

4. Screening, Information Sharing and Privacy

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Summary

4.1 The Terms of Reference for this Inquiry require the ALRC to consider, among other things, the legislative arrangements of Commonwealth social security, child support and family assistance systems. The ALRC is also required to consider whether the extent of information sharing across the Commonwealth, and with state and territory agencies, is appropriate to protect the safety of those experiencing family

violence.¹ This chapter examines how family violence is disclosed to Commonwealth agencies, and how that information is treated by those agencies.

4.2 Centrelink, the Child Support Agency (CSA) and the Family Assistance Office (FAO) are responsible for the administration of the social security, child support and family assistance systems, respectively. As service delivery agencies, and due to the integration of these agencies as part of the Human Services portfolio, this chapter discusses the disclosure of family violence to, and treatment of, information about family violence by, these agencies. Details of other Commonwealth agencies referred to in this Inquiry are considered in their respective chapters. As these issues primarily concern service provision by Department of Human Services (DHS) agencies, this chapter also provides an overview of the structure of DHS, and recent changes to the Human Services portfolio.

4.3 As discussed in Chapters 5–13, family violence is relevant to social security, child support and family assistance in a number of ways, including qualification for social security payments, income management and exemptions from the requirement to obtain child support (‘reasonable maintenance action’). It is therefore important that the agencies that administer these systems are able to identify people who have experienced, or are experiencing, family violence so that they can inform them about relevant exemptions or entitlements which, in turn, may enhance their safety.

4.4 The ALRC has identified a number of personal and institutional barriers to the disclosure of family violence to these agencies and proposes a multifaceted approach of screening and risk assessment processes, information sharing and privacy, and family violence policies, to ensure that victims of family violence are appropriately identified, and their needs are responded to accordingly.

4.5 In particular, the ALRC proposes that Centrelink, the CSA and FAO should ‘screen’ all customers for family violence, not through direct questions, but by giving them a short statement and other information about family violence and its relevance to a person’s social security, child support and family assistance case. The ALRC considers that these reforms will enable customers to decide whether or not to disclose family violence—reflecting the theme of self-agency, detailed in Chapter 2.

4.6 However, the ALRC recognises that screening alone is not sufficient and considers that an appropriate case-management and privacy response should be triggered, including referral to a Centrelink social worker. To assist with this, and to ensure consistency across the relevant departments and agencies, the ALRC proposes that a ‘safety concern’ flag should be placed on a customer’s file where family violence and fears for safety have been disclosed. This flag should be subject to information-sharing protocols between relevant departments and agencies, subject to informed consent and privacy safeguards.

1 The full Terms of Reference are set out at the front of this Discussion Paper and are available on the ALRC’s website at <www.alrc.gov.au>.

4.7 Finally, to enhance consistency across the different departments and agencies, the ALRC proposes that a family violence and child protection policy be developed for each department or agency.

Service Delivery Reform

4.8 DHS is responsible for the development of service delivery policy and provides access to social, health and other payments and services. It was created on 26 October 2004, as part of the Finance and Administration portfolio.²

4.9 In December 2009, the Australian Government announced a Service Delivery Reform initiative aimed to ‘improve the efficiency and effectiveness of service delivery to the Australian people’.³ As part of this initiative, the Human Services portfolio agencies (namely, the DHS—including the CSA, FAO and CRS Australia—Centrelink, and Medicare Australia) have been integrating back-office support services, customer contact areas and co-locating some shopfronts.⁴

4.10 One of the key goals of the integration is to provide seamlessness for customers and stakeholders who access services delivered by the Human Services portfolio.⁵ In addition, it is envisaged that the integration will allow a ‘tell us once’ approach for customers, and make it easier for customers to update details once, across the portfolio, should they choose to have their information shared.⁶

ICT support services

4.11 As part of the integration process, the DHS will integrate the disparate information and communication technology (ICT) systems that support Medicare, Centrelink and the CSA,⁷ and move to a single shared gateway, with a single security management system for payment systems across the three agencies.

Customer contact areas and co-located shop fronts

4.12 As a result of the Service Delivery Reforms, as of 1 July 2011, Centrelink no longer operates as a statutory agency and its functions have been integrated into the DHS. As such, Centrelink and CSA now sit under a single portfolio website and phone number. As at 14 February 2011, 34 sites were providing Centrelink and Medicare services from ‘one-stop-shops’, which will be progressively rolled out to more places across Australia.

2 T Plibersek, *The Human Services Portfolio* <http://www.mhs.gov.au/the_human_services_portfolio.php> at 22 July 2011.

3 Revised Explanatory Memorandum Human Services Legislation Amendment Bill 2010 (Cth).

4 Ibid.

5 Department of Human Services, *Additional Submission to the Senate Community Affairs Committee Inquiry of the Human Services Legislation Amendment Bill 2010* (2011).

6 Ibid.

7 Department of Human Services, *Budget 2011-12: Increased Support for People Needing Assistance* (2011).

4.13 The Minister for Human Services explained that ‘[t]his initiative will reduce the need for people to navigate their way around different agencies, making it easier to connect with the services and information people require’.⁸

Case Coordination

4.14 As part of the 2010–11 Budget, the Human Services Portfolio announced the trial of a new service delivery approach to provide increased support for people needing assistance—called ‘Case Coordination’.⁹

4.15 The Case Coordination approach aims to enable people, processes and systems ‘to work in an integrated way and consistently identify customers with complex needs who will benefit from targeted or specialised services’.¹⁰ Nineteen sites are planned for 2011–12, with a total of 44 sites by 2013–14. Those who have been identified as ‘facing significant disadvantage or complex challenges’ include people who are homeless, long-term unemployed, living with a disability or literacy difficulties, or facing barriers like drug or alcohol dependency.¹¹

4.16 The type of support and assistance that will be offered through Case Coordination will vary depending on customers’ needs. However, it may include ‘simple referrals to services like training programs; information about other services; intensive support for multiple coordinated appointments with non-government and local community services to help people facing issues like homelessness or gambling dependency’.¹²

Centrelink, CSA and FAO

4.17 Centrelink customer service advisers are often the first point of contact for a person wishing to claim a social security payment or entitlement. Claims for social security payments must generally be made in writing by completing the relevant Centrelink form either online or in hardcopy. In some circumstances, claims may be made by telephone or in person.

4.18 While Centrelink administers family assistance payments on behalf of the FAO,¹³ the FAO provides a range of ‘first-point-of-contact services’, including:

- operating an FAO call centre;
- assisting with family assistance enquiries;
- providing information about payment options;
- receiving claim forms; and

8 C Bowen (Minister for Human Services), ‘Reform to Deliver Service That Works For You’ (Press Release, 16 December 2009).

9 Department of Human Services, *Budget 2011-12: Increased Support for People Needing Assistance* (2011).

10 *Ibid.*

11 *Ibid.*

12 *Ibid.*

13 Child Support Agency, *Website* <<http://www.csa.gov.au>> at 7 March 2011.

- ‘making appointments with other FAO staff for complex enquiries and interviews’.¹⁴

4.19 The CSA assesses child support amounts, and collects child support where requested by payees. Centrelink also has a role in the administration of the child support system, in particular, where it intersects with the family assistance system. Centrelink administers the ‘reasonable maintenance action’ test, discussed in further detail in Chapters 9 and 11. Briefly, the reasonable maintenance action test requires a person who is eligible for child support, and receives more than the base rate of Family Tax Benefit (FTB), to obtain child support.

Barriers to disclosure of family violence

4.20 In *Family Violence—A National Legal Response*, the ALRC and the NSW Law Reform Commission (the Commissions) identified a range of reasons for non-disclosure of family violence:

A victim of family violence may hide the abuse due to feelings of shame, low self esteem or a sense that he or she, as the victim, is responsible for the violence. A victim may feel that he or she will not be believed. A victim may hope that the violence will stop, or might believe that violence is a normal part of relationships. Because of the family violence, a victim may feel powerless and unable to trust others, or fear further violence if caught disclosing it.¹⁵

4.21 Further, the Commissions noted that ‘there may be a lack of understanding by ... service providers and the community of what constitutes family violence. This may mean that, even if family violence is disclosed, it may not be recognised, or acted on, as family violence’.¹⁶

4.22 In *Family Violence and Commonwealth Laws—Social Security* (Social Security Issues Paper) and *Family Violence and Commonwealth Laws—Child Support and Family Assistance* (Child Support and Family Assistance Issues Paper), the ALRC asked several questions about how family violence is disclosed or identified by CSA and Centrelink staff,¹⁷ including barriers faced by victims of family violence in disclosing family violence.¹⁸

14 Department of Families, Housing, Community Services and Indigenous Affairs, *Family Assistance Guide* <http://www.fahcsia.gov.au/guides_acts/> at 22 July 2011, [1.3].

15 Australian Law Reform Commission and New South Wales Law Reform Commission, *Family Violence: A National Legal Response*, ALRC Report 114; NSWLRC Report 128 (2010), [18.4].

16 *Ibid.*, [18.5].

17 Australian Law Reform Commission, *Family Violence and Commonwealth Laws—Social Security Law*, ALRC Issues Paper 39 (2011) Question 2, 3; Australian Law Reform Commission, *Family Violence and Commonwealth Laws—Child Support and Family Assistance* ALRC Issues Paper 38 (2011), Questions 10, 11, 12, 19, 20.

