

OFFICIAL: Sensitive

PDR: MS19-004719

NATIONAL INDIGENOUS AUSTRALIANS AGENCY

NIAA
CEO
Prof Anderson
Mr Exell
Section 47F

To: Minister for Indigenous Australians (for signature by 22 September 2019)**FUTURE FUNDING OPTIONS FOR FAMILY VIOLENCE PREVENTION LEGAL SERVICES**

MO
Mr Fordham
Section 22

Recommendations - that you:

1. Approve a non-competitive direct approach to Family Violence Prevention Legal Service (FVPLS) providers as permitted under the Indigenous Advancement Strategy (IAS) Grant Guidelines for the Safety and Wellbeing Programme (Activity 1.3).

Agreed / ~~Not Agreed~~

2. Agree to fund the FVPLS \$75 million (GST exclusive) over three years from 2020-21 to 2022-23 from IAS Activity 1.3.

Agreed / ~~Not Agreed~~

Section 22

KEN WYATT

Date:

1 October 2019

Comments:

Section 22

Key Points:

1. Family Violence Prevention Legal Service (FVPLS) providers currently receive \$121.2 million over five years (2015-2020) under the Indigenous Advancement Strategy (IAS) Safety and Wellbeing Programme (Activity 1.3). Current funding arrangements for FVPLS providers are scheduled to cease on 30 June 2020.
2. The recent Charles Darwin University (CDU) Impact Evaluation of the FVPLS program recommended continued funding for FVPLS providers due to their delivery of effective legal services for their clients. The evaluation found that with a renewed focus on best practice design of violence prevention initiatives, there is potential for services to contribute to safety and to the reduction of repeat victimisation. The National Indigenous Australians Agency (NIAA) has consistently advised the sector that future funding decisions will be informed by the findings of the evaluation Section 22
3. On this basis, the NIAA recommends that funding for FVPLSs through the IAS is continued, and increased from approximately \$24 million per year to \$25 million per year (GST exclusive), fully offset within IAS Programme 1.3. Continuing Commonwealth investment in the FVPLS program will provide operational certainty for providers.

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4. FVPLS providers have not had an increase to core funding in five years, but have been expected to deliver additional services to higher caseloads in that time. Increasing the funding package for the program will also enable the NIAA to:
 - a. strengthen legal assistance service delivery; and
 - b. enhance the development and implementation of best practice prevention and early intervention approaches to family and domestic violence in Indigenous communities.

Section 47C

Section 47E(d)

8. The CDU evaluation made strong recommendations to significantly reform the Secretariat
Section 47E(d) Key findings of the evaluation and feedback from FVPLS providers indicate that the Secretariat is not meeting the needs of the sector. Section 47E(d)

Section 47E(d)

Section 47E(d) As such, the NIAA proposes to divert funds originally intended for the Secretariat to the FVPLS providers to increase support for essential services including best practice service delivery, legal assistance and violence prevention initiatives.

Section 47E(d)

9. The legislative authority for this spending is provided by Items 35 to 39 of Part 4 of Schedule 1AB of the Financial Framework Supplementary Powers Regulations. To approve a grant you must be satisfied that the expenditure is a proper use of relevant money, as detailed in your legislated Ministerial obligations, provided at Attachment C.

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10. This brief seeks your approval for funding for FVPLS, which is an activity delivered by 14 FVPLS providers valued at a total of \$75 million (GST exclusive) over three years, with a risk rating of low.
11. This brief seeks your approval to proceed with a non-competitive, direct approach to FVPLS providers as permitted under the IAS Grant Guidelines and paragraph 11.5 of the Commonwealth Grants Rules and Guidelines (CGRGs). A direct approach is recommended because there are no reasonable alternative providers available, and a recent independent impact evaluation supports continued funding of the FVPLS program to all providers.
12. The proposal at Attachment A is a grant as defined by the Commonwealth Grant Rules and Guidelines (CGRGs) because it will assist the providers to deliver culturally appropriate legal and support services, and family violence prevention services, to Aboriginal and Torres Strait Islander women and their children experiencing family and domestic violence. This aligns with the Australian Government objective of addressing and reducing family violence in Indigenous communities.

Sensitivities:

Section 47C

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Section 22

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Section 22


Blair Exell
Group Manager
Education, Community Safety and Health
11 September 2019

Policy Section 22
Phone no: Section 22
Consultation: Closing the Gap, Program
Office, Administered Business Partnering

ATTACHMENTS

ATTACHMENT A PROPOSED FVPLS FUNDING STRUCTURE

Section 47E(d)

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Section 22

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ATTACHMENT D IAS ASSESSMENT CRITERIA


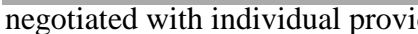
Proposed Family Violence Prevention Legal Services Funding Structure

The National Indigenous Australians Agency (NIAA) is seeking approval for funding for Family Violence Prevention Legal Services (FVPLS), which is an activity delivered by 14 FVPLS providers valued at a total of \$75 million (GST exclusive) over three years with a risk rating of **low**. If this funding is agreed, NIAA will need to enter into immediate negotiations with FVPLSs to finalise the funding agreements with each provider before the current funding arrangements are scheduled to expire on 30 June 2020.

NIAA recommends that funding through the Indigenous Advancement Strategy (IAS) is continued and increased from approximately \$24 million per year to \$25 million per year (GST exclusive). Section 47C 


Section 47C 





 Specific funding amounts and arrangements will be negotiated with individual providers based on community needs and performance requirements.

