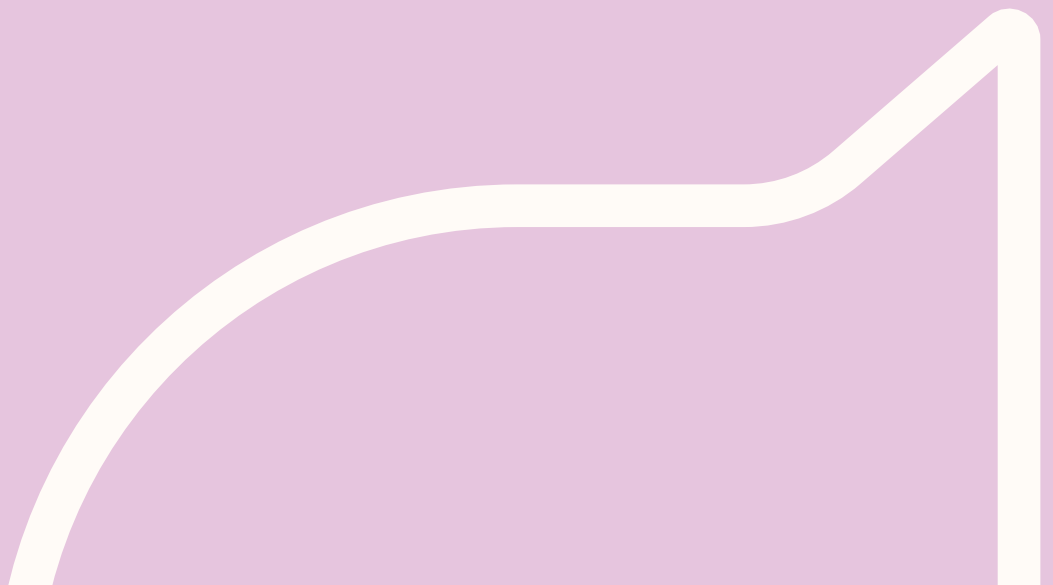


5 AUGUST 2026



Regulators

Second Action Plan consultation report



Purpose of the session

The Domestic, Family and Sexual Violence (DFSV) Commission convened a roundtable with the Australian Energy Regulator (AER) Community of Practice on Consumer Vulnerability to:

- Seek input into the development of the Second Action Plan under the *National Plan to End Violence against Women and Children 2022–2032* by drawing on member insights into DFSV prevention and responses across regulated systems.
- Identify priority risks, gaps and opportunities where regulatory standards, industry practice and safety by design could better prevent or respond to DFSV.
- Surface practical system-level levers and examples of good practice, including opportunities for cross-sector learning and collaboration.

AER established the Community of Practice on Consumer Vulnerability in 2021 as an informal cross-regulator forum to strengthen approaches to consumer vulnerability across sectors. It enables regulatory staff to share insights and emerging practice on supporting people experiencing vulnerability, including circumstances such as low income, disability or DFV. Membership is open to interested staff from Australian regulatory agencies and relevant statutory bodies.

Executive summary

Regulatory action through enforceable standards, guidance, compliance activities and industry engagement has driven significant improvements in industry responses to domestic and family violence (DFV). Partnerships with the DFV sector and best practice sharing across regulatory systems has resulted in systemic improvements. Safety by Design is a key prevention approach, with people with lived experience playing an important role in identifying systemic issues. Nonetheless, business practices, processes and systems continue to put customers impacted by DFV at risk.

What we heard

Note: Individual participants have not been identified in this summary.

Overarching themes

- Regulatory action through enforceable standards, guidance, compliance activities and industry engagement has driven significant improvements in industry responses to domestic and family violence (DFV).
- Effective responses require a shift from basic compliance towards safe, person-centred outcomes for people experiencing violence.
- Safety by Design is emerging as an important prevention mechanism, with relevance to identifying and addressing harms arising from interconnected systems, digital platforms and business processes.
- Lived experience expertise and partnerships with specialist DFV organisations have assisted with uplifting industry practice and guiding regulatory standards.
- Nonetheless, processes, procedures and systems applied by businesses can place customers impacted by DFV at additional risk.
- Workforce capability, leadership commitment and organisational culture are key enablers within industry to improve responses to DFV.
- Greater consistency across jurisdictions, sectors, and regulatory frameworks would improve safety and customer experience.
- Regulators, industry and government each have a role to play, but businesses must take primary responsibility for embedding safety and prevention in their systems.

Regulators have had success in uplifting industry practice in response to domestic and family violence (DFV) through rules, industry guidance and compliance activities

What participants told us

- A key priority for regulators is to set enforceable minimum standards across businesses in the market and to encourage proactive action to provide support to people impacted by DFV.
- Several sectors now have rules, consumer protections and relevant standards related to DFV. This includes the water and energy sector in Victoria and the telecommunications sector which have rules, industry guidance and a track record of compliance and investigations. These industries have been generally responsive to addressing issues in a timely manner.
- Proactive industry engagement and education is critical. Industry guidance is an important tool to ensure sector-level understanding of regulatory frameworks and to set expectations.
- Guidance must be responsive to the level of sophistication of specific businesses. For example, authorised energy retailers are expected to meet specific compliance requirements while exempt sellers might have a different level of obligation.
- Regulators have played a role in bringing together retailers to share intelligence, learnings and best practice. Participants also noted the value of shared insights across regulatory systems to improve customers experiences.
- Executive leadership and organisational culture were repeatedly identified as critical enablers of successful implementation of standards.
- Participants also noted the importance of building staff capability to increase understanding of DFV, including financial abuse. Vicarious trauma training is important for both regulators and industry engaging with DFV.
- Regulators can play an important role to improve system integration and drive early intervention and prevention.
- In evolving regulatory rules, there was interest in focusing on outcomes rather than process.

