

# TRANSCRIPT

## LEGISLATIVE ASSEMBLY LEGAL AND SOCIAL ISSUES COMMITTEE

### **Inquiry into capturing data on family violence perpetrators in Victoria**

Melbourne—Monday 5 August 2024

#### **MEMBERS**

Ella George – Chair

Annabelle Cleeland – Deputy Chair

Chris Couzens

Chris Crewther

Cindy McLeish

Meng Heang Tak

Jackson Taylor

#### **WITNESS**

Tania Farha, Chief Executive Officer, Safe and Equal.

**The CHAIR:** Good afternoon. My name is Ella George, and I am the Chair of the Legislative Assembly's Legal and Social Issues Committee. We will now resume the public hearings of the Committee's Inquiry into capturing data on family violence perpetrators in Victoria.

I am joined today by my colleagues Jackson Taylor, the Member for Bayswater; Meng Heang Tak, the Member for Clarinda; Christine Couzens, the Member for Geelong; Annabelle Cleeland, the Member for Euroa and Deputy Chair of the Committee; and Chris Crewther, the Member for Mornington.

Thank you to our witnesses who have appeared before the Committee already today. We recognise that evidence to this inquiry may be distressing and urge people to reach out for support. You can contact Lifeline on 13 11 14, 1800RESPECT or the Blue Knot helpline on 1300 657 380.

All evidence given today is being recorded by Hansard and broadcast live. While all evidence taken by the Committee is protected by parliamentary privilege, comments repeated outside this hearing may not be protected by this privilege.

Witnesses will be provided with a proof version of today's transcript to check, together with any questions taken on notice. Verified transcripts, responses to questions taken on notice and other documents provided during the hearing will be published on the Committee's website.

I am pleased to welcome Tania Farha, the CEO of Safe and Equal, today as a witness. Tania, I invite you to make a brief opening statement of up to 10 minutes, and this will be followed by questions from members. Thank you.

**Tania FARHA:** Great. Thank you very much, Chair. It is nice to see you all and great to see this panel happening actually. I think the summary points that I am going to make are really a summary of the submission that we put together, and of course we also endorsed NTV's submission.

I think I will start with the first point, and I am sure you have heard many of these things before, but probably the more you hear it the more accurate it will seem. Data holdings on perpetrators are highly fragmented. We have heard that, and I have just heard the panel before me also talk about that with respect to culturally and linguistically diverse communities. So we need investment in linking systems so that we can facilitate more effective and efficient sharing and analysis of existing family violence risk and relevant data to inform the risk.

I guess one of the biggest issues is that there are probably about six data-gathering systems across the family violence system at the moment. There is SHIP, which is used by the specialist family violence sector. It is a federal-based system because it is basically the acquittal system for federal moneys that come in through the homelessness system. There is IRIS for men's behaviour change; CRMs for the TODs; LEAP for VicPol; and there is the RISS, a specialist system for the RAMPs, which are high-risk management databases. None of these speak to each other, so there are no connections between any of these. You might see where it is important for that to happen, because of course with men's behaviour change programs one of the key tenets is that they should be making contact with survivors to make sure that they are safe and a whole range of things are happening. Now, those survivors could be linked in with the specialist family violence services that my organisation advocates for. If there is no kind of easy way to do that, it is very difficult to make sure that the survivor is, one, getting the service they need to make sure that they are safe and that we know what is happening—is there a line of sight about what is happening with the perpetrator?

I think probably with the exception of the statutory organisations, like child protection and VicPol, most of the data on perpetrators is probably captured by specialist family violence services, because the survivors are the ones giving the information on what is happening to them and their re-perpetration to the services. I think we also have lower engagement by people in the men's programs. So it is also how we are bringing the different information together and triangulating and verifying it. I think that is probably something that we need to think about. I guess sometimes, not all the time but sometimes, with people who use violence, their refusal to engage with the system can also demonstrate their wanting to stay under the radar as well, so that is also something that we have to think about.