18 Australian Law Reform Commission, *Family Violence and Commonwealth Laws—Social Security Law*, ALRC Issues Paper 39 (2011), 8.

Submissions and consultations

4.23 Stakeholders identified a number of barriers to self-disclosure of family violence to the CSA and Centrelink, including:

- lack of confidence to classify what they are experiencing as family violence,¹⁹ such as financial or economic abuse²⁰—in particular, those from Non-English Speaking Background with disability ‘may not interpret threats of abandonment, withdrawal of services or tampering with aids as family violence, even though such acts are designed to threaten and control the person’;²¹
- lack of knowledge—both of what constitutes family violence legally, and of the significance of family violence in obtaining entitlements;²²
- shame,²³ or fear of other stigmas associated with family violence;²⁴
- learned practices such as staying silent about victimisation as a result of being taught that ‘speaking out against victimisers or revealing victimisation (even unintentionally) had negative consequences and was often pointless’;²⁵
- the person using family violence supervises all contact with the service agency;²⁶
- fear of adverse consequences such as being ‘punished’ by not receiving payments or more stringent work requirements;²⁷
- having to repeat an account of family violence multiple times;²⁸
- lack of privacy at Centrelink offices—being ‘mortified’ by being expected to discuss family violence in public, at the front counter;²⁹
- concerns that disclosure of family violence will not be believed or their experiences trivialised;³⁰ and
- fear of retribution.³¹

19 National Children’s and Youth Law Centre, *Submission CFV 64*, 3 May 2011.

20 Good Shepherd Youth & Family Service, McAuley Community Services for Women and Kildonan Uniting Care, *Submission CFV 65*, 4 May 2011.

21 Multicultural Disability Advocacy Association, *Submission CFV 60*, 28 April 2011.

22 Good Shepherd Youth & Family Service, McAuley Community Services for Women and Kildonan Uniting Care, *Submission CFV 65*, 4 May 2011; Commonwealth Ombudsman, *Submission CFV 62*, 27 April 2011; Council of Single Mothers and their Children (Vic), *Submission CFV 55*, 27 April 2011.

23 Good Shepherd Youth & Family Service, McAuley Community Services for Women and Kildonan Uniting Care, *Submission CFV 65*, 4 May 2011; Multicultural Disability Advocacy Association, *Submission CFV 60*, 28 April 2011; Council of Single Mothers and their Children (Vic), *Submission CFV 55*, 27 April 2011.

24 Multicultural Disability Advocacy Association, *Submission CFV 60*, 28 April 2011.

25 Public Interest Advocacy Centre, *Submission CFV 40*, 15 April 2011.

26 Welfare Rights Centre Inc Queensland, *Submission CFV 66*, 5 May 2011.

27 Sole Parents’ Union, *Submission CFV 63*, 27 April 2011.

28 Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

29 Welfare Rights Centre Inc Queensland, *Submission CFV 66*, 5 May 2011.

30 National Council of Single Mothers and their Children, *Submission CFV 45*, 21 April 2011.

31 Confidential, *Submission CFV 06*, 27 March 2011.

4.24 As one stakeholder stated:

I don't get child support for one of my children (and haven't done since she was born 4 yrs ago) because my ... ex told me he would take my children away and kill them if I did claim it.³²

ALRC's views

4.25 The ALRC recognises that victims of family violence may be reluctant to disclose family violence for a number of reasons, or may not consider themselves to be a victim due to, for example, traditional notions of 'domestic violence'. Further, victims may fail to disclose family violence as they may not be aware that such information is relevant to their social security, child support or family assistance entitlements.

4.26 In light of these various concerns, the ALRC considers that multiple responses are required by service delivery agencies to ensure the needs of victims of family violence are adequately responded to by Centrelink, the CSA and FAO. One mechanism will not be sufficient. The ALRC suggests a multifaceted approach of screening, information provision and information-sharing protocols. These are considered in detail below.

Screening for family violence

4.27 Screening is the first step in a risk assessment process. Screening is 'the systemic application of a test or enquiry (a series of questions) to identify individuals at sufficient risk of violence to benefit from further investigation or direct preventative action'.³³ Screening is therefore a safety precaution and not only helps identify those at risk but may also enable early intervention through immediate identification of supportive resources and referrals.³⁴ Screening is not seeking evidence or truth in relation to the existence of family violence; it is seeking to elicit a victim's fear or disclosure of violence, or to elicit whether there is a risk of violence in the future to a customer or their children.³⁵

4.28 Importantly, to be beneficial, screening must be followed by a positive and appropriate response—generally, risk assessment and risk management. These concepts are discussed later in this chapter.

Strengths and limitations of screening

4.29 Screening for family violence can have a positive effect on the victim, on service providers, and the wider community. Screening can improve the identification of people experiencing violence, increase the rate of disclosure, promote help-seeking by victims of violence, and thereby enable better advice and referrals for the victim. For service provision agencies, it can improve the knowledge base and practice of

32 Ibid.

33 Australian Institute of Social Relations, *Screening, Risk Assessment and Safety Planning* (2010).

34 Ibid.

35 Ibid.

professionals about family violence, foster interagency collaboration and may, in turn, educate the community about the seriousness and prevalence of family violence.³⁶

4.30 However, there are also commonly identified limitations of screening, including that it is a relatively new practice requiring more evaluation and research in order to inform good practice. Screening tools themselves suffer limitations, tending to rely on very few questions which, in turn, does not produce a very sophisticated diagnostic assessment.³⁷ Further, screening may emphasise physical and sexual violence, and may not identify other forms of family violence.³⁸ Currently, there is no accepted effective tool for screening for family violence, nor is there an established best-practice length of time to devote to screening.³⁹

4.31 There are also problems surrounding the implementation of any screening tool, including the use of staff time and increased workloads, lack of sustainable training regimes, lack of privacy to conduct screening, and problems when partners are present.⁴⁰

4.32 A related concern is that the mere application of a screening tool does nothing to protect the victim—rather, disclosure during the screening process should act as a trigger for an effective response.

4.33 Despite these limitations, as noted by Elly Robinson and Professor Lawrie Moloney, the ‘detection of, and responses to family violence cannot wait until the gold standard research has been completed’.⁴¹

Screening for family violence by Centrelink, CSA and the FAO

4.34 Centrelink, the CSA and the FAO rely on self-disclosure of family violence and do not screen routinely for family violence.

4.35 Application and information forms for various social security payments do not appear to include specific information about family violence, such as how family violence may form the basis for an exemption from participation, activity or Employment Pathway Plan requirements, or from providing original proof of identity or tax file numbers.

4.36 The CSA’s Change of Assessment form asks whether the person has a restraining, intervention or other order involving the other parent. However, the ALRC also understands that the CSA asks for this information to assist it with deciding how

36 R Braaf and C Sneddon, *Family Law Act Reform: The Potential for Screening and Risk Assessment for Family Violence* (2006). It is beyond the scope of the Terms of Reference for this Inquiry for the ALRC to conduct an extensive literature review on the strengths and limitations of screening processes.

37 Ibid.

38 Ibid.

39 E Robinson and L Moloney, *Family Violence: Towards a Holistic Approach to Screening and Risk Assessment in Family Support Services* (2010), 6.

40 R Braaf and C Sneddon, *Family Law Act Reform: The Potential for Screening and Risk Assessment for Family Violence* (2006), 14.

41 E Robinson and L Moloney, *Family Violence: Towards a Holistic Approach to Screening and Risk Assessment in Family Support Services* (2010), 15.

best to arrange the parents' separate conferences with the decision maker, rather than for any other broader purpose.⁴²

4.37 The ALRC understands that the Attorney-General's Department is developing a screening and risk assessment tool, recently releasing a tender for its development.⁴³

Submissions and consultations

4.38 In the Social Security Issues Paper and the Child Support and Family Assistance Issues Paper, the ALRC asked in what circumstances, if any, should Centrelink and CSA staff be required to enquire about the existence of family violence and whether Centrelink and CSA application forms—including electronic forms, correspondence and telephone prompts—should directly seek information about family violence.⁴⁴

4.39 Stakeholders who responded to these questions recognised that 'family violence is seriously underreported'⁴⁵ and that there was a need for improvement in the way in which family violence is disclosed. The Ombudsman submitted that service delivery agencies such as Centrelink

have an obligation to, wherever possible, actively seek information from customers about any circumstances which might affect their capacity to actively engage with government, or which might affect the type, rate or conditions of payments or services they are, or may be eligible for.⁴⁶

4.40 Similarly, the Council of Single Mothers and their Children (CSMC) considered that agencies such as Centrelink 'need to acknowledge that they have a responsibility to ensure that they act in a manner that protects vulnerable people from harm to the extent they are able'.⁴⁷ The Homeless Persons Legal Service considered that 'Centrelink staff should employ a principle of trauma-informed care ... which takes as its starting point the likely presence and long-term effects of family violence'.⁴⁸

4.41 Most stakeholders recommended that Centrelink⁴⁹ and the CSA⁵⁰ should: screen for family violence or safety concerns as this would increase the chances of disclosure;⁵¹ ensure customers are aware that specific provisions exist in relation to

42 Commonwealth Ombudsman, *Submission CFV 54*, 21 April 2011.

43 National Legal Aid, *Submission CFV 81*, 24 June 2011.

44 Australian Law Reform Commission, *Family Violence and Commonwealth Laws—Social Security Law*, ALRC Issues Paper 39 (2011), Questions 2, 3; Australian Law Reform Commission, *Family Violence and Commonwealth Laws—Child Support and Family Assistance* ALRC Issues Paper 38 (2011), Question 10.

