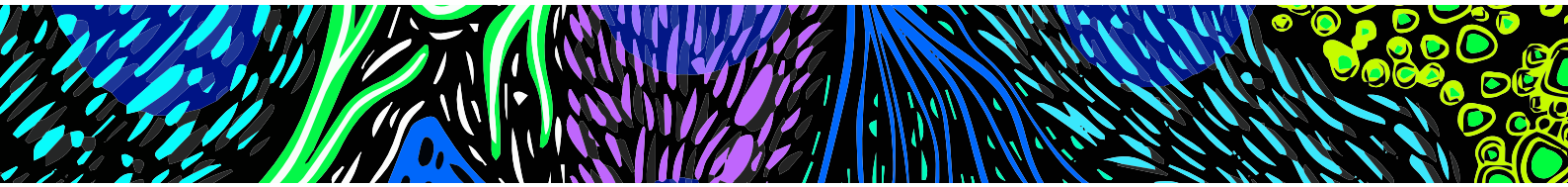
CEVAW
ARC Centre of Excellence for the Elimination of Violence Against Women



Submission to the Australian Government's consultation on the Second Action Plan (2027–2032) under the National Plan to End Violence Against Women and Children 2022–2032

Submitted by:
The ARC Centre of Excellence for the Elimination of Violence Against Women (CEVAW)

Date:
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Executive Summary

The ARC Centre of Excellence for the Elimination of Violence Against Women (CEVAW) welcomes the opportunity to respond to the Australian Government's consultation on the Second Action Plan (2027–2032). This submission draws together evidence from across CEVAW's research program – spanning technology-facilitated gender-based violence, disaster recovery, polyvictimisation, faith communities, suicide, legal and justice system responses, First Nations women's engagement with the family law system, migration and sex work – organised around our evidence and key messages rather than strictly around the consultation's five priority areas.

A central concern raised throughout this submission is the limited attention given to legal and justice system responses within the current consultation paper, despite these systems being a critical point of contact – and, too often, a point of failure – for victim-survivors seeking safety and accountability. This concern is reflected in the scale of evidence and recommendations set out below on the family courts, domestic violence fatality reviews, restorative justice, specialist family violence courts, First Nations women's engagement with the family law system, migration and sex work.

A full summary of recommendations follows. We would welcome the opportunity to discuss this submission further, including at any further hearings held as part of the consultation.

About this Submission

Rather than organising around the five priority areas set out in the consultation paper, this submission is organised around CEVAW's evidence and key messages, with each section noting which priority area(s) it speaks to most directly. Several of our contributions – particularly around legal and justice system responses – cut across more than one priority area, or raise important issues not squarely captured within the five areas as framed; we have noted these accordingly rather than forcing them into a single area.

In line with the consultation's approach, this submission treats domestic, family and sexual violence as distinct where the evidence speaks to one and not the other, rather than using 'violence' as a catch-all term. Contributions are intended to build on, extend or fill gaps in the commitments already made under the First Action Plan (2023–2027).



Summary of Recommendations

- Target technology-facilitated gender-based violence (TFGBV) prevention and early intervention at the specific pathways and rationalisations perpetrators use, rather than treating TFGBV as one undifferentiated harm. (Priority area 4)
- Invest in digital literacy, platform accountability and meaningful spaces for youth participation, so young people are positioned as partners – not passive victims – in shaping Australia's digital safety response. (Priority area 3)
- Explicitly recognise polyvictimisation and fund research to measure it across the life course in the Australian context. (Priority areas 1 and 2)
- Integrate gender-based violence prevention, screening and response pathways into disaster recovery frameworks, with dedicated, ring-fenced funding. (Priority area 1)
- Recognise, resource and support faith communities' role in both violence prevention and perpetrator accountability. (Priority areas 4 and 2)
- Commission an independent, publicly available evaluation of Victoria's Family Violence Restorative Justice Service. (Priority areas 1 and 5)
- Establish additional specialist family violence courts, and evaluate and further resource those already in operation. (Priority areas 1 and 5)
- Explicitly address the intersection between domestic, family and sexual violence and suicide within the Second Action Plan, including national coronial and death review consistency and recognition of perpetrator suicide threats as coercive control. (Priority areas 1, 3, 4 and 5)
- Strengthen the family courts' role in family safety and homicide prevention, including through the Lighthouse model, economic abuse responses and earlier identification of people using violence. (Priority areas 1, 3, 4 and 5)
- Strengthen First Nations women's engagement with the family law system, including through workforce representation and training, culturally safe access, community legal services and cross-system coordination. (Priority areas 1, 3, 4 and 5)
- Ensure the family law system's role is explicitly and uniformly considered within all Australian domestic violence fatality review processes. (Priority areas 1 and 5)
- Improve pathways to permanent residency and support access for migrant and refugee women experiencing family violence, regardless of migration status. (Priority areas 1 and 5)
- Review anti-discrimination law and Australian Border Force practice affecting sex workers. (Priority areas 1 and 5)
- Pursue broader Commonwealth reforms across economic abuse, victim misidentification, legal assistance shortfalls, national data collection, court forms and judicial education. (Priority areas 1 and 5)



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Technology-facilitated Gender-based Violence (TFGBV)

TFGBV: Perpetration pathways and prevention

Dr Akriti Verma and Distinguished Professor Asher Flynn (Monash University)
CEVAW Workstream 2.4: Harnessing Technology for the Prevention of Violence Against Women

Relevant priority area 4: People who use violence

Key message: Technology-facilitated gender-based violence (TFGBV) prevention and early intervention should target the specific pathways and rationalisations perpetrators use, rather than treating TFGBV as a single, undifferentiated harm.

