
THESE ARE NOT THE FINDINGS OR RECOMMENDATIONS OF THE CORONER

Inquests into the deaths of Miss Yunupiju (D0165/2018), Ngeygo Ragurk (D0219/2019), Kumarn Rubuntja (A0002/2021) and Kumanjaya Haywood (A0058/2021)¹

COUNSEL ASSISTING'S PROPOSED RECOMMENDATIONS

19 August 2024

A note on recommendations:

Section 35(2) of the *Coroners Act 1993* provides that “[a] coroner may make recommendations to the Attorney-General on a matter, including public health or safety or the administration of justice connected with a death or disaster investigated by the coroner.”

Although these recommendations have necessarily been focused on the four deaths that are the subject of these inquests, the issues raised, and most of the recommendations made, are not new. Chronic underfunding in this sector has long been recognised and the urgent need for better and sustainable funding has been obvious for a long time and repeatedly pointed out to Government. Much of this has already been identified in previous inquests and other commissions of inquiries. It is a terrible waste of money to repeat investigations that result in similar recommendations, and it is a tragic waste of lives for them to be ignored or not seriously actioned.

It is hoped that these recommendations, which require specific action, will be given the priority that the community of the Northern Territory and, in particular, the families of the women lost to violence, deserve.

The below draft recommendations reference Action Plan 2 (AP2) so that it is clear that the recommendations are not intended to cut across or delay the work of the experts gathered together by the Domestic, Family and Sexual Violence Interagency Coordination and Reform Office (DFSV-ICRO). Under AP2, there is an ongoing reporting system set up where each agency has to report every quarter on their progress, and every 6 months this is published online to ensure public visibility. That process of public accountability should continue. Recommendation 2 is for a permanent DFSV-ICRO, given how impressive and meaningful that collaborative approach has been.

These Recommendations (R1-R32) seek to emphasise and align with Action Plan 2, and to expand on the recommendations in that Plan. All recommendations should be implemented in alignment with the Northern Territory DFSV Framework and its action plans, and the Risk Assessment and Management Framework (RAMF).

¹ At the request of their families, the first names of the deceased have not been used during the inquests. They are each referred to in the manner requested by their families.

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- R1) **Action Plan 2:** The NT Government should fully implement Action Plan 2 (to be read with the associated Mapping Report) as developed **and costed** by the Domestic, Family and Sexual Violence Interagency Coordination and Reform Office (DFSV-ICRO) (that is, at the cost of at least \$180 million over five years, and ongoing funding of \$36 million per annum, adjusted for inflation to account for the years since the DFSV-ICRO made its submission).
- R2) **Permanent DFSV-ICRO:** The NT Government should establish a sustainable permanent DFSV whole-of-government coordination mechanism (DFSV-ICRO) to lead consistent and evidence-based DFSV policy and practice, and health, housing and community services to address DFSV. A sustainable, inter-agency DFSV policy lead unit should be a whole-of-government structure to oversee system performance, policy development and implementation. The DFSV-ICRO mechanism should continue to produce an annual report to the Minister to be published online, including through a visual report card.
- R3) **Core funding:** The NT Government should increase the baseline funding for frontline DFSV crisis services (for example but not limited to safe houses, outreach support for women and children experiencing DFSV; counselling and healing services) by a figure in the order of 10%, to address the quantified lack of core funding which results in unmet need.
- R4) **Indexation:** With respect to frontline DFSV services, the NT Government guidelines should be amended so that grant funding terms and conditions explicitly include indexation that is commensurate with real cost of living increases, and ensure those services are exempt from (what are referred to by the Government as) “efficiency dividends” and “budget measures”.
- R5) **Peak body:** Following consultation about the appropriate model, the NT Government should establish and adequately fund a peak body for DFSV in the NT. This expands on AP2 action 4.12.
- R6) **Co-responder model:** As a matter of urgency, the NT Government should provide further and sufficient funding to the current Alice Springs co-responder pilot (NT Police and Territory Families, Housing and Communities (TFHC) DFSV Co-responder model) to guarantee its full implementation and independent evaluation. The model must involve victim survivors (including children) as well as perpetrators. Adequate funding (inclusive of independent evaluation) should be provided so that this

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model can be replicated and implemented in other regions. In addition, further co-responder models should be considered, based on the success of the Queensland model. This expands on AP2 action 3.6.

R7) **Men's community based behaviour programs:** The NT Government should increase funding for existing behavioural change programs to improve their current capacity and to provide for delivery of programs into additional locations (including remote communities according to identified need), and for independent evaluation of all programs. This expands on AP2 action 2.1b.

