



The
Evidence
of Us

PUBLIC SUBMISSION — REVISED AND SUPERSEDING COMPANION EDITION

From Recognition to Measurable Safety

Completing the accountability chain in the Second Action Plan

DSS V2.1 — Post-Lodgement Author-Reviewed Edition

18 August 2026

Submitted by [REDACTED]

Governance contribution: [REDACTED] Founder, The Evidence of Us™

The First Action Plan built activity and institutional machinery. The Second Action Plan must connect what was known, what was done, what happened and who must correct continuing harm.

CURRENT AUTHOR-APPROVED COMPANION EDITION — PREPARED FOR RESUBMISSION TO DSS WITH A REQUEST TO SUPERSEDE DSS V1.0

This DSS V2.1 edition is the current author-approved companion edition. It is prepared for resubmission to the Department of Social Services with a request that it supersede DSS V1.0 prospectively for ongoing policy consideration, publication, citation and circulation. DSS V1.0 remains the unchanged historical record lodged on 31 July 2026; DSS acceptance of supersession is not asserted unless and until confirmed.

Document control

Control field	Controlled value
Document ID	TEOU-DSS-SAP-PKG-V2.1-2026
Document type	Public submission — revised and superseding companion edition
Version	DSS V2.1 — Post-Lodgement Author-Reviewed Edition
Date	18 August 2026
Current author-approved edition	DSS V2.1
Historical first-lodged record	DSS Submission package 31 July 2026 Final Lodged.pdf, archival V1.0 — preserved unchanged
Supersession status	Prepared for resubmission to DSS with a request that DSS V2.1 supersede DSS V1.0 prospectively; DSS confirmation pending
Public-release status	Approved by the author-review authority for resubmission and public circulation
Submission lead	██████████
Governance contribution	██████████ Founder, The Evidence of Us™
Current legal status of TEOU	Unincorporated initiative; no separate legal personality or ABN as at 18 August 2026
Appendices	Appendix A — EVMS public evidence brief; Appendix B — IJIAC and Rapid Child-Safety Reassessment architecture; Appendix C — First Action Plan implementation audit
Relationship	Companion to the final TEOU V5.1 governance, implementation and accountability submission dated 17 August 2026

Executive position

The First Action Plan built activity and institutional machinery. It did not complete the accountability chain from recognised risk to measured safety. The Second Action Plan must connect what was known, what was done, what happened and who must correct continuing harm.

Australia has improved its language, screening tools, specialist pathways and policy recognition of domestic and family violence. The unresolved problem is the absence of a consistently enforceable connection between a disclosed risk, the institutional response, the decision made, the outcome experienced by the adult or child, and the body responsible for correction.

This submission proposes a permanent, outcome-focused accountability architecture that complements the monitoring work of the Domestic, Family and Sexual Violence Commission. It does not seek to override the constitutional or statutory functions of courts, governments or agencies.

Purpose and publication boundary

This public edition provides the evidence and policy architecture necessary for government and the community to assess the proposals. It deliberately excludes material that would enable another party to reproduce or operate the underlying methodologies.

- No child, former partner, party, witness or other private third party is named.
- No court file number, identifying case narrative, personal address, phone number or private email address is included.
- No EVMS™ raw data, free-text response, reusable survey instrument, coding workbook, data dictionary or internal analytical method is included.
- No detailed TEOU™, IJIAC or Rapid Child-Safety operating toolkit, decision rule, threshold, instrument, template, data specification or manual is included.

1. The connected problem

The adversarial family-law model can fragment cumulative coercive control into isolated allegations and competing narratives. Complaint and review pathways are divided between appeal, internal judicial complaint, professional regulation, child protection, police and service bodies. National reporting still measures activity more readily than safety outcomes.

A coherent response must address institutional design, family-law process, post-order child safety, professional accountability, implementation control and national outcome evidence together.

2. Reform propositions

Outcome accountability: Measure whether identified risk changed the response and whether safety improved; require correction where it did not.

Rapid child-safety reassessment: Provide independent intake, urgent safeguarding, evidence coordination and supported lawful and cost-effective return to court when credible new or escalating risk emerges.

Permanent lived-experience governance: Test whether policy is accessible, safe and effective in real conditions and ensure consultation does not substitute for implementation.

3. Independent accountability without merits interference

Appeal, reconsideration, urgent applications, internal judicial complaint and the constitutional removal pathway perform different functions. None is a standing independent mechanism combining safe complaint intake, pattern aggregation, systemic investigation, post-order outcome learning and an assisted route for credible new safety evidence to return to a judicial decision-maker.

An Independent Judicial Integrity and Accountability Commission (IJIAC) should occupy the missing middle between appellate correction and parliamentary removal. Its authority should be investigative, systemic and referential - never judicial.

- Receive and investigate defined conduct and integrity concerns, aggregate recurring patterns and conduct de-identified thematic reviews.
- Publish de-identified findings, recommendations and institutional response tracking.

- Refer professional, criminal or potential constitutional removal matters through the appropriate lawful pathway.
- Never overturn, suspend, vary or stay an order; rehear a case; direct a judge; or substitute for appeal.

4. Rapid Child-Safety Reassessment - public architecture

The proposed pathway is a statutory, independent, trauma-informed service that converts credible new or escalating child-safety information into urgent safeguarding and, where judicial reconsideration may be required, a properly supported return to court. Only a court may change an order.

- Accessible independent intake and urgent referral where emergency or mandatory-reporting obligations arise.
- Multidisciplinary assessment of the safety signal, the child's voice and relevant new evidence.
- Lawful evidence coordination, legal assistance and an expedited route to judicial consideration.
- De-identified follow-through and system learning, with privacy, procedural fairness, cultural safety and disability access.

Reserved for funded co-design: detailed trigger tests, triage thresholds, referral and escalation rules, service standards, assessment instruments, decision matrices, evidence protocols, data specifications, staffing, costing, training and operating manuals.

5. What the First Action Plan record shows

There is real delivery to recognise: the DFSV Commission is operating and reporting to Parliament; an Outcomes Framework and Performance Measurement Plan have been published; family-law parenting reforms commenced in May 2024; and court safety infrastructure has continued.

