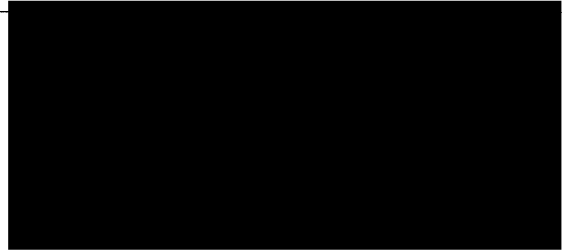


**IN THE MATTER OF THE ROYAL COMMISSION
INTO FAMILY VIOLENCE**

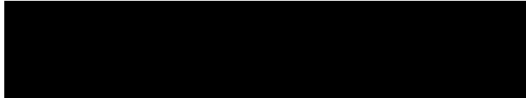
ATTACHMENT JT-5 TO STATEMENT OF JACQUALYN LOUISE TURFREY

Date of document: 16 July 2015
Filed on behalf of: State of Victoria
Prepared by:
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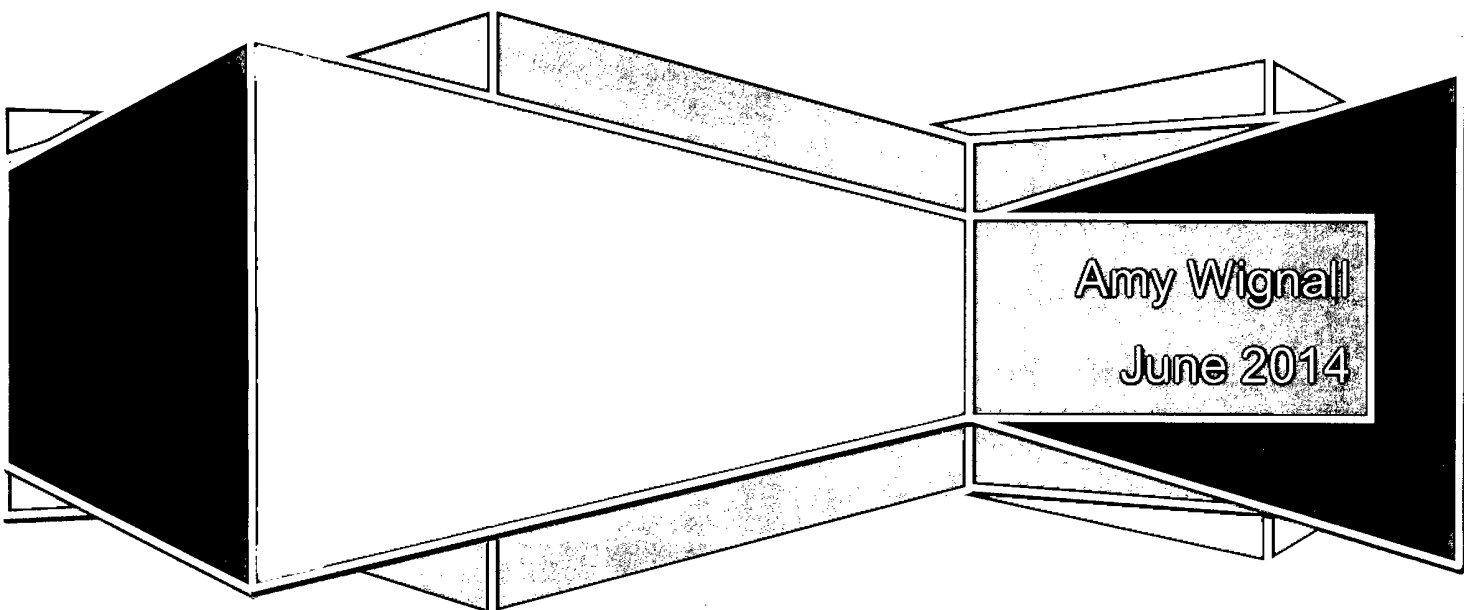


An Australian legal practitioner
within the meaning of the
Legal Profession Uniform Law (Victoria)

Attachment JT-5

Building on what works:
*best practice for early intervention and
prevention of family violence in
Aboriginal Communities*

Koori Justice Unit



Amy Wignall
June 2014

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Finally, I would like to thank Dr Lea Campbell for coordinating the Public Affairs Internship and providing ongoing guidance throughout the semester.

