

TRANSCRIPT

LEGISLATIVE ASSEMBLY LEGAL AND SOCIAL ISSUES COMMITTEE

Inquiry into capturing data on family violence perpetrators in Victoria

Melbourne—Monday 5 August 2024

MEMBERS

Ella George – Chair

Annabelle Cleeland – Deputy Chair

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WITNESSES

Kathleen Maltzahn, Chief Executive Officer, and

Dr Amy Webster, Advocacy and Research Manager, Sexual Assault Services Victoria.

The CHAIR: Good morning. My name is Ella George, and I am the Chair of the Legislative Assembly's Legal and Social Issues Committee. I declare open this public hearing of the Committee's Inquiry into capturing data on family violence perpetrators in Victoria.

I begin today by acknowledging the traditional owners of the land on which we are meeting, the Wurundjeri Woi Wurrung people of the Kulin nation, and I pay my respects to their elders past, present and future.

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

On behalf of the Committee I would like to thank everyone participating in the inquiry through submissions or hearings. We greatly appreciate your time and effort in contributing to this important inquiry. The Committee has received a number of valuable submissions today, which can be viewed on our website. We do recognise that evidence to this inquiry may be distressing, and we urge people to reach out for support. You can contact Lifeline on 13 11 14, 1800RESPECT or the Blue Knot helpline on 1300 657 380.

The Committee will hold further days of public hearings in August, and today the Committee will hear from a number of witnesses.

All evidence given today is being recorded by Hansard and broadcast live. While all evidence taken by the Committee is protected by parliamentary privilege, comments repeated outside this hearing may not be protected by this privilege. Witnesses will be provided with a proof version of today's transcript to check, together with any questions taken on notice. Verified transcripts, responses to questions taken on notice or other documents provided during the hearing will be published on the Committee's website.

I welcome from Sexual Assault Services Victoria Kathleen Maltzahn, CEO, and Dr Amy Webster, Advocacy and Research Manager. I invite you to now make a statement of around 5 to 10 minutes, and this will be followed by questions from members. Thank you.

Kathleen MALTZAHN: Thank you very much, and thank you for the opportunity to address the inquiry. As you said, we are from Sexual Assault Services Victoria, the chief body for sexual assault and harmful sexual behaviour services across Victoria, and our member services cover from Horsham to Warrnambool to Mildura and Wodonga, so across the state and here in Melbourne as well. We have 18 members who are specialist sexual assault and harmful sexual behaviour services, and together our member services provide a free 24/7 specialist response both to survivors of sexual assault and other people affected, including children and young people who use harmful sexual behaviour. That covers everything from crisis support for people who have experienced a recent sexual assault, counselling and advocacy, and support and services for children and young people using harmful sexual behaviour. All together our services work with about 20,000 people a year.

As you know, sexual violence is a very common but often overlooked part of family violence. Obviously there is a whole lot of sexual violence that operates outside the context of family violence, but it is key often in family violence. While there is a substantial amount of data already collected on family violence and sexual violence victimisation at an LGA, state and national level, there are still a number of gaps. This includes gaps around data on attitudes, experiences and particularly outcomes in terms of people who use family and sexual violence and children and young people who use harmful sexual behaviour who do not come into contact with police. Most of the data collected around sexual violence and harmful sexual behaviour captures the number of reported offences or prosecution rates, but we know that sexual violence is even more under-reported than family violence, so if we just rely on criminal justice system data, we are not getting the full picture, and it will only give us a very small sample of what is happening in terms of sexual violence perpetration. I will hand over to Amy now.

Amy WEBSTER: Thank you. We also have a scarcity of data demonstrating whether the current interventions that we have for adults who are using family violence, such as men's behaviour change programs, are consistent or effective in terms of addressing sexual violence, including intimate partner sexual violence or child sexual abuse in the context of family violence. This is despite our reliance on these types of programs as the few strategies that we have for addressing sexual violence apart from a criminal response.

Like survivors, people who use sexual violence are not a homogenous group. Some use sexual violence as one of many tools that they use to control and dominate every aspect of their partner's or family's life. This group of perpetrators may be more likely to use or engage in men's behaviour change programs to increase their control and dominance over family members. Others use sexual violence exclusively and are less likely to come into contact with the family violence system in the first place or with men's behaviour change programs. Importantly, some people who use sexual violence are also survivors in their own right and have significant unresolved trauma themselves which also needs to be addressed through specialist therapeutic interventions such as the services for young people that SASVic's members deliver.

Our member services have told us that around 90% of the children and young people engaging in harmful sexual behaviours in their services have been exposed to family violence or trauma themselves, so this also needs to be addressed while maintaining a strong focus on the safety of the people around them. As stated by NTV in its submission to this inquiry:

... the current intervention system is based on an incomplete understanding of the nature, scale and scope of the problem. Consequently, it does not provide the most effective and appropriate responses ...

to address and reduce family violence. More attitudinal and program-level data would enable us to understand the different types of people who use sexual violence, the different types of violence that they use and in what context, as well as the attitudes and behaviours of the people around them as possible bystanders and people who can intervene themselves. Most importantly, this would help us design and be much more confident in the services and interventions that we provide to people who use sexual violence and harmful sexual behaviours, and that would keep more survivors safe and prevent further harm.