R8) **DFSV specific throughcare and reintegration:** The NT Government should provide long term funding to establish specific Throughcare and reintegration programs for men leaving prison and returning to community, and support for their partners. The programs should be centred around the Risk Assessment and Management Framework (RAMF) so that the safety of women is paramount.

R9) **Men's prison-based behaviour programs and counselling:** The NT Government should ensure increased and long term funding is allocated for behavioural change programs and counselling in prisons, inclusive of independent evaluation of the effectiveness of those programs. This expands on AP2 action 2.1c.

R10) **Men's prison-based behaviour programs for deniers:** Given the persistent attitude of denial among many DFSV offenders, there is an urgent need for program funding for 'preparatory' counselling and/or programs to target those men who are reluctant to except responsibility for violent behaviour.

R11) **PART training:** NT Police should provide PART training to all current NT police officers and new recruits, as well as JESCC staff, including police and auxiliaries.

R12) **A permanent NT Police DFSV Command:** Currently the DFSV Command in the NT Police is under-resourced, and understaffed, with staff changing too frequently. In recognition of the importance of their work, the expertise required and the percentage of NT policing that involves DFSV, NT Police should:

- i. Commit to a significantly expanded and appropriately resourced DFSV Command in Alice Springs and Darwin headed by an Assistant Commissioner, with permanent DFSV positions.

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- ii. Commit to ensuring that priority will be given to continuity of DFSV staff, with guidelines, policies and procedures amended (in consultation with the current Command and NGO sector) to recognise the necessity of maintaining staff continuity.
 - iii. Commit to a training unit within the DFSV Command, with staff whose role would include a) liaising with the PART coordinator to make sure that delivery is occurring as planned; b) recording and incorporating into training the lessons from the Family Harm Coordination Project (see below); and c) ensuring NT Police are aware of best practice in response to DFSV.
- R13) **Family Harm Coordination project to be expanded:** An auditing function within the NTPF currently exists in the Alice Springs and Southern Desert Divisions under the Family Harm Coordination Project (FHCP), a pilot project that commenced on 19 November 2021 with the aim of reducing the rate and incidence of DV in the NT. That Unit should receive continued funding and be expanded.
- R14) **Embedding of Interpreters or Aboriginal Liaison Officers (ALO's) in JESCC:** The NT Police should employ interpreters and/or ALOs in JESCC to provide language and/or cultural skills to assist callers to communicate more effectively.
- R15) **DFSV screening and assessment of health clients:** NT Health should:
- i. Improve and increase its screening of clients for DFSV, with priority given to antenatal and emergency service clients, and amend any policy or procedures to embed this change.
 - ii. Employ hospital based DFSV (specific) Social Workers to engage in risk assessment and safety planning for clients identified with DFSV through the screening process.
 - iii. Develop policies that require (or at least encourage) its staff to report a suspected case of DFSV to Police, even where a patient claims to have already reported it.
 - iv. Raise staff awareness and give staff the tools and structures to assess and manage risk by engaging in and funding the PART Consortium to pilot DFSV (PART and RAMF) training for NT Health workers, including Aboriginal Liaison Officers (ALOs).
- R16) **Aboriginal Liaison Officers in hospitals and clinics:** The NT Government and NT Health should ensure that the terms of remuneration and supports for ALOs in hospitals are increased in recognition of their unique expertise and the crucial cultural role they provide for clients and staff, including support provided to clients with DFSV.

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- R17) **Specialist alcohol and other drugs rehabilitation:** The NT Government should increase investment in specialist alcohol and other drugs rehabilitation services, including access to medically supervised withdrawal services, for victims/survivors of DFSV.
- R18) **Culturally appropriate, trauma informed, mediation/peacekeeping for family and community violence:** The NT Government should fund and ensure trained (including some PArT and RAMF trained) mediators are available to work in conflict resolution processes relating to family and domestic disputes. Adequate funding should include provision for remuneration, training, coordination and exchange of information, and the investigation of opportunities to fund law and justice groups to support, participate in or lead mediations. Peacekeeping groups must include both cultural and DFSV expertise.
- R19) **Community-based approaches to child welfare:** The NT Government should provide additional funding for community-based approaches to child welfare (such as the Mikan Child Protection Reference Group in East Arnhem) and for research into how community models may be expanded to increase the safety and wellbeing of children in remote NT communities.
- R20) **Young people engaged in violence:** The NT Government, NT Police, and TFHC should ensure that when young people are reported as being involved in DFSV (as victims or perpetrators), timely and intensive early interventions are available and implemented with that child in an attempt to prevent further DFSV. This expands on an existing AP2 action 3.10.
- R21) **Education:** The NT Government should invest in the development of culturally appropriate prevention and education programs, initially in schools, but also in the wider media, including social media, so that young people have the opportunity to learn about DFSV and interpersonal violence (IPV) and, conversely, respectful relationships. This builds on AP2 action 1.1.
- R22) **Protective custody:** NT Police should develop and implement an Alcohol Policing Strategy that is focused on preventing DFSV, that targets public drinking and problematic alcohol use, and provides guidance as to the use of protective custody when persons are at risk of engaging in, or being the victim of, DFSV.
- R23) **Specialist DFSV Court:** The NT Government should provide increased funding to allow for an expansion of the specialist court approach in Alice Springs to other courts (prioritising Darwin and