45 Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

46 Commonwealth Ombudsman, *Submission CFV 62*, 27 April 2011.

47 Council of Single Mothers and their Children (Vic), *Submission CFV 55*, 27 April 2011.

48 Public Interest Advocacy Centre, *Submission CFV 40*, 15 April 2011.

49 Commonwealth Ombudsman, *Submission CFV 62*, 27 April 2011; Joint submission from Domestic Violence Victoria and others, *Submission CFV 59*, 27 April 2011; Council of Single Mothers and their Children (Vic), *Submission CFV 55*, 27 April 2011; M Winter, *Submission CFV 51*, 27 April 2011; Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

50 Joint submission from Domestic Violence Victoria and others, *Submission CFV 59*, 27 April 2011; Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

51 Council of Single Mothers and their Children (Vic), *Submission CFV 55*, 27 April 2011; Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

family violence;⁵² and indicate that these agencies are willing to discuss and deal with these matters.⁵³ The Australian Domestic and Family Violence Clearinghouse (ADFVC) considered that screening was particularly important due to the relevance of family violence to the administration of child support (in terms of the collection of payments, privacy of personal information and applicants' knowledge of and decisions to utilise the exemption),⁵⁴ and better identify and refer customers affected by family violence to appropriate services.⁵⁵

4.42 However, some stakeholders did not consider screening by Centrelink and the CSA appropriate.⁵⁶ The Welfare Rights Centre Inc Queensland submitted that '[r]outine screening is neither appropriate nor practicable'⁵⁷ and Centrelink and CSA staff should not inquire about family violence directly',⁵⁸ while the Australian Association of Social Workers Queensland Branch (AASW) considered that 'Centrelink staff should not inquire about family violence directly unless the customer reports behaviour that is consistent with domestic and family violence at which time the Centrelink staff member would refer the person to social workers'.⁵⁹

How should screening occur?

4.43 Most stakeholders agreed that Centrelink and CSA application forms, correspondence and telephone prompts should directly seek information about family violence⁶⁰ as this would 'facilitate victims of family violence overcoming their reluctance to disclose'.⁶¹

4.44 However, stakeholders were divided as to how screening should occur. On the one hand, some stakeholders recommended that agency staff should provide information about the relevance of family violence to social security, child support and

52 Commonwealth Ombudsman, *Submission CFV 62*, 27 April 2011; Council of Single Mothers and their Children (Vic), *Submission CFV 55*, 27 April 2011; Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

53 Council of Single Mothers and their Children (Vic), *Submission CFV 55*, 27 April 2011; National Council of Single Mothers and their Children, *Submission CFV 45*, 21 April 2011; Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

54 ADFVC, *Submission CFV 53*, 27 April 2011.

55 ADFVC, *Submission CFV 71*, 11 May 2011.

56 Welfare Rights Centre Inc Queensland, *Submission CFV 66*, 5 May 2011; Australian Association of Social Workers (Qld), *Submission CFV 46*, 21 April 2011; Welfare Rights Centre Inc Queensland, *Submission CFV 43*, 21 April 2011.

57 Welfare Rights Centre Inc Queensland, *Submission CFV 66*, 5 May 2011.

58 Welfare Rights Centre Inc Queensland, *Submission CFV 43*, 21 April 2011.

59 Australian Association of Social Workers (Qld), *Submission CFV 46*, 21 April 2011.

60 Good Shepherd Youth & Family Service, McAuley Community Services for Women and Kildonan Uniting Care, *Submission CFV 65*, 4 May 2011; Multicultural Disability Advocacy Association, *Submission CFV 60*, 28 April 2011; Council of Single Mothers and their Children (Vic), *Submission CFV 55*, 27 April 2011; Commonwealth Ombudsman, *Submission CFV 54*, 21 April 2011; Sole Parents' Union, *Submission CFV 52*, 27 April 2011; M Winter, *Submission CFV 51*, 27 April 2011; National Council of Single Mothers and their Children, *Submission CFV 45*, 21 April 2011; Public Interest Advocacy Centre, *Submission CFV 40*, 15 April 2011; Confidential, *Submission CFV 13*, 5 April 2011; P Eastale and D Emerson-Elliott, *Submission CFV 05*, 23 March 2011.

61 Public Interest Advocacy Centre, *Submission CFV 40*, 15 April 2011.

family assistance to allow for self-disclosure,⁶² while others considered that a question, or series of questions, about family violence was the best way to screen for family violence.⁶³

Direct questioning

4.45 The ADFVC submitted that standard screening questions should be used and that '[d]irect questioning is known to be more effective in eliciting disclosures than more oblique invitations to self identify'.⁶⁴ Similarly, the National Council for Single Mothers and their Children (NCSMC) and Women Everywhere Advocating Violence Elimination (WEAVE) recommended 'a routinized question about whether the person has any current concerns for their own safety or the safety of members of their household'.⁶⁵

4.46 Some stakeholders added that including questions about family violence on forms may not be regarded as enough for screening since many will answer 'no'⁶⁶ due to the inability of a victim of family violence to be able to complete a form or contact a service agency via telephone in private.⁶⁷

Control is a central element in family violence. Clients have spoken about the perpetrator supervising all contact with Centrelink, ensuring the victim reported to Centrelink exactly as instructed.⁶⁸

4.47 The North Australian Aboriginal Justice Agency (NAAJA) raised concerns 'about a positive duty on Centrelink workers to inquire about the presence of family violence, especially given that a customer is likely to be going through the application process in a Centrelink office (or in a remote community on a phone in a public space or with a remote service team in a public space)'.⁶⁹

4.48 Accordingly, the Welfare Rights Centre Inc Queensland submitted that, if questions about family violence were to be included on forms, the 'absence of an affirmative answer' should not 'be taken as an indication that family violence is not occurring'.⁷⁰

62 Welfare Rights Centre Inc Queensland, *Submission CFV 66*, 5 May 2011; Australian Association of Social Workers (Qld), *Submission CFV 46*, 21 April 2011; Welfare Rights Centre Inc Queensland, *Submission CFV 43*, 21 April 2011.

63 WEAVE, *Submission CFV 58*, 27 April 2011; National Council of Single Mothers and their Children, *Submission CFV 57*, 28 April 2011; ADFVC, *Submission CFV 53*, 27 April 2011.

64 ADFVC, *Submission CFV 53*, 27 April 2011.

65 WEAVE, *Submission CFV 58*, 27 April 2011; National Council of Single Mothers and their Children, *Submission CFV 57*, 28 April 2011.

66 P Eastale and D Emerson-Elliott, *Submission CFV 05*, 23 March 2011.

67 Welfare Rights Centre Inc Queensland, *Submission CFV 66*, 5 May 2011.

68 Ibid.

69 North Australian Aboriginal Justice Agency, *Submission CFV 73*, 17 May 2011

70 Welfare Rights Centre Inc Queensland, *Submission CFV 66*, 5 May 2011.

4.49 An alternative, proposed by Welfare Rights Centre Inc Queensland, was for a short statement on claim forms about family violence and the assistance available from Centrelink, such as:

Centrelink recognises that domestic and family violence is a significant issue in our society and has specialist staff that offer help in a discrete and confidential setting. You can ask for an appointment to our social workers by ...⁷¹

4.50 NAAJA made a similar recommendation and submitted that such a statement ‘has the double benefit of informing customers of what’s available and allowing people to maintain their privacy’.⁷²

4.51 The AASW recommended that enquiries about family violence should only be made if staff ‘suspect or detect violence during the relaying of the circumstances by the victim’.⁷³

4.52 Other stakeholders recommended that information about family violence should be included on CSA and Centrelink forms—either in addition to, or as an alternative to, direct questioning.⁷⁴

4.53 The AASW and the Welfare Rights Centre Inc Queensland did not support routine screening, both considered it more preferable that agency staff ‘provide information about how domestic and family violence is defined by the department and inquire about whether the person would like a referral to a social worker to discuss the options available’,⁷⁵ and about the provisions and services available, so that a person can make a decision to disclose or not.⁷⁶ The AASW recommended that such information also be included in application forms and other forms.⁷⁷

4.54 The ADFVC also considered that information provided to customers should include

a definition of family violence and common types of abuse, information about disclosure of family violence and why it is important in the context of applying for Centrelink entitlements (e.g. around eligibility for certain payments and exemptions, access to social workers); a package of information about family violence victim’s rights and entitlements to Centrelink services; contact details for local family violence services.⁷⁸

4.55 The CSMC recommended that information about family violence should be displayed in offices; contained in printed material; readily accessible on the website; and on recorded messages—as well as available in all community languages and in a

71 Ibid.

72 North Australian Aboriginal Justice Agency, *Submission CFV 73*, 17 May 2011.

73 Australian Association of Social Workers (Qld), *Submission CFV 46*, 21 April 2011.

74 ADFVC, *Submission CFV 71*, 11 May 2011; Welfare Rights Centre NSW, *Submission CFV 70*, 9 May 2011.

75 Australian Association of Social Workers (Qld), *Submission CFV 46*, 21 April 2011.

76 Welfare Rights Centre Inc Queensland, *Submission CFV 66*, 5 May 2011; Welfare Rights Centre Inc Queensland, *Submission CFV 43*, 21 April 2011.

