



Parkerville CYC Response to the Treasury Laws Amendment (Victims of Crime) Bill 2026 Consultation

Our holistic support to children, young people, and families

Parkerville Children and Youth Care is a For Purpose organisation that supports children, young people, and their families to build skills and capacity, address the impacts of trauma and adverse childhood experiences, and develop capabilities that will enable them to be the best versions of themselves.

We see a future where Western Australia is the safest place in the world and all children, young people, and their families feel safe to dream, to thrive, and to reach their fullest potential.

We have been working alongside vulnerable children, young people, and their families for over 120 years, and every year, we support more than 13,000 people across WA through our therapeutic, out-of-home care, and early intervention and prevention services. The future of those we serve depends on what we do in the present to support them to reach their potential.

Our Purpose

Our purpose as an organisation is to support children, young people, and their families to build skills and capacity, address the impacts of trauma and adverse childhood experiences, and develop capabilities that will enable them to be the best versions of themselves.

Our Vision

We see a future where Western Australia is the safest place in the world and all children, young people, and their families feel safe to dream, to thrive, and to reach their fullest potential.

Our Values

As a strong, values-based organisation, we are dedicated to an ongoing journey of self-awareness, learning and improvement in everything we do because the children and young people with whom we work deserve nothing less.



Bold and courageous: We stand up for what is right and amplify the voices of the children, young people, families, and communities we support.



Curious and humble: We search out information and data that will help us remain at the forefront of all that we do.



Caring and respectful: We acknowledge and embrace the diversity and individuality of everyone we meet and those we serve.



Hopeful: We believe in the power of positivity and are optimistic about change, having faith that together we can overcome any challenge we may face.



Truthful and accountable: We are committed to being open, honest, and taking responsibility for our actions.



Parkerville CYC's services

Therapeutic Services

- **Multi-agency Investigation and Support Team (MIST):** co-located, multi-disciplinary, trauma-informed model to reduce harmful impacts of trauma from abuse. It is WA's first truly integrated child sexual abuse (CSA) response, with Child Advocacy Centres in Armadale (2011), Midland (2019), and Rockingham (2024). MIST's core principle is to reduce instances of children having to tell and re-tell their story, and coordinate services (including Police) to wrap around the child and family, through collaboration and knowledge-sharing.
- **Therapeutic Services:**
 - CSATS:** We provide a Child Sexual Abuse Therapeutic Service (CSATS) in a regional area of WA.
 - PACTS:** We also provide a Parents and Children's Therapeutic Service (PACTS) in a northern Perth suburb. 84% of children and young people receiving a service had experienced child sexual abuse.

Out of Home Care

- Parkerville CYC have had children in our care for the entirety of our 122-year history. We are implementing an innovative, award-winning new model, Our Way Home: radically personalised shared care, that focuses on the needs and desires of each child, and deliberately seeking to establish, maintain and deepen connections between children and their families. We care for children through a mixed provision across family group homes, foster care, and temporary care homes.

Early Intervention, Prevention and Youth Services

- **Child and Parent Centres (CPCs):** Parkerville runs two CPCs in Perth, servicing 12 primary schools in vulnerable communities. The centres work to create an entry point into the school system and help with school readiness, but importantly they focus on increasing family capacity and help them provide appropriate developmental experiences.
- **Kids' Hub:** multi-disciplinary approach to providing comprehensive mental health/wellbeing services for children aged 0-12 years, targeting mild to moderate emerging complexity. This service is a collaboration with Koya Aboriginal Corporation, Pregnancy to Parenthood, Lifespan Psychology Services, and MIFWA.
- **Family Support Network:** an early intervention program that connects families with coordinated services to strengthen child safety and prevent entry into out-of-home care.
- **Intensive Family Support Service:** in partnership with Koya Aboriginal Corporation, this service will provide practical, in-home support to families who are engaged with the Department of Communities (Child Protection), where children are either at significant risk of entering out-of-home care or are working towards reunification with their families.
- **Education Employment and Training Program (EET):** For young people at extreme educational risk due to trauma, mental health, family issues.
- **Support and Community Services (SACS):** For families with children aged 4-14 that are experiencing homelessness, or at risk of homelessness and living in supported accommodation.
- **Moving Out, Moving On (MOMO):** service for young people aged 15-21 who are experiencing homelessness, or at significant risk of homelessness or transience.
- **Reconnect:** a diversion and early intervention service for families with young people (12-18) at risk of homelessness or family breakdown.
- **Young Women's Program:** medium-term accommodation and support for young women (including those with children) aged 16-25 experiencing or at risk of homelessness, or who need help to live independently.
- **Ruby's Reunification Program:** seeks to prevent youth homelessness through part-time accommodation, whilst engaging and supporting the family with counselling and practical support. It aims to foster hope for staying together or reunification, and keep young people out of the youth (and ultimately adult) homelessness sector.



