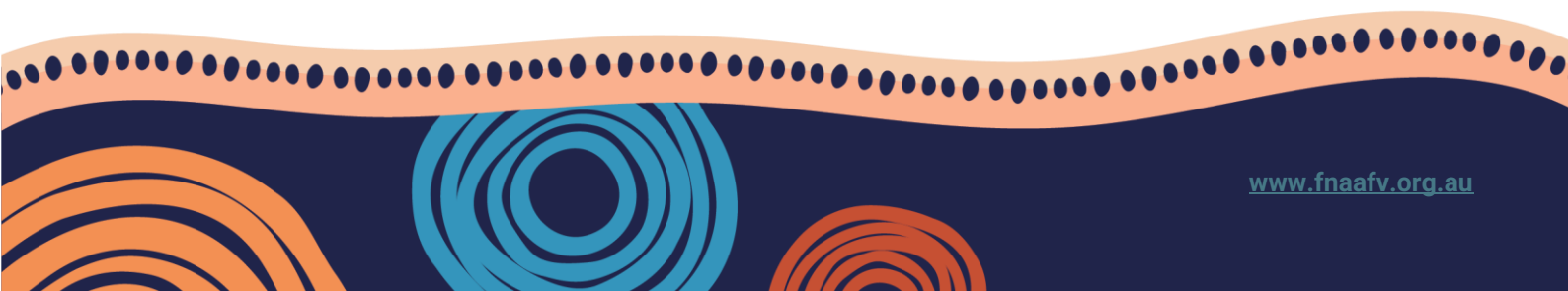




The First Nations Advocates Against Family Violence submission on a new approach to programs for families and children





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Acknowledgement of Country

First Nations Advocates Against Family Violence (FNAAFV) acknowledges Aboriginal and Torres Strait Islander peoples as the traditional custodians of all lands and waters across Australia. We wish to pay our respects to Elders, past and present, and to the youth, for the future. We extend this acknowledgement to all Aboriginal and Torres Strait Islander peoples reading this Submission.

About the First Nations Advocates Against Family Violence

The First Nations Advocates Against Family Violence (FNAAFV) is the only National Peak Body Aboriginal Community Controlled Organisation (ACCO) that supports Family Violence Prevention and Legal Services (FVPLS) around Australia who provide specialised domestic, family, and sexual violence (DFSV) supports through culturally safe, holistic services to First Nations – predominantly women and their children. FNAAFV provides expert national advice in areas of policy, planning and law reform, sector capacity building, supporting innovation and best practice, and advocating for safety and justice for First Nations peoples affected by family violence. We collaborate across all sectors, both ACCO and mainstream, with the aim of delivering safety and supporting self-determination for our First Nations peoples in line with [*United Nations Declaration on the Rights of Indigenous Peoples*](#).

FNAAFV represents 16 FVPLSs, with 14 FVPLSs who are members of FNAAFV (see appendix A). Our members operate in more than 30 office locations across all states and territories providing culturally safe and specialist legal and non-legal family and domestic violence assistance to more than 250 Aboriginal and Torres Strait Islander communities.

FNAAFV works with members, communities, governments, and other partners to raise awareness about family violence affecting First Nations people and advocates for culturally safe legal and holistic responses to this issue. FNAAFV provides a unified voice for its members in areas of national policy, funding, planning and law reform, and representation as a member of the national Coalition of Peaks. FNAAFV's work is informed by evidence, and we aim to ensure that all strategic planning and policy positions link to the Closing the Gap Agreement and Priority Reforms; National Plan to

End Violence against Women and Children and associated Aboriginal and Torres Strait Islander
Action Plan 2023-2025.

First Nations Advocates Against Family Violence Submission

Response to Discussion Paper

First Nations Advocates Against Family Violence welcomes the opportunity to comment on the proposed new national program for families. Our members have unique expertise in delivering culturally safe, trauma informed, specialist legal and non-legal support to predominantly Aboriginal women and children experiencing family and sexual violence. They also play an essential role in prevention and early intervention for families at risk of statutory child protection involvement. These activities are informed by unique cultural knowledge held by our members leaders, who are mostly aboriginal women, and live in the communities our members serve.

FNAAFV strongly supports system reform that strengthens accountability to Aboriginal communities, improves outcomes for Aboriginal women, children and families, and centres the expertise of Aboriginal Community Controlled Organisations (ACCOs). The proposed changes represent an important opportunity to embed Priority Reform Two of the National Agreement on Closing the Gap and to ensure future investment genuinely reflects the needs and rights of Aboriginal communities.

