offenders.

During this time, individuals will work on understanding and taking responsibility for their offending behaviour; they will examine victim issues; identify their offence pathway; and, develop self-management plans to assist them in living an offence-free and more satisfying life in the future.

Headline Standard 6: People working on perpetrator intervention systems are skilled in responding to the dynamics and impacts of domestic, family and sexual violence

The Minimum Standards for Men's Domestic Violence Behaviour Change Programs in New South Wales state that 'challenging domestic and family violence requires a sustained commitment to professional and evidence-based practice' and contains supporting standards for facilitator knowledge, training and supervision requirements and standards to ensure culturally competent practice and ensuring providers have procedures to prevent collusion.

New South Wales is delivering the Workforce Development Strategy for the Men's Behaviour Change sector using funding from the NSW Government and NOSPI. The five year strategy develops and delivers education and training for men's behaviour change (MBC) practice, to build a skilled workforce and support the delivery of community-based men's behaviour change programs (MBCPs) in NSW.

During 2015 – 2016, Community Corrections within the New South Wales Government launched two new resources for staff. The *Community Corrections Officer Handbook* outlines the theory and skills required for Community Corrections Officers to be effective change agents for offending behaviour. A two-day staff seminar in 2015 reinforced the concepts addressed in the handbook. Secondly, the *Practice Guide for Intervention* provides a clear, evidence-based structure for supervision and aims to improve the integration of supervision and the content of the EQUIPS group programs. During 2015 – 2016, the state-wide programs team had a 25% increase on the previous year for facilitators participating in program training.

Victoria

In February 2015, Victoria launched Australia's first Royal Commission into Family Violence (the Royal Commission). The Royal Commission was tasked with investigating cross-sector responses to family violence in Victoria and with finding solutions to prevent family violence, better support victim survivors, and hold perpetrators to account. The Royal Commission made 227 recommendations, which the Victorian Government is implementing through its ten-year reform agenda, *Ending Family Violence: Victoria's Plan for Change*.

Victoria's Plan for Change is an outcome-based reform agenda and is underpinned by Victoria's Family Violence Outcomes Framework. The Outcomes Framework clearly outlines Victoria's priorities in preventing and responding to family violence, why these priorities matter and what constitutes success in achieving these outcomes. There has been significant research to improve our understanding of family violence. We are committed to improving our data in conjunction with reforms to a whole of system response to family violence to allow us to measure success in achieving outcomes and provide evidence of what works – and what doesn't – in delivering our vision of a Victoria free from family violence.

The following paragraphs provide a snapshot of activities Victoria was undertaking in 2015–16 under each Headline Standard. For information on Victoria's broader family violence reforms underway please visit: <https://www.vic.gov.au/familyviolence.html>

Headline Standard 1: Women and their children's safety is the core priority of all perpetrator interventions

*Victoria is committed to ensuring that women and their children's safety is a priority in all perpetrator interventions. This includes the ability to **assess, monitor and respond to a perpetrator's risk of committing further violence**, and ensuring that **perpetrator interventions support victims**.*

In 2015–16, in response to Royal Commission recommendations, Victoria completed a review of the Family Violence Risk Assessment and Risk Management Framework (commonly referred to as the common risk assessment framework, or the CRAF) to ensure that risk assessment tools, practice guidance and support for implementation and embedding is provided across the family violence service system. This is now being redeveloped to inform the Multi Agency Risk Assessment Model, or MARAM.

In June 2016, Victoria rolled out 18 Risk Assessment and Management Panels (RAMPs). By supporting agencies to work together, RAMPs better facilitate the safety of family violence victim survivors, and focus on men who pose serious and imminent threat, preventing them from perpetrating harm and holding them accountable for their actions.

Responding to Royal Commission recommendations, in 2016 Victoria commenced work to create a Family Violence Information Sharing Scheme under the *Family Violence Protection Act 2008* to support greater awareness of, and sharing of information relevant to, family violence risk assessment and management. This Scheme commenced on 26 February 2018, for an initial tranche of workforces. In recognition of the importance of information sharing, and to drive collective efforts to improve information sharing in Victoria, Victoria's Family Violence Outcomes Framework also includes a commitment to increase sharing of information which is material to assessing and responding to family violence risk.

Initiatives were also developed to ensure that perpetrator interventions support victims. In 2016, Victoria Police released a revised *Code of Practice for the Investigation of Sexual Offences*.

This Code underpins the practice of specialist victim-centric Sexual Offences and Child Abuse Investigation Teams, governing Victoria Police's response to sexual crime. This response aims to increase the confidence of victims and the public in police management of sexual crime and minimise trauma experienced by sexual crime victims during an investigation. Victoria Police's *Code of Practice for the Investigation of Family Violence* governs the police response to family violence incidents and aims to maximise the safety and support provided to victims, including referrals to specialist support services.

Headline Standard 2: Perpetrators get the right interventions at the right time

*Victoria's reforms prioritise **timely, tailored and early intervention** to ensure perpetrators get the right interventions at the right time; and collaboration across agencies to keep perpetrators **accountable** and **in view**.*

Victoria's Family Violence reform agenda and Outcomes Framework are designed to ensure that services work together and share information to provide a coordinated, quality response to people and families, informed by dynamic risk assessment and sensitive to people's diverse needs. They also include a commitment to ensure that initiatives which respond to family violence are accessible and available in the right place at the right time to better protect and support victims, manage risk, and prevent the escalation of a perpetrator's offending.

Following the Royal Commission, in 2016 Victoria commenced planning for the implementation of Support and Safety Hubs. The Hubs will give families the help they need to stay safe, and act as a centralised point for coordination with police, courts, child protection, health practitioners and other services. Part of the Hubs' focus is on perpetrators of family violence, to keep them in view and to connect them to services that assist in holding them accountable for their actions and changing their behaviour. Victoria launched its first Hub in May 2018.

In 2016, Victoria commenced work to strengthen court-based responses by amending the *Family Violence Protection Act 2008* to extend the first mention date regarding a Family Violence Intervention Order from five working days to 14 calendar days. This is to allow more time to improve the quality of information provided to courts, and to enable victims and perpetrators to seek appropriate support.

In 2015–16, Victoria also piloted the Fast Track Initiative in selected Magistrates' Courts. The pilot established swift timeframes for police listing family violence-related criminal matters in the courts, to improve timeliness of police and court criminal justice responses, increasing perpetrator accountability and supporting victim safety and engagement.

To support working together and sharing information, and in response to the Royal Commission's recommendations, in 2016 Victoria commenced work to amend the *Family Violence Protection Act 2008*, to establish the Family Violence Information Sharing Scheme and a secure Central Information Point. The Scheme will permit information material assessing, monitoring or managing a perpetrator's risk of offending or reoffending to be shared between a select group of prescribed information sharing entities. The Central Information Point will enable effective and timely sharing of information for core agencies and will support the work undertaken by the Support and Safety Hubs. The amendments, which were passed in 2017, help ensure that appropriate information about perpetrators can be shared between the right entities at the right time, allowing for better management of risk, more timely interventions, and better protection for women and their children.

Victoria has an Integrated Family Violence (IFV) response where services work together to improve the safety of women and children experiencing family violence and to hold perpetrators to account for their use of violence. A key component of the IFV response is the Case Management Support

program. The program engages with men who are removed from the family home by providing timely case management to assist them to take responsibility for their use of violence and mitigate the risks of re-offending.

In December 2015, Corrections Victoria launched its Family Violence Service Reform Strategy 2015–16, designed to improve how perpetrators of family violence are identified and the delivery of targeted family violence programs and services to perpetrators. In February 2016, Corrections Victoria implemented its Offending Behaviour Programs Specialist Family Violence Service Pathway, which articulates services to be provided to prisoners and offenders who are identified as perpetrators of family violence.

