

## DOMESTIC VIOLENCE

### *Motion*

Resumed from 14 October on the following motion moved by Hon Alanna Clohesy —

That this Council notes the significant increase of reported domestic and other assaults in our community and calls on the Barnett government to immediately commit to boost funding to enable the expansion of support services for women and children seeking to leave abusive or violent relationships.

**HON SUE ELLERY (South Metropolitan — Leader of the Opposition)** [1.09 pm]: As Hon Stephen Dawson is out of the chamber on urgent parliamentary business, I seek leave for him to continue his remarks at a later stage of the debate.

[Leave granted for the member's speech to be continued at a later stage of the sitting.]

**HON MARTIN PRITCHARD (North Metropolitan)** [1.10 pm]: Can I say from the start that I feel most inexperienced about making a contribution to this motion, but I feel that it is incumbent upon any male in a position of influence to do so, and to do so at every opportunity. I want to thank Hon Alanna Clohesy for moving this motion. In looking at the issue of domestic violence, I thought that one of the things I should look at is what sort of role model I would be. In most cases I think that I would pass the test. I have been married for 35 years and have two lovely children. I can certainly say that I have never hit my wife, but the only people who know that for sure is my wife and I—nobody else knows. It also made me think about another little story that I would like to relay. It does not reflect particularly well on me, but I thought it would be worthwhile relaying anyway. About three years ago my lovely wife had a car accident. She walked away from the car accident apparently uninjured, which I was very thankful about. It was quite a big accident. In the intervening years it became apparent that her shoulder had been injured and that resulted in a tear in one of her muscles. It slowly got worse to the point of inflammation and spurs. Eventually, she determined that she would have an operation, which she had about five weeks ago. Her arm will be in a sling for six weeks. I am very thankful that we are very close to the end of that six weeks. My wife is a lovely person; both friends and strangers alike find her very easy to speak to. I have spent a lot of time with her because she cannot get around; I have been driving her everywhere. I cannot recount the number of times that I have made what is, in hindsight, a very poor joke. My kids will tell members, if they ever ask them, that when I get my hands on a bad joke I tend to wring everything out of it that I can! The bad joke is not really a joke. When anybody asks Gina what happened to her shoulder, the first thing I say is, "She threw a roundhouse, missed me and hit the wall!" I spoke to my wife about that last night. I have said that so many times but it really is not appropriate because to some extent it sort of normalises and desensitises people about what is a very serious thing. I would like to apologise to my wife because I think it is a bad joke. I certainly will not be doing that anymore.

I do not think that domestic violence is a comfortable subject for men in general, and nor should it be, but it is a subject that needs to be discussed openly to get rid of the stigma that has been connected with it over many years. Criminal activity such as domestic violence should be brought into the open and exposed for what it is. That males are also subject to domestic violence is indisputable, but it is still the case that the vast majority of violence in the home is committed by men. There have been a number of attempts lately to label this type of behaviour as un-Australian, but I think it is more than that. It is most often a cowardly act by a man trying to dominate people whom he should love, usually through physical violence, but we should not underestimate the other manifestations of this crime. It is just as cruel to try to control a partner and/or children by financial dependence or through emotional levers as it is to hit them. Can we imagine what it might be like to find the courage to leave such a relationship and then for that person to worry because they have nowhere to go and no money?

Although there are many different types of relationships that make up a family unit these days, it is still very common for the father to go off to work and for the mother to put her career on hold to care for young children during their formative years. Personally, I think that the most important thing is that it is a loving and supportive relationship and that the roles within those relationships are freely chosen, without coercion. Still, as with anything, it only works when there is respect and goodwill on both sides. I will concede, though, that no matter what type of family unit people choose, it is all too easy for the breadwinner to feel in a position of power and for the homemaker to feel powerless.

During my inaugural speech, I recounted a bit about my initial relationship with my wife. One of the things I recounted, which I think was a very good lesson for me early in the marriage, was that after the birth of our second child my wife decided that she wanted to go back into the workforce for a while. I was happy to come out of the workforce and maybe do some night-filling work. As I mentioned in my inaugural speech, I was quite slim back then and I was quite happy to do physical work. My wife went back to work for six months because she felt she needed to re-engage. I was quite happy to help her do that. During that six-month period, I had to ask somebody else for money. It is quite debilitating to ask, "I need a pair of shoes—can I have the money for a pair of shoes?"

Hopefully our relationship has strengthened since then so that there is absolutely no question that it is “our” money; not mine and not hers. Money is spent on whatever we need to spend it on.

Many perpetrators of domestic violence try to rationalise their behaviour by saying that it was the way they were brought up, that their partner or kids deserved it, or that they just lost their temper, but I believe the truth is that inside all of us, we know and understand the difference between right and wrong. Domestic violence is plainly wrong, no matter what leads up to it. Unfortunately, this is another area in which illegal drugs and alcohol play a major part in not enabling people to listen to their inner voice that encourages them to do the right thing.

I also mentioned in an earlier speech that I do not drink much. I cannot remember the last time I had a drink. The reason for that is that I become sullen. I do not become abusive or anything along those lines, but I become sullen and that is not an attractive thing to be. All I can say to people who drink or take illegal drugs and then abuse the people they love is to stop drinking and to stop taking illegal drugs. If a person cannot stop, they have a problem that needs to be fixed. If that person is a man, they need to man up and do that and not hit women.

I came across a horrendous article during my reading in preparation for this contribution. The contents of the article are disgusting, but for me it puts some realism into something that I find hard to understand. I will not read all of it; I wish to read only part of it. I apologise in advance if it upsets anybody, because it certainly upset me. It is an article published in *The Weekend West* on 22 November 2014. It states —

Sleepless and angry at the end of a five-day binge of injecting methamphetamine, explosively violent 23-year-old —

I will not give him any oxygen by saying his name —

... had some flash of conscience.

He rang triple-0.

His anger was about to take the life of his girlfriend, who was not strong enough to defend herself from his fits of rage. He had already bashed her with fists and objects, causing serious head injuries.

... had survived childhood in a violent home only to become a perpetrator, with an already significant record of assaulting women.

In the early hours of August 15, 2010, his choice to call triple-0 might have started him on a path to redemption. But he was either too gutless, selfish or drug-addled to give the police operator proper information about the condition of his “missus” and who he was.

After hanging up, he inflicted further brutality on ... a former university student described as caring and passionate by those who loved her.

She was three months pregnant.

That upset me. The reason I read that out is that it occurred in Beechboro, two streets away from where I grew up and where my parents still live. That situation just scares me.

The same article stated that there were 8 532 reported incidents of domestic violence in the financial year 2009–10. That figure had grown to 15 094 in the financial year 2013–14. That this figure continues to increase is unacceptable, and that it counts only the reported incidents is also unacceptable.

I came across some other figures during my research that are just as deplorable. A short article under the heading “Women’s experiences of violence” from the Australia’s National Research Organisation for Women’s Safety states —

Australian women are most likely to experience physical and sexual violence in their home, at the hands of a male current or ex-partner. Of women who had experienced violence from an ex-partner:

73% had experienced more than one incident of violence.

61% had children in their care when the violence occurred, including 48% who stated the children had seen and heard the violence.

58% had never contacted the police.

24% had never sought advice or support.

Australian women are more likely to be sexually assaulted by a person they know than a stranger. Young women are particularly vulnerable to sexual assault.

Of all Australian women, 15% had been sexually assaulted by a person they knew, since the age of 15. 3.8% had been sexually assaulted by a stranger.

To me, that last bit is horrendous: 15 per cent had been assaulted by people they knew and 3.8 per cent had been sexually assaulted by a stranger. It is unimaginable.

That the victims often feel more shame than the perpetrators is something for which as a society we should all take responsibility. It is a criminal act and as such we should do all we can to rehabilitate, educate or punish the perpetrators and assist the victims. I have no doubt that there is a desire to do this from all sides of the chamber. Irrespective of that, I am very pleased that Hon Alanna Clohesy has raised this issue for debate, as I note that a number of changes are occurring at the moment, particularly in the court system. It is incumbent upon us on this side of the chamber, as the opposition, to keep the tightest scrutiny on the government to make sure that there is no diminution of assistance because of these changes. Indeed, what we do now is not enough and will never be enough until the victims tell us so. That is probably where I feel my inexperience the most, as I am not across this issue enough to make sure that this is the case. I console myself with the knowledge that many on this side of the chamber have the knowledge and fortitude to hold the government to account, and I would think that the government would want nothing less.

I have raised on a number of occasions my concerns about the way in which this government has spent money—or I should say overspent money. However, it is important to make sure that the necessary savings that follow the state's spending spree do not come at the expense of such an important area as this. For instance, it is not acceptable that those who find the courage to leave an abusive relationship are unable to find refuge. A recent Australian study found that women nominated finding safe, affordable and appropriate accommodation post-separation as their single biggest concern. I can only imagine that this would be paramount when children are involved. I mentioned earlier in my contribution that there should be no question that we do all we can to assist the victims of domestic violence, and that addressing the need for safe, appropriate and affordable accommodation is one area that should be paramount.

