

Submission to the Department of Social Services Consultation on the Second Action Plan

**National Plan to End Violence against Women and Children 2022-2032
Submitted by Western NSW Community Legal Centre
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This submission may be published.

Acknowledgements

Western NSW Community Legal Centre ('WNSWCLC') acknowledges the Traditional Custodians of the lands on which we live and work across Western NSW and pays respect to Elders past and present. Domestic, family and sexual violence is not part of First Nations cultures. Its disproportionate impact on Aboriginal and Torres Strait Islander communities reflects the ongoing effects of colonisation, dispossession and racism, not culture.

We also acknowledge the victim-survivors, including children and young people, whose experiences inform this submission through our casework.

Executive summary

WNSWCLC supports the five priority areas proposed for the Second Action Plan (2027-2032). We have not attempted to answer every consultation question. Instead, this submission focuses on the areas where our casework gives us direct evidence: victim-survivors' access to safety, justice and housing in 4Rs communities (Priority Area 1), children and young people in their own right (Priority Area 3), and system integration and workforce (Priority Area 5).

Our central message is simple: national frameworks are only as strong as their weakest access point. The Second Action Plan should be judged not by how it operates in metropolitan centres, but by whether a woman in Cobar, a family in Bourke or a young person in Lightning Ridge can realistically access the safety, support and

opportunities it promises. Regional NSW continues to shoulder a disproportionate burden of domestic and family violence. The Far West and Orana region records the highest rate of domestic violence homicide in the state, while the Central West and Far West and Orana record coercive control rates around three times the NSW average. Yet many people seeking support continue to face multiple and compounding barriers, including limited access to local services, a lack of affordable, available and secure housing, transport disadvantage and digital exclusion that can make it harder to access information, services and support.

WNSWCLC urges the Australian Government to ensure the Second Action Plan:

- close the gap between coercive control laws, their implementation and victim-survivors' lived experience, including through strengthened police capability, judicial education and measures to prevent the misidentification of victim-survivors;
- treat safe housing as core violence-response infrastructure, with priority action in regional areas where waitlists are escalating fastest;
- adopt a no-wrong-door, multi-channel access standard so that services and systems do not assume digital access, private transport or metropolitan proximity;
- recognise children and young people as victim-survivors in their own right, with support that does not depend on a parent's engagement with services;
- build on recent Commonwealth reforms by closing the remaining features of family law, child support, social security and tenancy systems that perpetrators exploit; and
- sustainably fund specialist domestic and family violence, community legal and support service workforce, with models that reflect the realities and costs of delivering services across regional, rural and remote Australia.

About Western NSW Community Legal Centre

Western NSW Community Legal Centre (WNSWCLC) is a not-for-profit organisation based in Dubbo, delivering free legal advice, casework, referral, representation, outreach and law reform engagement across Western New South Wales. Western Women's Legal Support (WWLS) is WNSWCLC's domestic and family violence legal service, providing integrated legal and casework support to women across the region.

WNSWCLC services a region of more than 200,000 square kilometres and a population of over 150,000 people, through 21 outreach locations including Wellington and

Macquarie Correctional Centres. In 2024-25, WNSWCLC and WWLS supported 1,278 clients, delivered 4,837 discrete legal services and 49 ongoing matters, and made 1,660 referrals (*WNSWCLC and WWLS Internal Data, 2024-25*). Clients frequently waited up to six weeks for assistance due to demand and resource constraints. Across NSW, the community legal sector assisted more than 14,000 people affected by domestic and family violence in the same period, and more than 5,300 Aboriginal and Torres Strait Islander clients (*Community Legal Centres NSW, Annual Report 2024-25*).

The depth of disadvantage among WWLS clients is stark. WWLS supported 654 clients in 2025-26 and 574 in 2024-25. In 2025-26, 99.5 per cent of those clients were financially disadvantaged and 17 per cent identified as homeless or at risk of homelessness, consistent with the year before (98.3 per cent and 16 per cent respectively). Clients typically met three priority disadvantage indicators at once (*WWLS Internal Data, 2024-25 and 2025-26*).