The Magistrates' Court of Victoria has a specialist family violence response available in four locations. These comprise of Specialist Family Violence Magistrates, Family Violence Registrars, and court-based Family Violence Applicant and Respondent Practitioners (FVRPs) who provide information and support to perpetrators in Family Violence Intervention Order proceedings, focusing on the court process, safety planning and referrals to community and family violence support services and programs. In these locations, FVRPs also assess the eligibility of these perpetrators to attend Men's Behaviour Change Programs (MBCPs), which may then be court mandated through Counselling Orders and monitored for completion. In line with Royal Commission recommendations, in 2016 Victoria commenced work to expand its suite of tailored interventions for perpetrators, through developing and trialling alternative or additional interventions which address perpetrators' diverse and complex needs and circumstances.

Victoria's Court Integrated Services Program provides short-term assistance to people charged with a criminal offence, including family violence perpetrators, prior to sentencing to address the underlying cause of offending behaviour. Individual case management of perpetrators seeks to reduce further family violence risk by holding perpetrators to account and motivating change, while addressing family violence and co-occurring risk factors.

The Royal Commission recommended that the Government work in partnership with Aboriginal communities to ensure that all Aboriginal family violence interventions are carried out and evaluated in a culturally appropriate manner. Further, the Royal Commission recommended the prioritisation of funding for Aboriginal controlled organisations.

Headline Standard 3: Perpetrators face justice and legal consequences when they commit violence

*Victoria is committed to delivering a system that is **responsive, appropriate, accessible** and centred on **shifting the burden** from women and their children to protect themselves*

Victoria's reform agenda aims to ensure perpetrators face appropriate justice and legal consequences for their violence. In 2016, work commenced to amend the *Family Violence Protection Act 2008* to enable an alternative service of applications for family violence intervention orders, and providing for self-executing interim family violence orders. Other changes to legislation include the *Crimes Amendment (Sexual Offences and Other Matters) Act 2014*, which commenced operation on 1 July 2015. This legislation makes a number of improvements to Victoria's sexual offence laws including: providing a clear, simple and consistent drafting style for the offences of rape and sexual assault; a new fault element in rape and sexual assault; improving jury directions; and the introduction of a new 'course of conduct charge', which will assist in the prosecution of people who engage in repeated and systematic sexual abuse over a period of time.

Victoria's reform agenda and Family Violence Outcomes Framework include commitments to ensuring that the system takes responsibility for managing risk, instead of placing the onus on victim survivors, children and young people. Victoria's information sharing reforms, which enable information material assessing, monitoring and managing family violence risk to be shared between prescribed information sharing entities, are a critical driver for shifting the burden from women and children across the perpetrator accountability system. Victoria also committed to improving the justice response to family violence by enabling an information-sharing link between Victoria Police, the Courts, and Corrections Victoria's databases, to ensure that family violence incidents are properly flagged between the systems.

In 2015–16, Victoria also simplified and improved the application process for intervention orders through the development of an alternative online application system that is easy to use, efficient and secure. The new system allows victim survivors to apply in privacy from a mobile phone, computer or tablet, without the need to go to Court. Work also commenced to amend the *Family Violence Protection Act 2008* to establish a rebuttal presumption that children are either included in an affected family member's family violence intervention order or protected by a separate order of their own.

The Royal Commission noted that child protection traditionally placed responsibility upon the parent-victim of family violence to ensure the safety of her children as well as maintain her own. As a result of the Royal Commission, refined child protection policy and practice has required increased engagement by practitioners with the perpetrator of family violence to address his violent behaviour and its impact on children and the family.

In 2015, Victoria Police established the Family Violence Command Taskforce to extend and complement the investigative response to serious family crime. The Taskforce focuses on identifying high-risk perpetrators responsible for serious family crime, which may include historical or unreported offences committed against multiple victims.

In 2016, the Royal Commission made a recommendation that the Director of Public Prosecutions seek a guideline judgement from the Court of Appeal in relation to sentencing for family violence offences, and for the Sentencing Advisory Council to report on the desirability of, and methods for, accommodating a 'swift and certain justice' approach to family violence sentencing.

Headline Standard 4: Perpetrators participate in programs and services that enable them to change their violent behaviours and attitudes

*Part of Victoria's commitment to ending family violence includes the design and delivery of appropriate impactful programs that **challenge** perpetrators' attitudes and **change their behaviour**.*

In Victoria, the Royal Commission recommended an improved process for monitoring attendance at behaviour change programs, and that programs be expanded to meet demand. In 2015–16, Victoria's community-based Men's Behaviour Change Programs (MBCPs) were funded and coordinated by the Department of Health and Human Services. DHHS increased access to existing perpetrator programs to meet demand for both voluntary and mandated MBCPs. Funding and coordination of Victoria's community-based MBCPs is now the responsibility of Family Safety Victoria.

Under Victoria's *Family Violence Protection Act 2008*, family violence specialist courts may make counselling orders which mandate attendance at MBCPs. In 2015–16, Corrections Victoria also provided two specialist family violence interventions for perpetrators: MBCPs and the *Change About* Program, an offence-specific therapeutic intervention that seeks to address criminogenic needs related to family violence reoffending.

Headline Standard 5: Perpetrator interventions are driven by credible evidence to continuously improve

*In line with the Government's evidence and outcomes-based reform agenda, Victoria is committed to measuring the **progress** and **impact** of perpetrator interventions for perpetrators to foster **continuous improvement**.*

Several of the recommendations of the Royal Commission emphasised the need for improved perpetrator interventions through research, trials, evaluation and dedicated funding. In 2016, Victoria established the *Expert Advisory Committee on Perpetrator Interventions* (the Committee), to provide expert advice on the suite of interventions that should be available in Victoria to hold perpetrators at all levels of risk to account. The Committee is due to provide its final report to the Victorian Government in mid-2018.

Victoria also developed the Victorian Family Violence Outcomes Framework, which underpins *Victoria's Plan for Change* and articulates what constitutes success in responding to family violence. Measuring progress against the Family Violence Outcomes Framework will provide evidence about the outcomes achieved through Victoria's response to family violence for victims, perpetrators and diverse cohorts. It will demonstrate the impact and effectiveness of perpetrator interventions, and allow for targeted focus of efforts and investment in interventions that are proven to be most effective.

Headline Standard 6: People working in perpetrator intervention systems are skilled in responding to the dynamics and impacts of domestic, family and sexual violence.

*Victoria is committed to developing a **capable, qualified, professional** and **diverse** workforce with responsibility for preventing or responding to family violence including perpetrator interventions, police, legal and justice services, and universal and secondary service systems.*

In response to the Royal Commission's recommendations, Victoria commenced a review to update the minimum standards for men's behaviour change programs. The Royal Commission also recommended the development of a family violence 10-Year Industry Plan to pave the way for a more systematic approach to workforce planning and development of the specialist family violence and primary prevention sectors, and to strengthen workforce capability with regard to family violence across community services, justice, health and education sectors. *Building from Strength: 10-Year Industry Plan for Family Violence Prevention and Response* was launched in 2017.

In response to the Royal Commission's recommendation to map the roles and responsibilities of all organisations in contact with perpetrators, the Victorian Government commissioned the Centre for Innovative Justice, RMIT University, to provide an overview of the pathways that perpetrators can take through the service system. Published in 2016 the report, *Pathways towards accountability: mapping the journeys of perpetrators of family violence*, gave the family violence sector a sophisticated understanding of how and when the sector engages with perpetrators as they progress through the system. Improving this understanding is crucial to ensure better coordination amongst agencies – and thus provide better protection for victim survivors and their children.