Section 47C 

INDIGENOUS ADVANCEMENT STRATEGY ASSESSMENT CRITERIA

- 1. Need – The activity is needed to provide improved outcomes and there is a demand for the activity from the target Indigenous community or group.**
 - a) There is evidence the proposed activity is needed and will support improved outcomes in the target Indigenous community or group.
 - b) The target community or group supports the proposed activity and has been involved in its design.
- 2. Quality – The organisation that will deliver the proposed activity is committed to and capable of working with the target Indigenous community or group.**
 - a) The organisation has, or can build, positive relationships with Indigenous Australians, community organisations and other key stakeholders in the delivery of the proposed activity.
 - b) The organisation is able to learn from experience and adapt practices to ensure improved outcomes from the proposed activity.
 - c) The organisation is committed to the employment of Indigenous Australians in the delivery of the proposed activity.
- 3. Efficiency – The proposed activity will support the intended outcomes in a way that appropriately manages risk, is cost effective and is coordinated with relevant stakeholders in the target community.**
 - a) It is clear how the proposed activity will achieve the intended outcomes with the available grant funding.
 - b) It is clear how the proposed activity will link with existing activities associated within the target community or group.
 - c) It is clear how the risks associated with the proposed activity will be managed.
 - d) It is clear how the organisation will monitor the performance of the proposed activity and manage the financial aspects of the grant funding.
- 4. Effectiveness – The proposed activity can deliver the intended outcomes and sustain the outcomes into the future.**
 - a) There is evidence that the proposed approach has the potential to deliver the identified outcomes.
 - b) It is clear how the intended outcomes of the proposed activity are to be sustained into the future.
 - c) It is clear how the organisation will gather evidence to measure the effectiveness of the proposed activity.

While not formal assessment criteria, the process took into account the following value for money considerations including:

- a) The available IAS funding envelope;
- b) The relative merits and risks of each application;
- c) The objectives and outcomes to be achieved with the funding;
- d) How the activities align with the Programme outcome and objectives, Government priorities, existing services and service footprint;

- e) The range, size and geographical distribution of projects and the desirability of ensuring there is an appropriate range and distribution of projects and balance in funding across the priority areas;
- f) The range and relative cost of projects; and
- g) The applicant's performance history and demonstrated ability to deliver the services in the relevant community.

NIAA
Mr Exell
Section
Section 22

IASAMO
Grants Policy

To: Blair Exell, Group Manager, Education, Community Safety and Health Division

**INDIGENOUS ADVANCEMENT STRATEGY (IAS) FUNDING
RECOMMENDATIONS: PROGRAM 1.3 – FAMILY VIOLENCE PREVENTION
LEGAL SERVICES (FVPLS) SECRETARIAT GRANT ACTIVITY CEASING 30
JUNE 2020**

Recommendations - That you:

1. Agree, as decision maker, you are aware of your obligations under relevant legislation and are satisfied any agreed expenditure is a proper use of relevant money.
Agreed / Not Agreed
2. Note the requirement for you to declare in the comments section of Attachment A, any real, potential or perceived Conflict of Interest you may have with grant activities listed.
Noted
3. Agree you have made reasonable enquiries and managed and/or disclosed any conflicts of interest in relation to the proposals in accordance with relevant laws and policies.
Agreed / Not Agreed
4. Agree not to continue funding the Family Violence Prevention Legal Services (FVPLS) Secretariat grant activity that is due to cease on 30 June 2020 from IAS Program 1.3 Safety and Wellbeing, as detailed at Attachment A.

Section 22

Agreed / Not Agreed

BLAIR EXELL

Date:

8/11/19

Comments:

Noting importance of ongoing work to ensure support for sector 'unice' & representation is still supported

Key Points:

1. This brief seeks your approval to not continue funding the FVPLS Secretariat grant activity under the Indigenous Advancement Strategy (IAS) due to cease on 30 June 2020 from IAS Program 1.3 Safety and Wellbeing, as detailed at Attachment A.
2. On 1 October 2019, the Minister for Indigenous Australians agreed to allocate IAS 1.3 Safety and Wellbeing funding of \$75 million over three years to the FVPLS providers (MS19-004719 refers).
3. This brief outlined NIAA's proposal to cease funding to the FVPLS Secretariat and to redirect funds from the FVPLS Secretariat to FVPLS providers Specific funding

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distribution between the FVPLS providers will be worked through over the coming months.

4. We are now seeking your delegate authority to cease funding to the FVPLS Secretariat from 30 June 2020 onwards. Delegate authority is needed as the Ministerial brief that recommended ongoing funding for the sector (MS19-004719) did not include the requisite authority to confirm the Secretariat's funding cessation. While the body of the brief referred to diverting Secretariat funding to frontline services, this was not specifically agreed to by the Minister in the brief's recommendation box.

Policy coverage provided.

2019 independent impact evaluation of the FVPLS program (conducted by Charles Darwin University) made strong recommendations to significantly reform the Secretariat

Section 47E(d) Key findings of the evaluation and feedback from FVPLS providers indicate that the Secretariat is not meeting the needs of the sector, and communications between the NIAA and the Secretariat indicate the Secretariat is not open to reform.

The Secretariat has previously received IAS Program 1.3 Safety & Wellbeing funding of \$488,014 over two years to advise the NIAA and the FVPLS services on national issues, promote FVPLS priorities, coordinate communications between FVPLS services and assist with governance and operational issues.

