



NATIONAL
FAMILY VIOLENCE PREVENTION
AND LEGAL SERVICES
FORUM



The National Family Violence Prevention Legal Services

Pre-Budget Submission 2024-2025





We must get serious about addressing Domestic Family and Sexual Violence against Women and Children in Aboriginal and Torres Strait Islander communities.

Our Ask:

- i. Investment totalling \$94 Million (that is, \$60M on top of current \$34M per annum) as core funding with minimum term of 5-year contracts, to be shared across 16 Family Violence Prevention and Legal Services (FVPLS), to increase service capacity; to deliver on already successful programs on the ground; to expand both legal and non-legal practitioners; to deliver programs, events and activities; to provide workforce training; to gain salary parity with other legal and government sectors to attract staff through compensation; and access to housing to work in rural and remote regions. Whilst recommendations from the National Legal Assistance Program review ('the Review') are due this year, we note that these will not be made in time for Commonwealth budget allocation in this financial year. Our call for the investment above will support interim measures for our FVPLS service provision until the Review is finalised, and finding implications are clear.
- ii. We continue to call for financial and policy investment into a national Aboriginal and Torres Strait Islander child protection notification and referral system to refer Aboriginal and Torres Strait Islander families in contact with the child protection system to culturally appropriate supports and services (particularly preventative legal advice) at the earliest opportunity, especially where family violence is a factor in potential child removal.



KEY FUNDING ISSUES FACED BY FVPLS' ABILITY TO CONTRIBUTE FURTHER TO MEET GOVERNMENT PRIORITIES.

1. The need for increased funding for FVPLS services has been repeatedly identified over the past decade, including by the Productivity Commission in 2014¹, the Law Council in 2018², and government-commissioned evaluations³. While there have been modest increases in Commonwealth funding, in the 10 years between 2010-11 and 2020-21, real funding to the FVPLS sector fell by a CAGR6 of 2.9% on a per person basis, relative to population growth for Aboriginal and Torres Strait Islander people⁴.
2. Commonwealth funding for the FVPLS Program has remained vastly lower than the funding provided to the other legal assistance sectors in Australia (Legal Aid, Community Legal Centres and the Aboriginal and Torres Strait Islander Legal Services). The lack of investment in the FVPLS sector is grossly inadequate to the scale and complexity of the family violence faced by First Nations people, and this has allowed the perpetuation of this abuse over generations.
3. It has been identified that FVPLS agencies around Australia require additional annual funding to provide essential legal and non-legal front-line family violence prevention services, programs and supports to First Nations people. Delivering non-legal services and programs, in combination with legal assistance, is an essential feature of the FVPLS service model.

¹ The Productivity Commission, "Access to Justice Arrangements: Productivity Commission Inquiry Report", 2014, p 63, Rec. 21.

² Law Council of Australia, "The Justice Project Final Report: Recommendations and Group Priorities", August 2018, p 4.

³ Family Violence Prevention Legal Services – Research and Needs Analysis Report Commonwealth Attorney-General's Department, 16 July 2013, NOUS Group, page 49.

⁴ National Legal Assistance Partnership Review Issues Paper, August 2023, p.12.



BACKGROUND AND POLICY ALIGNMENT

4. In Australia, First Nations people are disproportionately affected by family violence. Data from National Plan to End Violence against Women and Children 2022-2032 highlights the following:

- First Nations women report 3.1 times the rate of violence compared to other women in Australia.
- 3 in 5 First Nations women have experienced physical or sexual abuse by a male intimate partner.
- Aboriginal and Torres Strait Islander women are almost 11 times more likely to die due to assault.
- Hospitalisation rates from family violence are 32 times higher for First Nations women compared to other women in Australia.
- Intimate partner violence contributes 10.9% of the burden of disease for Aboriginal and Torres Strait Islander women aged between 18 and 44, which is higher than any other health risk factor including alcohol or tobacco use and obesity and is 6.3 times higher than other women in Australia.
- Family violence against women is the “leading reason for the disproportionately high numbers of Aboriginal and Torres Strait Islander children removed from their families”, and two-thirds of First Nations adults who experience family violence share a home with a child.

5. The FVPLS Program is unique in Australia and internationally. Established in 1998 and operating in Australia for 25 years, sixteen FVPLS agencies and have a thin national presence across most of the country, including in areas of high need in rural, remote, and very remote communities. Access to justice should not depend on where you live. All Aboriginal and Torres Strait victim/survivors of family violence should be able to access to FVPLS’ specialised and culturally safe legal and non-legal supports, regardless of their geographic location.



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Currently FVPLSs are not resourced to provide the coverage required to meet the needs of our communities. Much of this coverage in remote areas is extremely limited, and often consists of only one or two coverage days per month. Ensuring national coverage includes the need for increased funding to meet the current high levels of unmet need within existing FVPLS service areas. In addition to this major service, are gaps in metropolitan and urban areas. The rationale for Aboriginal and Torres Islander specific services applies equally in these settings. The Federal Government should provide the necessary resources to service unmet need amongst communities in remote, regional and metropolitan Australia.

6. FVPLS' are the only services in Australia that deliver a combination of specialised legal and non-legal family violence domestic violence programs and services targeted to meet the cultural needs of our First Nations people. The FVPLS' culturally and holistic model delivers a suite of family violence Prevention, Early Intervention, Crisis Response and Recovery services and programs delivered by predominately First Nations people.
7. Dedicated, reliable and consistent funding for FVPLS community-controlled organisations is part of the Government's commitment as part of Priority Reforms of the National Agreement for Closing the Gap. Specifically, Priority Reform 2:

- [Priority Reform Two: Building the community-controlled sector.](#)

Outcome: There is a strong and sustainable Aboriginal and Torres Strait Islander community-controlled sector delivering high quality services to meet the needs of Aboriginal and Torres Strait Islander people across the country.

Target: Increase the amount of government funding for Aboriginal and Torres Strait Islander programs and services going through Aboriginal and Torres Strait Islander community-controlled organisations.



8. In addition, the National Agreement notes that the elements of a strong community-controlled sector are:
 - Sustained capacity building and investment.
 - A dedicated and identified Aboriginal and Torres Strait Islander workforce.
 - Community-controlled organisations are supported by a Peak Body, which has strong governance and policy development and influencing capacity and
 - Community-controlled organisations have a dedicated, reliable and consistent funding model designed to suit the types of services required by communities.

9. The Government has also committed to achieving Closing the Gap Targets such as Targets 12 and 13:
 - Target 12 Closing the Gap: By 2031, reduce the rate of over-representation of Aboriginal and Torres Strait Islander children in out-of-home care by 45 per cent.
 - Target 13 Closing the Gap: By 2031, the rate of all forms of family violence and abuse against Aboriginal and Torres Strait Islander women and children is reduced at least by 50%, as progress towards zero.

10. FVPLS agencies work towards achieving Targets 12 and 13 by addressing complex issues associated with family violence through a combined model of legal and non-legal programs that:
 - respond to the trauma and vulnerability of clients and communities affected by family violence.
 - prevent inter-generational cycles of abuse and the normalisation of violence.
 - optimise the effectiveness of the legal assistance provided to First Nations people.
 - reduce the harm caused by prolonged family violence by providing legal and non-legal assistance sooner.



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11. The holistic FVPLS model is also consistent with the four “National Pillars” of Prevention, Early intervention, Response and Recovery, which are noted in the National Plan to End Violence against Women and Children 2022-2032.