

# HOUSE OF REPRESENTATIVES STANDING COMMITTEE ON SOCIAL POLICY AND LEGAL AFFAIRS

## Inquiry into family, domestic and sexual violence – Submission template

***This form is to assist individuals to prepare a submission to the inquiry.***

***You may also indicate your interest in appearing at a public hearing.***

*Please complete the relevant sections below. Submissions can be sent by email to [family.violence.reps@aph.gov.au](mailto:family.violence.reps@aph.gov.au) or by clicking on the 'Upload Submission' button on the inquiry website, at [www.aph.gov.au/familyviolence](http://www.aph.gov.au/familyviolence).*

*To ensure accuracy, please PRINT all information. Your contact details will **not** be published.*

### CONTACT DETAILS

#### Title

Mr     Ms     Mrs     Dr     None     Other (please specify):

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**Last name:** Balmer

**Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council CEO**

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### SUBMISSION

**Would you like your submission to be confidential?**

*Confidential submissions are only read by members of the Committee and the secretariat and are not published.*

Yes

No

**Would you like your submission to be classified as being "name withheld"?**

*Name withheld submissions are published on the Committee's website with all personal information redacted.*

Yes

No

### PUBLIC HEARING

**Please indicate whether you would like to appear as a witness at a public hearing**

*Please note that it is a Committee decision to determine who will be invited to appear as witnesses at a public hearing.*

*Due to the expected size and scope of the number of people who are likely to want to give evidence, not all requests will be able to be met.*

Yes

No

**Please indicate whether you have any safety concerns about appearing at a public hearing**

*The secretariat can make special arrangements for you to appear as a witness if you have safety concerns.*

Yes

No

<b>Issues</b>	
<i>Please indicate which issues from the terms of reference are relevant to your submission.</i>	
<i>Please note, it is <b>not</b> necessary to address all terms of reference in your submission.</i>	
a. Immediate and long-term measures to prevent violence against women and their children, and improve gender equality.	<input checked="" type="checkbox"/>
b. Best practice and lessons learnt from international experience, ranging from prevention to early intervention and response, that could be considered in an Australian context.	<input type="checkbox"/>
c. The level and impact of coordination, accountability for, and access to services and policy responses across the Commonwealth, state and territory governments, local governments, non government and community organisations, and business.	<input type="checkbox"/>
d. The way that health, housing, access to services including legal services, and women's economic independence impact on the ability of women to escape domestic violence.	<input checked="" type="checkbox"/>
e. All forms of violence against women, including, but not limited to, coercive control and technology-facilitated abuse.	<input type="checkbox"/>
f. The adequacy of the qualitative and quantitative evidence base around the prevalence of domestic and family violence and how to overcome limitations in the collection of nationally consistent and timely qualitative and quantitative data including, but not limited to, court, police, hospitalisation and housing.	<input type="checkbox"/>
g. The efficacy of perpetrator intervention programs and support services for men to help them change their behaviour.	<input checked="" type="checkbox"/>
h. The experiences of all women, including Aboriginal and Torres Strait Islander women, rural women, culturally and linguistically diverse women, LGBTQI women, women with a disability, and women on temporary visas.	<input checked="" type="checkbox"/>
i. The impact of natural disasters and other significant events such as COVID-19, including health requirements such as staying at home, on the prevalence of domestic violence and provision of support services.	<input checked="" type="checkbox"/>
j. The views and experiences of frontline services, advocacy groups and others throughout this unprecedented time.	<input checked="" type="checkbox"/>
k. An audit of previous parliamentary reviews focussed on domestic and family violence.	<input type="checkbox"/>
l. Any other related matters.	<input type="checkbox"/>

## **Your submission**

*Please provide a brief summary of your experience and any relevant issues. Your submission should respond to one or more of the terms of reference.*

*You may also wish to include any solutions, suggestions, or recommendations you have corresponding to the terms of reference.*

*Please note that content from this page onwards may be published.*

21st July 2020

Re: Inquiry into family, domestic and sexual violence

To the Committee Secretary,

Please find attached a submission for the inquiry into family, domestic and sexual violence from Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council. A short summary of the organisation is provided to offer context to the submission.

### **Summary of NPY Women's Council**

NPY Women's council is led by women's law, authority and culture to deliver health, social and cultural services for all Anangu.

In 1980 NPY Women's Council began as an advocacy body based on the need for Anangu women to have a voice and representation in conversations on land rights, policy and cultural affairs of the late 70's and early 80's. In 1993 NPYWC was funded to provide services, recognizing the strength of supporting women and children for the benefit of the whole community.

