



Attorney-General's lived experience Expert Advisory Group

Second Action Plan consultation report

Purpose of the session

This session was conducted as part of the Domestic, Family and Sexual Violence (DFSV) Commission's consultation work for the development of the Second Action Plan under the National Plan. The DFSV Commission sought the perspectives of the Attorney-General's lived experience Expert Advisory Group (EAG) on issues relating to the Second Action Plan. The session had a particular focus on sexual violence, as the EAG is involved in the Australian Law Reform Commission's inquiry into justice responses to sexual violence.

Executive summary

The discussion highlighted a strong consensus that sexual violence requires a distinct and sustained focus within the Second Action Plan. Participants argued that sexual violence continues to be overlooked within broader family and domestic violence reforms despite its prevalence and increasing rates. Key priorities included establishing a dedicated sexual violence stream with its own funding, workforce strategy, accountability measures and performance indicators, alongside stronger justice system reform, independent oversight of police, improved data collection and greater transparency regarding sexual violence in institutional settings including aged care, mental health settings and prisons.

Participants emphasised that prevention and early intervention must be treated as core priorities. They argued that governments should invest in the social conditions that reduce vulnerability to violence, including safe housing, income security, accessible social services, community-led supports and targeted services for women, children and older people. Contributors also stressed the importance of addressing structural drivers of violence such as colonisation, racism, discrimination, stigma, criminalisation and the over-policing of marginalised communities, while improving the capacity of mainstream services to respond safely and effectively to disclosures of sexual violence before people reach crisis point. Participants framed sexual violence as a social and systemic issue shaped by broader inequalities and institutional practices.

There was strong concern about the experiences of groups disproportionately affected by sexual violence, including Aboriginal and Torres Strait Islander women, women with disabilities, older women, migrant women, LGBTIQ+SB people, sex workers, incarcerated women and those in institutional settings. Participants called for responses that centre lived experience, strengthen accountability across government systems, improve data collection and ensure that policy design, implementation and evaluation are informed by those most affected by violence.

What we heard

Overarching themes

- Sexual violence must be recognised as a standalone national priority, with dedicated policy attention, funding, accountability mechanisms, workforce investment and data collection rather than being addressed solely through broader domestic and family violence frameworks.
- Accountability across institutions and systems needs significant strengthening, particularly in relation to police, courts, governments, aged care, prisons and other institutional settings where sexual violence occurs or responses are inadequate.
- Police and justice system responses continue to fail many people who have experienced DFSV, with concerns about inconsistent practice, poor investigations, retraumatisation, lack of oversight and barriers to accessing justice.
- Marginalised and over-represented groups must be placed at the centre of policy and service design, recognising that some communities experience both higher rates of sexual violence and greater barriers to support, justice and participation.
- Community-led and culturally safe responses are essential, particularly for First Nations communities, culturally and linguistically diverse (CALD) communities, people with disability, older women, sex workers and other populations facing systemic disadvantage.
- Prevention requires addressing the broader social drivers of violence, including poverty, housing insecurity, colonisation, racism, ableism, ageism, discrimination, stigma and social exclusion.
- Earlier intervention is needed across the service system, including better community awareness, stronger responses to disclosures, improved referrals and support before people reach crisis point.
- Workforce sustainability is a critical concern, with specialist services including specialist legal practitioners facing burnout, recruitment challenges, workforce shortages and instability caused by short-term funding arrangements.
- Long-term, sustainable investment is needed, both for specialist services and for peer-led, lived-experience and community-based models that often operate outside mainstream funding structures.
- Lived experience expertise should be valued and embedded throughout policy and service systems, including through better representation, remuneration, support and participation in decision-making processes.
- Data, evidence and transparency require improvement, particularly in relation to sexual violence in institutional settings and among marginalised populations, to strengthen accountability and inform effective reform.

