

**Proposed Preferred Models for Safe  
Accommodation Services for women and  
children from the APY Lands**

*“More than bricks and mortar”*

**Jane Lloyd**

**On behalf of  
Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women’s  
Council (Aboriginal Corporation)  
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## **Acknowledgments**

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I would like to express my gratitude to NPYWC's Board of Directors for their thoughtful and honest advice in shaping the final recommendations. Their courage and authority continues to lead the way to improve the lives of Anangu families in this region.

Finally, I would like to pay tribute to Mantatjara Wilson, recently deceased who steered the NPYWC's Domestic Violence Service in its early stages of development and provided the initial workers with profound insights into the nature and extent of domestic and family violence and child abuse. In recent years she continued to provide a safe haven to many women and children from the APY Lands and valuable advice and support to NPYWC and other agencies.

Jane Lloyd  
12<sup>th</sup> November 2009

## Foreword

Through the strong advocacy and lobbying work of NPYWC, a Domestic Violence Service was established fifteen years ago to support women seeking protection from domestic violence across the NPY region including the APY lands. The main story this Service has told Anangu is that violence against women is unacceptable. Today there are many Anangu and other people living, working and visiting Aboriginal communities who speak up against domestic violence, who say that it is wrong and that there is no place for it. These people include: NPYWC Domestic Service case workers, Police, Nganampa Health Council staff, government workers and teachers, and strong women and families in communities who provide protection in their homes. I see these people as heroes standing in the gap between victims and perpetrators. Anangu need these heroes because without their presence, perpetrators of domestic violence and child sexual abuse would go unchallenged. NPYWC stands side by side with these people.

It is true that in bygone times under Anangu law violence had a function. Violence was not seen as good or evil; it was there to keep Anangu in line with the law. Even though we know the thinking on the lands that violence is acceptable because Anangu law is still strong, the one thing that makes a difference, which stands in the gap to protect Anangu against violence, is Crown law. This term is understood by Anangu, however others know it as the criminal law in the States and Territories of Australia. To commit violence against another person is a crime and the police and prosecutor and the court must step in to protect a victim and bring a perpetrator to justice. It Doesn't matter who a victim is or who a perpetrator is - the law is the law.

I know that a lot of people today in Aboriginal communities are worried about the incidence of domestic violence - sometimes it's out in the open, other times a woman can suffer in silence. Directors at NPYWC often hear about the effects of domestic violence. Often children who live in domestic violence homes don't eat, they stay skinny and underweight, and during the important development years their ability to learn like other children their age is threatened. This is not the future we want for our children.

Directors of NPYWC are also of one voice that child sexual abuse is not acceptable under any circumstance. There is no place for this in Anangu law and it's a crime in all parts of Australia. Directors agree that if there is suspicion of child sexual abuse then every effort must be made, to bring safety to that child, and to bring the perpetrator to justice. Anangu need to see the Crown protect its citizens, especially the ones with the least power in a community such as children. When a child is sexually abused it's no good, it's a very bad thing, that pain is inside of the child and eventually that pain will move out of him or her. How that pain changes the child it's hard to know but the child shouldn't be left to struggle on their own without help. That's the protection Directors want for children under the legal system, for children who are victims of child sexual abuse.

Jane Lloyd has done a good job explaining why the idea of a women's shelter on the APY lands will not work. We Directors know our culture, our people - such a place would be targeted by those who are angry at a woman, and so locations off the lands must be identified.

This is also the case for a child and their carer seeking protection after an allegation of child sexual abuse. They must be taken off the lands so that proper support can be given to them.

I hope that when people read about the ideas in this paper they see the evidence behind the ideas. Domestic violence and child sexual abuse - these two subjects are hard for Anangu to talk about in the open, both in front of family and in front of others. That's why the support of many agencies is needed to protect women and to bring down the violence. The ideas in this report, gives information from all sides. That's good because it gives everyone the same information before a commitment is given to start a new idea or service on the APY Lands, whether it's a new building, improving support to victims or organisations working together more closely.

Palya  
Margaret Smith  
Chairperson, NPY Women's Council

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# 1. Summary and Recommendations

## A. Proposed Preferred Models for Safe Accommodation Services for women and children from the APY Lands.

*Safety for women and the children in their care requires more than just overnight accommodation and temporary respite from violence but longer term interventions and lasting change in the prevention of violence and abuse.*

The Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council (NPYWC) Directors are hesitant to recommend a dedicated and stand-alone safe accommodation place located within a community or anywhere on the APY Lands. They have given careful consideration to the needs of women who experience violence, applying their first hand knowledge of how widespread and embedded family violence is within their communities and of the kinds of responses that are needed to protect women and the children in their care.

The Directors first preference is for safe accommodation places to be co-located with the police stations. Whilst the Directors realise the improbability of locating a safe place within or attached to a police station, their preference highlights the paramount need for safety and their perceptions of safety on the APY Lands.

Past and present NPYWC Directors and members have strongly advocated for the permanent presence of sworn police officers on their communities. The current Directors also acknowledge the protection and benefits that Crown law offers them in dealing with domestic and family violence.

The Directors propose a broad model of safety and protection that builds on and expands existing services and strategies with a number of specific and targeted tailored actions and activities that if effective can be expanded and developed further. The broad model is based and dependent on vigilant, timely, accessible and high quality domestic and family violence and child protection support services to meet Anangu women and children's immediate and future safety needs and well-being. This model needs to be flexible and is not dependent on every aspect of the service model being based on the A PY Lands.

Based on the past and current delivery of services the Directors neither believe it is realistic nor does it necessarily serve the best interests of the client group for all services to be based on the Lands.

### **The broad model includes:**

- Timely, targeted and accessible law enforcement response and support from SA POL (Police). The Directors' preference is for female and male sworn officers based on the A PY Lands. The commitment to expand the police presence on the APY Lands with permanent police based at Amata, Ernabella and Mimili, in addition to the two female family violence officers and detective at Umuwa, will increase the perceptions of safety and the interventions and preventions to reduce violence.

- NPYWC’s Domestic and Family Violence Service (DV Service) to continue its co-ordinating **case management** role in the response to domestic and family violence on the APY Lands.

This requires secure and adequate funding, highly skilled, qualified and vigilant staff and management with the presence and authority to develop and maintain relationships across communities and agencies, operational and information-sharing relationships with other agencies and services in a high risk and contested environment.

- The case management approach to service delivery incorporates:
  - comprehensive and practical support (crisis assistance, specialist advice and services, shelter, transport, food, clothing and financial assistance) with drug and alcohol, mental health and therapeutic services;
  - vigilant, timely and consistent criminal justice interventions that prioritise the safety of victims (these include DVROs<sup>1</sup>, bail and parole conditions, other court orders) and hold perpetrators of violence accountable<sup>2</sup>;
  - improved information and intelligence collection, analysis and sharing to enhance and improve the timely and targeted response to domestic and family violence<sup>3</sup>;
  - strong relationships and links between services to pro-actively facilitate accessibility to practical and specialist services;
  - lawful and responsible information sharing arrangements between government and non-government agencies: e.g. between NPYWC, SAPOL, Corrections SA and Nganampa Health Council;
  - clear interagency guidelines and practices to implement joint agency and information sharing operations. For example, the *NPYWC and SAPOL Family Violence MoU 2008*; and
  - suitable community education strategies for women and men to support positive social and cultural change for the immediate and future safety and well-being of Anangu women and children.
- Consideration should be given to inter-agency staff secondment arrangements that will contribute to improvement in service delivery for clients, improve interagency and professional understanding and relationships.

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<sup>1</sup>Domestic Violence Restraining Orders.

<sup>2</sup> The current practice of the SA Magistrate’s Court on the APY Lands fining perpetrators of family and domestic violence the sum of \$11 does not hold perpetrators accountable for their violence. Furthermore it reinforces the normalisation and acceptance of violence and gives the message to the victims that the court system does not give paramount consideration to their safety and it undermines the efforts of law enforcement and victim support advocates.

<sup>3</sup> The increase in police presence and the proposal to establish a Cross Border Domestic and Family Violence Information Sharing Intelligence Unit will improve the timely and targeted response to domestic and family violence.

- Good governance and management to support and create the necessary services and cultural change to give greater protection to women and children.
- Development and implementation of clear guidelines and processes to manage stricter probity and due diligence checks in relation to violence and abuse for all employees and public office holders on the APY Lands.

The reasons for the NPYWC's Directors hesitancy in relation to a dedicated stand-alone safe accommodation place on the APY Lands, at Umuwa or any other community for *women and or children in their care escaping violence or the threat of violence* are summarised below and detailed in the report:

- restricted and limited need for safe accommodation for that intended purpose;
- accessibility issues that further limit the use;
- not cost effective in terms of staffing and operational costs;
- extremely high security, safety and privacy issues for clients and staff
- workforce capacity issues that will not be resolved through training and employment of local workers;
- limited effectiveness in what short term support it could provide clients; and
- lack of access to safe, reliable and affordable transport to support access to safe accommodation and ongoing care and safety.

### **Proposed Specific and targeted Activities and Actions**

**The NPYWC Directors recommend the following activities and actions to complement the broad model proposed above.**

#### **(i) Pilot a 'safe room' in the Family Care Centres at Amata and Mimili.**

- Investigate the possibility of a safe room attached to the Family Care Centres at Amata and Mimili, the two APY communities selected for the National Agreement on Remote Service Delivery<sup>4</sup>. This would require careful consideration by NPYWC in conjunction with SAPOL, Nganampa Health Council, Department for Families and Communities and the Community Council as well as the Government Business Managers, as to how a "safe room" could operate, given the issues identified in this report.
- This proposal depends on Police and NPYWC DV Service support and is very dependent on the calibre and capacity of the Family Care Centre Co-ordinator and relationships with and between Police, NPYWC, Nganampa Health Council and Department for Families and Communities. The Co-ordinator would need to be able to operate the safe room without fear or favour.
- The Family Care Centre, NPYWC, Police, Nganampa Health Council and Department for Families and Communities will need to develop very clear operating guidelines and processes to monitor the implementation and risks.

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<sup>4</sup> The Council of Australian Governments agreed in November 2008 to a new *National Partnership Agreement on Remote Service Delivery* with the aim to improve the delivery and coordination of services to 26 remote Indigenous communities. In SA the Agreement focuses on Amata and Mimili.

- Depending on the effectiveness of this approach at Amata and or Mimili, consideration could be given to implementing something similar in Pukatja.
- At this stage, we do not recommend this strategy at communities where there is no permanent police and Department for Families and Communities presence and no timely access to other services.

The Safe Room is an emergency and a very short-term option **only** to provide a woman and children in her care with immediate safety until the offender can be apprehended and or a secure safety action plan is implemented for the woman. The Family Care Centres could potentially be developed and expanded to include responses to domestic and family violence and or child abuse. This would depend on the particular Centre, the skill and knowledge of the staff, strong relationships and links to other services, the accessibility of Police and other agencies and the nature and extent of the cases in that community.

- **RISKS:** There are high risks attached to this proposal that reflect the nature and extent of violence in this region and community attitudes that legitimate the use of violence.
- The Family Care Centres could become targets of violence and vandalism from the perpetrators of violence and or their families.
- There is a risk if the safe room is viewed as the **default** response for all actual violence or threats of violence against women. Very careful consideration needs to be given to establishing risk assessment guidelines. There will be cases where the risks are too high and the safe room is not an option.
- Capacity and skill of locally employed workers to support this proposal.
- Actual or perceived conflicts of (family) interests between Family Care Centre staff and clients could severely hamper the viability and safety of this proposal.
- This proposal will require robust administrative governance and support that can withstand interference and threats of violence by individual community members or council members<sup>5</sup>.

**(ii) Support and strengthen ‘informal’ network of individuals and families**

□ NPYWC, Nganampa Health Council, Department for Families and Communities and Police identify existing and potential individuals and families (informal helping supports) with the view of providing them with practical support such as improved security for their home, installation of telephone and a safe room, regular communication and monitoring of their safety and that of those they are helping and access to practical support including respite.

- Informal individuals and families require personal support by way of ideas and information to assist them and increase the safety and well-being of the client.

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<sup>5</sup> Before any decision is made to pilot a safe room on the APY Lands, NPYWC recommends a detailed analysis of Amata, Mimili and Pukatja to identify and assess each community’s risks and capacity to deliver this proposed service. NPYWC is willing to provide data to assist with this analysis.

- Informal individuals and families supporting women and their children who experience violence to be recognised and included in community education and awareness training.

- NPYWC, Police, Nganampa Health Council and Department for Families and Communities develop and implement a set of guidelines and risk assessment to support those individuals and families (informal helping supports). For example, guidelines may include probity and due diligence checks; eligibility for a safe room and telephone, what support agencies will agree to provide, who will coordinate this system. The risk assessment is critical and based on the principle that the safety of the woman and her children is paramount.

- **RISKS:** It is crucial that agencies not only recognise the strengths that exist within Anangu families and communities but recognise and identify the limitations and ensure that agencies provide the necessary responses and support. The report details those limitations that create serious risks for the safety and wellbeing of Anangu women and children.

- This strategy depends on workers that are appropriately skilled and are able to develop a network of relationships and ability to engage with clients and families to facilitate change. Workers must be able to operate without fear or favour and while practical support in the way of crisis food and clothing is sometimes necessary it must be complemented by help and support to facilitate longer term changes in the safety and well-being of women, children and families on the APY Lands.

### **(iii) Availability and accessibility to reliable transport**

The lack of safe, reliable and affordable transport seriously affects the capacity of individual women who understand and assess their risks to violence to protect themselves and their children from further harm.

- All agencies operating on the APY Lands to consider their *duty of care responsibility* and role in providing transport to victims of violence.

- Recommend that an understanding is reached and arrangements are made between agencies, namely NPYWC, Police, Families SA, and Nganampa Health Council, to provide viable transport options. Clear guidelines and procedures to underline these arrangements and minimise the risks for all involved.

- **Risks:** The risks of providing or facilitating transport for women and their children escaping violence need to be assessed against the risks of not doing so. NPYWC is very aware of the risks for individuals and or agencies who are seen or perceived to assist and support women escaping from actual or threatened violence. The organisation recognises their courage and capacity to support and help women in dangerous and life-threatening circumstances and therefore protecting them from harm.

### **(iv) Legislative changes**

- Legislative changes to expand police powers to serve a 48- and or 72- hour Domestic Violence Restraining Order on the perpetrator to exclude him

from the community and from contact with the victim/survivor. This would allow time to assess safety and other needs with the client, implement an action safety plan and deploy resources.

- SA Government establishes a domestic violence homicide and serious harm review mechanism, similar to that which is being established in Victoria.
- **Risk:** This is a time consuming and complex process to establish.
- **In the meantime and as a matter of urgency** review the domestic violence related homicide cases between 2004 and 2008 involving victims and offenders from the APY Lands to identify how to improve the identification, targeting and response to women at risk and prevent future domestic violence related homicides. This may involve the following agencies: NPYWC DV Service, SAPOL, Department for Correctional Services, Families SA, Nganampa Health Council and Department of Health.

The key purpose of these review mechanisms is to identify common weaknesses in systems that have led to a domestic violence-related fatality<sup>6</sup>. The relatively high number of domestic violence-related homicides between 2000 and 2008 involving victims and offenders from the APY Lands and cross- border region strongly indicates the need for a review mechanism of this kind.

The review processes in the United States, Britain and Canada have documented inadequacies in services meant to help women and children, legal impediments, training gaps and patterns of violence that indicate to authorities a family is at increased risk. The findings have forced changes to policy and practice and in many districts have resulted in large reductions in domestic violence homicides.<sup>7</sup> Reviews scrutinise the system and context of the death as well as examining every service and agency that come into contact with the woman to provide valuable and accurate information about agency practices and approaches and the trends and patterns of domestic violence in that community and region. Reviews can also make recommendations targeted at specific agencies to implement changes.

- **Risks:** If the recent domestic and family violence related homicides are not reviewed in this systemic way then efforts to prevent and reduce violence and such tragic homicides from occurring will fail. This will have a direct bearing on the safety and wellbeing of women and their children in this region; it will effect resource allocation for service provision, job satisfaction and the attraction and retention of workers and ongoing safety and security issues on the APY Lands.

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6. David, N. "Exploring the Use of Domestic Violence Fatality Review Teams" in Australian Domestic & Family violence Clearinghouse, Issues Paper 15.