7. This grant activity has been assessed against the IAS assessment criteria as required under the IAS Grant Guidelines (refer to the [IAS Assessment Criteria](#)/Assessment/GAM Supporting Documents in the Grants Administration Manual to view criteria). A simplified assessment process as permitted under Section 6.2 of the IAS Grant Guidelines has been applied to minimise administrative workloads on providers.
8. Under the Decision Making Policy for Administered Funding (Grants), you are authorised to approve total activity value of up to \$3 million with an activity risk assessment (ARA) rating of up to medium. Total activity value is interpreted to be the new funding value (not including the original funding amount).
9. The ARA rating is based on the Organisation Risk Profile (ORP), the annualised grant value and the nature of the activity being direct or indirect due to the impact on grant beneficiaries. The ORP is determined based on the organisation's financial management, governance and service delivery capability.
10. Should you agree to continue funding the activity, this brief seeks your approval to proceed with a non-competitive direct approach to the National FVPLS Secretariat as required in accordance with paragraph 11.5 of the CGRGs. A non-competitive direct approach is recommended should you agree to continue funding the activity because NIAA has assessed the FVPLS Secretariat as best placed to deliver the grant activity at this time.
11. Should you agree to fund the activity, the activity is a grant as defined by the Commonwealth Grant Rules and Guidelines (CGRGs) because it will assist the FVPLS Secretariat to provide services for the benefit of the community, which aligns with the Government's objectives under the IAS.

12. Should you agree to continue funding the activity, the NIAA will work with the provider to agree Key Performance Indicators (KPIs) for the grant that will be closely monitored. This includes mandatory performance measures relating to core service provision and Indigenous employment, and any additional measures specific to the activity.

13. A set of risk-based grant controls as outlined in Attachment B will also apply to the grant to support effective implementation and monitoring based on the ARA.

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15. The legislative authority for this spending is provided by Items 35 to 39 as Part 4 of Schedule 1AB of the Financial Framework Supplementary Powers Regulations. In order to approve a grant you must be satisfied the expenditure is a proper use of relevant money. Further information, including Decision Makers' obligations under relevant legislation can be found at 'Decision makers – obligations/GAM Supporting Documents in the Grants Administration Manual'.

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Branch Manager
Women, Families and Children
30 October 2019

Policy Officer:

Phone no:

Mob no:

Consultation: Program 1.3, Grant Policy,
Administered Business Partnering, IAS
Ceasing Activities Team

ATTACHMENTS

ATTACHMENT A IAS GRANT PROPOSALS FOR DECISION

ATTACHMENT B CORE GRANT CONTROLS BASED ON ACTIVITY RISK LEVEL

Section 47E(d)

Row Number	Organisation Details	Recommended Action	Project Summary and Outcomes	Recommendation	Criteria Assessment
1	<p>Organisation: ABORIGINAL AND TORRES STRAIT ISLANDER CORPORATION FAMILY VIOLENCE PREVENTION AND LEGAL SERVICE (VICTORIA)</p> <p>Indigeneity: Yes</p> <p>Risk Rating: Low / Minor</p> <p>Region: National Office</p> <p>Programme (currently funding Activity): 1.3 - Safety and Wellbeing</p> <p>Sub component: SW - Violence Reduction and Victim Support Projects</p>	Cease - Funding	<p>FVPLS National Secretariat</p> <p>The Family Violence Prevention Legal Services (FVPLS) Secretariat has been funded to provide for the appointment of a Chair and Secretariat for the 14 National Family Violence Prevention Legal Service organisations. The Secretariat advises the Agency and the FVPLS services on national issues, promotes FVPLS priorities, coordinates communications between FVPLS services and assists with governance and operational issues.</p> <p>Current Total Funding (ex GST): \$488,014 Start Date: 01/07/2018 End Date: 30/06/2020</p>	<p>Recommendation: The Agency recommends that funding for this activities is ceased at 30 June 2020. Section 47E(d)</p> <p>Section 47C</p> <p>Section 22</p>	<p>This proposal has been assessed against the IAS criteria in accordance with the IAS Grant Guidelines and does not meet the IAS Assessment Criteria. Section 47E(d)</p> <p>The funding for the Secretariat is auspiced via Djirra (one of the FVPLS providers) and feedback received by the Agency is that other FVPLS providers feel they are not appropriately and equally represented by the Secretariat. The findings of Charles Darwin University's evaluation of FVPLS sector (to be publically released in October 2019) found that the Secretariat was displaying ineffective performance.</p> <p>Ceasing this activity will not result in a service gap.</p>

Core Grant Controls Based On Activity Risk Level

Core Control	Low Risk	Medium Risk	High Risk	Extreme Risk
Performance reporting and payments	<u>Letter of Offer</u> <ul style="list-style-type: none"> - Annual payment - Verification of project delivery <u>Standard Grant Agreement:</u> <ul style="list-style-type: none"> - Annual performance report against KPIs - Annual payment tied to acceptable performance report 	<u>Standard Funding Agreement</u> <ul style="list-style-type: none"> - Bi-annual performance report against KPIs - Bi-annual payments tied to acceptable bi-annual performance reports 	<u>Standard Funding Agreement</u> <ul style="list-style-type: none"> - Bi-annual performance report against KPIs - Bi-annual payments tied to acceptable bi-annual performance reports - Project Budget 	<u>Standard Funding Agreement</u> <ul style="list-style-type: none"> - Bi-annual performance report against KPIs - Quarterly payments per annum - Payments tied to acceptable bi-annual performance reports and bi-annual site visits - Project Budget
Site visits	Nil	<ul style="list-style-type: none"> - Annual site visit 	<ul style="list-style-type: none"> - Bi-annual site visits 	<ul style="list-style-type: none"> - Bi-annual site visits
Financial report and Acquittals	<ul style="list-style-type: none"> - Annual Financial Declaration (sampled only) 	<ul style="list-style-type: none"> - Annual Non-audited Grant Expenditure Report 	<ul style="list-style-type: none"> - Annual Audited Grant Expenditure Report 	<ul style="list-style-type: none"> - Annual Audited Grant Expenditure Report