Glossary/Acronyms

ABS	Australian Bureau of Statistics
ACCO	Aboriginal Community Controlled Organisation
ACLO	Aboriginal Community Liaison Officer <i>A civilian member of the local Aboriginal community appointed to work with police to improve relations between the community and police</i>
AFM	Affected Family Member <i>Refers to the family member whose person or property has been subject to family violence; can be understood interchangeably with the word "victim" (of crime)</i>
AJA3	Aboriginal Justice Agreement Phase 3 <i>An agreement between the Victorian Government and Aboriginal community to work together to improve justice outcomes for Aboriginal people</i>
ATSISJC	Aboriginal and Torres Strait Islander Social Justice Commissioner
BPP	Best Practice Principles
CJS	Criminal Justice System
Code of Practice	Victoria Police Code of Practice for the Investigation of Family Violence
DHS	Department of Human Services
IFVFP	Indigenous Family Violence Partnership Forum <i>A forum established in 2005 to enable the Victorian Government and Aboriginal communities to work together to address Aboriginal family violence</i>
IFVPPF	Indigenous Family Violence Primary Prevention Framework
IFVRAG	Indigenous Family Violence Regional Action Group <i>Ten groups comprised of local community representatives that have been established across Victoria to support community-led responses in addressing Aboriginal family violence</i>
FVCD	Family Violence Court Division
FVIO	Family Violence Intervention Order <i>An order of a Magistrate made where the court is satisfied that the respondent has committed family violence against a family member and is likely to do so again</i>
FVIO	Family Violence Interim Intervention Order <i>An interim order made where further protection is required pending a final decision about an FVIO application or where the respondent is absent</i>
FVPA	<i>Family Violence Protection Act 2008 [Vic]</i>
FVPLS	Aboriginal Family Violence Prevention and Legal Service Victoria
FVR	Family Violence Report or L17 Form (currently known as Family Violence Risk Assessment and Management Report) <i>A form which must be filled out by police following attendance at any family violence related incident</i>

FVSN	Family Violence Safety Notice <i>A temporary intervention order issued by police where immediate protection is required outside of court hours</i>
KCSGP	Koori Community Safety Grant Program
KJU	Koori Justice Unit
LEAP	Law Enforcement Assistance Program (database) <i>The Victoria Police system of electronically recording police records, such as criminal histories and incidents attended</i>
LGA	Local Government Area
NILJF	National Indigenous Law and Justice Framework 2009-2015
NIRA	National Indigenous Reform Agreement
OAAV	Office of Aboriginal Affairs Victoria
OBIP	Overarching Bilateral Indigenous Plan
RCIADIC	Royal Commission into Aboriginal Deaths in Custody
SAA	Strategic Action Area (under VAAF)
SIQ	Standard Indigenous Question <i>A standard question developed by the ABS for use in the context of data collection which asks whether a person is of Aboriginal or Torres Strait Islander descent</i>
Ten Year Plan	Strong Culture, Strong Peoples, Strong Families: towards a safer future for Indigenous families and communities – ten year plan
VAAF	Victorian Aboriginal Affairs Framework
VALS	Victorian Aboriginal Legal Service
VEOHRC	Victorian Equal Opportunity and Human Rights Commission
VicHealth	Victorian Health Promotion Foundation
VicPol	Victoria Police
VIFVTF	Victorian Indigenous Family Violence Task Force
VSAC	Victorian Sentencing Advisory Council
WGIJ	Working Group on Indigenous Justice

A note on terminology

The term “Aboriginal” is used throughout this report to refer to the Aboriginal and Torres Strait Islander population of Australia and Victoria. Where the original dataset, program title or direct quote refers to this population as “Indigenous” or “Koori”, these terms have been kept for the sake of consistency. The term “family violence” is used instead of “domestic violence” as it is generally preferred by Aboriginal people when referring to the broad range of acts and relationships associated with interpersonal violence as experienced within Aboriginal communities (Memmott et al. 2006).

Executive Summary

Aboriginal people experience violence and victimisation at a disproportionately high rate compared to the non-Aboriginal population of Australia. The violent and disempowering history imposed upon the Aboriginal population by colonisation has seen the development of an internalised response to the historical and ongoing impacts of oppression within these communities, which contributes to the high level of family violence experienced by Aboriginal people. The Aboriginal Justice Agreement Phase 3 (AJA3) expanded the objective of reducing victimisation under Phase 2 to include conflict and violence in acknowledgement that rates of violent offending and victimisation in Victorian Aboriginal communities have continued to rise.