Sexual violence must be a distinct national priority

What participants told us

- Participants raised a persistent concern that sexual violence has not merely been subsumed by the focus on DFSV but in fact has been subordinated by a focus on domestic and family violence, to the detriment of action on sexual violence.
- Some participants noted that the ANROWS paper made clear that while other areas of violence were starting to stabilise or decrease, the standout issue remained sexual violence, which continues to increase in both single year and trend patterns.
- Participants were concerned that the rates of sexual violence will continue to increase while it remains a diminished priority of government and while accountability is lacking for governments and institutions.
- One participant noted the need to consider the legal profession as part of the sexual violence workforce, recognising their significant role, influence and potential for improvement of experience and outcomes for people who have experienced sexual violence.
- One participant noted that despite a significant number of activities in the First Action Plan to take action on domestic, family and sexual violence (DFSV), it is hard to see a direct connection between this work and increased safety or justice for survivors of sexual violence.

What participants said needs to change

Participants proposed that the Second Action Plan needs to include dedicated commitment, actions and accountability on sexual violence, including:

- Development of a program of work which specifically tackles sexual violence;
- A increase in the capacity of the system to capture sexual violence data in a range of settings, including institutional settings;
- A more sophisticated approach to workforce sustainability for sexual violence specialist workforces including legal workforces;
- A specific approach which is tailored to the needs and leadership of First Nations communities.

Accountability across and within systems needs to dramatically improve

What participants told us

- Participants noted that despite an increased focus on policing interventions, police responses are still lacking in response to sexual violence matters, and that people who have experienced DFSV are still reliant on interacting with the “right” officer;
- Participants agreed that the systems used to investigate sexual violence continue to retraumatise people who have experienced sexual violence.
- Some participants noted that state and institutional sexual violence is still largely unchallenged, and that the experiences of women and men who have experienced sexual violence while in the care of the state or in incarceration should be a focus of future government focus.
- Participants noted that legal systems continue to be unaccountable to people who have experienced sexual violence, and that there is a lack of oversight particularly for legal personnel.
- Participants noted that an increase in data and information available about a range of justice system interventions would improve transparency and accountability within systems.

What participants said needs to change

- Participants proposed the establishment of an agency with independent oversight of police and other adjacent systems.
- Participants emphasised the need for increased transparency and accountability for the justice system, including in response to complaints or systems failures.
- Participants sought better monitoring of institutional abuse, including in aged care settings and prison settings, where information is already collected but is not contributed to national data sets assessing prevalence or incidents of sexual violence.
- Participants strongly supported the adoption of a broader range of accountability measures across government portfolios to ensure oversight and integrity in the delivery of programs to reduce and respond to sexual violence.

Police and justice responses are still falling short of community expectations

What participants told us

- Participants noted that police responses were still “patchy” and required consistent and persistent improvement across all jurisdictions.
- Participants noted that court officers and court culture were a significant impediment to the achievement of justice.
- Participants noted that the quality of investigations is poor, and that engagement with people from communities most targeted for sexual violence was lacking.
- Participants noted the persistent misidentification of First Nations women by police continues to be a serious issue.

What participants said needs to change

- Improved training for police officers, court officers and other adjacent workforces to ensure consistency of understanding and practice
- Some participants endorsed independent legal representatives for people who have experienced DFSV while navigating the legal system, including the extension of existing government trials of system navigation.
- Some participants proposed the introduction of peer navigation systems on a national scale.

Prioritising marginalised and over-represented groups

What participants told us

- Participants expressed the need for a continued focus on the needs of groups both disproportionately impacted by and most disengaged from the justice system.
- Participants noted that Aboriginal and community-controlled organisations should lead responses for Aboriginal women and communities, while CALD communities should be meaningfully involved in policy development and lived-experience discussions.
- Participants emphasised that inclusion should not be viewed simply as a representation or diversity issue, but as essential to improving the quality of evidence, policy and service responses.
- Participants noted a need to dramatically increase appropriate responses at all life stages, but a particular focus on older women seeking support with justice and healing and recovery for the first time, particularly in institutional settings.
- Participants noted the need for increased recognition of the targeting of women with a disability, particularly those using support services and in supported accommodation settings.
- Participants noted that First Nations women were disproportionately targeted by police, misidentified and disbelieved when reporting sexual violence.
- Participants noted that migrant sex workers were particularly vulnerable to predation which is exacerbated by precarious visa conditions and fear of police and immigration authorities.
- Participants noted that women living in institutions, women with criminal histories, and others facing significant barriers may never be able to participate in lived-experience forums despite being among those most impacted by violence, and that this absence will compound the impacts of ongoing stigma, discrimination and criminalisation.

