



## PART 1: BACKGROUND AND CONTEXT

### Introduction

Established in the early 1990s, the Queensland Domestic Violence Network (QDVSN) is comprised of the coordinators, managers or directors of 12 regional domestic violence specialist services, the Immigrant Women's Support Service and the Centre for Domestic and Family Violence Research. Its primary role is to provide a mechanism for state-wide coordination of its members' activities, peer support, information sharing and debriefing within its membership; and to be a change agent by providing a reference point and a collective voice to Government, non-government and member services on state and national issues relating to domestic and family violence.

The QDVSN works collaboratively and strategically to advance understanding of structural inequalities and other factors which result in violence against women, particularly domestic and family violence. QDVSN members aim to ensure that girls' and women's safety, wellbeing, opportunities and choices are not limited because of their gender and recognise the diversity among girls and women. QDVSN acknowledges that women's experiences of inequality are shaped by intersecting factors including race, class, sexuality and ability, and that addressing gender inequality involves addressing other inequalities.

### QDVSN's coordinated state-wide approach

QDVSN is committed to client-centred service delivery. The actions of its member organisations are informed by that commitment with implications for service philosophy, knowledge and skills, and collaboration with others in the broader service system to effectively meet the full range of client needs. QDVSN recognises that its member organisations operate in a context impacted by policy and program initiatives at national, state, regional and local levels. The service system requires vertical and horizontal coordination to maximise the benefits of finite resources and to ease the burden on clients negotiating the system to achieve safety and well-being for themselves and their children.

**We submit the following to the Senate Inquiry committee for their consideration.**

### Acknowledgement

This submission has been significantly informed by *Key Issues in Domestic Violence*, written by Anthony Morgan and Hannah Chadwick, Canberra: Australian Institute of Criminology, December 2009.

### Recommendations

- Address the need for better information on the implementation and progress of the National Plan to Reduce violence against Women and their Children.



- Resource the Domestic Violence Specialist Services and the Sexual Assault Services more adequately.
- Provide more resources to Aboriginal and Torres Strait Islander services dealing with violence against women.
- Implement strategies to advance pay equity for women.
- Create public campaigns to combat sexism, rape culture and domestic violence.
- Encourage male dominated organisations such as sporting clubs to declare their aversion to violence against women.

**We endorse the submission from AWAVA**



- a. The prevalence and impact of domestic violence in Australia as it affects all Australians and, in particular, as it affects:**
- i. women living with a disability**
  - ii. women from Aboriginal and Torres Strait Islander backgrounds**

Please note: Due to the limited time frame available to deliver this submission and in order to provide the most useful and pertinent information to the Senate Committee, QDVSNS has opted to compile what it believes to be the most relevant extracts from the extensive range of high quality literature available on these topics, and present this as this network's submission. All extracts appear in italics and are fully referenced.

### **Prevalence**

- *Violence against women is a 'global epidemic' as stated by the World Health Organisation in its 2013 report. The report also found that 35% of women around the world have experienced physical and/or sexual abuse by an intimate partner or non-partner.*<sup>1</sup>
- *According to the ABS (2006) Personal Safety Survey, approximately one in three Australian women have experienced physical violence during their lifetime, and nearly one in five women have experienced some form of sexual violence*<sup>2</sup>
- *Nearly one in six Australian women (16%) have experienced violence by a current or previous partner in their lifetime*<sup>3</sup>
- *Current statistics reveal that between one-quarter to one-third, and even up to one-half of women will experience physical or sexual violence by a man at some point in their lives.*<sup>4</sup>
- *Victim surveys estimate that over one-third of women in Australia, who have a current or former intimate partner, have experienced at least one form of domestic violence (DV) in their lifetime*<sup>5</sup>
- *Many of these violent incidents go unreported. Research has identified that less than half of all people who have been a victim of domestic violence report the incident to police. Older victims, those who are married and victims of assaults that did not involve weapons or serious injury are less likely to report.*<sup>6</sup> *The most common reasons for not reporting domestic violence to the police were fear of revenge or further violence from the perpetrator (14 percent) feelings of shame or embarrassment (12 percent) or a belief that the incident was too trivial or unimportant (12 percent). Migrant or refugee women experiencing domestic violence may be even less likely to report due to a lack of knowledge around Australian law,*

<sup>1</sup> World Health Organisation (2013)

<sup>2</sup> Australian Bureau of Statistics (2006), Personal Safety Survey (reissue), Australian Bureau of Statistics, Canberra. < <http://www.abs.gov.au/ausstats/abs@.nsf/cat/4906.0> >

<sup>3</sup> As above

<sup>4</sup> Australian Bureau of Statistics (2006), Personal Safety Survey (reissue), Australian Bureau of Statistics, Canberra. < <http://www.abs.gov.au/ausstats/abs@.nsf/cat/4906.0> >

<sup>5</sup> Mouzos & Makkai 2004, cited in NSW Government Family and Community Services Women NSW website, Focus Topic: *Under-reporting of domestic violence assaults*, <http://www.women.nsw.gov.au/home> accessed 23/07/14 .

<sup>6</sup> Grech & Burgess 2011, cited in NSW Government Family and Community Services Women NSW website, Focus Topic: *Under-reporting of domestic violence assaults*, <http://www.women.nsw.gov.au/home> accessed 23/07/14 .



*their fear of losing their family, community support networks, source of income or facing possible return to their country of origin where they could face further persecution*<sup>7</sup>  
*Every week in Australia one woman is killed by a current or former partner.*<sup>8</sup>

- *Significantly, most women are killed in the context of a history of domestic violence.*<sup>9</sup>

## Impacts

- *Domestic violence has a profound and long term impact on the women and children who are subjected to it. The physical and sexual abuse perpetrated on women by their current or ex partners, combined with threats and emotional abuse, leave them experiencing multiple physical and psychological scars*<sup>10</sup>.
- *A study by Vic Health in 2004 found that, among women under 45, intimate partner violence contributes more to their poor health, disability, and death than any other risk factor, including obesity and smoking*<sup>11</sup>.
- *Research has identified direct links between women who have experienced domestic violence and debilitating mental health symptoms such as depression, post-traumatic stress disorder, self-harm and suicide*<sup>12</sup>.
- *A study commissioned by the Commonwealth in 2009 also shows the enormous economic cost of violence. Domestic violence and sexual assault perpetrated against women costs the nation \$13.6 billion each year. By 2021, the figure is likely to rise to \$15.6 billion if extra steps are not taken*<sup>13</sup>.
- *Domestic violence is also the most common factor contributing to homelessness among women and their children. They may be forced from their homes in order to escape violence, disrupting social support networks as well as children's schooling and social networks*<sup>14</sup>

<sup>7</sup> Flinders University, Institute for Housing, Urban and Regional Research, "Women, Domestic and Family Violence and Homelessness – A synthesis report" August, 2008 available at [http://www.dss.gov.au/sites/default/files/documents/05\\_2012/synthesis\\_report2008.pdf](http://www.dss.gov.au/sites/default/files/documents/05_2012/synthesis_report2008.pdf)

<sup>8</sup> Chan, A and Payne, J (2013). Homicide in Australia: 2008–09 to 2009–10 National Homicide Monitoring Program annual report. Canberra. Australian Institute of Criminology. [http://www.aic.gov.au/media\\_library/publications/mr/21/mr21.pdf](http://www.aic.gov.au/media_library/publications/mr/21/mr21.pdf) >

<sup>9</sup> Chan, A and Payne, J (2013). *Homicide in Australia: 2007–08* National Homicide Monitoring Program annual report. Canberra. Australian Institute of Criminology. [http://www.aic.gov.au/documents/8/9/D/%7b89DEDC2D-3349-457C-9B3A-9AD9DAFA7256%7d%7dmr13\\_004.pdf](http://www.aic.gov.au/documents/8/9/D/%7b89DEDC2D-3349-457C-9B3A-9AD9DAFA7256%7d%7dmr13_004.pdf)

<sup>10</sup> Flood, Dr Michael, White Ribbon Australia: Fact Sheet 5 - *Violence against women: Facts and figures* Australian Research Centre in Sex, Health and Society, Health Sciences Faculty, La Trobe University (August 2008). Updated by White Ribbon Australia (November 2013).