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PDR: MS19-005067

NATIONAL INDIGENOUS AUSTRALIANS AGENCYNIAA
CEO
Prof
Anderson
Mr Exell**To: Minister for Indigenous Australians (for decision by 13 December 2019)****REDIRECTING SECRETARIAT FUNDING TO THE NATIONAL FAMILY VIOLENCE PREVENTION LEGAL SERVICES (FVPLS) FORUM MEMBERS**MO
Mr
Fordham
Section 22**Recommendation(s) - that you:**

1. Note the independent evaluation recommended reforms to the National Secretariat to support improvements to Secretariat services for member organisations. Section 22
Noted
2. Agree to fund an additional \$244,000 (GST exclusive) per year for three years (2020-21 to 2022-23) from IAS 1.3 Safety and Wellbeing program equally across all 14 FVPLS providers, to support their participation in the National Forum. Section 22
Agreed / ~~Not~~ Agreed

3. Agree to issue a media statement advising of this funding decision. Section 22
Agreed / ~~Not~~ Agreed

4. Sign correspondence to all 14 FVPLS providers advising of this decision. Section 22
Signed / ~~Not~~ signed

KEN WYATT

Date: *10 December 2019*

Comments:

1. On 1 October 2019, you agreed to increase IAS 1.3 Safety and Wellbeing funding from \$72 to \$75 million over three years to support Aboriginal and Torres Strait Islander victims/survivors of family violence and sexual assault and to ensure the voices of women, children and families experiencing family and domestic violence are heard. NIAA will negotiate new funding agreements with each of the 14 Family Violence Prevention and Legal Service (FVPLS) providers (MS19-004719 refers).

2.

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3. The National Convenor of the Secretariat has expressed strong disappointment with the decision to change funding arrangements. Public commentary from the Secretariat has been critical and has ignored the overall increase and commitment for ongoing support to the National Forum and instead focussed on the possible change to Secretariat funding arrangements post June 2020.
 - a. The National Convenor has represented the decision as a 'ceasing of funding' issue which has gained some traction with the current Closing the Gap discussions with the Coalition of Peaks.

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5. We recommend Option C. This is a good policy outcome as it will ensure greater accountability for members and services. An outcome where the FVPLS members contribute to a central pool of resources from which member services are paid for was one of the models put forward in the CDU evaluation. It is also a common form of funding for peak body organisations.

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6. Dedicated funding of \$17,400 (GST exclusive) per provider per year will ensure each service is able to send staff to attend face to face National Forum meetings, have an equal say in how the forward program of work is developed and decided, and equally contribute to the development of resources to support client outcomes, member services, complaints-handling, transparency and other matters central to National Forum reform.
7. NIAA will work with your office to prepare a media statement and talking points supporting this decision. Correspondence advising the 14 FVPLS providers individually of this decision is at Attachments C-P. NIAA will also contact directly the 14 FVPLS providers to advise them of your decision.

Background:

8. On 13 November 2019, the Government announced its decision that funding for frontline FVPLS services would be increased and continued for a further three years (from 1 July 2020 to 30 June 2023).
9. On 13 November 2019, NIAA contacted all 14 FVPLS providers directly and informed the CEOs of the Government's decision to increase overall funding. This was well received. NIAA also advised all 14 FVPLS providers of the Government intention to change funding arrangements of the Secretariat from 30 June 2020 and that the Government remains committed to support the sector and a National Forum.
10. On 25 November 2019, members of your office and the NIAA met the National Convenor and Deputy Convenor of the Secretariat and confirmed that the Government remains willing to support a National Forum and is committed to working with all 14 FVPLS providers across the sector on best arrangements to maintain a National Forum going forward.
11. In that meeting, and through subsequent written correspondence, the NIAA offered to fund the 14 FVPLS providers to come together for a roundtable with an independent facilitator to co-design a way forward to ensure ongoing engagement with Government, while also supporting improvements to Secretariat services for member organisations as per the recommendations in the Charles Darwin University (CDU) evaluation.
12. On 5 December 2019, the National Convenor, Ms Braybrook, wrote to Mr Exell declining the offer to work with NIAA on a co-design process (Attachment A refers).
13. On 6 December 2019, the Secretariat issued a press release (at Attachment B) and there has been subsequent media coverage detailing the Government's decision regarding funding arrangements for the Secretariat from July 2020.

Blair Exell
Group Manager
Social Policy and Programs
9 December 2019

Policy Officer: Section 22
Phone no: Section 22
Consultation: Program Office, Closing the Gap.

ATTACHMENTS

ATTACHMENT A – 5 DECEMBER EMAIL FROM MS BRAYBROOK TO MR EXELL

ATTACHMENT B – 6 DECEMBER NATIONAL FVPLS SECRETARIAT PRESS
RELEASE

ATTACHMENT C – LETTER TO THIYAMA-LI FAMILY VIOLENCE SERVICE
INDIGENOUS CORPORATION

ATTACHMENT D – LETTER TO FAR WEST COMMUNITY LEGAL CENTRE INC

ATTACHMENT E – LETTER TO GUREHLGAM CORPORATION LIMITED

ATTACHMENT F – LETTER TO YOORANA GUNYA FAMILY HEALING CENTRE
ABORIGINAL CORPORATION

ATTACHMENT G – LETTER TO DJIRRA

ATTACHMENT H – LETTER TO ABORIGINAL FAMILY LEGAL SERVICES
SOUTHERN QUEENSLAND

ATTACHMENT I – LETTER TO QUEENSLAND INDIGENOUS FAMILY VIOLENCE
LEGAL SERVICE

ATTACHMENT J – LETTER TO FAMILY VIOLENCE LEGAL SERVICE ABORIGINAL
CORPORATION (SA)