In responding to family violence, the current focus has largely been on policing, prosecution and punishment based on prevailing feminist conceptualisations of the issue which prioritise safety for victims and accountability for perpetrators. Recent changes to family violence legislation in Victoria reflect this approach, with the introduction of the *Family Violence Protection Act 2008* establishing harsher legislative penalties for perpetrators of family violence, particularly in regard to contravention of intervention orders. Data analysis shows that this may be contributing to recent growth in Aboriginal over-representation in the criminal justice system (CJS), as Aboriginal communities are disproportionately affected by the experience of, and therefore police and court response to, family violence.

Criminalisation is considered by Aboriginal communities to be a destructive, and largely ineffective, response to family violence that causes further family and social disintegration and fails to change the behaviour of perpetrators. The unique historical context and intergenerational nature of family violence in Aboriginal communities requires preventative action to break cycles of violence before they become established patterns of individualised behaviour that lead to adverse contact with the CJS. AJA3 supports a commitment to prevention, early intervention and diversion in reducing further progression of Aboriginal Victorians into the CJS and addressing all forms of violence experienced within Aboriginal communities.

This report therefore investigated the following questions in the context of primary prevention and early intervention approach to reducing family violence within Aboriginal communities:

1. What have been the nature and impact of recent changes to family violence related policy and legislation in Victoria?
2. To what extent is family violence contributing to the recent (ie. since 2008/09) growth of Aboriginal over-representation in the Victorian criminal justice system?
3. What constitutes best practice in family violence related primary prevention and early intervention programs? What recommendations can be drawn from this for the Victorian Aboriginal context?

The development of primary prevention and early intervention initiatives for family violence within Aboriginal communities should ideally be guided by the following best practice principles, which are supported by national and international literature and have been adopted by the Indigenous Family Violence Ten Year Plan (*Strong Culture, Strong People, Strong Families: towards a safer future for Indigenous families and communities*):

1. Cultural grounding of programs	5. Ensuring the involvement of appropriate Elders	9. Capacity building through networking partnerships and interagency collaboration
2. Community grounding of programs	6. Self-empowerment and self-esteem as capacity building by-	10. Information collection and dissemination

	products	
3. Composite programs, integration and holistic approaches	7. Examining intergenerational family history and cultural experience as a healing element	11. Training and skills acquisition
4. Engagement of men, women and children in programs	8. Culturally competent responses, including group approaches	12. Flexibility and adaptability of projects
		13. Sustainable funding

The Koori Community Safety Grant Program (KCSGP) is one of the primary mechanisms under AJA3 for reducing conflict, violence and victimisation in Aboriginal communities. It supports community-based primary prevention and early intervention initiatives to reduce all forms of violence experienced by Aboriginal people, including family violence. An evaluation of the four projects currently operating under the KCSGP against best practice principles identified areas of program content and delivery that could be improved by building on what is known to work within Aboriginal-specific violence prevention and strengthening adherence to best practice in application.

The report's recommendations (all listed within Part 3.2 except those marked otherwise) can be summarised under the four foundation elements of the Indigenous Family Violence Primary Prevention Framework:

Partnership, collaboration and leadership

- Build capacity within communities through greater interagency collaboration with Aboriginal and mainstream organisations (Recommendation 3)
- Strengthen commitment to equal and respectful partnership with Aboriginal communities (Recommendation 4)

Cultural respect

- Further consolidate individual-based interventions for family violence prevention through family and community-based interventions (Recommendation 5)
- Reinforce the importance of women's position in family and community through capacity building and reconceptualising masculinity (Recommendation 6)
- Support a holistic approach to family violence prevention by promoting further integration of composite programs within prevention strategies (Recommendation 7)

Capacity and capability

- Build capacity within communities to lead family violence prevention by providing local opportunities for training and skill development (Recommendation 8)
- Encourage interagency collaboration to source more sustainable funding for family violence prevention initiatives (Recommendation 9)

Building on what works

- Improve and expand the evidence base for Aboriginal experiences of family violence to better inform future service responses (Recommendation 1, Part 2.1)
- Improve the evidence base for good/effective practice in Aboriginal-specific family violence prevention and early intervention by supporting evaluation (Recommendation 2, Part 3.1)
- Create more opportunities for information dissemination to contribute to the shared violence prevention evidence base (Recommendation 10)