## **B. Preferred models for Safe Accommodation for children and carers from the APY Lands in instances of suspected abuse.**

*A key feature of safe and therapeutic care for children is secure and safe services geographically distant from the situations and threats of harm and abuse, that can provide a mix of specialised services by well trained and highly skilled staff.*

The NPYWC Directors do not support a model that includes a dedicated "safe accommodation" place on the APY Lands, at Umuwa or any community on the Lands *for children and their carers in cases of suspected abuse*. The principal reasons are summarised below:

- Placing those children and their carers in a place on the Lands would make them vulnerable and unsafe.
- Limited privacy and safety when dealing with such serious and sensitive matters on the APY Lands that will often involve suspicions, allegations and recriminations against and between family members.
- Restricted and limited need for safe accommodation for that intended purpose.
- Many children at risk of abuse or who are suspected of being abused do not have reliable carers who could accompany and support them.
- Workforce capacity issues, attracting and retaining suitably skilled and experienced workers.
- Lack of timely response and access to specialist services on the APY Lands. Children and their carers would benefit from the specialist services and supports in either Alice Springs or Adelaide.
- Evidence indicates that children feel unsafe and are discouraged by family from reporting and disclosing on the APY Lands.
- Experience of recent suspected and confirmed child sex abuse cases on the APY Lands and the documentation and reviews of effective specialist and dedicated accommodation placed services for young people and juveniles stress the necessity for services to be **geographically distant** from the actual or threats of harm and abuse.

The response system to child abuse, particularly child sexual abuse on the APY Lands is still largely underdeveloped as reported in the *Children on Anangu Pitjantjatjara Yankunytjatjara (APY) Lands, Commission of Inquiry: A Report into Sexual Abuse*. Child sexual abuse is a specialist area that requires specific expertise and competency. While there is an increase in general and operational law enforcement and commitment of child protection capabilities on the APY Lands, there is not yet the expertise or competency to deal with these matters.

The attention to child abuse, specifically child sexual abuse in Indigenous communities is very recent and the medical and child protection response system is in the early stages of development. At this stage, the expertise and competency and other specialist and support services are located in Alice Springs and Adelaide.

Concerns were expressed by staff from a couple of agencies working with children about the continuing delayed response to child abuse notifications on the APY Lands. They are concerned that a safe accommodation place would not improve this and may even exacerbate the lack of timely access to specialist services. An effective

operating model will not automatically result from bricks and mortar as is evident at Amata with the Substance Misuse Facility and with the remote safe houses in the NT.

### **Proposed Specific and Targeted Actions and Activities**

**(i) Improve agency response to child sexual abuse.** The *Children on Anangu Pitjantjatjara Yankunytjatjara (APY) Lands: Commission of Inquiry – A Report into Sexual Abuse* made numerous recommendations to improve agency response to child sexual abuse on the APY Lands.<sup>8</sup> Many of those recommendations addressed specific responsibilities of the child protection system. NPYWC Director strongly support the recommendations that addressed the need for the child protection system to be more vigilant and responsive to the needs and situations of Anangu children and for there to be a greater level of inter-agency operational co-operation.

The report highlighted the systemic and community malaise towards the care and protection of children. NPYWC acknowledges that there has been a culture of silence and indifference to violence and child abuse and that to change this it requires cultural and social changes within Anangu society as well as within and across government and non-government agencies. **At this stage**, that necessary change will not come about through building accommodation for this purpose at Umuwa or anywhere else on the Lands.

**(ii) Improved supports for individuals and families caring for children to bring about the necessary social and cultural changes to protect children from harm.** An NPYWC Director eloquently expressed the challenges and dilemmas parents and families are facing on the APY Lands when she posed this question, *“How can I do a good job in my home for my children so that they will become well educated and not be left behind? What changes do I need to make as an Anangu mother and grandmother for this to happen?”*

Some initial work has begun at Pukatja to raise awareness and understanding about child abuse and what the individual, family and community response might look like. Anangu have had to find a way to talk about child sexual abuse, and to find the language to talk about it. In this context such an exercise is not only educational but has possible therapeutic benefits. There are serious risks and ethical issues involved in how this work and engagement is undertaken. Therapeutic processes take time to set in place and require skilled workers with good communication skills and established relationships of trust. Most importantly, the participants must feel safe to participate in any community education or therapeutic processes.

- NPYWC, Nganampa Health Council, Department for Families and Communities, Pitjantjatjara/Yankunytjatjara Education Committee/Schools and Police identify existing and potential (informal helping supports) individuals and families with the view of recommending the provision of practical support such as improved security for their home, installation of telephone and a safe room, regular communication and monitoring of their safety and that of those they are helping and access to practical support.

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<sup>8</sup> Mullighan, E. April 2008, *“Children on Anangu Pitjantjatjara Yankunytjatjara (APY) Lands Commission of Inquiry – a report into sexual abuse.”*

- NPYWC, Police, Nganampa Health Council and Department for Families and Communities develop a set of guidelines and risk assessment to support those individuals and families. For example, guidelines may include probity and due diligence checks; eligibility for a safe room and telephone, what support agencies will agree to provide and who will coordinate this system. The risk assessment is essential for the identified individuals and families (informal helping support), the children at risk or suspected of being harmed and the agencies involved.
- The Directors stress the need for the ongoing provision of case management support including therapeutic and behavioural services to children and their carers on the APY Lands who are at risk of harm and or have been harmed. Programs and services to be provided through the schools and school base social workers, Family Care Centres and child care centres on the APY Lands and in conjunction with the NPYWC and Nganampa Health Council community-based and outreach programs and services and SAPOL. A commitment to this does not require a dedicated stand alone safe accommodation place but it will rely on workers developing and building relationships in order to support families and the community.
- Parenting programs, case management engagement and supports that focus on equipping parents with knowledge, ideas and skills to better parent their children in the contemporary modern environment. Traditional parenting values and skills have not enabled parents to deal with the kinds of issues and the complex environments in which they now live.
- NPYWC Directors hold dearly the value and significance of their traditional culture but they also recognise the limitations and some of the harm and unintended consequences that some aspects of traditional culture and or customary practices can cause. They caution against using a cultural context to frame and determine responses to children at risk and or suspected of being abused.

**(iii) NPYWC Directors recommend a safe accommodation place in Alice Springs that specialises in women and children’s health care.**

- The Directors recommend a secure and safe (twenty-four-hour staffed) accommodation based service in Alice Springs for women and children from the APY Lands that specialises in women and children’s health care, similar to *Mookai Rosie Bi-Bayan* in Cairns that provides services to Far North Queensland communities<sup>9</sup>.

A safe accommodation place designated for maternal and child health is viewed as a safe place. It does not threaten families and there is no stigma or fear associated with it as would be associated with a designated place for children suspected of being abused. A child suspected of being abused will in most cases have other needs and issues that require a response. A place that provides safety and privacy is imperative to develop the trust and confidence needed to deal effectively with suspected abuse.

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<sup>9</sup> Mookai Rosie has accommodation for a maximum of twelve clients and twenty-four- hour staffing. It provides a broad range of maternal health care services and is linked to other specialist child and maternal health care services and specialist child and women’s services in Cairns. Mothers and their children can stay between one night and six weeks.

Mt. Gillen Safe Accommodation, the safe and secure accommodation place in Alice Springs that was previously an antenatal and child health hostel will, once it re-opens under the management of Aboriginal Hostels Ltd., will no longer be for women and children only as it is to become a broader family-based accommodation service that will also accommodate men. This means that the only two secure and safe accommodation shelters in the region for women and children is the Alice Springs Women's Shelter and the Coober Pedy Women's Shelter, operated by UnitingCare Wesley.

The Alice Springs Women's Shelter priority is for women and the children in their care who are escaping violence. The Alice Springs Women's Shelter has almost 100% occupancy rates throughout the year and has to turn many homeless women away, so this is not an option. The Coober Pedy Safe House is presently under utilised, it has 6 beds and the service has 2 staff members. Whilst the house has high security it does not have a staff member resident in the safe house 24 hours.

The main hurdle to working with clients from the APY Lands is that of transport, in particular returning women and children back to the Lands after using the safe house in Coober Pedy.

NPYWC and Nganampa Health Council have relied heavily on Mt. Gillen as a safe accommodation place for mothers and their children requiring maternal health care and support. It has been a fundamental and an integral part of the case management support and intervention work that both NPYWC's Child Nutrition Program and Nganampa Health Council have undertaken.

The capacity to provide the necessary case management support and medical treatments relies on the availability of safe and secure accommodation. The general nature and purpose of the place in addition to the high security and twenty-four-hour staff has created a safe environment for both women and children who have been abused or suspected of being abused and requiring other medical treatment and practical support. Hostel accommodation places are reasonably secure with twenty-four-hour staff, but they do not provide the perception of safety and privacy that a women and children's only accommodation place provides.

Between 26<sup>th</sup> February and 10<sup>th</sup> December 2008 the NPYWC Child Nutrition Program accommodated 116 mothers and children at Mt. Gillen. During the forty weeks in that calendar year that NPYWC clients stayed at Mt. Gillen, 75% were from the APY Lands and a proportion of those used the accommodation on multiple occasions. On 20<sup>th</sup> July 2008 NPYWC had twenty mothers and children staying at Mt. Gillen. This gives a clear indication of the need for such a safe accommodation place in Alice Springs.

There is a greater capacity to recruit and retain suitably skilled and experienced staff in Alice Springs. Additionally, timely access to specialist services, including police and medical forensic investigations and qualified and independent interpreters, is available. Children suspected of being abused and their carers are also provided with the privacy, safety and security to receive the necessary supports.

**(iv) NPYWC Directors recommend implementing the framework set out in the *Caring Well Protecting Well: A framework for practice standards in child protection in Aboriginal communities in Central Australia (2005)*<sup>10</sup>.**

This is a nuanced, useful and very practical framework for standards in child protection and the basis of an operational model and set of guidelines for best practice in responding to suspected child abuse in the NPY region. The framework reflects the principles and recommendations in the *National Child Protection Framework* and the *National Plan to Reduce Violence against Women*. The Caring Well framework was developed for NPYWC and the Ngaanyatjarra Health Service within the specific context of Aboriginal child care and protection in the cross-border region, in recognition that child protection services for children in the NPY region are “not the best they can be and there was a need for better ways to think about and do child protection”<sup>11</sup>.

The framework stresses the need for continuity, stability and predictability of care and outlines the child protection systems in context and how they can respond to the care and protection needs of Aboriginal children in Central Australia. The framework identifies the characteristics of quality services in child protection practice and what that would look like in this environment.

**(v) Within the *Caring Well Protecting Well* framework adapt and implement the *Protocols Between NT Health and Families and Central Australian Community Organisations & Guidelines for Protocol Implementation*.**

This protocol and the guidelines for implementation were developed specifically in the context of Aboriginal child protection in Central Australia by seven non-government community agencies in collaboration with what is now called NT Families and Children (NTFC) Services within the NT Department of Health and Families, (formerly Families and Children’s Services (FACS) ). NPYWC was one of the founding members of the group and has continued to have a strong role in trying to bring about a better child protection system in this region. The protocol stresses the partnership and engagement between the statutory child protection agency and the non-government organisations working on the front line with children and young people requiring care and protection.

The protocol covers the following:

1. Record of agreed guidelines and procedures related to the Protocol and interagency work.
2. Record of agreed measures for review at agreed timeframes.
3. Training – a document for use by agencies with new<sup>12</sup> and existing staff.
4. Co-ordinated Inter-agency Service Delivery – presentation of agreed guidelines for Case Management and Joint Case Management.
5. Improved working relationship based on shared knowledge (information sharing) and understanding of process and procedures.

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<sup>10</sup> This framework was developed in 2005 by Dr. Pauline Meemaduma, a national and international expert on child care and protection practices and systems.

<sup>11</sup> Meemaduma, P & Hodgson, D. 2005. *Caring Well Protecting Well: A framework for practice standards in child protection in Aboriginal communities in Central Australia*, p 7. Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women’s Council and Ngaanyatjarra Health Service.

<sup>12</sup> Recruiting and retaining suitably skilled and experienced staff is one of the major issues facing the child protection systems and even more so in remote regions.

NPYWC acknowledges the draft *APY Lands Child Protection Protocol* that is based on an internal Department for Families and Communities state-wide document and broadened to address and respond to the Mullighan Inquiry. Unlike the protocol above, front line agencies such as Nganampa Health Council and NPYWC who work with children and families are not included as essential partners in this protocol. Their involvement in child protection cases is an option and dependent on whether they are the notifier and or at the discretion of child protection workers. Given the nature and extent of staff turnover among Families SA child protection workers this approach will not result in better care and protection for Anangu children.

Department for Families and Communities together with Police, NPYWC, Nganampa Health Council, Child & Adolescent Mental Health Service and Pitjantjatjara/Yankunytjatjara Education Committee/SA Education adapt the NT FACS and Central Australian Community Organisations protocol for the APY lands. The joint agency, government and non-government protocol to include a clear set of case management guidelines to respond to children and families at risk with the principle focus on creating a safe, stable, predictable and continuity of care environment for children. The case management guidelines on the response to suspected child abuse cases will set out the responsibilities and roles of each agency, the sharing of information and reporting requirements.

- Department for Families and Communities, Police, Nganampa Health Council, NPYWC, Pitjantjatjara/Yankunytjatjara Education Committee and Child & Adolescent Mental Health Service to develop and implement risk assessment tools to improve the detection, assessment, investigation and response to children at risk of harm and suspected child sexual abuse cases.
- Priority is given to the immediate and future safety of children suspected of being abused irrespective of whether or not a disclosure is made. Development and implementation of safety action plans for those children that may or may not involve an immediate evacuation to Alice Springs or Adelaide. In some cases, a child may be best placed with reliable and safe relatives in another location. Safety action plans to be driven by the safety and care and protection of the child – emphasising protecting the child from further harm and placing them in an environment of stability, continuity and predictability of care.
- Reporting on the progress of the development and implementation of the protocol and operational model to be made every six months to the SA Guardian for Children and Young People<sup>13</sup>, the Minister for Families and Communities, and the SA Police Commissioner.
- **Risks:** There needs to be a real partnership between the statutory agencies and the non-government and community based agencies. NPYWC and Nganampa Health Council must be involved from the outset and not as an afterthought. Attention must be given at all agency levels to building relationships to ensure

<sup>13</sup> The Mullighan report notes that the SA Guardian for Children and Young People only advocates for children in care or under a guardianship order. Recommendation 44 of the *Children on Anangu Pitjantjatjara Yankunytjatjara Lands Commission of Inquiry: A Report into Sexual Abuse* that the *Children's Protection Act* or regulations be amended to add a function of the Guardian for Children and Young People to act as an advocate of an Anangu child or young person not in State care but is the subject of a Family Care Meeting Agreement and who has made a disclosure of sexual abuse.

that protocols become working practice. A failure to do so will result in a lack of family and community confidence in the systems, under-reporting, reluctance to share information, high staff turn-over and children will continue to be at a high risk of harm.

## 2. Preferred Models For Safe Accommodation

### Introduction and Background

*Safe Accommodation is one aspect of the larger and complex service delivery model that provides women and children with comprehensive and practical support.*

*The children who most need to access supported safe accommodation services are usually without reliable adult carers.*

#### (i) Introduction

The South Australian Aboriginal Affairs and Reconciliation Division, Department of the Premier and Cabinet has asked the Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council (NPYWC) to consider and propose preferred models for Safe Accommodation:

- 1. for women and children in their care from the APY Lands who are escaping violence or the threat of violence; and**
- 2. for children and carers from the APY lands in instances of suspected abuse.**

A safe accommodation place located on the APY Lands sounds like a simple and straightforward solution to the entrenched and widespread violence and abuse that occurs. It is not that simple however when we consider and examine the complexity of the environment and the issues, the nature of the violence and abuse, the realities of remote living and what women and children require to feel safe and protected from violence and abuse. Other factors that have a strong bearing on the viability and suitability of safe accommodation as an effective response to domestic and family violence and child abuse on the APY Lands include community attitudes and behaviour that legitimises the use of violence, privacy and confidentiality limitations and security and safety within small kin based communities. NPYWC Directors however acknowledged that in some instances children living in small kin-based communities and households can experience positive levels of safety when attentive adults are able to readily co-ordinate their supervision. Essential structural and systemic factors required to underpin an effective response include funding arrangements, policing resources, workforce capacity, safe, reliable and affordable transport and good management and governance.

The purpose-built centre at Amata to date appears to have failed to meet its intended purpose as an accommodation-based substance misuse rehabilitation facility.

