



Australian Government
Attorney-General's Department

Report of the Family Violence Prevention Legal Services Workshop

Canberra
10–11 November 2005

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EXECUTIVE SUMMARY

The Attorney-General's Department (AGD) hosted the Annual Family Violence Prevention Legal Services Annual Workshop on 10 & 11 November 2005 held in Canberra.

The AGD provides funding to 26 Family Violence Prevention Legal Services (FVPLS) units located predominately in remote and rural areas of high need around Australia. The expansion of the program from 13 to 26 units represents a \$22.7 million commitment by the Australian Government over four years and doubles the number of currently funded FVPLS units.

The FVPLS units provide services to Indigenous people who are victims, or at immediate risk of, family violence and sexual assault. The range of services units provide includes legal assistance, crisis counseling, court support, information, referrals, outreach services and community education.

The primary focus of each FVPLS unit is to provide culturally appropriate assistance to Aboriginal and Torres Strait Islander adults and children who are victims of family violence, including sexual abuse. The following services are available to clients, listed in order of priority:

1. Legal advice and casework assistance
2. Counseling to victims of family violence and sexual assault
3. Assistance and support to victims of sexual assault
4. Child protection and support
5. Information, support and referral services
6. Community awareness and prevention initiatives
7. Referral to mediation services, and
8. Referral to perpetrator programs

In conducting the workshop, the AGD aimed to facilitate networking and discussion between representatives from FVPLS Units, as well as to introduce AGD staff and familiarise representatives with AGD processes for funding and service provision. A total of 55 participants ranging from staff and representatives of management committees and auspice bodies attended.

The Key Outcomes of the Annual Workshop include:

1. Opportunity for staff from existing and new FVPLS units to develop stronger relationships and to share ideas and experiences
2. Improved knowledge of Operational Framework, Policies and Procedures Manual and General Terms and Conditions of Grant Funding
3. Provision of information on Federal and State Government programs which focus on Indigenous Family Violence
4. Provision of information on external counseling service providers, and
5. Facilitation of opportunity to participate in research into Indigenous Family Violence conducted by the Australian Institute of Criminology.

The Workshop was a mixture of presentations and group discussions. Participants networked and supported each other throughout the duration of the workshop. The workshop was facilitated by the Director of Family Violence Prevention Legal Services, Ms Margaret Beattie. At the conclusion of the Workshop participants were encouraged to complete a workshop evaluation. A representative selection of comments and feedback is provided in Appendix C to this report.

About the FVPLS program

In 1998 the ATSIC board allocated funding for specialist services to assist Aboriginal and Torres Strait Islander adults and children who are victims of family violence including sexual abuse, or who are at immediate risk of such violence. The FVPLS program improves access to legal services and provides holistic and culturally appropriate responses to family violence in Indigenous communities. Independent evaluations have found Units to be highly regarded and vital in empowering Indigenous women.

The FVPLS program was established in 1998 with funding of \$4.8 million. The pilot unit opened in Kempsey in 1998. Originally 13 units were established in predominately remote and rural areas of high need around Australia.

FVPLS units are community controlled justice, advisory and referral centers for victims of family violence. The units provide practical assistance and emotional support to people seeking to deal with the effects of family violence.

The service delivery model focuses on breaking the pattern of violence by working with victims to prevent and reduce the incidence of family violence and sexual assault, and providing community education.

As part of the expansion of the FVPLS program, the AGD engaged the Crime Research Centre at the University of Western Australia to identify regions in rural and remote Australia that were most in need of an FVPLS unit. High need areas were ultimately determined based on a range of statistical indicators including police, hospital and court data, and on the availability of complementary services in the area.

The key purpose of the FVPLS units is to provide legal assistance, counseling and ongoing support to the Aboriginal and Torres Strait Islander victims of family violence, child abuse and sexual assault and those who are at immediate risk of such violence. Other services provided include court support, information, referrals, outreach services and community education.

Welcome

Mr. John Boersig, the Assistant Secretary, Indigenous Law and Justice Branch, welcomed everyone to the workshop and remarked that the FVPLS program addresses one of the most important issues facing Indigenous people today. He said that it is important that it is administered, managed and reported adequately to ensure the survival of the program and that the Government gets value for money on the ground where the services are provided. Mr. Boersig thanked Ms Beattie and her team for putting the workshop together and thanked everyone for attending.

Ms Beattie welcomed two psychologists/counselors to the workshop, Ms Rhonda Woodward and Aunty Joyleen Koolmatre, noting that both had been involved in previous FVPLS activities. Ms Beattie encouraged participants to meet with them if they felt the need during the workshop.

Key Outcome 1

Opportunity for existing and new family violence units to develop stronger relationships and share ideas and experiences

General comments about networking

The workshop was an excellent opportunity for new and existing units to discuss issues and share ideas. During the two days, participants broke into four groups to review the Operational Framework and key issues in depth. Their comments are included in Appendix C of this report. Generally, participants appreciated the opportunity to network and build stronger relationships with each other.