I did quite a bit of reading over the past week as part of my research in preparing my small contribution, which has made me very aware of how complicated this issue is, but as an average guy, like I am, I just do not understand why it happens. My reading has also made me very aware of how much work is being done to try to find some of the answers. Again, I will concede that I do not know whether this work is all going in the right direction, which is why I was grateful that this debate was brought on and why my contribution is quite short. Irrespective of that, I would like to say that no matter where we are at with our resources as a state, there is no excuse for not providing our most vulnerable with the assistance that they need.

All I can say in closing is that it is a very sad fact that although men are more likely to experience physical violence from a stranger, the majority of physical violence to women is by someone they know, usually an intimate partner or a member of their family—somebody who should want to be the protector, not the perpetrator. This is something that I cannot fathom. I will leave it to those in this place with more experience than I to determine whether indeed we are going in the right direction.

**HON SUE ELLERY (South Metropolitan — Leader of the Opposition)** [1.26 pm]: I thank the house very much for the opportunity to contribute to the debate on this important motion this afternoon. To me, it is timely for a couple of reasons that we are debating a matter such as this. Last week or maybe the week before, I attended one of the functions that Rosie Batty, the Australian of the Year, spoke at in Perth. She was attending a function to assist the Funds for Freedom campaign run by the Women's Council for Family and Domestic Violence Services. She was also selling her book and she spoke at that function. I have a copy of the book, which I have read, and I had the opportunity to meet Rosie and have a quick conversation with her. It is also pertinent because from 3.39 this morning I have been receiving on my Facebook page a series of quite distressing messages from a woman who is clearly in some trouble. We are trying to assist her. The messages relate to family and domestic violence and violence restraining orders and a range of things that are fairly complicated and frightening for her, and my office is trying to deal with that now. However, it is a timely reminder that every single day women and families are affected by family and domestic violence, and it is indeed timely for me that I have the chance to talk about this matter.

I thank Hon Alanna Clohesy for the work that she has done in preparing for this debate. Members will recall the numbers she referred to in the house in her contribution last week. I will refer to some of the numbers she referred to from the uncorrected *Hansard* of last Wednesday. From the information on police figures that she gave the house, it was clear that reports of assaults overall have increased by 77 per cent over the past five years; whereas reports of domestic assault have increased by 44 per cent over the past five years. In 2014–15, the total number of reports of domestic assault to police is 16 461, which is an increase of 44 per cent over the past five years. She went on to talk about the sanction rate; that is, the rate at which those reports are actually resolved and files closed et cetera. The sanction rate, which is the rate at which these matters are cleared up, has not fared too well. In 2010, the sanction rate for domestic assault, which is the rate at which all verified offences had an outcome—that is, something had been able to be done about it by the police—was at 40 per cent. By 2014–15, the sanction rate had

gone down to 21 per cent. That means that the police had not achieved an outcome in about 79 per cent of domestic assaults in that 12-month period. They are, indeed, frightening statistics.

I want to give credit where credit is due. Therefore, I commend the government for its announcement about the Freedom from Fear action plan. When that plan was first released, I was concerned that I could not see any new money attached to it. I am pleased that there was a subsequent announcement about money for the Kimberley. I am not convinced it is new money, but certainly some money is attached to the work that will be done in the Kimberley under that plan.

**Hon Helen Morton:** It is absolutely new money. It was a quite separate cabinet decision.

**Hon SUE ELLERY:** I am sure the minister will make her contribution in due course. I will be asking some questions about money and about the time line for some of the other elements of the action plan. I will also be talking about the work that is being done—or not done—by the Office of the Ombudsman, which is charged with investigating deaths that arise as a result of family and domestic violence.

However, I want to talk first about Rosie Batty's book, *A Mother's Story*. When we read her book, in one sense we see that her life has taken a range of twists and turns, and that to some might seem a bit unusual. However, in another sense, we see that she is a very ordinary person, but a set of circumstances occurred in her life that resulted in the ultimate act of power by her former husband over her son and over her. When I heard her speak about her book, she was very articulate and eloquent, and very direct. She spoke without an excess of, I guess, emotion, in that her grief was not in our face for us to see. I am not a professional in these matters, but it struck me while she was speaking that perhaps the campaign that she has entered into as Australian of the Year, and that writing a book and doing all the things she is doing, might be a way for her to cope with her grief since the events that took Luke away from her. She talks in her book about how terrified she is about what will happen at the end of this year when she does not have all the support that she has around her now as Australian of the Year. She was made Australian of the Year about a year after Luke was murdered.

The key message that comes out of Rosie Batty's book and her story, and it is no different from the story of many other women and children and families that experience this kind of violence, is that there are consistent gaps between the services and the agencies—not all of them government, but most of them are—that mean that critical information is not shared. She talks in her book about how Luke's father was seen by various people on numerous occasions, and it was reported to various agencies, including the police, on numerous occasions that he had a knife and had talked about using a knife. Ultimately, that is how he killed Luke. He hit him on the back of the head with a cricket bat and then slit his throat with a knife. Numerous agencies knew that this man had a knife and had made comments about how a knife could end things. She talks in her book about how, time after time after time, action was not taken by various agencies, and advice and services were not offered to her to follow up when she had made reports about various things. She talks about how the perpetrator was able to work the timing of the court system so that he could just not turn up to a hearing, which meant more delays for her in trying to amend the Victorian equivalent of our violence restraining orders, or deal with a range of other issues that she took through the courts. The message that comes through in her book is absolutely clear and we can see it in black and white: why did that person not talk to that person, and why was a decision not made at that point; and why did this agency not link her to that agency? We can see in black and white how she wanted to do the right thing and wanted her son to have a relationship with his father, but she had to live with fear. We can see how a series of decisions were made that ultimately led to her son losing his life, in circumstances that really could have been avoided. She describes it at one point in this very simple sentence, which I think is a challenge to government and a challenge to all of us. She says —

Paperwork and flawed process: it was to become my enemy.

That is the critical message that comes out of Rosie Batty's story.

I loved the fact that in her presentation, she named this as a gender issue. If people are a bit squeamish about that, get over it, because it is. She named it in a very direct way and in language that is far too explicit for me to use in Parliament. She named it exactly for what it is, as a gender issue. Paperwork and flawed process are things that we as parliamentarians can look at. If we cannot do anything else, we can fix process and we can fix paperwork. Therefore, I hope we see change in this area. There are a number of recommendations in the action plan that go to process and that go to paperwork. That will require vigilance to make sure that it happens, and it will require leadership to drive the change. It will not happen if this action plan sits on the respective desks of the respective bureaucrats in the respective agencies. It will require leadership to make it happen.

I now want to read a bit out of Rosie's book. She says —

And this was the thing about Greg.

That is the father of Luke —

He knew from experience exactly what he could get away with. He understood that each of the various legal proceedings involving him existed in splendid isolation from the other, which led to the ridiculous situation where I was able to come directly from a courtroom where he had been recognised as a disturbed individual who should not come within 200 metres of Luke or me to find him parked at Luke's footy training. Because he hadn't been present at court that morning, and therefore hadn't been served with the new IVO, he was not beholden to it. Paperwork and flawed process: it was to become my enemy.

...

Even as I knew things were escalating, I was doing my best to rationalise and downplay the danger I felt both Luke and I were in. It was probably a coping mechanism on my part: as the machinery of the law increasingly proved itself incapable of helping me, the only way I could get through any given day was to tell myself it was all going to be okay. How else do you cope with that level of fear? But a few days later, I attended one of the victims support counselling sessions that had been organised as a result of a previous court hearing—it had taken a threat to Luke before I was recognised as being in need of help. I sat with a psychologist, Jan, and dissolved into tears. I was a wreck.

Because Greg was so religious, part of me believed he would never kill.

'Rosie, you cannot underestimate how dangerous this man is,' Jan said. Specifically, her concern was that Greg had mentioned using a knife on two occasions. And it wasn't just the knife that was the problem, it was the fact that he had envisioned exactly what he would do with it. She told me she was really concerned for my safety.

It was nice to have an understanding ear, but I didn't know what to do with that information. Once again, I was not linked into domestic violence crisis services. I wasn't made aware, for example, that going into hiding in crisis accommodation was an option. In fact, it had never occurred to me. I guess I thought that crisis accommodation was a safe haven for family violence victims who had left their partner and home. I wasn't with Greg to start with, so it didn't seem relevant. I had been led to think that the law had it under control, that if I had faith that the wheels of justice would continue to turn, Greg would eventually be contained, and Luke and I would get on with our lives.

But clearly that did not happen. The book continues —

On the morning of Wednesday 5 February, the phone rang at home. I was surprised to hear the voice of DSC Cocking on the end of the line—it had been so long since we'd had contact.

'Rosie, it's Detective Cocking,' came the voice down the phone. 'I was wondering if you might know where Greg is living.'