On 30 June 2025, the Activities Addendum listed 583 activities. Of these, 112 were labelled "finished" - defined as no longer available - while 79 remained in planning. The register therefore describes activity lifecycles more readily than whether adults and children became safer. Appendix C sets out the public-record audit and its limitations.

6. Every Voice Matters Survey™ evidence

EVMS™ is a survivor-led, self-selected national survey. Its 219 valid timestamped responses do not establish prevalence across all Australian family-law matters and do not constitute judicial findings. They identify a coherent respondent-reported pattern requiring independent investigation and official outcome measurement.

Post-separation abuse 215 / 217 99.1%

Abuse through children 193 / 217 88.9%

Housing stability affected fully or partly 163 / 215 75.8%

Among 136 respondents answering why they had not appealed, 89 selected prohibitive cost, 79 felt too disadvantaged to pursue an appeal, 71 reported insufficient information or support, and 57 selected that housing, crisis, safety or health circumstances made an appeal impossible.

7. Decisions requested

1. Adopt an outcome-accountability mechanism that makes ownership, delivery, evidence, independent review and corrective action publicly visible.
2. Develop national risk-to-outcome reporting showing what was known, what action followed and whether adult and child safety improved.
3. Publish the Government's response and timetable following the federal judicial commission consultation and proceed to constitutionally bounded exposure design.
4. Fund independent co-design and pilot readiness for a Rapid Child-Safety Reassessment Pathway, including legal, child-safety, disability, cultural and lived-experience expertise.
5. Accept **EVMS™** as formal lived-experience evidence and commission independent validation and de-identified analysis under agreed privacy, ethics and data-governance arrangements.
6. Establish permanent, paid lived-experience governance with measurable influence over implementation, evaluation and correction.

7. Invite a separately funded capability, development and pilot proposal for TEOU governance architecture and any reserved implementation materials.
8. Apply the Policy-to-Practice-to-Safety Accountability Test™ to every Second Action Plan reform.
9. Establish national DFSV and family-safety data uplift as priority safety infrastructure.
10. Establish a National Child Sexual Abuse Disclosure, Investigative Interview and Support Standard.
11. Activate and extend national accreditation, audit and complaints for family report writers and other influential court-connected child experts.
12. Commission an independent national family-law child-safety outcomes review covering the past decade of parenting, residence-transfer and relocation decisions involving domestic, family or sexual violence, coercive control, child abuse or child sexual abuse, together with prospective post-6 May 2024 longitudinal evaluation.

Appendices included

Appendix A Every Voice Matters Survey™ - Public Evidence Brief

Appendix B IJIAC and Rapid Child-Safety Reassessment Public Policy Architecture

Appendix C First Action Plan 2023-2027 - Public-Record Implementation Audit

Authorship, intellectual property and attribution

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The Evidence of Us™, its pre-existing governance architecture and its branded methodologies are attributed to [REDACTED]. The Every Voice Matters Survey™ (EVMS™), its survey instrument, controlled dataset and associated evidence materials are attributed to [REDACTED]. [REDACTED] led the public IJIAC, rapid child-safety and First Action Plan audit materials; [REDACTED] contributed TEOU™ governance integration and systems-accountability architecture.

The Evidence of Us™ is presently an unincorporated initiative led by [REDACTED] and does not have separate legal personality or an ABN as at 18 August 2026. References to TEOU identify the initiative and its associated work, not a separately incorporated legal entity.

The immutable DSS V1.0 lodged package remains the unchanged historical record. DSS V2.1 is the current author-approved companion edition prepared for resubmission with a request that it supersede V1.0 prospectively for ongoing policy consideration, publication, citation and circulation. DSS acceptance of supersession is not asserted unless and until confirmed. No assignment or transfer of copyright, trade marks, controlled data, confidential know-how, background intellectual property or reserved implementation material is made or implied.

Reproduction or adaptation of protected expression beyond the consultation and publication purpose, and any operational design, pilot, implementation, training, licensing, commercial use or access to reserved instruments, datasets or methodologies, requires a separate written agreement with the relevant rights-holder.

The appendices intentionally provide policy-level detail only. Technical workflows, thresholds, decision rules, schemas, instruments, templates, coding materials, training packages, costing models and operating manuals are withheld.

Contributor profiles

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Founder, The Evidence of Us™; writer; speaker; lived-experience expert; governance and systems accountability advocate; and Voice of #dhanushislivedexperience. Her professional background includes a 25-year corporate career, with 16 years in Australian banking and financial services across governance, regulatory controls, process, product and project delivery.

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Preferred citation

Butcher, S. and Jayatileka, D. (respective attributed contributions) (2026), From Recognition to Measurable Safety: Completing the Accountability Chain in the Second Action Plan, DSS V2.1 post-lodgement author-reviewed edition, The Evidence of Us™, 18 August 2026.

Every Voice Matters Survey™ evidence brief

Public-release submission package dated 31 July 2026

Every Voice Matters evidence brief | Submission package dated 31 July 2026

8. Companion alignment with the main TEOU V5.1 submission

This companion public package remains a separate work from the main TEOU submission. DSS V2.1 aligns its version control, reading references and decisions requested to the final revised TEOU V5.1 submission dated 17 August 2026. It does not absorb TEOU appendices or change the ownership of Every Voice Matters Survey™, TEOU methods or independently contributed material.

8.1 Five additions to the public decisions requested

1. **Prove conduct change:** apply the Policy-to-Practice-to-Safety Accountability Test™ so delivery, professional and institutional conduct, and safety/rights outcomes are reported separately.
2. **Treat data as safety infrastructure:** fund a national risk-to-outcome data uplift spanning governments, courts, linked agencies and publicly funded providers with privacy, judicial-independence and First Nations data-sovereignty safeguards.
3. **Repair the child disclosure-to-response pathway:** establish a National Child Sexual Abuse Disclosure, Investigative Interview and Support Standard in which trauma- and developmentally informed psychology is part of forensic competence.
4. **Regulate influential experts:** activate section 11K of the *Family Law Act 1975* and establish independent national accreditation, audit and complaints for family report writers and other court-connected child experts according to function and influence.
5. **Review family-law child-safety outcomes:** commission an independent national review covering the past decade of parenting, residence-transfer and relocation decisions involving domestic, family or sexual violence, coercive control, child abuse or child sexual abuse, together with prospective post-6 May 2024 longitudinal evaluation.