Introduction

Family and domestic violence (FDV) leaves enduring impacts on children and young people that do not end at separation, conviction or death. When violence results in death, particularly homicide, the systems that respond in the aftermath play a critical role in determining whether harm is interrupted or extended.

This submission responds to Treasury's consultation on preventing perpetrators of FDV from accessing deceased victim-survivors' superannuation death benefits. It provides a child-centred perspective grounded in Parkerville Children and Youth Care's frontline work with children and young people affected by cumulative violence, loss and instability, and argues that superannuation death benefit frameworks operate as determinants of safety, stability and justice for children, not merely financial mechanisms.

Children and young people as victim-survivors of family and domestic violence: context for reform

Children and young people experience FDV as victim-survivors in their own right. This is now firmly established through research and frontline practice, and growing (albeit overdue) recognition within policy and commissioning is significant. For children and young people, violence in the home shapes their sense of safety, development, relationships and future life opportunities. For many, FDV is not a discrete event but a chronic, relational harm, occurring alongside other adversities and compounding over time.

For the children and young people that Parkerville serves, FDV overwhelmingly presents with multiple and intersecting adverse childhood experiences (ACEs), including physical and emotional abuse, neglect, substance misuse, parental mental ill health, housing instability and poverty. Within the current cohort of children for whom one or more ACEs are recorded (1,421 as at 2 April 2026), 533 are impacted by FDV (38 per cent). Of these, 40 per cent have experienced child sexual abuse, 40 per cent emotional abuse, 50 per cent financial insecurity and 45 per cent housing insecurity.

Experience of multi-type harm has cumulative impacts on children's neurodevelopment, emotional regulation, learning, physical and mental health, and capacity to form safe and trusting relationships. These impacts are not static: they may disrupt early attachment, re-emerge during adolescence, and shape transitions into adulthood.

When FDV escalates to homicide, the effects on children are profound and enduring. They may lose not only a parent or caregiver, but also their home, community and sense of continuity, and in some cases their remaining parent to incarceration or criminal justice processes. Grief is often tied up with a complex interplay of fear, loyalty conflicts, shame, stigma and unanswered



questions. In many cases, the homicide follows prolonged experience of violence, meaning the death represents both an acute tragedy and the culmination of a complex history of harm.

In these circumstances, systems responses matter deeply. Administrative and legal processes following a death - including decisions about financial entitlements and superannuation death benefits - have immediate consequences for children's safety and stability. Access to financial resources can determine whether children and young people remain securely housed, continue schooling with minimal disruption, and access therapeutic support at a time of extreme upheaval. Conversely, delay, uncertainty or outcomes experienced as unjust can compound trauma and entrench instability.

Children and young people do not experience systems in the abstract: where a perpetrator of FDV is able to access financial benefit following the death of the victim-survivor, children and young people are likely to experience this (directly or indirectly) as a continuation of harm, control and injustice. Where families are required to navigate complex, discretionary or adversarial processes to prevent such outcomes, the burden typically falls on non-offending caregivers at precisely the moment when their primary task must be supporting children's safety and emotional wellbeing.