Many of our clients present with interconnected issues: domestic and family violence, housing insecurity, financial stress, child protection and mental health concerns, compounded by geographic disadvantage. This submission draws on that casework. It responds to the consultation paper, *Evidence to action* (ANROWS and DSS, May 2026), through a regional, rural, remote and very remote (4Rs) lens.

Priority Area 1: Victim-survivors

Coercive control: the implementation gap

The consultation paper identifies improved recognition of and response to coercive control as a key opportunity. Our casework, and NSW monitoring data, show how far practice lags behind the law. Between 1 July 2024 and 31 December 2025, NSW Police recorded 473 incidents of coercive control. Just 22 charges were laid over that period (Bureau of Crime Statistics and Research (BOCSAR), *Coercive Control Monitoring Report, December 2025*, published March 2026).

Regional NSW bears a disproportionate burden. Over the same 18 months, the Central West recorded coercive control at 3.2 times the NSW rate and the Far West and Orana at 2.9 times, with regional NSW overall at 9.9 incidents per 100,000 people against 3.3 in Greater Sydney (BOCSAR, 2026). The stakes could not be higher: the NSW Domestic Violence Death Review Team's new dashboard shows the Far West and Orana region has recorded the highest rate of domestic violence homicide of any region in the state since 2000, at 27.1 DV homicides per 100,000 people (NSW DVDRT Dashboard, 2026). These are NSW figures because that is where our casework sits, but the implementation gap they reveal is unlikely to stop at the border. Legislating an offence

is not the same as delivering protection. These figures point to a gap between the law on coercive control and its implementation on the ground. Through our casework, victim-survivors in our region report inconsistent police responses and difficulties having non-physical forms of abuse recognised and acted upon. Some clients tell us that when they disclose coercive control, police describe it as 'too hard' to act on or prove, and in some more remote towns, clients report that coercive control is not always recognised by police as a form of abuse, leaving them with limited avenues of protection against violence that is non-physical. This is consistent with the national evidence on misidentification of the person most in need of protection (Nancarrow et al., 2020), which shows particularly severe consequences for Aboriginal women. Victim-survivors who resist, act in self-defence or present as distressed or angry are especially likely to be misidentified as the aggressor, particularly where a perpetrator presents as calm and credible or makes counter-allegations. The national priority should now be implementation rather than further legislation: sustained specialist training for police, funded professional development for judicial officers, monitoring of misidentification, and public reporting broken down by region and Aboriginality.

Recommendation 1: Prioritise implementation of coercive control reforms through mandatory specialist training for police, funded ongoing professional development for judicial officers, national monitoring of victim misidentification, and publicly reported outcomes disaggregated by geography and Aboriginality.

Composite example: coercive control in practice

A victim-survivor experiencing coercive control needed help on several fronts at once: court processes, emergency accommodation, a Victims Support Scheme application, parenting arrangements and financial abuse. With limited transport, unstable housing and unreliable internet, engaging with any one service was hard. Engaging with all of them at the same time was close to impossible. Better coordinated outreach earlier on could have connected her to support before the situation became acute.

Housing as violence-response infrastructure

Safe housing is among the most common unmet needs of WWLS clients seeking to leave violence. Priority housing demand in Western NSW has risen sharply. Priority social housing applicants in Dubbo rose by 266 per cent between June 2021 and June 2025, from 32 to 117 applicants, against a statewide rise of 115 per cent. Some communities recorded increases of 300-500 per cent (Homelessness NSW, *Housing Code Red*, May 2026).

In practice, this means many victim-survivors delay leaving, return to, or remain in violent relationships because there is limited safe and affordable housing available. Refuges are often full or do not exist locally, and the private rental market is unaffordable or has low vacancy rates. Women are left choosing between staying in an unsafe home and relocating hours away from family, community, jobs and support networks. Relocation usually also means starting the legal process again with a new service in a new catchment. For Aboriginal women, it frequently means being forced to move away from Country, which carries cultural, spiritual and identity impacts on top of the practical and legal ones. Fear of child removal compounds all of this, a barrier the consultation paper rightly identifies as suppressing help-seeking. Without access to safe, affordable and secure housing, legal protections and domestic and family violence services alone cannot deliver lasting safety outcomes. Housing should be recognised as a core component of Australia's domestic, family and sexual violence response infrastructure.