See the final TEOU V5.1 submission: section 3 (pp. 13–16); section 6 (pp. 21–24); section 9.8 (pp. 32–33); section 11 (pp. 36–38); section 12 (pp. 39–41); Appendix 5 (pp. 47–48); Appendix 7 (p. 52); and Appendix 8 (pp. 53–57). All page references are to the final 17 August 2026 PDF.

8.2 Companion cross-reference matrix

Table F.1 - Companion-document relationship and cross-reference matrix

Companion public DSS package	Final TEOU V5.1 submission — section and page guide
Main submission sections 1–2 — connected problem and reform propositions	TEOU V5.1 sections 2–3 (pp. 11–16) — structural diagnosis and governing architecture.
Main submission section 3 and Appendix B, Part 1 — independent judicial integrity	TEOU V5.1 section 9.2 (p. 29) — IJIAC; section 11 (pp. 36–38) — delivery architecture; Recommendation 8 in Table 12.2 (p. 39).
Main submission section 4 and Appendix B, Part 2 — Rapid Child-Safety Reassessment	TEOU V5.1 section 6 (pp. 21–24) — children and young people; section 9.3 (p. 30) — rapid child-safety reassessment; Table 12.3 (p. 40) — child and safety outcomes.
Independent national family-law child-safety outcomes review	TEOU V5.1 section 9.3A (pp. 30–31); Recommendation 12 and Table 12.3 (p. 40).
Main submission section 6 and Appendix A — Every Voice Matters public evidence	TEOU V5.1 section 1.3 (pp. 9–10) — EVMS descriptive findings; section 9.1 (p. 29) — accountability gap; Appendix 2 (p. 44) — method and publication controls.
Main submission section 5 and Appendix C — First Action Plan implementation audit	TEOU V5.1 section 2.1 (p. 11) — recognition without accountable response; section 11.0 (p. 36) — First Action Plan and unfinished work; Appendix 5 (pp. 47–48) — chronology.
Main submission section 7 — decisions requested	TEOU V5.1 section 12 (pp. 39–41) and Table 12.2 (pp. 39–40) — consolidated recommendations.

8.3 Evidence and publication boundary

Appendices A–C retain their public-safe evidence status and separate provenance. No EVMS™ raw data, free-text responses, coding workbook, data dictionary, reusable instrument, technical decision rule or protected implementation manual is included. DSS V2.1 removes the unresolved qualification placeholder and uses only the contributor descriptions confirmed in the final TEOU V5.1 submission. No material policy change has been made to the appendices.

Appendix A — Every Voice Matters Survey™ Public Evidence Brief

Reported Harm Through Family Court and Associated Systems

A concise, public-facing snapshot from the Every Voice Matters Survey™.

The broad picture

Every Voice Matters is a survivor-led national survey examining lived experience of the Family Court of Western Australia, the Federal Circuit and Family Court of Australia, and associated systems. The frozen source workbook contains 219 valid timestamped responses.

Of the 217 people who answered the court-contact question, 213 reported direct court involvement; 206 responses involved parenting matters.

The central pattern is cumulative. Respondents reported abuse continuing after separation and moving through legal, professional, financial and administrative processes. The same group then reported changes affecting children, health, work, housing and the practical capacity to challenge decisions or pursue an appeal.

99.1% reported post-separation abuse 215 of 217	92.2% reported legal abuse 200 of 217
88.9% reported abuse through children 193 of 217	90.1% said health affected work fully or partly 191 of 212
75.8% said housing stability was affected fully or partly 163 of 215	93.5% selected financial hardship as a court-process impact 200 of 214

How to read these figures

Respondent-reported evidence. The figures record what participants reported. They are not judicial findings about any individual matter.

A self-selected sample. The survey was open to people with relevant lived experience and is not a random population sample. Its percentages must not be presented as prevalence across every Australian family-law matter.

Question-specific denominators. Participation varied by question. Every percentage in this brief identifies the number who selected the response and the number who answered that question.

Why it still matters. A self-selected dataset cannot establish national prevalence, but repeated reports across 219 responses are sufficient to identify matters requiring formal investigation, independent audit and official outcome data.

A1. Abuse did not end at separation

The survey does not describe court engagement as a separate event occurring after abuse. It records respondents' experience of post-separation abuse continuing through legal processes, professional responses and agencies. The significance lies in the overlap: reported legal abuse, financial abuse, abuse through children and systems abuse frequently appeared within the same responses.

Data note: Legal abuse, abuse through children and systems abuse are selections from the post-separation abuse question. Court-process misuse, professional minimisation and agency inaction are selections from the systemic-abuse question. Respondents could select more than one category.

The accountability question is not simply whether risk was recorded. It is whether the legal and institutional response stopped the abuse—or became another pathway through which it continued.

A2. Reported harm involving children

Children were central to the survey. Of 216 respondents answering the pre-separation caregiving question, 187 selected that they had been the primary caregiver. Respondents then described substantial changes to care arrangements, sudden reversals of care and reduced time with children during or after the court process.

Data note: “Reduced time with children” was selected among negative life impacts. “Cold switch” was the survey’s term for a sudden reversal of primary care. These figures do not determine whether an individual order was legally correct; they show the scale of reported disruption requiring longitudinal child-safety review.

A court file ordinarily records applications, evidence and orders. It does not necessarily record whether a child became safer, whether wellbeing improved, whether a care change remained workable, or what happened when new safety information emerged. Without post-order outcome review, system activity can be counted while child safety remains unmeasured.

A3. Health, work and earning capacity

The reported effects extend beyond distress during proceedings. Respondents described diagnosed mental and physical health impacts, reduced work capacity, employment loss and disruption to study. These effects also reduce the resources available to obtain advice, test evidence or pursue review.