<sup>11</sup> VicHealth (2004) *The Health Costs of Violence: Measuring the burden of disease caused by intimate partner violence*. Melbourne: VicHealth.

<sup>12</sup> Humphreys, C. and Thiara, R.K. (2003) *Mental Health and Domestic Violence: 'I Call It Symptoms of Abuse'* British Journal of Social Work, 33, 209-226

<sup>13</sup> KPMG Management Consulting 2009. *The cost of violence against women and their children*. Canberra: Australian Government

[http://www.fahcsia.gov.au/sa/women/pubs/violence/np\\_time\\_for\\_action/economic\\_costs/Pages/default.aspx](http://www.fahcsia.gov.au/sa/women/pubs/violence/np_time_for_action/economic_costs/Pages/default.aspx)

<sup>14</sup> Marcus G & Braaf R 2007. *Domestic and family violence studies, surveys and statistics: Pointers to policy and practice*. Sydney: Australian Domestic & Family Violence Clearinghouse.

[http://www.austdvclearinghouse.unsw.edu.au/PDF%20files/Stakeholderpaper\\_1.pdf](http://www.austdvclearinghouse.unsw.edu.au/PDF%20files/Stakeholderpaper_1.pdf)



- *A shortage of crisis accommodation beds and supported accommodation services in Queensland also contributes to the high risk of potential homelessness for women experiencing domestic violence.*

**i. women living with a disability**

It is estimated that almost 20% of Australia's total population live with a disability, approximately half of whom are women and 6% of whom are living with severe disabilities that render them entirely dependent on others for assistance with daily living<sup>15</sup>. Women with disabilities experience the same types of violence as other women. However, they also experience other forms of violence that are unique to their situations. Some strategies used by perpetrators include withholding equipment, food and medication, limiting access to communication devices, and threats of institutionalisation. Sexual abuse may include forced sterilisation or abortion (Jennings, 2003). Due to public misconceptions, women with disabilities are often considered to be 'asexual' and therefore unlikely to be targets of domestic/family violence. Calderbank (2000)<sup>16</sup> considers that this notion has led to a denial and indifference about the reality of violence against women with disabilities made apparent in legislation, policy and service delivery.

Compared to women who do not have disabilities, women with disabilities:

- Experience violence at higher rates and more frequently;
- Are at a significantly higher risk of violence;
- Have considerably fewer pathways to safety;
- Tend to be subjected to violence for significantly longer periods of time;
- Experience violence that is more diverse in nature;
- Experience violence at the hands of greater numbers of perpetrators<sup>17</sup>.

Research indicates that women with disabilities experience higher rates of DV than other women (nearly twice the rate), however, they have less access to DV services. They are more severely targeted by perpetrators due to their vulnerability, social isolation, lack of financial independence and dependence on others<sup>18</sup>. Despite the current knowledge that is available regarding this group, much of the DV relating to women with a disability is under-reported. In some cases, women with disabilities struggle to define what abusive treatment is, and are more likely to stay in abusive relationships for longer than average, as they feel there are fewer options for reaching safety<sup>19</sup>.

One of the key issues addressed for women living with disabilities is a lack of resources to initiate flexible responses to women needing assistance<sup>20</sup>. Current news articles also highlight the severity

<sup>15</sup> Healey, Humphries & Howe, 2013

<sup>16</sup> Calderbank, 2000

<sup>17</sup> WWDA 2007

<sup>18</sup> Healey, Humphries & Howe, 2013

<sup>19</sup> As above

<sup>20</sup> Jennings 2013



of the issues surrounding women with disabilities who face DV. According to *The Age* multiple victims who have contacted police have been “palmed off” due to their disability<sup>21</sup>.

Acknowledging this group of women within policy and practice documents signifies their visibility and highlights the particularity of their needs and rights to service inclusion<sup>22</sup>. In October 2013, a *National Symposium on Violence against Women and Girls with Disabilities* was held in Sydney. This meeting sought to raise awareness of the issue of violence against women with disabilities, and to engage expert decision-makers and high-level stakeholders in collaboration in policy development and reform of service provision. Six emerging themes for addressing reform of services directed to put a stop to violence against women are:

- Recognising violence
- Responding to violence
- Inclusion and participation
- Sector development
- Cross-sector collaboration
- Data capture and use

The consideration of these factors can establish a starting point for addressing key issues around women with disabilities who face DV.

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<sup>21</sup> <http://m.theage.com.au/victoria/disabled-crime-victims-ignored-by-police-20140718-zujxr.html#ixzz37yxzQLT0>

<sup>22</sup> Healey, Humphries & Howe, 2013



ii. **women from Aboriginal and Torres Strait Islander backgrounds**

- *Aboriginal and Torres Strait Islander women experience higher rates of violence than other women: there are substantially higher rates of interpersonal violence in general, and violence against women in particular, in Indigenous communities.*<sup>23</sup>
- *The Australian component of the International Violence Against Women Survey finds that: `20% of indigenous women experienced physical violence in the last 12 months, compared to 7% of non-Indigenous women ; Three times as many Indigenous women as non-Indigenous women experienced an incident of sexual violence in the last 12 months (12% versus 4%).`*<sup>24</sup>
- *Despite representing just over 2% of the total Australian population, Indigenous women accounted for 15% of homicide victims in Australia in 2002-03.*<sup>25</sup>
- *The likelihood that an Indigenous woman will be a victim of violence can be understood as resulting from a confluence of risk factors relating to alcohol and substance use, social stressors, living in a remote community, measures of individual, family and community functionality and the resources available to the person*<sup>26</sup>
- *Indigenous women and girls are 35 times more likely to be hospitalised due to family violence related assaults than other Australian women and girls.*<sup>27</sup>
- *The National Plan to Reduce Violence Against Women and Their Children has been developed to support all women and their children experiencing violence, including Indigenous women and their children. In addition some Indigenous communities need extra assistance to address particular factors and disadvantage which contribute to higher rates of family violence and sexual assault among Indigenous people*<sup>28</sup>.
- *Overcrowding in remote Aboriginal and Torres Strait Islander communities contributes to high rates of domestic and family violence.*<sup>29</sup>

**Background**

Domestic and family violence is **not** cultural to Indigenous people, states Dr Tom Calma<sup>30</sup>, Aboriginal and Torres Strait Islander Social Justice Commissioner, Australian Human Rights Commission. The term 'family violence' is the chosen terminology in describing Indigenous situations – as opposed to *domestic violence* - because it acknowledges the complex interaction of

<sup>23</sup> Memmott, P, Stacy, R, Chambers, C, & Keys, C (2001). Violence in Indigenous communities: Full report. Canberra: Crime Prevention Branch Attorney-General's Department

<sup>24</sup> Mouzos, J & Makkai, T (2004), Women's experiences of male violence: findings from the Australian component of the International Violence Against Women Survey (IVAWS), Research and Public Policy Series 56, Australian Institute of Criminology, Canberra

<sup>25</sup> Mouzos J & Segrave M (2004). Homicide in Australia: 2002-2003 National homicide monitoring program (NHMP) annual report. Research and Public Policy series no 55 Canberra: Australian Institute of Criminology.