77 Australian Association of Social Workers (Qld), *Submission CFV 46*, 21 April 2011.

78 ADFVC, *Submission CFV 71*, 11 May 2011.

culturally appropriate means to reflect the diversity of customers.⁷⁹ The Welfare Rights Centre NSW added that information to customers that they can obtain help, support or financial assistance or referral if they are affected by family violence should be included on ‘all forms of communication (claim forms and payment booklets; face-to-face interviews; posters and brochures in Centrelink offices; recorded ‘scripts’ for call waiting; specific publications for client groups (eg *News For Seniors*, *The Journey*; *Pulse: website*)’.⁸⁰

Two-stage approach

4.56 The Commonwealth Ombudsman proposed a two-stage process. First, information should be included on letters and forms to explain how family violence might be relevant, for example, to a person’s obligation to apply for and collect child support. The information should be designed to encourage the person to contact the CSA to discuss what measures the CSA can take to reduce the risk that seeking child support would precipitate violence.⁸¹

4.57 Secondly, where a person identifies that they have a fear of violence, a more detailed screening should be conducted by asking questions about the general indicators of violence (for example, controlling behaviour regarding finances).⁸²

4.58 The Ombudsman considered that it should be up to the person experiencing the family violence to decide how he or she wants to declare themselves to Commonwealth agencies and any information sought about family violence should be voluntary. The Ombudsman submitted that forms, letters and other publications should all provide clear and consistent information to enhance customers’ understanding that family violence is relevant to their case, it may be in their interests to disclose, where relevant, so staff may provide them with information about their choices.⁸³

What to screen for

4.59 The ADFVC strongly recommended that standard screening questions be used, while the Multicultural Disability Advocacy Association (MDAA) considered that forms should have multiple questions regarding behaviour, rather than a single question about family violence.⁸⁴

4.60 Stakeholders generally considered that screening should enquire about: the presence of violence;⁸⁵ the safety of both the individual and any children involved;⁸⁶ about non-physical as well as physical abuse;⁸⁷ the general indicators of violence (for example, controlling behaviour regarding finances); and a number of vulnerability

79 Council of Single Mothers and their Children (Vic), *Submission CFV 55*, 27 April 2011.

80 Welfare Rights Centre NSW, *Submission CFV 70*, 9 May 2011.

81 Commonwealth Ombudsman, *Submission CFV 54*, 21 April 2011.

82 Ibid.

83 Ibid.

84 Multicultural Disability Advocacy Association, *Submission CFV 60*, 28 April 2011.

85 Welfare Rights Centre NSW, *Submission CFV 70*, 9 May 2011; Sole Parents’ Union, *Submission CFV 63*, 27 April 2011.

86 Sole Parents’ Union, *Submission CFV 63*, 27 April 2011.

87 ADFVC, *Submission CFV 71*, 11 May 2011.

indicators—including homelessness, disability, illiteracy and mental illness—because often these indicators occur in combination,⁸⁸ and be developed in close consultation with workers and organisations that support victims of family violence.⁸⁹

When should screening occur?

4.61 Those stakeholders who considered that Centrelink and the CSA should screen for family violence indicated that screening should occur on first contact⁹⁰ or initial assessment,⁹¹ routinely,⁹² or in all circumstances.⁹³ Chapters 5, and Chapters 9–11 discuss specific trigger points for screening within the social security system and child support and family assistance systems.

4.62 On the other hand, the AASW submitted that ‘[r]outinely screening for domestic and family violence is problematic ... and should not be conducted in a situation where there is no expert support immediately available’. The AASW questioned the value of routine screening for domestic violence as screening questions are not

able to encapsulate the broader definitions of violence and therefore have the potential to screen out people who are subject to coercively controlling tactics whose experience do not match the screening tool domains. Research using tools to discriminate violence from non-violence use detailed questionnaires that often include some 35 questions. This type of process in practice is not workable, cumbersome and of little value if the person has not self identified. It is our view that people need the opportunity to see examples of the coercive controlling tactics that make up the broader definition of violence to then be able to make an informed decision about where their experience fits or not. It is our experience that this process for some takes time. Many domestic violence services define violence and then under each heading provide brief examples of what these might mean. This has been an effective strategy for women’s domestic violence services for over 30 years.⁹⁴

Manner and environment

4.63 The manner and environment in which family violence is screened for was also considered by stakeholders to be important.

4.64 The Homeless Person’s Legal Service recommended that Centrelink staff enquire with appropriate sensitivity,⁹⁵ and in a non-judgemental manner,⁹⁶ about the existence of family violence. The ADFVC considered that, where the information is

88 Commonwealth Ombudsman, *Submission CFV 54*, 21 April 2011.

89 Council of Single Mothers and their Children (Vic), *Submission CFV 55*, 27 April 2011; Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

90 Sole Parents’ Union, *Submission CFV 52*, 27 April 2011; M Winter, *Submission CFV 51*, 27 April 2011; National Council of Single Mothers and their Children, *Submission CFV 45*, 21 April 2011.

91 Joint submission from Domestic Violence Victoria and others, *Submission CFV 59*, 27 April 2011.

92 ADFVC, *Submission CFV 71*, 11 May 2011; Good Shepherd Youth & Family Service, McAuley Community Services for Women and Kildonan Uniting Care, *Submission CFV 65*, 4 May 2011; Commonwealth Ombudsman, *Submission CFV 54*, 21 April 2011.

93 P Eastal and D Emerson-Elliott, *Submission CFV 05*, 23 March 2011.

94 Australian Association of Social Workers (Qld), *Submission CFV 46*, 21 April 2011.

95 National Children’s and Youth Law Centre, *Submission CFV 64*, 3 May 2011; ADFVC, *Submission CFV 53*, 27 April 2011; Public Interest Advocacy Centre, *Submission CFV 40*, 15 April 2011.

96 ADFVC, *Submission CFV 53*, 27 April 2011.

included in forms, online, over the phone or in person, there needs to be an explanation as to why this information is sought, that it is routine, how information will be used and what protections might be offered if family violence is disclosed—such as privacy of personal information. Stakeholders also recommended appropriate training and supervision for staff about family violence screening techniques,⁹⁷ in order not to re-traumatise affected customers.⁹⁸ The AASW noted that ‘training and support have been shown to reduce the risk of vicarious traumatisation and burn-out in staff populations who work with trauma’.⁹⁹

4.65 The Welfare Rights Centre NSW considered it essential that ‘Centrelink provide an environment where clients are encouraged and feel comfortable to raise such personal and sensitive issues’.¹⁰⁰ The ADFVC also recommended ‘conducting screening in a private space, without partners present’.¹⁰¹

ALRC’s views

Should the CSA, FAO and Centrelink screen for family violence?

4.66 Stakeholders identified that customers were often not aware of how family violence would affect their social security, child support or family assistance eligibility and entitlements. Most stakeholders recommended that some form of screening for family violence by the agencies was necessary—either by providing relevant information or through direct questioning.

4.67 The ALRC acknowledges the difficulties of screening by service delivery agencies such as Centrelink, CSA and the FAO. The first point of contact a customer has is often with front staff who are not currently trained to screen for family violence. They also have a number of other roles.

4.68 However, the ALRC understands that Centrelink customer service advisers are currently able to place a vulnerability indicator on a customer’s file if they suspect, among other things, a customer has recently experienced a relationship breakdown. CSA staff may also place a ‘sensitive issue indicator’ on a customer’s file.¹⁰² These indicators are discussed in further detail below. Arguably, therefore, a level of screening is occurring by Centrelink and CSA staff.

How should screening occur?

4.69 Stakeholders were divided as to whether screening for family violence should take the form of direct questioning or through the provision of information to all customers. While direct questioning may encourage disclosure of family violence, the ALRC recognises that there are a number of concerns with such an approach, for example:

97 Ibid; Australian Association of Social Workers (Qld), *Submission CFV 46*, 21 April 2011; Public Interest Advocacy Centre, *Submission CFV 40*, 15 April 2011.

98 ADFVC, *Submission CFV 53*, 27 April 2011.

99 Australian Association of Social Workers (Qld), *Submission CFV 46*, 21 April 2011.

100 Welfare Rights Centre NSW, *Submission CFV 70*, 9 May 2011.

101 ADFVC, *Submission CFV 53*, 27 April 2011.

102 Department of Human Services, *Common Module—Family Violence*, 7 June 2011.

- one or two questions about family violence or safety may not elicit a response;
- it may lead to an assumption that every person is subject to family violence;
- customer service staff do not have the time to ask numerous questions to ensure thorough screening for family violence; and
- there is a lack of privacy at Centrelink, CSA and FAO offices.

4.70 In light of such concerns, the ALRC does not consider that direct questioning about family violence would be the most effective response. Yet the the barriers to disclosure of family violence need to be addressed. One such barrier is lack of knowledge on the part of the customer—both of what constitutes family violence and how family violence is relevant to a person’s entitlements.

4.71 In the ALRC’s view, agency staff should make a short statement which recognises that family violence is a significant issue in society and may be relevant to the customer’s entitlements and indicates the availability of Centrelink social worker. This addresses a number of stakeholder concerns:

- it allows for individual choice by the customer as to whether to disclose family violence or not;
- it does not assume that everyone is a victim of family violence; and
- it is less labour-intensive on front staff.

When should screening occur?