TFGBV is a significant global issue where patterns of gender-based harm extend into digital spaces (Flynn et al. 2024, 2026a; Quilty & Flynn 2026). While research has identified the risk factors and motivations for TFGBV perpetration (Flynn et al. 2025; Powell et al. 2019, 2022), the behavioural dynamics of TFGBV remain under-explored. This research is informed by a cross-country survey of 7,822 male-identifying respondents across Australia and the Indo-Pacific (Indonesia, Vietnam, the Philippines). To enable a more inclusive sample, the survey was translated and administered in English, Bahasa Indonesia, Tagalog and Vietnamese.

Identifying the 'who': perpetrator typology

Analysis of the survey responses indicates that TFGBV is perpetrated by men across various attitudinal, psychological and socio-economic backgrounds. The research identifies three distinct profiles of perpetrators:

- Socio-normative perpetrators (33–39% of perpetrators): the largest and most 'stable' group, often employed full-time, married and socio-economically secure. In these cases, digital monitoring is frequently used as a standalone strategy for relationship dominance, largely decoupled from offline physical violence.
- Psychologically vulnerable perpetrators (33–40% of perpetrators): characterised by severe psychological distress. Their behaviour often manifests as a 'reality fog', where emotional volatility leads to a failure to perceive their surveillance or tracking as unwelcome or harmful.
- High-hostility/high-risk perpetrators (27–28% of perpetrators): this group engages in multi-modal harm (for example, threats, image-based sexual abuse and harassment), and shows the highest overlap with offline physical violence.

Recognising the 'how': behaviours and escalation

Recognition efforts should focus on identifying early signals that precede violence. This study identifies a pathway to malice:

- Digital monitoring as the baseline: the most frequently reported behaviours involve non-consensual surveillance, such as checking messages, demanding conversation logs or tracking locations.

- The 'gateway' hub: impersonation and privacy violations (for example, using stolen passwords or hacking accounts) serve as the primary gateway. Once these digital boundaries are breached, the structural conditions are set for escalation into image-based sexual abuse or direct threats of violence and harm.
- Online-offline continuum: in high-risk groups, digital tools are an extension of broader aggression and violence. For instance, across the Indo-Pacific, 69.7% of men who reported using physical violence at home also perpetrated TFGBV, and in the Australian cohort, in the high-risk and high-hostility group, 51.8% of TFGBV perpetrators also reported perpetrating physical violence inside the home and 79.6% reported perpetrating physical violence outside the home.

Understanding the 'why': the disconnect hypothesis and perceived impunity

The common rationales used by perpetrators to mask coercive intent include:

- The 'amusement mask': perpetrators most frequently claim their actions were 'just a joke' or 'funny'. This study validates a disconnect hypothesis, proving that these 'funny' justifications are a poor predictor of risk. Men who claim amusement as their primary intent engage in physical violence at rates comparable to those motivated by anger (17.17% vs 16.16%).
- Control as the hub: regardless of stated intent, control is the structural centre of TFGBV. It functions as a tool for maintaining dominance in relationships. While perpetrators may rationalise their actions through various motivations, such as humour, jealousy or anger, the underlying function of these behaviours is a pattern of control and dominance.
- Perceived online impunity: the strongest predictor of perpetration is the belief that digital actions lack real-world consequences. This sense of digital shielding lowers social inhibitions, allowing men to act on hostile impulses they might otherwise restrain.

Recommendations

- Reframe the 'just a joke' narrative: prevention campaigns should highlight that claims of 'amusement' or 'flattery' are often neutralising narratives that mask TFGBV.
- Focus on stable contexts: because the largest group of perpetrators are socio-economically stable, recognising surveillance behaviours (such as location tracking or account monitoring) can be a starting point for identifying coercive control.
- Target gateway behaviours: early intervention should prioritise disrupting impersonation and privacy violations, as these are the tipping points for escalation into direct threats and high-intensity TFGBV.

TFGBV: Centring young people as leaders

Dr Emma Quilty and Distinguished Professor Asher Flynn (Monash University)
CEVAW Workstream 2.4: Harnessing Technology for the Prevention of Violence Against Women

Relevant priority area 3: Children and young people in their own right



Key message: Young people should be positioned as partners, not passive victims, in shaping Australia's digital safety response.