She said she had no idea. Later that day, the phone rang again and this time it was Greg. He asked to speak to Luke. She asked him where he was living and he told her. She wrote it down and rang the police to tell them that she had his address. She asked for a small amount of time to pass between the police receiving the information and arresting Greg, because she did not want it to be obvious to Greg that she had been the one to betray him. The book continues —

Now, a reasonable person might assume that a policeman in possession of information about the whereabouts of a wanted man would take steps to immediately arrest that man. You would think perhaps a phone call might be made to the local police station, an order to arrest might be issued across the radio airwaves or even an email sent informing nearby police officers to attend the nominated address and apprehend the offender. This was, after all, a man facing eleven criminal charges who had no less than four warrants out for his arrest.

But no. No action was taken. DSC Cocking would later testify at the inquest that when he spoke to his superior, no decision was reached on what to do with the information I had provided them. He would tell a court that he decided not to arrest Greg in a timely manner out of concerns for my safety. He would tell the same court he thought he'd received the information a week later than he did, intimating that by honouring my request not to take action immediately left precious time for any meaningful intervention. My biggest mistake? Believing that the police were about to arrest Greg with a sense of urgency.

The other issue that I want to tackle that Rosie addresses is the notion that women should just leave the relationship—as if it is as easy as that. The book reads —

So let's just firstly call this what it is: it's victim-blaming. Once again putting the onus on the victim to remedy the situation. Inherent in that is an acceptance that men are fundamentally violent, fundamentally incapable of controlling their base instincts, and therefore it is up to women to take all the precautions and accept all the responsibility. It is up to the woman to report it to police, to pursue it through the courts, to take out an IVO and report again to the police when it is breached—as it almost inevitably is. It's up

to the woman to go into a refuge, to change her identity, to flee interstate or overseas. All of which means leaving behind your friends, family, your home, your job, your community. And all the while, the perpetrator is allowed to get on with his life, to go down to the local pub and, without a word of protest from his mates, describe himself as having ‘women troubles’.

More crucially, let’s pause for a moment to think about this notion of ‘leaving’. As anyone who has worked on a family-violence crisis helpline will tell you, that’s when victims are at their most vulnerable. The point of leaving is when perpetrators of violence are at their most dangerous and unpredictable. That’s why Greg killed Luke. He had come to understand that both Luke and I were no longer under his control. He began to appreciate that I was no longer in fear of him—that we were pulling away. And so he killed our son—in a final act of control and vengeance. He killed Luke so that he would win, and so that I would suffer for the rest of my life.

She goes on to say —

We tend to sometimes focus in a sensationalistic way on the details of individual acts of violence without joining the dots to a culture of gender-based violence. And think also about the way the media is quick to assign a narrative to a story, irrespective of the bald facts. I am reminded of the case of the farmer in rural New South Wales who murdered his wife and three children before turning the shotgun on himself. Was he decried in newspaper headlines as a mass murderer? No. He was eulogised by the media as a hardworking farmer who had battled bravely with the burden of caring for a brain-injured wife. His decision to put bullets into his three kids and his wife was reported on as some kind of act of humanity ... We need to challenge this every time. Perpetrators must be held accountable for their actions. Women are not to blame.

I could go on because I think she writes in a clear and effective way. There has been some debate about Rosie Batty. Some people have said that some women have been working in family and domestic violence for years and years, but along comes Rosie Batty and it is she who gets the media attention and is now the voice. I say use whatever voice or tool we can to work together to constantly tackle this problem. More power to Rosie Batty’s arm.

The Minister for Child Protection will provide the government’s response to this motion. Perhaps the Attorney General might be enticed to say something as well. I am particularly interested in time lines and the money associated with some of the actions in the action plan. Again, to put it on the record, I commend the plan; it is a good plan. I commend the money that is attached to the work that will be done in the Kimberly. I understand that we need to set priorities. The numbers in the Kimberly are the most appalling across the state so that is a good thing to do. But we cannot lose sight of the rest of the things that need doing.

Action 8 refers to trialling an integrated approach to substance misuse and family and domestic violence. Action 10 refers to developing and implementing minimum standards for men’s domestic violence behaviour change programs. Action 13—this is the big one—is about improving the access to and effectiveness of the Western Australian legal system for victims of family and domestic violence. That is huge and will require a series of sub-plans. I look forward to seeing how that work will be done and how it will be driven. Action 17 is about introducing amendments to the Children and Community Services Act to recognise family and domestic violence as a form of child abuse and new information-sharing provisions. I am interested in the timing of that. Action 18 refers to increasing the capacity of, and improved access to, women’s refuges in the metropolitan area. It is absolutely critical that we have a coordinated and connected plan and that a range of services are available across the spectrum. The bottom line is that if the government loses sight of the fact that it needs to keep up the number of crisis beds, none of the other things it is going to do will assist those women who daily ring a number only to be told that there are no available beds. I hope something happens from that.

The action plan refers to monitoring and evaluation. I am particularly interested in the second element of that, which takes me to the Ombudsman. The plan refers to monitoring and evaluation and case reviews, and reads —

In addition to the collation of data, a multi-agency case review process will be implemented. The case review process will use appreciative inquiry —

Some would suggest that that smacks of jargon —

to engage government agencies and community sector services in regular reviews of family and domestic violence cases. The focus of the reviews will be to reflect on the practice and interventions that worked well, what didn’t work well and why, and what would need to happen to enhance the capability of agencies and the service system to work towards victim safety, perpetrator accountability and integrated responses.

That leads me to the function of the Ombudsman's office. As stated in this year's annual report, in 2012 the office of the Ombudsman —

... commenced an important new function to review family and domestic violence fatalities.

This was a really good move; I supported it then and I support it now. Great expectation was held for how this function would provide us with real data about a range of things because it would look behind the circumstances of deaths and identify the patterns and gaps to better address practices and services to ensure that over time the number of deaths are reduced. Great expectations were held about what would happen. What we have seen up to October 2015 is disappointing. If one goes through the outline that the Ombudsman's office provides in the annual report, it states that the process is that the police inform the Ombudsman of all suspected family and domestic violence fatalities. Those fatalities are reviewed, and patterns and trends are identified, recorded and monitored. The process also involves providing critical information to inform public reporting, stakeholder liaison and own-motion investigations. The Ombudsman seeks to improve public administration. All improvements to public administration are actively monitored and reviewed.

One of the things that the material in the annual report tells us about this function is that a critical element for the Ombudsman, indeed, the key effectiveness indicator, is —

Where the Ombudsman made recommendations to improve practices or procedures, the percentage of recommendations accepted by agencies

That is the KPI. The annual report has the target for 2013–14, which would have been the first reporting year after the function. The target was 100 per cent and the report has the actuals; that is, did it achieve the target? Yes. However, what we do not have is any reporting from the Ombudsman on whether any recommendations have been made as a result of the fatalities that have been reviewed by that office, which is about 50 since July 2012; and, if recommendations have been made, what the agencies have done to give effect to those recommendations. I have spoken to the Ombudsman asking him to consider doing what the Auditor General does; namely, when the Auditor General releases a report, his office holds a briefing for members of Parliament so that members are able to get the background. I have yet to see the Ombudsman take up that suggestion. He seemed enthusiastic when I spoke to him about it. I encourage the Ombudsman to consider doing that, because the information that is provided in the annual report is not satisfactory to demonstrate that recommendations have been made as a result of the reviews made by the Ombudsman of those 50 deaths.

**Hon Helen Morton:** So, what did the 100 per cent relate to?

**Hon SUE ELLERY:** The indicator is —

Where the Ombudsman made recommendations to improve practices or procedures, the percentage of recommendations accepted by agencies

Therefore, the Ombudsman is asking: where he has made a recommendation, has that been accepted? He may have made none, but that is not reported on in respect to the fatalities.

**Hon Helen Morton:** But of those he made, 100 per cent were accepted?

**Hon SUE ELLERY:** Yes, 100 per cent. That is a good thing, but I see no reason why the recommendations would need to be secret, because they would not be about individuals; they would be about policies and practice. There is no reporting of what recommendations have been made. It may be that none have been made in the area of family and domestic violence fatalities. I hope that some recommendations have been made, though, but maybe none have. In the annual report, the Ombudsman reports on the range of the demographics in relation to those 50 deaths. That is important information. It is important to know what their living arrangements were at the time and what other factors were at play, such as mental health and drugs and alcohol. It is important to know all those things. However, the bit that is missing, which is the bit that Rosie Batty highlighted, is any analysis of the systems gaps, any overlaps, to what extent the victims in those 50 fatalities sought and received services and to what extent agencies had worked with each other to try to case manage those individuals. There is no information about that. That would be really useful information to gather. Critical to addressing those gaps and overlaps, for example, would be to make recommendations to government about those. Maybe the minister or the Attorney General is able to tell us that nothing is reported in that section about recommendations arising out of the function of dealing with fatalities from family and domestic violence because the Ombudsman has not made any recommendations. If he has made recommendations and they have been adopted by the agencies, I would like to see the Ombudsman report on that, and I would like to hear from the government about how it has accepted those recommendations.