Kathleen MALTZAHN: We also need, as well as some new evidence, to get better at using the research and data we already have and using that to tailor the response system that we are part of. To quote No to Violence again:

The value of the knowledge developed by advancing research and data collection ... is ultimately determined by how it is integrated into practice.

We think there are a few opportunities available to us in terms of improving how data we already collect is used. It would be helpful to enhance analysis and integration of existing datasets. It would be useful to empower services like our member services to collect, analyse and act on the data that they are collecting on a focus with outcomes—and we could talk more about the barriers to that later if that was helpful. We need a greater focus on the experiences, attitudes and behaviours of children and young people. We would also say that while there are some important considerations about engaging children and young people in research and evaluation in relation to sexual violence, child sexual abuse and harmful sexual behaviour, services are already doing some good work around this. For example, the Australian Childhood Foundation and Kids First, who are members of SASVic, have valuable datasets; however, there are barriers to using them well. Organisations such as Thorne Harbour, for example, have had a recent project called the 'We Hear Youth' project that has created a youth peer interviewing network to support the engagement of young people in shaping local policy and designing and delivering services. So those sorts of models are there and can be replicated and expanded.

Finally, one of the opportunities we see for helping us use the data we have better is that it would be very helpful to have a monitoring and evaluation framework that could help us track and report on the implementation and impact of the new affirmative consent laws that came in last year. We would be very interested to know if and how the introduction of the laws has changed police attitudes, for example, and processes in relation to sexual violence, both inside family violence and externally, as well as whether it is impacting on attrition and conviction rates. It would be helpful to identify any unintended consequences that may be developing. Those are some of the issues that we put in our submission, and we would welcome the opportunity to provide any further information you would find helpful.

The CHAIR: Thank you, Kathleen and Amy, for that excellent introduction, and thank you again for your submission and the detail that you have gone to in preparing it. I will start off with a question before I hand over to my colleagues. One of the emerging themes that other people are also raising as part of this inquiry is some of those data gaps around unreported family violence and, as you mentioned, unreported sexual violence. I am just wondering if you can expand a little bit on that, on some potential solutions about how we could capture data around what goes unreported, what does not get reported to our police and court system.

Kathleen MALTZAHN: I will start and then hand over to Amy. I think one of the important things for us is that there are definitely data gaps, and there is a big issue actually with the data-gathering tool that our services use in the sexual assault sector—it is called IRIS—dreadfully outdated, almost most impossible to use to capture the data that we need. Then the data is essentially the state government's, and SASVic's members cannot work with it because it is a really poor database. The state government have been working to provide something new and, as I understand it, have a budget bid going in this year asking for resources to continue that work. We would really support that, because it is frustrating at the moment that we work with 20,000 people across the state, our sector—that is a goldmine in terms of data, and we cannot use it properly to sort of tap that, so that is one of the gaps for us.

One of the things I would say is that, while data is very important, we actually have a lot of data around perpetration rates and types in sexual violence, and one of the issues for us is that more data would not fix the criminal justice system, and while the criminal justice system is working badly, people are less likely, it seems, to report. There are things that we could do that are beyond data that would impact on data collection. We would still very strongly support further implementation of the Victorian Law Reform Commission's *Sexual Offences* report recommendations that were not only focused but have a strong focus on fixing the criminal justice system. I think if people thought it was worth reporting, they would be more likely to report. So that is one gap I think, just to say that data does not necessarily get fixed by changes only in data collection approaches. Amy, do you want to add –

Amy WEBSTER: Sure. I think Kathleen covered most of what I would say. We know that family violence is under-reported. Sexual violence is normally—one in 10 people choose to make a report, so even lower rates, and then you have that split between family violence being dealt with normally through civil processes and through L17s, through police, whereas that is often not the case with sexual violence. So it is quite a different reporting system in the first place.

We would like to see report rates go up. It is an important indicator, and that would be about making sure that we talk to the community about things like affirmative consent laws and make sure that people have a really good understanding of the laws and have good attitudes and behaviours around that before a report ever needs to be made. I guess we would also just caution the use of reporting data really as the full indicator for how things are going, because we know that, especially for sexual violence, reporting is often a really difficult step towards what becomes a much more difficult journey after they make that report as well through the criminal process rather than the civil process usually. There are a couple of comments on the reporting data, but we are happy to take any other questions as well.

The CHAIR: One suggestion that has come up through submissions is some kind of national population-based survey that would ideally be designed in a way that captures unreported family violence, unreported sexual violence. Do you have any thoughts or views on a national survey like that?