Introduction

Aboriginal people experience violence, both as victims and perpetrators, at a much higher rate than the non-Aboriginal population of Australia (Memmott et al. 2001). The Victorian Indigenous Family Violence Task Force (VIFVTF) report highlighted that, while violence is not part of Aboriginal culture, family violence is 'widespread, disproportionately high and on the increase' (2003). A decade on from then, family violence related victimisation remains prevalent in Victorian Aboriginal communities with 67.7 percent of all reported assaults against Aboriginal people in 2012/13 linked to family violence, compared to 45.3 percent for the non-Aboriginal population (LEAP 2014).¹ This is an issue of major concern due not only to the traumatic impact family violence has on physical, emotional and social wellbeing but also because it has been identified as a critical factor related to child neglect, alcohol and drug misuse, homelessness, mental health concerns and crime (KJU 2012).

There are three levels at which family violence can be addressed (VicHealth 2007):

1. **Primary Prevention:** preventing family violence before it occurs through targeting strategies, which aim to change attitudes or address underlying causes, at the whole population or particular sub-groups who experience high levels of violence.
2. **Early Intervention:** preventing the development of established patterns of violence and victimisation by targeting strategies, which aim to change behaviours and build knowledge, self-esteem and skills, at specific groups within the population who exhibit early signs of perpetrating or being subject to violence.
3. **Intervention:** managing the consequences of family violence and reducing repeat or escalated incidences of violence by targeting strategies, which aim to reform behaviour and provide support or treatment, at individuals who have perpetrated or been subject to violence.

Although a combination of strategies across all three levels is required to effectively reduce the prevalence of family violence (Day et al. 2013), this report will focus on primary prevention and early intervention. CJS responses to family violence in Victoria do not fully address the complex causes of family violence in Aboriginal communities (VIFVTF 2003). A developmental approach to primary prevention and early intervention (outlined in Part 1.1) may provide a more appropriate and effective means of addressing the unique historical context and intergenerational nature of family violence in Aboriginal communities in a way which draws on cultural strength and resilience. By operating at the points of pre-contact and front-end diversion (Bartels 2010), such an approach may also contribute to reducing Aboriginal over-representation in the CJS, which remains a significant concern in Victoria where Aboriginal people account for 7.8 percent of the prison population despite constituting less than one percent of the state's total population (ABS 2014).

Methodology

This report will investigate the following questions in three related parts:

1. What have been the nature and impact of recent changes to family violence related policy and legislation in Victoria?
2. To what extent is family violence contributing to recent² growth of Aboriginal over-representation in the Victorian CJS?

¹ This figure is likely to be considerably understated due to underreporting (discussed further in Part 2.1) and as such does not encompass the full extent of victimisation within the Aboriginal community.

² This report will examine growth from 2008/09 to 2012/13.

3. What constitutes best practice in family violence related primary prevention and early intervention programs? What recommendations can be drawn from this for the Victorian Aboriginal context?

Part 1	Literature Review	Exploration of relevant literature to create a conceptual framework for a developmental primary prevention and early intervention approach to family violence in an Aboriginal context, and to understand the nature and impact of recent changes to family violence related policy and legislation.
Part 2	Data Analysis	Analysis of Victoria Police Law Enforcement Assistance Program (LEAP) data to understand trends in family violence reporting and offending within Aboriginal communities, and establish whether family violence is contributing to recent growth of Aboriginal over-representation in the Victorian CJS.
Part 3	Best Practice Review	Review of relevant literature to establish best practice principles and a best practice framework for primary prevention and early intervention for family violence in an Aboriginal context. Comparison of the Koori Community Safety Grant Program against best practice to identify possible improvements in program content or delivery.

No primary data was collected for this research as obtaining the necessary ethics permission from the Department of Justice would have exceeded the allocated time for this project. This report therefore relies on secondary source data, which may be imperfect due to difficulties collecting and recording data on family violence and Aboriginal identification (see Part 2.1 for further discussion).

Part 1: Literature Review

1.1 Ecosystems Framework for Family Violence

Any discussion of family violence within Aboriginal communities, and particularly in the context of primary prevention and early intervention, needs to be prefaced with an understanding of the unique context in which it occurs and the risk and protective factors which influence its prevalence. Mainstream³ conceptions of family violence are informed by feminist understandings, which perceive this violence as an expression of 'male domination and oppression of women' (Memmott et al. 2006). While it is Aboriginal women and children who are predominantly affected by family violence, feminist understandings of the issue do not translate cross-culturally in a way which adequately accounts for the complex historical and intergenerational context of violence in Aboriginal communities (Memmott et al. 2006).