ATTACHMENT K – LETTER TO SOUTHERN ABORIGINAL CORPORATION

ATTACHMENT L – LETTER TO MARNINWARNTIKURA FITZROY WOMEN'S
RESOURCE CENTRE

ATTACHMENT M – LETTER TO WESTERN AUSTRALIA FAMILY VIOLENCE
LEGAL SERVICE

ATTACHMENT N – LETTER TO NPY WOMEN'S COUNCIL ABORIGINAL
CORPORATION

ATTACHMENT O – LETTER TO NORTHERN AUSTRALIAN ABORIGINAL FAMILY
LEGAL SERVICE

ATTACHMENT P – LETTER TO CENTRAL AUSTRALIAN ABORIGINAL FAMILY
LEGAL UNIT

From: [Antoinette Braybrook](#)
To: [Exell, Blair](#); [Antoinette Braybrook](#); [Fordham, Michael](#)
Cc: [Section 22, Section 47F](#); [Phynea Clarke](#); [Alice Dowling](#); [Pat Turner](#)
Subject: RE: Follow up from meeting with NFVPLS [SEC=OFFICIAL]
Date: Thursday, 5 December 2019 10:07:38 AM
Attachments: [image021.png](#)
[image022.png](#)
[image023.png](#)
[image024.png](#)
[image025.png](#)

Dear Blair

Thank you for your reply.

The National Forum believes that the government's decision to discontinue our funding disregards the legitimate views of our members and the will of their organisations, within the rightful context of self-determination.

There has been no consultation or engagement with us while a co-design process has been proposed and considered without any informed input from us.

The decision of government to defund our National body is inconsistent with the CDU evaluation recommendations, and is a distortion and fabrication of the report, which explicitly points to the need for additional resourcing for us to undertake our national work. Not one recommendation supports the decision to defund.

This arbitrary decision demonstrates a lack of commitment to ensuring the voices of Aboriginal and Torres Strait Islander women and children, who experience family violence at vastly disproportionate rates remains a priority for the government

It is for these reasons our membership refuses to accept your proposal to "co-design" our voice.

We ask that the decision is reversed and the National forums funding immediately reinstated

National FVPLS members:

Aboriginal Family Law Services Western Australia

Djirra

Central Australian Aboriginal Family Legal Unit

Warra-Warra Legal Service

Many Rivers Family Violence Prevention Legal Service

Thiyama-li Family Violence Service Inc.

Binaal Billa Family Violence Prevention Legal Service

Ngaanyatjarra, Pitjantjatjara and Yankunytjatjara (NPY) Women's Council Domestic and Family Violence Service

Family Violence Legal Service Aboriginal Corporation

Southern Aboriginal Corporation Family Violence Prevention Legal Service

Marninwarntikura Family Violence Prevention Unit

Aboriginal Family Legal Service Southern Queensland

Queensland Indigenous Family Violence Legal Service



Sharing stories, finding solutions

Aboriginal Family



Law Services



Community Matters

**Aboriginal Family
Legal Service**

SOUTHERN QUEENSLAND



FAMILY VIOLENCE PREVENTION LEGAL SERVICE



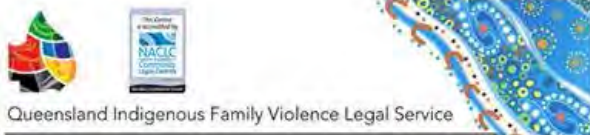
**Central Australian Aboriginal
Family Legal Unit (CAAFLU)**



Family Violence Legal Service
Aboriginal Corporation (SA)

**MANY RIVERS FAMILY
VIOLENCE PREVENTION
LEGAL SERVICE**





INC: 8371 ABN: 94 515 713 213



MARNINWANTIKURA



Antoinette Braybrook | Chief Executive Officer

Djirra | www.djirra.org.au | Phone: 03 9244 3333 | Email: ceo@djirra.org.au | ABN 47 125 370 108

<https://djirra.org.au>



<https://www.givenow.com.au/kwpymasappeal>



Djirra acknowledges and respects the traditional custodians on whose lands we are fortunate to live and work, and we pay our respects to all Elders past and present.

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From: Exell, Blair Section 22

Sent: Monday, 2 December 2019 6:08 PM

To: Antoinette Braybrook <ceo@djirra.org.au>; Fordham, Michael Section 22 >

Cc: Section 22, Section 47F

Phynea Clarke <pcl@caaflu.com.au>;

Alice Dowling <adowling@djirra.org.au>

Subject: RE: Follow up from meeting with NFVPLS [SEC=OFFICIAL]

OFFICIAL

Antoinette

Thanks for reply. In relation to your question about funding – you indicated in the meeting you were seeking to lock-in base funding of \$244,000 and build on that going forward. I responded that the Government had decided not to continue secretariat funding in the current structure but was committed to supporting a voice for the sector. I said we were not able to give any confirmation about a level of funding that may be required to support this until we work through the co-design process.

As we also discussed during the meeting, funding decisions regarding IAS funded organisations sit with Government. Ministerial consideration is necessary to give effect to any outcome from the design process we are considering if IAS funding is required.

On the issue of participation in the Coalition of Peaks on Closing the Gap, you'd be aware that the Commonwealth has already funded the Coalition of Peaks to participate in the Closing the Gap refresh process. The dissemination of funding amongst peak organisations is not a matter for Government.

To move forward on this, we accept that NIAA may need to support the December meeting in terms of travel costs for a member of each FVPLS to convene together and we can look to a more convenient location to suit the services than Canberra. We anticipate that a facilitator will travel to each of the FVPLSs for discussions in the January and February periods. We are looking at suitable dates for the December meeting.