Kathleen MALTZAHN: I think the question is what you are aiming to do. If you are aiming to change mechanisms that allow you to hold people to account or if you are just wanting to get more information, I would sort of say we have got the information. The Australian Child Maltreatment Study gives us really clear data about rates of child sexual abuse, the work that Jesuit Social Services with Professor Michael Salter and Dr Delanie Woodlock has done about perpetration of sexual violence by adult men against children—it tells us the rate. So we do not need more data—we should not—to push us to action. I think for me there would be a question about we could do that, but we have got the personal safety survey that is national. We should continue the surveys we have, but establishing a whole new survey—I mean, Amy might have another view—we have not canvassed this with our colleagues in family violence, but I feel like that could be a lot of money spent to tell us what we actually already know. Actually putting money into the service system to fix the response, particularly in sexual violence where we have not had the big reforms of other areas, I suspect might be more useful. But, as I say, we have not talked to our colleagues about that recommendation and probably need to understand it better from their perspective.

Amy WEBSTER: The things we do not know are how we define the different types of perpetrator groups, or people who use violence, and their different motivations and presentations when they come into contact with wanting to get help through the service system. The data that we really desperately need is how to reach those people in a way that keeps the people around them safe and changes their use of violence. Program-level evaluation data is really the critical, critical gap. Understanding what programs work for children and young

people engaging in harmful sexual behaviours versus someone who has been using family violence against multiple family members for 60 years and how you intervene in those different trajectories is really the critical gap.

We are seeing, as I am sure you will know, much more about young people engaging in harmful sexual behaviours but also new forms of sexual violence used in and outside of family violence, such as deepfakes. Targeting interventions at individuals around their use of violence—how one form of violence leads to another—is really important, also recognising that a lot of forms of sexual violence, like deepfakes, are growing exponentially. Huge numbers of people are involved. A criminal response that focuses on reporting rates is actually not the response that is going to be proportionate or appropriate to something like deepfakes. You are never going to be able to intervene individually with every person and have a criminal response, so you need to be looking at that primary prevention and early intervention, particularly programs that deliver early intervention, the data around those.

The CHAIR: Amy, can I ask: in your experience, that program-level data that you are speaking of, describing that as a gap and a bit of a missing link, is that being collected by the organisations that are delivering these programs?

Amy WEBSTER: Inconsistently is our understanding. Australian Childhood Foundation and Kids First, for example, as Kathleen mentioned, do collect a lot of evidence on intervening early with young people. That is a very different trajectory, possibly, than the programs that are delivered for adults. My understanding is there is not any consistent coverage of sexual violence in programs for adults or an overarching theory of change or outcomes model to measure how those programs work. Individual program evaluations as well as an overarching framework for those so that we can support consistency and compare different program interventions would be really useful.

The CHAIR: What would you recommend the Victorian Government do to improve that consistency of data collection?

Amy WEBSTER: I would love to see more work with No to Violence, Sexual Assault Services Victoria, the government and Safe and Equal to look at the programs that exist—particularly, let us say, for adults in Victoria as a start—and then to look at any evaluation data that they are collecting, which I think is probably pretty limited. For a start, create an evaluation framework that can look at different types of interventions for different people who use violence and start building a picture that creates an outcomes framework that we can then use to create more programs and target more interventions and measure the impact of those.

The CHAIR: Thanks. I am going to hand over to Annabelle.

Annabelle CLEELAND: Thank you for your incredible contribution. I just wanted to ask: are you aware of any legislative barriers that exist that might prevent that sharing of data between services currently?

Kathleen MALTZAHN: Amy can correct me. It depends what sort of data you are talking about sharing. For sexual assault services, most of the work that we do is with survivors in their role as survivors, not as using violence. There is, for obvious reasons, great sensitivity about sharing the data of survivors. There is a cohort of survivors who are also using sexual violence, including as children, and there again, if you are talking about sharing children's data in relation to sexual harm, it is complex. But I do not think the barriers are legislative, and I do not think we need legislative change around that.

In a sense, as I say, in our sector in terms of sexual harm we only work with kids and young people at this point who are using sexual violence. Obviously we work with all ages around experiences of being survivors, but there are other things that services use to keep people safe, essentially. The work that our sector does around harmful sexual behaviour is they work very closely with families. They work very closely identifying the people who have been harmed by the sexual behaviour and work out safety plans around that. So I am not sure that data changes are what you need at the program level there in terms of swapping information. I think that is strong enough at the moment. I do not know what you think, Amy.

Amy WEBSTER: I think that is right. There are obviously some links with MARAM and information sharing. If you were to change some of the questions in MARAM in a way that might identify sexual violence

or child sexual violence more, that may have legislative impacts just in terms of MARAM being legislated. But I cannot think beyond that.

Annabelle CLEELAND: That is okay. The two studies you just mentioned to Ella, would you be able to provide them for us as part of our research, if that is okay? Usually I look at the Secretariat and they say we have already got it, so I am glad you have it. Just walk me through: what information do you currently provide to IRIS, and what information do you want to receive out that would be beneficial to your service provider?

Kathleen MALTZAHN: Each individual service can input a whole range of demographic data about their clients, a range of data around the frequency and number of engagements they have with people. But the dynamic at the moment is that many of our services who are required to use IRIS as part of their funding commitment will then actually put a whole different data collection overlay over it, because it is not really fit for service. You cannot use it to track clients and do client note-taking et cetera, so they often end up with two –

Annabelle CLEELAND: Duplicated systems.