**Hon Michael Mischin:** The Ombudsman reports to Parliament as a statutory authority.

**Hon SUE ELLERY:** Exactly, and that is how he does it.

**Hon Michael Mischin:** Other than picking through the various recommendations made by specific agencies under their respective portfolios, there is not much we can do to assist that being done. Plainly, it would be of assistance

if the Ombudsman identified, in a sensible manner, the recommendation that he has made. I take that point, but that is really something that Parliament has to recognise rather than —

**Hon SUE ELLERY:** Indeed.

*Visitors — Hawker Park Primary School*

**THE PRESIDENT (Hon Barry House):** As there is a break with interjections, I will just acknowledge in the public gallery students and staff from Hawker Park Primary School. Welcome to the Legislative Council.

Members: Hear, hear!

**The PRESIDENT:** I hope you enjoy your snapshot of proceedings in the Legislative Council.

*Debate Resumed*

**Hon SUE ELLERY:** Thanks, Mr President; I add my welcome as well. Enjoy the muffin and orange juice that you will get maybe a bit later; it is probably the best bit of the visit!

I accept the point that the Attorney General made in that it is up to Parliament and that the Ombudsman reports to Parliament. The way the Ombudsman reports to Parliament is through the annual report. I am looking at the annual report and I am finding a deficiency in that area. However, I add that if the Ombudsman were to be making any recommendations, two of the key ministers would be the Attorney General and the Minister for Child Protection. There would be others, such as the Ministers for Police and Housing. I would expect that it would be ministers across the law and order and social portfolios who would be receiving recommendations.

**Hon Michael Mischin** interjected.

**Hon SUE ELLERY:** Indeed. I hope that happens because I think in giving this function to the Ombudsman, there were great expectations in the sector and across the board that this would see a really objective and analytical approach to fixing the gaps and looking at the patterns. Other than demographic information about age, race and some social indicators around the things I mentioned earlier, such as comorbidity around mental health, drugs and alcohol, and relationship status, there really is no reporting from the Ombudsman on those 50 deaths about the patterns, practices and policies between and across agencies and I think that is a deficiency. I hope that that is addressed and if the Ombudsman follows this debate, which I am sure he will, I invite him to have a conversation with me about this. I am happy to put that to him directly. I had not approached him, because I really only focused my mind on it when I sat down to do the work for this motion about two and a half hours ago. I think that that is a deficiency and that we ought try to address it properly.

I am conscious that there are other people who want to make a contribution. I will just say this: one of the things that the Ombudsman's annual report tells us is that there was a national conference of similar functions in other states. South Australia and New South Wales were able to report far more extensive work to that conference. Their models have been in place longer than the Western Australian one, but they contain far more information about those kinds of policies and practices and the gaps between them. I hope Western Australia will look at what has happened in South Australia and New South Wales in particular. It ought be possible for more information to be provided to the house about the kind of patterns that exist, and I express, I guess, some frustration and disappointment that it is effectively three years later. Let us be generous and say two years, because we have to give the organisation a year to set itself up and do the consultation that needs to be done about how it will work and all of that sort of thing. Given where we are in 2015, I think that we should be better informed about the kind of recommendations, if any, that have been made.

The annual report tells us that the Ombudsman's office does own-motion inquiries. In fact, it has commenced one into violence restraining orders. That is due to be reported on in 2015. I hope that it is reported on in 2015. I hope that, when he does the report and tables it in Parliament, he offers members of Parliament the opportunity to be properly briefed on that work. I think that good steps have been taken; I will give credit where credit is due. I like what is in the plan, but I invite the government to demonstrate the money and the time line for those particular elements that I identified. I commend the money for the Kimberley. I appreciate that it is about priorities and we have to start somewhere, but I hope that we see more than just the action plan sitting in agencies; I hope we see some real change.

**HON LIZ BEHJAT (North Metropolitan)** [2.00 pm]: I appreciate you giving me the call on this very important matter, Mr President. Before I go into what I want to speak about mostly in my contribution today to this very important debate on family and domestic violence—I assure members that I have not been in collusion with the Leader of the Opposition on this issue, even though we attended the same breakfast today to support breast cancer research, and I am sure that one of us will speak about that at a later stage of today's sitting—I want to refer to the very interesting point about the Ombudsman's annual report and how much we know about the review into family and domestic violence fatalities that he has had underway for three years.



As members will know, I am a huge supporter of the committee system in this place and I am very proud to be the Chairman of the Standing Committee on Public Administration. Members may not be sufficiently acquainted with the terms of reference of that committee, but one of the functions of the committee is certainly to consult regularly with the Parliamentary Commissioner for Administrative Investigations, the Public Sector Commissioner, the Information Commissioner and the Inspector of Custodial Services. The Parliamentary Commissioner for Administrative Investigations is the Ombudsman. When I started to do my research for my contribution to the debate today, I, too, came across the annual report that was recently tabled. The public administration committee certainly has had a very heavy workload this parliamentary year, but it has done some planning for next year. One of the things that I am happy to say I have brought up with the committee—I am not divulging any deliberations of the committee—is that we will call in the Ombudsman. I hope he is paying attention to today's debate, as I am sure he will be, so that I can give him a bit of forewarning. We intend to call in the Ombudsman specifically for that reason—to speak to us about what he has put in his annual report. As with all things that the public administration committee does, it will do that very openly and transparently.

**Hon Sue Ellery:** Will it be a public hearing?

**Hon LIZ BEHJAT:** I was just about to say that it certainly will be a public hearing, of which I will give a lot of notice to members, and I would appreciate other members becoming involved in it. I can understand that it has taken a number of years to put the plan in place and to gain that information, but I, too, would like to see transparency in the recommendations he has made and to which departments and about whether those departments have taken them up. That is fantastic; that is great. We can get that on the record, but I do not think it needs to be shrouded in any secrecy, and it seems that that is what has happened in the annual report. It certainly pricked my attention when I was studying for my contribution to the debate.

I thank Hon Alanna Clohesy, a very hardworking new member of the house—although she is not so new these days—for bringing this motion to the house. As we know with motions on notice on Wednesdays, it has taken some time from the motion being put on the notice paper to us debating it last week and this week and probably next week. We note that the notice of the motion was given in June 2013, nearly 18 months ago. If the honourable member who submitted that motion for our consideration were to put the same motion on notice today, it may not be worded in the same way that it was at that time. As at today, the motion states —

That this Council notes the significant increase of reported domestic and other assaults in our community and calls on the Barnett government to immediately commit to boost funding to enable the expansion of support services for women and children seeking to leave abusive or violent relationships.

If we were to have debated the motion in 2013, I probably would have wholeheartedly supported it, but the honourable member will know that a lot has happened in that space during the 18 months since she gave notice of the motion. The Barnett government, in conjunction with the federal government—I will speak about what the federal government has committed in this area—continues to boost funding to enable the expansion of support services. I do not propose to move an amendment to the motion; I am not of that mind, but if I were, it would be something along those lines. I think it is very important that members on both sides of the chamber get the chance to debate this very important issue.

I also thank Hon Martin Pritchard for his contribution, because, as all members in this chamber will agree, this violence is mainly perpetrated against women; we know that. Some women perpetrate family and domestic violence, but it is a very small percentage. Certainly, men and women will be part of that solution and we need people to get that into the forefront of their conscious mind. Hon Martin Pritchard gave an interesting example of the old joke that he said was wearing a bit thin. I used to have a father like that who used to milk the joke for everything it was worth, so I know how wearing it gets. I can understand that that would have been taken in jest and would in no way reflect that member's true feelings. However, it would sit in our subconscious mind that it was acceptable but now we realise it is not. It is a matter of us changing the language that we use every day so that we have in the forefront of our minds those sorts of things that reflect how we feel about family and domestic violence.

We have seen that there has been a huge increase in the number of reported family and domestic violence incidents. The question that we have to ask ourselves is: are the incidents of FDV really increasing at the great rate that we think they are or is the reporting of these incidents increasing because people now feel a lot more comfortable about reporting them? The neighbour might feel more comfortable about reporting to the police and other authorities that they think something is happening next door because they have seen that a lot is happening in that space and that action is being taken. I do not know the answer to that question, and I am not trying to diminish the fact that there is certainly an increase, but the question is: what is the quantum of that increase that we could attribute to that fact?

Let us face it, family and domestic violence has been around for a very long time. Some members in this place who are Christians might believe in the Bible, and Genesis chapter 4 probably highlights the first example of

family and domestic violence. Madam Acting President, I can see that you are thinking back to those days of perhaps being at Sunday school or something like that, as I was years ago, and asking, “What was Genesis chapter 4?” In Genesis chapter 4, Cain slew Abel; they were the sons of Adam and Eve. That was the first example of family and domestic violence in our history, because it arose out of jealousy between brothers. What I am saying is that the whole incidence of domestic violence is not new. Unfortunately, it goes on today and it gets perpetrated in much more abhorrent ways.