Queensland

In 2015, the Special Taskforce on Domestic and Family Violence in Queensland was established, chaired by former Governor-General of Australia, the Honourable Quentin Bryce AD CVO, to advise on how government, the police and community could work together to tackle domestic and family violence across the state.

Following the handing down of the Taskforce report *Not Now, Not Ever: Putting an End to Domestic and Family Violence in Queensland*, the Queensland Government accepted all 121 recommendations for government and committed to supporting the 19 nongovernment recommendations.

In 2016, the Queensland Domestic and Family Violence Prevention Strategy 2016–2026 and the first action plan were released, outlining work to be done to deliver on government recommendations under three foundational elements: shifting community attitudes and behaviours; enhancing service responses; and strengthening justice system responses.

In 2016, Queensland also released the Violence Against Women Prevention Plan 2016–2022, which together with the Domestic and Family Violence Prevention Strategy 2016–2026, outlines Queensland's approach to end all forms of violence against women.

Headline Standard 1: Women and children's safety is the core priority of all perpetrator interventions

a) Assessing a perpetrator's risk of committing further violence

In Queensland, data can be sourced from the information recorded during the investigation and assessment of notified concerns in the child safety context, through a family risk evaluation tool relating to the household. The experience of DFV is noted if the household had experienced two or more instances of DFV during the previous 12 months, including all physical assaults and periods of intimidation, threats or harassment between parents or between one parent and another adult in the home. There are likely to be some notifications where a family risk evaluation was not required to be completed, such as where the child/family was not able to be located.

In 2015–16, to support its integrated service response initiative, Queensland commissioned the Australian National Research Organisation for Women's Safety (ANROWS) to provide advice on an evidence based risk management framework, including a common risk assessment and safety planning tool, cross-agency information sharing guidelines, supporting professional tools and a model for the establishment of high risk teams. The common framework and tools are being used at three integrated service response trial sites across Queensland from August 2017. This is in addition to the ongoing funding for delivery of court support services, provided to both victims and perpetrators, to assist them in navigating the court process, understand outcomes and access support services.

b) Monitoring changes in the perpetrator's risk of committing further violence

Legislative changes were progressed in 2016, to allow for streamlined information sharing between prescribed entities, such as police, housing, health, child protection and specialist domestic and family violence services. The amendments allow for relevant information sharing for the purpose of assessing and managing serious risk and support the functioning of high-risk teams, commencing in 2016–17.

c) Perpetrator interventions should support victims

In Queensland, police referral of at-risk and vulnerable community members to support services is an embedded strategy of frontline operational policing. Additionally, a dedicated police officer is provided to support Victim Assist Queensland, which operates within the Department of Justice and Attorney-General. The Victim Assist scheme provides financial assistance and access to support services to help victims of violent crime, including sexual offences and domestic and family violence. *Interagency Guidelines for responding to people who have experienced sexual assault* have been in use in Queensland since 2001 (and revised in 2014). The guidelines were developed by a cross agency working group to promote whole-of-government interagency cooperation and service coordination with the aim of improving governmental responses to victims of sexual assault.

d) Perpetrator interventions should provide opportunities for ongoing partner contact where appropriate and safe

In Queensland, practice standards for working with male perpetrators include requirements for a women's advocate to support partners of those participating in the program. These positions also support information sharing with program facilitators to enhance victim safety and perpetrator accountability.

Headline Standard 2: Perpetrators get the right interventions at the right time

a) Systems working together to keep perpetrators in view and engaged in behaviour change

As reported under Headline Standard 1, in 2016 Queensland progressed legislative changes to allow for more streamlined information sharing across all relevant agencies, including amendments to allow prescribed entities and specialist domestic and family violence services to share referral information and support the functioning of high risk teams due to commence in 2016–17. In early 2016, Queensland also undertook community consultation and development to design its first integrated service response trial site in Logan-Beenleigh.

b) The system can be tailored to ensure perpetrators get the right type of interventions at the right time

Identifying perpetrators of domestic and family violence within the corrections setting is also important, even if they are incarcerated for a non-domestic and family violence offence. In December 2015, Queensland revised the eligibility criteria for prisoners serving less than 12 months imprisonment (for domestic and family violence related offences) to enable them to access therapeutic intervention programs. Prisoners, including those on remand, are now able to participate in programs regardless of sentence length (providing they have enough time in custody remaining to complete the program).

c) The system ensures that perpetrators with diverse backgrounds or with diverse circumstances get the right interventions at the right time

Queensland provided funds to the Griffith Youth Forensic Services to provide specialised assessment and treatment services to young Indigenous Queenslanders in remote communities across the state, who have been convicted of a sexual offence, with the aim of preventing reoffending. Its field-based clinical services are provided by a team of psychologists, delivering individualised, multi-systemic assessment and treatment. Delivery is supported by: a strong focus on building staff cultural proficiency and cultural knowledge at a clan or Indigenous nation level; integrating Indigenous worldviews and cultural explanations for Western concepts; engaging in authentic, community and family-wide engagement; and the identification of cultural consultants for each client.

The Helem Yumba – Central Queensland Healing Service provides specialised family violence services to Indigenous people living in Rockhampton, Woorabinda and Mt Morgan through a whole of family context. The service to perpetrators is delivered through a combination of traditional, contemporary and alternative therapeutic methods. Central to the response is the Gatharr Weyebe Banabe Program (in the Darumbal language this means Aboriginal man’s life change), which is underpinned by Indigenous values and protocols and is compatible with ways in which Indigenous peoples interact and engage, acknowledging and respecting men’s business, women’s business, family business and community business. Men are supported by a psychologist and a counsellor during the program which includes individual and group sessions.

Headline Standard 3: Perpetrators face justice and legal consequences when they commit violence

a) Shifting the burden from women and their children to protect themselves

There has been a shift towards recognising that domestic and family violence is often identified through patterns of behaviour, rather than as individual incidents. In December 2015, legislation enabled the domestic and family violence context of criminal offending to be recorded on an offender’s record, ensuring patterns of behaviour of those who commit acts of domestic and family violence are clearly evident to police officers and courts. Since January 2016, Queensland courts have been required to hear cross applications together to ensure the people most at risk are identified and protected.

Headline Standard 4: Perpetrators participate in programs and services that enable them to change their violent behaviours and attitudes

a) Participation in Perpetrator Programs

The Queensland Government funds community-based and mandatory perpetrator interventions across the state. In 2015–16, it allocated \$3.6 million to community-based perpetrator intervention services.

In the Corrections context, the Domestic Violence Prevention Centre has worked in close partnership with the Queensland Government since 2000, to deliver the Men’s Domestic Violence Education and Interventions Program (MDVEIP). This is a 27-week program available to offenders under community-based supervision. The program is based on the Duluth Model and is aimed at working with men to address their domestic and family violence offending behaviour and increase the safety of women and their children. The model prioritises a community commitment to hold men accountable for their future use of violence, relying on an integrated response to violence.

Perpetrators deemed ineligible for the service are generally assessed on a case-by-case basis to establish what other type of intervention should be the priority. Following involvement in priority programs, if the perpetrator has time remaining on their order, they may be reassessed for eligibility. Alternatively, perpetrators can sometimes also be referred to selected providers to address other issues and needs.

b) Participation and completion of programs for perpetrators of sexual assault

Adult sex offender programs delivered in correctional settings are often tailored to whether the sex offender is assessed as a high or low risk of re-offending. In Queensland, low to moderate intensity sexual offending programs are delivered in both the community (Probation and Parole Service) and in custody. For example, the Getting Started Preparatory Program, the Moderate Intensity Sex offender Program and the Sex Offender Maintenance Program are delivered in both settings. High intensity programs are only delivered in custody. In 2016, Queensland began funding individual specialised psychological services for sex offenders both in community and in custody. This treatment pathway is targeted at offenders who have barriers to participating in group programs.