Regards

Blair

From: Antoinette Braybrook <ceo@djirra.org.au>

Sent: Thursday, 28 November 2019 4:05 PM

To: Exell, Blair <Section 22> Antoinette Braybrook <ceo@djirra.org.au>; Fordham, Michael
Section 22

Cc: Section 22, Section 47F

Phynea Clarke <pcl@caaflu.com.au>;

Alice Dowling <adowling@djirra.org.au>

Subject: RE: Follow up from meeting with NFVPLS [SEC=OFFICIAL]

Dear Blair

Thank you for providing NFVPLS with this information.

As you are aware, at the end of the meeting after the agreement was reached for the NIAA to provide this information we were advised that our funding for the secretariat (244k) no longer exists. Our members are concerned and would have thought that this would have been the base starting point going forward in this 'co-design' process especially given that CDU evaluation made no recommendation to defund our secretariat - in fact all recommendations pointed to the need for additional resources for the work of our national body.

Also in the meeting we expressed that NFVPLS already has limited capacity and resources to participate in important national conversation such as the Coalition of Peaks on Closing the Gap – as you know we are one of the founding members of this new agreement with the Government. Our members cannot see how we can commit to this proposal and timeline which will drain our already limited resources.

It was clearly articulated in the meeting with you that the Minister "is committed to continuing support for a national voice for the sector" but in your proposal it is clear that in March-April you intend to seek "Ministerial consideration of role of Government to support a voice to the sector". This does not reassure us of the commitment made in the meeting.

Once again, the communication that our base funding of \$244k is gone is very concerning for our members and we see this now a defunding issue.

Antoinette Braybrook and Phynea Clarke

Antoinette Braybrook | Chief Executive Officer

Djirra | www.djirra.org.au | Phone: [03 9244 3333](tel:0392443333) | Email: ceo@djirra.org.au | ABN 47 125 370 108

Djirra acknowledges and respects the traditional custodians on whose lands we are fortunate to live and work, and we pay

our respects to all Elders past and present.

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From: Exell, Blair [Section 22]

Sent: Wednesday, 27 November 2019 7:52 PM

To: Antoinette Braybrook <ceo@djirra.org.au>; Fordham, Michael [Section 22]

Cc: [Section 22, Section 47F]

Subject: RE: Follow up from meeting with NFVPLS [SEC=OFFICIAL]

OFFICIAL

Dear Antoinette,

Thank you and your colleagues for your time on Monday and follow-up email. Mike has asked me to respond.

The NIAA looks forward to working closely with the FVPLS sector over the coming months to co-design a way forward to ensure ongoing engagement with Government, while also supporting improvements to National FVPLS Secretariat services for member organisations. I am keen to continue a constructive conversation to map out next steps and options to address recommendations raised in the Charles Darwin University evaluation.

As requested, I have attached a draft proposed timeline outlining how this process may occur. We are happy to receive your feedback on this.

Kind regards,

Blair

Proposed timeframe	Proposed action
Dec 2019	Meeting held between all FVPLS providers, National FVPLS Secretariat, NIAA before Christmas 2019 to discuss the opportunities for reform and how an independent facilitator could engage with all members to co-design the way forward.
Jan 2020 – Feb 2020	Independent facilitator to work with the FVPLS sector to co-design actions to address recommendations relating to National Forum governance and operations.
March 2020	Independent facilitator to report to National FVPLS Secretariat, FVPLS sector and NIAA on implementation agenda for the National Forum.
March – April 2020	Ministerial consideration of role of Gov't to support voice to the sector

Blair Exell | Group Manager

Education, Community Safety and Health Division

National Indigenous Australians Agency

[Section 22]

Charles Perkins House 16 Bowes Place Phillip ACT 2606 | CANBERRA ACT

w. niaa.gov.au w. indigenous.gov.au

[Section 22]



The National Indigenous Australians Agency acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to their elders both past and present.



From: Antoinette Braybrook <ceo@djirra.org.au>

Sent: Tuesday, 26 November 2019 3:49 PM

To: Exell, Blair Section 22 Fordham, Michael Section 22

Subject: Follow up from meeting with NFVPLS

Dear Michael and Blair

Thank you for taking the time to meet with us yesterday.

We agreed during the meeting that the NIAA would provide a proposed timeline of next steps within the week. Our members look forward to receiving this by Monday 2 December.

While you have said the Minister is committed to providing continued support for our national voice, it is very concerning that even before consultation with our members to discuss the evaluation and its recommendations we are being told that our annual funding of \$244,000 is gone. This is despite the Charles Darwin University evaluation recommending that, in collaboration with the Forum, a national consultation was to take place with FVPLSs to discuss issues identified in the evaluation report. No attempt to set up this national consultation with our members was made by NIAA. We also note that the Charles Darwin University evaluation makes a number of recommendations that require additional resourcing to be provided to the Secretariat.

Our members feel strongly that this is a very poor decision without proper process and consultation with our membership. It is both heavy handed and unjustified and goes against the recommendations in the Charles Darwin University evaluation.

Our members would also like confirmation as soon as possible of what bucket of money is coming back into FVPLS frontline work including whether it is all underspends and whether it comprises the \$244k from our Secretariat and the \$300k for which the Secretariat submitted a Community Led Application (CLA) in line with the caretaker conventions per PMC's instructions.

Additionally, our members would like to know how you can ensure us in the communication to follow that there will not be a further turnover of staff as has happened previously and which results in the loss of vital communication and decisions and a great strain on our already limited resources.

Section 22

I look forward to your response.