This signals the problems inherent in the inadequacies of programs that are largely founded on bricks and mortar, rather than a nuanced and contextual understanding of the issues and the complex responses that are required to deal with that issue. Other examples on the APY Lands include Aged Care Accommodation at Kaltjiti and Kalka and the Pukatja Childcare Centre<sup>14</sup>. There have been similar instances in the

<sup>14</sup> The Anangu Lands Paper Tracker, Kaltjiti: aged care accommodation, 14 September 2009; Pukatja: new child parent and child care centre, 11 June 2009.

Northern Territory where safe houses have been established prior to an operational model being developed.

“Bricks and mortar” solutions continue to be one of the few imagined responses to very complex social, cultural, demographic and economic circumstances. The operating model tends to be an afterthought and defined and limited by the building infrastructure rather than a model and philosophy that aims to best provide timely, accessible, comprehensive and practical support in a challenging and difficult environment. The Senate Select Committee on Regional and Remote Indigenous Communities in March 2009 received a submission and took evidence from Jonathan Nicholls of the UnitingCare Wesley’s Anangu Paper Tracker who commented on the lack of investment in operating models.

*“Over the last five years, the state and federal governments have completed a large number of major and minor infrastructure projects on the APY Lands. ....in too many cases not enough effort went developing and resourcing the programs and services that were supposed to run out of those buildings and centres”*

Nicholls lists a number of examples including the six-bed accommodation facility at Kalka, the PY Ku regional transaction centres, *“supposedly one of two flagship projects of the once much heralded APY Lands COAG trial.”*<sup>15</sup>

At the time of the Senate Select Committee the PY Ku Regional Transaction Centres were on the verge of collapse. Effective operating models will not automatically result from bricks and mortar as is evident at the Rehabilitation facility at Amata and the remote safe houses in the NT. What creates effective policing, education and health services is not confined to or determined by the buildings alone. When we think about police stations we do not only visualise the structure and materials of the building, but a complex agency and system of organisational structures. What kind of service and operating model is needed to respond to a client group who are highly mobile and at a very high risk of being seriously harmed or killed?

## **(ii) Issues to consider**

To consider what would work best for Anangu women and children from the APY Lands we have drawn from the following:

1. Reports about safe accommodation models from other Indigenous communities and regions and how effective they have been;
2. Regional, national and international studies and reports about what and how government and non-government services need to do to reduce violence against women and protect children from harm;
3. Knowledge, experience and ideas from NPYWC Directors, members, staff and other agency staff working on the APY Lands about what is needed and how it can be implemented for Anangu women and children from the APY Lands who experience violence and or child abuse;
4. The knowledge and experience of workers from different safe accommodation places in Alice Springs and other remote communities;

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<sup>15</sup> The Anangu Lands Paper Tracker.

5. Existing and proposed government initiatives, services and resources to support the protection and well-being of Anangu women and children from the APY Lands.

We posed a number of questions as discussion points for NPYWC staff and staff from other key agencies to which we spoke (Appendix 2). The questions were grouped under key issues of identifying and specifying clients' needs and what kinds of services and resources would best meet those needs; and the benefits and risks of safe accommodation in relation to location, accessibility, security and safety and workforce capacity.

A number of connected and critical considerations for safe accommodation emerged from the responses we received to the survey questions and from the discussions. In March 2005 NPYWC outlined the same issues when approached by the Manager of the ICC office in Port Augusta<sup>16</sup>. NPYWC stated that for a safe house to have any success the pre-conditions would need to include: a permanent police presence in the community; capital and program funding; staff with relevant skills, work experience, local community knowledge and the capacity to avoid the kinship obligations and conflicting interest; secure staff accommodation; the ability to backfill when staff are on leave; and brokerage funding to evacuate women and provide other crisis assistance.

NPYWC also pointed out the need for staff training and development capacity, counselling and debriefing and meeting occupational health and safety requirements. These considerations also emerged as common and salient factors in the reviews and reports of other safe accommodation service models in central and northern Australia including urban based safe accommodation services and accommodation-based services for Indigenous youth at risk in the USA and Canada.

- **The nature and extent of domestic and family violence and child abuse**  
What service delivery responses are required to deal with the high level and severity of domestic and family violence and widespread neglect and abuse of children? Who can deliver the necessary services in a social and cultural environment that legitimises the use of violence within a code of silence that protects perpetrators and prioritises family kinship loyalties above the safety and well-being of women and children – and how to deliver them?
- **Clients' complex needs**  
What needs would safe accommodation on the APY Lands be able to meet and what would be needed to make it an effective service to meet the complex needs of those women and the children in their care or the needs of children with or without carers? How would the children often most at risk of abuse who do not have suitable carers be accommodated?

#### **Safety and security issues**

Will women and children feel physically and emotionally safe on the APY Lands? Will the workers feel safe? What level of privacy, security and protection will be required for women, children and workers to feel safe? What are the likely risks to the safety and wellbeing of workers whose identity

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<sup>16</sup> Gillick, V. 5<sup>th</sup> March 2005, email to R Trevena,

and place of residence is known by safe house clients, perpetrators of violence and their families? How will clients' personal and sensitive information be handled?

- **Location**

Where would women and children feel most safe? How accessible is the location? Will it support a suitably skilled workforce? Can it provide timely access to necessary services and support?

- **Operational issues**

During what hours would the safe accommodation need to be staffed to best meet the needs of women escaping violence and for children suspected of being abused? Who will enable equitable and safe access? How viable would the accommodation be on the APY Lands and how would the service manage to integrate safe and therapeutic services with other activities best to utilise the resources?

- **Workforce capacity**

How to attract and retain suitably skilled staff and provide the necessary professional support and supervision? What capacity will the staff and management have to deal with very complex and conflicting situations that family violence and child abuse produces in small kin-based Indigenous communities? What ability will staff have to develop and maintain relationships with a broad range of services in an environment of high staff turnover?

- **Transport**

What access is there to safe, reliable and affordable transport, especially for women isolated from their family and other social supports in need of emergency safety?

- **Access to integrated support services**

What role and capacity will the safe accommodation have in facilitating access to credible advice, advocacy and practical support? Will clients have timely access to necessary and specialist services on the APY Lands? What information-sharing arrangements will be in place and how will the sharing of personal and sensitive information be lawfully and responsibly managed?

- **Governance and management**

What arrangements and structure can best support the safety and protection of women and children in an environment where their interests are often trampled or overlooked and abuse of power within community councils and the APY Lands is entrenched and normalised<sup>17</sup>? How is the service's integrity maintained in this environment? What governance and management arrangements are required to provide equitable access?

These issues were highlighted in the review of safe accommodation models in remote Indigenous communities in North Queensland and in the Northern Territory.

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<sup>17</sup> Mullighan, E. April 2008, *Children on Anangu Pitjantjatjara Yankunytjatjara (APY) Lands: commission of Inquiry - a report into sexual abuse*, pp 110-113.

### **(iii) The National focus on protection for women and children**

The Federal Government has released three significant reports and plans in the last year that focus on better protection and services for all women and children in Australia who experience violence and abuse in their homes and communities. This is in addition to the reports that specifically address the issues of family violence and child sexual abuse in Indigenous communities, namely the SA Government's Children on Anangu Pitjantjatjara Yankunytjatjara (APY) Lands Commission of Inquiry Report into Sexual Abuse (2008), the 2007 Northern Territory *Little Children are Sacred*<sup>18</sup> report and the 2003 Western Australian report *Putting the Picture together: Inquiry into response by Government Agencies to complaints of family violence and child abuse in Aboriginal communities*<sup>18</sup>.

Access to safe accommodation is recognised as one of four key strategies required to meet the needs of women and children escaping violence in the recently released federal report, *Time for Action: The National Council's Plan for Australia to Reduce Violence Against Women and Children, 2009-2021*<sup>19</sup>.

Recommendation 3.2.4 suggests that models for safe accommodation are broad and include a range of strategies and services such as *“safe places, outreach support, removal of perpetrators, or assistance with relocating women from communities where there is no safe haven.”* This action plan also strongly emphasises the need for the effective administration of strong laws that hold perpetrators accountable and protect victims<sup>20</sup>.

The Federal Government's White Paper on homelessness, *“A Road Home: A National Approach to Reducing Homelessness”* is guided by a number of overarching principles that include the following: *“Responses to homelessness need to focus on keeping people safe – including protecting women and their children who are escaping domestic and family violence.....Special attention must be given to the unique needs of children at risk.”*<sup>21</sup> Within the three key strategy areas the White Paper emphasises helping women and children who experience domestic and family violence to stay safely in the family home.

The White Paper reported that homelessness driven by domestic violence is different from other forms of homelessness: *“Safety is an ongoing problem for people who are escaping violence. Many women and children continue to experience violence after*

18 Anderson, P. & Wild, R. 2007, “Ampe Akelyernemane Meke Mekarle – “Little Children are Sacred” – Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse”; Gordon, S k, Hallahan, et al 2002, Putting the picture together: Inquiry into response by Government Agencies to complaints of family violence and child abuse in Aboriginal communities”, Perth, Department of Premier and Cabinet.

<sup>19</sup> Department of Families, Housing, Community Services and Indigenous Affairs (2009), *Time for Action: The National Council's Plan for Australia to Reduce Violence Against Women and Children, 2009-2021*, Commonwealth of Australia.

<sup>20</sup> NPYWC does not consider that cooling-off places for men in remote communities (priority action 5.2.1) is a suitable way to deal with domestic and family violence in its communities.

<sup>21</sup> Department of Families, Housing, Community Services and Indigenous Affairs (2008) *The Road Home: A National Approach to Reducing Homelessness*, Commonwealth of Australia, p19.

*they have left the family home. In the best cases, victims of violence are supported both to find a safe home and to make contact with police to bring the violence to an end.*"<sup>22</sup> The critical need to involve the police and criminal justice system in protecting women and children from violence is central to any safety or safe accommodation model on APY communities.

The National Framework for Protecting Australia's Children 2009-2020 report *Protecting Children is Everyone's Business*" recommends that *Indigenous children are supported and safe in their families and communities*. The report stresses the need for improvements across all the systems and programs linked to child care and protection such as domestic and family violence, drug and alcohol use and mental health. It also stresses the need for better collaboration between services, stronger focus on prevention, attracting and retaining the right workforce and improving the child protection system. It does not however detail how that can be achieved in the context of remote Indigenous communities and in the specific environment of the APY Lands.

#### **(iv) The picture for Anangu women and children from the APY Lands: the SA Government's response to violence and abuse.**

The findings of the 2008 SA Commission of Inquiry and Report into Sexual Abuse and the SA inquests into petrol sniffing-related deaths in 2002 and 2004 highlighted the social and systemic factors that have contributed to the deteriorating fabric of Anangu society and the serious decline in the quality of life on the APY Lands for children and young people. The Coroner's reports drew particular attention to the State Government's inadequate level of service delivery in policing, child protection and mental health services. The State and Commonwealth Government have made a number of commitments to improve the quality of life in this region. Some of those commitments are slowly evolving while others have not been realised due to a range of issues that include workforce capacity, inadequate funding, lack of suitable operational models and poor management and governance.

##### **• Domestic and Family Violence Response**

No dedicated coronial inquiries or commissions of inquiry into domestic violence-related homicides or the nature and extent of violence on the APY Lands have occurred to focus on the problem of violence and examine the adequacies of the response system.

Evidence of the high rate of domestic and family violence is indicated by the number of women seeking support from the NPYWC DV Service and by the number of domestic violence-related homicides involving victims and offenders from the NPY region, including the APY Lands between 2000 and 2008. Fifteen women have been killed and two women are missing<sup>23</sup>, suspected of having been killed by their partners. These tragedies and very violent deaths have been lost in the jurisdictional data reports which do not reflect regional trends or the demographic and cultural specifics. A collation of domestic violence-related homicide data from this cross-border region which includes the APY Lands indicates that women from this region are more than sixty times more likely to be a victim of domestic violence-related homicide than

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<sup>22</sup> Ibid, p.7

<sup>23</sup> In October 2009 another Anangu woman from the APY Lands has been officially reported as missing by her family. This makes three women missing from the cross border region since 2000.

other women. Nationally, Indigenous women are nine times more likely to be a victim of domestic violence related homicide than non-Indigenous women.<sup>24</sup>

The service system response to domestic and family violence on the A PY Lands has steadily developed and improved since the early 1990s, largely through the work of NPYWC and SA POL. There has been an increase in advocacy, practical support and crisis services for victims and in the application of criminal justice interventions through domestic violence restraining orders, arrests, charges and convictions for assaults. The increase in sworn police officer presence on the A PY Lands includes two dedicated Child and Family Violence investigators and a crime investigator who are based at Umuwa with a senior sergeant. SA POL is now committed to placing four sworn officers at each of the Amata, Mimili and Ernabella communities, in addition to the four members based at Umuwa and Marla (these four include an intelligence analyst.) and three based at Murputja. Prior to this commitment, policing relied on patrols and responses from Marla which meant that the responses to threats of violence and actual violence were often slow and delayed.

An increase in the Magistrates' court sittings over the past few years has resulted in fewer delays and a reduction in lengthy adjournments to domestic and family violence matters. Prior to this it was not uncommon for very serious charges such as grievous harm to be adjourned for up to three years. This would place alleged victims at further risk of violence and or pressure to withdraw their complaints, it reinforced attitudes that accepted and minimised the seriousness of violence and contrary to the Federal Government's 2009 *Time for Action: The National Council's Plan for Australia to Reduce Violence Against Women and their Children* it did not hold perpetrators accountable for their violence<sup>25</sup>.

#### • **Child Sexual Abuse Response**

The care and protection of children is not only the responsibility of the community but a significant and legislative responsibility of the state. Any response to children who are suspected of being abused will rely on a response from Families SA. This is reflected in the number of specific recommendations addressed at Families SA in Mullighan's report. It underlines and reinforces the vital role of non-government agencies such as Nganampa Health Council and NPYWC in the response system to child abuse, and the necessity for both the government and non-government sectors to establish and manage inter-agency information sharing and service delivery arrangements.

The response system, including NPYWC, is in a stronger position to identify good practices and areas for improvement in the response to domestic and family violence and child neglect than for suspected child abuse including child sexual abuse. The development of a comprehensive response system to domestic and family violence and child neglect<sup>26</sup> is more advanced than the development and implementation of the response system to child sexual abuse.

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<sup>24</sup> Australian Institute of Criminology 2008. *Homicide in Australia: 2006-07 National Homicide Monitoring Program annual report*. AIC Reports, Monitoring Reports 01, Canberra.

<sup>25</sup> A Snapshot to *Time for Action: The National Council's Plan to Reduce Violence against Women and their Children*, 2009-20021, p 7.

<sup>26</sup> Child neglect broadly involves acts of omission where a person fails to act and the action occurs towards the child due to the person's failure to act. For example, when a carer does not provide the child with adequate food and the child suffers from poor nutrition, such as "Failure to Thrive." Child

- **Safe Houses or Safe Accommodation as a response to domestic and family violence and for children suspected of being abused**

The Mullighan Report recommends specific services for children who have been abused or suspected of being abused and they include:

**Recommendation 33**

**That the Aboriginal Affairs and Reconciliation Division, Department of the Premier and Cabinet, with the assistance of Department for Families and Communities, establish Safe houses for Anangu, particularly children who need short-term sanctuary from abuse, after consultation with Anangu leaders in communities, Families SA, Nganampa Health Council, Department of Education and Children's Services staff and SA Police.**

**That the State Government adequately resources the Safe Houses with suitable staff, services and facilities.**

In the past ten to fifteen years the idea or concept of "safe accommodation" has been favoured and promoted as one of the primary and few imagined responses to the endemic problem of domestic and family violence and child abuse in remote communities. In part this stems from the visibility and profile of women's refuges and shelters as a haven from violence and due to housing being a state responsibility and a familiar solution to addressing social and economic disadvantage. Safe accommodation or safe houses represent both a practical escape from violence and a public symbol of the need to provide women and children with safety.

Women's refuges or shelters in larger urban centres have developed into complex services with a focus on case management (see pp 22-23), whereas safe accommodation in the form of safe houses in remote and small communities have provided limited overnight and "time-out" accommodation. Inadequate planning and resources have been invested in developing an operational model for these services.

This is in addition to a lack of evidence-based data to inform and support responses that are tailored to the particular needs of the client group, and insufficient consideration of how safe house services can be effective within remote kinship-based communities.