Practice-based evidence from Parkerville's work with families experiencing homelessness in the context of FDV illustrates how perpetrators' access to systems can perpetuate harm long after physical separation has occurred. Through our Support and Community Services (SACS) program (supporting children aged 4-14 and their caregiver/s), fear of being located, monitored or accessed by perpetrators is a primary driver of isolation, instability and disengagement from services. In the most recent reporting period, nearly three-quarters of families supported had current or recent experience of FDV, with stalking, surveillance and persistent attempts to locate victim-survivors an often-reported occurrence.

Families described extensive adaptations to daily life to manage this risk, including the use of hidden addresses and system alerts, reliance on post office boxes, relocation away from support networks, withdrawal from public spaces, and delayed or disrupted engagement with schooling and services for children. In this context, certainty about financial safety following a death is not ancillary to recovery; rather, it is absolutely foundational. Where perpetrators retain the prospect of accessing financial benefit, this is experienced as an extension of coercive control through administrative and financial systems, reinforcing fear and injustice at a time of acute vulnerability.

Parkerville has also observed emerging patterns of systems abuse, in which perpetrators weaponise legal and administrative processes to maintain influence; including restricting access to legal assistance, exploiting conflicts of interest across services, and prolonging proceedings in ways that destabilise families and impede healing. These dynamics do not cease when violence results in severe injury or death. They often re-emerge through post-death financial and legal decision-making, creating a significant risk that discretionary, delayed or contestable superannuation processes become another site of harm for children and young people already experiencing profound loss.



For children and young people impacted by FDV, and particularly those already experiencing multiple forms of adversity, certainty, timeliness and protection from further harm are developmental and practical necessities. Policy settings that rely heavily on discretion, evidentiary contestation or prolonged decision-making as a procedural preference or ‘necessity’ risk privileging administrative flexibility over children’s needs for stability and safety.

It is from this perspective that Parkerville approaches the questions raised in this consultation. The following responses are grounded in the lived realities of children and young people affected by FDV, and in the recognition that superannuation death benefit frameworks, while technical in form, operate within the broader ecosystem of child safety, recovery and long-term wellbeing.

The impacts described above are reflected in Parkerville’s direct work with children affected by FDV-related homicide, as illustrated in the following case study.

Case study: the impact of FDV-related homicide on a child witness

Case Study redacted

A child-centred lens for assessing reform options

For children and young people who have experienced FDV, particularly those living with multiple and intersecting ACEs, systems responses following a death form part of the harm environment. Decisions about financial entitlements do not operate in isolation: they can either support safety, stability and recovery, or compound trauma through delay, uncertainty and continued exposure to a perpetrator’s influence. In this sense, superannuation death benefit frameworks function within the broader ecosystem of child wellbeing and protection, not outside it. Reforms that prioritise clarity, predictable outcomes and swift resolution are more likely to support children’s rights, wellbeing and long-term life chances than those that privilege flexibility or discretion at the expense of stability.

Taken together, the evidence outlined above points to three interrelated child-centred considerations that are critical in assessing reform options and evaluating their likely impact in practice:

Financial decisions as child safety and stability determinants:

- Superannuation death benefit outcomes are material determinants of children's immediate safety and stability. Timely and certain access to financial resources supports stable housing, continuity of care, schooling and access to therapeutic support at a critical point of disruption. By contrast, delayed or contested outcomes can destabilise care arrangements and undermine recovery during key developmental periods.

Children experience benefit decisions as relational justice:

- Children experience benefit decisions not only in financial terms, but as signals of justice and protection. Where a perpetrator is permitted to benefit financially following the death of the victim-survivor, this is likely to be experienced as a continuation of harm, control or impunity, particularly where violence has been chronic or coercive. Such outcomes risk reinforcing the power dynamics that children have already endured.

Process design has developmental consequences:

- The design of decision-making processes has direct developmental implications. Models that rely on discretion, evidentiary contestation or prolonged assessment increase exposure to uncertainty and systems stress at a time of acute vulnerability. In practice, this burden falls on non-offending caregivers and, by extension, on children, with prolonged instability undermining safety and wellbeing.