Young people are largely represented in narratives around digital safety and online violence as passive recipients and victims. A crucial shift needs to occur where they are centrally placed as leaders in shaping Australia's digital futures.

Technology-facilitated gender-based violence (TFGBV) is an emerging global issue with significant social, political and economic impacts. According to estimates from UN Women (2024), 58% of women and girls worldwide have experienced some form of online harassment. The evidence base is growing, however there are few studies that cover the nature of the problem within the context of the Pacific, outside of New Zealand and Australia (Flynn et al., 2026c; Quilty & Flynn, 2026). This submission is informed by research conducted across Australia and the Indo-Pacific (Quilty & Flynn, 2026), including focus groups and interviews with young people aged 18–24 years in Fiji (Flynn et al., 2026b).

TFGBV is increasingly reported among young people who face vulnerabilities, as digital technologies intersect with the pressures and processes of growing up, forming their identity, friendships and navigating the world of dating (Flynn et al. 2024). Many young people normalise forms of TFGBV as an expected part of being online and avoid help-seeking for fear of punishment from teachers and parents (Patchin & Hinduja 2026; Salerno-Ferraro 2022). Examples of research from Fiji show how victim-blaming attitudes are shaped during adolescence, suggesting that early intervention and partnerships with faith-based organisations are key to challenging these attitudes and promoting respectful digital ethics (Flynn et al. 2026b).

Our research highlights that young people are aware of the harms and impacts of TFGBV and have pragmatic insights into how to raise further awareness and minimise stigma, improve help-seeking pathways for victim-survivors and empower bystanders to intervene (Flynn et al. 2026c, 2026b). While much policy discourse foregrounds the harms young people experience online, our research with young people demonstrates that they also use digital technologies for activism, resistance and support-seeking.

Our findings support rights-based, gender-responsive and youth-centred approaches to addressing TFGBV harms among young people, such as investment in digital literacy, stronger platform accountability and meaningful spaces for youth participation in policy development. Crucially, young people must be positioned as partners, not problems, in shaping safer digital futures – an approach increasingly advocated within international child-rights and digital governance debates (Livingstone et al., 2021; UNICEF, 2022).

Recommendations

- Invest in digital literacy for young people.
- Strengthen platform accountability.
- Create meaningful spaces for youth participation in policy development.



Polyvictimisation Across the Life Course

Dr Revathi N. Krishna and Professor Jane Fisher (Monash University)
CEVAW Workstream 1.1: Nature, Prevalence and Change over Time of Violence Against Women

Relevant priority areas 1: Victim-survivors of domestic, family and sexual violence; **2**: Prevention and early intervention

Key message: Polyvictimisation – the accumulation of multiple, often co-occurring forms of violence across the life course (eg. childhood maltreatment, intimate partner violence, sexual violence, economic/technology-facilitated abuse) – is an under-investigated dimension of gender-based violence in Australia.

Most GBV prevalence research, in Australia and internationally, is designed around discrete categories of violence – intimate partner violence, sexual violence, child maltreatment – measured largely in isolation and often within a single life stage. This tends to underestimate the reality that women and girls can experience multiple, overlapping and cumulative forms of violence across childhood, adolescence and adulthood, and that this accumulation ('polyvictimisation') carries compounding effects on health and wellbeing distinct from any single form of violence considered alone (AIFS, 2013). The CEVAW Workstream 1.1 team has conducted three systematic reviews (currently under review) of peer-reviewed evidence on violence against women and girls in Fiji, Indonesia and Vietnam, which reveal the under-investigation of polyvictimisation.

This international pattern is mirrored, not contradicted, by what limited Australian evidence exists. Where Australian research has directly measured polyvictimisation, the results have been striking: a 2024 study of Australian nurses, midwives and carers found that half the women survivors of violence in the sample had experienced two or three distinct forms across their lifetime (child abuse, intimate partner violence, non-partner sexual assault), describing a 'cumulative, temporal and injurious life course effect' of violence (McLindon et al. 2024). Yet this remains one of only a small number of Australian studies to measure polyvictimisation directly, and it was conducted in a single occupational sample rather than the general population. Australia's national violence prevalence instrument, the ABS Personal Safety Survey, is structured predominantly around discrete violence types and single 'most recent incident' reporting rather than cumulative, cross-type or life-course exposure. Even the Australian Longitudinal Study on Women's Health is used to model the life-course prevalence of sexual violence as a single, isolated exposure (Townsend et al. 2022) rather than as one aspect within a polyvictimisation model.

Recommendations

- Explicitly recognise polyvictimisation and fund research to measure it across the life course in the Australian context.
- Include polyvictimsation as a target and an outcome indicator in all monitoring and evaluation of publicly funded prevention programs.



Embedding Violence Prevention and Response in Disaster Recovery Planning

Dr Revathi N. Krishna, Dr Thach Tran and Professor Jane Fisher (Monash University)
CEVAW Workstream 1.1: Nature, Prevalence and Change over Time of Violence Against Women

Relevant priority area 1: Victim-survivors of domestic, family and sexual violence

Key message: Disaster recovery frameworks should treat gender-based violence as a core recovery risk, with dedicated, ring-fenced funding.

