

# Budget 2020 – Reducing violence against women and their children

## Overview

NFAW strongly supports ongoing Commonwealth Government funding of \$340m to implement the *Fourth Action Plan of the National Plan to Reduce Violence against Women and their Children 2010–2022*; one-off funding of \$150m to help women stay safe in the early period of COVID-19; and additional funding in this budget of \$130m to expedite and improve the handling of family law matters in the Federal Circuit Court, including the safety and security of two Federal Circuit Court Buildings.

However, NFAW is very concerned that the Commonwealth's broader COVID-19 Recovery Plan may increase rather than reduce violence against women. The Commonwealth Government's plan requires savings from the health and education sectors being transferred to the Budget priorities of male-oriented apprenticeships and construction. It will concurrently reduce employment opportunities for women in the health and education sectors and exacerbate gender inequality which has long been associated with increased levels of violence against women. This rebalancing of gendered work could result in a less equal Australian society, reduced employment for women, and increases in intimate partner violence. NFAW has commissioned modelling showing how this rebalancing might work generate additional economic growth such that GDP in 2030 would be 1.64 per cent higher than it otherwise would have been.

If the Government remains committed to this strategy, NFAW requests the Government work with community leaders and experts in gender equality and violence to best manage the negative impacts of increasing gender inequality, including increased rates of violence against women.

NFAW has other specific concerns, in the context of violence against women and their children, relating to the implementation of new English test for partner visas, halving of the investment in Respectful Relationships education in schools, no increase at all to the funding of Domestic Violence Units and Health Justice Partnerships, and no new measures to help victims of family violence into secure and affordable housing. These are covered largely in other papers.

## Reducing violence against women and their children

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### The Budget

The Fourth Action Plan of the National Plan to Reduce Violence against Women and their Children 2010–2022

NFAW welcomes the continuing funding for the [National Plan to Reduce Violence against Women and their Children](#) in the 2020-21 Budget. NFAW strongly supports the National Plan and the Commonwealth Government commitment of \$340M to implement the [Fourth Action Plan](#).

### COVID-19 Response

The budget includes \$150 million to support Australians at risk of domestic, family and sexual violence during the COVID-19 pandemic (Budget Paper No 2, p. 274, 2020). This funding package, [announced by the Prime Minister on 29 March](#); \$130 million has [been distributed](#) to states and territories and the remaining \$20 million spent on Commonwealth initiatives.

An undisclosed amount of funding has been provided over four years under the COVID-19 Response Package – additional funding for domestic and family violence support package. This funding is for 1800 RESPECT and to provide COVID-specific advertising over the Christmas period, and to meet increased demand (Budget Paper No 2, p. 151, 2020). NFAW notes that more funding will be required if the scale of violence against women remains high.

### Family Law

NFAW welcomes the new Commonwealth commitment of more than \$130m over 4 years to expedite and improve the handling of family law matters in the Federal Circuit Court, and improve the safety and security of Rockhampton and Launceston Federal Circuit Court Buildings (2020 Budget Paper No 2, p. 56).

### Community Legal Centres (CLCs) and Domestic Violence Units

*See Community Legal Centres section.*

There is no additional funding for Domestic Violence Units.

### Housing

*See Affordable Housing in Infrastructure Spending section.*

Budget funds are primarily directed to existing commitments in the National Housing and Homelessness Agreement. While the National Housing Finance and Investment Corporation guarantee extension may support further building of affordable housing, the large numbers of women in need of secure social housing including older women and single parents will see little benefit and continue to face an elevated risk of homelessness. There are no changes to Commonwealth Rent Assistance or income support payment rates.

### Respect matters

As reported by [Women's Agenda](#), the school program Respect Matters has had its budget halved over the three forthcoming financial years (Department of Education, Skills, and Employment, [Portfolio Budget Statement](#), p.42). In March 2019, \$2.8 million was promised to deliver the

program, intended to support teachers to educate students about safety, respectful relationships and why violence is wrong. No explanation has been provided regarding the budget cuts.

English Language Test

*See section on Impact on Migrant and Refugee Women.*

In response to a likely slowdown in visa approvals and applications from overseas, the budget proposes a shift in the balance of our intake towards more family migration, in particular partner visas (Commonwealth of Australia 2020). Along with the increase in the allocation for family visas, the government also announced the introduction of English language tests for partner visas, and an additional \$420 charge to cover additional background checks over and on top of the \$7715 partner visa fee.

Sexual harassment

Under the Women's Economic Security Statement, the Government has provided \$2.1 million over three years from 2020-21 to establish a Respect@Work Council to assist in addressing sexual harassment in Australian workplaces (2020 Budget Paper No 2, p. 67). Further detail in the [Women's Economic Security Statement](#) shows that this announcement includes development of a dedicated online platform which will provide free, practical and accessible information and resources to help ensure workplaces are safe and free from sexual harassment; and national survey on workplace sexual harassment to be conducted in 2022.