What participants said needs to change

- Invest in community-led and co-designed systems to better support the most marginalised groups to engage with the justice system.
- Increase the level of competency among specialist and adjacent services to respond to the needs of marginalised groups.
- Tackle the underlying conditions of stigma and marginalisation including racism, ableism and ageism.
- Diversify the lived experience mechanisms in place in order to ensure genuine representation by those disproportionately impacted by sexual violence and other forms of violence.

Prevention, early intervention and the social context for domestic, family and sexual violence

What participants told us

- Participants argued that the National Plan needs a much stronger focus on preventing sexual violence before it occurs, rather than concentrating primarily on responding after harm has happened.
 - Some participants noted that governments should invest in safe housing, income security, women's services, supports for children and older people, and community-led responses because these social supports act as protective factors against violence.
 - Some participants also expressed concern about the reduction of funding to social services, which weakens prevention efforts and makes women more vulnerable to violence.
 - Several participants also stressed that prevention requires addressing the structural and systemic conditions that enable violence. This includes confronting colonisation, racialised and gendered violence, discrimination, stigma, and the over-policing and criminalisation of certain groups.
 - Participants argued that violence is more likely to occur when social systems create or reinforce vulnerability among marginalised populations.
 - There was also discussion about cultural attitudes and norms that permit violence against particular groups, with a clear consensus that the stigma and the devaluing of certain populations is creating a cultural environment in which violence is more readily tolerated.
 - Participants strongly supported the need for systems and communities to intervene much earlier, before people reach a point of crisis. Participants argued that services should not wait until individuals are experiencing severe harm before providing support, and that where crisis point had been reached, an appropriate risk response must be immediately enacted.
 - Some participants noted that there are some people who do not identify their experiences as sexual violence, which can delay help-seeking. Participants argued that information about sexual violence and available supports must be accessible and understandable for diverse communities, including migrant and culturally diverse populations and children and young people.
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What participants said needs to change

- Participants supported the development of additional service guidance for a range of organisations to be more actively involved in supporting disclosures, referrals and peer navigation.
 - Participants argued that the government must take action on the underlying social conditions which create vulnerability for women and children.
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Workforce and funding sustainability

What participants told us

- Participants noted a significant concern about the small size and precarity of the sexual violence frontline workforce. One participant noted that the toll of the type of work undertaken by the specialist sexual violence workforce is “horrific” on a daily basis, and contributing to burnout within the sector at a rate where workers cannot be replaced.
- The sustainability issues facing the sexual violence workforce are exacerbated in rural and regional areas, where it is more difficult to find appropriately skilled workers, and where pressures regarding anonymity and privacy are adding to the burden for workers.
- Some participants raised the issue of short-term contracting by government as an impediment to workforce sustainability, with significant challenges in retaining workers on short term contracts, and a challenge to their focus and delivery while in roles.
- In contrast to the experience of funded organisations, several participants noted the need to ensure that there was adequate resourcing in place for peer led programs which are considered “outside” the formal service system, but delivering significant service. Some examples of this included sex worker collectives, survivor collectives and peer support models.
- Participants noted that mainstream services must increase their capacity to recognise and respond safely to disclosures of sexual violence, noting that many people disclose experiences of violence in settings outside specialist services, so staff across a wide range of sectors need training in trauma-informed, culturally safe and legally informed responses.

“Specialist sexual violence workers burn out at an incredible rate and there’s a high churn. It’s extraordinarily difficult to get qualified people to do this work. It’s heavy lifting on a daily basis.”

PARTICIPANT

What participants said needs to change

- Participants would like to see an increase in the size and diversity of the workforce, supported by consistent government resourcing to support organisations to build their capacity.
- Participants also recommended actions to ensure that the workforce appropriately reflects the communities they serve.
- Participants proposed increased participation in the workforce by people with lived experience and an increase in recognition and support for peer-led models of intervention.

We sincerely thank everyone who generously shared their time and insights with us.