A 2026 community-based survey of 1,299 women living in four local government areas affected by the 2019–2020 Australian summer bushfires found that 18.6% had experienced assault or violence, fear of someone in their household or both, in the years since the fires. Risk was significantly higher among Indigenous women (AIHW, 2025), women under 25, those caring for a family member with a disability and those who had experienced compounding adversities such as flooding, serious accidents or job loss after the bushfires. Experiencing violence was associated with substantially increased odds of high PTSD symptoms, moderate-to-severe depressive symptoms, and low overall mental wellbeing.

Notably, the study (Tran et al. 2026) found violence risk was not confined to households with direct fire damage or long evacuations; vulnerability was instead driven by pre-existing disadvantage and compounding life stressors. This indicates that disaster-related GBV responses cannot rely on damage assessments alone to target support, and instead require whole-of-population screening and accessible entry points to services across affected regions, not just among those with the most visible property loss.

These findings reinforce and extend earlier Australian evidence from the 2009 Victorian bushfires (Molyneaux et al. 2020), and are consistent with international research following floods and hurricanes (Thurston et al. 2021), suggesting the violence–mental health relationship is robust across disaster types. Given the increasing frequency and severity of bushfires under climate change, disaster preparedness and recovery frameworks should treat interpersonal violence against women as a core recovery risk, not a peripheral concern.

Recommendations

- Fund routine, confidential screening for violence and fear of household members in post-disaster health and wellbeing surveys and service contacts.
- Ensure safe, well-publicised referral pathways to GBV specialist services are active from the earliest stages of disaster response, not only during formal recovery phases.
- Prioritise outreach to Indigenous women, younger women, carers of people with disability and those experiencing compounding adversity (for example, subsequent flooding or job loss) as identifiable higher-risk groups.
- Commission further longitudinal research to establish causal pathways between disaster exposure, violence and mental health, given current evidence is cross-sectional.



Faith Communities in Prevention and Perpetrator Accountability

Professor Sarah Wendt and Dr Josephine Clarke (University of Melbourne)
CEVAW Workstream 2.1: Community Effects on Violence Against Women

Relevant priority areas 4: People who use violence; **2**: Prevention and early intervention

Key message: Faith communities have an unrecognised role to play in both prevention and perpetrator accountability.

This research has identified examples of and a willingness to change the role of the church and practices to support safety, prevention and the cessation of interpersonal violence and abuse. We also found that more work needs to be done to support religious and faith community capacity to support and understand safety, the prevention and cessation of violence, recovery and healing, and perpetrator accountability.

As we have recently argued:

- it is important to understand and resource faith-based pastoral care practices aligned with wider community supports and services available to victim-survivors and to perpetrators
- effective responses to domestic violence in religious contexts require addressing the theological beliefs, religious discourses and practices that legitimise gender inequalities (Clarke & Wendt, 2026).

There are examples of commitments underway in select religious communities, to understand, recognise, prevent and address violence against women. Supporting religious and faith community capacity to further contribute to ending violence against women and children also requires alignment with and shared knowledge about wider specialist supports and services available to support victim-survivors. Our research also shows the potential for faith communities to support the accountability of those who use violence. Supporting faith community capacity involves working with diverse religious leaders and community members to ensure the community-based contribution to prevention is safe, relevant and adequately resourced. It also needs to be victim-survivor centric.

Recommendations

- Support religious and faith community capacity to understand, prevent and contribute to a whole-of-community effort to address violence against women and children, recognising and working with the diversity of religious and faith communities in Australia.
- Extend engagement with faith communities and leaders in integrated approaches to addressing violence against women and children, given their critical role in legitimising, authorising, regulating and resourcing prevention and response capability – noting this requires adequate resourcing.
- Recognise the opportunity to strengthen the role of religious and faith organisations and communities in responding to those who use violence and in supporting perpetrator accountability, noting this opportunity needs to be further explored so that it is relevant to specific and diverse faiths, and is supported by research that evidences current practices and opportunities for safety in community-based initiatives and responses.

- Ensure key prevention messaging about the unacceptability of violence against women and children is not disassociated from religious structures, leadership and pastoral care practices that engender gender-based discrimination and inequality.
- Continue to support and extend religious and faith community capacity to understand the full extent and types of violence and abuse, including coercive control, spiritual abuse and intimate partner sexual violence.

Domestic, Family and Sexual Violence and Suicide

Professor Heather Douglas, Professor Kyllie Cripps, Professor Kate Fitz-Gibbon, Dr Stefani Vasil
ASSA-CEVAW workshop, Deaths by Suicide in the Context of Domestic and Family Violence

Relevant priority areas 1: Victim-survivors; **3:** Children and young people; **4:** People who use violence; **5:** System integration and workforce

Key message: Domestic, family and sexual violence (DFSV) is a significant and under-recognised risk factor for suicide, and the Second Action Plan should explicitly address this intersection.