Antoinette

Antoinette Braybrook | Chief Executive Officer

Djirra | www.djirra.org.au | Phone: [03 9244 3333](tel:0392443333) | Email: ceo@djirra.org.au | ABN 47 125 370 108

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Funding cuts silence Aboriginal and Torres Strait Islander women

December 5, 2019

NATIONAL FAMILY VIOLENCE PREVENTION LEGAL SERVICES

WORKING TO ACHIEVE IMPROVED JUSTICE OUTCOMES FOR ABORIGINAL AND TORRES STRAIT ISLANDER
VICTIMS/SURVIVORS OF FAMILY VIOLENCE AND SEXUAL ASSAULT

Djirra is a member of the National FVPLS Forum

The Federal Government's decision to cut funding to the National Family Violence Prevention and Legal Services Forum (National FVPLS) from June 30, 2020 will remove Aboriginal and Torres Strait Islander women's voices from the national stage.

The National FVPLS Forum is the only national peak body for Aboriginal and Torres Strait Islander victim/survivors of family violence and sexual assault.

The National FVPLS Forum supports and advocates on behalf of the thirteen member organisations who work on the frontline of family violence against Aboriginal and Torres Strait Islander women and their children.

Chair of the National FVPLS Forum Antoinette Braybrook says: "Yet again we are forced to fight to get our funding back. This not only drains our already limited resources. It rips Aboriginal and Torres Strait Islander women's voices out of critical national conversations."

Rosie Batty, AO, a prominent campaigner on domestic and family violence says: "The Voices of women and children have never needed to be heard more than now". Ms Batty says the government's decision to cut funding to the National FVPLS Forum says "we don't want to hear you".

The government claims this decision stems from the CDU evaluation of the forum. This is incorrect. The recommendations contained in that evaluation point to the urgent need for increased resources for National FVPLS.

"The Government's decision is not only baseless and unjustified. It is an attack on our self-determination," says Phynea Clarke, Deputy Chair of the National FVPLS Forum. "It was cruel irony to receive the news we would be defunded on 25 November International Day for the Elimination of Violence Against Women."

Labor MP Linda Burney, the first Aboriginal woman to be elected to the Australian House of Representatives, says: “I am completely astounded when you look at the shocking statistics relating to Aboriginal women and family violence”. “It beggars belief that this would happen.”

Aboriginal and Torres Strait Islander women nationally are 34 times more likely to be hospitalised for family violence and 10 times more likely to die from a violent assault than other women in this country.

The National FVPLS Forum calls on the newly established National Indigenous Australians Agency (NIAA) to reinstate its annual funding of \$244,000 and provide additional much-needed resources.

Follow #SaveFVPLS on Twitter and Facebook.

Media Contact: Alice Dowling, 0408 812 830 or eo@fvpls.org

<https://djirra.org.au/media-release/funding-cuts-silence-aboriginal-women/>



The Hon Ken Wyatt AM, MP
Minister for Indigenous Australians
Member for Hasluck

Reference: MS19-005067

Section 47F

Thiyama-Li Family Violence Service Indigenous Corporation

Section 47F

Section 47F

Dear

As Minister for Indigenous Australians, I am committed to supporting Aboriginal and Torres Strait Islander victims and survivors of family violence and sexual assault. I was pleased to support the additional \$3 million in funding over the next three years, which means the Government is investing \$75 million from 2020-21 to 2022-23 for the provision of frontline services to improve safety for women and children and provide better access to legal support.

Suggestions the Government is attempting to silence the voices of women are incorrect. The independent evaluation of FVPLS identified a number of issues that needed to be addressed collaboratively by the sector, including reforms to the National Secretariat and National Forum.

The Government remains committed to working with FVPLS providers on the best arrangements to maintain representation for the FVPLS sector going forward. In communication with my office, the Forum has indicated the importance of self-determination in your arrangements and Forum members' decision not to co-design a process with Government.

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A National Forum for the sector is important for the Government in this key area of policy. I look forward to ongoing engagement with you.

Yours sincerely

Section 22



The Hon KEN WYATT AM, MP
Minister for Indigenous Australians

10 / 12 / 2019



The Hon Ken Wyatt AM, MP
Minister for Indigenous Australians
Member for Hasluck

Reference: MS19-005067

Section 47F

Far West Community Legal Centre Inc (auspice of Warra-Warra Legal Service)

Section 47F

Section 47F

Dear

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Section 22



The Hon KEN WYATT AM, MP
Minister for Indigenous Australians

10 / 12 / 2019



The Hon Ken Wyatt AM, MP
Minister for Indigenous Australians
Member for Hasluck

Reference: MS19-005067

Section 47F

Gurehlgam Corporation Limited
 (auspice of Many Rivers Family Violence Prevention Legal Service)

Section 47F

Section 47F

Dear

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Section 22

A large grey rectangular box redacting the signature of the Minister.

The Hon KEN WYATT AM, MP
Minister for Indigenous Australians

10/12 / 2019



The Hon Ken Wyatt AM, MP
Minister for Indigenous Australians
Member for Hasluck

Reference: MS19-005067

Section 47F

Yoorana Gunya Family Healing Centre Aboriginal Corporation
 (auspice of Binaal Billa Family Violence Prevention Legal Service)

Section 47F

Section 47F

Dear

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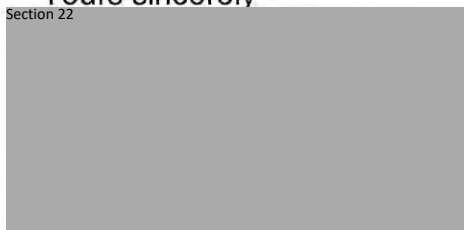
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Section 22