One of the other points I want to make is about the central information point. Now, you probably heard lots about it. It is a really amazing innovation I think, probably the first of its kind, certainly in this country. I am not sure if something like that operates anywhere else. The problem with CIP is it has got very limited access, so it

is basically for intake and triage services. But also intake and triage are not so clear, because not everyone goes through the Orange Doors and not everyone goes to the men's referral services. We have been getting more and more referrals directly to specialist violence services. Of course if they come in that way, you do not get access to the CIP data in the same way you would if they went in through the Orange Door, so you end up getting a kind of two-tier system. I think that is problematic, so I think we need to think about CIP and who can access it and when they need to access it.

Now, I will concede that with CIP it takes a lot of time to access all the data, so increasing demand for that service will increase the need for resources for CIP, so we do have to think about that, and I appreciate it. I guess I am thinking more about, 'Well, how do we guarantee equality of access and consistency across the service system?' There are also long waiting times I think to get the information through CIP, primarily because of the high demand and the need. I know that there is money in the budget this year to expand the services of CIP, which is really welcome, and I think a worthwhile investment, but I think we need to think even broader when it comes to CIP.

I think we also need to think about the capacity and capability for frontline services to actually collect and analyse data. When you deliver practice you often are doing constant analysis to do that, but I think we need to be able to build in to the resource of these services the capacity to analyse data and see trends and then feed in, I think, across a statewide perspective. We do not have that funding for services. Really it all goes to frontline practice. There is no infrastructure support for services at the moment, so they have to make sacrifices if they want skills like this about what they put to the front line versus what sits behind.

I think we need to think about what is the capacity of systems when we think about misidentification, because I am sure you have heard lots from many people about the rates of mis-ID—and I heard the panel before me talk about one-third within culturally and linguistically diverse service, at least through inTouch. Now, this will vary, and we know for First Nations communities it is also a high risk. I think having fragmented data systems also makes rectification very difficult, so we need to think about how we can get a whole-of-system approach to rectifications. That includes everyone—not just police, not just child protection, not just our service. We need to really look and think about how we can have a systemic approach to addressing rectification of mis-ID.

I think maybe we need to visit the option of a systems monitor to be able to look at trends across the system, including data trends, and see how we are doing and how we are progressing in relation to some of these issues. Obviously that is not just about data, it is about practice and it is about working together and collaborating. So I am not talking about the implementation monitor, who ticked off the reforms and did a whole lot. I am talking about ongoing systems performance: how are we operating together as a system? And that would include some oversight of data—I think that would be really important.

That is probably all I will say in terms of a formal statement. All of that is in our submission of course and/or in other submissions. I am happy to handle whatever questions I can or take things on notice if I cannot.

**The CHAIR:** Great. Thank you very much for that opening statement. I will start off with one question if I may. You just mentioned, Tania, that we need to think broader when it comes to CIP. I am just wondering if you can take us through that in a bit more detail and what that would mean in practical terms and what your recommendation to the Victorian Government about thinking more broadly would be.

**Tania FARHA:** You know, it is a difficult question, because any expansion is going to involve cost, and we all know the budgetary environment that we are operating in. I think one of the things we need to think about is how is CIP operating now. Is there any way to make it more efficient at the minute in the way it is operating? And then I think we need to take a step back and say who needs access when to this system, and then make it available. But I think that requires a systems kind of discussion and maybe not so much a siloed discussion about the different elements. I guess I was thinking about perpetrator data. It is not necessarily the first thing you think about when you think about the survivor peak, you know, about why we are here presenting evidence. But everything is so interrelated, because without line of sight of what is happening with people using violence you cannot ensure the safety of survivors and their families, which is the ultimate goal of the overall system. Everything is so interconnected. So I would really encourage and welcome a discussion about how can we make the CIP's operation more efficient and then also can we revisit who might need access to that information and when.

**The CHAIR:** Do you have any suggestions around that who might need access and when piece?

**Tania FARHA:** I do. I think currently the services that do have access obviously need to retain access, but I think we really need to include the specialist family violence services, the home agencies that provide the ongoing case management, access to that, and men's behaviour change programs, because things change and people access services in different ways now. We have said 'no wrong door policy'. No wrong door policy means people can come in any way, but if there is no equality or equity of access to information, then not everyone is getting the same response, I think.

