

5 September 2022

Jan Shuard PSM
Family Violence Reform Implementation Monitor

Via: <https://engage.vic.gov.au/>

Dear Ms Shuard,

RE: Family Violence Reform Implementation Monitor (FVRIM) legislative review of the Family Violence Information Sharing Scheme (FVISS) and risk assessment and management framework

Djirra¹ welcomes the opportunity to respond to this review.

Djirra is an Aboriginal Community Controlled Organisation with over 20 years' experience accompanying Aboriginal and Torres Strait Islander women, and their children, on their individual journeys. We find solutions through Aboriginal and Torres Strait Islander women sharing their stories, journeys, and experiences.

We deliver holistic, culturally-safe, specialist family violence services and programs with state-wide reach across Victoria. Our services operate out of our Melbourne head office and a growing network of regional locations.

Victoria has the highest rate of Aboriginal children in out of home care in the country.² Despite this shameful statistic, the State is currently seeking to pass laws that will reduce judicial oversight and likely lead to more children being in out-of-home care.³ As highlighted by the *Bringing them Home Report*, the history of forcible removals of successive governments has had a devastating intergenerational impact on Aboriginal families and community. It is critical that Aboriginal women feel safe and supported to access services without the fear of their information being misused.

Djirra is concerned about the lack of clarity around, and confidence in, the role and conduct of child protection. While this is not the subject of FVRIM's review, it is important context that underpins Aboriginal women's deep mistrust of child protection and fear of losing their children.

Misuse and risk


Djirra offers a holistic service that includes Legal Services, Individual Support Services (ISS) and other related non-legal services. There is a confidential information barrier between legal services and other areas of Djirra.

Knowing that information might be obtained by child protection is a barrier to many Aboriginal women seeking assistance. The potential for misuse of information by child protection means that the information sharing scheme poses particular challenges for our organisation. For Djirra services to properly assist clients, they must be able to continue to be delivered in an environment of absolute trust and safety.

¹ Djirra is the Woiwurrung word for the reed used by Wurundjeri women for basket weaving. Traditionally, when women gathered to weave, important talks took place and problems were solved. The word Djirra symbolises our connection with Aboriginal women today, coming together to share stories, support each other and find solutions.

² Australian Institute of Health and Welfare (2021), *Child Protection Australia 2019-20*, p 54.

³ Part 5 and Clause 68, *Children, Youth and Families Amendment (Child Protection) Bill 2021*.



Djirra is also concerned about child protection conducting 'fishing expeditions' under the guise of information requests, and notes that while the agency is keen to get as much information as possible, this is rarely reciprocal.

Djirra makes the following recommendations:

- That there is a mechanism in the *Family Violence Protection Act 2008* for organisations to apply for whole or partial exemptions from information sharing requirements. In Djirra's case, for example, we would seek exemption on the grounds of both physical and cultural safety.
- FVISS legislation should continue to not apply to legal practices, however the legislation must be clearer.
- Training for child protection, including at executive levels, to change its punitive approach and ensure that family violence dynamics are properly understood through a trauma-informed lens. This must include cultural awareness and family violence training for child protection workers led by specialist organisations like Djirra.

Further consideration should also be given to the potential negative impact of FVISS as it applies to multidisciplinary organisations.

Inefficient information sharing

Djirra's ISS team notes that the sharing of timely, comprehensive and relevant information can be crucial for provision of our wraparound support services and ensuring the safety of women we assist. At times the scheme works very well.

There has, however, been delays in obtaining information which place clients at risk and impact the timely completion of an accurate risk assessment. ISS have reported examples of waiting up to two weeks for a response.

Further, Djirra has concerns about the adequacy of information, noting that the information ordinarily provided by the Central Information Point (CIP) is a basic summary without detail. It is Djirra's preference we be provided with more information, including L17s where applicable.

Djirra recommends that all relevant funded services have direct access to the CIP, which must contain comprehensive, reliable, and timely information. Whether via CIP or other means, Djirra must be able access all the information needed to effectively support Aboriginal women who have experienced, and remain at risk of, family violence.

Thank you for considering our submission.

Yours sincerely



CEO, Djirra