<sup>26</sup> Bryant C & Willis M 2008. *Risk factors in Indigenous victimisation*. Technical and background paper no. 30. Canberra: Australian Institute of Criminology. [http://www.aic.gov.au/publications/current\\_series/tbp/21-40/tbp030.aspx](http://www.aic.gov.au/publications/current_series/tbp/21-40/tbp030.aspx)

<sup>27</sup> *The National Plan to Reduce Violence Against Women and Their Children*, <http://www.dss.gov.au/our-responsibilities/women/publications-articles/reducing-violence/national-plan-to-reduce-violence-against-women-and-their-children/national-plan-to-reduce-violence-against-women-and-their-children?HTML>

<sup>28</sup> As above

<sup>29</sup> As above

<sup>30</sup> Calma 2008



kinship structures and extended family relationships<sup>31</sup>. For the majority of the non-Indigenous population, kinship generally means the immediate family, therefore when there is domestic or family violence present, it is usually between intimate partners. For Indigenous people, kinship encompasses a much broader group of familial structures. Sometimes violence between intimate partners can initiate more violence among kin.

It is important to acknowledge that the way Indigenous people define and contextualise violence differs from that of academics, researchers and professionals working in this field<sup>32</sup>. For this reason, it is no surprise that Indigenous people experiencing family violence may lack the knowledge and language to apply these definitions to their own situations.

What is family violence like for Indigenous women?

- High rates of sexual assault and rape in intimate relationships, with relatives, friends and other people known to them
- High rates of infant mortality and death of teenage girls
- High rates of homicide and death caused by long term violence (escalation to homicide in Indigenous situation at rates that are double that of the non-Indigenous population)

A number of barriers, including shame and fear, result in domestic and family violence being under-reported in Indigenous communities. Therefore, available statistics can only be seen as an indication of the minimum levels of family violence. Common barriers to reporting family violence are:

- Fear that a spouse may be subjected to discrimination if remanded in custody or incarcerated
- Fear of further violence
- Fear of unwanted intrusion in the family unit/ home
- Fear of their children being removed
- Retribution from family members
- Lack of trust in the justice system
- Lack of safe houses or women's refuges
- Lack of services in Indigenous communities
- Lack of anonymity and confidentiality in their communities
- Cultural appropriateness of content to be disclosed
- Acceptance, because of their intergenerational experience of abuse

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<sup>31</sup> As above

<sup>32</sup> Esteal 1994



## RECOMMENDATIONS

Recommendations for Service Provision: culturally appropriate responses provided by approved service providers

- The differing needs that are a result of family violence for women, men, children and elders must be considered and should be aligned with the demands for immediate safety, healing, perpetrator accountability, education and awareness, and prevention.
- A constructive service delivery model using a case management approach, where all agencies involved participate in regular case meetings and share relevant information, would minimise the re-traumatisation of individuals and families from repeatedly having to tell their stories to each service provider they come across.
- Typical Western responses to domestic and family violence have been considered culturally inappropriate and ineffective. Largely, the approach is to separate the victim from the perpetrator. While this approach has its advantages short term, such as providing the victim with reprieve from the immediate danger, it is not seen as a long term option, given that Indigenous families have been subjected to forced separations since colonisation<sup>33</sup>. Further, the importance of kin and community makes it very difficult for Indigenous victims to leave violent partners. To leave, means they leave behind their social, cultural and spiritual world. Primarily, Indigenous women want to help their men to not be violent, and to remain in the family home.
- In summary, cross-sector collaboration, community development and Indigenous participation form essential parts of providing effective service delivery to Indigenous individuals and communities being affected by domestic and family violence.

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<sup>33</sup> Cripps 2007



**b. Factors contributing to the present levels of domestic violence:**

Domestic violence is often perceived as physical abuse, however it stems further than the physical, as domestic violence is rooted in the desire to gain power and control. This pattern of control can include coercion and threats, intimidation, male privilege, economic abuse, using children, minimizing, denying and blaming, emotional abuse and isolation.

The present levels of domestic violence primarily relate to being a woman, and a woman who has unequal power and access to resources. This is evidenced, for example, by the wage gap between men and women of some 17%. Most recently the sex discrimination commissioner is investigating discrimination against pregnant women and new mothers, in their workplaces. Gender roles continue to be perceived as normative, and girls are beset with advertising that endorses rigid perceptions of femininity based on beauty and submission.

QDVSN would call on the Inquiry to also note that women's experiences of inequality are shaped by intersecting factors including race, class, sexuality and ability, and that addressing gender inequality involves addressing other inequalities. In order to address the factors is to address such inequalities, change gender stereotypes, including attitudes and behaviour.

Factors contributing to the present levels of domestic violence have been well documented over time and there is no one factor that contributes to the present levels of domestic violence. Factors include:

- *Research shows that men are more likely to engage in violence against women if they hold negative attitudes towards women and hold traditional gender role attitudes that legitimise violence as a method of resolving conflict or as a private matter.*<sup>34</sup>
- *Violence-supporting attitudes are also more common among males who exhibit low levels of support for gender equality.*<sup>35</sup>
- *Negative attitudes towards women are different across cultural groups and are influenced by culturally-specific norms and social relationships. However they are: more commonly expressed among adolescent males than older males; stronger in particular masculine contexts, such as sporting subcultures, and are facilitated by group socialisation;*
  - *influenced by exposure to pornography as well as television, music and film; and more likely among children who witness or are subjected to violence.*<sup>36</sup>
- *Australian research suggests that while there have been improvements, attitudes condoning or trivialising violence against women persist.*<sup>37</sup>

<sup>34</sup> Flood M & Pease B 2006. *The factors influencing community attitudes in relation to violence against women: A critical review of the literature*. Melbourne: VicHealth. <http://www.vichealth.vic.gov.au/en/Resource-Centre/Publications-and-Resources/Freedom-from-violence/Community-Attitudes-to-Violence-Against-Women.aspx>; NCRVWC 2009b

<sup>35</sup> VicHealth 2009. *National survey on community attitudes to violence against women 2009: Changing cultures, changing attitudes—preventing violence against women*. Melbourne: Victorian Health Promotion Foundation. [http://www.fahcsia.gov.au/sa/women/pubs/violence/nca\\_survey/Pages/summary\\_report.aspx](http://www.fahcsia.gov.au/sa/women/pubs/violence/nca_survey/Pages/summary_report.aspx)

<sup>36</sup> Flood & Pease 2006, As above



- *In addition, while the majority of people do not believe that physical violence against women is justified under any circumstances, around one in five respondents to a national survey were prepared to excuse physical and sexual violence where they believed that perpetrators had temporarily lost control or truly regretted what they had done.*<sup>38</sup>
- *Various situational factors, while not direct causes, may increase the risk of domestic violence. Some of these factors include family or relationship problems, financial problems or unemployment and recent stressful events or circumstances, such as the death of a family member.*<sup>39</sup>
- *Alcohol is a significant risk factor for domestic violence, with research suggesting that women whose partners frequently consume alcohol at excessive levels are more likely to experience violence.*<sup>40</sup>
- *The involvement of alcohol in domestic violence is an even bigger issue within Indigenous communities.*<sup>41</sup>
- *Research has attempted to link seasonal changes, calendar events and major sporting events to the rate of reported incidents of domestic violence*<sup>42</sup>.
- *Australian research suggests that while there is some variation across states and territories: there is a higher number of reported incidents in December and January; there is a higher number of reported incidents on certain calendar events and holidays, including New Year's Day, the Christmas period and other public holidays, and Melbourne Cup Day; and some states experience higher rates of reported incidents coinciding with significant sporting events, but the findings are inconsistent and not as strong as those from international research.*<sup>43</sup> *Explanations of this relationship have focused on the increased contact between victims and perpetrators during holiday periods, increased issues associated with child contact arrangements for estranged families and increased consumption of alcohol.*