Until very recently<sup>27</sup> there have been no safe houses established in any remote communities specifically for children who have been or are suspected of being abused. The Mullighan report refers briefly to concerns of some Anangu about appropriate staffing and security issues for safe houses and the report alerted to the crucial need to have a permanent police presence in the community prior to the

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abuse, including sexual abuse, is an act of commission where a person actively undertakes an action which results in the care and protection rights of the child being violated.

<sup>27</sup> The Queensland Government recently announced plans to establish 11 safe havens in remote communities for abused and neglected children with a focus on the location of the accommodation and recruiting operational staff.

establishment of any Safe House.<sup>28</sup> The report makes a presumption that local Anangu who have received appropriate training will be suitable staff for such services but elsewhere reports on the limitation of local Anangu staff in their capacity to report suspected child sexual abuse, particularly their very real fear of violent repercussions<sup>29</sup>.

The concept of safe houses or safe accommodation on remote communities in the A PY Lands has been unclear as a response to a number of distinct and connected issues to family violence, child abuse and neglect. In 2005 the then Minister for Health in South Australian, Lea Stevens MP advised Parliament that \$200,000 had been allocated to upgrade safe houses on the APY Lands.<sup>30</sup> NPYWC was unaware and was not consulted at any stage in the development of this proposal. The need for security was recognised and it was suggested that the safe houses be located adjacent to permanent police stations -that did not exist at that stage in communities on the A PY Lands. The Mullighan report refers to safe houses to protect children at risk, for children who are "being abused" to help victims of sexual abuse and for women who have experienced domestic violence. The report cites an example of the existence of an "informal safe house" for Anangu children, but does not describe how it operated and how and to whom it was accessible. The promotion of safe houses as a suitable response is not based on detailed evidence as to how effective they are and what kinds of operational models and resources are required to make them effective services in this environment.

For a number of reasons Anangu children and their carers are reluctant to disclose and report child abuse<sup>31</sup>. The main reasons relate to family and community values and attitudes that manifest in children accepting harmful and inappropriate sexual behaviour as something normal. Other reasons can be found in children and or their carers feeling too exposed to talk about being abused and or hurt whilst actually in their community or on the Lands; lack of privacy; fear of social and violent repercussions; shame; inter-family conflicts and broader community values would discourage women and children and their carers from using the safe accommodation. We need to think about other ways to make it safe for children to disclose. We also need to focus on how the response system can improve the protection and care of children that does not depend entirely on victim disclosures.

## **(v) Identifying the clients and their needs**

### **• Demographic features**

The population of the APY lands is estimated to be between 2,230<sup>32</sup> and 2,600<sup>33</sup>. It is a highly mobile population that largely moves within the cross border region extending to the regional centres such as Alice Springs. Kinship and the importance and value attributed to maintaining and reproducing social relationships is the motivating force behind Indigenous mobility. Mobility in this context is not a sign of

<sup>28</sup> Mullighan, p. 224.

<sup>29</sup> Ibid.

<sup>30</sup> South Australian House of Assembly, 4 April 2005, Hansard, p.2056.

<sup>31</sup> Mullighan, p X111

<sup>32</sup> Australian Bureau of Statistics (ABS) 2006, "Population Distribution Aboriginal and Torres Strait Islander Australians 2006," Australian Bureau of Statistics Cat. No 4713.0, Australian Bureau of Statistics, Canberra.

<sup>33</sup> Demographic profile, Cross Border Justice project, May 2004, viewed 20 February 2009 [www.waru.org/organisations/npwyc](http://www.waru.org/organisations/npwyc).

homelessness and disengagement, although it can be an unintended consequence, but a core feature and value in Indigenous people's life, as the means to reproduce social relationships or maintain kinship, to engage with the modern world and seek out basic and essential services such as health, finances and personal goods. A community's population may also fluctuate dramatically as a result of seasonal mobility driven by school holidays, traditional ceremonial and mortuary events and local and regional sporting activities in addition to social determinants such as marriage, social unrest, disagreement and conflict between kin and other people, or the death of a relative.

There is generally little permanent migration out, although there are a number of individuals and families who have moved outside the region to Adelaide and Alice Springs but who return to the Lands to maintain and reproduce social and cultural relationships, attending significant events such as funerals. Increased ownership and access to private vehicles and community resources has led to a greater number of marriages between couples from geographically and cultural-linguistic diverse regions that creates additional risks and opportunities for women and their children. Inter-community and regional mobility is a relevant factor and challenge in the delivery of services to this client group and region.

Nganampa Health Council's figures are slightly higher than the 2006 census figures collected by the Australian Bureau of Statistics but that is probably due to one or more of the factors influencing the fluctuations as well as participation rates in the census collection. Both Nganampa Health Council and the Australian Bureau of Statistics put the female population as being slightly higher than that of the male population by several percent. Of significance the Nganampa Health Council survey put the under-15 population at 34 percent, approximately one-third of the population, with the over-55 population being only 9 percent. That leaves 47 percent of the population at between 16 and 44 years. The median age of residents at Amata and Kaltjiti is 25, at Iwantja and Pipalyatjara 20, Mimili and Kalka 21 and Pukatja 22 years.

This demographic feature and the projected population growth<sup>34</sup> in the region raises serious implications and challenges about the future social and economic infrastructures and the health and personal safety of APY residents, particularly in view of how entrenched violence is in intimate partner relationships and the very young age at which relationships begin. For the majority of children and young men and women in this region, their most pervasive experiences of intimate partner relationships involve the use of violence and abuse. This is confirmed by data collected by NPYWC's DV Service.

In 2006 the NPYWC DV Service estimated from its records that 75% of clients were between the age of 19 and 35 years and that in some communities on the APY Lands one in two (1:2) women between the ages of 16 and 44 years was at the time or had previously been a client of the Service<sup>35</sup>. The percentage in other communities was only slightly less at one in three (1:3) women between the ages of 16 and 44 years.<sup>36</sup>

<sup>34</sup> Taylor, J. 2006. "Population and Diversity: policy Implications of Emerging Indigenous Ethnographic Trends", Discussion Paper 283/2006, Centre for Aboriginal Economic Policy Research, Australian National University.

<sup>35</sup> Gore, L and Lloyd, J. 2006 "Victim focussed response to Domestic Violence on the APY Magistrates Court Circuit", unpublished paper presented at the Australian Institute of Judicial Administration Conference, February 2006, Adelaide.

<sup>36</sup> Ibid

These high percentages not only indicate the widespread and entrenched extent of family violence, but the demographic nature of the violence where women re-enter the service repeatedly as a victim of violence or threatened violence in one or subsequent relationships.

Many cases are open for a number of years or the duration of the relationship. Contemplating a separation or leaving a violent relationship is very difficult and dangerous. Understandably women do not want to leave their homes, families and a social and physical world to which they are deeply connected.

Another reason why separating or leaving is not an option for many women is the prospect (often a reality) of having children removed from their care by the husband's family. Efforts to secure residency orders and custody through the Family Court have proven ineffective because they have been virtually impossible to enforce.

#### ***Case Example***

*The woman suffered years of extreme violence from her husband and had suffered a number of fractured limbs and stab wounds. The separation from her husband was made possible by his imprisonment and (subsequent) parole conditions that placed him in another community where he had strong family and traditional connections. The woman lived in an APY community and had been granted residency of her children by the Family Court. The father who had been granted specified contact times was living in another jurisdiction in the NPY region. Carefully supported arrangements were made for those contact periods with the father. When it came time for the children to return to their mother the father would not comply and he and members of his family threatened both the mother and the NPYWC staff who were involved in supporting and facilitating the access arrangements. This was despite the involvement of police.*

*NPYWC was forced to withdraw staff from that community and close their office, reconsider their plans to build a new office and staff accommodation in that community and the then Manager of the DV Service was unable to safely visit and work in that community for at least 12 months*

#### **• The need and opportunities to access safe accommodation on the APY Lands**

The opportunities are limited and the risks high for women to escape from violence in communities and homelands. In most instances women require the assistance and support of an outside authority,<sup>37</sup> an Indigenous or non-Indigenous person who is not related to facilitate leaving. The high demand times for short term and overnight accommodation on or near the APY Lands would have limited use. Women escaping violence require absolute safety, privacy and time to recover and seek practical and specialist services such as police, legal, medical and or drug and alcohol and make short, medium and or longer term safety plans. Women and children victims with disabilities and or drug and alcohol problems need special support and care and

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<sup>37</sup> An *outside authority* or *authorising* outsider has a vital role in interventions to reduce violence and protect those at risk or victims of violence. Police, nurses and medical officers, lawyers, social workers and community advocacy workers are considered to be an "authorising outsider. Dr Maggie Brady, 2004, p.121, talks about the value and role of doctors as the authorising outsider who can provide effective interventions for problem Indigenous drinkers

children in the care of women escaping violence may have health, nutrition, behaviour and trauma and abuse issues that need attention.

There is a high number of vulnerable and at risk children without reliable and stable carers or carers who have high and complex needs. Children suspected of being abused and their carers require safety and privacy and timely access to specialist forensic, medical and therapeutic services. The nature of child abuse means that many children will require longer term therapeutic services and care and protection. The increasing recognition of problem sexual behaviour in children requires behavioural and therapeutic support. Incidents of problem sexual behaviour are not infrequent in communities and they create very difficult problems within a safe accommodation place or safe house.

- **Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council's Domestic Violence Service**

The principal focus of the NPYWC DV Service delivery model is the safety of women and children. It is founded on a case management model which has been shaped by a number of features that include the nature and extent of the violence, the social and cultural environment in which the violence occurs and timely access to the criminal justice system, particularly police. Availability and access to other essential services such as safe accommodation, transport, medical assistance, child nutrition protection and financial support to meet the client's immediate and ongoing needs have also informed the service delivery model.

This model has largely focussed on providing crisis assistance (transport, food and safe shelter), information, advocacy and support to obtain protection through the criminal justice system. A significant aspect of the work has involved good operational working relationships with police to coordinate timely and effective responses and facilitating client's access to other regional services such as safe accommodation in Alice Springs. NPYWC's service delivery and case management model has not depended on having official safe places on the Lands. An accessible and widely known and used free call number, practical assistance to evacuate women and children most at risk when a perpetrator cannot be apprehended and removed, and the development and ongoing monitoring of action plans with clients has provided women with protection and safety.

- **Ongoing systemic advocacy**

NPYWC has advocated for a range of practical interventions and actions towards a reduction of violence and increasing the safety of APY women. These include:

- An increase in the sworn officer numbers on the APY Lands and communities;
- Use of the criminal justice system to obtain DVROs tailored to suit the needs of Anangu women, and enforcement of breaches of DVROs and other court orders;
- Apprehension and removal of violent offenders rather than the removal of victims; and
- Installation of secure telephones in houses.

- **Outstanding needs to improve the service delivery model:**

- A more comprehensive implementation of case management practice (see p. 23) in the response by all agencies to domestic and family violence;

- Access to safe, reliable and affordable transport to enable women and their children to leave when they perceive that they are at risk;
- Legislative change to expand police powers to serve a 48- or 72- hour DVRO on the perpetrator to exclude him from the community and from contact with the victim/survivor. ***This would allow time to assess safety and other needs with the client, enact action safety plan and deploy resources.***

### **Criminal Justice interventions and responses**

Increasingly, the importance of the law and criminal justice system as an instrument of social change has been recognised as a core mechanism in creating the necessary social and cultural changes to reduce violence against women and children.

The NPYWC DV Service support for victims has maintained a strong focus on the role of the system in protecting women from violence and deterring men from using violence against women. This aspect of the Service has been driven by the needs identified by the women for a pro-active response that gives priority to the women's safety, often against the interests of her family, the perpetrator and his family and or others in the community.

The cross-border region and the high mobility of clients within and across the region who share socio-cultural and linguistic links have created challenges for NPYWC. The lack of systems and unwillingness of agencies to share information has placed a heavy burden on NPYWC to drive information-sharing for the safety of its clients.

### **Pre-crisis safety needs: A case for *supported safe accommodation***

Information gathered from the DV Service and the author's prior knowledge of this area suggests that safe accommodation on the Lands is most often required in instances when a perpetrator has left the community intending to return with alcohol and or cannabis, or when his supplies have run out.<sup>38</sup> This level of risk and crisis situation occurs in other remote Indigenous communities in the Northern Territory and North Queensland and is the kind of situation that creates the need for and use of safe accommodation within a community. In these pre-crisis instances where the woman feels unsafe and recognises the threat of possible violence, she will often seek short-term safe accommodation. It is very difficult to arrange an evacuation at such short notice with no access to public transport and severe limitations on the capacity of other agencies and individuals to "get involved." Having the option of a safe place to take shelter until the danger passes or subsides would meet the need of those cases and be one aspect of the safety planning for that woman. It is in this situation that women need timely access to safety supports, short term safe accommodation being one aspect.

### **Current situation on the APY Lands for women who experience domestic and family violence**

In the scenario described above the woman may have access to seek:

- ***informal safe accommodation*** options with other family or a friend or colleague in the community or access to transport to seek safety in another community;

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<sup>38</sup> See description of Ali Curung safe house in the section, *Review of Safe Accommodation Models*.

- ***supported action safety planning.*** The woman may call the N PYWC DV Service requesting to be evacuated from the community. N PYWC will make a risk assessment to determine the level of support required. In a majority of instances the Service will make a verbal and or written report to police about the threat of violence and discuss with police the possible responses to the threats with reference to the known facts, history and nature of the violence and available resources, and criminal history status of offender. In some instances there will be an immediate response of evacuation and in others an agreement on what action each service can commit to as part of the *supported action safety planning*.

In other instances NPYWC may have to rely on a safety plan that does not involve immediate crisis assistance and evacuation. Some women have access to support through their non-Indigenous colleagues in the community; however in many cases this is limited or not possible because a colleague may fear retribution from the offender and or his family. There have been instances where non-Indigenous colleagues have provided support and then be threatened with violence that has threatened their safety at work and in the community. In one such scenario, the Woman's continuing employment and presence in the workplace threatened the safety of other staff because of the level of her husband's violence and the power that he and his family held in that community.

- ***Crisis evacuation*** - NPYWC may, depending on available resources, depth of local knowledge and community relationships, respond and evacuate the woman. In cases where an assessment is made that the risk to the woman is high, and serious or life-threatening violence may occur, the DV Service can advocate strongly for police intervention and or deploy resources to evacuate. There have been cases where NPYWC and police have jointly planned an evacuation where police have entered the community and removed the woman and N PYWC has met the police at some safe distance from the community and taken her to supported safe accommodation in Alice Springs.
- ***Alternative safe accommodation*** - In these instances women may be accommodated overnight at either Marla Roadhouse or Kulgera Roadhouse, situated on the Stuart Highway, until transport is available. While far from perfect, these arrangements work well as there is a police presence and NPYWC can liaise with the police to support and protect the woman (and her children).
- In instances where there is no safe alternative women are forced to remain in the home and or rely on personal strategies to manage unsafe and dangerous situations. Out of desperation they may hide in the bush or somewhere else in the community.

#### **(vi) Nature and Extent of Domestic and Family Violence and risk factors for women from the APY Lands**

Any consideration of appropriate safe accommodation models requires an understanding and insight into the nature and extent of domestic and family violence and child abuse and the kinds of factors and conditions that enable it in this region. Operational models, be they a mobile outreach service or a residential based service

within a case management framework need to be based on a nuanced insight into the nature and extent of the violence and abuse and the social and cultural factors that shape and underpin the lives of Anangu women and children. There is no family and very few relationships, especially among young women and men, where domestic and family violence does not occur in this region<sup>39</sup>. NPYWC's files highlight the disturbing link between family violence, child abuse and child neglect. A large percentage of the child nutrition cases, such as Failure to Thrive (FTT) involve family violence.

In comparison to the high rates of reported domestic and family violence and child neglect few sexual abuse cases involving adults and or children were disclosed and or reported to the NPYWC's DV Service or Child Nutrition Support program. The low level of disclosure and reporting was documented by the Mullighan Inquiry 40.

The NPYWC DV Service has recorded the inter-generational nature of domestic and family violence in the 14 years that it has operated. The sons and daughters of clients in the first few years of operation have in recent years presented as perpetrators and victims of violence:

- In an extreme case, the son of one of the first DV Service clients murdered his teenage girlfriend.
- In another case the daughter of an Anangu woman who has sought support and protection for more than 10 years was allegedly the victim of a sexual assault.
- A number of young women, teenagers in some cases, who are in violent relationships, were orphaned at a young age after their mothers had been murdered or deeply affected by domestic and family violence. Those young women were very isolated and extremely vulnerable to sexual exploitation.
- The son of a woman who suffered years of violence from her husband has appeared before a magistrate on family assault offences. His father is serving a term of imprisonment for the manslaughter of a subsequent partner.
- A number of young women who sought protection from a violence partner were victims of child sexual abuse.