NPYWC is now a leader in the provision of human services in the NPY region. Proudly Anangu led, NPYWC is governed and directed by Aboriginal women across 26 desert communities in the cross-border regions of Western Australia, South Australia and the Northern Territory – an area covering 350,000 sq km.

Our place, our people and our culture are at the heart of what we do.

### **Domestic and Family Violence Service**

NPYWC has provided its Domestic and Family Violence Service (DFVS) for more than 20 years. A unique service within this vast tri-state region of Central Australia, the DFVS responds to the high incidence and serious nature of violence (including sexual violence) experienced by Anangu women and children on and from the NPY Lands.

The DFVS delivers casework, specialist therapeutic and community education programs. We work from a holistic and relational standpoint, according to Anangu values. We understand that violence does not occur in a vacuum and that there is no simple or leading explanation as to why violence occurs. Thus, our holistic perspective is based on ecological system theory recognising that all elements of a system are interrelated.

The submission template (attached) discussed NPY Women's Councils experience and responses to the Terms of Reference.

If you require further clarification please contact Liza Balmer on (08) 8958 2345.

Kind Regards

Liza Balmer

CEO

NPY Women's Council

### **a) Immediate and long-term measures to prevent violence against women and their children, and improve gender equality.**

Immediate and long term measures to prevent violence against women and their children and improve gender equality, must prioritise community-led initiatives for reducing and preventing violence. This is particularly relevant for efforts to

reduce violence against Aboriginal women, children and communities. It is vital that Aboriginal Community Controlled Organisation's (ACCO's) be prioritized when distributing violence prevention funds and supporting initiatives.

The impact of colonisation and years of trauma need to be highlighted when considering Aboriginal remote communities. Violence prevention strategies and projects must also recognise the implications of inter-generational trauma, systemic racism and poverty on the disproportionate rate of domestic, family and sexual violence (DFSV) experienced by Aboriginal women, children and communities. In response to this, Aboriginal people and organisations must be central to all policy making and decision making that relates to the biopsychosocial context of Aboriginal people, family and communities.

**d) The way that health, housing, access to services including legal services, and women's economic independence impact on the ability of women to escape domestic violence.**

Access to safe and secure accommodation is necessary to support women and children leaving DFSV at crisis, transitional and long term stages. A failure to secure safe accommodation often results in women and children being forced to return to unsafe situations, or being located with the user of violence.

For women and children who reside in remote Aboriginal communities long waitlists for housing can result in women being forced to reside with abusive partners, or ex-partners, with no opportunity to leave. Until policy makers experience first-hand the layout, environment and remoteness of these communities they will have no understanding of the complexity of 'safe' housing in this context.

Culturally safe health services that understand DFSV are also integral in supporting the ability of women and children to escape. All health professionals, specifically those working in Remote Area Clinics, must be trained in screening for DFSV, however; mainstream training is not suitable for this context. Training is required to be facilitated by Aboriginal organisations that have an inherent, and experienced, understanding of culturally safe and appropriate responses to DFSV. Remote clinics need to be better equipped to support women who have experienced sexual violence. In particular, training and resources are required to administer forensic testing.

Economic independence is integral in supporting women and children escaping DFSV. Current social support payments, such as the Newstart payment, are insufficient in providing the financial means necessary for women to escape DFVS. In remote areas across the NPY region, a bus to a larger regional town can cost more than an entire Newstart payment. In some of these areas (Ngaanyatjarra Lands) there is no access to public transport, and local mail planes are the only source of evacuation (if the women does not own a vehicle or have a licence). Additional benefits available through Centrelink, such as crisis payments, are inaccessible for women who speak languages other than English and for those in remote areas. Further, the inability of women to access these payments sequentially is disconnected with the reality of women who are experiencing or attempting to leave domestic violence situations, which is often a long-term process experienced over several months or years.

Access to Legal Services is also necessary to support women and children escaping DFSV. Support to access protective orders can be key in enabling women and children to safely leave violent circumstances. Access to culturally safe and confidential legal services for women residing in remote Aboriginal communities is currently limited. Innovative approaches such as tele-appointments may provide the accessibility and confidentiality necessary for women in such circumstances.

**g) The efficacy of perpetrator intervention programs and support services for men to help them change their behaviour.**

Any programs intended for users of violence must be embedded in consultation and alignment with pre-existing women's support services to ensure the safety of victim-survivor's. When placed in the context of Aboriginal remote communities these programs cannot focus on 'behaviour change' in its entirety and execution. Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council currently runs a program for men that use violence. This involves senior representatives of communities coming together to discuss strategies to prevent violence through mentoring, modelling and support.