**The CHAIR:** Okay. Thank you. Annabelle.

**Annabelle CLEELAND:** You mentioned about the slow release of data through IRIS at times, is that right?

**Tania FARHA:** No, through the CIP. Not so much slow, just the demand is high, so it takes them time to get the –

**Annabelle CLEELAND:** Yes, okay. To receive that request, what impact does that have on a victim or a service provider's ability to respond to a situation?

**Tania FARHA:** I do not think they can make a holistic assessment without all of the information that is available to them. I heard the panel before me talk about the multiple times people have to share their story. It is interesting. I have been in and out of this system for about 21 years now, and I do not think I have seen the system needing people to tell their story so many times as I have seen it now, just because there are so many entry points and so many processes to forward on information. People are not yet familiar with all of the information-sharing laws that we have. I mean obviously we need to protect privacy, but we also need to keep people safe, and that balance—I do not think that we have the right balance at the minute.

**Annabelle CLEELAND:** And if there was a sort of statewide shared database, who would you imagine managing that and contributing data and also accessing data?

**Tania FARHA:** It is an interesting question. Do we need just one data system or do we need systems that at least have a bridge or an interface? That might be a way to think about this, because there is always going to be the need to keep some elements of information private and also to prevent the unintended release of information—that can also happen, you know, accidental release. I think the thing that we are missing are these bridges between the systems so that you can see a client's journey or a family's journey. So it may not necessarily be one big system—and there are going to be many people with different views about this—I think it is these interfaces with systems that are modern and can work together, which is the really important point.

We also need to think about the different systems and are they fit for purpose. I would say from my perspective when it comes to SHIP, I do not think it is fit for purpose. We are always trying to find workarounds. Services are finding their own systems that can sit above SHIP and feed into it so they can collect the data that they think is important for their service delivery. SHIP, being a federal system, does not allow you to change it very easily. It is not agile, and you cannot pivot when you need to, so we need to find systems that allow us to do that, I think.

**Annabelle CLEELAND:** Just finally, with the six that exist, if we are working towards a lot of recommendations around having a modernised database or potentially two with adult and youth, do you see them replacing and feeding into a federal database?

**Tania FARHA:** No, I do not. Well, it depends on the circumstances. People move, don't they. People move from one location—they go to another state and territory—and they need protection wherever they go. I think it depends on the nature of the information as to whether or not that needs to be federally based or not. I think recently there was some money in the federal budget for law enforcement to have some sharing of information—it was not very clear how and when they were going to do it, but there was that. And that could be a really good option.

One of the reasons why we feed into the federal system in terms of survivor services is that it has kind of been traditionally more an acquittal system than it has been more a data-sharing system, so I think we would need to think about what information do we need to understand that is required at the federal level. I think they are

more things like trends, patterns—some of the things that can show consistency across the country. But I think in terms of the service system itself, that is probably more a state-based system.

**Annabelle CLEELAND:** Yes.

**The CHAIR:** Great, thank you. Christine.

**Chris COUZENS:** Thank you for coming along today. We appreciate your time. You talked about the six data collections.

**Tania FARHA:** There is probably more –

**Chris COUZENS:** Yes, probably.

**Tania FARHA:** than what I named.

**Chris COUZENS:** I know you have covered off on that a little bit, but is there one whole-of-system approach that is possible in your experience?

**Tania FARHA:** I have never seen one in my experience.

**Chris COUZENS:** But do you think it is—yes, okay. I do not think there is one in the world. But do you see that it is possible that that could be created?

**Tania FARHA:** I think there would be a few things to consider if we did have it. It would have to be technologically advanced enough that you could put protections in, you know, in terms of barriers for who could access what information when, because I do not think it would be in line—maybe not so much in line—it would be difficult to protect people's information in one big system that did not have boundaries around who could access when.

**Chris COUZENS:** We already have that through the Orange Door to some degree, though, don't we? That is system sharing, data sharing.