Our own client data bears this out. In 2025-26, 17 per cent of WWLS clients (110 of 654) identified as homeless or at risk of homelessness, up from 16 per cent in 2024-25. If anything, these figures understate the problem, because they do not count clients living in social housing who are seeking transfers out of fear of further violence (WWLS Internal Data, 2024-25 and 2025-26).

Recommendation 2: Treat crisis, transitional and long-term housing as core DFSV response infrastructure under the Second Action Plan, with dedicated regional and remote investment and reporting on housing outcomes for victim-survivors by remoteness area.

Composite example: housing insecurity

After leaving an unsafe living situation, a client experiencing family violence could not find accommodation locally. Crisis options were limited, the wait for social housing was long even for priority applicants, and without reliable transport she struggled to hold onto work and stay connected to support services. Faster access to safe housing, and more active exploration of alternatives such as private rental assistance, could have prevented the instability that followed.

Aboriginal and Torres Strait Islander women and children

Aboriginal people comprise approximately 16.6 per cent of the population in Dubbo Regional LGA, against 3.4 per cent across NSW (Australian Bureau of Statistics (ABS), 2021 Census), and a higher proportion in many communities we serve. The

consultation paper's evidence matches what our practitioners see: hospitalisation for assault-related injuries at 32 times the rate of non-Indigenous women; an average of 16 per cent of adult female homicide victims each year since 1989-90, from about 3 per cent of the adult female population; and police responses the paper describes as 'woefully inadequate'.

The gap here is one of implementation, not evidence. We support the paper's call to shift from documenting barriers to funding and scaling self-determined responses led by Aboriginal organisations. We also urge accountability measures for mainstream policing and justice systems, including on racism and misidentification. Design and delivery must occur with Aboriginal Community Controlled Organisations, not for them.

Recommendation 3: Resource Aboriginal Community Controlled Organisations to lead DFSV responses in their communities and establish public accountability measures for mainstream police and justice responses to Aboriginal and Torres Strait Islander women and children, including misidentification and response failures.

Access in 4Rs communities and systems abuse

Victim-survivors in our region routinely struggle to act on their safety or legal rights. Increasingly, we see clients who are struggling to afford food; understandably, that becomes the priority and legal problems wait. More clients struggle to attend face-to-face appointments because they cannot afford to run a car, and unreliable mobile and internet coverage makes it hard for clients to stay in contact with our service over the life of a matter. Small communities add a further barrier: clients often know the local police, court staff or the perpetrator's family, which makes reporting or seeking help feel unsafe. And with few local specialist DFV services, clients are referred long distances or placed on lengthy waitlists for counselling and support. The centralisation of courts and tribunals compounds these barriers. In one current matter, a client in a remote community with limited digital literacy could not sign an authority that had been emailed to her. Without a signed authority the tribunal would not release the documents from her own matter, and because the hearing had already taken place it would only permit inspection of the file in person at a registry. There is no registry in Dubbo. Assessing the merits of an appeal requires the applications and evidence that were filed, and for a 4Rs client the current settings put those documents effectively out of reach. This is a natural justice problem, and it is not new. A practical fix is available: courts and tribunals should accept a written request from the client's solicitor, supported by an undertaking that the documents will be used only to assist the client in that matter, as sufficient to provide copies. Service and system design

that assumes digital access and physical proximity will systematically exclude the communities where prevalence is highest. The consultation's summary paper identifies a 'no wrong door' experience for victim-survivors as a key opportunity for the Second Action Plan. We agree, and in 4Rs communities that phrase must mean something concrete: free call telephone, in-person, mail and assisted digital channels; interpreter and First Nations language access; travel support; and flexible timeframes where access barriers are documented. These are minimum standards, not aspirations.