Headline Standard 5: Perpetrator interventions are driven by credible evidence to continuously improve

Perpetrator intervention programs funded by Queensland Corrective Services, delivered in correctional settings, are funded based on a requirement they undergo initial accreditation processes, evaluated by a panel against the National Offender Program Accreditation Standards, and participate in quality monitoring. The Department of Communities, Disability Services and Seniors and Department of Child Safety, Youth and Women require their funded services to be assessed under the Human Services Quality Framework and associated Human Services Quality Standards, which have a continuous improvement focus. Continuous improvement is also a feature of the Queensland's *Professional Practice Standards – Working with men who perpetrate domestic and family violence*.

An opportunity to intervene early can also be identified through child protection assessments. The *Queensland Domestic and Family Violence Prevention Strategy 2016–2026* has a significant focus on increasing access to evidence-based perpetrator programs over time, and in 2015–16. The Walking with Dads initiative was commissioned to engage with fathers known to Child Safety, who are perpetrators of domestic and family violence, and to hold them to account, support them to change their behaviour and establish safe relationships with their children. (The initiative commenced in Gympie, Caboolture and Caloundra in October 2016 and in Mount Isa in early 2017).

Headline Standard 6: People working on perpetrator intervention systems are skilled in responding to the dynamics and impacts of domestic, family and sexual violence

Queensland recognises quality perpetrator interventions are a key component of a best practice integrated service response to domestic and family violence. Queensland's *Professional Practice Standards: Working with men who perpetrate domestic and family violence*, contain detailed requirements in relation to facilitator qualifications and experience.

Western Australia

The various initiatives that Western Australia is undertaking to address violence against women and to hold perpetrators to account are outlined below.

Headline Standard 1: Women and children's safety is the core priority of all perpetrator interventions

a) Freedom From Fear Action Plan 2015

In 2015–16 the Department of Communities (Child Protection and Family Support) launched the Freedom from Fear Action Plan 2015, which outlined 20 actions across five priority areas. The focus of the action plan is to increase the safety of women and children who are at risk of or experiencing family and domestic violence, by strengthening integrated, accountable and effective interventions for perpetrators of violence and abuse. Priority areas specifically linked to perpetrators include commitments to trial and evaluate innovative approaches to perpetrator intervention, promote consistent quality practice in engaging and responding to men who use violence and increase the capacity and authority of the service system to stop perpetrators of family and domestic violence when they are identified.

b) Family and Domestic Violence Common Risk Assessment and Risk Assessment Framework

In Western Australia, a *Family and Domestic Violence Common Risk Assessment and Risk Assessment Framework* is used. The Framework sets standards for services in screening, risk assessment and management when responding to individuals and families experiencing family and domestic violence. A second edition was published in 2015 and included an update to strengthen practice guidance about engaging and responding to perpetrators. Service providers must attempt to engage proactively with the perpetrator about his use of violence where appropriate and safe to do so.

c) Family and Domestic Violence Response Teams

Family and Domestic Violence Response Teams operate throughout the state to provide a coordinated risk assessment and integrated, multi-agency response (as required) to families who have received a police call out for DFV. This includes providing a holistic, safe and accountable response to both victims and perpetrators. These response teams are a partnership between the Department of Communities, Western Australia Police Force and state DFV service providers. These agencies and non-government service providers share information through a specifically designed portal to enable each organisation access to relevant information on cases of family and domestic violence, to provide a coordinated and streamlined response for both victims and perpetrators. In addition, multi-agency case management is instigated for high-risk cases where further agencies and service providers meet to share information to ensure an effective response is provided.

d) Practice Standards for Perpetrator Interventions

Western Australia is working towards practice standards for perpetrator interventions, including minimum standards for men's family and domestic violence behaviour change programs and outcome standards for perpetrator interventions, with the launch of the *Practice Standards for Perpetrator Intervention: Engaging and Responding to Men who are Perpetrators of Family and Domestic Violence* on 1 December 2015. These standards include working towards MBCP's

having partner support workers who provide emotional and practical support to the partners of perpetrators. These partner support workers may be provided by the program provider or an external agency and will work closely with the behaviour change facilitators to support victim safety and the management of risk.

Headline Standard 2: Perpetrators get the right interventions at the right time

a) Men's Domestic Violence Helpline

The Men's Domestic Violence Helpline is a state wide 24 hour service. This service provides counselling for men who are concerned about their violent and abusive behaviours. The service can provide telephone counselling, information and referral to ongoing face to face services if required. The helpline provides information about accessing legal advice, accommodation and other support services for people who have been served with a violence restraining order. A telephone based interpreting service is available if required.

b) Indigenous specific programs

In Western Australia, Indigenous specific programs include the mandated Indigenous Family Violence program and the voluntary Indigenous Family Violence – Community program funded by the Department of Justice and run by Communicare to support men to address violence within Indigenous families. The program covers topics such as the cultural context of violence, intergenerational aspects of violence, the law and family violence, anger management, substance abuse, motivation, equality in relationships, cognitions, relationships, conflict resolution and Indigenous spiritual healing. The objectives of the programs include reinforcing that family violence is a crime and is not acceptable; challenging the attitudes and behaviours that allow violence and abuse to occur; developing the capacity to accept responsibility for the violence committed and providing new skills and strategies required to cease violent behaviours.

c) *Restraining Orders and Related Legislation (Family Violence) Amendment Act 2016*

On 1 July 2017, amendments to the Restraining Orders Act 1997 (WA) came into force which include the ability for the court to make a Behaviour Management Order requiring family violence perpetrators to attend a behaviour change program, or other perpetrator intervention program, as an adjunct to a civil Family Violence Restraining Order. The orders will become available once specific court locations have been prescribed and programs approved and funded.

The core priority of this new regime of Behaviour Management Orders is victim safety. At the end of the program, the provider must provide a report which must incorporate the views of the victim as to whether the program has been effective and whether the respondent is still a safety risk to the victim or other family members.

These orders are aimed at tackling the causes of violence rather than responding to the consequences. They are premised on the 'web of accountability' concept and ensure that courts have the right tools available when a perpetrator comes before them in the context of a restraining order application; that is, they can maximise the opportunity to interrupt the cycle of violence, encourage the perpetrator to take responsibility for their violence, monitor them and keep them in view.

Headline Standard 3: Perpetrators face justice and legal consequences when they commit violence

a) Restraining Orders and Related Legislation (Family Violence) Amendment Act 2016

Work towards the introduction of specific Family Violence Restraining Orders progressed in 2015–16, with the *Restraining Orders and Related Legislation (Family Violence) Amendment Act 2016* being passed by the WA State Parliament in October 2016.

The legislation overhauled the *Restraining Orders Act 1997* to provide better protection for victims of family violence by creating a separate type of Family Violence Restraining Order (FVRO), supported by contemporary definitions for family and domestic violence and tailored conditions for perpetrators to support victim safety.

The legislation contains amendments which will allow the court to order a respondent to an FVRO to attend a behavioural change or intervention program to prevent further family violence from occurring.

Further, in recognition that new technologies have both enabled new ways of abusing and intimidating women, and enabled new means to collect evidence, legislation is being updated to reflect this. For example, FVROs will empower the court to restrain a person from distributing or publishing intimate material and from cyber stalking.