Legal practitioners met separately as a group and as a result are planning to have regular phone contact to share information and sustain working relationships formed over the two days at the Workshop they indicated that they would like another Workshop specifically for practitioners in the Family Violence sector.

Group Discussions

National Network of Indigenous Womens Legal Services Presentation – Melissa Stubbings and Denise Griffin

The network is the national peak body for Indigenous women's legal services and programs. It has a strengthening committee and decided to be based in Perth in 2004. The network's primary functions include law and social justice reform, representation, advocacy and support and conducting an annual network day for women.

Denise Griffin advised that the network contributes to the NACLC Conference. Issues on the national agenda include the new stolen generation, family violence units, and facilitating participation of members at state, territory and national levels.

- Speaking up, Speaking out project

The network has piloted a training kit in leadership and advocacy developed by Indigenous women, for Indigenous women. The kit went to numerous women in NSW, QLD and other states. The next stage is to secure additional funding to train women.

- AG's Indigenous Leadership Certificate IV project

The network facilitated training which resulted in 19 Indigenous people graduating with the Certificate IV in Leadership from the Australian Indigenous Leadership Centre, this week in Canberra.

Other network activities include

1. Preparing submissions on law reform and social justice reform
2. Budget submissions since 2001
3. Preparing submissions to ATSIC inquiries
4. Preparing submissions to the Parliamentary Inquiry into Child Custody

The long term goals of the network are:

1. Independence for Indigenous women's legal services
2. Marketing of the three year business plan
3. More research – an research officer starts work soon

World Conference on Violence Presentation by Phynea Clark and Angela Dowling

Ms Clark and Ms Dowling, the Coordinators of the Central Australian Aboriginal Family Legal Unit and the Top End Women's Legal Service respectively spoke about their experiences whilst attending the World Conference on the Prevention of Family Violence in Banff, Canada in November 2005.

They thanked the AGD for the opportunity to attend the Conference and the other units for the stories and poems they received before leaving Australia.

The first session they attended included a traditional welcome and provided opportunities to share similar experiences, despite language or cultural differences. They attended a number of workshops including one on advancing healthcare, where doctors and nurses spoke about linking their services together to provide a better outcome for clients.

A full report of their attendance at the Conference will be prepared and circulated to all participants by the AGD.

Unit Showcase – Walanbaa Yinnar Wahroo

The Coordinator of Walanbaa Yinnar Wahroo, Ms Dora Walford, outlined the aims and objectives of Walgett FVPLS Unit.

The Unit provides a justice and referral service to the community. In this community 21.5% of the population is Aboriginal. The unit was established in consultation with three communities: Gingie, Namoi and Walgett. Interest was sought for steering committee nominations in those communities and now there are eight local women sitting on the Steering Committee as a result of the initial community consultation.

The primary issues evident in the community are family violence, alcohol and substance abuse and prostitution (specifically of adolescent girls).

Legal advice and casework assistance is performed by two Solicitors that are based in Sydney and one solicitor in Freehills who has a six month secondment with the Unit. All

Solicitors fly in and out of the community monthly to provide legal services to the community.

The unit provides family support, specifically helping with accommodation and furniture for families in need and at risk of family violence.

Ms Walford spoke about some of the major highlights and successes for the FVPLS Unit in the past 5 years:

- The organization acted as an agent for Chrisco and the Smith Family to encourage families to access legal and counseling services.
- The unit organized camps for adolescent girls in 2003 which had the following outcomes:
 - a. Provided a sensitive avenue for the issue of sexual abuse amongst adolescent girls to be discussed
 - b. Identified the issue of cross border prostitution of young girls
 - c. Built trust with the community
 - d. Resulted in children return back to school
 - e. Built individuals' self esteem and self respect
- The unit hosted family fun days for the community between 2003 and 2005 to promote awareness of the service.
- In 2003 the girls that had attended the unit's camps organized their own Debutante Ball, which had a Rock'n'Roll theme. At the ball the debutantes were presented to local elders. The whole community became involved and it was a great success.

Key Outcome 2

Improved knowledge of Operational Framework, Policies and Procedures Manual and General Terms and Conditions of Grant Funding

Finance Presentation – Edward Huddy

Edward Huddy is the Senior Program Officer in the AGD Family Violence Prevention Legal Services Section whose primary responsibility is Grant Administration for the Family Violence Prevention Legal Services Program. The presentation focused on general financial reporting requirements and information as well as the grant funding cycle. Mr Huddy made reference to the following documents which outline an organisations responsibilities in relation their grant; the *General Terms and Conditions of Funding*, *Operational Framework and the Program Funding Agreement*.

Attorney-General's Department Grant Cycle

- A copy of the timeline of the Grant Management Cycle was provided to each participant outlining important dates including when units are to provide documentation (such as financial reports) to AGD.
- Units are required to provide periodic reports six weeks after the end of each quarter and organisation's audited statements are due three months after the end of the financial year.
- The AGD will not release quarterly funds while an organisation is in breach and will endeavor to release funds in the first week of every quarter.

