AUSTRALIAN DEMOCRATS VIC

POLICY PAPER

OUR PLATFORM · VICTORIAN DIVISION

Domestic and Family Violence – Safe Exit Assurance

A Safe Exit Assurance for Victorians escaping domestic and family violence — safe temporary accommodation and timely, independent victim representation when they need it most.



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The Issue

Victim-survivors seeking to leave family violence[1] can face two immediate barriers.

First, they may not have a safe place to stay. Friends and relatives may be unavailable or unsafe, private accommodation may be unaffordable, and appropriate crisis accommodation may not be available when needed[2][3]. Without a viable temporary option, a person may remain in or return to danger[4].

Second, the legal system can be difficult to navigate without specialist advice. Victim-survivors often need help to apply for Family Violence Intervention Orders, prepare evidence, attend hearings, respond to legal applications by perpetrators, seek variations to existing orders, and address breaches. The Victorian Royal Commission into Family Violence found that access to specialist legal assistance is critical for enabling victim-survivors to obtain and enforce legal protections effectively. Without timely legal support, the protections available under Victorian law may be difficult to access in practice, particularly for people experiencing trauma, financial hardship, disability, language barriers, or ongoing coercive control[5].

These problems are interconnected. Temporary accommodation without legal support may leave the underlying risk unresolved. Legal protection without a safe place to stay may produce an order on paper but no practical means of separation.

Victoria has crisis accommodation and family-violence legal services, but having a service does not guarantee timely access. Victim-survivors can still encounter unavailable or unsuitable accommodation, eligibility restrictions, regional gaps and limited legal representation.

Victoria therefore needs a focused first-response imperative:

1. Safe temporary accommodation; and
2. Timely independent victim representation.

> ***AD-VIC will advocate for a Safe Exit Assurance service that Victorians escaping domestic and family violence can access as a means of secure temporary accommodation and independent victim representation.***

Our Plan

The Australian Democrats Victoria (AD-VIC) will advocate for a Safe Exit Assurance service that Victorians escaping domestic and family violence can access to obtain secure temporary accommodation and independent victim representation. The Department of Families, Fairness and Housing (DFFH) would administer SEA and deliver it through Victoria's existing family violence system, in partnership with The Orange Door, Safe Steps, specialist family violence services, accommodation providers, community legal centres, and other approved legal service providers. Victim-survivors could access SEA through self-referral or referral by police, hospitals, courts or family violence services, with eligibility determined through existing family violence risk-assessment processes.

Under SEA, victim-survivors assessed as requiring immediate assistance to leave an unsafe environment would receive coordinated access to temporary accommodation and trauma-informed independent victim representation. DFFH would oversee the program and ensure each participant is assigned a dedicated

coordinator to help with accommodation, legal referrals, safety planning, and the transition to longer-term housing and support services. Public reporting on accommodation outcomes, unmet demand, response times, legal assistance provided, and longer-term housing outcomes would support transparency, accountability, and continuous improvement.

People fleeing domestic and family violence need a safe place to go, and legal support for what to do next – to protect them and their family. The Australian Democrats will advocate for SEA services consisting of two reforms:

Access to safe temporary accommodation

Victim-survivors assessed as needing to leave their home for immediate safety would receive access to appropriate temporary accommodation.

The assurance should include:

- accommodation available regardless of whether the person has made a police report;
- capacity to accommodate accompanying children;
- disability-accessible options;
- safe regional arrangements;
- access to professional interpreters;
- provision for companion animals, either onsite or through safe temporary care; and
- a named worker responsible for planning the person's next housing step.

Temporary accommodation should meet minimum safety, privacy and suitability standards. Reliance on unsuitable motel accommodation should be limited to genuine emergencies and the shortest practicable period.

Timely independent victim representation

Victim-survivors seeking protection would receive free, independent victim representation and trauma-informed legal assistance. The priority service would cover:

- advice about family violence intervention orders;
- help preparing applications and evidence;
- representation at urgent or contested hearings;
- advice about conditions that address the person's practical safety needs;
- assistance responding to applications made against the victim-survivor;
- advice about variation, revocation or breach of an order; and
- referral for related tenancy, family-law or financial problems.

Assistance should be available through courts and specialist family violence services, with telephone and video options for people who cannot safely attend in person.

SEA would ensure access to independent victim representation where existing legal assistance services are unavailable, unable to provide representation, or unable to provide representation within the timeframe necessary to address immediate safety risks. This approach would strengthen Victoria's family violence response while building on the expertise and capacity of existing legal service providers.

The reform would supplement, not duplicate, the work of Victoria Legal Aid and community legal centres by addressing identified gaps in access, capacity and representation.

> ***AD-VIC will support a Safe Exit Assurance so that Victorians escaping domestic and family violence can obtain safe temporary accommodation and timely access to independent victim representation.***

The Evidence

The case for these reforms rests on three propositions.

Safety requires somewhere to go

Temporary accommodation enables immediate physical separation from the person using violence. Where appropriate accommodation is unavailable, a victim-survivor may face homelessness, unsafe informal arrangements or pressure to return to the violent household. The availability of a safe place to stay can therefore determine whether leaving is a realistic option[6][7].

Success should not be measured simply by the number of funded accommodation nights. The Victorian Government should assess:

- how quickly accommodation was provided;
- whether the accommodation was safe and appropriate;
- how many requests could not be met;
- how long people remained in temporary accommodation;
- proportion of participants obtaining stable housing within six months; and
- what housing outcome followed their departure.

Legal rights are difficult to exercise without assistance

Family violence proceedings may involve urgent applications, evidence of patterns of behaviour, contested accounts, complex order conditions and interactions with other legal matters.

Independent victim representation can help a victim-survivor:

- understand the available options;
- present relevant information to the court;
- seek conditions responsive to the actual risk;
- participate effectively in contested proceedings; and
- understand what to do if an order is breached.

Legal representation alone cannot guarantee safety or compliance with an intervention order. An order's effectiveness also depends on appropriate conditions, prompt service, enforcement, and ongoing risk assessment. However, a lack of legal assistance should not prevent a victim-survivor from seeking or understanding available protection[8][9].

Accommodation and legal assistance work together

The two reforms provide different but complementary forms of protection:

- temporary accommodation provides immediate physical safety;
- legal assistance supports access to formal protection;
- safety planning connects the legal and practical responses; and
- a named support worker reduces the need for a victim-survivor to navigate disconnected services alone.

Neither reform is a complete response to domestic and family violence. Together, however, they provide a focused and practical intervention at the point of greatest immediate need.

> ***No Victorian escaping family violence should be told that there is nowhere safe to stay or that they must face the legal system alone.***

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