Kathleen MALTZAHN: Complementary, so not exactly duplicated, but yes. In the hospital system, for example, they will be required to use the hospital systems, and then they have this at the back end. But because it was not designed for our sector and the work we do, for workers it does not really feel very useful, so you get a dynamic where they put data in but it is not terrific. You can pull out then quite a lot of demographic information and a bit of information about how many people you see for how long. Basically all the data is available to the state government, but because it is not going in consistently enough or of very high quality it comes through to Family Safety Victoria as having a whole lot of gaps. They cannot really use it to give back to our sector to inform our work. I guess what we would like in this move to a different system is to be able to work with government and the sector so that we are collecting data that is not just demographic and how many times you see people but supports establishing the impact of your work.

Services can extract that at a service level with some difficulties, but ideally you would then be able to put together across the sector the 20,000 people a year and pull out trends, including around impact. At the moment as the peak body we cannot get that information from Family Safety Victoria, and no-one essentially is able to learn from the across-the-sector picture it would give us. The government is theoretically able to access that, but my sense is that, because of some of the problems with the data collection, that does not work and, because our sector never sees it, it is very hard to say to workers who are under the pump doing very difficult work, ‘Fix your paperwork,’ because they cannot see, ‘Look, there’s all this data, but we don’t know about this, because you’re not filling in that information.’ It breaks down at a number of points, but it is time consuming to use and not very intuitive and does not collect a lot of what people need. We would really support DFFH’s bid in the budget process to get funding to continue that. Their thoughts are actually not even to try and overhaul IRIS, because it is broken, but to start again, and we support that.

Annabelle CLEELAND: And if you saw a system working well—I guess this is kind of duplicating Ella’s comment—what information would you need to benefit your service and improve your service? And I have got another one, a supplementary, after that.

Kathleen MALTZAHN: I think, in terms of data collection, one of the things is the database in sexual assault is pretty big, and it would be even bigger in family violence. I guess we would like to see across the No to Violence work, the perpetrator side of work, but also more broadly, other databases that are sort of adjacent reflecting questions and drawing out information about sexual violence. My sense is in family violence—certainly No to Violence would say this—around sexual violence there is quite a gap, and also in the response area we are doing work with Safe and Equal to train their workers to more consistently ask more about sexual violence. But yes, it is, one, making sure that data is collected about sexual violence in the first place, including child sexual abuse—it often gets lost; then I guess for our sector data collection that gives us the tools to look at impact, that gives us the tools to build up pictures around the different demographic groups, including people using sexual violence; and then I guess a system where the government would allow the sector to see the consolidated information across the 18 services, so you do not just get to see your service’s information but you can see a consolidated version across the sector, so we can use it for cross-sector planning. I mean, this is getting much more complex, but we would have a whole cohort that is going through the criminal justice system as survivors. Being able to use that to tell us what perpetrators are doing would be very helpful, but we do not get that sort of data.

I guess the other thing is that, if it was working well, it would be something that workers could feel they use that contributed to something, rather than it feeling like just a burden that was allowing government to tell them that they were not doing a good enough job. At the moment it just feels like government uses it to establish targets, which is how we are funded, and it does not feel like it is a quality improvement tool, which is what it should be.

Annabelle CLEELAND: Is it mandatory, your data input?

Kathleen MALTZAHN: Yes.

Annabelle CLEELAND: Okay. Is anyone not contributing at the moment, do you know, from the services that you might collaborate with? Is there anyone not inputting their information that would be beneficial?

Kathleen MALTZAHN: In terms of our members, the 18 members, you have to use it. It is tied to your funding, and you will not get funded if you do not use it. It is always easier to see gaps in other peoples' systems than your own, but I do think there is a question around men's behaviour change, perpetrator, work. I think they do use IRIS actually partly –

Amy WEBSTER: They do.

Kathleen MALTZAHN: but we would like to see more capturing of data around sexual violence, and I think they would too.

Annabelle CLEELAND: We heard a bit about misidentification and the consequence of that. Do you see any risk of misidentification with a greater sharing of an information database?

Amy WEBSTER: Misidentification is less of an issue in terms of sexual offences in family violence. It is less often that someone is misidentified as the perpetrator of sexual violence in that context. I have recently looked at the Safe and Equal and No to Violence submissions to this inquiry, and it is obviously a really important concern of theirs. I think that we would just want to make sure that their recommendations were followed in terms of misidentification.

Annabelle CLEELAND: I have got other questions, but I will not hog the mic.

The CHAIR: We will come back to you. Christine.

Chris COUZENS: Thank you. Thanks for your time today—we really appreciate it—and for your comprehensive submission as well. We have an amazing SAFV centre in Geelong as well –

Amy WEBSTER: You do.

Chris COUZENS: that does incredible work, so thank you all for everything that you do. How could the evaluation of the men's behaviour program improve to capture data in relation to sexual violence?