Periodic Financial Statements

- The two preferred formats for Units to provide their Periodic Financial Statements in were present and Mr Huddy clarified the terminology for the five columns Approved Budget Item, Budgeted Amount, Actual Quarter Amount, Actual Year to Date Amount and the Variance.
- The General Terms and Conditions specify that Periodic Financial Statements should be accompanied by the appropriate certification. The Certificate should be signed by an officer that is authorized to bind the Organisation (eg the Chairperson).

Changes to the Budget

- The approved budget cannot be altered without a formal variation submission, however the actual expenditure within the operational bloc of the approved budget can be different to the approved budget provided that the Unit is achieving the objectives of the grant. This may include expenditure on items not originally included in the approved budget.
- Capital items in the approved budget cannot be changed. All variances should be reported to the AGD as soon as appropriate, including under-expenditure.
- In the case of under expenditure, notification should be sent to the AGD with a request to use the remaining money for another purpose otherwise the AGD will require its return.
- If capital purchases are more than \$5,000, Units must comply with the Procurement Guidelines which are located in Section 29 of the *General Terms and Conditions for Funding Agreements relating to Indigenous programs*.
- General information about how to construct the budget is provided in the schedules of the *General Terms and Conditions of Funding* that is available at local ICC Offices.

Variations

- The requests for change to the Program Funding Agreement should be made in writing to the AGD. If the request is minor an email is acceptable.

- The request for additional funding should include all relevant information, such as a clear justification and detailed financial breakdown of the planned expenditure. All requests for variations are submitted to the Delegate for approval.

Activity Generated Income (AGI)

- Activity Generated Income means any income earned or generated by the Organisation from the Organisation's use of the funding such as bank interest, legal costs recoveries. AGI can be expended by the organisation in the financial year provide it is the same purpose as initially granted.
- Surpluses resulting from AGI can be retained by the organisation at the discretion of the Delegate. Organisations which have been approved to retain surplus AGI do not have to report on its expenditure but are required to use the funds in accordance with meeting the objectives of the original grant.

Group Discussions (Operational Framework, Financials)

Participants broke into groups to discuss a number of issues relating to the *Operational Framework*. Ms Beattie emphasized that the Operational Framework is an evolving, living document aimed at giving units the ability to meet their community needs.

Perpetrator Programs

- Representatives from the Warndu Watlhilli-Carri Ngura Aboriginal Family Violence Legal Service (Port Augusta) commented on the lack of perpetrator programs in Port Augusta and remarked that there is always pressure from communities to work with perpetrators as well as victims.
- Many Rivers reported that they are currently utilising a program that the community has supported.
- Discussions about successful perpetrator programs involves cross agency support to operate effectively. Representatives from Western Australia advised that through the Western Australia Department of Justice perpetrator programs have been operating in several prisons.
- Also in the Northern Territory a trial program has been run in four communities for men released from jail. In Queensland, the State Government funds healing services that includes the provision of perpetrator programs.
- Groups indicated that some communities are so small that they are unable to gain funding to deliver perpetrator programs.

Board Governance Training Program

- Representatives from Geraldton Family Advocacy Service identified that it would be useful for Boards of Management to undertake governance training.
- ORAC – Office of Registrar of Aboriginal Corporations are available to conduct governance training for units free of charge.

Insurance

- Groups discussed professional indemnity insurance and the repercussions for delivering a holistic service to clients when this insurance is restricted.
- Discussion regarding Insurance policy documents and if unclear the AGD can confirm the validity of the documents, another suggestion is to check Management Committee and/or Director Indemnity Insurance to ensure that it stipulates the level of cover of Director's exposure.

Conflict of interest with the service - legal versus sexual assault

- Participants raised concern of conflict of interest when a perpetrator is a victim of either sexual assault or family violence, creating confusion about the type of service units are able to deliver to the community.
- FVPLS units can advocate for culturally sensitive counseling and healing services for perpetrators, but need to focus on the needs of clients and their children. This does not mean the FVPLS units will provide legal advice or assistance to perpetrators. However, it would be appropriate for the unit to provide information or display materials which could be made available to clients and their families.

Steering Committee

- Discussions about the importance of ensuring that Steering Committee members are credible representatives of the community; this can be done by a criminal history check as described in the *AGD Operational Framework*. It is not compulsory however can be useful tool in identifying the credibility of members guaranteeing past perpetrators of violent offences or offences relating to children are not employed.

Using/accessing Family and Community Services (FaCS)

- Participants wanted more information about FaCS and the funding available to communities responding to Indigenous family violence specifically for perpetrators and youth.

- Following on from the AGD Workshop in Darwin last year FaCS representatives indicated the future delivery of community awareness and preventative programs in various communities. The group indicated that there is a lack of communication with FaCS and the need to be inclusive particularly with men at risk or experiencing family violence or sexual abuse.

Premises of Units

- Participants discussed the difficulty in sourcing suitable accommodation and location of premises.
- Participants would like information and/or strategies for sourcing premises however every location has different requirements. Units such as Bourke and Walgett searched for a substantial amount of time to secure premises which was purchased by Women's Legal Services NSW with AGD funding due to a lack of suitable rental properties in the area.