Senior police who have worked in the area over the past fourteen years acknowledge that domestic and family violence is one of the biggest policing issues.<sup>41</sup> The APY Lands or North West Magistrates Court lists also attests to the high rates of domestic and family violence. One of the principal incentives for the unique Cross-border Justice Project, which aims to be operational by the end of 2009, was the need to improve the criminal justice response and the safety of women and children in the region. The Commonwealth has recognised the serious nature and extent of family violence in this region and in addition to supporting the establishment of a multi-jurisdictional police facility at Ernabella has also indicated strong support for the expansion of the Substance Abuse Intelligence Desk (SAID) and establishment of a cross-border family violence information- sharing intelligence unit. Since 2007 the Cross-border Family Violence Offender program has delivered programs to men who have predominantly been referred through the justice system on the APY Lands.

<sup>39</sup> Lloyd, J.

<sup>40</sup> Mullighan, pp. 22-23.

<sup>41</sup> Gordon, Ashley 2004, *The Cross border Justice Project – enhancing Justice and Victim Services in the Central Desert Region*, unpublished paper.

• **Evidence of the nature and extent of domestic and family violence**

There is strong evidence to indicate a high level and severity of violence against women across the APY Lands. NPYWC records reveal that between 2000 and 2008, 15 women from the NPY cross-border region were killed by their partners, with 4 of the victims being women from the APY Lands. One (APY woman's) homicide occurred at Mintabie (2001), two at Coober Pedy (2004, 2008) and the fourth<sup>42</sup> occurred at Erldunda Roadhouse in the NT (November 2008) en route to the APY Lands. A murder trial is pending on the latter. Another two women are missing from the region, one being from Indulkana, and are suspected of having been killed.

NPYWC reports that 50% of their clients in each quarter during the past 9 years are from the APY Lands and 75% of those are between the ages of 19 and 35 years of age. The higher percentage of clients from the APY Lands reflects the level of NPYWC service delivery that has occurred on the APY Lands since the mid 1990s and the improved criminal justice interventions and responses over the past few years. From July 2008 until March 2009 NPYWC DVS recorded an average of 95 individual clients from the APY Lands accessing the DV service in each three month period. The Alice Springs Women's Shelter report that approximately 12% of the women who present there are from the APY Lands.

The nature and extent of the violence is indicated by the high number of client cases that are open for a number of years, in some cases as long as 14 years or the duration of the NPYWC's DV Service as the women seek ongoing support and advocacy, including criminal justice interventions and practical crisis assistance throughout the life of their relationship. This does not suggest that the responses to the violence have been ineffective, rather it reflects how deeply embedded and culturally and socially engendered the violence is in the relationships and in the socio-cultural environment and the ensuing difficulties women face in protecting themselves and or leaving the relationship.

The nature of violence is also reflective of the community and family attitudes about women and men's status in relation to women, particularly in relation to their intimate partners. A history of violence does not generally exclude or restrict anyone from attaining public office or community employment positions. Such cases can also reflect the power and position that men hold in this region. Men with violent histories and recorded convictions are able to hold public office and community employment positions without regard to their offending history and ongoing threats of violence because there currently does not exist procedures to screen and bar potential employees or people seeking office on the APY Lands with violent histories. Women are living in communities where violence is socially tolerated and accepted and there is even greater pressure against women and other witnesses from reporting the violence.

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<sup>42</sup> This case has been set down for trial February 2010 in the NT Supreme Court.

Interpersonal or domestic and family violence is deeply embedded in this region. The level and severity of violence against women who can be repeatedly abused over many years by their husband or partner and subsequent husband or partner is extremely high and it is common for offenders to abuse more than one woman over a period of years. Children directly witness and experience the violence in their homes and communities and learn that it is socially and culturally viewed as acceptable and legitimate for men to use violence against their wives or partners. Anangu men and women perceive that violence is a legitimate action and response for jealousy and in instances where it is alleged that a mother has neglected or abused her child or children.

NPYWC's client records and the police apprehension reports testify to the horrific nature and frequency of violence against women by their husbands or partners. The physical violence includes the lethal use of domestic objects and hardware commonly found in community households such as wooden hunting and fighting implements, iron bars, tyre levers, rubber hoses, screwdrivers and knives. In addition women are locked in rooms, socially isolated from family and other social contacts in their communities, prevented from employment and training opportunities and often prevented from seeking medical attention by jealous and controlling partners. Physical violence or the threat of violence is a factor in all the relationships where domestic violence occurs.

The women NPYWC's DV Service works with, frequently report that they are abused when their partners are drunk or sober. Young women have increasingly reported that cannabis is a factor in their partner's violence towards them. The increase in supply and its impact on APY communities has been recognised by Police, Department for Community Corrections, Nganampa Health and NPYWC. It has been estimated that more than 70% of the physical violence is committed by husbands and boyfriends privately, within houses, behind locked doors or at isolated homelands away from any family or public attention<sup>43</sup>.

Domestic and Family Violence is a highly contested issue between Anangu men and women in this region. This is particularly so where notions of what constitutes Aboriginal customary law and Aboriginal tradition intersects with Australian state and territory laws and their governing of gender relationships. The women have increasingly demonstrated their desire for the application of what they describe as Crown law in these matters. The women understand that their safety and protection is influenced by the presence of sworn police officers. NPYWC members have been strong advocates for an increase in sworn police presence in their communities.<sup>44</sup> Individuals, families and the broader community in this region have looked to the police, the broader criminal justice system, child protection agencies and the NPYWC's DVS for protection and safety.

### **Risk Factors - domestic and family violence**

<sup>43</sup> Lloyd, J

<sup>44</sup> Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council (Aboriginal Corporation) Annual Report 2007-2008, p3.

A number of socio-cultural characteristics or risk factors enable and contribute to the nature and extent of domestic violence related violence in this region. These risks need to be understood and taken into account when considering the implementation of safe accommodation models and timely and effective responses. These factors and risks will impact on the effectiveness and viability of safe accommodation based on the APY Lands. They can be divided into offender-generated risks and life-generated risks and most women will experience more than one and in most cases they will experience almost all the risks to varying degrees.

**Offender-generated risks:**

- Risk of physical injury and death (risk of lethality) – Anangu women perceive that they are at serious risk of being killed. Reinforced by the social acceptance and legitimisation of men using violence against their wives or partners that is supported by the lack of support by male and female kin for a woman who is being abused by a male;
- Risk of psychological and emotional harm – mental health problems such as depression, alcohol and drug abuse;
- Child related risks – children at risk of harm, threat to remove children from mother’s care if she leaves, parents absent;
- Financial risks – money, keycard held by husband or partner;
- Risks to family and friends – threat of violent retribution against family and friends who are perceived to intervene, isolated from family and friends;
- Risk of loss of relationship – places women at additional risk of harm social stigma.

**Life Generated risks:**

- Increased mobility without protective factors and the system’s capacity to respond;
- Access to safe, reliable and affordable transport;
- Availability and access to telephone and privacy to ring for help;
- Health care – also an offender-generated risk as offender may prevent a victim from seeking medical attention or accompany her to clinic to intimidate her and health staff so they do not report;
- Housing options, lack of control over occupancy and unintended dangers created by European style housing where there are less controls to minimise harm and violence and a reduction of gendered socio-spatial areas that provided women with some protection in the past;
- Woman’s ability and capacity is often mis-judged – lack of suitable and qualified interpreters; women judged on whether or not they leave their violent partner.
- Woman discriminated against on basis of mental health and or substance abuse problems;
- Accessible services and options;
- Ineffective or insensitive responses that results in a loss of confidence in the system, in reporting and seeking help;
- Woman’s safety compromised because priority given to family loyalties and responses to violence culturally moderated.

A relatively small number of women have family in other distant regions and this can enable them to choose to move out of the APY Lands to end the relationship and or take respite and escape the violence. For the majority of women this is not an option

and for those who do separate there is limited choice in future partners and it is not uncommon for women to leave one violent relationship for another. In addition to the threats of serious harm and lethal violence to prevent them from leaving, women are subject to violence with the intention to cripple and render them disabled.

Other reasons inhibiting women from leaving include:

- Victim and offender come from the same community;
- Marriage is an important relationship between families and separation is discouraged by both families;
- Unreliable family support.

In cases where the offender is from another community or region and is living in his wife's community he will generally not leave of his own accord and is rarely forced or pressured to leave by the woman's family and or other community members. These situations where the offender has a home community or strong social links to another community depend on and or create opportunities for law enforcement and the criminal justice system to enforce the removal of an offender from the woman's community. These outcomes rely on skilled and knowledgeable case advocates for the victims and vigilant operational relationships with criminal justice agencies.

The very nature of domestic and family violence can mean that women living close to family as well as those women who have no close family or are geographically separated from family can become very isolated and experience serious levels of violence that may go undetected and unreported. Presence of family does not necessarily lessen the risk of violence. However those women without close family or those who are very isolated as a result of the domestic and family violence are particularly vulnerable and require the vigilance of outside authorities to provide them with the necessary protection.

### **(vii) Nature and Extent of child abuse and risk factors for children from the APY Lands.**

The Mullighan Inquiry received and documented a considerable body of evidence about the nature and extent of sexual abuse of Anangu children on the APY Lands. The Inquiry found that 141 children between 1984 and 2007 had been sexually abused, 133 of those were girls and 28 boys. This is a very high rate when we consider that there are very few disclosures and that no disclosures were made to the Inquiry<sup>45</sup>. Of the 141 cases, the Inquiry investigated 133 from the records of Families SA, Nganampa, NPYWC, Department of Education and Children's Services, SAPOL and the Courts Administration. The Inquiry was able to conclude that despite substantial under-reporting, the incidence of sexual abuse of children on the APY lands is widespread<sup>46</sup>.

The findings of the Inquiry confirmed NPYWC's knowledge and understanding about child sexual abuse on the APY Lands. The Inquiry identified the types of evidence or indicators of possible sexual abuse of children. They included underage pregnancies, sexually transmitted infections in children and young persons, disclosures of sexual activity, sexualised behaviour in children, evidence of underage girls and boys living with each other, observations and or anecdotal evidence of children and young persons performing sex for petrol, drugs, food and or money and physical injury to

<sup>45</sup> Mullighan, p. X1.

<sup>46</sup> Ibid, p. X111.

genitalia<sup>47</sup>. NPYWC would include young girls or underage girls in relationships with older males and children who lacked continuity, stability and predictability of care were particularly vulnerable and at risk of being sexually exploited. For example, NPYWC has found that young females whose parents were absent through drinking or death were at a very high risk of being sexually exploited over a period of time and by one or more perpetrators. Children and adults with disabilities were also at a greater risk of sexual abuse.

The cases that the Inquiry identified were categorised as extra-familial men abusing girls, extra-familial men abusing boys, extra-familial children abusing children and intra-familial abuse. The Inquiry noted that an abused child would fall into more than one category<sup>48</sup>. NPYWC DV Service records confirm this finding of the Inquiry.

These records also indicate that while the extra-familial cases involve more than one victim, the majority of perpetrators are related to their victims and NPYWC records indicate the extent of repeat victimisation and offending. The high mobility of Anangu across the region means that a perpetrator may abuse a number of children in different communities and across different jurisdictions.

#### • Risk Factors - child sexual abuse

NPYWC also concurs with the information received by the Inquiry that sexual abuse, like domestic and family violence, has become normalised and accepted as something that is expected to happen<sup>49</sup>. The Inquiry report highlighted that girls do not consent to sex. The NPYWC has also identified that children and adolescents, girls and boys do not have an awareness or understanding of the concept of consent. This is compounded by the disparate socio-cultural status and entrenched use of violence between males and females that discourages girls and adult females from negotiating safe intimate relationships and asserting a right to refuse unwanted sex.

Other factors and risks for children are some traditional child socialization practices that encourage and reinforce aggression and violence as a legitimate action and emotional response and a lack of parental and or adult stability, continuity and predictability of care that allows children from a young age to establish patterns of autonomy that increases their vulnerability and risk of harm. For example, children are allowed to choose and assert whether or not they will attend school and with whom they will reside on a day to day basis. Within a community children demonstrate a high level of mobility in their day to day lives and residency. While this is an important value in the maintenance and reproduction of social relationships it also means that they are vulnerable to sexual abuse and neglect.

#### **(viii) Informal support**

Workers in both government and non-government agencies acknowledge the different levels of safety needs and the "informal" support from family and the friendly *maliki* or outsider, both on and off the APY Lands communities. Identifiable families are known to take people in need of safety, not only immediate family, into their homes, or provide basic food and shelter. An example was given of one woman who provides a level of care and safety for up to ten young women in her community house. Another Anangu woman, Mantatjara Wilson, recently deceased, provided

<sup>47</sup> Ibid, pp. X11-X 111

<sup>48</sup> Ibid, p. X111

<sup>49</sup> Ibid.

close female relatives escaping violence with safety and emotional support in her home in Adelaide, as well as invaluable advice and support to agencies that were involved in their safety planning. For many years she had provided women and their children escaping violence with safe shelter at her home in Mutitjulu (NT) and at Pukatja (SA). Mantatjara Wilson understood not only the need for safe shelter but access to police protection and other kinds of support for women who experienced domestic and family violence. In another case of informal support a family provided shelter and a level of care for a number of years to a young adolescent male who was not a close relative. The care arrangements for this adolescent boy, who was known to child protection authorities, were never formalised. His immediate family - mother, father and siblings - were scattered across the state as a result of very long-term domestic and family violence.

There are some instances where through marrying out, the role of the outsider or *maliki* partner has enabled this informal support system. This is because the outsider is not subject to the same kinship obligations and restrictions that afford greater protection to the perpetrator, or place his family's interest in maintaining the relationship above the safety of the victim.

The level of informal help is limited however, and cannot always be guaranteed. The risk of actual violence being directed towards the informal supports, be they family or non-Indigenous residents, is very real. There are very few Anangu who can withstand the threat of violence, intimidation and blame that is directed towards those who are perceived to be interfering or supporting a woman against the interests of her husband. Mantatjara Wilson was an exception in her courage and stand against these threats and intimidation.

The North Queensland Safe House Project Report documented that the safe house services grew out of the voluntary assistance and shelter from other women within the communities. Funded, official safe houses reduced the demands for the informal support and the pressure and danger that it often placed other women and their families in. Similarly it has been recognised that the informal support system can put enormous strain on the privacy and resources of those families who provide short- and long-term care, especially for children and adolescents without carers.

The *National Council to Reduce Violence against Women and their Children* heard that women and their children escaping domestic violence in Aboriginal communities rely heavily on "informal helping systems."<sup>50</sup>

The Council also pointed out that those informal workers, often family, are rarely recognised or targeted for support, training, reimbursement or respite.<sup>51</sup> Caring for others can create an added burden and drain on already stretched personal and household resources. The effectiveness of informal workers or helping systems necessitates agency staff building and maintaining good relationships within the communities and with other agencies that operate in the region.

<sup>50</sup> Department of Families, Housing, Community Services and Indigenous Affairs (2009), *Time for Action: The National Council's Plan for Australia to Reduce Violence Against Women and Children, 2009-2021*, Commonwealth of Australia, Outcomes 3: Services meet the needs of women and their children The critical role of informal support.

<sup>51</sup> *Ibid.*

This should occur not only with current clients, but with a broad number of community members, women and men, to enable opportunities for case referrals and the collection of important information to inform a more vigilant and effective response. An awareness of and response to a number of high profile domestic and family violence and child abuse cases from the APY Lands and neighbouring regions was initiated by community women conveying their suspicions or knowledge to NPYWC staff with whom they had a relationship. In some cases those women may have been or were current clients of the service, Anangu health workers or general NPYWC members.

It is equally important for agency staff to build and maintain a strong network of relationships with principal agencies such as SAPOL, Department for Correctional Services, Department of Health, Department for Education and Children's Services and local councils.

Emotional and practical supports are vital components in any protective and safety driven response to women and the children in their care and for abused children. There are many women and children who do not have access to emotional and practical support because family members are absent due to distance, death and or drug and alcohol use. Domestic violence and child abuse can isolate women and children, preventing them from having contact with family and other social support or engaging in day to day community, educational and employment activities. Women who marry men from distant communities or regions are especially isolated and vulnerable.