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<sup>37</sup>Taylor N & Mouzos J 2006. *Community attitudes to violence against women survey: A full technical report*. Canberra: Australian Institute of Criminology. <http://www.aic.gov.au/documents/3/8/C/%7B38CD1194-9CE2-4208-8627-7C32B4B238F2%7D2006-11-violenceAgainstWomen.pdf>

<sup>38</sup>VicHealth 2009, As above

<sup>39</sup> Memmott P, Stacy R, Chambers C & Keys C 2001. *Violence in Indigenous communities: Full report*. Canberra: Crime Prevention Branch, Attorney General's Department. <http://www.crimeprevention.gov.au/agd/www/Ncphome.nsf/Page/3AF90A4576B81394CA256B430001AF24?OpenDocument>

<sup>40</sup> Marcus G & Braaf R 2007. *Domestic and family violence studies, surveys and statistics: Pointers to policy and practice*. Sydney: Australian Domestic & Family Violence Clearinghouse.

[http://www.austdvclearinghouse.unsw.edu.au/PDF%20files/Stakeholderpaper\\_1.pdf](http://www.austdvclearinghouse.unsw.edu.au/PDF%20files/Stakeholderpaper_1.pdf); Mouzos & Makkai 2004 *Women's experiences of male violence: Findings from the Australian component of the international violence against women survey (IVAWS)*. Research and public policy series no. 56. Canberra: Australian Institute of Criminology. <http://www.aic.gov.au/publications/current series/rpp/41-60/rpp56.aspx>

<sup>41</sup>Dearden J & Payne J 2009. *Alcohol and homicide in Australia*. Trends & Issues in Crime and Criminal Justice no. 372. Canberra: Australian Institute of Criminology. <http://www.aic.gov.au/publications/current series/tandi/361-380/tandi372.aspx>; Memmott et al. 2001, as above.

<sup>42</sup>Braaf & Gilbert 2007, as above

<sup>43</sup> Braaf & Gilbert, 2007, as above.



QDVSN also ask that attention be paid to *Time for Action* (2009)<sup>44</sup>, a pivotal plan, for government action which provides a ‘road map’ in responding to the underlying factors contributing to domestic violence. This plan was informed by exhaustive research by the National Council to Reduce Violence against Women and their Children, where the eleven members of the Council spoke to over 2000 Australians in every state and territory. As well, this exercise was complemented by research into the costs of domestic violence, an analysis of local and international research, public submissions and six expert round table forums. Indeed, this laid the groundwork for the National Plan to Reduce Violence against Women and their Children, which was endorsed by COAG.

From the viewpoint of practitioners involved in this submission, the prevailing factors that result in women being subject to domestic violence are evidenced in our case notes, reports and case management processes. QDVSN member, the Queensland Centre for Domestic and Family Violence Research, has undertaken research to verify these same factors leading to domestic violence, understanding that domestic violence is a major health and social issue and a violation of human rights<sup>45</sup>.

“Rape Culture” remains a grave concern, with women being blamed for somehow causing, or at least failing to prevent, sexual assault.

While many police work closely with community and other services to ensure women and children affected by domestic violence receive support and access to civil and criminal responses, there still remains much to be done to educate police in the assessment of “who is in fear in this situation?”

There remains a perception that domestic violence is different from other violence, mainly because it is still seen as a private matter, and that aggrieved women are often seen as not having taken adequate steps to prevent it.

Marriage and heterosexual partnerships still contain an implicit culture of male privilege and domination.

Women are still expected to have interrupted career paths as they reproduce and spend time as the main carers of children. The proportion of household tasks carried out by women with employment outside the home, still exceeds that of their male partners.

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<sup>44</sup> Time for Action 2009

<sup>45</sup> [www.noviolenace.com.au](http://www.noviolenace.com.au)



**C. The adequacy of policy and community responses to domestic violence:**

- *Approaches to preventing domestic violence should be informed by research from both Australia and overseas, demonstrating the effectiveness of different strategies. There is a growing body of evidence that shows that a range of strategies, including social marketing and awareness campaigns, early childhood and family based prevention, school-based programs, community mobilisation, regulations on the portrayal of violence in the media, interventions to reduce the availability of alcohol and alcohol misuse, and criminal justice responses can be effective in preventing violence against women or repeat victimisation.<sup>46</sup>*
- *In adapting programs from overseas or other Australian communities, consideration should be given to relevant characteristics of the local context in which programs are to operate and whether the program needs to be modified accordingly.<sup>47</sup>*
- *There are barriers that have impacted upon the implementation and effectiveness of strategies to prevent domestic violence. The National Council's Plan for Australia to Reduce Violence Against Women and their Children<sup>48</sup> highlights a number of areas that need to be addressed in future domestic violence initiatives:*
  - *overcoming barriers to effective implementation of collaborative strategies and monitoring the effectiveness of partnerships in reducing domestic violence;*
  - *addressing legislative barriers that inhibit efforts to support victims and manage offenders;*
  - *encouraging a greater level of investment in primary prevention, including social marketing strategies that promote cultural and behavioural change;*
  - *ensuring that there is adequate long term funding for domestic violence services, that services are accessible to victims and their children, and that service systems are sufficiently integrated to address the complex needs of victims;*
  - *improving the evidence base with respect to effective interventions to reduce domestic violence, particularly in relation to primary prevention, victim support services, perpetrator programs, criminal justice interventions and risk assessment and management;*
  - *and improving the quality of evaluation and performance monitoring.*

We see four focused areas to be developed:

- i. Community attitudes toward domestic and family violence <sup>49</sup>

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<sup>46</sup>National Council to Reduce Violence against Women and their Children (NCRVWC) 2009b. *Time for action: The National Council's plan for Australia to reduce violence against women and their children, 2009–2021*. Canberra: Australian Government.

[http://www.fahcsia.gov.au/sa/women/pubs/violence/np\\_time\\_for\\_action/national\\_plan/Pages/default.aspx](http://www.fahcsia.gov.au/sa/women/pubs/violence/np_time_for_action/national_plan/Pages/default.aspx)

<sup>47</sup>Laing L 2002. *Responding to men who perpetrate domestic violence: Controversies, interventions and challenges*. Issues paper no. 7. Sydney: Australian Domestic & Family Violence Clearinghouse.

[http://www.austdvclearinghouse.unsw.edu.au/PDF%20files/Issues\\_paper\\_7.pdf](http://www.austdvclearinghouse.unsw.edu.au/PDF%20files/Issues_paper_7.pdf)

<sup>48</sup>National Council to Reduce Violence against Women and their Children (NCRVWC) 2009b. *Time for action: The National Council's plan for Australia to reduce violence against women and their children, 2009–2021*. Canberra: Australian Government.

[http://www.fahcsia.gov.au/sa/women/pubs/violence/np\\_time\\_for\\_action/national\\_plan/Pages/default.aspx](http://www.fahcsia.gov.au/sa/women/pubs/violence/np_time_for_action/national_plan/Pages/default.aspx)

<sup>49</sup> (National Community Attitudes to Violence against Women Survey, 2009)



- ii. Criminal Justice Response to domestic and family violence – responding to victims’ safety and holding perpetrators accountable, maximising safety and protection for victims
  - iii. Agencies working together to coordinate a response to domestic and family violence, with shared philosophies and practices
  - iv. Review of existing policies and frameworks at state and national levels.
- i. **Changing community attitudes towards domestic and family violence works at a primary prevention level.**

If this is successful we can expect a reduced likelihood that anyone will become a victim or perpetrator of domestic abuse.