CEVAW's January 2026 submission (Douglas et al. 2026) to the House of Representatives Inquiry into the relationship between domestic, family and sexual violence and suicide, and the accompanying Academy of Social Sciences in Australia (ASSA)–CEVAW workshop (Douglas et al. 2025) it draws on, found that deaths by suicide in the context of DFSV are significantly under-recognised in Australian research, policy and practice. Deaths connected to violence are too often pathologised and individualised – reduced to matters of mental ill health or substance use – obscuring the broader relational and structural contexts in which they occur, including in coronial investigations and death reviews. International evidence, including from England's main mental health survey, found that about half of people who attempted suicide in the past year had experienced intimate partner violence at some point in their life, with young women aged 16–24 facing particularly heightened risk (McManus et al. 2022).

The workshop and submission also identified perpetrator threats of suicide as a form of coercive control, used to limit victim-survivors' freedom, choice and autonomy and to deter help-seeking or leaving a relationship; significant rates of homicide being misclassified as suicide, particularly affecting Aboriginal and Torres Strait Islander women; and heightened suicide risk for children and young people, migrant and refugee women, and people experiencing gambling-related harm.

Because the parliamentary inquiry's own recommendations may not otherwise be reflected in the Second Action Plan, we restate a selection of the nationally relevant recommendations from that submission below. The full submission sets out 25 recommendations in total across six priority areas; the complete evidence base and recommendations are available in the referenced reports.



Recommendations

- Recognise DFSV as a significant risk factor for suicide, with this recognition explicitly embedded in the Second Action Plan itself and aligned with the National Suicide Prevention Strategy 2025–2035.
- Fund longitudinal research examining pathways between DFSV victimisation and perpetration and death by suicide, prioritising Indigenous-led research and attention to migrant and refugee communities, children and young people, LGBTIQA+ communities and people with disability.
- Establish nationally consistent coronial investigation and death review processes for deaths by suicide where DFSV is a known or suspected factor, with enhanced data linkage and disaggregation by ethnicity, migration status, disability and LGBTIQA+ identity.
- Recognise perpetrator threats of suicide as a form of coercive control across domestic and family violence legislation, protection order provisions and risk assessment frameworks, with corresponding police and mental health service protocols that keep victim-survivor safety separate from perpetrator welfare responses.
- Reform the family law system to screen for suicide risk alongside DFSV victimisation and perpetration, train judicial officers and practitioners on the intersection, and expand the Critical Incident List model for children following parental suicide or homicide.
- Fund a national research and service program addressing the DFSV–suicide intersection for Aboriginal and Torres Strait Islander communities, children and young people, and perinatal and maternal mental health.
- Address heightened suicide risk among migrant and refugee women experiencing DFSV by reviewing migration policies, extending access to support services regardless of visa status, and removing barriers to permanent residency.

Strengthening Legal and Justice System Responses

Relevant priority areas 1: Victim-survivors; **3**: Children and young people; **4**: People who use violence; **5**: System integration and workforce

There is a concerning lack of focus on justice responses within the Second Action Plan consultation paper. Victim-survivors frequently seek support through court processes to obtain protection orders, ensure safe arrangements for their children and secure accountability for perpetrators of violence, yet commonly report being let down by these systems. This section sets out evidence and recommendations on legal and justice responses spanning the federal family courts, domestic violence fatality reviews, restorative justice, specialist family violence courts and broader Commonwealth reform.

Federal family courts as critical safety and homicide-prevention infrastructure

Professor Heather Douglas, CEVAW Deputy Director (University of Melbourne)
CEVAW Workstream 3.2: Legal Responses to Violence Against Women

Key message: The federal family courts are a critical, currently under-utilised site for both immediate safety and longer-term homicide and suicide prevention in family violence matters.

The federal family courts are a critical part of Australia's broader family safety infrastructure: over 80% of matters litigated through the family courts involve family violence. Family courts engage with women, children and families during periods of heightened risk involving coercive control, economic abuse, systems abuse, technology-facilitated abuse and escalating post-separation violence, and there are significant opportunities to strengthen the justice system's contribution alongside specialist domestic, family and sexual violence services.

Family courts are also an important site for preventing escalation to serious or lethal harm. Through earlier identification of risk, dynamic risk assessment, coordinated safety planning, multidisciplinary responses and stronger referral pathways, there is considerable potential to strengthen the courts' contribution to homicide prevention and longer-term safety.

Recommendations

- Strengthen the Lighthouse model (FCFCOA) and other existing initiatives to build specialist family safety capability, including expansion to property matters and to regional, rural and remote communities, together with stronger dynamic risk assessment, safety planning, navigation and coordinated referrals.
- Strengthen responses to economic abuse and systems abuse, including specialist property pathways that better support women's longer-term economic security and recovery following violence.
- Strengthen coordination and information-sharing between the courts, specialist DFSV services, police, child protection, health services and other agencies, particularly for matters involving elevated or changing risk.
- Strengthen earlier identification of people using violence and improve referral pathways to evidence-based perpetrator interventions, while maintaining a clear focus on victim-survivor safety and accountability.