Kinship relationships and Anangu social organisation can also limit the level of emotional and practical support that women and children can expect to get from families. While it is important to acknowledge the strength of family and community, it is critical that the limitations are identified and understood. In many instances the practical and emotional support needed manifests in family seeking outside help and support from an authorising outsider for their female relative or a child in need of care and protection.

### **(ix) Case Management - Comprehensive and practical support**

Case management has been a relatively recent development in Australian social work practice, particularly in the field of homelessness assistance when it was implemented in the early 1990s as a key strategy of the Supported Accommodation Assistance Program (SAAP)<sup>52</sup>. In 1997 SAAP released a Case Management Resource Kit to guide and support the sector in implementing case management practices. The resource kit is currently being updated.

The aim of case management is to provide comprehensive and practical support through the integration of service systems or specialist assistance such as police and criminal justice, mental health or drug and alcohol and the seemingly less important but crucial assistance in the form of material aid such as income, food, shelter, clothing and transport. The essence of effective case management is in the relationship between the case manager and the client. This depends on workers having high level relationship skills in addition to advanced assessment and communication

<sup>52</sup> Gronda, Hellene. (2009), "What makes case management work for people experiencing homelessness? Evidence for practice," Australian Housing and Urban Research Institute, Final Report No. 127.

skills, regular practice supervision and access to resources in the form of material aid and specialist support. Case management is not about a co-ordinated response to a single need but a recognition and response to the inter-relation between the individual, social and environmental factors. Programs or services that are designed as short-term crisis responses, such as overnight accommodation or as high case-load, office-based brokerage and referral services do not allow case management to function effectively because a relationship cannot be developed or maintained<sup>53</sup>.

Practicing effective case management is challenging and difficult in an environment where nearly every client has complex needs, the client group is highly mobile, where English is a second or third language or where clients have very limited English and or literacy skills, where access to resources and specialist services can be limited or unavailable. Developing and maintaining a relationship with the client is essential and requires persistence, reliability, respect and a form of closeness that involves a genuine emotional connection and the intimate nature of case management activities: accompanying clients to hospital and to make police reports and attend court, travelling long distances with clients and their children in evacuation circumstances, and supporting them in safe accommodation are some examples of activities that develop the closeness.

NPYWC strives to provide services to its clients through case management methods, although acknowledging that it does this to a greater and lesser extent across and within different program areas. Its comprehensive *Case Management Policy and Procedures (2008)* document sets out the philosophy and practice of case management as an appropriate approach for the council to undertake in program and service delivery and stresses "working with clients in a way that demonstrates respect to them as individuals and ensures their particular needs are met." Any safe accommodation model or service delivery model to respond to domestic and family violence and or child abuse will only be effective if it works within a case management framework.

### **(x) Transport**

Access to safe, reliable and affordable transport is essential for women and the children in their care who experience violence. The ability of women to protect themselves, and for agencies to protect them, is seriously compromised by the lack of safe, reliable and affordable transport.

Women need to access transport to escape from dangerous and violent circumstances, even more so when they live in small and very remote communities. Transport is an important means to secure safety and protection from violence and harm.

This need has been well documented<sup>54</sup>. For women escaping violence, however, public transport is not always the safest and most secure means. NPYWC and Marla

<sup>53</sup> Ibid, p12.

<sup>54</sup> See: Australian Bureau of Statistics & Australian Institute of Health and Welfare, 2005, "The Health and Welfare of Australia's Aboriginal and Torres Strait Islander Peoples", ABS 4704.0, p14 & 183; Aboriginal Drug and Alcohol Council (SA) Inc, 1997, "Aboriginal Road Safety Issues Report", pvi; Tregenza, J. 2002, "51MIZ RI Jie ISHFILy RI FILIVIF JR SeRSle ZIJK disabilities on the Anangu Pitjantjatjara Lands", p29.

Police have reported cases where the threatening or violent husband or partner has waited at one of the scheduled stops to remove his wife or girlfriend. In one case the man proceeded to assault his wife at the Marla Roadhouse where the bus had stopped.

The SA Australian Government allocated funding in 2004 for a public transport bus service on the APY Lands and in July 2007, plans were released to establish a twice-weekly return service from Alice Springs to Marla via main communities on the eastern side of the Lands. The Government had indicated then that the bus service would be operating by October 2007<sup>55</sup>. As of early 2009 the service was not operating.

The situation now is that a private bus company, the *Bush Bee Bus* runs a service to the eastern APY Communities of Indulkana, Mimili, Fregon, Umuwa and Pukatja. This service operates out from Alice Springs on Saturday, returning on Sunday. It operates a second service each week leaving Alice Springs on Wednesday and returning on Thursday. The company largely takes payment in the form of Centrepay deductions through Centrelink. Another private transport company that has been operating in Central Australia (NT) out of Alice Springs since 1997 now operates a weekly service to Amata on the APY Lands. These services have increased the transport options for women to seek safety in Alice Springs or in another community where they may have family who can offer them some protection. It has also improved NPYWC's ability to assist women and the children in their care with supported safety action plans.

**The Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council's (NPYWC) submission strongly endorses: a broader model of safe accommodation; a case management approach that includes crisis and practical assistance; pro-active, timely and consistent criminal justice interventions and legal assistance; therapeutic, social and emotional well-being and community education services; and strategies to best meet the immediate safety and future safety and well-being needs of Anangu women and children on the APY Lands.**

### **3. Review of Safe Accommodation Models**

#### **(i) Background & context**

Safe accommodation or women's shelters have provided a temporary safe place, a haven and place of respite for women and their children escaping from dangerous and oppressive circumstances, that is, domestic and family violence. They have provided women and their children with the basic human requirements of food and shelter, an opportunity to organise themselves, to secure safe long term housing and to exit from violent relationships<sup>56</sup>. The location of the shelters is often secret, increasing the safety of those women and children escaping violence, and they are linked to an extensive network of transport, police and other essential services.

<sup>55</sup> The Anangu Lands Paper Tracker, APY Lands: public transport bus service, 20 January 2009.

<sup>56</sup> Dobash, E. and Dobash, R. 1992. „*Women, Violence and Social Change*“, Routledge, London, pp 60-61..

Shelters and safe accommodation places are important when they not only provide temporary and safe accommodation but also: professional advice and personal support; assistance to gain access to other services and agencies such as health, counselling, housing, police, legal and financial support. To be effective, safe accommodation needs to be part of a sustainable and responsive service system that is accessible, timely and where the safety of the client is paramount. Primarily, safe accommodation must represent and offer a sense of safety and provide the women with an opportunity to organise their life and to engage in any short or long term safety planning to increase their protection and safety.

Women's shelters have historically represented a critical place and opportunity to create social and cultural change. The nature of refuges and how well they respond to the safety needs of women and their children is reflected not merely in the bricks and mortar, funding and available services, but the philosophy and the relationships they seek to establish with and between women and how they relate to wider issues of social action and cultural change<sup>57</sup>. Shelters or refuges have targeted attitudes and beliefs about the nature of gender relationships and the use of violence, or the responses by organisations and the state to violence against women.

### **(ii) Safe and supported service delivery models for women and the children in their care seeking protection from domestic and family violence.**

Safe accommodation is one aspect of the larger and complex service delivery model and safety response system that can provide women and the children in their care escaping violence with immediate crisis and on-going support and protection. Increasingly, accommodation based domestic and family violence services have had to broaden their service delivery model in recognition of the nature of clients complex needs and to develop the necessary expertise to respond effectively to those needs. Hence the general descriptive term for accommodation based services as being supported accommodation with an emphasis and expectation that the service will provide more than just a temporary residence or place to sleep. *The Road Home* strategy also stresses the need for services to be driven within a framework of social inclusion so that the responses go beyond providing shelter and support.

Women's shelters have evolved and developed significantly within the past two decades with the advent of case management as the key strategy to frame and inform the shelter's approach to their clients and the greater recognition that the complex needs of clients require qualified and skilled staff and regular professional development and supervision. While refuges were initially staffed by volunteers they have increasingly employed paid professionals in recognition of the clients complexity of needs and the necessary responses.

A recent evaluation of the Supported Accommodation Assistance Program (SAAP), the major Commonwealth-State and Territory response to homelessness in Australia and the funding source for women's shelters and Safe Houses for women and children escaping domestic and family violence, recognised the increasing complexity of

<sup>57</sup> Ibid, p.70

Clients needs. This requires shelters and safe accommodation places to develop models that will respond properly to these needs.

Increasingly, safe accommodation models are based on secure housing or unit clusters rather than the traditional shelter, shared room accommodation type. As the National Council's Plan for Australia to Reduce Violence against Women and their Children, 2009-2021 identified, "*women need access to high- quality crisis and support services that can respond to women's needs for personal safety, housing and counselling .....ensure children exposed to violence do not have their safety and wellbeing compromised*"<sup>58</sup>

### **(iii) Effectiveness of Safe Accommodation for Indigenous women and or children suspected of being abused.**

**Safe accommodation in the form of Safe Houses in Indigenous communities have not provided women escaping violence with any longer term support and safety or changes in community attitude towards violence and abuse.**

There are fundamental differences in the way Indigenous and non-Aboriginal women use safe accommodation or women's shelters in Central Australia.

Indigenous women who use women's shelter and other secure safe accommodation recognise and identify the risk factors and will seek highly secured and protected accommodation for short periods of time. They use safe accommodation services for short-term crisis intervention and respite from violence and or the threat of violence, but rarely use it as an exit point from the relationship. Indigenous women may also use a shelter or safe accommodation repeatedly over a period of time, extending to a number of years. The reasons for the short stays are multiple and include: the poor assessment of clients needs; skill and competency of staff; relationships between shelter staff and clients; unsuitable service models for Indigenous women; lack of transitional safe accommodation options such as affordable public housing; clients sense of isolation and lack of familiar (familial) company; separation from children; boredom and incompatibility with other residents; alcohol and other drug issues.

#### **• APY Women's access to and use of Safe Accommodation**

Anangu women from the APY Lands have experiences of mainly short-term residency in women's shelters in Alice Springs, Port Augusta, Adelaide, Whyalla and Port Lincoln. The majority of these services were well established non-Aboriginal specific services with high levels of security. The Indigenous women's controlled shelter in Adelaide, Nunga Minimis, has been used a number of times but the lack of twenty-four hour staffing and support increased the client's feeling of isolation and fears for her safety.

The response from women using safe accommodation outside the region has varied, depending on the level of support they received and how well the service was tailored to their particular needs. NPYWC's experience in referring women and children from the A PY lands to other shelters interstate and intra-state has been chequered with difficulties in securing the necessary level of support. For example, women evacuated from the A PY Lands to Adelaide would be expected to get a taxi to a motel or to the

<sup>58</sup> Department of Families, Housing, Community Services and Indigenous Affairs, *Immediate government Actions April 2 009* in The National Plan to Reduce Violence against Women., p9.

Women's Shelter. Women evacuated to Alice Springs are met off the bus by NPYWC workers who accompany the woman to the arranged safe accommodation, facilitate their intake and ideally appraise the other service of any likely risks or threats to the Woman's safety and establish a joint case work approach with the Alice Springs Women's Shelter.

Effective referrals and outcomes for APY women to safe accommodation -based services depends on relationships between NPYWC and the other services and how they are able to jointly case manage that will require information sharing and protocols and or an MoU to underpin the arrangements. This has been much easier to achieve in Alice Springs where the NPYWC's DV Service is based than in the other urban centres.

#### **(iv) Examples of Safe Accommodation Models and Services for Indigenous Women**

##### **The Alice Springs Women's Shelter**

This safe accommodation service has evolved and developed from the early urban and

**The Alice Springs Women's Shelter believes that its best security feature is that the shelter is staffed 24 hours a day and it is a designated women's only facility. Employing qualified and suitably skilled staff is an ongoing challenge and priority for the service.**

interstate women's shelter models. It is probably one of the few remaining shelters of this kind in Australia where there are shared, dormitory like rooms in addition to a number of recently added self-contained units. The Alice Springs Women's Shelter is staffed twenty-four hours a day, seven days a week and provides high security accommodation for a maximum of thirty adults and children. Availability is also determined by staffing levels. In 2008 96% of the clients were Indigenous women and their average length of stay at the shelter was seven days. This is significantly shorter than stays or support periods in shelters in other parts of Australia.

Approximately 12% of women who present at the Alice Springs Women's Shelter are from the NPY region and based on the NPYWC client data at least 50% would be from the APY Lands.

The Alice Springs Women's Shelter (ASWS) is in the process of establishing a Safe House, a transitional safe accommodation place in suburban Alice Springs to accommodate a maximum of two women and their children for up to three months. Eligibility for this accommodation will be quite restrictive and the development of the operating model needs to be flexible and subject to ongoing monitoring and evaluation. This is an entirely new and different domain for the Alice Springs Women's Shelter to operate in and it is acutely aware of the risks as well as the possibilities, with the support of twenty-four hour staff at the ASWS and a range of support workers including a dedicated children's support worker and other specialist services based in Alice Springs

##### **Workforce Capacity**

The Alice Springs Women's Shelter has recently increased the number of staff working on the late afternoon and evening shifts in response to identifying the high percentages of out of hours referrals. One third of the clients are referred out of

business hours. The added security risks associated with these intakes requires an increase in staffing out of hours. The SAA P-funded Alice Springs Women's Shelter employs a full-time co-ordinator, a site manager, a team leader who provides casework supervision, one FT day worker, five FT shift workers, a PT finance officer, a community development training worker, 1.5 children's support workers, two outreach workers, between three and five casuals and a cleaner PT and gardener PT. In addition, four of the full-time staff who are not shift workers provide on-call support. The team leader position was created to support and supervise staff working with clients within a case work model framework. Despite the service being located in a well-serviced town, the employment and retention of qualified and suitably skilled staff is an ongoing challenge and priority. The challenge of attracting and retaining qualified and suitably skilled staff are increased significantly when you deal with remote locations.

### **Security and safety issues**

The location of the Alice Springs Women's Shelter on Telegraph Terrace, between the town pool and the Fire Station on the main road leading south of the town, is well-known. The benefits are that the shelter is more accessible and women are able to self-refer, particularly after hours at night, but this requires the shelter to provide a high level of security and protection for the residents. The shelter's security features include a ten-foot high perimeter fence with barbed wire, a heavy duty security entrance door that can only be opened from the inside, an internal camera system and duress alarm system connected to a security service and then to a twenty-four hour police service. There is additional internal security with a steel mesh cage around the sleeping or residential area that is locked at night and if there is a critical incident during the day. The Alice Springs Women's Shelter believes that its best security feature is that the shelter is staffed twenty-four hours a day, with staff regularly patrolling the perimeter and actively screening visitors.

Maintaining security and protection and thus the safety of residents involves staff to closely monitor and screen visitors to the shelter. Women residents are regularly required by the staff to identify unsafe men and women who approach the shelter to contact the residents. It is not an infrequent occurrence for the offender and or his family members to try to approach and in many instances threaten and attempt to intimidate the women residents at the shelter. In the past the service managed this by banning visitors but this strategy had unintended consequences on the residents ability to stay in the service as the women felt isolated and bored, cut off from safe and caring family.

The current practice of the Alice Springs Women's Shelter is to allow female visitors but this demands a high level of engagement, skill and vigilance by workers to ensure residents safety is not compromised on shelter premises. Drug and alcohol and mental health issues experienced by women escaping domestic and family violence also pose significant risks to the safety of the shelter and other residents. These risks require twenty-four hour staffing by workers who are skilled and supported to manage and monitor these issues.

### **Case example of security and safety issues**

*The Alice Springs Women's Shelter described how they were seriously and persistently harassed over a number of days in 2008 by the husband and family of a client from the APY Lands. The Alice Springs Women's Shelter reported that the duress that was placed on the woman by her husband and her family resulted in her making threats to self-harm. This situation was very difficult for the shelter to manage in Alice Springs with a high level of security, skilled staff and timely access to police and specialist mental health services if required. A similar scenario on the APY Lands would be magnified in an environment where there are fewer interventions and less security, and where violence and behavior such as was played out at the Alice Springs Women's Shelter is seen as legitimate and acceptable. There is no guarantee, even with the increase in police presence on the APY Lands, that police will in every instance have the available resources to deploy immediately.*

A similar scenario on the APY Lands would be magnified in an environment where there are fewer interventions and less security and where violence and behaviour such as was played out at the Alice Springs Women's Shelter is seen as legitimate and acceptable.