There is also an emphasis in the new legislation on victim safety being considered at each point in the court decision-making process. There is also an emphasis on more holistic justice system support for victim safety (for instance, through allowing expanded victim notification of perpetrator release from imprisonment, and provision for automatic extension of FVROs for two years post imprisonment if the respondent was in custody at the time of the granting of the order). These changes came into effect on 1 July 2017.

b) Family violence support lists

Family violence support lists were developed and trialled from July 2015 and commenced from July 2017 across all metropolitan Magistrates courts. They include dedicated magistrates and victim support and offender management staff.

c) Breaches of intervention orders

For perpetrators who breach intervention orders then there is the presumption of imprisonment for three or more breaches. *Amendments to the Restraining Orders Act 1997 (WA)* tightened the ‘three strikes’ counting rules for repeated breach of a restraining order, to ensure that perpetrators of family violence are held accountable by the justice system.

Headline Standard 4: Perpetrators participate in programs and services that enable them to change their violent behaviours and attitudes

a) Men’s Behaviour Change Programs

Five service providers delivered MBCP in 2015–16, providing perpetrators the opportunity to change their violent behaviours and attitudes. The MBCPs included both mandated and voluntary programs funded by government agencies and run by government and nongovernment service providers.

Communicare runs the Families without Fear program which has both a mandated and voluntary entry pathway as well as the Indigenous Family Violence Program which also has a mandated and voluntary entry pathway. Relationships Australia operates the mandated Men’s Domestic Violence

Program and also the voluntary Family Abuse Integrated Response program. Anglicare WA offers the voluntary Changing Tracks program. Centrecare runs the voluntary Men Choosing Respect program. The Department of Justice operates and contracts non-government services to deliver the mandated Not Our Way program.

Further to this, Breathing Space has offered a three-month residential service since 2004, and in 2015 expanded to deliver transitional support for men requiring housing and support following their attendance in the residential program. Participants who attend and also have recognised Alcohol and Other Drugs issues, are referred to available substance abuse programs, if required.

Headline Standard 5: Perpetrator interventions are driven by credible evidence to continuously improve

a) Family and Domestic Violence Working Group

WA convened a Family and Domestic Violence Data Working Group that includes representatives from government agencies and community sector services to help strengthen WA's evidence base through the collection of relevant data. Part of the role of this group is having a continuous improvement approach towards the implementation of the NOSPI, including the exploration with services about how processes can be improved to support the collection of the indicator data.

b) Stopping Family Violence

During 2015–16, discussions between the Department of Communities (Child Protection and Family Support) and Men's Behaviour Change Program (MBCP) providers recognised the need for perpetrator intervention sector representation within the area of family and domestic violence. The establishment of a network for MBCP providers in WA was integral to supporting the work and ongoing development of perpetrator programs, responses and best practice across the sector as a whole. As a result the Stopping Family Violence service was funded to support the implementation of good practice approaches in responding to perpetrators of family and domestic violence, and commenced operations in November 2016.

South Australia

The various initiatives that South Australia is undertaking to address violence against women and to hold perpetrators to account are outlined below.

Headline Standard 1: Women and children's safety is the core priority of all perpetrator interventions

a) Monitoring changes in the perpetrator's risk of committing further violence

Jurisdictions such as South Australia and Tasmania have facilitated a significant increase in the scope of information sharing between all government and non-government organisations in relation to situations where a perpetrator poses a high risk to the safety and wellbeing of women and children. In 2013, acting on the recognition of the importance of early intervention in domestic and family violence, the South Australian Cabinet broadened the Information Sharing Guidelines aligning information sharing practice across both adult and child services. This permits service providers to share any relevant information about their clients that pertains to the risk of the perpetrator and has the likelihood to contribute to increasing the safety and wellbeing of women and children.

b) Perpetrator interventions should provide opportunities for ongoing partner contact where appropriate and safe

South Australian agencies participating in the implementation of Intervention Orders (Prevention of Abuse) Act 2009 developed the Intervention Orders Response Model (IORM). Since its inception in 2011, the IORM has provided perpetrator intervention through the Court's Administration Abuse Prevention Program, and the Aboriginal and Torres Strait Islander Men's Behaviour Change Program. A core component of both programs is the Women's Safety Contact Program (WSCP), facilitated through Women's Safety Services South Australia (WSSSA). The WSCP can provide support and advocacy for the partners and/or former partners (protected persons) of the men participating in the programs.

Additionally the South Australian Department for Correctional Services and Women's Safety Services South Australia (WSSSA) have developed an integrated model of intervention titled Safety, Accountability and Responsibility Through Integration (SARTI). The SARTI model refers all partners or former partners of perpetrators completing the departmental Domestic and Family Violence Intervention Program to WSSSA for partner contact which includes safety planning, advocacy, support and referral.

Headline Standard 2: Perpetrators get the right interventions at the right time

a) The system can be tailored to ensure perpetrators get the right type of interventions at the right time

In South Australia, perpetrators of domestic and family violence can be mandated to participate in a Men's Behaviour Change Program at multiple points of contact with the criminal justice system from pre-sentencing to post-sentencing. The Magistrates Court of South Australia operates a specialist Family Violence Court (FVC) in 4 metropolitan locations and 4 regional locations, managed by an appointed Magistrate. Specialist police prosecutors have carriage of police issued intervention order matters. The Abuse Prevention Program, operated as part of the FVC, assesses the eligibility of perpetrators to attend the Men's Behaviour Change Program and the Aboriginal and Torres Strait

Islander Men's Behaviour Change Program. Men may be referred through an intervention order and/or bail conditions and as such, may not have been found guilty of a criminal offence. Therefore, these programs have the capacity to provide pre-sentencing intervention for perpetrators of domestic and family violence.

Additionally, the South Australian Department for Correctional Services provides postsentencing perpetrator intervention to men serving a supervised community base order such as a Suspended Sentence or Good Behaviour Bond, and those serving a term of imprisonment. Referral pathways can be generated at various times throughout a man's trajectory through the correctional system, ensuring the option of program participation at multiple stages.

b) The system ensures that perpetrators with diverse backgrounds or with diverse circumstances get the right interventions at the right time

In the South Australian Magistrates Court, the Abuse Prevention Program refers men to Aboriginal-specific interventions if participation in a MBCP is mandated by the Family Violence Court as a condition of an Intervention Order and/or under a bail condition. The Abuse Prevention Program also refers men from culturally and linguistically diverse (CALD) backgrounds, who have limited English language and literacy skills, to counselling services that work with interpreters during individual counselling sessions.

Headline Standard 3: Perpetrators face justice and legal consequences when they commit violence

a) Shifting the burden from women and their children to protect themselves

In 2015, the South Australian Government commenced funding the Women's Domestic Violence Court Assistance Service. This free and confidential service supports women through the courts system, easing the burden of responsibility on women to keep themselves and their children safe and increasing their access to justice. The Legal Services Commission also provide Legal Officers at various court locations state wide, who offer support and advocate on behalf of women who may have difficulty applying for an intervention order or reporting a breach.

Additionally, as outlined above, the broadening of the Information Sharing Guidelines ensures that all service providers are aware of the perpetrators risks. This has a two-fold effect in that services working with women are able to assist them with accurate safety planning, whilst services working with men are able to take appropriate steps towards addressing his risk.

b) Perpetrators face appropriate justice and legal consequences for their violence

In South Australia, legislation exists that ascribes power to the Police to remove a perpetrator from the premises when called out to a domestic and family violence incident. The legislation also allows police to issue an on-the-spot interim intervention order to the perpetrator, effective immediately. Subsequent legislation introduced the capacity for Residential Tribunals to remove perpetrators from rental agreements without negative impact for women and their children. In 2015, an amendment to the Intervention Orders (Prevention of Abuse) Act 2009, gave a court the power to order that a defendant, upon breach of an intervention order involving physical violence or the threat of physical violence, pay an amount towards the cost of any treatment program they had been ordered to attend as part of their intervention order. If a perpetrator fails to attend an eligibility assessment and/or the mandated MBCP they can be charged with a breach of an intervention order and face a fine of up to \$1250 or an expiation fee of \$160.