Domestic violence fatality reviews should include further review of the family law system

Lauren Bellamy, PhD candidate (University of Melbourne)
CEVAW Workstream 3.2: Legal Responses to Violence Against Women

Key message: The role of the family law system in domestic violence fatalities is not commonly explored in Australian death review processes.

Domestic Violence Fatality Review (DVFR) teams operate across Australia, except in Tasmania and South Australia. The aim of DVFRs is to identify systematic issues, foster system accountability, and ultimately reduce domestic and family violence fatalities by reviewing deaths and making recommendations for system improvements. Whilst DVFRs review fringe cases (i,e. cases ending in fatality), these mechanisms have the potential to provide in-depth insights into system challenges and promote the safety of victim-survivors prior to the escalation of violence.

Current evidence indicates that there is no systematic way for Australian state-level DVFRs to identify and analyse family law system contact. Firstly, because the family law system in Australia is a federal system, it can be seen as sitting outside the purview of state-level DVFRs – a structural gap not shared by unitary systems such as New Zealand's Family Violence Death Review Committee (Bellamy 2025). The federal-state divide can impact the ability for DVFRs to identify and access family law system information, due to a reliance on third-party state-level information (e.g. police information), and barriers to accessing federal material, such as information held by the Federal Circuit and Family Court of Australia. DVFRs are also constrained by the inability to monitor federal recommendations.

The Australian Domestic and Family Violence Death Review Network, which was established in 2011, coordinates state-level DVFRs, and has worked to build a national minimum dataset on intimate partner violence homicides and filicides (National Network 2024; ANROWS 2022). However, consistently comparing data across Australia remains a challenge, given differences in each team's data collection powers, death review processes, and available resourcing to conduct reviews (Bellamy 2025). In the context of family law, these challenges are complicated by legal complexity and uncertainty surrounding the information that can be accessed and written about. As such, only ongoing or recently concluded family court proceedings are included in the national datasets.

Approaches to reviewing family law system contact have been historically narrow, considering largely family court contact. Most DVFRs do not review the relevance of broader family law system engagement, such as contact with family lawyers or mediators, or the relevance of post-separation property disputes in fatalities. The ability to identify, and the decision to review family law contact in fatalities is closely linked to the availability of relevant expertise and resources.

Incorporating broader family law system contact in DVFRs requires teams to be well constituted, stable, adequately funded, and provided with clear and consistent access to information.

Recommendations

- Ensure the role of the family law system is explicitly and uniformly considered within all Australian DVFR processes, for purposes of national comparison. This could be accomplished by incorporating family law system contact into the quantitative data collection tools of all Australian DVFRs.
- Formalise ongoing information sharing protocols between the Federal Circuit and Family Court of Australia, the Family Court of Western Australia, and all Australian DVFRs. This recommendation aims to address the current gap created by the division between federal family law and state-based review mechanisms.
- Further resource Australian DVFRs so that they have capacity to undertake their reviews effectively, including the ability to engage with experts, such as family law experts, as a part of their review processes.

- Establish a channel for state-level DVFR recommendations to be monitored via a federal body, such as the Australian National Domestic and Family Violence Death Review Network.

Evaluating restorative justice responses to intimate partner violence

Charlotte Hock, PhD candidate (University of Melbourne)
CEVAW Workstream 3.2: Legal Responses to Violence Against Women

Key message: As governments consider restorative justice as part of Australia's response to domestic, family and sexual violence, there is a need for robust independent evaluation of existing programs. Victoria's Family Violence Restorative Justice Service, as Australia's first specialist model operating independently of court referrals and criminal legal processes, should be independently evaluated to inform future policy and practice.

Recommendations

- Commission an independent, publicly available evaluation of Victoria's Family Violence Restorative Justice Service. This would complement the evaluation of ACT's Restorative Justice Service Phase 3, which expanded in 2018 to accept referrals for include DFV and sexual violence offences. The evaluation of Victoria's model should examine:
    - referral pathways
    - barriers to participation for a) victim-survivors and b) persons using violence
    - victim-survivor experiences of safety, agency, and satisfaction with process and outcomes
    - perpetrator accountability, engagement and behaviour change
    - victim-reported experiences of ongoing safety and reoffending following participation
    - implementation challenges and workforce capability.
- The findings should be used to support a national evidence-base to inform future policy on restorative justice responses to domestic, family, and sexual violence, including identifying the circumstances in which restorative justice may be appropriate, safe and effective; barriers to victim and person-using-violence engagement; the number of cases referred, assessed and completed; victim satisfaction following conferencing; and measures of person-using-violence reoffending as reported by victims.
- Commission a study of victim-survivors navigating intimate partner violence who wish to remain in the relationship, examining their experiences of seeking support, gaps in current services in addressing ongoing violence, and opportunities to address violence without separation as the default response.