Data note: Diagnosis categories came from a question asking about diagnoses related to the court process or family violence. Respondents could select multiple diagnoses. The brief therefore does not attribute each diagnosis solely to the court process.

When health loss reduces work capacity, the harm becomes self-reinforcing: less income, less representation, less ability to obtain evidence and less practical access to appeal.

A4. Housing and financial depletion

Financial harm was not reported as a separate inconvenience. It affected housing, household security, support networks and the capacity to continue proceedings. Of 215 respondents answering the legal-fees question, 83 reported spending more than \$100,000 on their own legal fees.

Data note: The survey’s free-text total-cost field requires final manual validation before an aggregate dollar estimate is published. This brief therefore uses closed-response financial indicators and the verified legal-fee band only.

The figures point to a public-cost transfer. Respondents reported reduced earning capacity, Centrelink reliance, support from family and friends, borrowing, housing pressure and increased use of health and crisis services. The cost of prolonged proceedings does not disappear; it moves from the legal file into households and public systems.

A5. The accountability gap in the survey data

The final layer is the ability to correct what respondents believed had gone wrong. The survey records reported difficulty having errors corrected, unequal treatment of evidence, complaints that did not lead to investigation, and appeal pathways rendered inaccessible by cost, health and disadvantage.

Data note: The complaint figure is limited to 64 respondents who answered the complaint-outcome question. The court-evidence question allowed multiple selections, so “ignored” may coexist with another selected response.

Appeal did not operate as an accessible answer for many respondents. Among 136 people answering why they had not appealed, 89 selected prohibitive cost, 79 said they felt too

disadvantaged to pursue an appeal, 71 reported insufficient information or support, and 57 selected that housing, crisis, safety or health circumstances made it impossible.

A6. What this evidence requires

Every Voice Matters does not claim to be the final national study. It supplies something government should not ignore: a coherent respondent-reported pattern connecting abuse before separation, legal and systems abuse after separation, child-related disruption, health loss, employment loss, housing instability, financial depletion and limited access to correction.

The data does not permit a finding that every reported outcome was caused by institutional failure. It does make institutional silence untenable. The proper response is independent investigation and measurement.

A7. Five immediate actions

1. Accept the survey as formal lived-experience evidence input to the Second Action Plan, with its limitations recorded rather than used as a reason to disregard it.
2. Commission independent analysis of the frozen dataset, including transparent quantitative validation and de-identified thematic coding.
3. Measure outcomes—not only activity—across child safety, health, work, housing, financial stability, post-order harm and access to review.
4. Create a risk-to-outcome framework capable of testing whether identified family violence changed the intervention and whether the intervention produced safety.
5. Establish independent accountability architecture able to receive complaints, aggregate patterns, investigate systemic risks, publish findings and require institutional responses without substituting for appeal.

Appendix B — IJIAC and Rapid Child-Safety Reassessment Public Policy Architecture

Constitutional Accountability Without Reviewing Judicial Decisions

Closing the child-safety reassessment gap in the federal family-law system.

Executive position

The problem is not that Australia has literally no legal pathway after a parenting order. The problem is that the existing pathways do different jobs and leave a missing middle.

Appeal can correct identified legal, factual or discretionary error. Section 65DAAA of the Family Law Act 1975 permits a court to reconsider a final parenting order where the statutory threshold is met. Urgent applications, risk notices and information-sharing powers can bring safety evidence before the Court. Judicial-conduct complaints can be made internally, and section 72 of the Constitution provides the ultimate removal mechanism.

None of those pathways, however, is a standing independent mechanism that can receive concerns safely, aggregate repeat patterns, investigate conduct and institutional practice, examine de-identified post-order outcomes, or ensure that credible escalating child-safety evidence is rapidly converted into a properly supported application for judicial reassessment.

The constitutional design task: preserve the Court’s exclusive role in deciding and changing orders while creating independent intake, investigation, pattern detection, evidence coordination, public reporting and a fast route back to a judicial decision-maker.

The recommended architecture: an Independent Judicial Integrity and Accountability Commission (IJIAC) plus a separate Rapid Child Safety Reassessment Pathway. The Commission would never overturn an order; the reassessment pathway would bring credible new or escalating risk before a court.

Evidence of practical inaccessibility

The Every Voice Matters survey does not prove national prevalence, but it demonstrates why a formal pathway can exist on paper and still be inaccessible in practice. Among 136 respondents who answered why they had not appealed, 89 selected prohibitive cost, 79 said they felt too disadvantaged to pursue an appeal, 71 reported insufficient information or support, and 57 said housing, crisis, safety or health circumstances made it impossible. These are respondent reports, not findings about individual cases.

B1. What exists—and what remains missing

Existing pathway	What it can do	What it does not do
Appeal	Tests appealable error; generally must be filed within 28 days.	Not a conduct inquiry, pattern audit or response to later-emerging harm.
Review of a registrar decision	Court review of specified registrar decisions, ordinarily within 21 days.	Not an independent review of a judge’s final order or systemic outcome review.
Reconsideration under s 65DAAA	A court may reconsider a final parenting order after considering significant change and best interests.	Requires a fresh court process and does not independently triage, investigate or support the evidence.

Existing pathway	What it can do	What it does not do
Urgent application and risk notice	Allows urgent listing requests, affidavits, family-violence orders and mandatory risk notification.	Still depends on a person filing, framing and evidencing the application; priority consideration is not an independent safety review.
Internal judicial complaint	Brings judicial conduct to the Chief Justice/Chief Judge and may lead to a conduct committee or referral.	Cannot discipline a judge; participation is voluntary for constitutional reasons; appealable matters are excluded; process is internal and generally confidential.
Section 72 removal	Allows removal by the Governor-General in Council after an address from both Houses for proved misbehaviour or incapacity.	An exceptional all-or-nothing safeguard, not routine complaints, early correction or systemic learning.

The accountability gap is functional: no existing pathway combines independent intake, pattern aggregation, systemic investigation, post-order outcome learning and an assisted rapid route back to court.