This submission answers each consultation question in Appendix A of the Discussion Paper. Citations are provided from the Discussion Paper and the Evidence Summary where relevant.



Vision and outcomes

Does the new vision reflect what we all want for women, children and families?

FNAAFV supports the intent of the proposed vision. It reflects an aspiration for strong families and resilient children. However, the vision must more explicitly recognise the specific circumstances of Aboriginal women, children and families. For Aboriginal communities, strong families cannot be separated from culture, community, connection, language, and self-determination. The Discussion paper highlights the importance of improving outcomes for Aboriginal and Torres Strait Islander women, children, and families and strengthening the community-controlled sector, but this is not reflected in the vision itself. FNAAFV and the FVPLSs have repeatedly called for program vision statements that explicitly affirm cultural safety and community control as core conditions for child and family wellbeing. This is strongly supported by the evidence summary which notes that community-led and culturally informed services delivered through community-controlled organisations achieve significantly stronger results for Aboriginal people.

FNAAFV recommends that the vision be amended to recognise the right of Aboriginal women and children to be safe, strong and connected to culture, community and country through ACCOs.

Are the two main outcomes the right ones and why?

The two outcomes align with evidence that protective relationships and safe, supportive home environments are central to lifelong wellbeing. The Evidence Summary clearly describes how early relationships shape neurological, social, and emotional development, and how early experiences influence health, education and social outcomes across the life course. However, as with the vision, the outcomes do not fully reflect the needs of Aboriginal women and families. For Aboriginal women and children, empowerment and resilience are inseparable from culture, community, self-



determination and freedom from systemic risk factors such as poverty, racism, child protection surveillance and misidentification by justice and policing systems.

Failure to recognise the expertise of the specialist DFSV ACCO sector will further dilute the FVPLS proven model of impact and success for our early intervention programs that support children in our communities. Recognition of the FVPLS model is clear and recommendations from the Rapid Review, Murdered and Missing Women, National Access to Justice Partnership all highlight the FVPLS services as requiring more investment to support children and their parents in addressing DFSV in our communities. As is well researched there is a direct correlation to the removal of children and family violence. Children and young people are alarmingly a large proportion of FVPLS's service delivery with child protection and out of home care majority of legal cases.

These issues disproportionately affect Aboriginal women and their families and therefore must be explicit in the stated program outcomes. We continue to call for quarantine funding for FVPLS's for early intervention and prevention and healing programs.

Program structure

Will a single national program provide more flexibility for your organisation?

FNAAFV supports the intent to reduce fragmentation and complexity. The current program environment creates unnecessary administrative burden for ACCOs which already operate within constrained resources. The example in the Discussion Paper describes multiple grant agreements for similar streams of work and the loss of service delivery hours due to reporting pressures. The independent review of the National Legal Assistance Partnership (NLAP) highlighted organisational problems caused by program fragmentation.

This reflects the lived experience of many FVPLSs.

A single program with streamlined reporting will provide more flexibility. It must however include specific safeguards to ensure the unique role of FVPLSs is not diluted within a consolidated framework. FVPLSs provide specialist legal and non-legal support for Aboriginal victim/survivors of violence and also provide essential early intervention work that prevents avoidable child protection intervention. These functions require sustained, dedicated investment and cannot be absorbed into generalist service categories.

Does the service or activity delivered by FVPLSs fit within the three streams?

FVPLSs deliver support across multiple streams.

Stream One includes national programs and information services. FVPLSs contribute to national information services and safety education through community legal education, rights information and culturally grounded safety messaging. They also drive and innovate with self-determination and place-based solutions, ensuring that national information and resources are shaped by community leadership, cultural knowledge and the lived realities of Aboriginal women and families.

Stream Two includes prevention and early intervention. FVPLSs provide intensive and underfunded prevention work including support for young parents, legal advice to prevent escalation of risk, community safety education, and early assistance for women and their families who may become involved with child protection. Despite recent funding increases in the National Legal Assistance Partnership, existing FVPLSs remain chronically underfunded whilst many Aboriginal families simply do not have access to FVPLS services.

Early access to culturally safe legal support is particularly important because it helps families understand their rights, navigate complex statutory systems, and address issues before they escalate to statutory intervention. Legal advice at the earliest stage can prevent misidentification, support safety planning, resolve housing or financial stressors, assist women to obtain protection orders, and ensure that child protection agencies receive accurate information about risk. These early interventions reduce the likelihood of families entering the child protection system and significantly lower the risk of unnecessary or avoidable child removals.