**Tania FARHA:** Not really, because in the Orange Door there is a system, the CRM, but that is not available to people who work in home agencies who actually take on the referrals. So basically what happens in the Orange Door is they cut and paste the information that is said and they forward that on to the home agency, who then has to open up their own case and then provide responses too.

**Chris COUZENS:** But it does exist within the Orange Door itself. They do not necessarily share that data.

**Tania FARHA:** Oh, I see—as in a system that could be broader.

**Chris COUZENS:** Yes. So that has been a significant change in Victoria through the royal commission. Is it possible to build on that sort of system, do you think?

**Tania FARHA:** Yes. I mean, I do not know—I am not a technology expert and I am not a systems expert, but I assume that there is a possibility of an expansion of this system as long as the right protections are put in place. I think even now in the Orange Door not everyone can access everything all the time. There are some protections in place for that. I mean, I do not work in an Orange Door, so I would say everything, you know, kind of in a circumspect way. But yes, there would be I guess an opportunity to expand the CRM.

**Chris COUZENS:** And have you got any views on how we can improve the capacity of frontline service providers to analyse data?

**Tania FARHA:** Well, I think resources are the thing, because at the moment all the money that comes to services, the core funding, all goes to frontline service delivery and any uplift we have had has also gone to frontline service delivery. So whether or not it is case management, brokerage, any crisis responses, it is all about front line, and so it should be, but you cannot have a service that is sophisticated and advanced without having infrastructure support that sits under it in order to do its analysis—the collection and the analysis of data—and being able to feed that in to a system oversight approach.

**Chris COUZENS:** Thank you.

**The CHAIR:** Thanks. Chris.

**Chris CREWITHER:** Thank you very much for your evidence and your submission. A key point to take away from your evidence or your submission is that the current data on perpetrators of family violence is skewed towards overpoliced and marginalised perpetrators who are more likely to encounter the system, and a large segment of perpetrators who manage to avoid the system remain invisible. Can you please elaborate on that and how you think we can fix that issue or what can be done to address that problem?

**Tania FARHA:** I guess in the first instance we need to find ways of making sure people who are using violence are engaging with the system—finding ways to actually understand. I think I heard in the panel before about services saying that we need to do more preliminary work with people who are using violence to make sure they are ready to engage with service provision. Whether it is a men's behaviour change program or ongoing case management, I do not know, so we need some flexibility there.

I think what we need to do is kind of balance the books a little bit, try and make sure that we have got the capacity to collect the data on those who are not engaging through the statutory organisations—those who might be coming in through voluntary programs or through other ways—so that we can get a better understanding of what is happening in relation to what is driving perpetration, how it is happening, what the trends are. I mean, we have all heard in the media about technology-facilitated abuse. Now, that is not a new form, it is just a new way of perpetrating violence. How do we understand all of that and some of the drivers behind that? I think that is really important. I am not sure I can answer your question with 'This is the solution,' but I think we need to find a way that we can collect more of the data on those that are not coming in through the statutory processes, like you mentioned—law enforcement or child protection et cetera—so that we can actually get a more holistic picture of what is happening.

**Chris CREWITHER:** Just on the same question, Chair: with the overpoliced or marginalised perpetrators and the segment who are avoiding the system or remain invisible, can you give any examples of the types of people that are in each category?

**Tania FARHA:** Well, I am sure it is in all submissions—and it might not be so much overpoliced, I guess. We need to think about people who come to the attention of police because maybe there are not so many other services available to them; particularly if you think about people living in rural and regional Australia, there are not the wide range of services available. But I think we all know First Nations people of course are overpoliced. I think more and more we are seeing—and this is where mis-ID is coming in—with migrant and refugee communities, particularly women, that very often if they cannot speak English the person using violence speaks on their behalf. And then you see police believing that story as opposed to seeking an interpreter to better understand what is happening for that family more broadly. I think that because there are other ways that people seek support if they are not in the categories that you mentioned, they do not always come to their attention. A lot of people are in private providers at the moment seeking support for behaviour and things that will not come to the attention of the system because they are not prescribed to do so, and they kind of go under the radar that way.