The Hon KEN WYATT AM, MP
Minister for Indigenous Australians

10 / 12 / 2019



The Hon Ken Wyatt AM, MP
Minister for Indigenous Australians
Member for Hasluck

Reference: MS19-005067

Section 47F

Djirra

Section 47F

Section 47F

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Yours sincerely

Section 22



The Hon KEN WYATT AM, MP
Minister for Indigenous Australians

10 / 12 / 2019



The Hon Ken Wyatt AM, MP
Minister for Indigenous Australians
Member for Hasluck

Reference: MS19-005067

Section 47F

Aboriginal Family Legal Services Southern Queensland

Section 47F

Section 47F

Dear [REDACTED]

As Minister for Indigenous Australians, I am committed to supporting Aboriginal and Torres Strait Islander victims and survivors of family violence and sexual assault. I was pleased to support the additional \$3 million in funding over the next three years, which means the Government is investing \$75 million from 2020-21 to 2022-23 for the provision of frontline services to improve safety for women and children and provide better access to legal support.

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Section 22



The Hon KEN WYATT AM, MP
Minister for Indigenous Australians

10 / 12 / 2019



The Hon Ken Wyatt AM, MP
Minister for Indigenous Australians
Member for Hasluck

Reference: MS19-005067

Section 47F

Queensland Indigenous Family Violence Legal Service

Section 47F

Section 47F

Dea

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Yours sincerely

Section 22



The Hon KEN WYATT AM, MP
Minister for Indigenous Australians

10 / 12 / 2019



The Hon Ken Wyatt AM, MP
Minister for Indigenous Australians
Member for Hasluck

Reference: MS19-005067

Section 47F

Family Violence Legal Service Aboriginal Corporation (SA)

Section 47F

Section 47F

Dear

As Minister for Indigenous Australians, I am committed to supporting Aboriginal and Torres Strait Islander victims and survivors of family violence and sexual assault. I was pleased to support the additional \$3 million in funding over the next three years, which means the Government is investing \$75 million from 2020-21 to 2022-23 for the provision of frontline services to improve safety for women and children and provide better access to legal support.

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Yours sincerely

Section 22



The Hon KEN WYATT AM, MP
Minister for Indigenous Australians

10 / 12 / 2019



The Hon Ken Wyatt AM, MP
Minister for Indigenous Australians
Member for Hasluck

Reference: MS19-005067

Section 47F

Southern Aboriginal Corporation (SAC)

Section 47F

Section 47F

Dear

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Yours sincerely

Section 22



The Hon KEN WYATT AM, MP
Minister for Indigenous Australians

10 / 12 / 2019



The Hon Ken Wyatt AM, MP
Minister for Indigenous Australians
Member for Hasluck

Reference: MS19-005067

Section 47F

Marninwarntikura Fitzroy Women's Resource Centre

Section 47F

Section 47F

Dear

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Section 22



The Hon KEN WYATT AM, MP
Minister for Indigenous Australians

10 / 12 / 2019



The Hon Ken Wyatt AM, MP
Minister for Indigenous Australians
Member for Hasluck

Reference: MS19-005067

Section 47F

Western Australia Family Violence Legal Service

Section 47F

Section 47F

Dear

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Section 22



The Hon KEN WYATT AM, MP
Minister for Indigenous Australians

10 / 12 / 2019



The Hon Ken Wyatt AM, MP
Minister for Indigenous Australians
Member for Hasluck

Reference: MS19-005067

Section 47F

NPY Women's Council Aboriginal Corporation
 (Auspice of NPY Domestic and Family Violence Service)

Section 47F

Section 47F

Dear

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Section 22



The Hon KEN WYATT AM, MP
Minister for Indigenous Australians

10 / 12 / 2019



The Hon Ken Wyatt AM, MP
Minister for Indigenous Australians
Member for Hasluck

Reference: MS19-005067

Section 47F

Northern Australian Aboriginal Family Legal Service

Section 47F

Section 47F

Dear

As Minister for Indigenous Australians, I am committed to supporting Aboriginal and Torres Strait Islander victims and survivors of family violence and sexual assault. I was pleased to support the additional \$3 million in funding over the next three years, which means the Government is investing \$75 million from 2020-21 to 2022-23 for the provision of frontline services to improve safety for women and children and provide better access to legal support.

Suggestions the Government is attempting to silence the voices of women are incorrect. The independent evaluation of FVPLS identified a number of issues that needed to be addressed collaboratively by the sector, including reforms to the National Secretariat and National Forum.

The Government remains committed to working with FVPLS providers on the best arrangements to maintain representation for the FVPLS sector going forward. In communication with my office, the Forum has indicated the importance of self-determination in your arrangements and Forum members' decision not to co-design a process with Government.

On this basis, the Government views the best way forward is to support an equal allocation of \$244,000 (GST exclusive) for the Secretariat per year for 2020-21 to 2022-23 across the 14 FVPLS providers. This will enable you to determine the best approach for your funding relationship with the Secretariat.

Funding of \$17,400 (GST exclusive) per provider per annum for the next three years will ensure each service has an equal say in how the forward program of work is developed and decided, and equally contribute to the development of resources to support client outcomes, member services, complaints-handling, transparency and other matters central to National Forum reform.

A National Forum for the sector is important for the Government in this key area of policy. I look forward to ongoing engagement with you.

Yours sincerely

Section 22



The Hon ^KKEN WYATT AM, MP
Minister for Indigenous Australians

10 / 12 / 2019



The Hon Ken Wyatt AM, MP
Minister for Indigenous Australians
Member for Hasluck

Reference: MS19-005067

Section 47F

Central Australian Aboriginal Family Legal Unit

Section 47F

Section 47F

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The Hon KEN WYATT AM, MP
Minister for Indigenous Australians

10 / 12 / 2019