Headline Standard 4: Perpetrators participate in programs and services that enable them to change their violent behaviours and attitudes

a) Participation in Perpetrator Programs

The South Australian Department for Correctional Services (DCS) delivers the Domestic and Family Violence Intervention Program (DFVIP) to men serving sentences in both the correctional and community setting. The DFCVIP is available to male perpetrators identified as having a history of violence and abuse against one or more intimate partners. As outlined previously, the DFCVIP operates under the Safety, Accountability and Responsibility Through Integration (SARTI) Model, in which Women's Safety Services South Australia (WSSSA) provide safety and support services to partners/former partners of the men participating in the DFCVIP.

The Courts Administration Authority in South Australia provides funding to community-based providers to deliver Men's Behaviour Change Programs to perpetrators mandated to participate through an intervention order or bail order. The Abuse Prevention Program is responsible for the assessment, referral and program compliance of all perpetrators mandated to undertake the program. As part of this model partners and/or former partners can be provided with support through WSSSA as part of an integrated response model.

b) Participation and completion of programs for perpetrators of sexual assault

Adult sex offender programs delivered in correctional settings are often tailored to whether the sex offender is assessed as a high or low risk of re-offending. The Sexual Behaviours Clinic in South Australia is a high intensity, group-based criminogenic program designed for offenders assessed as being at moderate or high risk of sexual reoffending. A modified version of the program has also been developed for sex offenders with low cognitive functioning.

Headline Standard 6: People working on perpetrator intervention systems are skilled in responding to the dynamics and impacts of domestic, family and sexual violence

South Australia Police incorporates domestic and family violence training in their recruit training program and further domestic violence investigator training for members working in specialised family violence positions. The courses have been developed in consultation with a number of key stakeholders including government and non-government organisations such as specialist women's domestic violence services. In 2015, South Australia Police developed and delivered a training package for all members titled "Policing Domestic Violence".

In 2015, the Legal Services Commission in South Australia undertook a health justice partnership project that enabled doctors and healthcare professionals to access training to help them better respond to domestic violence cases as well as enabling a special unit of lawyers who can provide mobile legal assistance to women in hospital and domestic violence services.

The aforementioned Abuse Prevention Program that operates within the Family Violence Courts, requires their program facilitators to undergo training through the Victorian No To Violence organisation and/or a 4 day basic training course in Moral Recognition Therapy (MRT) (Domestic Violence). Those facilitators who participate in this MRT training are able to access an advanced 1-day training after completing a year of practice.

In line with the National Outcome Standards for Perpetrator Interventions, South Australia is in the final stages of developing the South Australian Safe Practice Standards for Domestic, Family and Sexual Violence Services and Interventions (the standards). The standards will ensure that those working within perpetrator intervention systems have appropriate qualifications, training and skills to do so effectively.

Tasmania

The various initiatives that Tasmania is undertaking to address violence against women and to hold perpetrators to account are outlined below.

Headline Standard 1: Women and children's safety is the core priority of all perpetrator interventions

a) Monitoring changes in the perpetrator's risk of committing further violence

In 2004, the Tasmanian Government introduced *Safe at Home: Tasmania's integrated criminal justice response to family violence* (Safe at Home). The Safe at Home service system is underpinned by the *Family Violence Act 2004* and is founded on the principle of the 'primacy of safety of the victim', and uses a pro-intervention strategy to realise this principle.

Safe at Home partners include specialist units from the Department of Police, Fire and Emergency Management; Department of Justice; Department of Health and Human Services; Department of Education; and the Legal Aid Commission of Tasmania.

Safe at Home undertakes integrated case coordination of all reported family violence incidents through weekly meetings in the four regions of the state. All new and ongoing cases are discussed at these meetings and actions are determined by the level of risk and safety posed to the victim and their children. A shared case coordination database allows all workers in the Safe at Home system to monitor actions undertaken by each of the Departments.

Since 2015, Safe at Home has been complemented by actions under the *Safe Homes, Safe Families: Family Violence Action Plan 2015–20* (Safe Homes, Safe Families), including a specialist Safe Families Coordination Unit. The Unit is a police led, co-located, collaborative, multi-agency unit that undertakes cumulative assessments of risk and harm and develops recommended actions for Tasmania Police, government agencies and service providers to ensure an informed response to support victims, including children and perpetrators.

The Tasmanian Government has also facilitated information sharing where there are threats to safety and wellbeing through broadening the scope of Information Sharing Guidelines. Information sharing not only keeps women safe through informed risk assessment but also allows various services to respond to the needs of perpetrators and ensure that they are kept in view and are accountable.

In Tasmania, section 37 of the *Family Violence Act 2004* allows for information sharing across government to ensure risk and safety needs are met. In addition, all Safe at Home partners have access to the *Tasmania Police Family Violence Management System* and the *Safe at Home Information Management System*.

Since 2005, Tasmania Police has employed the Family Violence Risk Assessment Screening Tool (RAST) to assess and identify a perpetrator's risk to victims as part of the initial incident report.

b) Perpetrator interventions should support victims

Throughout Australia, police work with sexual assault services and domestic and family violence services to ensure timely support for victims and appropriate referral of perpetrators. In Tasmania, Safe at Home and the Safe Families Coordination Unit undertake interagency case assessment to ensure a coordinated response and that victims and perpetrators are referred to appropriate services.

Tasmania Police has a pro-intervention approach to family violence and as such, a large proportion of attended incidents see police issuing a Police Family Violence Order (PFVO) or applying to the courts for a Family Violence Order (FVO).

Tasmania is also the only state where police have the legislated authority to issue orders (PFVOs) that last for 12 months and mimic the conditions of court imposed orders. PFVOs are issued by police in situations where it has been identified by the RAST that there is a low/medium risk. Matters which have been identified as high risk will usually be put before the court for a FVO.

Headline Standard 2: Perpetrators get the right interventions at the right time

Safe at Home and the Safe Families Coordination Unit ensure that all emergency management, justice, health, education and legal agencies can coordinate cases. This ensures that the right parts of the system can engage with perpetrators at the right time.

In addition to existing services, Safe Homes, Safe Families introduced new and extended programs to reduce offending by family violence perpetrators and provide a variety of different interventions.

Telephone counselling can assist with keeping perpetrators in view and maintaining or building an internal motivation for men who use violence to change behaviours. Tasmania contracts the Victorian based Men's Referral Service to provide telephone and web-based counselling and referral to male perpetrators. A cold-call service was introduced in 2017 and has been very successful at early intervention with perpetrators.

As well as men's behaviour change programs delivered in corrections settings, Safe Homes, Safe Families also introduced a voluntary, community-based men's behaviour change program for low to medium risk perpetrators, delivered through Relationships Australia.

In addition, the Defendant Health Liaison Service, delivered through the Department of Health and Human Services, engages with perpetrators to determine their health and criminogenic needs. Based on these assessments, the Defendant Health Liaison Service makes referrals as appropriate to assist perpetrators connect to the services they need to change their violent behaviours and attitudes including counselling and behaviour change programs.

PFVOs also provide contact information for key services that perpetrators can contact to obtain assistance in addressing their offending behaviour.

Headline Standard 3: Perpetrators face justice and legal consequences when they commit violence

Tasmania's integrated criminal justice response to family violence, Safe at Home, ensures that perpetrators face justice and legal consequences when they commit violence.

The *Criminal Code Act 1924* determines the justice and legal consequences for perpetrators of sexual assault.

The *Family Violence Act 2004* (Tasmania) determines the justice and legal consequences for perpetrators of family violence. Amendments to the *Family Violence Act 2004* enacted in October 2015, provided further protection to victims through extending the definition of family violence to include property damage. The amendments also extended the time within which a prosecution may be brought for economic or emotional abuse; and implemented an automatic ban on the publication of any material that might identify an affected child in family violence proceedings.