Recently, I went to Sydney to attend the Commonwealth Women Parliamentarians’ conference. Janine Freeman, the member for Mirrabooka, was the other Western Australian female parliamentarian to attend. I know that you were hoping to attend that conference, Madam Acting President (Hon Alanna Clohesy), but other parliamentary business got in the way, and you were not able to. I recall, since coming back, having discussions with you about what an incredibly worthwhile conference it was. It was women from throughout Australia, from federal and state Parliaments, and also from the South Pacific, Papua New Guinea and other places, coming together to discuss issues of great importance to members of Parliament who happen to be women. One of the speakers at that conference was Rosie Batty. I was very fortunate to have quite a long conversation with her following her speech at the conference. Like the Leader of the Opposition, I was completely enthralled with what Rosie had to say, and the way in which she tells her story. The strength that she shows is nothing short of amazing, and I do not think it is because she has now told that story so many times that she has become inured to the hurt that she feels. No-one could ever possibly get over what she experienced with her estranged husband Greg murdering their son Luke. During the whole time she was speaking, a graphic of young Luke was up on the screen. It was very hard to see such a lovely young man who will not be able to contribute as he would have had his life been able to continue. However, through his death we have raised the profile of domestic violence. I share the thoughts of the Leader of the Opposition, in that I do not care what it takes to raise awareness and get people to take action on family and domestic violence. In your contribution, Madam Acting President, you said that you would not care if we debated family and domestic violence every day, if that is what it takes, and I agree. If this is what it takes, this is what we will do.

One of the campaigns that Rosie has started in the year since she became Australian of the Year is a Facebook campaign called Never Alone. I encourage any member who has a Facebook page and is not already a member of that support group to seek it out and become part of it. Our voices should be heard in this matter. As soon as I spoke to her at this conference I joined that Facebook support group, put it on my Facebook page, and made some commentary about it. When I put it up on my Facebook page I immediately got a number of likes and people saying that it was very important, but I was aghast that, within about two hours of putting it up, I received commentary from two Western Australians who are known to me. I actually removed the comments from the page because I thought they were appalling. The commentary went along the lines of: “I don’t know why you’re all supporting this woman and saying that she’s doing something that’s amazing in the space of family and domestic violence.” They claimed on my Facebook page that this was not a case of domestic violence; this was just a man who suffered from mental illness. I can see the Leader of the Opposition shaking her head over there; my first reaction was “WTF!” Seriously, how could anybody say that this was not family and domestic violence, when they knew the history of this relationship between Greg and Rosie? Everybody knows that history now, because it is out there; she has been able to speak about it. There was a continuing series of incidents throughout their married life and afterwards as well. We have got to get people talking and we have got to get people to understand what it is. Yes, Greg suffered from mental illness, and we know that, but that was part of the domestic violence issue as well. There is no one thing we can point at to say that this was the cause.

That is why this government, in its action plan, is taking a massive collaborative approach with the people and the departments involved. I commend the Minister for Mental Health and others involved in releasing this action plan, and I believe it really is a blueprint for moving forward in this space, and ensuring that we not only highlight the issues of family and domestic violence, but also do everything we can to combat it. I will turn to the action plan, titled “Freedom from Fear: Working towards the elimination of family and domestic violence in Western Australia 2015”, which was released earlier this year. On page 7, we see the governance of that plan. It reads —

Implementation of the Action Plan will be overseen by the Family and Domestic Violence Senior Officers’ Group (Senior Officers’ Group) which is comprised of representatives from the following agencies:

I want to read out the list, so that we have it on the record —

Department of Child Protection and Family Support (Convenor)  
Department of Aboriginal Affairs  
Department of Corrective Services  
Department of Education  
Department of Health  
Department of Housing

Department of Human Services (Cwlth)  
Department of Local Government and Communities  
Department of Social Services (Cwlth)  
Department of the Attorney General  
Disability Services Commission  
Drug and Alcohol Office  
Legal Aid  
Mental Health Commission  
Western Australia Police  
Women's Council for Domestic and Family Violence Services

I do not think that very many departments are not on this list of people who will be part of the governance group. That is exactly what we need to see in this space, and this is exactly what we need to be commending the government for doing—ensuring that we break down the silos that we have had in so many areas across government. I have spoken a number of times about breaking down those silos, when it comes to the funding of programs and who was responsible for things. For goodness sake, we are one government; we are one people, and we need to have one solution that is handled in a collaborative way. I absolutely commend the minister and the others who developed this plan to all get together on the same page and make sure we are speaking the same language, so that we have the follow-through that the Leader of the Opposition spoke about. We must make sure that agencies are speaking to each other, and not reaching the point at which, on paper, something is as plain as the nose on your face, but agency A should have been in contact with agency B, but agency C would not let agency B become involved, because agency A had not told it that. Those are the sorts of things that we have got used to seeing over the years. This is where I am hoping we can break it down, so that if A talks to B, B will talk to C, and C will eventually talk to Z as well, because A–Z will all be speaking to each other, and we will reach solutions for some of the problems we are seeing. The Freedom from Fear action plan is a very good place for us to start.

We cannot talk about this enough, and we cannot put the statistics out there enough, so I am going to go over some things that other members have probably mentioned already. From WA Police statistics, we know that in 2012, 44 947 incidents of family violence were reported. That is the number that were reported, but even though it is now easier and more people are reporting these incidents, how many incidents are still going unreported? The other thing we really must work on is to ensure that people who experience or witness family domestic violence feel comfortable and confident enough to be able to report it. One thing we have seen in this space most recently since the change in the federal government was the announcement of funding in the quantum of \$100 million that Prime Minister Turnbull committed. Prime Minister Turnbull did not immediately say he would do that and put it in place when he took on that role. I am assured and certain that the previous administration under Prime Minister Abbott was putting together this program, but of course it was announced by Prime Minister Turnbull. The conference I spoke about with the Commonwealth Women Parliamentarians was also attended by Hon Malcolm Turnbull, who was then the Minister for Communications. He was there when Rosie Batty spoke and at the time he made two commitments—looking back now I am not sure whether there was any significance—to the people at the conference. One was that if he ever had it within his power to do so he would appoint more women into cabinet and he would do a lot more in the family and domestic violence space. There we have it. As we know, history tells us that he became the Prime Minister some two months later and immediately appointed more women to cabinet and made the announcement of about \$100 million to be spent in the family domestic violence area. One thing I am very heartened about, and which we have heard in a number of media releases and conversations with our ministers, is that there will be a lot of collaboration between the federal government and the state government on the expenditure of money. We do not care where the money comes from—whether it is federal or state money, it just needs to come, and we need to work in that collaborative space. I read out the list of people who would be involved in the governance of the action plan; some federal departments are in it and they will certainly contribute.

Other inroads we have made into this area have of course come from the Attorney General and his responsibilities for the Restraining Orders Act 1997. If my memory serves me right, earlier this year, on International Women's Day on 21 March, an announcement was made that this government would introduce specific family violence restraining orders. Around that time the Attorney General released a media release that states —

“Currently under the Restraining Orders Act 1997, a person can apply for a Violence Restraining Order (VRO) for family violence or other non-family personal violence situations or a Misconduct Restraining Order to restrain the misconduct of a non-family member,” □ ...

“The new FVROs will be a distinct third category of orders and will adopt a more modern definition of family violence, moving away from the concept of a victim having to provide evidence of an act of abuse towards behaviour intended to intimidate, coerce or control.

“The grounds for an order will be redefined by removing the broad discretion of magistrates in deciding whether to grant one, so that if conditions for making the order are met, then an order should be made, unless there are special circumstances.

“Courts will be required to adopt a risk-management approach to granting FVROs, considering information from WA Police, the Department for Child Protection and Family Support and other agencies about risks to the victim, and can order conditions specifically tailored for family violence, such as mandatory counselling.”

That was from our Attorney General at the time and it was certainly a very welcome announcement in that space, which was well supported at the time by the Minister for Police, Hon Liza Harvey, who also came out in support of the introduction of the FVROs. They are on the time line of our Freedom from Fear action plan, which begins from 2007 and sets out quite simply what we have done so far. The document shows the number of things that have been set out since the Barnett government has occupied the government benches, and we have certainly made those announcements. Most recently our own Minister for Mental Health, who is also the Minister for Child Protection, Hon Helen Morton, made some very welcome announcements about funding of about \$3.1 million set aside to combat family violence in the Kimberley, with a strong focus on addressing family violence and abuse in Aboriginal communities. Unfortunately, as we all know—it comes to no surprise to us here—the incidence of family and domestic violence in Aboriginal communities is out of control, quite frankly, and it is way ahead of anything else we have seen. It is only right and proper that there should be money specifically spent in the Kimberley for that. There has been a commitment over three years of \$3 million to support Kimberley families and we have launched the “Safer Families, Safer Communities Kimberley Family Violence Regional Plan” in a bid to protect some of the state’s most vulnerable women and children. The words used by the minister at the time were the appalling rates of domestic violence and abuse in the Aboriginal communities in the Kimberley. Again, one of the strengths of this government, and this minister in particular, is the collaborative way we attempt the things we do. There is no point in us going to the Kimberley with \$3 million and telling communities how to spend it and how we will fix the problem for them. We know that will not work, and it never works in any community—not in the Kimberley Aboriginal communities and not in the multicultural communities of Mirrabooka; none of those things work when people are just told what to do. We have to work together with people in a collaborative way and we have to do it in a culturally sensitive and sympathetic way. Minister Morton’s press release at the time of the release of the funding states —

“An integral part of the plan will be using Aboriginal law and culture and supporting elders to realign values and attitudes.