We also urge continued attention to systems abuse. Perpetrators in our casework routinely weaponise family law proceedings, child support, social security debt and tenancy processes to extend control after separation. In our experience, this most often takes the form of a perpetrator reneging on an informal or verbal agreement to pay child support, under-disclosing income to reduce a child support assessment (particularly where the paying party is self-employed), or a victim-survivor seeking to have child support collection waived altogether out of fear of retaliation or further violence. The Australian Government's recent reforms to family law, social security and child support are welcome and directly responsive to this problem. The task for the Second Action Plan is to test whether those reforms are actually closing the features perpetrators exploit, and to extend the same scrutiny to the systems not yet addressed. A further structural gap, distinct from these casework patterns, concerns non-periodic child support, such as school fees and medical costs. Even where these amounts are set out in a binding or limited child support agreement, they cannot be registered for collection by Services Australia in the way periodic child support can. When these amounts go unpaid, pursuing them falls to the victim-survivor, in their own time and at their own cost, through separate enforcement proceedings in the Federal Circuit and Family Court of Australia. Extending the Registrar's collection and enforcement powers to these amounts, so they can be collected in the same way as periodic child support, would close this gap. This would require legislative amendment to the Child Support (Registration and Collection) Act 1988, and the Department of Social Services, as the policy owner of the scheme, would need to progress this as a reform. Many of these systems are Commonwealth-administered, which places responsibility squarely within the Australian Government's remit under the National Plan.

Recommendation 4: Adopt a national no-wrong-door, multi-channel access standard for DFSV services and related systems, so that no pathway to safety, support or justice depends on digital access, private transport or metropolitan proximity.

Recommendation 5: Work with states and territories to standardise court and tribunal document access so that a written request from a solicitor, supported by an undertaking that the documents will be used only to assist the client in that matter, is

sufficient for copies to be provided, and access to a client's own case documents never depends on digital literacy, attendance in person at a distant registry, or the stage the proceedings have reached.

Recommendation 6: Build on recent reforms to family law, social security and child support by independently evaluating whether they are closing the features of those systems that perpetrators exploit, and extend systems abuse reform to the systems not yet addressed, including tenancy processes and non-periodic child support provisions.

Sexual violence

We support the consultation paper's differentiation of sexual violence from domestic and family violence, and its finding that sexual violence has not declined since 2005 and has increased since 2012. Nor is that burden evenly shared: the paper reports that sexually diverse women are five times more likely than heterosexual women to have experienced sexual violence, and in small 4Rs communities LGBTIQ+ victim-survivors face the confidentiality and safety barriers described above with even fewer inclusive services to turn to. WWLS assists victim-survivors whose experiences include sexual violence, including through legal advice, safety planning, Victims Support Scheme applications and related family law and protection matters. Specialist sexual violence services are scarce across our region, and victim-survivors often have very few local options for counselling, forensic or advocacy support beyond what WWLS and mainstream DFV services can provide. A dedicated sexual violence stream under the Second Action Plan must be designed for 4Rs communities from the outset, not adapted afterwards: it should fund regional and remote specialist sexual violence services directly, rather than assuming victim-survivors can travel to, or access remotely, metropolitan-based responses. The access principles in this submission, and Recommendation 4 in particular, apply with equal force here.

Recommendation 7: Ensure any dedicated sexual violence stream under the Second Action Plan is designed for regional, rural and remote communities from the outset, with direct funding for regional and remote specialist sexual violence services rather than reliance on metropolitan-based responses.

Priority Area 3: Children and young people in their own right

WNSWCLC strongly supports this priority area. While our primary clients are adult victim-survivors, our casework consistently demonstrates that children's experiences and legal needs are often treated as secondary to those of the non-offending parent. We frequently see that children's access to support depends on a protective parent's

engagement with services, while fear of child protection intervention can deter women, particularly Aboriginal mothers, from seeking legal assistance.

The consultation paper highlights the profound impact of domestic and family violence on children and young people. It notes that 76 per cent of filicides occurred in a domestic and family violence context, involving a history of child abuse, intimate partner violence or both (Australian Domestic and Family Violence Death Review Network & ANROWS, 2024). This underscores the consequences of systems that fail to recognise children and young people as victim-survivors in their own right and the importance of ensuring they can access support independently of a parent's engagement with services.