Planning is also underway for a three-year electronic monitoring trial of high risk family violence perpetrators, announced as a new action under Safe Homes, Safe Families.

Further amendments to the *Family Violence Act 2004* introduced in late 2017 included measures to support implementation of the electronic monitoring trial, and in 2018, legislation will be introduced to create a new offence of ‘persistent family violence.’

Headline Standard 4: Perpetrators participate in programs and services that enable them to change their violent behaviours and attitudes

a) Participation in Perpetrator Programs

Mandated men’s behaviour change programs are offered through Community Corrections (Department of Justice) for perpetrators on community-based orders and by the Tasmanian Prison Service for those perpetrators who are incarcerated.

Safe Homes, Safe Families also allocates funding to deliver a statewide community-based voluntary men’s behaviour change program.

A key intervention used by Tasmania is the EQUIPS program (“Explore, Question, Understand, Investigate, Practice, and Succeed”), which targets those perpetrators identified as a medium to high risk of re-offending. The EQUIPS Domestic Abuse Program is based on a psycho-behavioural framework and has a strong therapeutic influence in its delivery. It has a strong emphasis on inviting perpetrators to accept responsibility for their offending behaviour and encourages them to increase their level of accountability to the wider community.

As perpetrators of violence against women can present with complex problems, they are also able to attend programs that address substance abuse or address parenting to support behaviour change. Tasmania uses the EQUIPS licensed programs through the Tasmanian Prison Service and Community Corrections.

The Family Violence Offender Intervention Program (FVOIP) is also delivered by Community Corrections for high-risk perpetrators in Tasmania who have a current community-based order.

b) Participation and completion of programs for perpetrators of sexual assault

Adult sex offender programs delivered in correctional settings are often tailored to whether the sex offender is assessed as a high or low risk of re-offending. The Tasmanian Prison Service delivers the *New Directions* sex offender treatment program.

The ‘New Directions’ program is a rolling open program where offenders take part in group therapy with the program length varied depending on the offender’s assessed risk of reoffending. The program uses cognitive behaviour therapy and draws on the ‘good lives model’ and the ‘Risk, Needs, Responsivity’ principles.

Headline Standard 6: People working in perpetrator intervention systems are skilled in responding to the dynamics and impacts of domestic, family and sexual violence

An external review of Safe at Home undertaken in 2009 noted the increasing interagency cooperation and extensive training of staff involved in the response system as two of the key successes of Safe at Home.

Tasmania Police provides comprehensive family violence training for all officers during initial training. Members also receive on-going training as a component of professional development courses throughout their careers.

Tasmania Police has dedicated state-wide specialist Family Violence Units (FVU) responsible for the assessment and monitoring of all family violence incidents. Officers within these units actively support victims and investigate serious family violence incidents. The FVU also participates in the Safe at Home integrated case coordination committees. This role incorporates liaison with Safe at Home partners to ensure effective safety strategies are in place for family violence victims while supporting perpetrator interventions.

People working in a rehabilitative setting have appropriate qualifications and skills to deliver quality interventions for perpetrators. Education on the dynamics and impacts of domestic, family and sexual violence are essential components for people working in this field.

Defendant Health Liaison Officers are trained to assess the health and criminogenic needs of family violence perpetrators in order to make appropriate referrals to both government and community-based services.

The FVOIP, delivered by Community Corrections, is facilitated by probation officers who specialise in family violence and undertake regular intensive training and supervision.

Australian Capital Territory (ACT)

The various initiatives that the ACT is undertaking to address violence against women and to hold perpetrators to account are outlined below.

Headline Standard 1: Women and children's safety is the core priority of all perpetrator interventions

a) Assessing a perpetrator's risk of committing further violence

In the Australian Capital Territory, police officers are trained to identify high-risk behaviours that could indicate the risk of future violence that a person poses against another person. During 2015–16, Australian Capital Territory Policing undertook work to formalise this process through the development of a Family Violence Risk Assessment Tool.

b) Monitoring changes in the perpetrator's risk of committing further violence

Australian Capital Territory Policing's Family Violence Coordination Unit (FVCU) has a coordination role, ensuring the first response by Australian Capital Territory Policing to family violence is timely, consistent and comprehensive. The FVCU has allowed Australian Capital Territory Policing to enhance its pro-intervention policy, develop strategies to reduce risk and ensure offenders are held accountable. The FVCU works closely with external stakeholders to ensure best outcomes are achieved and to identify current and future trends in family violence.

Section 136 of the Crimes (Sentencing) Act 2005 provides for the exchange of information between criminal justice agencies, including information in relation to persons charged with an offence, victims of an offence, persons convicted or found guilty of an offence and provision of information for an alleged offence.

The Australian Capital Territory Family Violence Case Tracking (FVCT) process is the interagency information sharing forum that provides case coordination for victims (and third parties including children) of domestic and family violence, with the primary aim of improving victim safety during the lead up to criminal justice proceedings. FVCT ensures victims are provided with the information and support they need to plan for their safety. Agencies participating in the FVCT include Australian Capital Territory Policing (Victims of Crime Team, Perpetrator Program and Family Violence Co-ordination Unit), Office of the Director of Public Prosecutions, Domestic Violence Crisis Service, Child and Youth Protection Services, Australian Capital Territory Corrective Services and Victim Support Australian Capital Territory. The Family Violence Intervention Program oversees the operation of FVCT.

c) Perpetrator interventions should support victims

In the Northern Territory and Australian Capital Territory, police utilise SupportLink to refer victims to support services, including specialist domestic violence services, legal services and ancillary services. Also in the Australian Capital Territory, child protection services work closely with Child and Family Centres as well as other early intervention services, to divert mothers and children away from the statutory child protection system and towards domestic violence and family support services.

d) Perpetrator interventions should provide opportunities for ongoing partner contact where appropriate and safe

Effective programs for perpetrators must also have in place mechanisms that provide opportunities for victim/survivors to access ongoing partner contact, family or other support and protection wherever appropriate and safe. The Australian Capital Territory Corrective Services has sought to ensure management of domestic violence offenders is consistent with emerging national standards for perpetrator programs. Consistent with these standards, the Australian Capital Territory seeks to promote the safety and protection of victims and children by offering support provided by the Domestic Violence Crisis Service and other community agencies. The family violence indicator is a standard field within the record management apprehension report where the case officer selects 'yes' or 'no' to indicate whether the incident was FDV-related.

Headline Standard 2: Perpetrators get the right interventions at the right time

a) Systems working together to keep perpetrators in view and engaged in behaviour change

In October 2015, the Australian Capital Territory established Australian Capital Territory Policing's Family Violence Coordination Unit. The Unit, which ensures responses are timely, consistent and comprehensive, has allowed Australian Capital Territory Policing to enhance its pro-intervention policy, develop strategies to reduce risk and ensure offenders are held accountable.

b) The system ensures that perpetrators with diverse backgrounds or with diverse circumstances get the right interventions at the right time

In the Australian Capital Territory, the Aboriginal and Torres Strait Islander Justice Partnership 2015–18 was officially launched in July 2015. The Partnership recognises the need to have a coordinated approach to supporting individuals and families in contact with the justice system, including for family violence-related matters, while recognising the importance of culture in the development of future policy and programs. As part of the implementation of the Partnership, the Australian Capital Territory Government committed to codesigning a Justice Reinvestment Trial to deliver a family-focused approach to Aboriginal and Torres Strait Islander families in contact with the justice system.

The Galambany Circle Sentencing Court provides a culturally relevant sentencing option within the Magistrates Court jurisdiction for eligible Aboriginal and Torres Strait Islander people who have offended. A large proportion of matters relate to family violence.