## Gender implications

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### Violence against women and their children

Violence against women is a widespread problem in Australia. Drawing on the 2016 Personal Safety Survey (ABS, 2017), the [Australian National Research Organisation for Women's Safety](#) finds that:

- Approximately one in four women (23% or 2.2 million) have experienced at least one incident of violence by an intimate partner.
- Three in ten women (30.5% or 2.85 million) have experienced physical violence.
- Approximately one in five women (18% or 1.7 million) has experienced sexual violence (the occurrence, attempt or threat of sexual assault).
- One in six women (17% or 1.6 million) has experienced an episode of stalking.
- One in two women (53% or 5 million) has experienced sexual harassment.

A [recent study](#) by the Australian Institute of Criminology, based on an online survey of 15,000 women, concluded that:

Critically, the COVID-19 pandemic appears to have coincided with the onset of physical or sexual violence or coercive control for many women. For other women, it coincided with an increase in the frequency or severity of ongoing violence or abuse. Two-thirds of women who had experienced physical or sexual violence by a current or former cohabiting partner since the start of the COVID-19 pandemic said the violence had started or escalated in the three months prior to the survey. Similarly, more than half the women who experienced coercive control reported the onset or escalation of emotionally abusive, harassing or controlling behaviours during the COVID-19 pandemic.

## What are the 2020 Budget impacts on women?

NFAW is concerned that, due to COVID-19, the ongoing work outlined in the National Plan for Women's Safety is not being progressed as fast as required to achieve a substantial and sustained reduction in violence against women and their children across Australia in the near term.

NFAW is also concerned that the Commonwealth's COVID Recovery Plan may make circumstances more difficult to reduce violence against women. The Recovery Plan requires savings from the health and education sectors being redirected into the Budget priorities of male-oriented apprenticeships and construction. This will reduce employment for women in the health and education sectors and exacerbate gender inequalities. Gender inequality has long been associated with increased levels of violence against women. This rebalancing could result in a less equal Australian society and households, with reduced employment for women and increases in intimate partner violence.

### Community Legal Centres (CLCs) and Domestic Violence Units

The lack of increase in the Budget is disappointing given the disproportionate impact on women from the COVID-19 crisis. This impact is not just a problem to be addressed through COVID-19 funding for a single budget cycle. Rather it is one which will require significant funding to ensure that women can access legal advice to ensure their safety and security.

### Housing

The budget offers little additional support to women experiencing housing insecurity. Budget funds are primarily directed to existing agreements in the National Housing and Homelessness Agreement. While the National Housing Finance and Investment Corporation guarantee extension may support building more affordable housing, the large numbers of women in need of secure social housing including older women and single parents will see little benefit and will continue to face an elevated risk of homelessness. The growing incidence of domestic violence observed during the COVID-19 pandemic heightens these risks. Lack of alternative options for women, including crisis care, may hinder women leaving dangerous domestic contexts.

### Respect matters

Primary prevention is considered a fundamental strategy in reducing violence against women. The Respect Matters program is an evidence-based intervention aimed at attitudinal change, and focusing on working with teachers, students and families to:

- build the capability of teachers and school leaders to deliver respectful relationships education, including developing whole-of-school implementation plans,
- engage students through peer learning and advocacy to promote respectful relationships messages in authentic and relatable ways, and
- provide families with materials to build their understanding of respectful relationships education, and support conversations with children.

In the face of the budget cuts, NFAW is concerned that the program may be compromised in meeting its intended outcomes.

## English language test

The move to introduce an English language test has been criticised by migration experts on a range of grounds, but particularly with respect to its potential to push vulnerable women onto different types of visas. [Associate Professor Marie Segrave](#), for example, is concerned that a prohibitive language requirement could push women onto visitor or temporary visas and remove access to a range of financial, housing and income supports. She notes also, based on a 2017 study, that visa status is used by perpetrators of family violence to control their victims.

On the other hand, the requirement has the potential to encourage women to take up Adult Migrant English Program classes—and to facilitate their partners’ and families’ support in this regard—as long as the implementation is undertaken in an enabling and not a punitive way. Enabling implementation would need to include a flexible framework allowing for a variety of ways to demonstrate efforts towards acquiring English language proficiency and providing for exceptions on compassionate grounds.

The Government will apply the family sponsorship framework to Partner visas. This will mandate character checks and the sharing of personal information as part of a mandatory sponsorship application and subject the sponsor to enforceable sponsorship obligations. The [Minister has advised](#) that any adverse findings from the sponsor’s character check would be shared with their partner so they can “make an informed decision” about whether to proceed with an expensive visa application. While supporting the sharing of information between a couple, domestic and family violence service providers have warned the changes may lead women to opt-out of reporting domestic violence to police due to fears their partner will be unable to sponsor them in the future.

## Sexual harassment

The establishment of the *Respect@Work* Council, development of a dedicated online platform, and national survey on workplace sexual harassment to be conducted in 2022 are welcome announcements. These commitments support the fulfilment of recommendations 14, 48 and 2 from the Australian Human Rights Commission’s *Respect@Work* national inquiry report. However, sexual harassment is endemic and particularly so for young women. Further action is needed to address all recommendations from the *Respect@Work* report which would support primary prevention, legal and regulatory reform, improved responses in workplaces, and much-needed support, advice and advocacy.