4.72 In the ALRC’s view, screening for family violence should occur on first contact with the service agency. This addresses the overarching concerns of a lack of awareness about family violence and its relevance to a person’s entitlements. However, as a person may not always be experiencing family violence at the time of first contact, routine screening for family violence is also necessary at identified trigger points. These additional trigger points are considered in Chapter 5 for social security and Chapters 9–11 for child support and family assistance.

Training

4.73 The ALRC considers that Centrelink, CSA and FAO staff should be provided with training on the impact of family violence on a customer’s social security, child support and family assistance arrangements and to ensure referrals to Centrelink social workers who can discuss a customer’s circumstances in more detail.

Monitoring and evaluation

4.74 In light of the limitations of screening identified earlier, and as screening for family violence by Centrelink, CSA and the FAO will be a new process, it is important that the impacts of screening arrangements are monitored and evaluated. The ALRC considers that monitoring and evaluation should be built into the process to ensure that screening is increasing the disclosure of family violence, and positively assisting victims of family violence and not causing further harm. Monitoring and evaluation should also be conducted routinely, and the outcomes made publicly available.

Information pack

4.75 To address the concern that persons who experience family violence do not always identify that they are experiencing family violence, or how it might be relevant to their social security, child support or family assistance case, an information pack should be provided to all customers that contain this information. This information pack would provide detail about family violence, including examples of its nature, features and dynamics, and how family violence is relevant to social security, child support and family assistance. In particular, such information would include how family violence is relevant to:

- exemptions;
- entitlements;
- information protection;
- support and services provided by the agencies;
- referrals; and
- income management.

4.76 In order to ensure that all customers receive this information, it should be provided, where possible, orally—either in person or by telephone, and in writing and online. The information should be tailored to each individual customer, in particular recognising the impact of family violence on particular customers such as Indigenous peoples; those from culturally and linguistically diverse backgrounds; lesbian, gay, bisexual, trans and intersex; children and young people; older persons; and people with disability.

4.77 This information should be provided to all customers upon, or directly following, an application for child support or social security and routinely at periodic intervals and specified trigger points.

4.78 Child Support Agency and Family Assistance Office staff, Centrelink customer service staff, social workers, Indigenous Service Officers (ISOs) and Multicultural Service Officers (MSOs) should receive regular and consistent training in relation to how family violence is relevant to a customer's circumstances and the requirement to provide all customers with such information.

4.79 Providing such information to customers in this way will allow customers to make their own decisions as to whether to disclose family violence, which ties in with the theme of self-agency discussed in Chapter 2.

Proposal 4-1 Information about screening for family violence by Child Support Agency and Family Assistance Office staff and Centrelink customer service advisers, social workers, Indigenous Service Officers and Multicultural Service Officers should be included in the *Child Support Guide*, the *Family Assistance Guide* and the *Guide to Social Security Law*.

Proposal 4–2 Child Support Agency and Family Assistance Office staff and Centrelink customer service advisers, social workers, Indigenous Service Officers and Multicultural Service Officers should routinely screen for family violence when commencing the application process with a customer, immediately after that, and at defined intervals and trigger points (as identified in Chapters 5 and 9–11).

Proposal 4–3 Screening for family violence by Child Support Agency and Family Assistance Office staff and Centrelink customer service advisers, social workers, Indigenous Service Officers and Multicultural Service Officers should be conducted through different formats including through:

- electronic and paper claim forms and payment booklets;
- in person;
- posters and brochures;
- recorded scripts for call waiting;
- telephone prompts;
- websites; and
- specific publications for customer groups such as *News for Seniors*.

Proposal 4–4 In conducting screening for family violence, Child Support Agency and Family Assistance Office staff and Centrelink customer service advisers, social workers, Indigenous Service Officers and Multicultural Service Officers should take into consideration a customer’s cultural and linguistic background as well as a person’s capacity to understand, such as due to cognitive disability.

Question 4–1 In addition to the initial point of contact with the customer, at what trigger points should Child Support Agency and Family Assistance Office staff and Centrelink customer service advisers, social workers, Indigenous Service Officers and Multicultural Service Officers screen for family violence?

Proposal 4–5 Child Support Agency and Family Assistance Office staff and Centrelink customer service advisers, social workers, Indigenous Service Officers and Multicultural Service Officers should receive regular and consistent training and support (including resource manuals and information cards) in:

- screening for family violence sensitively; and
- responding appropriately to disclosure of family violence, including by making referrals to Centrelink social workers.

Proposal 4–6 Training provided to Child Support Agency and Family Assistance Office staff, and Centrelink customer service advisers, social workers, Indigenous Service Officers and Multicultural Service Officers should include:

- the nature, features and dynamics of family violence, and its impact on victims, in particular those from high risk and vulnerable groups;
- recognition of the impact of family violence on particular customers such as Indigenous peoples; those from culturally and linguistically diverse backgrounds; those from lesbian, gay, bisexual, trans and intersex communities; children and young people; older persons; and people with disability;
- training to ensure customers who disclose family violence, or fear for their safety, know about their rights and possible service responses, such as those listed in Proposal 4–8; and
- training in relation to responding appropriately to and interviewing victims of family violence. In particular, training for Centrelink customer service advisers and social workers should include information about the potential impact of family violence on a job seeker’s barriers to employment.

Proposal 4–7 The Department of Human Services should ensure that monitoring and evaluation of processes for screening for family violence is conducted regularly and the outcomes of such monitoring and evaluation are made public.

Proposal 4–8 The *Child Support Guide*, the *Family Assistance Guide* and the *Guide to Social Security Law* should provide that Child Support Agency and Family Assistance Office staff and Centrelink customer service advisers, social workers, Indigenous Service Officers and Multicultural Service Officers should give all customers information about how family violence may be relevant to the child support, family assistance, social security and Job Services Australia systems. This should include, but is not limited to:

- exemptions;
- entitlements;
- information protection;
- support and services provided by the agencies;
- referrals; and
- income management.

Risk assessment and management

4.80 ‘Risk assessment’ refers to ‘ongoing efforts to assess the degree of harm or injury likely to occur as a result of past, present or future family violence’,¹⁰³ while ‘risk management’ aims to promote safety, accountability and healing for victims through referral to a range of services such as emergency and support services, counselling and support, accommodation and culturally specific services.

4.81 It is important that the person conducting the risk assessment has experience and expertise in interviewing victims of family violence; considerable knowledge of the dynamics of family violence; and uses risk assessment guidelines or tools accepted in the scientific and professional communities.¹⁰⁴ Given the nature of risk assessment, often screening and assessment are conducted by different individuals. However, there are concerns with separating the screening and risk assessment processes, including:¹⁰⁵

- establishing trust—‘[r]evelations, even at the screening phase, are made by a client within the context of some level of trust in the competence and integrity of the individual conducting the screening’ which ‘will not always repeat itself with another individual’;¹⁰⁶
- dangers of screening in isolation from empathic engagement;¹⁰⁷ and
- further traumatising the victim if screening is insensitively or incompetently handled.¹⁰⁸

4.82 Robinson and Moloney describe these problems as problems of ‘triage’ and that, arguably,

the person at the beginning of the triage process bears the greatest responsibility because a failure to detect violence or associated issues at this stage can reverberate through the service delivery system. At the same time, such an individual usually cannot take on the full burden of the case.¹⁰⁹

4.83 It is therefore acknowledged that ‘services still grapple with the most effective ways of identifying family violence issues with which clients present and, just as importantly, of taking appropriate actions once family violence has been accurately identified’.¹¹⁰

4.84 Currently, referral to Centrelink social workers where family violence is disclosed is already provided for in the *Guide to Social Security Law*, Job Seeker Classification Instrument (JSCI) Guidelines and related Department of Education, Employment and Workplace Relations (DEEWR) advices where family violence is

103 E Robinson and L Moloney, *Family Violence: Towards a Holistic Approach to Screening and Risk Assessment in Family Support Services* (2010).

104 *Ibid.*, 5.

105 *Ibid.*

106 *Ibid.*, 4.

107 *Ibid.*, 5.

108 *Ibid.*, 5.

109 *Ibid.*, 5.

110 *Ibid.*

self-disclosed. However, it is not consistently provided for in the *Child Support Guide* and *Family Assistance Guide*.

4.85 However, the CSA's 'Common Module—Family Violence' (an internal CSA electronic resource) states that, where a parent or non-parent carer indicates that they are experiencing, or are at risk of family violence, referral to service support services should be made, including warm referrals¹¹¹ to the Parent Support Service where the customer is significantly emotionally distressed or, warm transfer to the Family Relationships Advice Line or the family violence support web page.¹¹²

4.86 In the Commonwealth Ombudsman's report—*Falling Through the Cracks*—the Ombudsman recommended that Centrelink implement processes to collect information from customers who identify as having a disability (mental or physical) about the impact that disability has on their capacity to engage effectively with the social security system' and that 'Centrelink should consider implementing a standard process for recording any special needs or limitations associated with mental illness on a customer's electronic file, as well as any instructions/strategies for accommodating those needs'.¹¹³ A variation of this is currently used by both Centrelink and the CSA—referred to as 'vulnerability indicators' and 'sensitive issue indicators', respectively.