“The rate of reported family violence in the Kimberley is up to eight times higher than any other location in the State.

That is eight times higher, which, to use the minister’s words, is appalling —

“The appalling overrepresentation of Aboriginal women and children as victims is unacceptable and the Kimberley plan and Kimberley Joint Response have been specifically developed to address this issue.”

...

“As part of the Kimberley Joint Response, additional police officers and child protection workers will work closely with Aboriginal families and communities to increase the safety and wellbeing of women and children,” ...

“We all have an important role to play to help keep families safe and improve outcomes for Aboriginal women and children, and by working together —

They are the words —

we can help build safer communities,” ...

We have seen that Prime Minister Turnbull is a man of his word and I can certainly vouch for our minister and this government: she is a woman of her word and she will ensure that that program is put together in a collaborative way to help address those appalling figures in the Kimberley. As a result of that announcement in the Kimberley a number of articles have appeared in local media. I have articles from *The Kimberley Echo* and the *Broome Advertiser* that support and congratulate the government and the minister on the announcement. An article in the *Broome Advertiser* of 8 October headlined “Funding will protect the vulnerable”, states —

Marnja Jarndu team leader Sara Barter said the refuge welcomed the focus and resources the Government had targeted for the Kimberley region.

“We hope that small local community-based refuges and safe houses like the Marnja Jarndu Women’s Refuge will be supported to continue the valuable work we do that keeps women and children safe,” ...

In that idea of keeping women and children safe, as the Leader of the Opposition said in her contribution, why is it that the woman always has to leave the relationship and uproot the children from where they feel safe and find somewhere else to live? I know from the allocation of federal moneys that the government is passionate about trying to ensure the safety of women and children. The answer may be found in making a woman's house safe by providing her with the toolkit to feel safe in her own home. We should remove the perpetrator from the environment. We should take the perpetrator of family and domestic violence away and lock him up. We should do whatever is necessary—I do not care—and just take that person away from the situation and allow the women and children to remain in their home. In order to do that, they need to feel safe. They may need a home security system installed and more security screens on windows and doors, making the environment they are in physically safer for them so that the children are not disrupted. We know that the woman is the victim either physically or through mental abuse, but the children are unseen victims. They may not suffer physical abuse, but they see violence going on between their mother and father, and they have to leave the family home. They are uprooted and taken to another school; their education is disrupted and they are not near their friends. They go to a totally different environment and take on a new identity. They have to leave behind their sporting groups, their friends and all those sorts of things. That no doubt has a lasting effect on those children and we need to break the cycle. This whole idea of making people feel very, very safe is vitally important in this issue.

We have seen what is happening in the Kimberley, and money is being spent there, and we will be doing things in the city. I have read other articles, including from the Augusta–Margaret River region and Busselton. An article in the *Augusta–Margaret River Mail* refers to federal funding that came out and, in particular, to a Bunbury-based organisation, the Waratah Support Centre. The article states —

THE growing number of people experiencing domestic violence in the South West compelled the Waratah Support Centre to establish a site in Busselton last year.

...

Waratah chief executive Trudi Ruane welcomed the recent funding announcement by Prime Minister Malcolm Turnbull to tackle domestic violence.

“I think Malcolm Turnbull got it right when he states ‘it’s simply not Australian’ in reference to the acceptance of domestic violence,” she said.

The opening of the centre, which caters for the South West, coincides with homelessness being highlighted as a major issue in the Augusta Margaret River Shire.

...

Over the last year Waratah provided support and intervention to 71 females aged over 16 years and 50 children under 18 years of age in Busselton.

That is quite a high number. We know that Busselton is not a huge town to have 71 women and 50 children seeking the support of just one place. Domestic violence is certainly a statewide issue. It is very appropriate that this chamber discuss this issue on the basis that we represent people throughout the state. I know that there are other members waiting to make a contribution to this debate, and as I have probably covered the main points that I wanted to talk about today in my contribution, I will conclude by providing the 2015–16 figures from the Department for Child Protection and Family Support. The department administers approximately \$36.4 million per annum on a range of family and domestic violence services, including family and women's domestic violence accommodation and support services; Safe at Home; domestic violence outreach services; family and domestic violence counselling advocacy and support services; family and domestic violence coordinated response services; and homeless, family and domestic support services. They are some of the programs that are in place at the moment.

As I said at the outset, I know that quite some time has passed since Hon Alanna Clohesy put notice of this motion on the notice paper and that perhaps the wording might have been a little different in hindsight. I think the government is making inroads into this area. It is nowhere near where we would like it to be; we know that. We are working on it. We are working on this in a collaborative way, and I would like to reiterate that the Standing Committee on Public Administration will, very early in the next parliamentary year, call in the Ombudsman. To make sure he will read this debate, I have said the word “Ombudsman” often enough for them to pick it up by whatever means these things are done, but the public administration committee will get him in to find out exactly what he has done in this space, because the more information we have the better we can equip ourselves and the better our toolkit will be, and the sooner we will be able to stamp out this scourge of family and domestic violence. Again, I thank Hon Alanna Clohesy for bringing the motion to the house.

**HON DARREN WEST (Agricultural)** [2.36 pm]: The motion before the house was indeed moved by Madam Acting President (Hon Alanna Clohesy), and what a prophetic motion it was. As Hon Liz Behjat pointed

out, quite a long time has elapsed since this motion was put on the notice paper and our debating it today. Like many motions that we debate in this place on Wednesdays, it is noticeable that even though it was moved two and a half years ago, it is as relevant today as it was when it was tabled. This is another one of those motions. It reads —

That this Council notes the significant increase of reported domestic and other assaults in our community —

That is clearly the case, and the number has grown since the tabling of this motion —

and calls on the Barnett government to immediately commit to boost funding to enable the expansion of support services for women and children seeking to leave abusive or violent relationships.

I do not think that anyone can doubt that is a relevant motion today and that the issue of domestic violence requires more funding. I look forward to the Minister for Child Protection's contribution on conjecture about whether the recently announced finding for the Kimberley was new money or a rehash of existing funding. We will no doubt learn more about that when the minister makes her contribution in due course.

I have listened to some outstanding contributions from Hon Alanna Clohesy, Hon Sue Ellery and Hon Martin Pritchard, as well as the contribution from Hon Liz Behjat on this motion. I was in the chamber to listen to those speakers and some excellent points were made. When it comes to the issue of domestic violence, I think it was Hon Martin Pritchard who pointed out an angle that I had never thought of. I, too, can proudly say that I have never laid a hand on my wife, mother or any of my children, but who knows this? Hon Martin Pritchard made a very good point and, of course, I know this and my family knows this, but domestic violence is a silent curse in our society, because people who suffer domestic violence often do not report incidents. Women who suffer domestic violence tell me that they considered that their life was normal and that it was normal to suffer such violent acts, usually from men—husbands, fathers and other men in their life—although not always. Hon Martin Pritchard also made a very pertinent point about how we still lightheartedly talk about this. Until that point, I had notes in my speech to say that I have been married for 22 years and I can happily say that my wife has never violently injured me once; she has put up with much, but she has never got to that point. I was going to make a lighthearted point about that because I am fortunate, despite much of what my wife sometimes has to put up with in my carry-on. But, of course that was being lighthearted and making light of a very, very serious problem. I therefore sought to take that out of my speech and just refer flippantly to the fact that we often do not take this very important issue seriously enough.

I note that both federal and state governments are inching forward and making a contribution in this area. It is timely to note that only weeks ago the new Prime Minister—it seems now that it is okay to change Prime Ministers, especially during a first term—came out and made a very important announcement of new money to tackle this very important area of domestic violence and assault, so I think acknowledgement of that needs to be made. Of course, governments of all persuasions tend to do what they think is best. They like to think they are making a contribution to improve society. I am sure the next government will certainly hold that view and carry out the priorities that it thinks are best. However, this issue has risen to the top for reasons that many of the previous speakers have outlined. I cannot stand in this place and make a contribution to a debate such as this without acknowledging the tremendous work that Rosie Batty has done. Our Australian of the Year has certainly shone a light in a very dark place—that is, domestic violence and assault in the home.