## **Governance and Management**

The Alice Springs Women's Shelter has a relatively large community to draw on for its voluntary, elected board of management. Filling those positions with interested, committed, skilled and representative members is not always easy or guaranteed. In particular it is difficult to secure Indigenous board members who are not already over-committed and willing to avail themselves of a commitment with no financial or in-kind remuneration. An additional issue is that the current funding does not provide for board members travel costs, and this prevents the shelter from seeking members from the clients remote communities.

### **• NT Safe Room Policy <sup>59</sup>**

The Northern Territory Department of Housing and Local Government initiated a Safe Room Policy<sup>60</sup> around ten years ago, to provide additional safety at home for women escaping family violence. This policy has only been implemented in urban areas such as Alice Springs. Unfortunately there is no known evaluation, data collection or monitoring reports on how effective or successful this policy has been. A Safe Room is a room (normally the main bedroom) within a public housing dwelling with upgraded security provided at no cost to the tenant.

The Safe Room has security screens to all windows that cover the entire window area, including fixed panes in the Safe Room, a solid core lockable internal door, an additional telephone connection<sup>60</sup> to the Safe Room and security screen doors on all external doors of the dwelling.

The house must be brick or cement with steel window frames. Safe Room modifications cannot occur where there is a split air-conditioning system or window

<sup>59</sup>-Territory Housing Operational Policy Manual: Domestic and Family Violence,

<sup>60</sup> Senior NT Housing staff reported that a telephone connection is not sufficient as the telephone can be disconnected at the main connection point in the house and to ensure the maximum security, an additional line should be put in.

mounted air-conditioners<sup>61</sup>. Another risk factor that prohibits modification is the location of the power box on the outside of the house.

Safe Room modification is available to Territory Housing tenants who are at risk of ongoing violence. A large percentage of APY women and children would meet the criteria. Applicants are required to substantiate the risk by providing a copy of a domestic violence restraining order or a letter or statement of support from a social worker, doctor or the police.

The effectiveness of the Safe room is that it increases the sense and perception of safety and self-worth<sup>62</sup> of the women who have experienced violence and or are threatened with violence. However, the effectiveness is dependent not only on the strength and durability of the modification hardware but on how the Safe Room provisions are used. The Territory Housing Maintenance Manager suggested from his experience of supervising the assessments and implementation of the modifications that women needed good training on Safe Room use, how to best use the provisions and stay safe and secure.

For instance, the installation of a Safe Room will not help if the woman is unable to control the keys and have access to a separate telephone. The advent of mobile telephones has meant that Safe Rooms may not require an additional telephone line but in remote communities where there is no mobile coverage there would be a need to install a separate line, and or ensure the main and only telephone connection is placed in the Safe Room. Leaving the security window screens open and or allowing children to play with the manual opening and locking device will also compromise safety and security. This report also suggests that this current policy works in an environment where violent behaviour is modified, where there is an increasing awareness and intolerance of domestic and family violence in the community and there is a strong and predictable police presence.

Territory Housing viewed the Safe Room as effective in providing women and their children with immediate safety while the threat of violence subsides and in helping to diffuse potentially violent and dangerous harm from occurring. The Territory Housing staff in Alice Springs had no experience of Safe Room modifications being made in remote community or town camp houses and they were not aware of any applications being made for the specific purpose of protecting children. The lack of evaluation and collection of data on the effectiveness of this policy restricts our ability to assess whether it could be adapted and applied to a remote context such as the APY Lands.

NPYWC suggests however that a similar approach is considered with risk assessments and eligibility criteria tailored to reflect the social and cultural environment in which the violence occurs on the APY Lands, and the very specific circumstances of the client. This strategy would need to be an aspect of the client's case management that was vigilantly monitored and supported.

In the supply of housing to the APY Lands, very little attention has been given to the safety needs of women and children who experience and or are threatened by

<sup>61</sup> A number of men tried to forcibly enter the room of a young girl in a Central Australian remote community in March 2009 by removing the window-mounted air-conditioner. The girl managed to escape with the help of another young woman and had to take shelter in the community advisor's house until police arrived the following day.

<sup>62</sup> David Squires, Maintenance Manager, Territory Housing Alice Springs, August 18 2009.

violence. The emphasis and focus has been directed to improve sustainable housing hardware and important public environmental health issues. Specific attention has not been given to considering what would be required to make houses safer for women and children. This is not only a matter of design, housing materials and maintenance but also about how core and everyday Anangu values and preferences can be accommodated and adapted to protect women and children from harm.

#### • **Coober Pedy Safe House**

Uniting Care Wesley has opened a Safe House for women and children escaping domestic and family violence in Coober Pedy that sleeps 6 and is supported by two community based duty-workers. There are no on-site workers and security and safety is limited to fencing, an alarm system and telephone to on call workers. Additionally, police when advised that the Safe House is occupied will patrol past during the evening.

The Safe House is currently underutilised with periods of vacancy. The majority of women accessing the service are from Coober Pedy. Referral processes vary with majority coming from the police and to date no referrals from the local Coober Pedy Hospital. The duty-workers have strong links to the local mental health, drug and alcohol and Centre-link services and refer Safe House clients to those services. Case management support which is informed not only by policy and procedures but also staff skills is limited and to a great extent involves referrals to other services. Support and advocacy to access protection to the criminal justice system for Indigenous women is also limited to referrals to police and for non-Indigenous clients to the Women's Legal Service. The Coober Pedy Safe House emphasis on "not forcing women to report does not recognise the specific context in which Indigenous violence takes place, the risks and the types of responses that are necessary. The NPYWC experience is that Anangu women desire and need pro-active advocacy and support in dealing with the criminal justice system to achieve safe outcomes for them and their children. This requires workers who are skilled in advocating within the criminal justice system and can build relationships with their clients and the relevant agency personnel.

Uniting Care Wesley is unsure of the percentage of women and children from the APY Lands who use this service and there is as yet no established relationship or arrangements between them and the NPYWC's DV Service. A significant obstacle for APY women is their access to safe and affordable transport to access and exit the Safe House.

This type of service delivery model suits the needs of some groups of women but it is not tailored to the specific circumstances and needs of APY women and their children. This Safe House model would not be suitable for the majority of APY women and their children. The experience of the Alice Springs Women's shelter and their approach to opening their Safe House service in Alice Springs in 2009 suggests that this kind of model is not suitable for all their clients.

#### **(v) Effectiveness of 'Safe Houses' and accommodation based services in remote communities**

**Safe Houses had not and were not operating as intended, as a temporary place of safety for women and their children escaping from violence. Access and**

**availability of Safe Houses restricted to limited number of hours and overnight accommodation only and in some communities only available on certain days.**

• **The Northern Territory Experience**

Safe Houses have been established or implemented in a number of remote communities throughout the NT without an operating service delivery model that reflects the nature of the issues and a nuanced understanding of client needs and risks within the complex environment in which domestic and family violence occurs. For example, none of the Safe Houses operated within a case management framework, which is the core and overarching approach to operating safe accommodation for women seeking protection from violence. There has been no formal or detailed monitoring or evaluation of the effectiveness or otherwise of Safe Houses or safe accommodation models in remote communities in the Northern Territory.

Between 2003 and 2006 the Northern Territory Government's Domestic and Aboriginal Family Violence Advisory Council received anecdotal and official reports on the operational status of the existing seven Safe Houses in remote communities and one Indigenous Safe House in Darwin's Bagot community<sup>63</sup>. The information received indicated that the Safe Houses had not and were not operating as intended, as a temporary place of safety for women and their children escaping from violence. Some of the reasons the "Safe Houses" in the NT have had limited success include:

- Inadequate funding for operational costs: Unskilled staff, no-co-ordinator or service manager, no or inadequate staff training, no or limited staff support and supervision and lack of basic resources for clients.
- Limited demand for Safe Houses in remote communities and small windows of opportunity for women who experience domestic and family violence to access an identifiable safe accommodation only service in a remote community. Access and availability of Safe Houses restricted to limited number of hours and overnight accommodation only and in some communities only available on certain days;
- lack of a tailored and suitable operating service model to support Safe House; no case work undertaken, and children's needs not addressed;
- Inadequate operational funding for resources such as a vehicle to support more comprehensive safety plans and client's complex needs;
- No or poorly managed arrangements and relationships in place to access support and outreach services for women and their children seeking protection;
- Not accessible to all women in need because of family associations and conflicts between clients and between local workers and clients.
- Location of Safe House critical to clients' feeling of safety. In one community the Safe House was situated between the licensed club and residential houses. Women complained of feeling very unsafe;

<sup>63</sup> The author of this report was Chair of the Northern Territory Domestic and Aboriginal Family Violence Advisory Council from 2003 until 2006.

- Inadequate security and safety that put both clients and workers at risk;
- Sworn police officers not present in all communities to provide support and or lack of relationship between police and Safe House to support its operations; and
- poor management and governance – Safe Houses used for other purposes such as to accommodate police aide and his family, another only used one day every month by legal service to counsel small number of clients; another was only used a couple of times a month and then used for law and justice meetings, the opening of another Safe House was delayed because there was no funding for a co-ordinator and staff.

### **Case Example: Ali Curung Safe House**

*The location of the Ali Curung Safe House next to the Police Station has been credited as improving its sense of security and accessibility.....However, available funding and workforce capacity could not support an operational model to effectively meet the safety needs of women in the community.*

The Ali Curung Safe House has operated intermittently since 1996. Ali Curung (Alekerange) is a community of approximately 500 Warlpiri, Warumungu, Alyawarr and Kaytej people twenty kilometres east of the Stuart Highway and 120 kilometres south of Tennant Creek. The Safe House was initially connected to the Kurtuju – Law and Justice Project, which did not focus on the safety and protection of women in the context of domestic and family violence. The priority was how to incorporate a Safe House “without causing additional divisions within the community.”<sup>64</sup> The Safe House was said to be for all the community and the men had a strong voice in how it would operate. For examples, husbands were allowed to talk to their wives who were seeking shelter in the Safe House<sup>65</sup>. Experience there and elsewhere suggests that men generally attempt to intimidate and coerce their wives and or partner into leaving the Safe House and returning to them in those circumstances. The woman’s family members, including female kin have been reported by a number of Safe Houses and Women’s Shelters as putting pressure on women to return to their home and husbands. The Safe House was heavily reliant on the community council for support, which is an additional risk, but which was highlighted as a condition in the North Queensland report cited below<sup>66</sup>. There was limited awareness and preparatory training for local workers on operating the Safe House.

The availability of alcohol from Wycliffe Well and Tennant Creek has a direct connection to the safety of women and children at Ali Curung and the Safe House is mainly used as a preferred option for overnight accommodation when women are aware that their husbands or partners are returning to the community with alcohol, or when they are aware that the men have been drinking or smoking cannabis. The

<sup>64</sup>[www.nt.gov.au/.../No%200072%20Dept%20Community%20Development,%20Sport%20and%20Cultural%20Affairs%20Safe%20House%20R](http://www.nt.gov.au/.../No%200072%20Dept%20Community%20Development,%20Sport%20and%20Cultural%20Affairs%20Safe%20House%20R)

<sup>65</sup> Ibid

<sup>66</sup>“From Humble Beginnings...”, The Safe House Project Report , p 5.

women will then return to their homes when they believe the effects of the alcohol or cannabis have worn off.

In some instances where there has been a domestic violence assault the police will transport women to the Tennant Creek Women's Shelter. The Safe House is an option for women who do not have access to transport to the Tennant Creek Women's Shelter, which provides a greater level of security and safety and access to support services. The location of the Ali Curung Safe House next to the Police Station has been credited as improving its sense of security and accessibility. Police however are not in attendance twenty-four hours a day and may be absent due to duties elsewhere in the region. Police support also depended on the relationship between police and Safe House workers. Employment of local women with authority and strong family connections was important in the early stages of the Safe House development but it also restricted access to the Safe House for some women where there was familial conflict of interest and the local women were not skilled or supported to provide case management support.

***Access is restricted for many women because of familial conflict of interest between women needing to access house for safety and the local women workers.***

Some of the reasons for the limited effectiveness include the inadequate funding to support an operational model to effectively meet the needs of the client group. There was a reliance on CDEP to employ workers and no vehicle to support safety plans that would meet clients' complex needs.

Other reasons were:

- Limited service delivery model to providing women with overnight accommodation with no referrals or support to access other services (no case work or case management undertaken);
- restricted hours of access to a few nights a week between 1700 and 1900 hours;
- no co-ordinator to manage operations, supervise, support and debrief staff and provide the authority to deal with the family conflicts to ensure equitable access to the Safe House;
- unqualified and unskilled staff;
- access issues as a result of familial conflict of interest between women needing to access house for safety and the local women workers;
- inadequate security and safety for clients with the gate often unlocked and gate key misplaced and reports that men have attacked the Ali Curung Safe House, scaling the fence and trying to break in and making threats of violent retribution towards women inside.

Cleaning and maintenance of the Safe House and the provision of clean linen and food for clients was another issue.

### **The New NT Model – 'Safe Houses' and cooling-off places for men**

In the past two years the Australian and Northern Territory Governments have planned to establish twenty-two safe places across the Northern Territory, including fifteen in remote communities. The buildings, renovated shipping containers were

installed in select communities before operational and service delivery models and or service level agreements with other and essential support services and agencies developed. It is unclear as to who the client group is, what their needs are and how best the Safe Houses can meet those needs. No service delivery or operating models have yet been developed. The Yuendumu Safe House that opened in late 2004 does not have an operating or service delivery model and has struggled with access and equity issues because of familial conflict of interest between workers and clients that resulted in women being refused access.

At the time of writing this report a Safe House that opened at Hermannsburg nearly five months ago had only been accessed or used once or twice. There is no operating model, staff do not have the required skills, there is no on-site supervision or support, the location is perceived to be unsafe, there is a lack of privacy and confidentiality, no planning or work has been done to link in other necessary resources and services, and there are accessibility issues for many women because of the employment of local women with very strong familial ties<sup>67</sup>.

Another reason suggested for the lack of use is that some women may fear that their homes will be trashed or vandalised if they leave them. The current unskilled and untrained staff are supervised and supported from a departmental office in Darwin.

There is no operational model for the "cooling off places for men in the communities where these have been installed. How they operate is to be determined by each community.

The Northern Territory Government has realised the limited capacity of remote communities to develop, implement and manage suitable and effective operating models for the Safe Houses and is seeking outside agencies or services to auspice and manage the safe houses.

• **North Queensland experience: Safe Houses and services responses for women and children in remote Aboriginal and Torres Strait Islander Communities in North Queensland**<sup>68</sup>.

*The report found that while the Safe Houses offered women and children a temporary safe place and respite the operating model did not enable any longer term violence interventions or lasting change in the prevention of violence. Safe House services needed to deliver more than time out and overnight accommodation.*

The comprehensive and insightful 2004 "The Safe House Project" Report: Sustainable Service Responses to Family violence in Remote Aboriginal and Torres Strait Islander Communities in North Queensland was the result of a nine month project. The report provides useful comparative data and analysis on the viability of safe accommodation in remote Indigenous communities. The project documented the models of service delivery in remote communities across North Queensland, explored

<sup>67</sup> The author visited the Hermannsburg Safe House on 28<sup>th</sup> August 2009.

<sup>68</sup> 2004. "From Humble Beginnings...", *The Safe House Project Report: Sustainable Service Responses to Family Violence in Remote Aboriginal and Torres Strait Islander Communities in North Queensland*. Report funded by the Commonwealth Department of Family and Community Services through the National Homelessness Strategy and the Department of Communities.

the strengths and weaknesses of the existing service responses and made recommendations on developing sustainable service responses for the future.

In order to consider the service delivery needs and responses, the project examined the community context that each service operated in and how that impacted on the viability and long term sustainability of the services, the existence and role of other services such as the police and industrial relations and training issues.

The Indigenous communities in this region strongly resemble the communities on the APY Lands with low employment, low educational levels, high levels of violence and alcohol and drug misuse, difficulties in recruiting and retaining suitable staff, limited access to services, inadequate housing, governance instability and the impact of individual and family inter-generational experiences of trauma and abuse.

One of the significant differences between the two regions is the larger population sizes of communities in far north Queensland, where smaller communities have a population of 800 people which is several hundred more than the largest community on the APY Lands. The communities also differed in their remoteness and distance from regional centres. Remoteness in this region is not only determined by distance but also the weather and accessible roads and reliable transport. While many of the twelve communities are very remote, a number are within an hour's drive of a regional centre or town. The Project included twelve focus communities with Safe Houses or Safe House services funded through SAAP <sup>69</sup>.