Vulnerability indicators

4.87 In the social security system, a 'vulnerability indicator' may be placed on a customer's record (accessible by Centrelink, DEEWR and the job seeker's job services provider) in certain circumstances. The ALRC understands that these currently include recent psychiatric problem or mental illness, drug or alcohol dependence, homelessness and recent traumatic relationship breakdown (including relocation as a result of a recent family violence situation). Centrelink customer service advisers are required to consider at their initial engagement with a job seeker, and at subsequent engagements, whether a 'vulnerability indicator' should be placed on the customer's record.¹¹⁴ The flag indicates to job service providers and Centrelink that a job seeker may have difficulty meeting their requirements for receiving social security payments or entitlements (such as activity test or participation requirements) due to vulnerability and to ensure that the vulnerabilities are taken into account when setting participation requirements for the job seeker and responding to failures to comply.

4.88 A 'warm referral' involves contacting another service on the customer's behalf and may also involve writing a report or case history on the customer for the legal service and/or attending the service with the customer. This may be effective for

111 A 'warm referral' involves contacting another service on the client's behalf and may also involve writing a report or case history on the client for the legal service and/or attending the service with the client. This may be effective for clients who are hesitant to contact other services or who may not have the means—such as a telephone—to contact the other agency. See S Clarke and S Forell, *Pathways to Justice: The Role of Non-Legal Services* (2007), prepared for the Law and Justice Foundation of NSW.

112 Department of Human Services, *Common Module—Family Violence*, 7 June 2011.

113 Commonwealth Ombudsman, *Falling Through the Cracks—Centrelink, DEEWR and FaHCSIA: Engaging with Customers with a Mental Illness in the Social Security System* (2010) Recs 9 and 10.

114 J Disney, A Buduls and P Grant, *Impacts of the new Job Seeker Compliance Framework: Report of the Independent Review* (2010).

customers who are hesitant to contact other services or who may not have the means—such as a telephone—to contact the other agency.

4.89 The Commonwealth Ombudsman has previously noted that ‘Centrelink staff struggle with the challenge of properly identifying these customers so that services can be appropriately tailored to their needs’.¹¹⁵

Sensitive issue indicator

4.90 A similar mechanism exists in the child support system. The CSA’s *Family Violence—Common Module* states that where a customer advises that there is a risk of family violence, regardless of whether there is an Apprehended Violence Order (AVO) or Domestic Violence Order (DVO) in place, a ‘sensitive issue indicator’ should be placed on the customer’s file. The Module expressly states that the customer is not to be advised of the existence of the ‘sensitive issue indicator’ and that it is an internal customer management tool only.¹¹⁶ Conversations regarding family violence are also required to be documented in the CSA database.¹¹⁷

Submissions and consultations

4.91 Stakeholders recommended a number of responses that should occur when family violence is disclosed, including the provision of information; referral to social workers and other support services such as Legal Aid, case or issues management, and mechanisms for the protection of personal information. Some stakeholders also recommended the establishment of a specialised team or case worker to coordinate these responses. These concepts are discussed below.

Provision of information

4.92 The Sole Parents’ Union submitted that it had received feedback that,

while many Centrelink staff are excellent, providing all information necessary and ensuring applicants are aware of their entitlements, others are not so diligent, sympathetic or even believing. Nor do they generally provide information about child support eligibility and requirements, often merely advising the victim to contact the Child Support Agency for all information.¹¹⁸

4.93 In particular, the ADFVC recommended that customers who disclose family violence should be provided with information about their rights and entitlements.¹¹⁹ The National Children’s and Youth Law Centre emphasised the importance of this for young people experiencing family violence if ‘they are not aware that they are able to

115 Commonwealth Ombudsman, *Falling Through the Cracks—Centrelink, DEEWR and FaHCSIA: Engaging with Customers with a Mental Illness in the Social Security System* (2010); Commonwealth Ombudsman, *Submission to the House Standing Committee on Education and Employment Inquiry into the Social Security Legislation Amendment (Job Seeker Compliance) Bill 2011* (2011).

116 Department of Human Services, *Common Module—Family Violence*, 7 June 2011.

117 *Ibid.*

118 Sole Parents’ Union, *Submission CFV 63*, 27 April 2011.

119 ADFVC, *Submission CFV 71*, 11 May 2011; ADFVC, *Submission CFV 53*, 27 April 2011.

financially support themselves then young people may be forced to stay in the violent home, or become homeless'.¹²⁰

4.94 The CSMC stated

At a time when they are often at their most vulnerable, and needing additional financial resources, [victims] have to negotiate the complex, interacting systems that involve Child Support, Centrelink and family law. Family violence often commences or worsens during separation, and the main concern for women at this time is the safety of themselves and their children. To achieve this they often decide not to pursue child support, despite the financial impact. In our experience they are often not fully informed by the CSA or Centrelink of their rights and entitlements; nor do they have an advocate or support to assist them negotiate these complex systems.¹²¹

Referral to support services

4.95 A number of stakeholders recommended that a person who discloses family violence should be referred to a social worker.¹²² The ADFVC considered that any person who discloses family violence should be referred to support available—‘whether that be to the national domestic violence helpline, Centrelink social workers or a domestic violence service’.¹²³ Stakeholders considered that social workers were best placed to provide further assistance with a person’s claims and entitlements.¹²⁴

4.96 Stakeholders also recognised the need for additional training for social workers to ‘undertake any necessary assessment’,¹²⁵ and to ensure that policies and practices support required referral to social workers where family violence is identified.¹²⁶

Specialist family violence team

4.97 Several stakeholders considered that a specialist family violence unit or team should be established.¹²⁷ Stakeholders submitted that such a team would overcome a ‘range of structural, cultural and systemic issues’ such as:

- inconsistent responses to family violence, including differing information from CSA and Centrelink;
- the need to ask the ‘right’ questions in order to get the desired information;
- a lack of expertise in responding to family violence;

120 National Children’s and Youth Law Centre, *Submission CFV 64*, 3 May 2011.

121 Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

122 ADFVC, *Submission CFV 71*, 11 May 2011; Welfare Rights Centre Inc Queensland, *Submission CFV 66*, 5 May 2011; Joint submission from Domestic Violence Victoria and others, *Submission CFV 59*, 27 April 2011; ADFVC, *Submission CFV 53*, 27 April 2011.

123 ADFVC, *Submission CFV 53*, 27 April 2011.

124 ADFVC, *Submission CFV 71*, 11 May 2011.

125 Welfare Rights Centre Inc Queensland, *Submission CFV 66*, 5 May 2011.

126 Joint submission from Domestic Violence Victoria and others, *Submission CFV 59*, 27 April 2011.

127 ADFVC, *Submission CFV 53*, 27 April 2011; National Council of Single Mothers and their Children, *Submission CFV 45*, 21 April 2011; Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

- the personal and intrusive nature of seeking an exemption for child support purposes;
- support and trust of agency staff;
- limited information provided to victims of family violence;
- barriers created by frequent reassessments;¹²⁸ and
- the need to repeat a story to numerous workers in different agencies.¹²⁹

4.98 The CSMC submitted that a specialist family violence unit could work across both the CSA and Centrelink,¹³⁰ staffed with highly skilled workers with extensive experience of family violence¹³¹ who utilise a sensitive case management approach.¹³² This team would be a specialist team with best practice screening tools and have a professional background and expertise in ‘domestic violence’. The team would have a complaint mechanism and processes of review consistent with current government agencies.¹³³ Some stakeholders suggested that a member of the specialist team should be appointed to each person who discloses family violence.¹³⁴

4.99 Stakeholders suggested that this team could assume a range of responsibilities that could include, but are not limited to, the following:

- act as the first point of contact for victims of family violence;¹³⁵
- coordinate the provision of information and referral to support services;¹³⁶
- act as a conduit between the victim and government agencies;¹³⁷
- critically discuss the various options available to them, and support them in their decisions and their negotiation through the system;¹³⁸ and
- organise exemptions and reviews.¹³⁹

4.100 The ADFVC provided an example of best practice from New Zealand:

New Zealand’s Department of Work and Income ... provides financial assistance and employment services. It offers a single point of contact for New Zealanders needing job search support, financial assistance and in-work support. In 2005, Work and

128 National Council of Single Mothers and their Children, *Submission CFV 45*, 21 April 2011.

129 Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

130 Ibid.

131 Ibid.

132 Ibid.

133 National Council of Single Mothers and their Children, *Submission CFV 45*, 21 April 2011.

134 ADFVC, *Submission CFV 53*, 27 April 2011.

135 National Council of Single Mothers and their Children, *Submission CFV 45*, 21 April 2011.

136 ADFVC, *Submission CFV 53*, 27 April 2011; National Council of Single Mothers and their Children, *Submission CFV 45*, 21 April 2011; Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

137 National Council of Single Mothers and their Children, *Submission CFV 45*, 21 April 2011; Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

138 Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

139 National Council of Single Mothers and their Children, *Submission CFV 45*, 21 April 2011.

Income piloted the Family Violence Intervention Programme that was rolled out nationally. Through the program, Family Violence Response Co-ordinators are appointed in each region to provide support to case managers and liaise with local support services. Co-ordinators provide training and support to enable case managers in screening clients for family violence and providing referrals to services.¹⁴⁰

‘Safety concern’ flag

4.101 The AASW considered that ‘measures be undertaken to minimize the number of times a person has to provide detail of the domestic and family violence experienced’.¹⁴¹

4.102 The Welfare Rights Centre Inc Queensland referred to Centrelink’s ‘vulnerability indicators’ for homelessness and potential homelessness which leads to an ‘appropriate service delivery to the customer; tailored responses as well as internal and external referrals for addressing the needs and dealing with homelessness’. It recommended a ‘similar “flag” system be set up to better effect service delivery for customers with family violence, or risk of family violence concerns’.¹⁴²

4.103 Similarly, the Commonwealth Ombudsman considered that there would be ‘merit in expanding the use of vulnerability indicators (or some other visible “flag” on the customer’s record) to highlight the customer’s vulnerability to all staff handling their file’.¹⁴³

ALRC’s views

4.104 The ALRC recognises the need for an appropriate response by Centrelink, the CSA and the FAO, when family violence is disclosed. Such a response should be coordinated, informative and ultimately increase the safety of victims of family violence. The ALRC considers that there is merit in ensuring that, within an agency—and possibly across agencies—there is a signalling mechanism that family violence has been raised which prompts a privacy and a case-management response which includes risk assessment and risk management. Such a response could be facilitated through either referral to a Centrelink social worker or a specialist family violence team.