Children and young people in 4Rs communities face additional barriers accessing child-specific therapeutic and legal services. Specialist services do exist in larger regional centres, including trauma counselling and harmful sexual behaviour programs for children and young people, but they are concentrated in a small number of hub towns and are largely unavailable in smaller rural and remote communities. Families frequently need to travel long distances to reach appropriate support, which is often unrealistic for those experiencing domestic and family violence. These gaps make it difficult to connect children and families with appropriate services in the areas they live and leave many children without timely specialist support. Children affected by domestic and family violence may also have legal needs of their own, including in care and protection, family law, victims support, housing and education, that existing regional legal services are not always resourced or positioned to meet. Our own data systems illustrate the problem: WWLS does not currently capture whether a client's children have an identified legal need in their own right, such as care and protection involvement, an Independent Children's Lawyer referral or a victims support application. This is not a gap unique to WNSWCLC. It reflects a broader failure across the sector to collect data on children as parties with legal needs of their own, rather than as incidental to a parent's matter. Like the other data gaps identified in this submission, it points to the same underlying need: national, disaggregated data collection that makes children's legal needs visible in their own right. Meeting children's needs requires accessible, child-capable legal assistance, particularly in rural, regional and remote communities.

Recommendation 8: Recognise and fund children and young people as victim-survivors in their own right, including child-specific therapeutic, casework and legal support that is not contingent on a parent's engagement, with delivery models designed for rural and remote communities.

Recommendation 9: Address fear of child removal as a help-seeking barrier by ensuring child protection responses to domestic and family violence support non-offending parents to keep their children safely with them, co-designed with Aboriginal Community Controlled Organisations.

Priority Area 5: System integration and workforce

WWLS operates an integrated model: legal advice and representation delivered alongside casework support, safety planning, financial counselling and warm referrals. Our experience is that integration is what makes assistance usable for clients managing violence, housing instability, financial stress and child protection at the same time. It collapses when coordination time is unfunded. Health justice partnerships and integrated DFSV legal services should be scaled as core system architecture, particularly in 4Rs regions where each service is often the only one of its kind.

We acknowledge the NSW Government's 2026-27 Budget investment of \$184.1 million, a 50 per cent increase across six frontline specialist domestic and family violence programs. While this demonstrates the value of sustained investment in specialist services, the Second Action Plan should ensure nationally consistent investment that also includes specialist legal assistance as a core part of the domestic and family violence response, with funding that reflects the additional costs of delivering services in regional, rural and remote communities.

These pressures are not unique to WNSWCLC. Community Legal Centres NSW's 2024-25 Annual Report reflects the same pattern of unmet demand across the regional legal assistance sector, and recruitment and retention challenges in regional and remote areas are a longstanding, sector-wide issue rather than one specific to any single service.

None of this works without a workforce. Our clients wait up to six weeks for assistance, and WWLS continues to operate above its funded capacity; scaling back is not a realistic option when this is the daily reality for women in our region. Specialist roles are hard to fill and harder to retain in regional areas. While recent community sector wage increases are welcome, they have not addressed longstanding recruitment and retention challenges in regional legal assistance services. Remuneration remains uncompetitive with comparable sectors, salary packaging benefits for eligible not-for-profit employers have declined in real value because the FBT exemption cap has not kept pace with inflation, workforce housing is scarce, and the costs of attracting and retaining experienced practitioners in regional communities

remain high. A national DFSV workforce strategy must include the legal assistance workforce and address regional attraction and retention through competitive remuneration, rural loadings, workforce housing, supervision, wellbeing and vicarious trauma support.

Information sharing also needs to improve. Jurisdictions are already building common risk assessment approaches, such as the NSW Common Approach to Risk Assessment and Safety (CARAS) reform funded in the 2026-27 Budget; the Second Action Plan's task is to knit these into national consistency. Victim-survivors in our region retell their story to every service, across state lines and sectors, at real cost to safety and engagement.

Nor can a gap be closed while it goes unmeasured. The consultation paper acknowledges that people living in very remote areas are likely to be under-represented in national survey data. While AIHW reporting includes data on people living in regional, rural and remote areas, the Second Action Plan should strengthen the consistent reporting of National Plan outcomes by remoteness area so regional inequities are visible and can be addressed.