**Chris CREWITHER:** Thanks.

**The CHAIR:** Thank you. Heang.

**Meng Heang TAK:** Thank you, Chair. In your presentation you talked about misidentification. Can you expand on the current difficulty or time-consuming process to rectify mis-ID?

**Tania FARHA:** I do not know if we have actually got a proper process. I know VicPol have done a lot around trying to understand how they can do that in their system. But that is just one part of the system, because by the time something like that happens it could already be in the child protection system. It could also be with courts, and rectifying it across the different systems is really difficult because there is no system body that can actually direct you to do that. Maybe there is an opportunity to think about if there is a central point that could help redirect the rectification of mis-ID, particularly across some of the statutory systems. I do not know—that would require of course more resourcing.

**Meng Heang TAK:** So what systems do not have the functionality to rectify that?

**Tania FARHA:** The only one that I know that is doing anything about the functionalities is Victoria Police, and I think the family violence implementation reform monitor had a big report about mis-ID. There are a whole lot of recommendations in there about a systems approach to rectifying mis-ID, but I do not believe that all of those have been implemented. I do not think she called them recommendations; they were more like observations about where to go next with mis-ID. I think we still, as a system, have a lot more to do on that.

**Meng Heang TAK:** Okay. Would you like to expand a bit more on that?

**Tania FARHA:** About what we need to do?

**Meng Heang TAK:** That is right, in terms of –

**Tania FARHA:** I think we need a body that can actually first understand all the intersecting points for mis-ID. Courts are a good point, where they can actually make decisions about things that might be rectified. But by then they are already on databases in other places, so who then directs those other parts or agencies to rectify their systems? Ideally it would be better to do that as soon as possible so that people do not get stuck in a system where then their histories are tainted by wrong information on systems. That is the big problem with mis-ID.

**Meng Heang TAK:** Thank you. Thank you, Chair.

**The CHAIR:** Okay. Jackson.

**Jackson TAYLOR:** Thank you, Chair. Thank you very much for your time today. You have spoken about—in the submission and today as well—investment in linking information systems for more efficient sharing and analysis of data. I believe you have expanded on this a bit, but of course feel free to do so more. Can I ask: what systems would or could be linked to provide better outcomes, and can you explain practical steps to overcome this, considering the common issues raised by stakeholders that we have heard in these hearings?

**Tania FARHA:** I think the systems I am referring are the ones that are specifically used by different services—different components of the service system—to respond to either people using violence or the survivors. I mean adults and children here too. Because historically the systems have evolved because they have suited a need at the time, I do not think we could have foreseen that we were going to have a huge systemic response to family violence, where children and families, family violence services and people-who-use-violence services were all going to be co-located together—and actually, even though they are not in the Orange Door, sexual assault services as well—and that they were all going to need to sort of understand patterns and trends and how we were going to do it. And now of course we have CRM data as well in the Orange Door. I do not think we could have foreseen that we were going to need some way to at least track people's journey through multiple service systems to actually understand what people need and at what point in their journey they need the support. Maybe we are waiting too long to get them support, but if we had identified them a lot earlier, we could have intervened earlier and got the family more support to prevent violence escalating or ending up where it did. That is what I mean when I talk about interfaces. It is about client journeys. It is about understanding trends and patterns. It is not necessarily about making individuals' data known, because I know we still have to grapple with the balance between privacy, but we also need to make sure we are providing safety at the earliest possible opportunity. These things are always hard to balance sometimes.

**Jackson TAYLOR:** Thank you. I take your point. But given this seems to be a consistent theme, I just wondered, and I will probably ask the same question of other witnesses as well: have you turned your mind to practical steps the government could take or any recommendations this Committee could make that could allude to those practical steps to bring all of these stakeholders together? Because I imagine there are lots of people who have those concerns about privacy. There are other concerns, but a lot of people are mentioning this theme about being able to capture that journey and not have information siloed in systems. Sorry, it is a very complex question. There is no easy answer, but I just thought I would ask.

**Tania FARHA:** Yes. I think the first step is to consider whether or not the systems we have got are fit for purpose still. And then if they are not, what systems are we thinking about? Is it one system, or is it many with a bridge between them or an interface? I think until we can have those discussions and actually understand—I think DFFH are starting to think about this and how it might happen. But I think time is of the essence when we think about this piece of work, so it would be really good if it could be prioritised, I would say.