The consequences of discretionary, delayed or poorly aligned systems responses are illustrated in the following case study of a young person navigating the aftermath of violent parental death.

Case study: compounded harm and systems failure following the violent death of a parent

Case study redacted

Position on codifying a forfeiture-like rule

Application to murder and manslaughter

Parkerville's position: Yes, the codified forfeiture-like rule should apply to convictions for both murder and manslaughter.

For children and young people, the unlawful killing of a parent or caregiver is experienced as a singular, catastrophic traumatic event, irrespective of how that offence is ultimately classified in criminal law. The legal distinction between murder and manslaughter may be significant for sentencing purposes, but it does not meaningfully reflect children's lived experience of loss, fear, disruption and grief, and risks introducing:

- uncertainty for children and carers at a time of acute instability,
- delay while distinctions are examined or contested, and
- further exposure to legal and administrative processes that can compound trauma.

A clear and consistently applied rule is essential. Applying the forfeiture-like rule to both murder and manslaughter provides legal certainty for trustees, supports timely resolution of death benefit claims, reduces the likelihood of re-traumatisation through prolonged or contested decision-making, and avoids outcomes that children may experience as morally incoherent or unjust.

Extension beyond murder and manslaughter

Parkerville's position: Yes, but in a defined, carefully bounded and principled way.

Many children affected by FDV experience long-term experience of violence, coercion and fear prior to a death. Limiting the rule solely to homicide offences risks excluding circumstances where harm is severe, sustained and clearly causally linked to the death, but not captured by a narrow offence category.

A homicide-only approach fails to reflect children's lived experience of cumulative harm and risks producing outcomes that are experienced as arbitrary or unjust, further undermining recovery and trust in protective systems.



Therefore, forfeiture-like rule should extend to clearly specified categories of offence or court-determined findings that reflect serious violence or coercive harm, and directly undermine children's safety, stability and capacity to recover following a death. This approach balances the need for legal certainty with recognition of the realities of FDV, particularly where harm is cumulative and relational.

Position on reform options

Preferred model: Option 2b (automatic disentitlement)

Reform options should prioritise clarity, predictability and timeliness, while minimising reliance on discretionary processes that can prolong instability or expose children to further harm.

Option 2b's requirement that trustees set aside perpetrators once a relevant court finding exists provides the greatest level of certainty and protection for children and young people. It provides clarity and predictability at a time of crisis, avoids a re-evaluation of violence already established through judicial processes, minimises re-traumatisation caused by delay and dispute, and removes perpetrators entirely from benefit consideration, thereby reducing the risk of continued interaction.

This automatic disentitlement best aligns with the imperative of establishing stability, safety and swift resolution for children and young people.

By contrast, Option 1 (Broad trustee discretion) opens the door to inconsistent outcomes, greater likelihood of delay and systems abuse (with subsequent impact on children, young people and non-offending caregivers), and responsibility placed on families to provide evidence. For children already experiencing cumulative adversity, prolonged uncertainty and discretionary contestation can compound harm and destabilise recovery.

Guidance and discretion

Need for guidance where discretion exists

Parkerville's position: Yes - further guidance would be beneficial, but guidance alone is insufficient.

Where discretion remains, trustees should be required to explicitly consider:

- the best interests of dependent children,
- risks of ongoing harm, coercive control or intimidation,
- the impact of delay on children's stability and ongoing wellbeing, and
- whether caregivers acting on behalf of children are safe, independent and not connected with the perpetrator in ways that are detrimental to the child or young person's wellbeing.

These safeguards would go some way towards mitigating the risk of a discretionary model that privileges administrative flexibility over children's wellbeing.



Procedural fairness and non-judicial evidence

Parkerville's position: Procedural fairness must not come at the expense of child safety

In the context of FDV, particularly where violence has escalated to homicide, procedural fairness is not solely as a matter of balancing competing adult claims. It must be assessed in light of children's rights to safety, stability and recovery, and the well-documented ways in which legal and administrative systems can be used, intentionally or otherwise, to perpetuate harm.