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Katherine) and to adapt the model for bush courts. This expands on existing AP2 actions 2.2(a-e). The increased funding should be sufficient to enable:

- i. Funding of the suite of services required to support the work of the court, including victim support and risk assessment, offender support and risk assessment and behaviour change programs (including partner contact services), and legal advice and representation for both parties.
- ii. Following the commencement of the *Sentencing Legislation Amendment Act 2023*, adaptation of the current specialist court model, particularly in relation to the introduction of new community based orders and the requirement of the court to consider whether there is unacceptable risk of DFSV in sentencing.
- iii. A trial to determine the extent to which restorative justice practices can be safely incorporated into the model.

R24) **Engaging Aboriginal men in prevention related activities:** The NT Government should fund culturally appropriate prevention related activities relating to men and masculinity in the NT, beyond existing early intervention activities and behaviour change programs (as put forward by Our Watch).

R25) **Engaging Aboriginal men, women and children in cultural healing:** The NT Government should fund and develop (in conjunction and in consultation with local communities), primary prevention, community-led healing initiatives with Aboriginal men and boys, and Aboriginal women and girls, to address the impacts of colonisation, including through cultural healing.

With respect to men and boys, those healing models should:

- i. be culturally safe,
- ii. support self determination,
- iii. challenge harmful ideas about masculinity and stereotypical relationships, and
- iv. address the concept of ‘jealousy’ and how unhealthy it is.

With respect to women and girls, those healing models should:

- i. be culturally safe,
- ii. support self determination,
- iii. challenge harmful ideas about masculinity and stereotypical relationships, and
- iv. address the concept of ‘jealousy’ and how unhealthy it is.

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- R26) **DFSV training for clubs and pubs:** The NT Government should retain an independent service provider and fund a training package in ‘becoming domestic and family violence aware’ (similar to that provided by Dr Chay Brown to the Gillen Club), that is funded by NT licensed clubs and can be rolled out to all clubs and other licenced premises. Such training may be mandated or incentivised as part of the licensing scheme.
- R27) **Banned Drinker Register (BDR) scanners:** The NT Government should impose a mandatory 12-month trial of the use of BDR scanners in licensed venues to screen patrons who intend to consume liquor on the premises, and should evaluate the trial to determine efficacy.
- R28) **Evidence-based alcohol intervention strategy:** In order to reduce the victimisation of Aboriginal people, particularly women and children, the NT Government should develop and enforce an evidence-based strategy to reduce alcohol availability, taking into account that alcohol increases the frequency and severity of DFSV. To be effective an alcohol strategy should include:
- i. decisions to reduce the number and density of alcohol outlet licenses and to further restrict the supply of alcohol,
 - ii. implementation of uniform alcohol restrictions across the Northern Territory,
 - iii. implementation of more reduced daily restrictions on quantities for purchase,
 - iv. prohibiting alcohol consumption in the public areas of public housing premises and complexes, and
 - v. introducing Banned Drinker Register screening on licensed premises (in accordance with recommendation 27).
- R29) **Workforce planning-**
- i. Noting the existence of the *DFSV Workforce and Sector Development Plan* (and particularly Focus Area 2, Action 8), the NT Government should publish a short report at least annually, to be published online, in relation to workforce recruitment and retention strategies addressing the needs of the DFSV workforce. A consistent theme throughout the inquests was the chronic skills shortage across most areas affecting services for the victims of DFSV, including in Territory Families, NT Police, crisis accommodation and outreach services, NT Corrections, NT Health and the interpreter services, that had become worse after Covid.
 - ii. The NT should consider amending the *DFSV Workforce and Sector Development Plan* workforce planning to make explicit reference to engagement of the local university and local communities, so that a) the strategy attracts Aboriginal workers, b) local Territorians

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can be attracted, trained and retained in the areas of need and c) interstate and international workers with the requisite expertise can be attracted, trained and retained in the areas of need.

- R30) **Aboriginal Interpreter Service (AIS)**- Serious deficiencies in the Aboriginal Interpreter Service (AIS) were evident across the service providers in a way that impedes access to justice and safety. The NT Government should increase investment in the AIS (funding, training and support) and devise a short, medium and long term plan to train, attract and retain interpreters.