Amy WEBSTER: In so many ways, starting from the ground up really. I think we would like to see, first of all, a consistent programmatic emphasis on sexual violence in those programs. That does not happen to begin with. Then once we saw that as kind of a core component of those programs, we could work out how to do that intervention well and see how that intervention could be improved. I think an evaluation framework that was made between victim- and perpetrator-focused services so that you could keep outcomes for both those groups in view—we could set up an amazing evaluation framework. We use the same kind of data systems and we speak a lot of the same language in terms of the drivers of violence. If we had a statewide concerted effort towards setting up that kind of evaluation program and then having enough programs that were doing that work to start building that picture, I think that would be really great. Once we had that evaluation data I could see a different time where we had nuanced programs for different types of perpetrators that both did that kind of group accountability stuff that men's behaviour change programs do but also that individual therapeutic work that needs to happen for many people who use violence as well. Our sector does some of that, the perpetrator sector does some of that, so a shared evaluation framework with a strong family violence lens across it through people like Safe and Equal I think would be great.

Chris COUZENS: And is that possible using IRIS, or would it require a whole new system that you mentioned earlier about?

Amy WEBSTER: IRIS is so focused on individual targets—it really does not capture evaluation or outcomes data anyway. I think it would be separate without being duplicative in that case.

Chris COUZENS: Thank you.

Kathleen MALTZAHN: It is probably worth adding that to do some of that work—our service sector is really under the pump. There has been some expansion in terms of funding, but it does not keep track with the demands on the sector, so you need more resources to do some of that. One of the things that we have been talking with No to Violence about is doing more training with their sector about how to talk about sexual violence, because it is sort of bread and butter in our area, but how do you talk to a group of men doing men's behaviour change around child sexual abuse? You are going to have men sitting there who are sexually abusing the children in their family but that is not being talked about. That is not being asked about. Just saying to men's behaviour change workers, 'Go off and ask that', if they do not feel confident to do it well, that is problematic. So you need support to introduce some of these changes that will lead to better data, but concentrating on the data alone or even funding data alone would be problematic, I think.

Chris COUZENS: I know it is a bit detailed, and you have touched on it a little bit. Can you just expand a bit more on what sorts of resources would be required for you to be able to do that work?

Kathleen MALTZAHN: I think I will start, and then you can add. I think funding to help us come to work with No to Violence and Safe and Equal to come up with an outcomes framework for perpetrator work for adults. We are doing a bit of work at the moment around harmful sexual behaviour, but actually we would be supported by more resources for our sector to come up with a stronger outcomes framework so we know what we are trying to do. It sounds obvious, but we do not have those things in place. I think funding for training so that both in our sector when we are doing work with kids and young people, but particularly for the adults where they have done less of the work around sexual violence perpetration, so that workers feel confident to do it, and then you probably need innovation funding so that people can try new things, because at the moment people are funded to deliver services in a particular way in men's behaviour change, and what we are talking about is a reasonably big change, and there is a question about whether you can do some of that work with perpetrators around sexual violence in that group setting or whether that will just end up reinforcing what people are doing. So you need some money really to explore it and then to be able to do the testing.

Chris COUZENS: Has there been any work on exactly how you would do that in the men's behaviour program settings?

Kathleen MALTZAHN: We have been starting to talk. We are fairly new as a peak—we are three or four years old—so we have been talking to No to Violence about that. There is not a model here, I do not think. I do not know in other parts of the country or the world.

Amy WEBSTER: Not that I am aware of. It is a major, major gap. It is possibly worth saying that there is also a gap in terms of—the way we work with survivors in terms of recovery, there is an opportunity to do a kind of parallel process here where we open that space up and do a range of different, more targeted, innovative, group-based programs there, because when it comes to survivor recovery, it is a really one-on-one therapeutic model. When it comes to intervening with perpetrators, it is generally this group model. So it would be good if we could diversify programs on both sides with strong connections between them.

Chris COUZENS: Thank you.

The CHAIR: Thanks. Heang.

Meng Heang TAK: Thank you, Chair. Thank you, both, for your presentation. I wonder in terms of collecting data, what are the barriers to collecting data about children and young people in relation to sexual and family violence—if you can, maybe in terms of diverse multicultural communities?

Kathleen MALTZAHN: The barriers for children and young people are probably the same as for adults; we use the same system essentially. IRIS as a tool basically allows the government to see if we are seeing

enough people and how long we see people for, so it does not allow us to capture outcome measurements. We will have some demographic data captured, but what I would say is that my sense is that our sector is patchy in filling that out, and because they never get it back—so we have said to FSV, ‘Can you give us the data about the ethnic breakdown of people accessing services?’ This is across the sexual violence sector, not just around children and young people or harmful sexual behaviour. The data is not very strong, but we know that our sector does not see kids and young people in a way that is representative of the community, so there are fewer CALD kids accessing the sector for many reasons. If we had really good data on that, it would be easier to go back to our services and workers and say, ‘Come on’—well, not ‘come on’, but to work out where the barriers were actually for people accessing those services. So IRIS technically allows you to collect that data about demographics for young people, but we are not able to use it to drive service improvement or to look at access issues because it does not come back to us as a whole sector and, as I say, because it is not imported—put in well—the data that comes out is not great either.

Meng Heang TAK: How could this be addressed?

Kathleen MALTZAHN: So I think again if we can start again, which is what the government is trying to do, and redo IRIS—I mean, there is a much bigger issue about access to services. What are the barriers for people from CALD communities around their kids accessing our services, including for harmful sexual behaviour? That is a whole piece of work, and we have been talking to the government about if they could support our sector to do some work with CALD communities, that would be very good. Some of that work has happened for family violence but not for sexual assault. So the same answers really about data I think.