B2. The precise constitutional issue

Chapter III protects the decisional independence of federal courts. The Attorney-General's Department's 2023 discussion paper states that the Constitution vests courts with the determination of justiciable disputes, subject to appeal, and that a judicial commission could not assess the correctness of a ruling on its merits. Section 72 also protects judicial tenure by reserving removal to the constitutional process.

Accordingly, it would be unsafe to argue that an executive or administrative commission should review the merits of individual orders, suspend them, direct a judge or substitute its view of a child's best interests. That would confuse institutional accountability with the exercise of judicial power. The stronger argument: judicial independence does not require the absence of an independent body able to investigate conduct, identify repeated institutional patterns, examine implementation fidelity and public consequences, recommend reform and refer serious matters through existing constitutional channels.

A caution on language: the existence of an accountability gap raises a serious constitutional and rule-of-law design question; this brief does not assert that the current framework has already been judicially declared unconstitutional.

B3. Rapid Child-Safety Reassessment Pathway

Public architecture only. This edition states the purpose, lawful boundary and minimum safeguards. It does not disclose the technical operating toolkit.

The proposed pathway is a statutory, independent and trauma-informed service that converts credible new or escalating child-safety information into urgent safeguarding and, where a parenting order may need reconsideration, a properly supported return to a court. It supplements existing urgent processes; it is not a tribunal and cannot vary, suspend or override an order.

Public functions

- Accessible independent intake for safety concerns arising after an order.
- Immediate connection to police, child protection or emergency services where required; mandatory reporting duties remain intact.
- Multidisciplinary consideration of the safety signal, relevant new evidence and the child's voice.
- Lawful evidence coordination and funded legal assistance where judicial reconsideration may be required.
- Expedited judicial consideration, with procedural fairness and any necessary interim protection determined by a court.

- De-identified follow-through and outcome learning so timeliness, accessibility and safety effects can be evaluated.

Minimum safeguards

- Only a court may suspend, vary or discharge an order.
- The pathway must be independent of the original professional and decision-making chain.
- Child-safe participation, privacy, cultural safety, disability access, interpreters and secure participation are built in.
- Written reasons, escalation rights, quality assurance and independent evaluation are required.

Reserved implementation material. Detailed trigger tests, triage and escalation thresholds, referral rules, service standards, assessment instruments, evidence protocols, decision matrices, data fields, staffing and costing models, training packages and operating manuals are deliberately withheld. They require funded co-design and a separate written agreement with the relevant rights-holders.

B4. Independent Judicial Integrity and Accountability Commission (IJIAC)

Purpose

IJIAC would fill the missing middle between appeal and parliamentary removal. It should be independent of the courts and executive in its complaint handling, with a mixed membership that includes senior judicial experience, public-integrity expertise, child safety and family-violence expertise, First Nations leadership, disability and cultural capability, and lived-experience governance.

What it should do

- Receive, triage and investigate complaints about judicial conduct and relevant court-adjacent conduct within defined jurisdiction.
- Consider related complaints together, identify repeat conduct and commence own-motion investigations where statutory thresholds are met.
- Conduct thematic reviews of de-identified patterns, including risk identification, treatment of evidence, procedural fairness and post-order safety signals.
- Refer substantiated but non-removal matters to the head of jurisdiction with recommendations, and require a written institutional response.
- Refer potentially criminal matters to police and potentially removal-level matters to the Attorney-General or Parliament under the constitutional framework.
- Publish de-identified findings, trend reports, response tracking and recommendations for training, procedure, data and legislation.
- Operate a specialist Family Violence and Child Safety Review function linked to—not controlling—the rapid reassessment pathway.

What it must not do

- Overturn, suspend, vary or stay a court order.
- Rehear a case or determine whether the result was correct on its merits.
- Direct a judge how to decide a current or future matter.
- Operate as a substitute appeal or draw adverse conclusions merely because an order produced an unpopular outcome.
- Compel a sitting judge in a manner inconsistent with Chapter III protections.

“Review of orders” should mean systemic review of how orders operate and what outcomes follow—not administrative merits review of an individual order.

B5. Constitutionally safer workarounds

Design rule	Lawful institutional response
Merits remain with courts	IJIAC investigates conduct and patterns; a court alone changes an order.

Design rule	Lawful institutional response
Safety evidence returns to court	The rapid pathway supplies triage, evidence coordination and legal assistance, then invokes existing judicial power.
Removal remains under s 72	IJIAC may investigate and refer; Parliament and the Governor-General retain their constitutional functions.
System correction is non-judicial	Parliament may require data, public responses, implementation plans, training and administrative reform without deciding cases.
De-identified thematic review	Patterns can be examined without publishing protected case material or substituting a new merits decision.
Separated functions	Complaint investigation, emergency safeguarding and judicial reassessment have distinct powers, staff and decision rules.

Barrier	Public audit reading
Independence and insulation	Constitutional caution can wrongly exclude lawful conduct review and systemic learning.
Appeal as the complete answer	Appeal corrects error in a case; it does not aggregate patterns or measure post-order outcomes.
Fragmented responsibility	Courts, police, child protection, legal aid, regulators and services hold separate pieces of the risk picture.
Data ending at the order	Filings and orders can be counted while later safety outcomes remain unknown.
Access barriers	People reporting harm may be expected to fund and frame a fresh case while managing health, housing and safety loss.

- Publish the Government's position and timetable following the federal judicial commission consultation.
- Convene constitutional, family-law, child-safety, First Nations, disability and paid lived-experience design expertise.
- Issue an exposure paper separating complaint and systemic functions from the judicial power to decide and change orders.
- Commission funded scoping and pilot-readiness work for an independent rapid-intake and legal-assistance pathway.

Within 12 months

- Introduce constitutionally compatible IJIAC legislation with complaint, pattern, investigation, referral and public-reporting functions.
- Establish the Rapid Child-Safety Reassessment Pathway with national funding, legal assistance, safeguards and independent evaluation.
- Require public institutional responses to systemic recommendations, subject to privacy and judicial independence.

Operational specifications are available only through a separately funded co-design, development and pilot agreement.