Auspicing Arrangements

- Participants discussed the expectations of Auspicing bodies and the level of fees for service. In the *General Terms and Conditions of Funding*. There is general information about financial obligations.
- It is vital that Auspice bodies work collaboratively with Units to ensure communication, particularly in relation to budgetary matters and to negotiate the fees for their services; generally the Auspice receives around or up to 10% of the total funding allocation.

Recruitment Issues

- Several groups reported a range of issues around securing staff. Part of the reason for difficulty of recruiting and staff was the use of big titles of the positions and that the language used can be daunting for people applying.
- There needs to be new approaches for recruiting people as newspaper advertisements are expensive and may not be effective. There are also staff retention issues and the level of staff turnover even after incentives for attracting staff are put into place. It is important to guarantee training and support for staff, particularly for roles relating to sexual assault. One idea was to hold information evenings for people to ask questions about the jobs and to explain the positions. The AGD advised that it has advertised jobs in the past on behalf of units and is able to revisit the national advertising campaign in the new year 2006.

Accredited training for Sexual Assault Workers

- A shortage of training for sexual assault workers was raised by most units as there is a clear scarcity of qualified workers.
- It is important that these workers are Indigenous and that job advertisements are aimed at recruiting people from local communities. It may be useful to look at the title of these jobs and how jobs are described in advertisements, and to change the language to make applying easier.
- There is a high need to develop Indigenous workers' skills particularly as these are sensitive issues and because a lot of local people are passionate about these issues in their community, but lack the formal qualifications to apply for vacancies.

Data systems

- The groups discussed the development of a national database to capture vital reporting information, conflict of interest and to also identify trends and levels of service. A national database could be used to collect this information electronically rather than manually.

Ms Beattie advised that the AGD is not providing funding for a National Database. For the interim units need to manage their own reporting requirements by utilising their own data collection system, whether they be manual or another system.

Performance Indicator and General Discussion – Margaret Beattie, Edward Huddy

Ms Beattie invited general discussion and informal questions regarding the Performance Reports that are submitted to the AGD quarterly from participants, she also said that the AGD is currently in the process of constructing a system so that units are able to email quarterly performance reports to staff at the AGD.

Ms Beattie also emphasized that quarterly performance reports need to be submitted in the template format previously distributed to Coordinators by email.

The AGD will send out more detailed information about reporting quarterly to each unit once the system is finalised.

- **Purchasing**
In the circumstance of units in remote areas have difficulty in obtaining three quotes for the purchase of goods, there needs to be a written justification for the purchase to ensure value for money.

- **Increased funding to allow for increases in the cost of legal work**
If units require additional funding for increases in the cost of legal work the request must be in writing to the AGD or through their Auspice body. The request must be fully costed and estimates of the extra costs outlined. There is no automatic increase in funding.
- **Variations of funding between Units**
Each unit is assessed then appropriate funding is identified and disbursed to undertake the FVPLS activities required in each community. The funding amount is based on a robust assessment process taking into consideration a range of factors.
- **Surplus Funds**
The AGD encourages units to spend all expenditure. If there are surplus funds the Unit must advise the AGD how they intend on expending the money. Units should negotiate with the Auspice body to spend the surplus funds submitting a justification to AGD then the monies can remain with the Unit for service delivery purposes.
- **Trust Funds**
Units can set up trust funds and there is information in the Policies and Procedures Manual detailing the process.
- **Budget Questions**
Units are able to shift money from one line item to another, as long as the total approved budget amount doesn't change. Unit budgets through the application and assessment process. If costs are affected by remoteness or unexpected workloads, units should request additional funds from the AGD, units will need to provide full justification when requesting additional funds.
- **Wages**
Each unit is to determine salary rates due to each State having different employment awards, the same jobs may have different pay levels in each State or Territory. In developing budgets in the application it would be beneficial to state the award and salary level for each employee.
- **Quarterly Reports**
The AGD has set up a small database to capture quarterly performance indicators information for the purpose of analysis. Each unit should email the completed templates to Catherine Wright (AGD Program Officer) the end of each quarter. All reports submitted must follow the template which in section 1. & 2. qualitative data is captured and in section 3. quantitative data.

