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Ms Jenni Daniel-Yee
Director, Legal Policy
Department of the Attorney-General and Justice
GPO Box 1722
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10 July 2015

Dear Ms Daniel-Yee

RE: Response to Issues Paper – Review of the *Domestic and Family Violence Act*

Thank you for your letter dated 8 April 2015 inviting submissions regarding possible improvement to the *Domestic and Family Violence Act*, its operation and its interaction with related Northern Territory legislation.

With domestic and family violence at home impacting highly upon a student's ability to learn at school, it is through partnerships and collaborative improvements that the department can support students to fulfil their right to an education and allow them to become confident and capable global citizens.

The department is currently working in collaboration with other government agencies to implement the *Northern Territory's Domestic and Family Violence Reduction Strategy 2014-17: Safety is Everyone's Right*. I note that as this review is one of the key actions within the strategy. It is intended that this will enable the implementation of additional strategy actions with which the department is already engaged and supports.

Recommendation 11 of the issues paper, relating to protection orders, provides for exclusion orders to protect victims. Schools and boarding facilities may be premises that an offender is excluded from attending. If the offender is a student, schools would need to consider alternative services to ensure the student complies with requirements under section 20 of the *Education Act*, for compulsory school aged children to participate in an approved education program or training, or paid employment. The Department of Attorney-General and Justice and the Department of Education will need to work together to ensure we can meet this requirement should the legislation be passed with this amendment.

Recommendation 29, regarding integrated responses, will enable the further expansion of the *Family Safety Framework* that has been in operation in Alice Springs. The Department of Education notes the critical importance of such a group to ensure the safety of victims of family violence. The consultation with relevant stakeholders as required in Recommendation 29-1 is critical to ensure that the Department of Education's involvement is both effective and

appropriate to its role. Furthermore, it should be noted that the Department of Education's involvement at *Family Safety Framework* meetings is for information sharing purposes in relation to students attending government schools only. The flexibility of appropriate and comparable information sharing between government and non-government organisations so that it is inclusive of those students in the non-government schooling sector is critical.

Another issue relating to domestic and family violence relates to parenting and protection orders and their impact on the related child's school. School principals have reported the need for improved information sharing and advice where such orders are in place in order to appropriately work with parents and families. There may be provision under recommendation 30, regarding information sharing, to address this issue.

Under the *Trespass Act*, school principals or other delegated staff members can issue trespass notices to any person for the purposes of:

- ensuring the safety and wellbeing of those lawfully at the premises
- preventing or minimising damage to the premises or to property on school premises
- maintaining good order at the school
- maintaining proper management of the school.

This measure is taken as a last resort but can occur in circumstances where somebody exhibits threatening, aggressive or concerning behaviour, which may be related to domestic and family violence.

Addressing domestic and family violence is an important issue for our community. The Department of Education will continue to work collaboratively with other agencies to implement the *Northern Territory's Domestic and Family Violence Reduction Strategy 2014-17: Safety is Everyone's Right* and align our work to any legislative changes in this area.

Yours sincerely



Catherine Weber
Deputy Chief Executive Organisational Services