

To the Inquiry into Capturing Data on Family Violence Perpetrators in Victoria,

On 7 August 2024, during a presentation to the Inquiry, I was asked to consider two follow up questions. The outcome of further research into these matters is provided here.

Question 1

The CHAIR: Are you able to expand further on how NDIS service providers who capture data on perpetrators, or people using violence, interact with the family violence information-sharing scheme in Victoria or the child information-sharing scheme?

The initial hurdle of aligning the responsibilities of NDIS service providers with the Family Violence Information Sharing Scheme (FVISS) or the Child Information-Sharing Scheme (CISS) is their jurisdictional limits. NDIS service providers operate within a Commonwealth Government endeavour while the FVISS and CISS relate to structures imposed under Victorian State initiatives.

As a general statement it can be said that NDIS service providers are not specifically engaged in the FVISS or CISS.

However, it is also important to recognise that a number of service providers are linked to the FVISS and CISS through their being a “prescribed information sharing entity”. Such an entity is prescribed through an Act of Parliament, usually one of,

Privacy and Data Protection Act 2014 (Vic)

Health Records Act 2001 (Vic)

Privacy Act 1998 (Cth)

Children, Youth and Families Act 2005 (Vic)

These prescribed entities include Service Providers, such as Yooralla, but this is by coincidence rather than design. Enquiries to ascertain how often reports of a Family Violence nature are made were inconclusive at the time of writing this response.

Further to this question, the matter was raised with Sian Leathem, the Deputy Commissioner Complaints and Engagement at the NDIS Quality and Safeguard Commission, during the NDIS Commission Disability Advocacy Forum on 27 August 2024. Deputy Commissioner Leathem explained that, in the event that a complaint is received that has a Family Violence aspect, the matter is forwarded to an investigatory department within the Commission and that department then decides whether or not to pursue the matter, including referral to another agency, such as police.

Deputy Commissioner Leathem also explained that a new data handling system being developed for the NDIS Quality and Safeguard Commission would allow for tracking of such matters, but at present, there is no means by which data on perpetrators can be gathered or through which any meaningful report could be provided.

The findings of my inquiries would support the original expectation that few Service Providers are under an obligation to report instances of Family Violence and the NDIS Quality and Safeguard Commission handle such matters as incidental without any reliable means of providing data of perpetrators.

Question 2

The CHAIR: Peter, on that point, and this might be one for you to take notice, could you come back to the Committee with any other examples of where we are not collecting data on a person using violence, whether or not they have a disability?

Without wishing to be bland, the following list consists of examples of where data on a person using violence, within the context of family violence, is not currently being collected effectively,

Group Homes of people with disabilities

CALD Communities where cultural expectations limit reporting

Magistrates' Court

Support Workers for people with disabilities and the aged

Service Providers for people with disabilities and the aged

NDIS Quality and Safeguard Commission

VCAT

This list is not exhaustive, but it is extent of such suggestions that I can make at this time. I hope that it is of assistance.

Thank you for the opportunity to contribute to this inquiry. Should there be any further contribution that I can make, then please don't hesitate to contact me.

Yours faithfully,

Peter Dickinson

To the Inquiry into Capturing Data on Family Violence Perpetrators in Victoria,

On 7 August 2024, during a presentation to the Inquiry, I was asked to consider two follow up questions. Having provided responses accordingly, I was later offered further thoughts for consideration in regard to the second question. In order to support the Inquiry, I offer the following amendment to my previous response to the second question,

The outcome of further research into these matters is provided here.

Question 2

The CHAIR: Peter, on that point, and this might be one for you to take notice, could you come back to the Committee with any other examples of where we are not collecting data on a person using violence, whether or not they have a disability?

Without wishing to be bland, the following list consists of examples of where data on a person using violence, within the context of family violence, is not currently being collected effectively,

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In addition to this initial list, the following are suggestions that bear serious considerations and may provide a fuller picture of how Family Violence is permeating society.

Court Statistics where Family Law matters indicate there is Family Violence.

Agencies engaged in Child Support.

Agencies involved In matters of Elder Abuse

VCAT statistics where tenancy matters have involved removal of parties from leases on the basis of Family Violence.

VicRoads and Fines Victoria where applications for special consideration have been made on the grounds of Family Violence.

Banking institutions that deal with rar loans, mortgages and other financial matters where their dedicated Family Violence teams have been engaged.

Financial Counsellors who come in contact with Family Violence in dealing with clients.

Doctors and medical professionals.

Programmes through schools that instruct on what Family Violence is and then survey the students and parents about its presence in their lives.

Thank you again for the opportunity to further contribute to this inquiry. Should there be any further contribution that I can make, then please don't hesitate to contact me.

Yours faithfully,

Peter Dickinson