Resourcing and evaluating specialist family violence courts

Alannah Colley, PhD candidate (University of Melbourne)
CEVAW Workstream 3.2: Legal Responses to Violence Against Women

Key message: Specialist family violence courts need consistent resourcing and evaluation across jurisdictions.

Continuous improvement of justice systems is needed to ensure courts are responding to family violence cases across protection order proceedings, criminal cases, child protection and family law. Existing legal processes require victim-survivors of family violence to engage with multiple courts and jurisdictions (criminal, civil, family, child protection) and in circumstances where legal intervention can exacerbate safety risks (Douglas, 2018; Holder & Daly, 2018). This research demonstrates specialist family violence courts have the potential to provide an integrated justice response that is trauma-informed, promotes the safety and wellbeing of victim-survivors throughout court processes, holds people using violence to account, and encourages them to change their behaviour by connecting people using violence to specialist services. However, existing specialist family violence courts operate at the state and territory level and vary widely in terms of their availability, jurisdiction, resourcing, and the extent to which staff and practitioners are adequately trained to understand and respond to family violence cases (ALRC, 2010; Parliament of Australia, 2025). This research shows how further investment in family violence courts can ensure more communities can access specialist justice systems that are safe, easy to navigate, and which promote accountability and behaviour change for persons using violence.

Recommendations

- Support states and territories to fund additional specialist family violence courts.
- Commission independent evaluations of existing family violence courts (including pilot courts), including the experiences of victim-survivors and persons using violence accessing the courts; outcomes of family violence matters in courts; recidivism analysis of family violence reoffending for persons going through specialist courts; and whether courts are operating according to their intended specialist model.
- Further resource family violence courts already in operation, including to support mandatory training of judicial and legal staff working in the courts, architectural modifications to court complexes to provide safe entrances and waiting areas, and increased access to support services for victim-survivors and behaviour change programs for persons using violence.

Broader Commonwealth reforms to strengthen legal and justice responses

Professor Heather Douglas, CEVAW Deputy Director (University of Melbourne)
CEVAW Workstream 3.2: Legal Responses to Violence Against Women

Key message: Beyond the family courts specifically, a further set of Commonwealth-wide reforms would strengthen legal and justice responses to family violence.

Recommendations

- Strengthen responses to economic abuse and systems abuse across government systems, including improved information-sharing where appropriate and reforms that reduce the burden placed on victim-survivors to obtain complex financial information and disclosure.
- Continue to improve justice system responses to victim misidentification by strengthening understanding of coercive control, systems abuse and the dynamics of reactive violence.
- Address the ongoing shortfalls in legal assistance and specialist domestic and sexual violence services, recognising the importance of early specialist legal and domestic and family violence support.
- Invest in better national data collection, longitudinal research and evaluation to strengthen the evidence base around family court pathways, outcomes and effective interventions.
- Improve court forms, information-gathering and online access to ensure family violence is identified, support safer participation and strengthen early identification of risk, particularly for self-represented litigants.
- Support nationally consistent judicial education, research, leadership and professional development on emerging issues affecting the administration of justice, including family violence, coercive control, economic abuse, sexual violence and child sexual abuse.

First Nations Women's Engagement with the Family Law System

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CEVAW Workstream 3.2: Legal Responses to Violence Against Women

Relevant priority areas 1: Victim-survivors; **3**: Children and young people; **4**: People who use violence; **5**: System integration and workforce

Key Message: For some First Nations women, the federal family law system may help protect against family violence and child removal (O'Donnell and Douglas, 2025).

Recommendations

- Strengthen culturally safe and accessible responses for First Nations families, including expansion of the Indigenous Family Liaison Officer program and other culturally safe navigation and support pathways.
- A commitment to significant additional government investment in the family law system to ensure adequate resourcing for the following recommendations.
- Increase representation of First Nations staff across the family law system, including the judiciary, registry, lawyers including independent children's lawyers and family report writers. Additionally, a model should be implemented in the family courts to ensure that where a matter involves First Nations children, relevant parties should have access to First

Nations family report writers, First Nations independent children's lawyers and First Nations psychologists.