- **Police Checks**
Police checks are suggested by the AGD, but it is up to a particular community to decide if checks are needed to demonstrate credibility. One unit reported that they had paid for checks because they felt it was important for their board's credibility.
- **Complaints**
AGD do not have any templates available for complaints received by the Unit. If new units do not have a process in place, they should speak to existing units and adapt their processes to local needs. One informal way is by having a suggestion box in the reception that allows for positive or negative comments from clients.
- **Conflict of Interest**
Within the indemnity insurance policies it sets out the procedure for assessing a conflict of interest. Units are encouraged to adopt the process detailed in their policy. Units should also clarify whether their indemnity insurance covers directors if a client would like to undertake litigation against the Organisation. It is important to have good conflict systems in place close to establishment, due to the danger of solicitors being struck off if a conflict of interest emerges.
- **New Unit Reporting Issues**
If new units required more time to adopt the Framework and develop the services from a Program Performance Indicator (PPI) perspective. Ms Beattie suggested that units send in the blank form indicating the name and the reporting period and an explanation stating that they are a new unit and therefore have not completed the requirement yet.
- **Audits**
Units were requested to send their audit reports to Mr. Huddy as soon as possible, so that any unspent funds from last financial year can be considered and identify any surpluses.
- **Contacting AGD**
In the first instance, units should call Margaret Beattie on (02) 6250 6431.
- **Solicitors' Discussion**
The discussion was a good opportunity for solicitors to get together and share ideas. They plan to have quarterly telephone hook ups, and will put together and circulate an FVPLS contact list for solicitors. A copy will also be provided to the AGD.

Ms Beattie noted the general comments about performance indicators and hoped that participants gained a better understanding of what is expected by the AGD. Ms Beattie asked if workshop participants wanted to spend some time discussing performance indicators at this workshop. Participants agreed to Ms Beattie's suggestion that the AGD send out information to each unit after the Workshop.

Key Outcome 3

Provide information on Federal and State Government programs which focus on Indigenous Family Violence

Panel Discussion including; Presentations by FaCS (Robert Ryan & Lisa Croft), VIC State Government (Jan Muir), QLD State Government (Jesse Wilson), SA AGD (Jaki Banks)

Representatives from the Department of Family and Community Services (FaCS), the South Australian Attorney-General's Department, the Queensland Department of Communities, the Victorian Department of Human Services, The Attorney-General's Department Family Pathways Program, and a representative from the Family Court gave brief presentations.

Robert Ryan from the Family Violence Section in FaCS (Canberra) gave an overview of two programs his area is responsible for administering the Family Violence Activities Program (FVAP) and the Family Violence Partnership Program (FVPP):

- The FVAP aims to prevent violence, sexual assault and child abuse and to meet the needs of the local community. This program is currently funded at \$4.2 million a year.
- The FVPP operates by developing projects administered by the Commonwealth in partnership with State and Territory governments. Projects aim to empower local communities to develop and run projects. The Family Violence Work Unit employs seven staff including one Indigenous staff member.
- Some FaCS projects are funded directly, and Indigenous Coordination Centres (ICCs) manage the funding process. There are occasions when State governments assess funding by taking into account community views however it is possible for states to drive projects rather than the local communities.

Discussion

- An issue was raised about arrangements for funding of the Women's' Legal Services in Port Augusta. It was reported that the local unit had been unable to get a representative from the Women's' Legal Service to attend their monthly meetings, because they are not funded under the FVLPS program according to the local FaCS ICC representative. Mr Ryan confirmed that they are funded by FaCS and should be able to attend. Mr Ryan will take up the issue with the relevant ICC:-
- Ms Beattie gave some feedback about the difficulties FVPLS staff face in communicating with FaCS staff. Ms Beattie and Mr Ryan have talked about the operational issues at some length. They agreed that communication with FaCS staff at the first point was important, but noted that there are continuing problems. Mr

Ryan said that his team will continue to address the issues that FVPL'S have with communicating with FaCS and asked that participants to contact Maureen Gain to talk about any problems they are having.

- One participant thanked Mr Ryan for the excellent support provided by the FaCS Sydney office and particularly acknowledged the efforts of Angela, Roger and their staff.

Jaki Banks from the South Australian Attorney-General's Department discussed South Australian Indigenous Family Violence initiatives. The SA Department is working with a framework for responding to violence against women in a five year period. The Framework is action based and developed by the previous State Government. Some of the funded initiatives include the Yalata Feasibility Study, which relates to the establishment of a multi purpose centre and the Supported Tenancy Accommodation Project.

Jesse Wilson from the Queensland Department of Communities focused her presentation on the activities of the Queensland Department of Communities Violence Prevention Team.

The team focuses on early intervention and has a relatively small staff, with recruitment currently underway which includes one identified Indigenous position. The team has a broad focus, looking at Queensland-wide programs to address domestic and family violence, not just specific to Indigenous family violence.

The Department of Communities provides funding for healing services in several Queensland communities based on work and research done in Canada. Some programs have worked well and each healing service has a unique service delivery model. These programs are a mixture of traditional and therapeutic approaches and all programs will be evaluated in the near future.

Perpetrator programs for Indigenous and non-Indigenous Australians are a major focus of the Queensland Government and extra funding has now been made available for new programs. There are eleven perpetrator programs funded and further funding should increase substantially.

Jan Muir from the Victorian Department of Human Services discussed the Victorian Indigenous Family Violence Strategy, a community led approach with enhanced partnerships between Units and the State Government.

A 2001 taskforce made recommendations in 2003, which included work being carried out by regional action groups in Victoria. Initiatives from the recommendations include Indigenous healing programs and scholarships.

Program performance targets have been developed in consultation with communities where the programs are being delivered and may include reduced numbers of incidents being reported to police.