Generally the Safe Houses in this region provided a part-time and after-hours service in response to high demand times when women experienced violence and or were threatened with violence. The client group was women and children escaping violence or women and children presenting to prevent violence from occurring and women who needed "time out" and respite from the violence in their homes. The report does not describe in any further detail the range of scenarios or situations from which women sought to escape to the Safe House. The report found that while the Safe Houses offered women and children a temporary safe place and respite the operating model did not enable any longer term violence interventions or lasting change in the prevention of violence.

The service located on Thursday Island was relatively well resourced and recognised the need to provide an outreach service with part-time staff posted or based on some islands in a cluster-island arrangement, similar to NPYWC 's service delivery model, whereby workers are assigned to a region or to a cluster of geographically and linguistically related communities.

The project also found that the primary source of referrals to the Safe Houses was through self-referrals or from the police and or medical staff. One benefit of the location and visibility of Safe Houses in small and remote communities is the potential accessibility without referral. The length of stay for the majority of clients was overnight with women and the children in their care returning home the following morning.

The Safe House project report's Executive Summary identified the following features and concerns that are relevant to the considerations of this report:

<sup>69</sup> Supported Accommodation Assistance Program, SAAP.

### **Service Delivery Model**

- Safe Houses in remote locations need to be part of a complex and broader service system that was intent on improving and developing good practices.
- Case management needed to be part of the service delivery but there was limited support, information and service capacity for the individual services to develop appropriate case management and practice standards.
- Few Safe Houses were able to support travel costs of women exiting the community.
- Safe Houses needed to engage in other activities as the demand for services was limited and workers are not continually and consistently occupied. This was very evident at Hermannsburg on 28<sup>th</sup> August 2009.
- Relationships with other services are a key element in the service delivery model. Need for Safe Houses in Indigenous communities to build partnerships and relationships with non-Indigenous agencies to improve access to those services for their clients. This would enable both sectors to share experiences and learn from each other which would result in improved service delivery model for women from remote communities.

### **Accessibility and Security:**

- Absolute security was a requirement for all Safe House buildings in addition to other features such as separate spaces for different clan groups.
- Police stations with two to four sworn officers operated in nearly all the focus communities, increasing security and access to Safe House. However, maintenance of good relationships with police was challenged by the constant“ turnover of police officers.
- Lack of confidentiality, fear of repercussions, shame, poor service practices, clan problems and broader community values discouraged women from accessing safe accommodation.

### **Workforce capacity**

- The need for Safe House staff and management to obtain formal qualifications was seen as critical.
- Recruiting externally to obtain the necessary skills and retaining good staff for a minimum of two years was a major challenge.
- Recruitment hampered by unattractive salary packages and poor or no staff accommodation. Exit plans need to be put in place for externally recruited staff so that services do not suffer when they leave.
- Perceived or actual nepotism is an issue for Safe House services where key staff and management positions are seen to be tied to particular families or clan groups.
- Staff absenteeism adversely affected the quality and availability of the service.

### **Governance and management**

- Management and governance arrangements affected the service design and service delivery but there was no one model or auspice arrangement that was deemed a “preferred option“ with advantages and disadvantages associated with community councils or community based organisations being the auspice body.

- Local communities struggled to manage the Safe Houses /services due to lack of capacity.
- Service providers had difficulty in recruiting experienced and capable management committee (with limited experience and knowledge of industrial relations and human resource management) and staff from small populations where capable people are already overcommitted with other organisational and family commitments.
- Difficult conflicts of interest to manage where management members and staff could also be Safe House service clients.

### ■ **Mt Theo – Warlpiri Youth Development Program**

*The service was located 160 kilometres from the environment and situations of the young people at risk. The diversionary and treatment aspects of Mt Theo's program were part of a broad and comprehensive range of programs. The young people had access to well organised and supportive youth program when they left Mt Theo.*

The Mt. Theo Youth petrol sniffing residential program in the Northern Territory owed its initial success to the factors outlined above. The service was located 160 kilometres from the environment and situations of the young people sniffing petrol and it insulated and protected them from the situations and influences that had led to their inhalant abuse or put them at risk. The diversionary and treatment aspects of Mt. Theo's program were part of a broad based and comprehensive range of programs that included aftercare and leadership and development programs.

Other features that contributed to the effectiveness of the program were: the low staff turnover; the dedication and commitment of senior Indigenous people who were willing to accept and work with non-family members; a referral process that involved Warlpiri, Police and Corrections; and good relationships between Aboriginal and non-Aboriginal workers that was based on a recognition of their relative strengths and limitations, similar to the NPYWC's *Malparara* model of working.

The program's co-ordinator was very knowledgeable about contemporary Warlpiri social organisation and had prior experience working in Yuendumu where he had established relationships. An intrinsic aspect of this relationship that is not articulated is the acknowledged authority that outsiders have that relieves Aboriginal people from having to take responsibility and the threat of recriminations and blame.

### **(vi) Examples of specific purpose client group accommodation based services**

- **Ampwe Akweke - Little Babies' Place**

*The strengths of this service is that it offered intensive case management and the initial service co-ordinator was an extremely well educated, skilled and mature Arrernte woman who had a strong presence and authority and held the position for three and a half years, enabling the service to develop and build and maintain the necessary relationships. Basically she was able to operate without fear or favour of family.*

Ampe Akweke is a five- bedroom house in an Alice Springs suburb auspiced and managed by the Alice Springs Youth Accommodation and Support Services (ASYASS). It was set up in the mid 2000s in recognition of the need for an accommodation based support service to respond to the complex needs of young Indigenous women (between the ages of fourteen and twenty-one) pregnant with their first baby who required safe and supported accommodation. Ampe Akweke provides a non-crisis short term accommodation (maximum of three months) service for up to two women, their babies and a support person for each woman.

The strength of this service is its intensive case management ante-natal and maternal health support for young Indigenous women having their first baby who are vulnerable and at risk for a number of reasons, including domestic and family violence and no or poor family and social supports.

The service not only caters for clients from the Alice Springs region but also young women from the NT, SA and WA cross border region including the APY Lands. The limitations of the original service delivery model and funding were that it depended on the clients having a reliable carer to accompany and stay with them in a supportive role for the duration of the stay. The young women who most need to access such a service do not have reliable adult carers. This is a significant issue in considering any accommodation-based service for children and young people.

#### **Effectiveness and Strengths - What worked**

- **Funding:** Program was adequately funded in the early establishment and implementation stage but did not until very recently have sufficient funding to employ staff twenty-four hours, which has severely limited its ongoing use.
- **Focus on maternal and young women's health:** Although domestic and family violence was a significant issue for nearly all the clients it was viewed as a women's health place which enabled local workers to work there more freely without feeling unsafe or compromised because of family loyalties. The initial co-ordinator believed that if Ampe Kweke had been designated as a domestic or family violence accommodation based service it would have been stigmatised and unsafe for the clients to use.
- **Location and security:** Ampe Akweke place is located within an established housing suburb and the location is neither well known nor easily accessed which provides it with a level of security and privacy. In the first three and a half years police were only required to deal with two incidents. The lack of after hours staff has meant however that the service has been less secure for some clients.
- **Service Delivery Model:** Recognised and identified complex needs of clients and developed and tailored the service to best meet those needs. Clients need to be referred and cannot self refer which increases the safety of existing clients and ensures that adequate supports and resources are tied to the clients. However, the funding model does not cater for the needs of the young women most at risk and in need of support that do not have a reliable adult carer(s) to accompany them for the duration.

- **Workforce Capacity & leadership:** The location of the service in Alice Springs increases the capacity to attract and retain suitably skilled staff. The initial service co-ordinator was an extremely well educated, skilled and mature Arrernte woman who had a strong presence and authority and held the position for 3 1/2 years enabling the service to develop and build and maintain the necessary relationships. The co-ordinator was required to provide constant supervision and vigilance with staff to ensure that language group, family and interpersonal relationships did not compromise the service's integrity, its accessibility and equity.
- **Staff training and supervision:** Co-ordinator developed and implemented tailored training program for staff and was able to provide staff with ongoing training, regular supervision and de-briefing. The Co-ordinator was provided with regular supervision and de-briefing from the auspicing agency, ASYASS.
- **Staff support:** Locally employed Indigenous staff were paid proper wages (not CDEP) and the service provided transport for them to and from work. Locally employed Indigenous staff required intense support, both professional and personal.
- **Links and timely access to other services:** The service encouraged and developed strong relationships with other services and brought those services to Ampe Akweke as needed by the clients. This included, maternal and child health nurses and midwives from Alice Springs Hospital, Congress Alukura's maternity and women's health, Centrelink social workers, ASYASS youth workers, Legal Services, Police, Housing Support officers from Territory Housing, Child protection, drug and alcohol and mental health services.
- **Governance and Management:** The service is auspiced by a well-established youth service, Alice Springs Youth Accommodation Support Service (ASYASS), with good links and relationships with other services. The initial Board included representatives from ASYASS, Family and Community Services (child protection), Police, Alice Springs Hospital and Congress Alukura. This broad representative and skill-based Board provided the service with valuable and useful guidance that contributed to its initial development and success.

#### **Weaknesses and limited effectiveness– what hasn't worked**

- **Flexible and adequate funding to meet needs of clients:** Until very recently Ampe Kweke was not funded to be staffed around the clock. This had meant that some young women with a high need for support but no reliable adult carers to accompany them have been unable to use the service. In other cases, due to the lack of twenty-four hour staff some carers, particularly from remote communities have felt unsafe staying in the place.
- **Workforce capacity - lack of management continuity, leadership and maintenance of relationships.** Since the original co-ordinator left there has been three co-ordinators in under than three years. This has affected the use of this service. From the perspective of service users, accessibility and meeting individual client's needs requires a flexible service delivery model and is

dependent on relationships with the co-ordinator. With a high staff turnover this is difficult to manage and limits the accessibility and use of the service.

- **Restrictive model:** This model is based on young women being accompanied by an adult carer. However, in many cases the young women do not have a reliable carer to accompany them. According to the NPYWC Child Nutrition program manager those young pregnant women and or with a baby most at risk and vulnerable and most in need of the services and support of such a program do not have reliable adult carers. Therefore they are ineligible or the arrangements break down and both the young mothers and babies are placed at risk.

*This occurred in the case of a fourteen-year-old girl with a baby and at high risk of violence from the baby's father. The girl's mother, who was her adult carer, left Ampe Kweke to stay with her boyfriend. The young girl also left to follow her mother, was seriously assaulted by the baby's father and the baby was subsequently taken into care by child protection.*

- **Location and style of accommodation:** One service noted that the style of accommodation and location is foreign to some young girls from remote communities. Ampe Kweke is easier for them when more than one family member can accompany and stay with them. For example, the carer accompanying a fourteen-year-old with her newborn baby from a very remote community felt unsafe at Ampe Akweke. NPYWC advocated for other family to be able to stay. In another case NPYWC advocated for the mother and grandmother to stay with the girl. With reliable and supportive family and the additional case management support from NPYWC the girl stayed three months.

#### ■ **Mookai Rosie Bi Bayan – Women and Children's Maternal Health Service in Cairns, North Queensland**<sup>70</sup>.

Mookai Rosie was established more than 20 years ago as a safe and supported accommodation based service for women and their children, specifically for young pregnant women or young women with new born babies. Its strengths and success are attributed to providing 24 hour staff to support up to a maximum of 12 clients who can stay between one night and 6 weeks. Mookai Rosie's other main area of success is providing clients with links to a broad range of specialist maternal and child health services and specialist women's services, including domestic violence advocacy and support and parenting skills. Like Ampwe Kweke in Alice Springs, Mookai Rosie's focus on maternal and child health has created a safe place without any stigma for women and children to seek specialist support and help to respond to sensitive issues such as domestic and family violence and sexual abuse.

#### **(vii) Experiences of safe accommodation models for children in Canada and the USA**

*Safe accommodation places were situated in larger urban centres that were geographically remote from the children's communities of harm and exploitation. Therapeutic care and treatment was undermined if the child was not insulated from the threats inherent in their situations of abuse.*

<sup>70</sup> <http://mookairosie.org.au/>

Examples of safe accommodation models for Indigenous children can be found in Canada and the USA and the reports indicate varying successes and effectiveness. The key features for success were secure and safe services that could provide a mix of specialised services by well-trained and highly skilled staff. The successful services were generally guided by principles that aimed to meet the basic physical needs of young people, addressed their social needs and fostered overall life changes. One of the significant features of the models that the author found was that the safe accommodation places were situated in larger urban centres that were geographically remote from the children's communities of harm and exploitation. Therapeutic care and treatment was undermined if the child was not insulated from the threats inherent in their situations of abuse<sup>71</sup>.

The models were tailored to meet the needs of those children. For instance access was not limited to children with an adult carer. The target group were young Indigenous people between the ages of nine and sixteen, or between twelve and fifteen who were homeless and at risk of sexual exploitation. The success of the models depended on continuity of qualified staff, the provision of a comprehensive range of services including transitional housing that included therapeutic foster care, group housing and independent housing.

The staff to client ratio at the Alameda (USA) residence for sexually exploited minors was 1:6 at any given time and the residential staff were skilled and involved in the therapeutic programs. In one service girls could reside up to twelve months in recognition that sexually exploited girls needed a period of recovery to normalise behaviours. Sound governance and financial management were cited as critical factor in the service's success.

Models or services that were ineffective such as the accommodation-based service for sexually exploited minor females between the ages of twelve and fifteen in Regina, Canada were criticised for emphasising and framing the service around cultural considerations and giving priority to the family over and above the safety of the child<sup>72</sup>.

<sup>71</sup> [www.co.alameda.ca.us/icpc/shsummary.htm](http://www.co.alameda.ca.us/icpc/shsummary.htm)

<sup>72</sup> [www.cbc.ca/canada/saskatchewan/story/2006/09/.../oyate-report.html](http://www.cbc.ca/canada/saskatchewan/story/2006/09/.../oyate-report.html)

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## Appendix 2:

### Interview questions:

1. What do you see as the needs required by
  - a. Women and children experiencing Domestic and Family Violence in remote communities with the best possible response?
  - b. Children who have been abused or suspected of being abused in remote communities with the best possible response?
2. What kinds of services will best and most effectively meet those needs?
3. Are any of these services already operating on the Lands? If so, what are they lacking/how do you think they can be improved?
4. What is your understanding of a safe accommodation? What needs could a safe accommodation meet? How would a safe accommodation meet those needs?
5. What experience and or understanding do you think Anangu women have of safe accommodations? Have Anangu women experiencing DV expressed the need for a safe accommodation in their community? Have carers of children who have been abused or suspected of being abused expressed the need for a safe accommodation on the APY lands?
6. In your view would a safe accommodation located on the APY Lands meet those needs? What are the benefits and risks?
7. What do you think are the essential requirements of an effective safe accommodation in remote communities?
8. What do you consider to be the benefits and or risks with a safe accommodation for children suspected of being abused (and their carers) located on the APY Lands?
9. Considering the nature, extent, and history of the DV in remote communities (ie. very brutal, use of weapons, prior assaults resulted in serious injuries, violence is ongoing feature of relationship, threats of further violence and suicide if woman reports etc):
  - a. Realistically, how safe do you think a community based safe accommodation would be? Taking into consideration the community attitudes towards violence, constraints and limitations of the kinship and social structures to protect women and children.
  - b. In what ways would the existence of a safe accommodation assist these women and their children and children suspected of being abused and their carers?
  - c. How would women and children access/get transport to the safe accommodation?

- d. Who would assist with bringing their children to the safe accommodation if they weren't able to accompany the women at the time?
- e. How would women and children safely access outside services from the community based safe accommodation? E.g. Criminal justice system, medical assistance, practical and financial assistance, counseling, social welfare support for children etc.

10. STAFFING ISSUES to consider

- a. Who do you think should be employed to run/manage the safe accommodation? What sort of qualifications/skills do you think are required to run safe accommodation?
- b. Do you think there is a role for local people to be employed at the safe accommodation? If so, what would their role(s) be?
- c. Do you consider that remote communities have the capacity to recruit and retain suitably skilled staff who can be trained to work within the required professional guidelines and deal with the very complex and conflicting situations that D&FV produces in small kin-based communities?
- d. Do you think that remote communities have the capacity to provide the necessary infra-structural support and resources for a suitable workforce?
- e. Taking into consideration that on remote communities, D&FV and child abuse exists in an environment where community workers are frequently threatened and intimidated if they are perceived to be assisting individual women: How would the safety and well being of safe accommodation workers whose identity and place of residence is known by safe accommodation clients and perpetrators of violence be assured?