Meng Heang TAK: All right. Do you have further to add?

Amy WEBSTER: I think people are often really understandably concerned about getting data of this nature around children and young people. This is not a direct answer, but I know some of our member services really talk about the engagement with families and how that is a really, really critical part of the work with children and young people. But the data they collect often focuses on the target’s numbers of interventions to the child or young person themselves rather than capturing the engagement with the people around them that are going to have much more contact with this child than the services over time. So I guess there would be an opportunity to look at the outcomes, data, confidence skills of the family members around the child and young person as well as the data about the child.

Meng Heang TAK: Okay. All right. Thank you, both. Thank you, Chair.

The CHAIR: Thanks, Heang. Over to you, Jackson.

Jackson TAYLOR: Thank you, Chair. Thanks to the both of you for coming in today, for the submission and for taking our questions. In your submission you spoke about getting better essentially at using the data we currently have and obviously focusing on that. What are three—and you can list more if you want; I am just thinking three is a nice number—specific actions you would provide to this Committee on what we can actually do to improve how we use existing data?

Kathleen MALTZAHN: Can I give you three, and Amy might have a different three?

Jackson TAYLOR: The more the merrier, please.

Kathleen MALTZAHN: For us, really a replacement for IRIS. That is a big piece of work, but there is so much. I do not know when IRIS was established, maybe in the 90s. We can do much more interesting data collection now. We have so many more tools to collect data. There is existing data there—we could use that better with a better system. I mean, this is not quite answering your question, but I think also we need to just remind ourselves that better data does not drive better outcomes. If we could, using the data we have, sort of develop outcomes frameworks that talk to them and go, ‘Okay, even with the existing data systems we have, can we do an outcomes framework that allows us to draw on what we have in terms of data frameworks?’ And then program evaluation—really supportive program evaluation so that when people are going through the system and we are collecting data, we use that to see what is working and what is not working and to innovate.

Amy WEBSTER: Those are really good ones. One of the ones I would like to at least make much more visible. I find it really hard—I have never seen anyone really demonstrate how sexual violence is picked up

through MARAM, how the L17 data then goes to civil orders for family violence and how that is picked up through the courts. I have never seen that data pathway shown. We do collect all of that data, so it would be really good to understand that drawn together. I think we know demand is overwhelming for our services, and we do not necessarily need to keep collecting data that shows that. We need to actually spend time creating the services that people want and providing support when people reach out.

We do have data now. We have just finished a project with the University of Melbourne and Women with Disabilities Victoria looking at what survivors say helps their recovery. A big part of what helps their recovery unsurprisingly is the accountability of people who caused the violence in the first place and having a voice to make change for other people. We have data around what helps recovery, but our recovery system does not reflect what we know that data shows. So it would be good to do that work.

And then I think I would just like to see less of a reliance on both prevalence and reporting data, because reporting does not necessarily show outcomes and because prevalence does not necessarily show outcomes. We know that prevalence is enormous anyway. So less on those two forms of data and more on things like outcomes, sense of justice, sense of safety and sense of confidence in the system when they do come forward, and really their experience of programs and the system once they do—that is the data I would like to see.

Jackson TAYLOR: Just another quick one. Given, obviously, the submission and the work the Committee is doing, if you broadly could hope for one recommendation, from where you see the world, coming out of this Committee's work, what would it be?

Kathleen MALTZAHN: Probably strengthening the evidence base around men's behaviour change and sexual violence so that we could see whether all the investment in that is actually addressing sexual violence. My members would probably like me to say redoing IRIS.

Jackson TAYLOR: We will call it two, then. Thank you. Thanks, Chair.

The CHAIR: Great. Thank you, Jackson. Chris.

Chris CREWITHER: Thank you very much for your evidence today. In your evidence you have used the word 'perpetrator' quite a lot, or largely. There has been a bit of a push to use the words 'user of family violence' instead of the word 'perpetrator', which is a word that I have traditionally used. What is your view on that, particularly as it comes to the reporting of data? And do you think such terminology trivialises, or might trivialise, family violence—as much as I would not use the words, say, 'user of murder'?

Kathleen MALTZAHN: Look, I get a bit frustrated by the sense that there is one word we use to describe things. When you are sitting with a kid who has possibly committed crimes in terms of sexual violence, in our sector, in a therapeutic setting, we are not going to talk about them as a perpetrator, because we are trying to engage with them. They work for two years with those kids, often. There is a criminal justice process they might go through, and they might be sitting with you because they are on a therapeutic treatment order which is holding them to account. So we might not talk to those kids and say, 'You're a perpetrator,' because we are trying to build rapport et cetera. But there has to be a place, more broadly, for recognising that people are breaking the law, they are violating human rights, and so for us, given that sexual violence is so often minimalised and trivialised, we will hold onto the term 'perpetrator' because it is important in terms of accountability. So it has a place. I totally understand when No to Violence is working with people that in their first relationship with them they will not want to call them perpetrators for the same reason as when we are working with kids. But I do not think we want to throw out the term 'perpetrator'; it is just when we use it and how we use it.