B6. Sources and drafting basis

Source	Location
Commonwealth Constitution, s 72	https://www.legislation.gov.au/constitution
Family Law Act 1975 (Cth), ss 65D, 65DAAA, 67ZBB, 67ZBD–67ZBE and 68B	https://www.legislation.gov.au/C2004A00275/latest
Attorney-General's Department, Scoping the Establishment of a Federal Judicial Commission (2023)	https://consultations.ag.gov.au/legal-system/federal-judicial-commission/
Attorney-General's Department, Federal Judicial Commission discussion paper	https://consultations.ag.gov.au/legal-system/federal-judicial-commission/supporting-documents/discussionpaper.pdf
FCFCOA, Judicial complaints procedure	https://www.fcfcOA.gov.au/policies-and-procedures/judicial-complaints
FCFCOA, Family Law: Appeal Procedures	https://www.fcfcOA.gov.au/fl/appeals
FCFCOA, Children: My application is urgent	https://www.fcfcOA.gov.au/fl/children/urgent-app
FCFCOA, How the Court considers safety and risk	https://www.fcfcOA.gov.au/fl/fv/court-considerations-safety
The Evidence of Us, Establishing an Independent Judicial Integrity and Accountability Commission—First Draft for Discussion	Project source document, July 2026
The Evidence of Us, Every Voice Matters—Reported Harm Through Family Court and Associated Systems	Project evidence brief, July 2026
The Evidence of Us, Second Action Plan Submission 2026	Project submission, July 2026

Drafting note: This brief distinguishes verified descriptions of current pathways from proposed design features and policy inference. Constitutional compatibility should be settled through formal advice during exposure-draft development.

Appendix C — First Action Plan 2023–2027 Public-Record Implementation Audit

What it was meant to do, what was implemented, and what remains unproven

Executive finding

The First Action Plan built a larger national activity architecture. The published record does not yet demonstrate, with the same clarity, whether that activity produced safer lives.

The Plan was designed as the first five-year roadmap under the National Plan to End Violence against Women and Children 2022–2032. It translated the four domains—prevention, early intervention, response, and recovery and healing—into ten actions, shared government responsibility, governance, annual public reporting and a promised performance measurement framework.

There is real implementation to recognise. The Domestic, Family and Sexual Violence Commission is operating and reporting to Parliament; an Outcomes Framework and Performance Measurement Plan have been published; the annual Activities Addendum now lists 583 activities; family-law parenting reforms commenced in May 2024; and court risk screening, information sharing and specialist case management have continued.

The official record also exposes the gap. At 30 June 2025, only 112 of 583 activities were labelled “finished”, and the addendum defines finished as the service or outcome being no longer available—not as successful completion. Seventy-nine remained in planning. Most importantly, the public status system primarily reports the existence and lifecycle of activities, not whether children and adults became safer.

Overall assessment: foundational machinery established; implementation substantial but fragmented; outcome proof incomplete; several promised accountability functions remain underpowered or not demonstrably delivered.

Audit categories

Category	Meaning in this report
Implemented	A measure, institution or reporting product is operating and publicly verifiable.
Partial / continuing	Material activity exists, but national coverage, permanence, fidelity or outcome evidence remains incomplete.
Not demonstrated	The published record does not establish delivery or the intended outcome.
Ended / continuity risk	An activity is marked “finished”, which the addendum defines as no longer available.

C1. What the First Action Plan was meant to achieve

Action	Focus	Intended change
1	Gender equality and drivers	Advance gender equality and change attitudes and norms that drive gender-based violence.
2	Evidence and measurement	Create consistent terminology, evaluation, data collection and evidence sharing.
3	Workforce capability	Strengthen mainstream and specialist workforces across all four domains.

Action	Focus	Intended change
4	Connected services	Build trauma-informed, connected responses supporting long-term recovery, health and wellbeing.
5	Perpetrator accountability	Hold people using violence to account and support behaviour change while protecting victim-survivors.
6	Sexual violence	Prevent and respond to sexual violence and harassment across all settings and domains.
7	First Nations partnership	Work in formal partnership on culturally safe, strengths-based, trauma-informed policy and services.
8	Children and young people	Develop age-appropriate programs informed by children and young people, including recovery and early intervention.
9	Police and justice	Make justice responses trauma-informed, culturally safe and capable of supporting victim-survivors and accountability.
10	Housing	Improve short-, medium- and long-term housing and support women and children to remain safely at home where chosen.

C1.1 The accountability promise

- Joint Commonwealth, state and territory responsibility.
- A governance structure for oversight, strategic direction and progress tracking.
- Independent oversight through the DFSV Commission.
- A performance framework linking outcomes, indicators, measures, targets, data sources, baselines and reporting frequency.
- Annual public reporting and annual updates to the Activities Addendum.

The Plan expressly acknowledged that further data development was required to robustly measure sustained population-level change. That candid starting point makes the remaining measurement gap a core unfinished deliverable, not a peripheral technical issue.

C2. Markers met

Marker	Evidence	Audit reading
National governance	The Women and Women's Safety Ministerial Council structure, senior officials, working groups and advisory bodies were specified.	Implemented as architecture; effectiveness requires stronger delivery coordination.
Independent national oversight	The DFSV Commission operates and provides annual reports and recommendations to Parliament.	Implemented, but the Commission itself seeks stronger information-gathering and monitoring powers.
Annual activity reporting	The Activities Addendum is updated and reports action, responsible government, status, domain, priority group and service system.	Implemented.
Expanded activity base	The 2025 update lists 583 activities, including 122 newly added activities.	Activity growth demonstrated; outcome growth not established.
Outcome architecture	An Outcomes Framework and National Outcomes Framework Performance Measurement Plan have been published.	Implemented as framework; data completeness and use remain partial.

Marker	Evidence	Audit reading
Family-law parenting reform	Changes commencing 6 May 2024 simplified best-interests factors and removed the presumption of equal shared parental responsibility.	Implemented in legislation; safety and post-order impact require evaluation.
Court safety infrastructure	Mandatory risk notices, Lighthouse screening, the Evatt List, co-location and statutory information-sharing powers support risk identification and case management.	Implemented in operation; national outcome and fidelity data remain incomplete.
Recognition of systems abuse	The Plan defines systems abuse and Action 9 recognises misuse of family law and other systems.	Recognition achieved; a delivery map with owners and timeframes is still recommended.
Children recognised in their own right	Action 8 explicitly recognises children and young people as victim-survivors with distinct needs.	Policy marker met; the Commission says implementation has too often failed to follow recognition.