Majority of the women we support tell us that 'the men need support as well'. In the NPY region context it is vital to present men with alternative programs to the mainstream 'behaviour change' models. The important factors in considering programs aimed at users of violence are:

- Innovation and creativity
- Trauma-informed care
- Modelling and mentors
- Community led
- Aboriginal direction and engagement of the overarching strategies

Such programs must recognise the influence of colonisation, poverty and institutional racism on the higher rates of violence within Aboriginal Communities. Therefore, funds and interventions must be redirected towards supporting community-led initiatives. NPY Women's Council has shown that when community members are properly informed and knowledgeable (empowered) about such things as trauma, they are then able to formulate a better understanding of how to respond to such complex and sensitive matters like DFVS.

**h) The experiences of all women, including Aboriginal and Torres Strait Islander women, rural women, culturally and linguistically diverse women, LGBTQI women, women with a disability, and women on temporary visas.**

The experiences of Aboriginal women living in remote communities must be recognised for their uniqueness when it comes to DFVS. Mainstream risk assessment tools and policy approaches are insufficient in responding to the high rates of violence experienced by Aboriginal women and children. When assessing risk factors for women living in remote communities additional factors to consider may include isolation and barriers to seeking help, low education, historical service system interactions, family relations, community/location connections and threat posed by the ex/partners family.

Policies and strategies aimed at responding to the experiences of Aboriginal women must recognise the damaging implications of child protection and criminal justice frameworks. A reform of child protection constructs is required that utilises a culturally informed model, where support and encouragement is fundamental in all response and assistance frameworks. Where possible, a new model needs to be delivered by, or with, ACCO's. ACCO's are well equipped to provide culturally safe support to women and children experiencing violence and who understand the cultural, historical and social context in which such violence is experienced.

Efforts to support Aboriginal women who are experiencing violence cannot be done without first recognising the way in which child removal, poverty and high incarceration rates exacerbate intergenerational trauma and lateral violence.

**i) The impact of natural disasters and other significant events such as COVID-19, including health requirements such as staying at home, on the prevalence of domestic violence and provision of support services.**

NPY Women's Council's DFV Service has experienced an increase in complexity of support since March 2020. COVID-19 and the resultant travel restrictions have ceased all outreach services and restricted caseworkers from visiting communities. As a result all support and assistance has been undertaken over the phone. This has led to a new way of delivering the service, which has resulted in highlighting issues within stakeholder responses to DFVS. These include:

- The inappropriate attitude of some police in responding to women and children experiencing DFVS
- The lack of understanding by police and some Child Protection workers about the implications on women and children and the courage it takes to ask for help
- The lack of any response to DFVS on communities due to policing border control demands
- The lack of police assistance in helping women and children relocate to safety

However, the most pressing issue and a great area of concern has been the complete isolation and lack of options for the women and children experiencing DFVS. Families are being isolated together in the home (and remote community) inhibiting any opportunity for the woman to report DFVS. The perpetrator is present at all times, preventing women from accessing support. On the occasions the service has had contact from women, it has been when they have accessed another service (Remote Clinics, childcare, etc.) with the intent to report an incident. Once reported, the complexity of care and support is extensive and comprehensive. Additionally, the service is beginning to see an increase in the amount of women calling through to discuss their experiences throughout the last four months.

**j) The views and experiences of frontline services, advocacy groups and others throughout this unprecedented time.**

NPY Women's Council, has been challenged by the growing complexity in supporting women and children who are experiencing DFSV. As the only DFSV Support Service working within the tri-state region of Central Australia, the service has identified the implications of stringent border restrictions for women attempting to cross state/territory boundaries to access safety. Despite advocacy for an NPY region biosecurity zone, differing state and territory policies and processes have created significant barriers for women attempting to leave violent situations, and for the workforce supporting them to do so.

Due to the fact that Domestic and Family Violence workers are not considered essential services (in a consistent manner across all States and Territories within Australia), the DFV Service has not been able to provide standard outreach to women and children living in remote Aboriginal communities. This has led to increased pressure on police and health care staff, who are not equipped to understand the complexity of DFSV. Further, the limitations in police ability to support safe transportation of women and children, or offenders, and reduction of transport options in and out of community, has meant that women and children living in remote communities have been unable to leave unsafe situations.

Further compromising safety of women and children at this time has been the reduced access to accommodation services within regional towns, as Aboriginal Hostels closed their doors and crisis accommodation services remain at capacity.

Lastly, the impact that all of the above has had on frontline workers cannot be undervalued. The absolute helplessness and hopelessness experienced by the workers has been profound. The genuine anxiety and concern for the women and children isolated within communities has been significant.

**If there is insufficient room above to summarise your experience and relevant issues, please attach additional pages to this submission as required.**