Amy WEBSTER: I think the words 'victim-survivors' are also similarly contested. We spend time trying to find a word that works for everybody, and it is context based. People do not want to think of themselves as victims, and some people want to think of themselves as a victim of an offence rather than a survivor of a natural disaster or something like that. So I think what Kathleen said is right. We need to be mindful of where we use both terms, in context.

Kathleen MALTZAHN: Because you cannot look at the crime stats and talk about users of violence. I mean, if we have got a formal criminal response to some stuff, then we have to respect the outcomes of that. But we do not need to shame people. We do not need to lock people into 'You're only a perpetrator'. That is

the point of good direct service work—to move people, including so that they can see that they did perpetrate something harmful and they should take responsibility.

Chris CREWETHER: Thank you. Your submission notes also a need for:

... a better understanding of what specialist family violence services are recording about sexual assault and follow up actions for victim survivors and perpetrators (e.g. referral options, information sharing).

How can this be achieved?

Kathleen MALTZAHN: The information-sharing framework does allow you to share information, but what we have found, and our colleagues in family violence response work would say—I think perhaps not criticising them, there are a lot of new people in there, in the family violence response sector, and similarly, in the perpetrator sector, and people do not necessarily have comfort asking about sexual violence. So under the MARAM, you have to ask: has anyone done anything sexual that was problematic? But that is often asked in a bit of a rote way in response. And in perpetration I do not think it is always asked at all. So some of it is about: we can do work and are doing work with the family violence response sector, but we could also do it with the perpetration sector if we had the resources to just train people that ‘This is how you ask. This is what you do. This is your responsibility if someone discloses sexual violence against children.’ So again, it is not exactly about the data. But if we could get greater confidence and capability in asking, then it would be being recorded, and then it could be shared. Part of that actually is people having a good understanding of the laws, particularly the new affirmative consent laws. And then, to Amy’s point, we do not really have a line of sight from the questions that are asked through to what happens in court and other processes. That again is probably just a resourcing issue, and a bit of a data issue, including getting the police to be able to share data. I am not sure I exactly answered your question.

Chris CREWETHER: Thank you. One final question: how closely are you incorporated with the Orange Door or working with the Orange Door, and what areas do you think the Orange Door needs to improve in in particular, noting your collaboration or involvement with them?

Kathleen MALTZAHN: Many of our member services are involved in the Orange Door, but only because they have created a space for themselves. Three of our member services work with joint sexual assault and family violence services and the others do not, so they are in the Orange Door. But the Orange Door model did not factor in sexual violence, so the sexual violence sector is not part of the model. And the model is a little bit fraught—so, you know, that is a whole different question—but we are not part of it. We have not even been able to consistently do training for Orange Door workers around sexual violence. And that is an entirely new model that was stood up with often much less experienced workers—I do not want to generalise. So at a minimum you would think that we could train them so that they know how to respond to sexual violence and they know how to refer into the sexual violence sector where needed, but it is a really big gap that we were not seen as part of that response.

Chris CREWETHER: Do you know why it was not established that you could train them and be involved more? Why wasn’t sexual violence really included or incorporated to the extent it needs to be?

Kathleen MALTZAHN: I think that overall sexual violence is often the last thing recognised as part of violence. It is often the last thing that survivors disclose or a thing that perpetrators never disclose. I think we do have a sort of social—I want to say blindness, but it is the wrong term. We do not want to acknowledge sexual violence, and I think that has sort of flowed through in terms of—the royal commission report on family violence absolutely recognised sexual violence, but probably not as much as it could have. Some of it is just about how our sector was able to engage with the royal commission, I suppose. But yes, partly it is a blindness to sexual violence. What would you say, Amy?

Amy WEBSTER: I think that is right, and it is part of that bigger question and why Kathleen and I do the work that we do as well, that sexual violence is often the last thing that people want to talk about, even if it is something that is incredibly impactful for the people involved. When we say ‘family violence’, we always include sexual violence. That is good and true and the right thing to say. But it also means we never say ‘sexual violence’; we just say family violence includes it. We know that even though we have a question in MARAM, even workers in the family violence sector are reluctant to engage with that question. Police feel less confident in talking about sexual violence. It is a deeply rooted kind of question, and it is why we do the work we do. And the other part of it is of course that our network is split across sexual violence. It does not include family

violence, and that also does need to be addressed—institutional child sexual abuse responses, for example, are very separate to family violence responses, but our sector is involved in both.

The CHAIR: All right. I think we have got time for just one more question from me. Annabelle, did you have more?

Annabelle CLEELAND: Can I have a supplementary to that one?

The CHAIR: Yes, a quick one.

Annabelle CLEELAND: I have got two. I just wanted to ask, with what Chris was mentioning, are you comfortable with the current reporting of the L17 when it comes to sexual violence in a family violence environment?