I recently went—as I enjoy doing—to Bunbury to address some university students. It was a very large group of between 70 and 80 social work students at Edith Cowan University in Bunbury who had come from different places across the state, including Geraldton. There was a series of panellists there and representatives from the four large parties, and we spoke to the students and gave our story on the topic of the day, which was how we develop policy within our organisations. I explained how I had held the role of helping to write policy for the Labor Party in the very early days back in the 1990s, and how it works through branches and is driven by its members. The Labor Party, as all members would know, is driven by its members, and the policy of its members are the positions that we bring into Parliament. I therefore explained all this to the students and so did all the other members of the panel, and then it was time for questions. The very first question that was asked of us all to answer individually came from a very enthusiastic young social work student, who stood and asked, “Why is it that we spend so much time talking about terrorism and so little time talking about domestic violence and sexual assault?” It was a great question that we all grappled with answering, because no-one really knows why. In my explanation I said, “I guess the media is more obsessed with issues that will help sell newspapers. They are more obsessed with things that make people fearful and more likely to read the story. Domestic violence always happens to somebody else, but terrorism could easily happen to us.” There was a long discussion after that about why it is the case that in the past 12 months, 98 women in Australia have died as a consequence of acts of domestic violence, but zero women in Australia have died as a consequence of an act of terrorism. However, the newspaper inches, the media and the TV news are all obsessed—certainly the former Prime Minister was obsessed—with terrorism matters, because it invokes fear in the community. It was therefore a great question, and all four of us struggled to explain

why. I think that actions such as those taken by Rosie Batty and the work that she has done, and indeed this motion brought forward by Hon Alanna Clohesy, will help to turn that imbalance around, have more people focus on why it is a silent scourge in our community and acknowledge that we need to speak up and talk more about it.

Last year, I went across to Solidarity Park—I am sure members opposite know where Solidarity Park is—adjacent to Parliament House to a White Ribbon Day presentation. I will talk about the thing that I took away from that. I know unionists are classed as these evil people who do bad things in society, but I stood there and listened to speeches from four very big, burly male trade unionists about why we should stand together and act against domestic violence. They even referred to a pledge that men should make that they will not commit acts of domestic violence and they will not stay silent when they see or hear acts of domestic violence. I think that illustrates a little the change in community attitudes towards this problem. Some of these union officials speaking there that day are rather large people. I remember a presentation from large people who could seem to be intimidating, especially to women and to others, and who are certainly classed by some as intimidating characters who do no good. However, Wayne Wood from the Australian Services Union and Steve McCartney from the Australian Manufacturing Workers Union were there, as well as unionists from the Maritime Union of Australia and the Construction, Forestry, Mining and Energy Union—all classed by our media as these big, tough, intimidating guys. There they were asking fellow men to commit to a pledge that they would not commit and would not stay silent on acts of domestic violence. I think that is how far the community has come. These people—who actually do a lot of good work for others; men in this instance, although certainly women spoke at the rally as well—are doing their bit to raise awareness and to help change community attitudes towards matters of domestic violence. I thought that was a fantastic display of solidarity from our union leaders.

I also recall, as a young man, an incident many years ago and often reflect back and wonder what happened. As many of us did in those times, we would go out to a big pub with hundreds of patrons and watch a band or two and invariably end up back at Alfred's Kitchen in Guildford. My mum is from the Swan Valley and my grandparents lived there, and I would often stay there when I was in Perth. I can remember very clearly that a car pulled into Alfred's Kitchen and a terrified woman ran screaming from the car. She ran up to us at Alfred's Kitchen looking for protection, screaming, "He's going to hit me again, he's going to hit me again." She was followed by a male who was trying to grab her and get her back into the car to avoid the embarrassing situation. I remember that a couple of us fronted him and said, "Mate, this doesn't look particularly good. What's going on? Why is she so afraid of you?" We sat and talked to him for quite a while. He was very angry. She was very afraid. She eventually got back in the car and left with him, and I always wonder whatever became of that poor girl and what happened to her. She found it difficult to leave the man who appeared to be hurting her and causing her harm. It stuck in my mind for a very long time and I wonder what happened to her. As in many cases, we never really know exactly what happens in situations of domestic violence and sexual assault.

I have spent a lot of time in my electorate of Geraldton working with organisations that provide services in this area. I have acknowledged the good work of the government, but I remind government members that before the last election campaign this government made a commitment to build a 138-bed Aboriginal hostel at Bundiyarra in Geraldton to help provide shelter for not only domestic violence sufferers but also other people. So far there is no funding, no commitment and no hostel at Bundiyarra. I hope that changes, as there is still time in the government's term to make a meaningful commitment to that important project. We also had a hostel in Gregory Street in Geraldton for Aboriginal people called the Boomerang Hostel. Although it was old, a quarter of a million dollars has been spent on it quite recently but it has not perhaps served the "we-will-take-all-comers" purpose and that hostel has also closed down. That is another 17 beds in Geraldton we have lost. Places that once were or may have been available to people suffering at the hands of people committing domestic violence or sexual assault are closing and those people are now struggling to find somewhere to go. There are not the beds and the facilities that we need in Geraldton. I remind government members that after two and a half years in government, what we have seen in Geraldton, a city of 40 000 people, is a decrease in the available services. That is despite an increase in population and an increase in the incidence of reported domestic violence and sexual assault in the town. That is something the government needs to think about and act on. The government promised before the last election that it would build the hostel at Bundiyarra, but so far, in two and a half years, we have not seen it. Time is running out for this government. In four years, the government will have to face the people, and they can make —

**Hon Paul Brown** interjected.

**Hon DARREN WEST:** I am not taking interjections today, Hon Paul Brown. I am sure the member will get up —

**The ACTING PRESIDENT (Hon Alanna Clohesy):** Order! Hon Darren West has the call.

**Hon DARREN WEST:** Thank you, Madam Acting President.

**Hon Paul Brown** interjected.

**Hon DARREN WEST:** I am not taking interjections today, Hon Paul Brown.

**The ACTING PRESIDENT:** Order! Hon Darren West has indicated that he is not taking interjections. Hon Darren West has the call.

**Hon DARREN WEST:** I am quite sure that, as is usually the case, Hon Paul Brown will get up after I have made my contribution and talk about this, but I am not taking interjections today. The point of the matter is that it was promised and not delivered. The Boomerang hostel has closed. We are in a dire situation in Geraldton. Chrysalis cannot afford to take any more people; there is no room. The organisations in Geraldton that provide these very important services are suffering.

**Hon Paul Brown:** There is still 18 months in the electoral cycle. There is 18 months left out of a four-year term.

**Hon DARREN WEST:** I will respond to that interjection. There is 18 months left in the electoral cycle. I would have thought that this would be given greater priority than to leave it to the very last minute in the electoral cycle. I would have thought that this would be something that the government would get in and do sooner rather than later. We have 18 months to go, and there is no planning and there is no money. This needs to happen fairly quickly —

**Hon Paul Brown** interjected.

**Hon DARREN WEST:** — otherwise it will just be another National Party mirage.

**The ACTING PRESIDENT:** Order! It is making it impossible for Hansard to hear what is being said in the chamber.

**Hon DARREN WEST:** I will move on from that point —

**Hon Paul Brown** interjected.

**The ACTING PRESIDENT:** Order! I would invite Hon Darren West not to invite injections, and I would invite other members to withhold their interjections.

**Hon DARREN WEST:** I will move on from that point, because it clearly is —

**Hon Paul Brown** interjected.

*Point of Order*

**Hon KATE DOUST:** Madam Acting President, you have already expressed your view about members being heard in silence. Obviously, the member who keeps interjecting is paying no respect to your position. I do not know what it is going to take for him to listen quietly. Perhaps you need to explain to him what will happen if he is told to sit down and does not respond appropriately.

**The ACTING PRESIDENT (Hon Alanna Clohesy):** Thank you for the reminder. There is no point of order. However, I will remind the member that if his interjections continue after this warning, it is possible that it will be found that his behaviour is unparliamentary.

*Debate Resumed*

**Hon DARREN WEST:** Thank you, Madam Acting President.

I will move on to another issue of importance in my electorate. The people who work in the area of domestic violence and sexual assault are truly special. This is a very difficult area in which to work, and I will go into why that is so. The people who choose to spend their working career helping people in our community who are desperate and have suffered domestic violence and sexual assault, and other assaults, are very caring indeed. They also need to have a fairly thick skin. It is often the case that the people who use these services are stressed, act irrationally, are afraid and are difficult to deal with because of the afflictions and the hurt and pain they have suffered, both physical and mental. It is a very difficult area in which to work. I do not think those workers are valued highly enough for the important work that they do. They often do a lot of their work on weekends and out of hours, because that is when these events often occur—not every act of domestic violence or other violence occurs between the hours of nine o'clock and five o'clock. Many of these people work in difficult environments and with people from all types of backgrounds. It is a very tough work environment. I acknowledge and admire these people for choosing to spend sometimes decades working in such a difficult environment. The people who work in this area are truly amazing, and I do not think we pay enough admiration and respect to them. I take my hat off to every single one of them. They are all wonderful, and I hope they keep up the important work that we as a society need them to do.