**ii. Criminal Justice Response to domestic and family violence:**

**Responding to victims’ safety**

To enhance the response to victims’ safety, the following strategies are required:

- More specialist human resources to assist women with private applications for protection orders at the application stage, to facilitate clearer articulation of alleged abuse. This will provide the potential to significantly reduce duplication of services. Well-articulated documentation of patterns of abuse in the legal system will enable timely and appropriate responses to risk assessment processes.
- Make domestic violence a discrete offence. Provide specialist training for police and facilitate specialist services to work directly with police to identify and appropriately respond to women, children and vulnerable victims.
- Provide specialist Domestic and Family Violence Courts – to enable more of a consistent understanding of Domestic and Family Violence legislation and to provide appropriate responses to the level of risk to safety.

**Holding perpetrators accountable**

- Prioritising victims and their children to stay in the family home – if affordable and safe to do so should be an important consideration by police and the court.
- Mandatory behavioural change programs should be funded and utilised by magistrates at DV court mentions.
- Types of access to children should be determined by the levels of abuse and the potential for recidivism.
- Perpetrators should pay for costs of vexatious applications against victims.

**Maximising safety and protection of victims**

- A mechanism is needed to allow government departments to share information with specialists NGO’s. To maximise safety and protection and to promote a collaborative response, departments and agencies need the ability to share current, relevant and specialist information



- A stronger response to the impact of DFV on children – the type of access to children (particularly after an incident) needs to be dependent on the results of risk identification checklist.

### **iii. Agencies working together to coordinate a response to domestic and family violence**

A successful integrated service response to victims of domestic and family violence will depend on the government working closely with a wide range of service providers, community groups, agencies, police and courts. A whole-of-community approach includes a shared understanding of domestic and family violence, common standards and practices among service providers, a consistent approach for assessing and managing domestic and family violence, formalised information sharing arrangements and the removal of barriers to information sharing. By sharing information participating agencies are better informed, and therefore can make better decisions when responding to domestic and family violence.

For example In an Aboriginal community context for example, positive impacts will be dependent upon the degree to which initiatives can be tailored to the specific needs of the community. Local ownership and leadership will be of paramount importance.

### **iv. Review of existing policies and frameworks at state and national levels.**

There are a number of state and federal policy responses to domestic violence. The focus of this submission, however, is on federal policy only. The Australian Government has committed funding, in particular, toward achieving the goals outlined in the *National Plan to Reduce Violence against Women and their Children*<sup>50</sup>. Now in its second phase, this plan focusses on safe communities, respectful relationships, strengthened Indigenous communities, effective justice responses, service delivery and holding perpetrators accountable. In achieving this, community organisations attempt to use integrated approaches that are co-ordinated, appropriate and consistent whilst aimed at victim safety, reducing secondary victimisation and holding perpetrators accountable. While the intent of policy and community responses such as these is admirable, issues with adequacy remain. In particular, these are the continued homelessness issue and lack of suitable accommodation for women escaping domestic violence, insufficient understanding of the importance of ongoing early intervention and lack of accountability in perpetrator programs.

For policies and community responses to be adequate, government and non-government sector need to work closely together.

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<sup>50</sup> National Plan



**d. The effects of policy decisions regarding housing, legal services, and women's economic independence on the ability of women to escape domestic violence**

- *Domestic violence is the single biggest cause of homelessness in Australia. Half of the women with children in the homeless service system are escaping domestic violence. Half will be turned away from these services, according to the Australian Human Rights Commission.<sup>51</sup>*
- *Income and housing options continue to be crucial to those in the process of leaving an abusive relationship. In order to ensure their continued survival and to pay for essential living costs, such as rent and food, there have been instances where women have unwillingly resorted to earning money from work such as stripping, exotic dancing and working in the sex industry.<sup>52</sup>*
- *In some cases, it appears that the only alternatives for women may include returning to the perpetrator of the violence, or taking accommodation with someone who also abuses or exploits her. Poverty makes women more vulnerable to men's violence as it restricts their options and makes them dependent on their abusers. Having access to an adequate income and affordable and safe housing options are essential for their safety.<sup>53</sup>*

**Housing and Homelessness**

The Australian Institute of Health and Welfare (2007)<sup>54</sup> reported that women escaping domestic violence made up 17.2% of clients accessing the Supported Accommodation Assistance Program in Queensland. Anecdotally, this number continues to rise as women continue to struggle to access appropriate housing.

Despite the National Plan attempting to address this through initiatives such as the “safe at home” programs, these programs are not effective for women and children at extreme risk of violence from a family member. Nor is there sufficient funding to support those women who could benefit from the brokerage offered through this program. In fact, brokerage for such services is almost non-existent in regional Queensland. As a result, women and children are forced to leave their home, home town and supports in order to remain safe. A lack of housing opportunity, in particular, lower cost housing, results in these women requiring access to higher cost housing, which is often not possible within their lowered financial capacity.

The Australian Institute of Criminology (No. 478, June 2014) <sup>55</sup>reported “*practical responses to domestic violence need to consider victims' priority and long-term needs to incorporate support mechanisms that are able to establish immediate safety and subsequently support women in their transition towards safe and sustainable housing arrangements*”.

<sup>51</sup> Australian Human Rights Commission 2011, *Tell Me Something I Don't Know*, accessed 28/7/14 at <http://tellmesomethingidontknow.gov.au/domestic-violence-single-biggest-cause-homelessness-australia>

<sup>52</sup> Crossing, B. and Barassi-Rubio, C, 2013, as above

<sup>53</sup> Crossing, B. and Barassi-Rubio, C, 2013, as above

<sup>54</sup> Australian Institute of Health and Welfare (2007)

<sup>55</sup> Australian Institute of Criminology (No. 478, June 2014)



## RECOMMENDATIONS

- Maintain and extend funding for “safe at home” programs to cover every region in Australia.
- Establish an integrated response by the criminal justice system and community services that results in a more holistic approach to perpetrator accountability beyond initial removal from the home.
- Establish an integrated response between organisations offering different accommodation types to women escaping domestic violence, thus allowing a “flow” through the system supported by short- and long-term emotional and financial support, specific to the needs of each client.
- Allocate 17% of current long term government funded housing specifically to women escaping domestic violence. Implement a management program of these houses in which residents are supported to access all services including personal and financial counselling to assist in moving forward.
- Develop affordable housing strategies to specifically meet the needs of single older women, single mothers, younger women and women who have previously been excluded as potential tenants as a result of previous situations. Strategies to be aimed at low to middle income brackets.
- Implement outreach programs to women who have escaped domestic violence and are in the affordable, sustainable housing indicated above.

Although these specific issues have been identified in this response, there remains room for growth in a number of areas of policy and community responses. Prioritising those outlined above, along with maintaining the current progress made against the National Plan will help ensure positive short and long term outcomes for those affected by Domestic Violence.