4.105 The ALRC understands that DHS is currently considering a portfolio-wide response and an alignment of CSA and Centrelink responses to family violence, as part of DHS integration and Service Delivery Reform. Such a portfolio-wide response may assist in ensuring a coordinated response from the Human Services portfolio agencies.

Provision of information

4.106 The ALRC notes with concern that when a person discloses family violence to a service agency, the person may not receive all the information relevant to their circumstances. The disclosure of family violence should act as a trigger for the provision of information discussed in Proposal 4–8 above. This will ensure that

140 ADFVC, *Submission CFV 53*, 27 April 2011.

141 Australian Association of Social Workers (Qld), *Submission CFV 46*, 21 April 2011.

142 Welfare Rights Centre Inc Queensland, *Submission CFV 66*, 5 May 2011.

143 Commonwealth Ombudsman, *Submission CFV 62*, 27 April 2011.

customers who disclose family violence are aware of how family violence may be relevant to their social security, child support, and family assistance case, and of the support networks that are available to them.

Confidentiality

4.107 The information about family violence is only a claim of family violence and does not go to evidence of its truth. To preserve procedural fairness and prevent the spread of unfounded allegations of family violence, information about family violence should be treated confidentially, including prohibiting disclosure of such information to individuals outside the relevant agency other than the customer without the express permission of the customer. The focus should be on managing safety issues and not to cause unintended consequences.¹⁴⁴

Referral to a Centrelink social worker

4.108 There are concerns about splitting the roles of screening and risk assessment. However, in light of the nature of the role of customer service staff and the agency environment, the ALRC considers that customer service staff should not conduct risk assessment, but that persons who disclose family violence be referred to a Centrelink social worker to perform this role. The ALRC notes in this regard that the *Guide to Social Security Law*, JSCI Guidelines and related DEEWR material already provide this. However, the ALRC considers that the *Child Support Guide* and the *Family Assistance Guide* should be amended to reflect this.

Specialist family violence team

4.109 Some stakeholders suggested the development of a specialist family violence team that would screen, support and address issues of exemptions and other family violence matters. The team would be the one point of contact for victims. Other stakeholders have recommended a specialist case manager to fulfil much the same role. The ALRC understands that, to some extent, Centrelink social workers currently fulfil this role.

4.110 In the ALRC's view, the establishment of a specialist family violence team could potentially solve a number of problems related to multiple points of engagement within and across agencies. It would also constitute a shift from issues management to case management for family violence cases. The ALRC notes that if a specialist family violence team or case manager is established, many of the proposals in this Discussion Paper that refer to social workers will refer instead to the specialist family violence team or case manager.

Safety concern flag

4.111 The operation of a flag, similar to the 'vulnerability indicator' and 'sensitive issue indicator' currently used by Centrelink and the CSA, respectively, would assist in

144 Both the social security system and the child support system have restricted access facilities available—the Deny Access Facility and Restricted Access Classification system, respectively. These facilities are discussed in further detail in Chs 5 and 10.

addressing the barrier of repeating information to numerous agency officers. The ALRC considers that the flag should be placed on a customer's file when safety concerns are raised, to provide the relevant agency staff member an indication that the person may be eligible for different entitlements or exemptions.

4.112 The ALRC notes, however, that there would be some concerns as to how to keep the 'safety concern flag' current, to ensure that the flag is not used for some collateral purpose and to ensure procedural fairness is afforded to others who may be connected to the person's file. There may also be concerns about who could access the 'safety concern flag'. These concerns should be taken into consideration in developing the 'safety concern flag'. The existing infrastructure must also be sufficient to host a 'safety concern flag' without allowing unintended access by various government departments and agencies.

4.113 Currently, the interface between the agencies—Centrelink, the CSA, and the FAO—and their customers may be best described as 'issues management'. This is distinct from case management, which is 'generally held to involve the handling of a customer by a dedicated case officer over an extended, if not indefinite, period of time'.¹⁴⁵ While the ALRC acknowledges this distinction, the Discussion Paper refers to the agency-customer interface as case management, for simplicity.

Proposal 4-9 The Department of Human Services and other relevant departments and agencies should develop a protocol to ensure that disclosure of family violence by a customer prompts the following service responses:

- case management, including provision of information in Proposal 4-8, and additional services and resources where necessary; and
- the treatment of that information as highly confidential with restricted access.

Proposal 4-10 The *Guide to Family Assistance* and the *Child Support Guide* should provide that where family violence is identified through the screening process, or otherwise, Centrelink, Child Support Agency and Family Assistance Office staff must refer the customer to a Centrelink social worker.

Proposal 4-11 Where family violence is identified through the screening process or otherwise, a 'safety concern flag' should be placed on the customer's file.

Proposal 4-12 The 'safety concern flag' only (not the customer's entire file) should be subject to information sharing as discussed in Proposal 4-13.

145 D Richmond, *Delivering Quality Outcomes—Report of the Review of Decision Making and Quality Assurance Processes of the Child Support Program* (2010), [4.3.6].

Information sharing

4.114 Family violence is relevant in different ways for child support, family assistance and social security. As child support is inter-partes, a past history of family violence may always be relevant to a case. Similarly, historical family violence may be of continuing relevance in a family assistance context, where parties share care of children. More recent family violence is relevant to social security as it may affect a person's qualification for, or payability of, social security payments and entitlements.

4.115 As discussed earlier, as part of the government's Service Delivery Reform, some ICT systems in the Human Services portfolio are being integrated. The former Minister for Human Services, the Hon Chris Bowen MP, explained that 'apart from the limited data that is already shared between agencies like Medicare and Centrelink, no more information will be shared, unless the individual concerned asks us to share the information for their convenience'¹⁴⁶ and the individual databases of each agency will not be merged.

4.116 The *Privacy Act 1988* (Cth) regulates the handling of personal information by the Australian Government—to which 11 Information Privacy Principles apply.¹⁴⁷ In line with the Information Privacy Principles, the DHS has stated that it will 'not use customer information collected for the purposes of one program for another program, unless the use of information in this way is authorised by law and already occurs or, alternatively, the customer gives informed consent to the additional use',¹⁴⁸ explaining that the idea is to bring information technology platforms together, not information.¹⁴⁹

4.117 In addition, the DHS has stated that it has conducted preliminary Privacy Impact Assessments and, to ensure that information is appropriately managed and shared, a consent model is being put in place to enable 'the sharing of customer information across programs' and emphasise 'adequate levels of notice, control and choice for individuals'.¹⁵⁰

146 C Bowen (Minister for Human Services), 'Reform to Deliver Service That Works For You' (Press Release, 16 December 2009).

147 However, in June 2010, the Government released an exposure draft of legislation intended to unify the Information Privacy Principles and the National Privacy Principles in a single set of 13 Australian Privacy Principles, as recommended by the ALRC in *For Your Information: Australian Privacy Law and Practice* (ALRC Report 108, 2008). The Senate Standing Committee on Finance and Public Administration is currently considering the exposure draft. The Government has indicated that it will consider the exemptions under the *Privacy Act*.

148 Department of Human Services, *Submission to the Senate Community Affairs Committee for the Inquiry of the Human Services Legislation Amendment Bill 2010* (2011).

149 C Bowen (Minister for Human Services), 'Reform to Deliver Service That Works For You' (Press Release, 16 December 2009).

150 Department of Human Services, *Submission to the Senate Community Affairs Committee for the Inquiry of the Human Services Legislation Amendment Bill 2010* (2011).

Submissions and consultations

4.118 In the Social Security Issues Paper and the Child Support and Family Assistance Issues Paper, the ALRC asked whether information about family violence should be shared between government agencies, such as Centrelink and the CSA.¹⁵¹

4.119 Some stakeholders recommended that information sharing could be improved both between agency officers themselves and between different service agencies, so that victims of family violence would only have to tell their story to one officer in one agency, and to allow both agencies to have the same information.¹⁵²

4.120 The ADFVC raised concerns that ‘[w]omen could not understand the reason for having to retell their story as they expected that the information would already be on file, accessible to the officer they were meeting with’.