I need to make the point also that not only do these people have a difficult work environment, they have incredible uncertainty about the future funding of their organisations. I know of one organisation that put in a submission for this year's tender—the 2015–16 tender—back in April. However, there was no certainty and no announcement about that tender. It was not until 15 October that this organisation was finally advised that it had received its



funding. That was for the financial year that began in July. That puts an extra layer of stress on the people who run those organisations, and also on the staff, because they do not know whether their employer has won the tender and whether they still have a job. They almost have to live from hand to mouth and from week to week, in this difficult work environment. Therefore, it is not difficult to understand why people might get tired of doing that and grab a job that has come up somewhere else and leave. We are losing good people in this important sector because of this funding uncertainty. It is all done on year-by-year tenders and often on capped tenders. However, the tenders are not announced until well after the beginning of the financial year. A growing number of large organisations, often eastern states based, are coming in over the top of local groups and local institutions and winning these tenders. That is the way of the modern world. However, it does not provide certainty of employment for the people who are working in these difficult areas. These workers have mortgages to pay, they have the costs that are associated with running a car and shopping, and they have the increases in their electricity, gas and water bills, as we all do. However, they have the added uncertainty of not knowing whether the good work they are doing will be continued by governments, both state and federal.

I have another little note that the minister might like to write down. Perhaps we could get these tender processes going earlier. If a tender ends at the end of June, perhaps by April the organisations could be notified about whether they have won the tender going forward. That would give the management and staff time to make alternative arrangements should they need to do so. We should give these organisations certainty that they have funding for one year. In fact, we should make it two or three years. We should give the organisations that are running these programs and support services the certainty of a three-year contract so that they can recruit staff and those staff can be safe in the knowledge that they will have their job for three years. As members of Parliament, we get a four-year contract. Why not offer that same luxury, if we can call it that, to those who work in this important area? This is causing a lot of needless worry for these people. If we are going to provide the programs anyway and if we can see our way clear to run a budget that allows for that—which we all acknowledge, and which this motion calls for—we should channel increased funding into this area and give these organisations some certainty. Above all of that, we should look at having, especially in regional areas, local providers as the preferred tenderers. Local providers have the networks. They know many of the people who are likely to use these services. They can also provide an extra level of service, because they are often more willing to work on weekends and out of hours than people who have come in from other parts of the state or other parts of the country on short-term contracts. That is something else that the government needs to work on. I acknowledge that the government is doing some good work, and I hope that we will soon hear that there will be some more money for this important area. I would like the government to work out a way in which it can open the tender process for the following year in October or November, close it off early in the new year and make a decision by March or April.

I do not think that is unreasonable. That is how we have to work in business. The farm budget needs to be done in January or February for the next year going forward. I am not suggesting something new and out of left field; rather, it is a bit of commonsense and it would show a bit of respect for the organisations that carry out this important work.

I want to speak about a couple of the many organisations in my electorate, which is quite large. Indeed, my electorate covers the area from Kalbarri to Bremer Bay, which is 200 000 square kilometres. It is the second largest upper house electorate in the state, dwarfed by the Mining and Pastoral Region, which is two million square kilometres. Nonetheless, my electorate has 61 local governments, 137 schools and numerous communities—more than 200—varying in size from 40 000 people, in the case of the City of Greater Geraldton, to communities of one or two people. There is diversity in my electorate, and domestic violence is everywhere. I want to touch on and acknowledge some of the support services available in my electorate. Many of the people who do this important work in domestic violence support services do so in an unheralded manner. They do not want great acknowledgment, but from time to time there is a good opportunity in Parliament for us to pay special tribute to the organisations that provide assault support services. I will touch on a couple of organisations; I know I will not be able to mention them all but I do acknowledge all of them.

I will give members a bit of background on what services we have in the Agricultural Region. In Geraldton, domestic assault support services are offered by Chrysalis Support Services. Chrysalis Support Services is the key leading agency in the midwest for assisting with domestic violence and sexual assault. Someone else made the point earlier that people did not know where to turn. I think Hon Sue Ellery said earlier that Rosie Batty did not know about services that were available. I also make the point that it is probably the second biggest issue that comes through my office. A lot of people bring their housing issues to my electorate office. My office is centrally located in Marine Terrace, Geraldton. My electorate officer, the wonderful Judy Riggs, has a social work background, so she has become a calling point for people with issues about housing and Homeswest tenancies, but also about domestic violence, sexual assault and substance abuse. She does a wonderful job and spends a lot of time helping people through their issues. She says the same thing; people did not know about services such as Chrysalis and other services available in town. They did not understand that there is support and help for them. What a terrible place it would be if a person who was treated very poorly—physically harmed and mentally

damaged—was unaware that someone could help them. Often people go into electorate offices looking for that support. Of course, Judy will work with them and refer them to the wonderful people at Chrysalis Support Services.

I did a bit of research on the organisation yesterday. I will outline some of the good work it does. Chrysalis Support Services was created in 2003 with the amalgamation of the Geraldton Sexual Assault Resource Centre, the Wonthella Women's Refuge and the Domestic Violence Advocacy and Support Service. The services offered include a women's refuge. The Chrysalis House Women's Refuge provides safe, supported accommodation for women with or without children who are escaping family or domestic violence or who are at risk of being homeless because of a crisis. I note that Hon Liz Behjat asked why the women and children are taken out of the violent situation. Although it might be a bit hard to grapple with the fact that that is done, the reality is that it is easier and better, because violent men do not want to leave their home and will go back. Unless they are held or incarcerated against their will, they will go back to their home, whereas women and children who are afraid are less likely to go back to that difficult and dangerous situation. There is a need for women's refuges, especially those that cater for women and children. The one that could have been used in Geraldton was the Boomerang Hostel run by Bundiyarra, which has closed. That facility was set up to take all kinds of people needing hostel accommodation and crisis accommodation. It had an area out the back set up as a playground in which kids could play. I thought that would have been a perfect facility for women's and children's crisis accommodation in Geraldton, but it closed about this time last year despite the government spending \$250 000 on it. Refuge is still offered in Wonthella, but it is always overflowing. The demand for services far outstrips the capacity of the Chrysalis House Women's Refuge.

Chrysalis also provides sexual assault counselling, with a 24-hour crisis response for recent and past sexual assaults. As I have mentioned, these things often happen out of hours. Family members, friends and partners can also access counselling, and a child sexual assault therapist service is available. It offers family and relationship counselling, which is also very important, and confidential professional counselling, support and education in a safe and supportive environment for women, men and children whose lives have been affected by domestic violence. Can members imagine some of the situations that those counsellors hear about? Chrysalis also does domestic violence advocacy by providing information, support and referrals, including court support for women, men and children who are seeking access to safety or other rights through the courts. It provides community education whereby educators deliver educational programs to other service providers, businesses, schools, individuals, groups and the community. School-based programs include violence prevention and the Love Bites and Protective Behaviours programs. In 2015, Chrysalis received a grant from the City of Greater Geraldton to run the Respect me. Don't Sext Me campaign. It is the only dedicated domestic violence service in town. Centrecare has counselling services and it provides clients with the option of referring them to Chrysalis or providing its own service. The Women's Health Resource Centre refers to Chrysalis immediately. The only other options are private counselling services and the hospital. There is a distinct lack of support services for people suffering from domestic violence. Chrysalis is overwhelmed. In my view, it does not receive the amount of funding required to carry out all these very important services. The funding that this motion calls for would make a big difference to organisations in my electorate such as Chrysalis.

Further south, Share and Care in Northam provides domestic assault support services. On 8 October 1975—we are going back a good way here, almost 40 years to the day—a public meeting was organised and held by Mrs Marlene Garzis to discuss the possibility of setting up a community organisation staffed by volunteers. The meeting agreed that there was a need in the community, and approximately 50 people offered to provide various types of support services as members of the proposed organisation. At a subsequent meeting on 30 October 1975, a foundation committee comprising the president, the vice-president, the secretary and the treasurer, along with seven committee members, was formed. Marlene Garzis was the foundation president and held the role for 19 years. Many different people were involved and the information I have refers to how they came up with the name Share and Care. Approximately eight months later, a formal constitution was drawn up. Share and Care offers a broad range of services across the region, including domestic violence and early intervention outreaches. That is an example of how, 40 years ago, the community of Northam and the wider wheatbelt set up an organisation to deal purely with those suffering from domestic violence. I can say that to this day, that organisation struggles year in and year out to attract the funding that it feels it needs to operate the service. The domestic violence court assistance program, or the Fax Back program, operates at the Wheatbelt District Family Protection Unit in Northam. It offers assistance and support to women accessing the court for legal protection or presenting evidence in a prosecutorial case. A specifically designed domestic violence office, which includes office space, a secure waiting area, an interview room and a rest room, was incorporated into the design. The area is secure. A separate entrance is available to the Northam Magistrates Court, which has a distressed witness room available. The program is staffed by Share and Care's Waminda House Women's Refuge and it works in partnership with the refuge, police, the clerk of courts and court staff. The program is an integral part of the coordinated collaborative response. This approach to domestic violence prioritises women and children's safety, which is paramount when the lives of women and children are at risk.

**Extract from *Hansard***

[COUNCIL — Wednesday, 21 October 2015]

p7659b-7676a

Hon Sue Ellery; Hon Martin Pritchard; Hon Liz Behjat; Hon Darren West

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Debate adjourned, pursuant to temporary orders.