**e. How the Federal Government can best support, contribute to and drive the social, cultural and behavioural shifts required to eliminate violence against women and their children**

- *Coordination and collaboration across sectors and across all levels of government and non-government should be a fundamental principle underpinning any approach to the prevention of, and intervention with, domestic violence. 56*
- *Improve coordination between domestic violence and child protection services to assist in preventing early exposure to domestic violence in intimate relationships.57*
- *Increase the availability and awareness of services for victims and perpetrators, enhance referral mechanisms and improve collaboration between service providers to ensure that the complex needs of all parties can be met through an integrated service system. This includes (but should not be limited to) services such as advocacy, support, accommodation, skill development and counselling for both women and children who are exiting or attempting to exit violent relationships, as well as programs for perpetrators of domestic violence to reduce repeat victimisation.58*
- *Enhance linkages between criminal justice processes, support services and prevention programs. There has been considerable work undertaken to improve the legal response to domestic violence and an integrated response from criminal justice agencies (NCRVWC 2009b). This includes the introduction of pro-arrest police policies, specialist courts and support services for victims. It is important that a greater level of support is offered to women and their children throughout the legal process, and that barriers preventing access to justice, particularly for vulnerable women, are overcome.59*
- *Implement early intervention and education programs targeted at young people, including school-based programs that aim to shape appropriate attitudes towards women and violence, which have been identified as the most important strategies in breaking the cycle of violence.60*
- *A greater focus on secondary prevention programs that target families that have been identified as being at risk of domestic violence, which requires processes and risk assessment tools to identify early signs or risk factors for violence.61*

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<sup>56</sup>National Council to Reduce Violence against Women and their Children (NCRVWC) 2009a. Background paper *The time for action: The National Council's plan for Australia to reduce violence against women and their children, 2009–2021*. Canberra: Australian Government.

[http://www.fahcsia.gov.au/sa/women/pubs/violence/np\\_time\\_for\\_action/background/Pages/default.aspx](http://www.fahcsia.gov.au/sa/women/pubs/violence/np_time_for_action/background/Pages/default.aspx)

<sup>57</sup>Humphreys C 2007. *Domestic violence and child protection: Challenging directions for practice*. Issues paper no. 13. Sydney: Australian Domestic & Family Violence Clearinghouse.

[http://www.austdvclearinghouse.unsw.edu.au/PDF%20files/IssuesPaper\\_13.pdf](http://www.austdvclearinghouse.unsw.edu.au/PDF%20files/IssuesPaper_13.pdf)

<sup>58</sup>Humphreys 2007, as above

<sup>59</sup>NCRVWC 2009b, as above

<sup>60</sup>Indermaur D 2001. *Young Australians and domestic violence*. Trends & Issues in Crime and Criminal Justice no. 195. Canberra: Australian Institute of Criminology. [http://www.aic.gov.au/publications/current\\_series/tandi/181-200/tandi195.aspx](http://www.aic.gov.au/publications/current_series/tandi/181-200/tandi195.aspx) National Crime Prevention.

<sup>61</sup>Tomison A 2000. *Exploring family violence: Links between child maltreatment and domestic violence*. Issues in child abuse prevention no. 13. Sydney: Australian Domestic & Family Violence Clearing House.

<http://www.aifs.gov.au/nch/pubs/issues/issues13/issues13.pdf>



- *It is particularly important that there are programs targeted towards and tailored to the needs of those women at an increased risk of domestic violence or who may be less likely to access support services, including Indigenous women, women from CALD backgrounds, pregnant women, younger women and women living in rural and remote communities.*
- *Strategies to address the disproportionate rate of intimate partner violence among Indigenous people should also take a holistic view and aim to address the range of societal, cultural, community, family and individual factors found to increase the risk of domestic violence for Indigenous women. 62*
- *Continue efforts to improve community attitudes towards violence against women and address prevailing misconceptions regarding the prevalence, nature and acceptability of violence against women. This cannot be achieved through social marketing and communication alone and requires investment in other primary prevention programs, such as community development initiatives. 63*
- *Increase the involvement of men and boys in the development of programs designed to prevent violence against women by changing male attitudes and behaviours.64*

The continuing existence of violence against women and children in our community is a complex problem, and it requires a complex solution. The QDVSN would support the notion that part of this solution is addressing social, cultural and behavioural elements of our culture and social structure that support this. The ideas outlined below address the priorities, but are by no means comprehensive, and any change that occurs needs to be viewed as a process. In a sense, men's violence against women is a long running tradition in our society, as in most societies throughout the world, and any change needs to be viewed through this lens – it will take generations to transform. The key question remains “what steps can we take now”?

### **Family Court:**

The Family Court of Australia is an obvious site for clear change and development. In families where there is no violence or coercive control, most separating couples can and do negotiate arrangements for their children and themselves that keep the interests of the children at the centre. However, for families where domestic or family violence is already present, the Family Court becomes another instrument of control for the person using violence, and other site of state-condoned violence for the adult victim and children. While only about 5% of all separating

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<sup>62</sup>Stanley J, Tomison AM & Pocock 2003. *Child abuse and neglect in Indigenous Australian communities*. Child abuse prevention issues. Melbourne: Australian Institute of Family Studies no. 19.  
<http://www.aifs.gov.au/nch/pubs/issues/issues19/issues19.pdf>

<sup>63</sup>VicHealth 2006. Two steps forward, one step back: Community attitudes to violence against women. Melbourne: VicHealth. <http://www.vichealth.vic.gov.au/en/Resource-Centre/Publications-and-Resources/Mental-health-and-wellbeing/Preventing-violence/Community-Attitudes-to-Violence-Against-Women.aspx>; VicHealth 2009. National survey on community attitudes to violence against women 2009: Changing cultures, changing attitudes—preventing violence against women. Melbourne: Victorian Health Promotion Foundation.  
[http://www.fahcsia.gov.au/sa/women/pubs/violence/nca\\_survey/Pages/summary\\_report.aspx](http://www.fahcsia.gov.au/sa/women/pubs/violence/nca_survey/Pages/summary_report.aspx)

<sup>64</sup>Memmott P, Chambers C, Go-Sam C & Thomson L 2006. *Good practice in Indigenous family violence prevention: Designing and evaluating successful programs*. Sydney: Australian Domestic & Family Violence Clearinghouse.  
[http://www.austdvclearinghouse.unsw.edu.au/PDF%20files/Issuespaper\\_11.pdf](http://www.austdvclearinghouse.unsw.edu.au/PDF%20files/Issuespaper_11.pdf) CRVWC 2009b



families make it all the way to hearings before the Family Court, about 50% of these families are characterised by features of domestic and family violence. Put another way, the Family Court is currently one of the key sites of child protection matters in Australia.

There are some clear steps that the Federal Government could take in addressing the issues presenting at the Family Court, such as:

1. Empower the Family Court to properly investigate allegations of domestic and family violence, and child sexual abuse. Currently the Family Court does not conduct investigations into any allegation, and subsequently relies on imperfect or non-existent state investigations for substantiation. This poses an unacceptable risk to children, especially in cases where state statutory child protection agencies refuse to investigate such matters because it is “a Family Court matter”. The subtext here is often that women fabricate allegations of abuse for a mythical benefit in Family Court proceedings. More often, women are punished for raising allegations of abuse or deemed an “unfriendly parent” and orders are made that do not protect children.
2. Place the onus of disproving allegations of abuse on the alleged offender. In a society that honours the safety of children as its first priority, alleged offenders would be more than happy (and able) to demonstrate the ways in which they are a safe parent (this includes not abusing or denigrating their ex-partner). This is the model used in New Zealand with much better results regarding safety for children – that is they are protected from being killed or seriously injured (unlike Darcy Freeman and Luke Batty).
3. Family Court Report writers (and other decision-making professionals) need extensive and ongoing training in the nature of domestic and family violence. Family Court report writers are in the unenviable position of organising attendance, liaising, negotiating with, assessing and writing a Family Court report, sometimes with far-reaching consequences for a family, in a short space of time. One of the major gaps we see in this process is a clear lack of understanding of the nature, dynamics and nuances of domestic and family violence, and a lack of awareness of the likely presentation of both victims and perpetrators of abuse.
4. Children need a clearer voice in the decisions that affect their lives. Children are frequently the pawns in this scenario, and there are clearly many factors influencing their ability to have meaningful opportunities to engage in decision-making processes, such as age, competence, willingness and opportunity. However, truly respecting children as autonomous individuals includes taking their preferences into due consideration.
5. Understanding that using domestic violence against adult women makes violent men unsafe parents for children. Violence against women and children are inextricably linked. As a society we want to believe that men who hurt their partners would not hurt their children. Unfortunately, while sometimes true, it is not always true, and the Family Court needs to



much more effectively identify the risks to children when there is violence being perpetrated against their mother.