Recommendation 10: Fund specialist DFSV services and legal assistance providers through needs-based funding agreements with regional loadings that reflect the true cost of integrated service delivery and outreach across large geographic areas.

Recommendation 11: Develop a national DFSV workforce strategy that explicitly includes the specialist legal assistance workforce and addresses competitive remuneration and pay equity, regional attraction and retention, rural loadings, workforce housing, supervision, wellbeing and vicarious trauma support, including reviewing the adequacy and indexation of the FBT exemption cap for eligible not-for-profit employers, supported by sustainable funding that enables secure, ongoing employment.

Recommendation 12: Implement nationally consistent risk assessment and information-sharing frameworks so victim-survivors tell their story once, with National Plan outcome reporting disaggregated by remoteness area to make regional inequity visible.

Summary of recommendations

1. Prioritise implementation of coercive control reforms through mandatory specialist training for police, funded ongoing professional development for judicial

officers, national monitoring of victim misidentification, and publicly reported outcomes disaggregated by geography and Aboriginality.

2. Treat crisis, transitional and long-term housing as core DFSV response infrastructure under the Second Action Plan, with dedicated regional and remote investment and reporting on housing outcomes for victim-survivors by remoteness area.
3. Resource Aboriginal Community Controlled Organisations to lead DFSV responses in their communities and establish public accountability measures for mainstream police and justice responses to Aboriginal and Torres Strait Islander women and children, including misidentification and response failures.
4. Adopt a national no-wrong-door, multi-channel access standard for DFSV services and related systems, so that no pathway to safety, support or justice depends on digital access, private transport or metropolitan proximity.
5. Work with states and territories to standardise court and tribunal document access so that a written request from a solicitor, supported by an undertaking that the documents will be used only to assist the client in that matter, is sufficient for copies to be provided, and access to a client's own case documents never depends on digital literacy, attendance in person at a distant registry, or the stage the proceedings have reached.
6. Build on recent reforms to family law, social security and child support by independently evaluating whether they are closing the features of those systems that perpetrators exploit, and extend systems abuse reform to the systems not yet addressed, including tenancy processes and non-periodic child support provisions.
7. Ensure any dedicated sexual violence stream under the Second Action Plan is designed for regional, rural and remote communities from the outset, with direct funding for regional and remote specialist sexual violence services rather than reliance on metropolitan-based responses.
8. Recognise and fund children and young people as victim-survivors in their own right, including child-specific therapeutic, casework and legal support that is not contingent on a parent's engagement, with delivery models designed for rural and remote communities.
9. Address fear of child removal as a help-seeking barrier by ensuring child protection responses to domestic and family violence support non-offending parents to keep their children safely with them, co-designed with Aboriginal Community Controlled Organisations.

- 10.** Fund specialist DFSV services and legal assistance providers through needs-based funding agreements with regional loadings that reflect the true cost of integrated service delivery and outreach across large geographic areas.
- 11.** Develop a national DFSV workforce strategy that explicitly includes the specialist legal assistance workforce and addresses competitive remuneration and pay equity, regional attraction and retention, rural loadings, workforce housing, supervision, wellbeing and vicarious trauma support, including reviewing the adequacy and indexation of the FBT exemption cap for eligible not-for-profit employers, supported by sustainable funding that enables secure, ongoing employment.
- 12.** Implement nationally consistent risk assessment and information-sharing frameworks so victim-survivors tell their story once, with National Plan outcome reporting disaggregated by remoteness area to make regional inequity visible.

Conclusion

The consultation paper shows that sustained national effort works. Most forms of violence are declining or stable, attitudes are improving and help-seeking is rising. But that progress has not been shared. It is thinnest in the communities WNSWCLC serves, where coercive control rates run at around three times the state average, priority housing waitlists in towns like Dubbo have more than tripled, and services are furthest away. The Second Action Plan's success should be measured by whether it closes that gap. Frameworks that assume stable access to services will consistently fail the people for whom protection matters most. Protections that cannot be accessed are not protections in practice.

WNSWCLC would welcome the opportunity to discuss this submission or to contribute further as the Second Action Plan is developed.

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