Stream Three includes intensive supports for women and their families at risk of child protection involvement. **This is core FVPLS work.** FVPLSs provide legal advice, social and emotional support, safety planning and advocacy for women and their families facing statutory intervention, misidentification, child removal and complex risk.

FVPLSs therefore fit across all three streams. This demonstrates the importance of relational contracting and flexible design. It also demonstrates the need for a dedicated stream for family violence services so that FVPLS expertise is not subsumed into broader categories.

Are there other changes needed?

FNAAFV recommends the following.

- Creation of a dedicated family violence (FVPLS) stream to ensure that specialist culturally safe responses to family violence remain visible and adequately funded.
- Guaranteed prioritisation for ACCO providers in all locations with significant Aboriginal populations.

- A requirement to ensure that specialist legal, advocacy, and wrap around supports for Aboriginal victim survivors are maintained.

Prioritising investment

Are the four priorities appropriate?

FNAAFV broadly agrees with the four priorities. The Evidence Summary shows strong support for early investment, integrated services, place responsive design and the expansion of Aboriginal community-controlled service delivery.

These priorities align with the needs of Aboriginal women and their families.

However, FNAAFV recommends a fifth priority focused on culturally safe responses to family and gender-based violence. Family violence remains one of the strongest predictors of child protection involvement for Aboriginal women and their families, and one of the largest drivers of statutory intervention. Specialist Aboriginal community-controlled family violence services are essential to preventing harm and supporting Aboriginal families to remain safely together.

Are there additional issues to focus on?

FNAAFV recommends explicit inclusion of domestic family and sexual violence as a critical investment area. Evidence shows that Aboriginal women experience violence at significantly higher rates than other groups and that this violence is a key factor in state intervention with children. A lack of dedicated specialist family violence responses within children and family programs remains a significant and well-recognised gap.

It is imperative that the program explicitly recognises misidentification and systems bias as critical drivers of harm for Aboriginal women and children. Misidentification is not an incidental issue. It is a well-documented and deeply harmful systemic pattern that exposes Aboriginal women to wrongful criminalisation, breaches of intervention orders, loss of housing, heightened surveillance and, ultimately, child removal. The risk of misidentification also affects help seeking behaviour, as many Aboriginal women fear that seeking safety will instead result in punitive responses.

Findings from the Missing and Murdered Women Inquiry reinforce that structural racism, gendered violence, and failures across policing, justice and service systems continue to produce inequitable and dangerous outcomes for Aboriginal women. These findings make clear that child and family reforms cannot succeed without confronting these systemic factors. The Productivity Commission's reviews of the National Agreement on Closing the Gap similarly highlight that institutional bias, discriminatory risk assessment frameworks, and inadequate investment in Aboriginal community-controlled responses are key barriers to improving outcomes for Aboriginal women, children, and families. These systemic drivers directly influence family wellbeing, amplify risk and contribute to the over representation of Aboriginal women and children in statutory systems.

For these reasons, FNAAFV strongly recommends that the new national program include an explicit focus on reducing misidentification and addressing systems bias as central components of investment priority. Failure to incorporate these structural risk factors will undermine the objectives of early intervention and will continue to place Aboriginal women and their families at disproportionate risk of statutory intervention.



Improving family wellbeing

Do the focus areas match FVPLS needs?

The focus on families at risk of child protection involvement, children in the early years and young parents is strongly supported. FVPLSs work daily with young mothers, children, and their families who are experiencing violence, and parents facing statutory intervention. The Evidence Summary highlights the high risk faced by young parents and the strong correlation between maternal age and child protection involvement. FVPLSs deliver essential support at these points that address the systemic challenges that our women and children face.

Other groups or approaches?

FNAAFV recommends specific recognition of the following:

- Women and children experiencing domestic family and sexual violence.
- Women affected by misidentification.
- Women and children experiencing forced removal or prolonged exposure to statutory surveillance.
- Aboriginal communities in remote locations where access to culturally safe services is limited.

Approaches **must** include culturally led healing, legal advocacy, family violence informed risk assessment and safe engagement practices for Aboriginal families who may fear contact with government agencies.



Connected, co located and integrated services

What are other effective ways to connect services?

Integration with specialist DFSV services must be community led. Effective approaches include Aboriginal community hubs, wraparound models led by ACCOs, shared governance structures, culturally grounded case management and warm referral pathways between ACCOs and mainstream services. Co-location is helpful, but integration cannot be achieved solely through physical proximity. It requires cultural safety, trust and community control. It is also essential that integration efforts do not duplicate or displace existing specialist Aboriginal family violence services. Instead, the program must prioritise resourcing and strengthening current proven ACCO led models that already deliver effective, culturally grounded support to women and families.