Programs planned for the future include Indigenous men's resource and advisory service, time out services, training and support for Indigenous Family Violence Services. One regional action group has successfully run a "No to Violence" week. Challenges for the future range from managing the current community led strategy, supporting diversity in leadership styles, and managing the various projects and examining the definition of empowerment in local communities.

Sue Pidgeon and Debbie Bargallie from AGD Family Pathways gave a presentation about the new initiative of Family Relationship Centres and outlined their purpose and function and their specific application to Indigenous Australians.

In 2006 fifteen Family Relationship Centres- (FRC) will be established predominately in metropolitan areas, there will be some located in regional areas. 65 Family Relationship Centres will be established over three years.

The priority of the FRC is dispute resolution and helping people avoid the Family Law Court process where possible.

The Family Relationship Centres will have two key roles:-

1. An introduction and referral role about the services available for clients. This is available to all families.
2. In the case of separating families with children, they will provide services to talk through the issues where appropriate and arrange dispute/mediation sessions with other family members.

Ms Bargallie spoke about the implementation of Family Relationship Centres specifically about service provision for Indigenous people.

All FRCs will be expected to provide appropriate services for Indigenous people throughout their catchment areas. Initially funding will be provided in four locations: Darwin, Mildura, Townsville and Lismore to provide Indigenous Outreach Services. The four FRCs will implement strategies and initiatives to ensure access by Indigenous people to the FRC and it is proposed that an Indigenous man and woman will be available in each FRC to act as cultural advisers and liaise with other Indigenous groups and provide linkages to the Indigenous community in the identified locations. The Indigenous Advisors will have a similar role to Family Consultants and will provide assistance to the system as a whole. The past Indigenous Family Consultants program in the Family Court has led to a substantial increase in Indigenous people using the Family Court.

Indigenous Advisors will be eventually placed in 12 of the 65 FRC's located around the country that will provide outreach services for Indigenous people. These services will provide culturally appropriate services sensitive to Indigenous peoples needs. It is envisaged that FVPLS will refer people to the new Centres under the new arrangements due to having more than likely mutual clients.

Discussion

- Indigenous Outreach Services in four FRCs located in Darwin, Mildura, Townsville and Lismore. Overall there will be approximately 12 centres that will provide outreach services for Indigenous people.
- All FRCs around Australia will be required to provide appropriate services for Indigenous people, not just the four identified FRCs that provide outreach.
- There will be very good screening processes and Centres will be trained before they start to be able to recognise and deal with domestic violence issues. They will have procedures in place to deal with issues such as face to face confrontations with perpetrators.
- The intention is to liaise with potential clients when the Centres are being established to ask how they think the service can be delivered in a culturally appropriate way.
- The Government is trying to deal with issues outside the court. Ms Pidgeon noted comments by participants that Centres should address family issues that sit below court issues, as at times communities are not able to deal with court issues themselves because of underlying issues that they are facing.
- The AGD has adopted a definite process to demonstrate effective links with the community to provide more efficient and effective service delivery for Indigenous people.

There is an assumption that Indigenous Consultants will be Indigenous. The Attorney-General has a view that there shouldn't be identified positions. However, Ms Pidgeon would be surprised if they weren't Indigenous having to meet strict selection guidelines with demonstrated abilities working with Indigenous people.

- A participant expressed concern about the fact that the new Centres will be mainstream services, as Indigenous concepts of families may be different. Ms Pidgeon responded that the definition of family can be interpreted to meet client needs.

The guest speakers thanked the participants for their comments and will endeavor to keep units up to date in regards to the development of the Family Relationship Centres.

Stephen Ralph from the Family Court gave a summary of the development of Indigenous Programs and Policies dating back to 1993. Mr. Ralph's position of National Coordinator of Indigenous Family Consultants was created in 2002.

The Family Court employs Indigenous Family Consultants who:

- are locally known and respected Indigenous people
- are employed within the Court's Mediation Service
- work as a male and female team
- are accredited court mediators

Their roles include assisting Indigenous families to access the Court, consulting with Indigenous communities, providing advice to the Court on cultural issues and assisting mediators and other Court staff in working with Indigenous families.

There are plans to expand the program as recommended by the Family Law Pathways Advisory Group and the House of Representatives Standing Committee on Family and Community Affairs.

Mr. Ralph also discussed the Court's Family Violence Strategy 2004-2005 which is a major commitment by the Family law Court to the management of matters involving violence and the protection from harm of its clients, their children and staff.

Key Outcome 4

Provide information on external counseling service providers

Tony Matko and Kim Ball – Positive Control

The presentation involves a program that is delivered in Kempsey which focuses on the need for individuals to learn more about dealing with anger.

The principle of the program is about identifying external and internal anger triggers and how they can lead to loss of control as well as rational versus irrational thinking. The program teaches individuals to recognise their triggers and learn the skills needed to change their thinking patterns to control the emotion of anger; they are able to make positive decisions for themselves and those around them.

The Kempsey unit has been running their own program for the past year and a half. The program has targeted both men and women and has had some successful outcomes. Participants included people ordered by the Court to attend, and although they were initially reluctant to participate, were glad they did it in the end this is a Positive Control program for families.