Every time I go in there I end up crying, especially if they’re in any way abrupt. You don’t want to go around telling your story all the time. It’s not a story that you really... I didn’t live it for thirty-two years to go and tell people.¹⁵³

4.121 The ADFVC considered it appropriate that some assurances be given to a victim of family violence that once a person disclosed family violence to either Centrelink or the CSA, they would not have to repeat their story when that information is already on their file. The ADFVC considered that the assignment of a case worker, discussed above, to the applicant would ensure greater sensitivity in dealing with these issues.¹⁵⁴

4.122 The Commonwealth Ombudsman raised concerns that

many people assume that Commonwealth agencies share more information about their circumstances than is actually the case. In particular, people who are customers of Centrelink and the Child Support Agency often assume that those agencies automatically share information about their circumstances. In some cases, people have relied to their detriment on that assumption, and have failed to disclose the same information to other agencies, believing that their contact with one agency will suffice.¹⁵⁵

4.123 The Ombudsman considered that the integration of the various agencies within the Human Services portfolio ‘will further encourage people to assume that relevant information will be shared between Centrelink and the Child Support Agency’.¹⁵⁶

4.124 The Ombudsman considered that both Centrelink and the CSA ‘should also be careful to explain to these customers that information about their family violence

151 Australian Law Reform Commission, *Family Violence and Commonwealth Laws—Social Security Law*, ALRC Issues Paper 39 (2011), Question 5; Australian Law Reform Commission, *Family Violence and Commonwealth Laws—Child Support and Family Assistance* ALRC Issues Paper 38 (2011), Question 14.

152 ADFVC, *Submission CFV 71*, 11 May 2011; Good Shepherd Youth & Family Service, McAuley Community Services for Women and Kildonan Uniting Care, *Submission CFV 65*, 4 May 2011; ADFVC, *Submission CFV 53*, 27 April 2011; National Council of Single Mothers and their Children, *Submission CFV 45*, 21 April 2011; Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

153 ADFVC, *Submission CFV 71*, 11 May 2011.

154 ADFVC, *Submission CFV 53*, 27 April 2011.

155 Commonwealth Ombudsman, *Submission CFV 62*, 27 April 2011.

156 Ibid.

situation is not automatically shared, and that they should consider contacting the other agency directly to discuss how this might affect the payments or services they receive'.¹⁵⁷

4.125 Most stakeholders who responded to these questions considered that any sharing of information between government agencies such as Centrelink and the CSA should only be done with the express consent of the person concerned,¹⁵⁸ to enable individuals to 'exercise choice and control over the way their information is handled'.¹⁵⁹

4.126 The Welfare Rights Centre Inc Queensland added that, even where informed consent has been given, 'policy and practice needs to allow for the understanding that vulnerable people may give consent without real knowledge of the possible negative consequences of such an act'.¹⁶⁰

4.127 Some stakeholders considered that information should also be able to be shared in circumstances where there are genuine concerns about risk to children.¹⁶¹ In cases where there are concerns about risks to children, the Welfare Rights Centre Inc Queensland submitted that where the staff member genuinely believes that there are risks to the children, a report to the local child protection agency should be made.¹⁶²

Privacy protocols

4.128 In considering information sharing between agencies, stakeholders submitted that there should be 'information sharing protocols to ensure information about family violence and risk can be shared ethically and legally to improve safety of victims'.¹⁶³ In particular, stakeholders considered it was important that:

- protections were developed to ensure that this information, or any other, is not further relayed to the perpetrator;¹⁶⁴ and
- any information sharing should be in line with the *Privacy Act 1988* (Cth) and the *National Privacy Principles*.¹⁶⁵

4.129 On the other hand, the Sole Parents' Union submitted that protecting children at risk of harm should override other privacy considerations and therefore, where there

157 Ibid.

158 Law Council of Australia Family Law Section, *Submission CFV 67*, 5 May 2011; Welfare Rights Centre Inc Queensland, *Submission CFV 66*, 5 May 2011; Commonwealth Ombudsman, *Submission CFV 62*, 27 April 2011; National Council of Single Mothers and their Children, *Submission CFV 45*, 21 April 2011; Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011; Welfare Rights Centre Inc Queensland, *Submission CFV 43*, 21 April 2011.

159 Office of the Australian Information Commissioner, *Submission CFV 61*, 4 May 2011.

160 Welfare Rights Centre Inc Queensland, *Submission CFV 66*, 5 May 2011.

161 Sole Parents' Union, *Submission CFV 52*, 27 April 2011; Welfare Rights Centre Inc Queensland, *Submission CFV 43*, 21 April 2011.

162 Welfare Rights Centre Inc Queensland, *Submission CFV 43*, 21 April 2011.

163 Joint submission from Domestic Violence Victoria and others, *Submission CFV 59*, 27 April 2011.

164 National Council of Single Mothers and their Children, *Submission CFV 45*, 21 April 2011; Council of Single Mothers and their Children, *Submission CFV 44*, 21 April 2011.

165 Public Interest Advocacy Centre, *Submission CFV 40*, 15 April 2011.

are concerns about violence or child protection, this information should be shared across agencies.¹⁶⁶

ALRC's views

4.130 The ALRC understands that, in many cases, Centrelink may be the first point of contact a person has with the social welfare system. A person eligible for child support, for example, may contact Centrelink before being referred to the CSA. In addition, people may not differentiate between various government agencies and assume that once they have informed one agency about family violence—such as Centrelink—there is no need to inform another. As a result, victims of family violence may not be informed about all their rights and entitlements across the Human Services portfolio. The ALRC acknowledges that this confusion may increase in the future due to the government's move to 'one-stop-shops' and a single portal for a customer's access to Centrelink and the CSA.

4.131 The ALRC considers that if a 'safety concern flag' is developed (Proposal 4–11), and placed on a customer's file, the existence of this flag could be shared between agencies, with the informed consent of the customer. This could ensure that victims of family violence do not have to repeat their story to different agencies.

4.132 In order to ensure that privacy concerns are addressed with such a proposal, the ALRC considers that customers who have disclosed family violence should be notified that a 'safety concern flag' will be placed on their file. This is in contrast to the 'sensitive issue indicator' and 'vulnerability indicator', in which the ALRC understands that customers are not informed about its existence. This safety concern flag is only to identify that family violence or safety concerns have been raised, not the truth of such a claim.

4.133 Customers should be informed of the effect of the 'safety concern flag'—in particular, that neither the 'safety concern flag', nor the customer's disclosure of family violence, will automatically be shared with other agencies such as Centrelink, the CSA and the FAO, however, that they have the option to provide informed consent to the sharing of the 'safety concern flag' with other agency staff. There must also be procedures in place for the revocation of consent. Provision for informed consent should take into consideration an individual customer's cultural background and ability to understand and make informed decisions.

Privacy

4.134 The ALRC considers that, in sharing information between agencies there is a need to ensure the confidentiality of that information and adherence to obligations under the *Privacy Act*.

4.135 The ALRC understands that different government agencies and departments may be able to access the database of other government agencies. For example, where Centrelink receives information about family violence from DEEWR (whether from

166 Sole Parents' Union, *Submission CFV 52*, 27 April 2011.

DEEWR itself, through DEEWR from Job Services Australia providers, or from CRS Australia) or DEEWR holds such information, there is a need to ensure that information is not subsequently shared with the CSA and the FAO.

4.136 The ALRC considers that the current access arrangements between these agencies and departments needs to be taken into consideration in the sharing of any ‘safety concern flag’ to ensure that any information-sharing arrangement is in accordance with the *Privacy Act* and the *Information Privacy Principles*. The ALRC considers, therefore, that a Privacy Impact Assessment may be necessary.

Proposal 4–13 If a ‘safety concern flag’ is developed in accordance with Proposal 4–11, the Department of Human Services and other relevant departments and agencies should develop inter-agency protocols for information sharing between agencies in relation to the ‘safety concern flag’. Parties to such protocols should receive regular and consistent training to ensure that the arrangements are effectively implemented.

Proposal 4–14 The Department of Human Services and other relevant departments and agencies should consider issues, including appropriate privacy safeguards, with respect to the personal information of individual customers who have disclosed family violence in the context of their information-sharing arrangements.

Family violence policy

4.137 It is recognised that ‘[g]ood individual practice cannot be sustained unless it is supported by organisational cultures and legitimated formally ... by being enshrined in policy’.¹⁶⁷

Submissions and consultations

4.138 The ADFVC recommended the development of a family violence policy—including procedures for screening and dealing with disclosures information provided to customers, training for staff, appointment of a case worker to those who disclose and restricting access to their personal information. The ADFVC considered that such a policy may provide greater clarity to staff and greater consistency in practice.¹⁶⁸

4.139 In a joint submission, the Domestic Violence Victoria and the Domestic Violence Resource Centre Victoria submitted that ‘building common understandings about the nature and dynamics of family violence across all organisations dealing with child support and family assistance is an essential first step. The development of consistent definitions, policies, screening tools, risk management guidelines and

¹⁶⁷ Australian Institute of Social Relations, *Screening, Risk Assessment and Safety Planning* (2010).

¹⁶⁸ ADFVC, *Submission CFV 53*, 27 April 2011.

practice directions will enhance the safety of women and children experiencing family violence'.¹⁶⁹

ALRC's views

4.140 The ALRC's view is that a family violence policy across agencies would help to ensure a consistent response to family violence from service agencies such as Centrelink, CSA and the FAO. In addition, a family violence policy would perform an educative function across the three agencies.

Proposal 4-15 The Department of Human Services and other relevant departments and agencies should develop policies and statements relating to family violence and child protection, to ensure consistency in service responses. These policies should be published on the departments' and agencies' websites and be included in the information provided to customers in Proposal 4-8.

169 Joint submission from Domestic Violence Victoria and others, *Submission CFV 59*, 27 April 2011.