Headline Standard 3: Perpetrators face justice and legal consequences when they commit violence

In June 2016, the Australian Capital Territory introduced the Family Violence Bill to broaden the definition of family violence to include a wide range of controlling behaviours and to make a number of changes to the process for obtaining a family violence order. New classes of intervention orders for domestic and family violence were introduced in the Australian Capital Territory to provide better protection for victims.

Headline Standard 4: Perpetrators participate in programs and services that enable them to change their violent behaviours and attitudes

a) Participation in Perpetrator Programs

The Family Violence Perpetrator Program is coordinated by Australian Capital Territory Policing. EveryMan Australia delivers Working with the Man, a community-based behaviour change program designed for men who have been violent to women. This program includes counselling and group work, case management and referrals to appropriate services to assist men to address other issues such as alcohol, drug dependency, mental health and additional counselling (e.g. for anger management).

ACT Policing also refer male perpetrators of family violence to the Domestic Violence Crisis Service Room4Change program. Room4Change is a men's behaviour change program for men who use violence and/or controlling behaviours in their relationships. The program runs for approximately nine months, and during this time men are expected to attend weekly oneonone facetoface meetings with their Room4Change case manager, as well as attend group work components where applicable.

b) Participation and completion of programs for perpetrators of sexual assault

Adult sex offender programs delivered in correctional settings are often tailored to whether the sex offender is assessed as a high or low risk of re-offending. The Adult Sex Offender Program in the Australian Capital Territory is for adult men who have been convicted of sexual offences. It is an open-ended therapeutic group-based program that addresses each participant's treatment targets, with the goal of reducing sexual reoffending. A program of individual counselling is offered for sex offenders who have been deemed unsuitable for the group-based Adult Sex Offender Program. A separate program is available for men who have been convicted of sexually abusing adults or children yet have always maintained that they were wrongfully accused or falsely identified for the sexual offences for which they have been currently convicted.

Headline Standard 6: People working in perpetrator intervention systems are skilled in responding to the dynamics and impacts of domestic, family and sexual violence

Child and Youth Protection Services developed and presented a training package, in partnership with key agencies including the Domestic Violence Crisis Service, Australian Capital Territory Policing, Corrective Services and the Office of the Australian Capital Territory Director of Public Prosecutions, to improve responses to children, young people and their families who are experiencing violence. In addition, Housing and Community Services launched a new Domestic and Family Violence Policy Manual in December 2015. Staff received copies of the manual, and completed mandatory awareness and accredited training to ensure appropriate and consistent responses to incidents of domestic or family violence, including the ability for frontline operational staff to identify the warning signs of violence in a household.

Corrective Services was also involved in providing a range of training to Community Corrections and Offender Services staff, including courses on family violence offenders and working with sex offenders. Australian Capital Territory Policing also provided appropriate training to its officers.

Northern Territory

The various initiatives that the Northern Territory is undertaking to address violence against women and to hold perpetrators to account are outlined below.

Headline Standard 1: Women and children's safety is the core priority of all perpetrator interventions

a) Monitoring changes in the perpetrator's risk of committing further violence

Since 2012, the Northern Territory Police have been the lead agency for a cross border domestic violence intelligence desk. The intelligence desk involves information sharing between and across three jurisdictions in the cross border region of the Northern Territory, South Australia and Western Australia, and the compilation of offender profiles and targets and identification of victims at risk.

Northern Territory Correctional Services shares information about perpetrators who participate in offence specific treatment programs such as the Recognising Anger and Gaining Empowerment (RAGE) program, the Violent Offender Treatment Program (VOTP) or the Family Violence program, in the form of exit reports provided to Courts via Probation and Parole Officers from the Integrated Offender Management System.

The Northern Territory Police also leads the Family Safety Framework which is an action-based integrated service response to families experiencing domestic and family violence who are at high risk of injury or death. The Family Safety Framework involves assessing risk, information sharing, and multi-agency meetings about cases. It is a victimfocussed response that is mapped to the needs of the victim rather than the offender, however it does look at the risk the offender poses.

b) Responding to changes in perpetrator's risk of committing further violence

In the Northern Territory, the number of DFV incidents attended by police is determined by a DFV involvement flag that is mandatorily recorded against every incident. The definition of family and domestic relationships in the Northern Territory is broad, and includes previous and existing family, intimate partner, custody, guardianship, carer, and shared residence relationships with another person. Domestic violence includes conduct causing harm (physical or to a person's mental health), property damage (including the injury or death of an animal), intimidation, stalking, economic abuse and attempting or threatening to commit any of the above. In addition, DFV incidents attended by police include disturbances where there is an argument between participants, yet no grounds for issuing a domestic violence order.

c) Perpetrator interventions should support victims

In the Northern Territory and Australian Capital Territory, police utilise SupportLink to refer victims to support services, including specialist domestic violence services, legal services and ancillary services.

The Marra'ka Mbarintja Men's Behaviour Change Program in Alice Springs (also discussed below) has been developed in a partnership approach manner with a domestic violence women's service, which is responsible for providing support to female partners and expartners of men referred to the program.

The Northern Territory's *Domestic and Family Violence Act 2007* provides for victims of domestic violence to be protected as 'vulnerable witnesses'. This allows victims to give evidence through other methods (such as audio-visual link) to reduce their exposure to the alleged offender. In February 2016, amendments to the Northern Territory's *Evidence Act 1939* also provided for the option of vulnerable witnesses to make recorded statements, as well as to allow the court to hold special sittings to take evidence from vulnerable witnesses to sexual violence or serious violence offences.

d) Perpetrator interventions should provide opportunities for ongoing partner contact where appropriate and safe

Effective programs for perpetrators must also have in place mechanisms that provide opportunities for victim/survivors to access ongoing partner contact, family or other support and protection wherever appropriate and safe. *NTV Minimum Standards for Men's Behaviour Change Programs* have been developed by peak body organisation No To Violence, and seek to provide benchmarks for all programs and ensure that women and children are not at increased risk as a result of men's participation in men's behaviour change programs. Versions of these have been adopted in Victoria, New South Wales, Queensland and the Northern Territory.

The Marra'ka Mbarintja Men's Behaviour Change Program in Alice Springs is the only program in the Northern Territory that has adopted the No To Violence minimum standards and routinely contacts current and former partners of men participating in the program. The Northern Territory Men's Behaviour Change Program has been developed in a partnership approach manner with a domestic violence women's service, which is responsible for providing engagement and support to female partners and ex-partners of men referred to the program.

Headline Standard 2: Perpetrators get the right interventions at the right time

The Family Violence Program in the Northern Territory accepts both mandatory and voluntary participants from a range of backgrounds, but predominantly works with Aboriginal people. The program in the Northern Territory is delivered in an experiential format, with hands-on activities and various community speakers for programs run in the community. The program runs as a five-day program in both Darwin and Alice Springs Correctional Centres, as well as various remote communities throughout the Northern Territory, and so is accessible for people who are not in custody and who have not been found guilty of a domestic violence offence. Convicted perpetrators of DFV are assessed and placed in treatment based on their level of risk to community. For example, high risk offenders are placed in intensive treatment programs.

Headline Standard 4: Perpetrators participate in programs and services that enable them to change their violent behaviours and attitudes

In the Northern Territory, the Sex Offender Treatment Program/Responsibility, Safety, Victims, Plans programs were implemented in 2015 by Offender Services and were designed to meet the intervention needs of low and moderate-low risk sexual perpetrators. This provides perpetrators with 60 hours of treatment, per program. Other relevant violent treatment programs are based on the perpetrators offence and risk levels. For example, the Recognising Anger and Gaining Empowerment Program which was developed in consultation with Indigenous Territorians for Indigenous Territorians is a moderate intensity program involving 143 hours of treatment.