What participants said needs to change

- Greater consistency across jurisdictions and regulated sectors would improve customer experiences.
- Better data collection, reporting and outcomes measurement are needed to understand both harms and effective practice.
- There is an opportunity to work across systems to define an outcomes-based approach.

Community sector organisations and people with lived experience play a vital role in uplifting industry practice and informing regulatory approaches

What participants told us

- Businesses leading in their response to DFV often place lived experience voices at the centre of their work. Community sector partners can provide valuable insights into a range of business practices beyond customer vulnerability teams.
- Regulators also benefit from learning from people with lived experience, including when it comes to identifying better practice. Lived experience perspectives can help organisations identify risks and system failures that might otherwise be missed.
- Participants highlighted a range of examples where the DFV sector has provided meaningful guidance to business about the best approaches to supporting customers impacted by DFV.
- Industry would benefit from additional clarity regarding the intersection between competitions law and collaboration when it comes to sharing responses to customers impacted by DFV as well as related frameworks.

What participants said needs to change

- Increased industry uptake of partnerships with the DFV sector and engagement with people with lived and living experience.
- A clear authorising environment for industry collaboration.
- Increased engagement with communities that may experience additional barriers to support, including First Nations peoples to ensure inclusiveness and effectiveness.

Safety by Design continues to be an important strategy to prevent harm and unintended consequences in systems, policies and processes

What participants told us

- Safety by Design continues to be applied across sectors, with regulators and industry recognising its value in preventing unintended consequences through systems, policies and processes. People with lived experience play an important role in identifying these system break points.
- However, industries and businesses vary in their ability to prevent harm. Some businesses have layered controls while others rely on staff judgement.
- Safety by Design is a significant step forward, which might present challenges for retailers with fewer resources and smaller teams.
- Regulators have played an important role in reinforcing the importance of Safety by Design as a tool of prevention among regulated industries.

What participants said needs to change

- It is important that business take the lead on implementing prevention approaches.
- A human-centred lived experience lens should be applied across business practice and systems.
- Industry-wide technology solutions through large software platforms may offer opportunities to address common risks at scale.

Processes, procedures and systems applied by businesses can place customers impacted by DFV at additional risk

What participants told us

- Participants noted attempts to remediate compliance issues can lead to additional risk, with an example being a failure to record a preferred method of communication prompting attempts to engage with a customer across multiple channels.
 - A key gap is a failure to consider how different internal systems interact. These systemic problems are particularly concerning because they have the potential to cause widespread harm.
 - Requirements that retailers self-report compliance breaches can assist regulators in intervening early to prevent additional harm, as well as surfacing systemic issues causing harm.
 - Complexities arise in managing joint accounts, with issues relating to primary and secondary account holders. Some customers may be asked to contact the person using violence to make changes to the account.
 - Privacy breaches, including inadvertently sharing affected customers' confidential information, can give rise to life-threatening risk.
 - Some participants noted that additional friction to improve security can also lead to barriers in accessing services for customers. Security measures can also become safety risks if they are linked to the device of the person using violence.
 - Staff can struggle to identify when a customer has experienced DFV, with customers sometimes required to repeatedly disclose to receive support.
 - There are ongoing risks associated with outsourced service providers, including debt collection agencies, contact centres and other third parties.
 - Risks increasingly arise from the interactions between multiple systems, platforms and technologies, including authentication controls, automated communications, account management processes, data migrations and interconnected customer service systems.
 - Customers may not fully understand the consequences of safety-related options, requiring clearer explanations and informed choice. For example, account flagging for internal purposes may be misunderstood or lead to privacy concerns.
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What participants said needs to change

- System design needs to put DFV at the centre across all systems and processes.
 - Retailers need to proactively consider the interactions of different systems to prevent harm.
 - There is a need to increase focus on long-term support to aid recovery and healing.
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Regulators are aware of the risk of systems abuse and the growing relevance of technology-facilitated abuse

What participants told us

- When it comes to engaging with the legal profession, guidance has focused on reinforcing a need for non-collusive practice and trauma-informed approaches to supporting people impacted by DFV.
- Systems abuse in the context of the justice system remains a significant issue, with regulators noted challenges in identifying systemic patterns when regulatory frameworks focus primarily on individual actors.
- There is opportunity to more meaningfully apply intersectional perspectives when it comes to the challenge of accessing legal services.
- Technology-facilitated abuse is a relevant issue but is not generally referenced as a standalone topic in regulatory contexts. In general, the focus will be on technological system failures.
- Economic and financial abuse, including coercive control exercised through financial systems and account arrangements, were identified as significant challenges, but are not always sufficiently visible in broader policy discussions.

What participants said needs to change

- There is an opportunity to increase the focus on systemic issues, rather than individual behaviour, in the legal profession.
- Initiatives such as the current audit of Australian Government systems could be broadened and mirrored at a state and territory level.
- There is an opportunity to build a common language for describing and identifying technology-facilitated abuse across sectors.

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