## Recommendations

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Recommendations relating to eliminating violence against women and their children are contained within a range of papers including Housing, Young Women, Migrant and Refugee Women, and CLCs. The following recommendations are not found elsewhere in the Gender Lens.

1. If the Government remains committed to its current economic stimulus strategy, NFAW requests the Government work with community leaders and experts in gender equality and violence against women to reduce and manage the negative impacts of increasing gender inequality, including increased rates of violence against women.

2. The Government should reconsider its decision to apply the family sponsorship framework to Partner visas in consultation with organisations with expertise in the experience of migrant women who have experienced violence.
3. That the Government increase funding in best practice respectful relationship education.

# Budget 2020 – Reducing violence against women and their children

## Community Legal Centres Overview

After a significant period of uncertainty, the National Legal Assistance Partnership 2020-25 (the NLAP) commenced on 30 June 2020. Consequently the 2020-21 Budget contained very little additional funding for the sector and no increase at all to the funding of Domestic Violence Units and Health Justice Partnerships.

## Community Legal Centres

### The Budget

After a significant period of uncertainty, the National Legal Assistance Partnership 2020-25 (the NLAP) commenced on 30 June 2020. The NLAP provides Commonwealth funded legal assistance to the states and territories, including Community Legal Centres (CLCs), Aboriginal and Torres Strait Islander Legal Services (ATSILS) and Domestic Violence Units/Health Justice Partnerships.

Consequently the 2020-21 Budget contained very little additional funding for the sector with slight increases of just of \$3 million per annum to CLCs; around \$4 million per annum increase to ATSILS and no change to the funding of Domestic Violence Units and Health Justice Partnerships.

### **National Partnership Payments** Expense (\$m)

	2020-21	2021-22	2022-23	2023-24
Community Legal Centres	48.5	55.9	56.7	57.6
Aboriginal and Torres Strait Islander Legal Services	79.5	86.7	88.2	89.6
Domestic Violence Units and Health Justice Partnerships	9.9	10.1	10.2	10.4

Source: 2020-21 Budget Paper No.3, Table 2.11: Payments to support other state services.

The Budget also included \$31.1 million in Covid-19 Legal Assistance Funding for 2020-21. This funding was agreed in June 2020 and subject to specific conditions including that at least 40 per cent of the frontline legal assistance funding be allocated to domestic violence matters, assisting transition to online provision of legal services and data collection around increased demand due to Covid-19.

## Gender implications

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### Why is this an issue for women?

CLCs provide advice on a wide range of areas -- domestic violence, financial matters and employment are just some of these. There is a growing body of evidence that during 2020, women have disproportionately felt the effects of Covid-19.

### What are the 2020 Budget impacts on women?

The Australian Institute of Criminology recently published survey results of more than 15,000 Australian women. The July 2020 report identified a range of factors that contributed to the increase and severity of domestic violence incidents during the pandemic. It concluded that 'the COVID-19 pandemic appears to have coincided with the onset of physical or sexual violence or coercive control for many women. For other women, it coincided with an increase in the frequency or severity of ongoing violence or abuse'. Health Justice Partnerships were developed to assist 'people who are vulnerable to intersecting legal and health problems, but who are unlikely to turn to legal services for solutions'. Given the peculiarities of 2020, identifying and assisting women at risk via the health system is even more important. Despite this the Budget provided no real increase in funding for CLCs to provide domestic violence or health justice partnership services.

Similarly, there is growing evidence that women's employment has been disproportionately affected by the pandemic. Not only have women been more likely to lose employment, they are also more likely to be exposed to work that exposes them and their families to health risks, for example in the health and aged care sectors. For both groups of women, employment and financial advice is crucial. Often they are not union members and CLCs step in to fill this gap. However, again there was no increased funding to address this additional demand.

The CEO of the National Aboriginal and Torres Strait Islander Legal Service noted post-Budget that the lack of increase in funding ignored the 'existing enormous pressure on our services, now exacerbated by COVID-19 in over-incarceration from over-policing, for family violence, housing and child protection'.

While the 2020 NLAP has provided set funding for the sector for the next five years, the lack of increase in the Budget is disappointing given the disproportionate impact on women from the COVID-19 crisis. This impact is not just a problem to be addressed through COVID-19 funding for a single budget cycle. Rather it is one which will require significant funding to ensure that women can access legal advice to ensure their safety and security.

## Recommendations

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1. The government provide increased funding to assist the CLCs to address their existing high demand and to provide further ongoing funding to address the specific additional needs arising from COVID-19.



2. The government increase funding to ATSILS to ensure access to legal and financial advice services to address the higher levels of unemployment and underemployment experienced by Aboriginal and Torres Strait Islander people, 'escalating utility bills, housing and an insecure economy', all while police powers are increasing due to the pandemic.
3. Health justice partnerships and Domestic Violence Units are most in need of increased funding to ensure that women at risk are identified and able to access vital legal advice in times of crisis.