**Jackson TAYLOR:** Thank you very much.

**The CHAIR:** I just have a question that relates to research generally around growing that evidence base around people who are using violence. I understand there is some research being done around desistance from family violence at the moment, and am just wondering: from your perspective, is the right data being collected to build this evidence base, and if not, what data needs to be collected?

**Tania FARHA:** Sorry, could you please just repeat the question? Are you referring to a particular piece of research that is currently happening?

**The CHAIR:** I understand Safe and Equal has been involved in some research around desistance of family violence. Is that right? You mentioned it in your submission.

**Tania FARHA:** Desistance? It might have been something that we endorsed from NTV's submission –

**The CHAIR:** Perhaps it was, yes.

**Tania FARHA:** and they might be the better organisation to speak to.

**The CHAIR:** We can definitely ask No to Violence that question too. But from your perspective and understanding of the research in the sector, do we have the data being collected right now to inform that research, or is there more data that needs to be collected? And if so, what is that data?

**Tania FARHA:** Yes, it is a good question. I actually think we have not prioritised it enough. I think we need to understand why people are engaging or not in the system, and we do need the data for that. So yes, we do need to understand better, and then we need to understand what is the best, more effective way to get them engaged in the system, because I think one approach for everybody is not going to work. Some people are better one on one. Some people might engage in a program early on. But we need to assess readiness, and we do not do that—or we do not do that as well as we should or we do not do it consistently.

**The CHAIR:** Okay. One other thing that has come up across submissions and with witnesses is an idea around a national survey—a population study around perpetrators and people using violence. Firstly I am seeking your views on that, but also particularly from the perspective of victim-survivors, is there something that we have not yet considered in terms of safety of victim-survivors when it comes to potentially looking at a survey like that?

**Tania FARHA:** It is complicated.

**The CHAIR:** It is a big question.

**Tania FARHA:** Yes. It is also a very complicated issue, because there are a lot of, I would say, ethical issues engaged in whether or not you are going to get the responses you need in a perpetrator survey like that. We also do have, I think increasingly, means of getting that information. Recently there was the development of a whole range of tools around perpetrator risk assessment. I think over time we are going to have a means to be able to assess some of the things that you are asking about perpetration there.

I understand why people want surveys. It is a quick way to get the information we need. But I am not sure it is as verified as it could be through practice data and understanding better what we are seeing in that. Again, I might defer to an organisation like NTV as to whether or not they think that could be a worthwhile endeavour. It has also been an issue that has been raised at the national level: whether or not it is an effective way of getting information in relation to perpetrators.

**The CHAIR:** One of the reasons why I understand a national population survey or study has been suggested is that that could potentially capture unreported family violence—so the family violence that is not coming into



contact with the system, that is not getting reported through the courts or police or to the Orange Door. Do you have any thoughts on unreported family violence and how that data could be captured better?

**Tania FARHA:** Well, I think we already have that data, because we have the population personal safety survey, so we know through survivors what their experience of violence is and where they are reporting it. The majority are still reporting through friends and family or at least telling friends and family first. So I think we have that around prevalence in terms of experience. If you are saying, ‘Are we going to get more about the types of perpetration?’ I do not know. I do not know the answer to that. I think it would be worthwhile thinking about where they have done it elsewhere and whether or not it was effective. I know they did one study in the Asia-Pacific—the UN did. It was not considered representative, so I am not sure how much impact it had. I think it is a difficult question, and I think that there probably are people whose business is research and this type of approach who could probably give you a better answer on that.

**The CHAIR:** Thank you, Tania. Before we finish, is there anything else that you would like to raise with the Committee?

**Tania FARHA:** No. I think it is in our submission, and I think I have covered it in the questions you have asked me.

**The CHAIR:** Tania, thank you very much for appearing before the Committee today. We greatly appreciate the submission that Safe and Equal has made and also the time taken to prepare your evidence for today. So thank you very much.

We will now take a short break before our next witness.

**Witness withdrew.**