What would the FVPLS highlight in grant applications to demonstrate our service is connected to the community it serves? What should applicants be assessed on?

FVPLS services are ACCO, an act of self-determination that is driven by, responsible and connected to the communities they serve. Key elements the demonstrate this connection that applicants should be assessed on include:

- Eligibility as an ACCO
- Strong and transparent governance
- Demonstration that co-design has taken place in the development of the service
- Demonstrated trauma-aware, healing informed and cultural safety framework

- Demonstrate past performance which can include qualitative examples/ case studies
- Demonstrated specialist skill and experience in their service delivery approach for example in domestic and family violence, and/or sexual assault
- Holistic in the approach to delivery
- Coherent risk management and safety practices
- Partnerships and formalised referral pathways with other ACCOs and mainstream agencies where appropriate.

A clear commitment to Priority Reform Two by non-Indigenous providers who wish to provide targeted services Aboriginal and Torres Strait Islander peoples, including the transition of services from mainstream providers to Aboriginal community-controlled organisations in locations where this has not yet occurred, to ensure that investment aligns with community expectations for self-determination and culturally led service delivery.

Responding to community need

Other factors for assessing community need

Assessment must consider the following:

- Historical and current child protection intervention patterns.
- High rates of family violence.
- Forced removal and intergenerational trauma.
- Patterns of misidentification by justice systems.
- Limited access to culturally safe legal assistance.
- High levels of policing and statutory surveillance in certain regions.



Best ways for organisations to demonstrate genuine connection to community need

Through community governance, Aboriginal leadership, evidence of community demand, long term cultural relationships, a strong commitment to local workforce development, and direct demonstration of outcomes for women, children, and families. Quantitative data alone will not capture community need for Aboriginal families. Qualitative evidence and lived experience must be central.

Improving outcomes for Aboriginal and Torres Strait Islander women, children and families

How should the grant process support ACCO led delivery

FNAAFV recommends the following:

- Minimum mandatory allocation of a "meaningful proportion" of funds to Aboriginal community-controlled providers consistent with Priority Reform Two, as per the spirit of the Budget Process Operational Rules (pg.29, 2022) and Clause 55(b) of the National Agreement on CTG.
- Quarantined funding for Specialist DFSV Aboriginal community-controlled service delivery in all locations with significant Aboriginal populations, with a vision to fill service gaps and increase the geographic spread of dedicated DFSV specialist services.

- Dedicated support for ACCO commissioning capability including relational contracting and long-term funding cycles.
- Reduction of administrative burden for smaller ACCOs and grant amounts.
- Repeal and replacement of all Intellectual and Cultural Property contract clauses that are inconsistent with the principles of Indigenous Data Sovereignty and Governance as set out by Maïam Nayri Wingara (2018).

Additional requirements for program design

Program design must include cultural safety standards, mandatory ACCO leadership, co-design with communities, First Nations data sovereignty, and specific recognition of family violence as a core driver of child protection involvement.

Measuring outcomes

Data needed by FVPLSs

FVPLSs require outcomes data that captures cultural safety, reduction in child protection involvement, reduction in misidentification, safety outcomes for women and children and improved family stability. The Evidence Summary identifies the limits of current datasets and the need for more local data including AEDC and child protection engagement data.

Investment is required to develop data infrastructure, training, and co-design of tools that can demonstrate services delivered and their impact. All data and reporting requirements imposed on the grantees, should seek to align (where possible and appropriate) with their existing data collection and reporting requirements with the Commonwealth.



Consideration should also be given to the fulfilment of Commonwealth commitments through the provision of additional funds to build data capacity alongside the provision of these grants. Where providers are delivering comparable services on the behalf of state and territory governments, the Commonwealth should seek to align with the existing reporting requirements OR work in partnership with that government to ease the administrative burden on providers.

Data to share on impact

FVPLSs would share qualitative case studies, client journeys, cultural outcomes, safety outcomes and community level indicators. Case study templates must support deep narrative evidence without risk of identifying victim survivors.

Relevant DEX domains

The most relevant domain for FVPLSs is SCORE circumstances because it reflects safety, stability and wellbeing.