Potential measures of success of the program for individuals include increased self-esteem, increased ability to deal with and accept conflict appropriately, replacement of aggressiveness with assertiveness and decreased incidence of antisocial behavior.

Aunty Joyleen Koolmatre – Post Traumatic Stress Disorder

Aunty Joyleen began her presentation with some history about Indigenous people, stated that due to the events of history; violence and sexual assault are part of Indigenous communities today.

Every Indigenous family has been touched by trauma, and some have multiple traumas in their family. Indigenous people are living with symptoms of Post Traumatic Stress Disorder (PTSD), and think that it is normal. Ms Koolmatre believes there is a gap in services in treating PTSD and many Indigenous People are unaware of the signs and symptoms of PTSD.

With the closure of ATSIC Ms Koolmatre has heard a lot of comments from non Indigenous people stating that Indigenous people cannot handle their own affairs, this is a concern because Indigenous people are indeed losing control over their own lives.

There are many implications for participants in this workshop to provide effective services for Indigenous people due to their own personal trauma not being addressed. The positions of sexual assault workers will be difficult to fill for many reasons and one being that people that may wish to apply may have experienced sexual abuse themselves.

Ms Koolmatre said that Indigenous people have a high rate of burn out because of the unresolved areas of trauma. This should not mean that Indigenous people cannot be employed in these positions; it means the area must be addressed to allow capacity building within Indigenous communities.

Key Outcome 5

Opportunity to participate in research by the Australian Institute of Criminology into Indigenous Family Violence

Presentation by Katherine McLachlan, Australian Institute of Criminology

Ms McLachlan is undertaking a research project as part of the Australian Government's Women's Safety Agenda, in the area of sexual assault of Indigenous women and the criminal justice response. The aim of the project is to drive policy change.

Previous research has highlighted the critical shortage of information on rates of sexual violence in diverse communities, combined with a lack of understanding of the needs of victims/survivors in these communities.

There is clear evidence that marginalisation and isolation increase vulnerability to sexual victimisation but decrease the likelihood of reporting to police among women who are from Indigenous communities.

The Aboriginal and Torres Strait Islander Women's Task Force on Violence Report stated that the criminal justice system's response to Indigenous people was the 'greatest source of grief' (ATSIWTFV 2000:216). The report indicated that many sexual assaults go unreported because women have 'lost faith' in the criminal justice system and perceive criminal justice agencies as ineffective.

There have been a number of excellent studies and projects working with communities to promote better service responses, e.g. "It is important to use culturally appropriate approaches to research which are applied in a collaborative, participatory way, are unstructured and use Indigenous researchers" (Top End Women's Legal Service TEWLS).

Ms McLachlan is keen to talk to a range of people for the project activities may include:-

- talking to workers/stakeholders
- surveying workers who have experience working with Indigenous women
- conducting interviews/focus groups with selected service providers
- attending community groups
- conducting focus groups with existing women's networks and community groups
- talking to victims/survivors of sexual abuse, and
- conduct focus groups and/or interviews with victims/survivors from Indigenous communities.

What researchers want to learn from each target group?

1. Workers

- a. their knowledge of women's experiences with the criminal justice system
- b. to identify some of the key issues – including challenges, barriers, problems
- c. to identify some good practice examples and how the criminal justice system response could be improved
- d. to discuss resourcing implications to address sexual assault of Indigenous women

2. Community groups

- a. women's understanding of sexual violence
- b. perceptions of the criminal justice system
- c. why women think that victims/survivors from their community are not engaging with the criminal justice system
- d. perceptions of the incidence of sexual assault in their communities and the impact on their community
- e. how the criminal justice system could be improved

3. Victims/survivors

- a. women's experiences with the criminal justice system
- b. identify challenges, barriers, problems
- c. identify the objectives of victims/survivors in involving the criminal justice system
- d. suggestions to improve the process/relations between victims/survivors and criminal justice agencies

The ultimate goals of the research are to promote and influence equitable police and court policies and practices that foster an environment which is responsive to the needs and preferences of victims/survivors from diverse communities including Indigenous women.

Final Session

Ms Beattie thanked all participants for attending the Workshop and for their significant contribution to the discussions on a range of important issues facing the Family Violence Prevention Legal Services.

Ms Beattie talked briefly about activities for the coming year noting in particular the list of skills development assistance requested by participants, namely:

1. Sexual Assault Worker Credited Training – funding to be negotiated with FACS
2. Governance training for management/steering committees – there are quite a few different providers for this type of training
3. Business consultants – to visit units to help with issues
4. Accounting for non accountants – will examine ways this can be delivered

On a final note Ms Beattie introduced the new members of AGD staff Mr. Edward Huddy who is responsible for Grant Management and Ms Catherine Wright who is responsible for Quarterly Performance Report analysis. She advised participants to feel free to contact the AGD to discuss any issues. Further Ms Beattie reinforced that the AGD staff in the FVPLS section want to assist Units and their dynamic staff to be the best that they can be so that Aboriginal and Torres Strait Islander families can live free from violence. Ms Beattie wished everyone a safe journey home and officially closed the Workshop.