The greater the reliance on non-judicial evidence and discretionary assessment in superannuation death benefit decision-making, the greater the risk of harm to children through delay, contestation and re-traumatisation. This is not a theoretical concern. FDV is characterised by patterns of coercive control, and manipulation of narratives and systems. Following a homicide, these dynamics often do not cease; they can re-emerge through new system touchpoints, including financial, legal and administrative processes that affect children's lives.

Indeed, post-death decision-making processes can become a further site of systems abuse. Where discretionary models require families to repeatedly raise, evidence or defend histories of violence, they risk creating additional opportunities for perpetrators to contest or reframe the narrative of harm, prolong processes, maintain influence or presence in children's lives via ongoing proceedings, and destabilise non-offending caregivers at a time when children most need calm, predictable support.

These risks are particularly acute after FDV-related homicide. Children may already be navigating criminal justice processes, coronial investigations, care transitions, schooling disruption and therapeutic intervention. Superannuation decision-making that introduces further uncertainty or adversarial engagement can compound trauma and undermine recovery, even where procedural safeguards are formally in place.

For these reasons, while non-judicial evidence from trusted professionals may be relevant in some circumstances, it must be handled with extreme care. Non-judicial evidence should be admissible and appropriately weighted, but assessed within frameworks that include safeguards to prevent further systems abuse.

Critically, the burden of evidentiary contestation should not fall on children or their caregivers, nor should decision-making processes recreate dynamics of control, surveillance or re-litigation of harm. Above all, children should not be required to re-tell traumatic experiences, children should not be expected to provide direct evidence, and children should not be drawn into processes that put them in the path of perpetrators when they would not otherwise choose this. Any reform model that increases the likelihood of such outcomes risks prioritising procedural flexibility over child safety.

For this reason, Parkerville's preference is for clear, court-triggered exclusion rules that minimise discretionary burden, reduce opportunities for contestation, and support timely, predictable outcomes. Such approaches are better aligned with children's developmental needs and reduce the risk that superannuation death benefit processes become another avenue through which the impacts of FDV are prolonged in children's lives.



Conclusion

Children and young people affected FDV do not experience violence, loss or systems responses as isolated events. These experiences accumulate over time, shaping their sense of safety, trust and possibility. When FDV results in death, particularly homicide, the decisions made in the aftermath, including decisions about financial entitlements, can either support stabilisation and recovery, or extend harm through uncertainty, delay and continued perpetrator benefit.

The evidence outlined in this submission, including Parkerville's direct work with children and young people affected by FDV-related homicide and violent parental death, demonstrates that system design matters. Discretionary, contestable and prolonged decision-making processes risk reproducing the very dynamics of control, instability and burden that characterise family violence. By contrast, clear, timely and predictable frameworks can help contain harm at a point of profound vulnerability.

From a child-centred perspective, superannuation death benefit reforms must therefore be assessed not only for legal or technical coherence, but for their capacity to protect children from further exposure to harm, provide stability in the aftermath of loss, and prevent financial systems from becoming another avenue through which violence is perpetuated.

For these reasons, Parkerville supports reforms that prioritise certainty where relevant court findings exist, minimise reliance on discretionary processes, and remove perpetrators from benefiting financially following the death of victim-survivors. Such an approach is most consistent with children's rights to safety, stability and recovery, and best aligns superannuation frameworks with the broader objectives of child protection, fairness and trauma-informed system design.

Decisions made through this reform process will shape not only financial outcomes, but the extent to which children and young people experience systems as protective, coherent and worthy of trust at one of the most vulnerable moments of their lives.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Kim Brooklyn".

Kim Brooklyn
Chief Executive Officer

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For further enquiries on this submission, please contact:

Dr. Sarah Priest, Research and Advocacy Lead Sarah.priest@parkerville.org.au