The strongest achievements are architecture, recognition and activity. The weaker area is verified conversion of those inputs into consistent safety outcomes.

C3. What the official status data actually shows

Official label	Government definition	What can safely be concluded
In planning — 79 (14%)	Work underway; service or outcome not yet available.	The intended benefit was not yet available at the reporting date.
Current — 221 (38%)	Available for a period, such as a pilot or trial.	Activity exists, but permanence and outcomes may be unknown.
Ongoing — 171 (29%)	Implemented and established as business as usual.	Operational continuity is stronger; safety impact still requires evidence.
Finished — 112 (19%)	Service or outcome is no longer available, such as an ended pilot or campaign.	The activity ended. The label does not establish success, evaluation or replacement.

The status system is therefore a lifecycle register, not an outcome scorecard. It cannot answer how many children became safer, whether repeat victimisation reduced, whether legal and systems abuse was interrupted, or whether services were accessible and effective for priority groups.

C3.1 Continuity question

Every “finished” activity should be accompanied by a closure statement identifying what was delivered, who was reached, what outcome was measured, whether the measure was evaluated, whether it was replaced or mainstreamed, and what happened to people still relying on it. Without this, ended activity is indistinguishable from completed reform, expired funding or an abandoned pilot.

C4. Action-by-action implementation assessment

Action	What is visible	Assessment	Where it falls short
1. Gender equality	Many national and jurisdictional strategies, campaigns, education and workplace measures are listed.	Partial / continuing	No consolidated public proof that activity has shifted the specified attitudes and drivers at the required pace.
2. Evidence	Outcome and performance frameworks, surveys, research and annual activity reporting exist.	Partial / continuing	Activity counts remain easier to obtain than outcomes; data linkage, baselines and priority-group experience remain incomplete.

Action	What is visible	Assessment	Where it falls short
3. Workforce	Training and capability activities exist across justice, health and specialist services.	Partial / continuing	The 2025 Commission report still calls for specialist workforce growth and wider system capability.
4. Connected services	Numerous response, recovery and coordination initiatives operate.	Partial / continuing	Fragmentation, short-term funding and inconsistent service integration remain recurring concerns.
5. Accountability of people using violence	Behaviour-change and perpetrator-accountability activity is present.	Partial / continuing	The Commission calls for coordinated men-and-boys work and expedited national standards for behaviour-change programs.
6. Sexual violence	Consent, harassment and sexual-violence reforms and services have progressed.	Partial / continuing	The Commission recommends a roadmap with clear timeframes and agencies for ALRC and wider sexual-violence reforms.
7. First Nations partnership	A dedicated Aboriginal and Torres Strait Islander Action Plan and governance commitments exist.	Partial / continuing	Shared decision-making, long-term flexible ACCO investment and Target 13 data remain identified needs.
8. Children and young people	Children are explicitly recognised and many child/youth activities are recorded.	Falls short of intent	The Commission states that plans repeatedly name children's needs but fail to implement programs or change systems; it recommends a Youth Advisory Council and contract-level counting.
9. Police and justice	Family-law reform, risk notices, screening, information sharing and specialist lists are in place.	Partial / continuing	Independent pattern review, post-order outcomes, systems-abuse mapping and a rapid reassessment route are not demonstrated.
10. Housing	Housing, crisis, leaving-violence and safe-at-home initiatives are listed across governments.	Partial / continuing	Activity is visible; national evidence of adequate, timely and sustained housing outcomes is not established by the activity register.

These assessments are an audit of the published implementation record, not an evaluation of every one of the 583 activities. A definitive program-effectiveness judgment would require activity-level funding, reach, fidelity, evaluation and outcome data that are not consistently available in the public register.

C5. Where the Plan fell short

Shortfall	Published evidence and implication
Activity substituted for outcome	Status reporting shows whether something exists or has ended, but not whether violence, harm or institutional failure reduced.
Children named but not structurally centred	The 2025 Commission report says children's unique needs are repeatedly referenced without corresponding programs or system change.
Systems abuse recognised but not operationalised	The Commission still recommends systematic mapping of family law, tax and child-support misuse with owners and delivery timeframes.
Implementation ownership remained diffuse	The Commission recommends a Commonwealth delivery mechanism, quarterly Cabinet dashboards and Secretaries Board attention.
Oversight lacked timely information powers	The Commission recommends expanded powers to gather data and evidence needed to assess progress and outcomes.
Funding visibility remained weak	The Commission recommends a national funding mapping framework with consistent categories and bilateral reporting.
Workforce reform remained incomplete	Specialist workforce capacity, First Nations workforce growth, health-system capability and multicultural competency remain priority recommendations.

Shortfall	Published evidence and implication
Lived experience was not yet measurable governance	The Commission proposes an engagement toolkit, evaluation framework and national audit of lived-experience mechanisms.
Justice reform lacked a feedback loop	The Plan recognises Family Court concerns and systems abuse, but public reporting does not show whether orders and interventions produced post-order safety.
Continuity was opaque	The register's 112 finished activities are no longer available, without a consistent public account of evaluation, replacement or unmet continuing need.

C6. What appears to have fallen away—or remains uncompleted

“Fallen away” should be used carefully. The public record can prove that an activity ended or that a recommended mechanism is not demonstrated; it cannot always prove that government consciously abandoned the underlying commitment. The defensible categories are:

Category	Current public position	Required correction
Ended	112 activities are marked finished and therefore no longer available.	Publish evaluation, replacement and continuity information.
Still in planning	79 activities had no available service or outcome at 30 June 2025.	Publish dated milestones, owner, funding and delivery risk.
Consulted but not visibly implemented	The 2023 federal judicial commission consultation remains described as informing advice; the official page does not announce establishment.	Publish decision and implementation timetable.
Recognised but without delivery architecture	Family-law and economic systems abuse are recognised, but the Commission still calls for mapping, owners and timeframes.	Create a national implementation map and dashboard.
Promised but not outcome-complete	The performance framework exists, but the activity register does not demonstrate child-safety, recovery or justice outcomes.	Report baselines, targets, outcome trend and corrective action.
Needed but absent from published architecture	No independent rapid child-safety reassessment pathway or post-order outcome review is demonstrated.	Pilot and legislate the pathway, preserving judicial decision-making.