Working together

What relational contracting means in practice

Relational contracting means long term trust-based relationships between DSS and Aboriginal community-controlled organisations with shared governance, flexibility, respect for cultural ways of working and adaptive program design. It moves away from transactional output-based contracting and instead focuses on meaningful outcomes for children and families. The Evidence Summary notes that relational contracting can deliver stronger results when implemented with care.



How DSS should decide who receives relational contracts

Priority should be given to specialist ACCOs with established community trust, demonstrated cultural safety, a strong local workforce, and a history of delivering high impact outcomes.

Are FVPLSs interested in relational contracting

Yes. Aboriginal community-controlled organisations, including FVPLSs, are uniquely suited to relational contracting because their work is grounded in community leadership, trust, and cultural safety. Relational contracting enables ACCOs to adapt services responsively and to maintain strong relationships with families over time.

Other considerations

FNAAFV emphasises the following:

- Family violence must not be diluted within broader program categories. A dedicated stream is needed.
- Misidentification of Aboriginal women must be directly addressed in program design.
- Aboriginal community-controlled leadership is essential for Closing the Gap, improving outcomes for Aboriginal women, children, and families, and preventing avoidable child removals.
- Legal assistance is a human right and critical family support function and must be explicitly recognised.
- Service quality standards to be developed in conjunction with specialist DFSV ACCO's that aligns with our practice.
- Cultural safety is an outcome in and of itself and must be measured and funded.

End Notes

For any further information, please contact FNAAFV at info@fnaafv.org.au.

1. Commonwealth of Australia. Attorney General's Department. *Independent Review of the National Legal Assistance Partnership 2020-25*. Prepared by Dr. Warren Mundy. Canberra, ACT: Attorney General's Department, 2024; DOI: <https://www.ag.gov.au/sites/default/files/2024-06/NLAP-review-report.PDF>
2. Commonwealth of Australia. Parliament of Australia. *Missing and Murdered First Nations Women and Children*. Canberra, ACT: Parliament of Australia, 2024; DOI: https://parlinfo.aph.gov.au/parlInfo/download/committees/reportsen/RB000085/toc_pdf/MissingandmurderedFirstNationswomenandchildren.pdf
3. Commonwealth of Australia. Department of the Prime Minister and Cabinet. *Unlocking the Prevention Potential: accelerating action to end domestic, family and sexual violence*. Prepared by: Ms Elena Campbell, Dr Todd Fernando, Dr Leigh Gassner APM, Ms Jess Hill, Dr Zac Seidler & Dr Anne Summers AO. Canberra, ACT: Department of the Prime Minister and Cabinet, 2024; DOI: <https://www.pmc.gov.au/sites/default/files/resource/download/unlocking-the-prevention-potential-4.pdf>
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5. Commonwealth of Australia. Department of the Prime Minister and Cabinet. *National Agreement on Closing the Gap*. Department of the Prime Minister and Cabinet, 2020; <https://www.closingthegap.gov.au/national-agreement/national-agreement-closing-the-gap>

Appendix A

FNAAFV members include:

- Aboriginal Family Legal Services Western Australia (Perth Head Office, Broome, Carnarvon, Kununurra, Geraldton, Kalgoorlie, Port Hedland)
- Aboriginal Family Legal Services Queensland (Toowoomba Head Office, Roma, Murgon and Gympie)
- Binaal Billa Family Violence Prevention and Legal Service (Forbes)
- Central Australian Aboriginal Family Legal Unit Aboriginal Corporation (Alice Springs Head Office, Tennant Creek)
- Djirra (statewide service with head office in Melbourne and 8 regional offices in Bairnsdale, Warrnambool, Bendigo, Echuca, Shepparton, Morwell, Melton & Mildura)
- Family Violence Legal Service Aboriginal Corporation (Port Augusta Head Office, Ceduna, Pt Lincoln)
- Many Rivers Family Violence Prevention and Legal Service (Kempsey Head Office, Grafton)
- Marninwarnitkura Family Violence Prevention and Legal Service (Fitzroy Crossing)
- Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council Domestic and Family Violence Service (Alice Springs, NPY Tri-state Region)
- Queensland Indigenous Family Violence Legal Service (Cairns Head Office, Townsville, Mackay, Rockhampton, Mount Isa, Bamaga, Thursday Island and Brisbane)
- Thiyama-li Family Violence Service Inc. NSW (Moree Head Office, Bourke, Walgett)
- Warra-Warra Family Violence Prevention and Legal Service (Broken Hill)
- North Australian Aboriginal Family Legal Service (Darwin Head Office, Katherine)
- SiSTAS (Hobart Head Office, Tasmania)