### **Gender and Relationships Education:**

Required curriculum content for all school children (both primary and secondary levels) should include healthy relationships education. Such education would ideally contain an analysis of gender, and how this informs the prevalence of domestic and sexual violence, primarily targeted at women and children. Of equal importance is the acquisition of critical analysis skills that enable the critique of messages from media, family and society which promote ideas that encourage violence. Such ideas would include gender stereotyping, body image, traditional relationships and roles of and between men and women, sexuality, the way that violence is glorified and glamorised and so on.

### **Shifting the Focus of Responsibility:**

For a long time, the conversation about violence against women has focused on women as both the cause and the solution. This happens every time we ask women to leave, or deem them 'non-protective parents' when their partner is hurting his children, or in many other ways suggest that women are complicit in their own abuse. Instead the conversation needs to shift the focus onto those perpetrating most of the violence in our society – that is, onto men's responsibility for violence. This is not about saying that all men are violent, but it is about saying that most violence results directly from men. There are many ways in which this could occur, through public health advertising campaigns, greater education in our community, social support programs that men are required to attend (but not at the expense of support for women), in justice responses that hold men accountable and provide community sanctions for abuse.

### **Perpetrator programs**

Current policy and community responses support the use of perpetrator programs that make the perpetrator accountable for behaviours whilst supporting his current or previous partner. Information gathered by service providers indicates a high dropout rate of participants, along with a high recidivism rate of both those who complete a program and those who do not. In addition, current magisterial approaches to Voluntary Intervention Orders (VIOs) suggest these orders may be used as a "sell" to get perpetrators into a program. That is, it is suggested a VIO may be issued in place of a Domestic Violence Order (DVO) if that person agrees to attend a perpetrator program. Often, in these cases, there is no further consequence for that person if he leaves the program early, that is, the VIO is not withdrawn and replaced with a DVO including special conditions. Although this approach does dramatically increase the number of intakes into perpetrator programs, it does not ensure the safety of the current or previous partner, nor does it hold the perpetrator accountable for his actions, ensuring accountability through, not only attendance, but ready and purposeful engagement in the program. In addition, the legal system continues to rely on the respondent to identify and respond to concerning behaviours, report breaches, and take steps to change conditions.



## RECOMMENDATIONS

- Development of a systemic, integrated response to perpetrators in programs that are co-ordinated, consistent and aimed at ensuring perpetrators retain responsibility for behaviours.
- Increased capacity of community organisations to work more closely with the criminal system to report breaches of orders, and to report concerning behaviours from group.
- Nationwide agreement on principles and guidelines for all perpetrator programs and a process through which all services are measured against their adherence to these.
- Implementation of a long term study in which recidivism rates of perpetrators is measured against short and long term engagement with perpetrators and victims.

### Early Intervention

Although current policy allows for the implementation of Respectful Relationships education projects nationally, the delivery rate and target age of these projects are inadequate. Offering a one day program once a year is insufficient to challenge or mould the understanding of a young person. Anecdotal feedback from existing programs suggest that occasional delivery of a program does not consolidate information delivered, nor does it have the capacity to challenge the environment to which a children in a domestically violent situation will return and remain for the rest of the year. As a result, programs should begin at a young age, be integrated in existing protective behaviours programs and delivered a minimum of once a term.

## RECOMMENDATIONS

- Maintain and increase current funding for violence prevention education for children and young people to encompass children younger than 12. Also increase funding to allow for a minimum of four times a year delivery of the information.
- Continue negotiations with the Australian Curriculum, Assessment and Reporting Authority (ACARA) to support the inclusion of respectful relationships education in Phase Three of the Australian Curriculum.
- Develop an integrated response between education and community to ensure the message is constantly reinforced in schools through repeat programs, posters and integration into the curriculum.



## f. Other related matters

### Women from Culturally and Linguistically Diverse Backgrounds

- The National Plan to Reduce Violence against Women and their Children 2010-2022, recognises that domestic violence and sexual assault are the most pervasive forms of violence experienced by women in Australian society. The National Plan also acknowledges that of the women experiencing violence, some groups, including women from non-English speaking backgrounds, will have limited access to services or have specific needs.
- In a 2011 statistical snapshot of the diversity of Queensland's population it was established that people speak over 220 languages and that a total of 423,844 people speak a language other than English at home <sup>65</sup>.

### Nature and prevalence of domestic violence

- Research findings about the nature and prevalence of physical and sexual violence against women from CALD backgrounds offer mixed results, 'some studies have found that women from non-English speaking [or CALD] backgrounds experience higher levels of violence<sup>66</sup>, whereas other studies suggest the rate of physical violence is lower than, or similar to, the rate among those women from English speaking backgrounds<sup>67</sup>
- However, 'Immigrant women are more likely than other women to be murdered as a result of domestic and family violence and are less likely to receive appropriate assistance from services when they attempt to leave a violent relationship'<sup>68</sup>
- It is also documented and recognised that refugee women who have experienced rape/sexual abuse during war and civil unrest are placed at higher risk of further abuse or sexual exploitation in country of origin and are more vulnerable to intimate partner violence on re-settlement <sup>69</sup>

### Some aspects of service system response

- In relation to reporting domestic violence, there is evidence that women from CALD backgrounds are reluctant to report incidents of domestic violence 'to police or to access mainstream services because of a perception that these services would not understand their particular situation and respond appropriately' <sup>70</sup>
- A lack of interpreter engagement to assist with communication is also a barrier for women from CALD backgrounds attempting to seek support and services. This often results in a deterrent for 'victims with English as a second language from seeking help and removing themselves and their children from dangerous situations'<sup>71</sup>.
- Denying access to a qualified interpreter not only has the potential of rendering the woman's experience invisible and unnecessarily adding stress to an already traumatised victim of violence; it also has the potential of unintentionally colluding with the perpetrator as usually limited

<sup>65</sup> Department of Aboriginal and Torres Strait Islander and Multicultural Affairs, December 2012

<sup>66</sup> (O'Donnell, Smith & Madison 2002

<sup>67</sup> Bassuk, Dawson & Huntington 2006; Mouzos & Makkai 2004) in <http://www.dpmc.gov.au/women/publications-articles/safety-women/national-plan/time-for-action-background-paper-HTML.cfm#38>

<sup>68</sup> Dimopoulos and Assafiri 2004).

• <sup>69</sup> Allen & Devitt 2012; Rees 2004; Pease & Rees 2008; Pittway 2004; Schmidt 2005 cited in Zannettino, 2013)

<sup>70</sup> WA Department for Communities 2006

<sup>71</sup> Runner, Yoshihama & Novick 2009



English language proficiency is used ‘as a tool of power and control by perpetrators’ of domestic violence<sup>72</sup>.

- There is a range of additional factors that render women from CALD backgrounds affected by domestic violence at risk of becoming isolated and vulnerable to further abuse and exploitation. Some of these factors include ‘shame and fear of deportation, social isolation, racism and discrimination’. These factors can be exacerbated by the woman’s pre-migration experience and lack of knowledge about support services available<sup>73</sup>. These factors often combine with a lack of knowledge of Australian legislation and systems, making help seeking an extremely difficult task, particularly when the women have to re-tell their stories and go from service to service.