Kathleen MALTZAHN: We do not literally see them. I mean, many of us have worked in family violence. We know how they work. We have seen them come through. But our sector does not receive them, because essentially the family violence sector does the crisis response. We do therapeutic work, and that is often a bit later down the track, so we would not see them. I am sure members would have a view on it, but our sense is they often do not capture sexual violence, because police turn up to an incident and they document what is happening. It is very often physical violence, emotional violence, and a woman is less likely in that context to say, 'And actually, this is happening.' So it tends not to be captured. But we also know then that through that process, partly because police and sometimes the family violence workers do not unpack what is happening so much, there are often criminal charges that could and should be laid but they are not. And women do not always understand that 'Even if he's your partner, there's still a crime'. So there is a whole lot, and again it goes to some of the educational work for workers, including police and the community, about what sexual violence is. But yes, I think that that flowthrough of identifying sexual violence tends not to happen, and so then often women are not told that 'Yes, there is an intervention order to stop him coming near you, but actually you've got rights in terms of potentially a criminal case because he's been sexually assaulting you.' And then do not even—you know, child sexual abuse, I do not think kids are being asked about it, and that is complex. But yes, there is a reason why kids often do not disclose for decades: they are not being asked.

Annabelle CLEELAND: With the database, which we are all designing in our own heads individually, is there anywhere globally that we could look at when it comes to research or an example of it working really well? You can take that on notice, because I am conscious that I have snuck in an extra question.

Kathleen MALTZAHN: Not that we know about.

Annabelle CLEELAND: Okay.

Kathleen MALTZAHN: We are about to do a study tour to Europe, and we will ask –

Annabelle CLEELAND: Oh, good.

Kathleen MALTZAHN: but that will be outside your reporting time.

Annabelle CLEELAND: We are all mesmerised and I guess inspired by your work and how much you are taking on. Do you feel appropriately funded? You have to say something in the microphone.

Kathleen MALTZAHN: We would not say for a second that our colleagues in family violence have all the resources they need, but they have had a huge reform, a huge injection of funds, and we have not had the same in sexual violence. There has not been the reform we need and there has not been the commensurate funding. Our funding model is really problematic. It is not just how much we are funded, it is what we are supposed to do with that funding. Our funding model is broken, and we are not resourced at the level we need to respond to the community, let alone go out to those parts of the community that do not know we exist. Particularly the CALD community do not know we exist and do not know what the law is. So we are underfunded and our service sector is straining.

Chris CREWETHER: What funding model do you need?

Kathleen MALTZAHN: We have just finished research that talks about what survivors would want. Although the government will say this is not the case, our funding model forces us to work short-term with people. It is not what you need, especially, you know, for historical, but not only. So we need to be able to work with people longer. We need to be funded to be able to do a broader range of things with people. One-on-one counselling works with a lot of people; it does not work for everybody. And even where it does work for people, often then they need ongoing support, and groups can provide that. Technically our sector can do that, but because of the quantum of funding actually it is hard to do. So basically they get given an amount of money to do X number of pieces of work. We are funded less than the family violence sector for their therapeutic work, and there is probably ideally—anyway. Yes, it is tricky around outcomes, but we would be given the resources to actually look at outcomes rather than just hours of work. Basically, the model was arranged in the 90s, and so we are still funded sort of at 90s levels.

Annabelle CLEELAND: Can you table the report that you mentioned, with the victim-survivors' input as well?

Kathleen MALTZAHN: Thank you—we can.

Annabelle CLEELAND: Thank you.

Chris CREWETHER: Thank you.

The CHAIR: All right. We are over time. I have just got one more question, which I would be happy if you want to take on notice. Your submission highlights that service data may also strengthen possible points of service intervention. In identifying further supports that can be provided—e.g., secondary consultation with or referrals to SSAS, making a report to the eSafety Commissioner, referral to Victims of Crime Assistance Tribunal for financial support—I am just wondering if you could expand on what that would look like in practice. I am happy for you to answer now or take it on notice. It is up to you.

Amy WEBSTER: Sure. I am worried I am going to go off track here, but, for example, the L17s and MARAM questions do not pick up things like technology-facilitated sexual abuse and deepfakes, so I think taking those things into account would be important. What are the other things?

Kathleen MALTZAHN: So, for example, on that—people, mainly women and girls, end up with all these images in the public sphere, essentially. You can get them taken down, but if you are a family violence worker, a perpetrator worker, you might not know that. But if they were able to contact our sector, we could tell them what to do. But we do not really have that in place, and we do not have the resources at the moment.

Amy WEBSTER: When we talked to the practitioners adjacent to our sector, so family violence workers, about how we could better support them to support their clients in relation to sexual violence, they really spoke about the need to have more opportunities for training from our sector and secondary consultation from our sector. Our funding model is normally about targets of therapeutic intervention offered to an individual; it does not facilitate things like advocacy or case management or speaking to a lawyer about the various compensation opportunities that might be available.

The CHAIR: We might wrap it up there, but throughout the inquiry if there is anything else that you would like to bring to the Committee's attention, please do not hesitate to do so. To Kathleen Maltzahn and Dr Amy Webster, thank you so much for appearing here before the Committee today and your contribution to the inquiry. As I mentioned earlier, we greatly appreciate the time you have taken to prepare your evidence and for your submission.

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

Witnesses withdrew.