C7. What the Second Action Plan must do differently

The next plan should not count a training session, form, referral, pilot or strategy as a safety outcome. It should show whether risk was identified, what action followed, whether harm reduced and what correction occurred when it did not.

Public principle	What must be visible
Accountable ownership	Identify responsible leads and cross-jurisdictional partners.
Delivery and resourcing	Make timeframes, funding and continuity visible.
Outputs and outcomes	Distinguish what was delivered from whether safety, wellbeing or access improved.
Evidence and equity	Use baselines, targets and disaggregated, culturally governed evidence.
Independent review	Verify progress, fidelity, unintended harm and lived-experience accessibility.
Correction and closure	Require correction when delivery or outcomes fail, and evaluation before an activity closes.

Reserved implementation material. The detailed implementation-register schema, field definitions, evidence rules, corrective-action thresholds, escalation logic, dashboard specifications, data-linkage design and operating protocols are not included in this public audit.

Priority carry-over actions

- Create the Commonwealth implementation and delivery mechanism recommended by the DFSV Commission.
- Give the DFSV Commission timely information-gathering and monitoring powers.

- Establish a child and youth governance structure with measurable influence over contracts, programs and review.
- Map family-law, child-support, tax and administrative systems abuse with named agencies, deadlines and public progress.
- Progress IJAC and a constitutionally compatible rapid child-safety reassessment pathway.
- Publish risk-to-outcome evidence for family-law screening, specialist lists, information sharing and post-order safety.
- Audit every finished First Action Plan activity for outcome, continuity and replacement.

C8. Sources and limitations

Source	Location
Department of Social Services, First Action Plan 2023–2027	https://www.dss.gov.au/national-plan-end-violence-against-women-and-children/resource/first-action-plan-2023-2027
Department of Social Services, First Action Plan progress	https://www.dss.gov.au/national-plan-end-violence-against-women-and-children/progress/first-action-plan-progress
Department of Social Services, First Action Plan Activities Addendum	https://www.dss.gov.au/national-plan-end-violence-against-women-and-children/progress/first-action-plan-progress/first-action-plan-activities-addendum
Department of Social Services, Outcomes Framework and Performance Measurement Plan	Linked from the First Action Plan resource page
Domestic, Family and Sexual Violence Commission, Yearly Report to Parliament 2024	https://www.dfsvc.gov.au/sites/default/files/2024-11/DF SVC0011-YearlyReport2024%28A4%29FA4%28Digital%29SP.pdf
Domestic, Family and Sexual Violence Commission, Yearly Report to Parliament 2025	https://www.dfsvc.gov.au/yearly-report-2025
Attorney-General's Department, Children and family law— changes from May 2024	https://www.ag.gov.au/families-and-marriage/children-and-family-law
Attorney-General's Department, Scoping the Establishment of a Federal Judicial Commission	https://consultations.ag.gov.au/legal-system/federal-judicial-commission/
FCFCOA, How the Court considers safety and risk	https://www.fccoa.gov.au/fl/fv/court-considerations-safety
The Evidence of Us, Second Action Plan Submission 2026	Project submission, July 2026
The Evidence of Us, Every Voice Matters—Reported Harm Through Family Court and Associated Systems	Project evidence brief, July 2026

Limitations: This is a public-record implementation audit, not an expenditure audit or evaluation of all 583 activities. The official addendum changes over time. Status counts are reported as at 30 June 2025. “Not demonstrated” means the reviewed public record did not establish delivery or outcome; it does not prove that no work occurred. The Every Voice Matters evidence is self-selected respondent-reported data and is not presented as national prevalence.

DSS V2.0–V2.1 document-specific change schedule

Change ID	Version-specific change	Source control
DSS-01	Added controlled-review status and independent version history; preserved the 31 July 2026 package as immutable V1.0 lodged record	Consolidated register DC.2
DSS-02	Added document relationship and section-level cross-references to TEOU V5.0	PLR-07
DSS-03	Added concise conduct-change, national-data, child-interview and expert-regulation decisions	PLR-02, PLR-06, PLR-07 and PLR-09
DSS-04	Preserved attribution and IP boundaries for [REDACTED] and independently contributed work	Author-approved attribution controls
DSS-05	Recorded the credential-verification release gate in DSS V2.0 without changing the historical lodged file	PLR-07 release gate 12
DSS-06	Issued DSS V2.1 as the current author-approved companion edition dated 18 August 2026; preserved DSS V1.0 as the unchanged historical lodged record.	Author-approved V2.1 finalisation
DSS-07	Updated companion references to the final revised TEOU V5.1 section and page locations to support reading across the two documents.	Final revised TEOU V5.1, 17 August 2026
DSS-08	Removed the unresolved qualification placeholder and aligned contributor descriptions with the final TEOU V5.1 attribution record.	TEOU V5.1 Appendix 1
DSS-09	Applied the TEOU Word-document visual system, corrected heading and hyperlink colours, page and appendix numbering, headers and footers, front-cover status and final seal page.	TEOU branded Word template and branding visuals
DSS-10	Aligned the companion decisions requested and cross-reference matrix with the expanded TEOU V5.1 Recommendation 12: an independent national family-law child-safety outcomes review combining a retrospective decade review with prospective post-6 May 2024 longitudinal evaluation.	Revised TEOU V5.1 section 9.3A; Recommendation 12; Table 12.3

This schedule is document-specific. DSS V2.1 updates version control, attribution accuracy, cross-references, numbering and final TEOU-branded presentation. It also aligns the companion decisions requested with the expanded TEOU V5.1 family-law child-safety outcomes review. The current consolidated author-review register remains a separate internal controlled record.



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DSS V2.1 — Post-Lodgement Author-Reviewed Edition

18 August 2026

Thank you