APPENDICES

APPENDIX A – Workshop Agenda

FVPLS Annual Workshop 10-11 November 2005
Agenda
Margaret Beattie, Facilitator

Thursday 10 November, 2005

- 9:05am Welcome to Country
- 9:20am General welcome, housekeeping and introductions
- 9:35am Welcome from the Attorney-General's Department
- *John Boersig*
- 9:50am Operational Framework – Margaret Beattie will outline the Operational Framework, and participants will be broken into groups to discuss
- 10:30am Morning Tea
- 10:45am Operational Framework – Group Discussion and questions
- 11:15am Program Expansion – comments and evaluation
- 11:45am Post Traumatic Stress and Indigenous communities – Joyleen Koolmatre
- 12:00pm National Network of Indigenous Women's Legal Services Presentation
by Denese Griffin and Melissa Stubbings
- 12:30pm Lunch
- 1:30pm Presentation - "Positive Control" by Tony Matko and Kim Ball -
Questions from the participants will be encouraged
- 2:30pm Phynea Clark and Angela Dowling discuss the World Conference on
Family Violence
- 3:00pm Afternoon Tea
- 3.15pm State and Territory Delegates panel
FACS Family Violence Prevention Director Robert Ryan, Lisa Croft,
Maureen Gain

Victorian Department of Human Services, Jan Muir.
South Australia, Aboriginal Justice Strategy and Community
Development representative Jaki Banks
Queensland Department of Communities Violence Prevention Team
representative, Jess Wilson

- 5:00pm Close
- 6:30pm Dinner – BBQ at Hotel Heritage

Friday 11 November, 2005

- 9:00am Introduction and summary of previous day
- 9:15am Unit showcase – Walgett
- 9:30am Katherine McLachlan Research Analyst, Australian Institute of
Criminology – sexual assault research project
- 9:45am Finance Presentation – Edward Huddy will outline financial statement
reporting, performance indicator reporting, the reporting timeline and
activity generated income
- 10:30am Morning Tea.
- 10:45am Stephen Ralph – Role of Family Court Consultants
Questions from the floor will be encouraged.
- 11:30am Family Relationship Centers - Overview provided by Sue Pidgeon and
Debbie Bargallie of Family Pathways Branch.
Questions from participants will be encouraged
- 12:30pm Lunch
- 1:00pm Policy and procedures manual
Performance Indicators – “Who is a client?”
- 2:00pm Performance Indicators and General Administration
- 3:00pm Afternoon Tea
- 3:35pm Plenary session and final comments
- 3:50pm Evaluation
- 4:00pm Close

APPENDIX B – PARTICIPANT CONTACT DETAILS

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APPENDIX C – Summary of Evaluation

SUMMARY OF EVALUATION OF THE WORKSHOP

A total of (27) participants completed evaluation forms. Of these 24 participants expressed that the Workshop met their expectations well too very well.

All evaluations said that the Workshop will impact on the way they work.

Comments

- “The amount of information was very valuable”
- “I enjoyed the workshop very much. Almost all speakers were excellent and provided me with lots of relevant information I can take back and share”
- “I have come away with new ideas and a renewed enthusiasm”

Continuous improvement or best practice ideas

- Keep the Annual Workshops
- Coordination of presentations. Too much time waiting for technology and some speakers went over time
- More group work to share ideas
- Session of finances needed to be longer
- Discuss having state forums e.g. 2 per year in addition to the annual conference
- Maybe too much on the agenda for 2 days (2)
- Indigenous sessions of workers and directors e.g. lawyers can often have a different view

Ideas for topics to be covered in the next workshop

- More about the Operational Framework. New units seemed to have lots of issues and it would be useful to spend half a day specifically on this. The key issues could be set before half day so that it stays focused on those key issues.
- Healing workshops for participants
- Make time to give all units a chance to present their service (2)
- Data collection in detail
- Time for rural and remote areas to discuss their issues
- Auspice bodies to explain how they deal with the FVPLS in terms of sharing skills especially around finance. Perhaps this could be done as a panel and the Auspice bodies answer questions
- Recruitment processes
- Coordination of units to meet yearly
- Leave for staff – particularly funerals, where there is a large percentage of deaths in the community and because of cultural issues of family relationships, staff have to attend more service sharing presentations – especially re models/activities/good practice ideas etc.

APPENDIX D – Binaal Billa Family Violence Legal Service Presentation

Refer to Compact Disc

APPENDIX E – Walanbaa Yinnar Wharoo Presentation

Refer to Compact Disc

APPENDIX F – AGD Finance Presentation

Refer to Compact Disc

APPENDIX G – FaCS Presentation

Refer to Compact Disc

APPENDIX H – Family Court Presentation

Refer to Compact Disc

APPENDIX I – Positive Control Program

Refer to Compact Disc

APPENDIX J – Research Analyst Australian Institute of Criminology

Refer to Compact Disc