### **Immigration status**

- Women whose immigration status depends on the perpetrator of violence (sponsorship or visa status) also face barriers to seeking help, which limit their access to support services<sup>74</sup>. This is particularly relevant to women who are often coerced and controlled with threats of deportation by the abusive partner<sup>75</sup>.
- Women and children on temporary visas who escape violence are also at risk of being forced to return to their country of origin. However, for many of these women it is unsafe to return, as they may face recriminations, violence and discrimination from their family and community<sup>76</sup>.
- Women who are on certain temporary visas such as tourist visas, student visas, skilled migration or bridging visas issued to applicants awaiting an immigration status decision are not eligible to access many of the essential services that may be required for independent living, such as public/social housing and health services through Medicare. Women on these visas also face difficulties accessing free English classes and employment opportunities.
- For women on international student visas affected by domestic violence and/or sexual assault, quitting, deferring studies or changing their study area or mode may place them in breach of visa conditions and without appropriate support to ensure their safety. Women on international student visas may also accrue large debts due to lack of financial resources to pay educational institution fees due to the impact of domestic/sexual violence in their lives<sup>77</sup>.

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<sup>72</sup> NCRVWC 2009a

<sup>73</sup> Zannettino, Pittaway, Eckert, Bartolomei, Ostapiej-Piatkowski, Allimant, Parris, 2011

<sup>74</sup> WCDFVS 2006

<sup>75</sup> Crossing and Barassi-Rubio, 2013

<sup>76</sup> As above

<sup>77</sup> As above



### Children from CALD backgrounds

- Women who have children with an Australian resident or citizen may find themselves in a particularly difficult position. Women on some temporary visas may face deportation, and consequently be forced to leave their children with the perpetrator of domestic violence if a family court order is in place and they lack the financial resources to access the options to remain in Australia<sup>78</sup>.
- For women on some temporary visas who also have children, they are liable to pay full fees for their children's state school education<sup>79</sup> despite research findings that there is a strong link between low/poor school attendance and student outcomes including 'lower academic outcomes, early school leaving, substance use, poverty, unemployment and negative health outcomes'<sup>80</sup>
- There is a knowledge gap on the impact of domestic violence on children, particularly 'the long-term impacts of continued exposure to trauma on the psychological, physical and brain development of children, or how this exposure impacts their personality, impulse control and, ultimately, their propensity to perpetrate violence in the future' (NCRVWC 2009) in <http://www.aic.gov.au/publications/current%20series/rip/1-10/10.html> This knowledge gap becomes wider in relation to the impact of domestic violence on children from CALD backgrounds, including children who are newly arrived to Australia and children from refugee backgrounds whose settlement process is disrupted by the violence.

### Perpetrator programs

- Calls for a review of and research on perpetrator programs and their impact should include 'a focus on the capacity of the program to respond appropriately to perpetrators from a range of backgrounds and from different geographical locations (e.g. urban, rural and remote areas)' including men from CALD backgrounds and how these programs address victims' safety within a context of cultural diversity. This should include men from CALD backgrounds and how these programs address victims' safety within a context of cultural diversity.<sup>81</sup>
- Mainstream perpetrator programs should also review their content to include factors impacting on CALD women and examine ways of addressing racism as a prominent feature of abuse against immigrant and refugee women of CALD backgrounds.

### Domestic violence, homelessness and supported accommodation

- Domestic violence is the single biggest cause of homelessness in Australia. Half of the women with children in the homeless service system are escaping domestic violence. Half will be turned away from these services, according to the Australian Human Rights Commission (2011)<sup>82</sup>.
- In some cases, it appears that the only alternatives for women may include returning to the perpetrator of the violence, or taking accommodation with someone who also abuses or exploits her. Poverty makes women more vulnerable to men's violence as it restricts their options and

<sup>78</sup> Crossing and Barassi-Rubio, 2013

<sup>79</sup> As above

<sup>80</sup> <http://education.qld.gov.au/everydaycounts/>

<sup>81</sup> <http://www.aic.gov.au/publications/current%20series/rip/1-10/10.html>

<sup>82</sup> Australian Human Rights Commission (2011).



makes them dependent on their abusers. Having access to an adequate income and affordable and safe housing options are essential for their safety<sup>83</sup>

- Government funded supported crisis accommodation services are essential in assisting women and children to achieve safety when remaining in their homes is untenable and unsafe. However, the demand exceeds the availability of this type of accommodation. In Queensland, the limited services available are usually at capacity. The lack of vacancies renders women and women and their children vulnerable to further violence and abuse.
- Supported accommodation services 'are central to women being able to re-build and re-establish their lives, post-violence and its damaging impacts. However, as Bartholomew notes 'Placing families into crisis, emergency, short term transitional housing and then recording such exercises as successful is fundamentally flawed'<sup>84</sup>. These important and necessary options for women can and will only deliver permanent success if they are part of a continuum of support that includes a pathway into permanent, safe and affordable accommodation. The length of time women are considered homeless also depends on clear transitions and progression along the continuum of support'<sup>85</sup>
- For women from CALD backgrounds having to go to a motel where there is no other accommodation option available also presents additional issues, including but not limited to isolation, lack of culturally appropriate food, and further uncertainty about their future, particularly for women on temporary visa status. It is not uncommon for women in these situations to return to an abusive partner due to the anxiety resulting from the uncertainty about stable accommodation and access to income.

## **RECOMMENDATIONS**

- The current knowledge about the experience of women from CALD backgrounds affected by domestic violence clearly indicates that efforts need to be directed to improving government and non-government service system responses, including adequate resource allocation to provide appropriate responses to this particular group.
- There is also ample evidence to suggest that engagement of interpreters is essential in enabling access to services and support for women from CALD backgrounds. The availability of free and qualified interpreting services should be a component of service delivery at all levels within government and non-government services. The following recommendations from the Queensland Accessing Interpreting Services Working Group are supported
- That the Queensland Government resource and implement a consistent whole-of-government commitment and approach to guarantee the provision of fee-free qualified interpreting and translating to government agencies and community organisations in Queensland.;
- To build the evidence base on the experiences of women from CALD backgrounds in navigating and accessing the legal system, particularly the intersection of the different legal responses within criminal and civil law as these relate to domestic violence, child protection, family law, and immigration law.

<sup>83</sup> [http://www.dss.gov.au/sites/default/files/documents/05\\_2012/synthesis\\_report2008.pdf](http://www.dss.gov.au/sites/default/files/documents/05_2012/synthesis_report2008.pdf)

<sup>84</sup> Bartholomew 2002

<sup>85</sup> [http://www.dss.gov.au/sites/default/files/documents/05\\_2012/synthesis\\_report2008.pdf](http://www.dss.gov.au/sites/default/files/documents/05_2012/synthesis_report2008.pdf)



- That Centrelink expands its Special Benefit eligibility criteria to ensure that all women and their children escaping violence become eligible for a Centrelink benefit, regardless of visa type, once the usual assets test has been applied and at least until their immigration status is decided by the Department of Immigration and Border Protection.
- Similarly, the barriers to accessing public/social housing, health and a free, state-school education for children should be removed by policy changes and where necessary, these changes could be supported by legislative amendments.
- Research to build a knowledge base for the development of appropriate responses to children from CALD backgrounds who have been exposed, have experienced and/or live with domestic violence.
- Research into perpetrator programs and development of programs specific for men from CALD backgrounds.
- Demand for additional supported accommodation services may have increased with population growth and more awareness about domestic violence. The current levels of supported accommodation make it at times impossible to place women and their children in this much needed type of accommodation. More supported accommodation places should become available to ensure the safety of women and their children who cannot remain in their homes due to safety risks and potentially lethal outcomes.



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