- Related to increasing representation, the development of a program within the family law system to train and upskill First Nations practitioners as a pipeline to obtaining roles as First Nations registrars, judicial officers, family report writers and lawyers including independent children's lawyers within the family law system.
- Expand the Indigenous List and Indigenous Family Liaison Officers programs and make available in all family courts. Implement these programs in Western Australia. Adopt a consistent approach across, and within, all States and Territories.
- Appropriately resource the family courts for family law matters in regional/remote areas, and create culturally safe spaces for matters to be heard, including for remote attendance.
- Improve access to the Commonwealth Courts Portal, with a focus on accessibility and usability.
- Provide and promote in-depth, ongoing and mandatory cultural awareness and safety training for the judiciary, registry, lawyers including independent children's lawyers and family report writers. (e.g. a mandatory aspect of continuing professional development).
- Appropriately resource Women's Legal Services to employ specialist First Nations cultural engagement/access workers, and to deliver First Nations-led and designed programs within Women's Legal Services. Fund these programs adequately to ensure appropriate recognition of the experience and expertise of First Nations workers and programs.
- Recognise the benefits of integrated service models within Women's Legal Services, and adopt this model across all Women's Legal Services.
- Resource and develop First Nations-led mediation and self-determined alternatives that sit outside the family law system.
- Resource First Nations-led and designed community legal education in a variety of formats (written, visual) on family law, for example, on topics like recovery orders, relocation and the family court, and how family law intersects with other areas, including child protection, DVOs and criminal matters.
- Train other service providers (including police, social service providers and ACCOs) on the family law system, with a specific focus on First Nations women and when to refer someone for legal advice and to non-legal support services, cultural awareness and safety, and the dynamics of family violence.
- Resource and develop a working group across the family courts, with representatives from each jurisdiction, adequate First Nations representation, and representatives both internal and external to the family courts (e.g. ACCOs), on the intersections between child protection and family law, including the variability across jurisdictions, and the impacts on First Nations peoples. This group should be guided by the aim of working towards a nationally consistent and culturally safe approach



Migration Status and Pathways to Safety

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CEVAW Workstream 3.2: Legal Responses to Violence Against Women (with input from Workstream 2.3: Migration and Trafficking)

Relevant priority areas 1: Victim-survivors; **5**: System integration and workforce

Key message: Insecure migration status compounds structural vulnerability to domestic and family violence (DFV), and current pathways to safety and permanent residency remain narrow and difficult to access.

Insecure migration status can exacerbate and compound experiences of family violence. Women with an insecure migration status: (i) have limited access to financial resources (including through limitations on welfare and work, as well as migration-related fees); (ii) face difficulties accessing legal support, particularly in relation to the accessibility of free immigration advice; (iii) face barriers to accessing safe and secure housing (both refuge accommodation and long-term rentals); and (iv) access to healthcare is often dependent on visa entitlements.

Permanent residency offers greater stability, security and access to government-provided financial supports, education and employment. Yet many women with an insecure migration status who experience family violence are excluded.

The family violence provisions in Division 1.5 of the Migration Regulations 1994 (Cth) allow certain temporary partner visa holders, and some secondary applicants on skilled visas, to seek permanent residency where the relationship has ended due to family violence. However, these provisions carry strict eligibility and evidentiary requirements. This includes proof that the underlying relationship was genuine and continuing before documentary evidence of family violence can even be considered. Moreover, these provisions do not extend to people on other temporary visas, including student or visitor visas (O'Donnell 2025a).

Separately, family violence is not a named ground for refugee or complementary protection under the Migration Act 1958 (Cth). An applicant may seek protection based on family violence experienced outside Australia in their country of origin, but success through this pathway is difficult: it depends on the applicant proving state authorities in their country of origin are not just unable, but unwilling, to protect them from family violence, and research suggests success rates are low (O'Donnell 2025b).

Recommendations

- Improve pathways out of violence and into permanent residency for migrant and refugee women with insecure migration status who have experienced DFV.
- Extend access to support services for all people experiencing DFV regardless of migration status.
- Commit to building strategies for systemic, institutional, and structural change for migrant and refugee women with insecure migration status who have experienced DFV.



Sex Work, Anti-discrimination and Law Enforcement Practice

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Relevant priority areas 1: Victim-survivors; **5**: System integration and workforce

Key message: The elimination of violence against women requires that all women, including sex workers, have an existence free from violence and can live with dignity. In order to take a holistic approach to VAW, there is an urgent need for legal responses that take sex workers' lived experiences seriously. CEVAW conducted an Inquiry into violence against sex workers in Australia and Thailand recently where we received submissions from six sex worker communities based in different jurisdictions within Australia, including Queensland, New South Wales, Northern Territory, Victoria, South Australia. The submissions very clearly stated the need for decriminalising sex work and recommended it as the starting point for addressing violence against sex workers and the removal of stigma that pushes women to work in the sex industry under unsafe conditions. The submissions also highlighted the violence faced by Asian migrant sex workers and the discriminations women face due to the raids conducted by the Australian Border Force.

Recommendations

- Review anti-discrimination law to explicitly recognise discrimination on the basis of sex work as unlawful, ensuring it cannot be justified.
- Review the Australian Border Force's approach to raids on sex worker premises, to ensure judicial warrants are properly issued and, where a search occurs, that the dignity of those present is respected (for example, allowing time for people to be properly dressed before being questioned).
- Support the decriminalisation of sex work.
- Ensure workplace health and safety law covers sex workers.

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About CEVAW

The Australian Research Council Centre of Excellence for the Elimination of Violence Against Women (CEVAW) is a seven-year initiative (2024–2030) that brings together leading researchers, policy makers, practitioners and lived experience experts to build the evidence base needed to prevent and eliminate violence against women.

CEVAW's research program spans prevention, systems reform, justice responses and the evaluation of interventions. The Centre is committed to working in partnership with Aboriginal and Torres Strait Islander communities, incorporating lived experience expertise, and translating research into policy and practice impact.

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