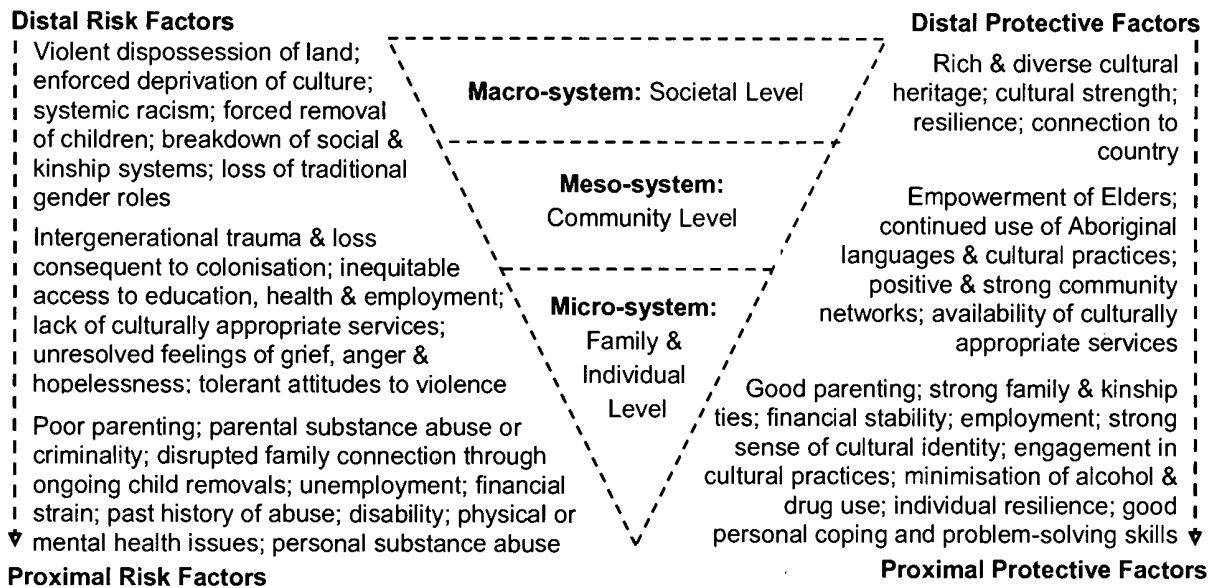
Weatherburn and Snowball's (2008) empirical exploration of various theories to explain high levels of violence within Aboriginal communities found little evidence to support theories that see violence as an expression of Aboriginal culture, but moderate to strong supporting evidence for theories that place violence, and its contributing factors, within the historical context of colonisation. This latter theoretical approach is widely supported within the literature and was adopted by the VIFVTF, which considered family violence in Aboriginal communities to stem primarily from 'the history and impacts of white settlement' (2003). The imposed 'structural violence of race relations' (VIFVTF 2003) since colonisation has seen the Aboriginal population suffer a traumatic and violent history of dispossession, massacres, introduced disease, forced child removals and unrelenting racism (Clarke et al. 1999). This has resulted in an intergenerational legacy of emotional trauma and socioeconomic disadvantage across Aboriginal communities, which has been associated with the development of 'dysfunctional adaptive behaviours' (Wundersitz 2010), such as substance abuse, self harm and violence against family and others. Family violence within Aboriginal communities is therefore understood to be an internalised response to the historical and ongoing impacts of oppression and disempowerment of the Aboriginal population rather than as a power differential between men and women.

The different context in which family violence in Aboriginal communities occurs means that Aboriginal people are exposed to a unique range of risk and protective factors that influence the individual propensity to perpetrate family violence. A developmental approach to primary prevention and early intervention considers risk and protective factors at both distal and proximal levels to understand how their impact on an individual's personal characteristics, prior trajectory of development, and contemporary and historical environment combine to influence the propensity to offend (Zubrick & Robson 2003). Within mainstream populations, this approach tends to emphasise proximal factors, which influence individuals and families, rather than distal factors, which characterise large populations (Zubrick & Robson 2003). However, the additional factors that 'arise from unique aspects of Aboriginal history, culture and social structure' (Homel et al. 1999) result in a more even and interlinked distribution of factors across distal and proximal levels for this population.

An appropriate model for conceptualising a developmental approach to primary prevention and early intervention is the ecosystems framework (Zubrick & Robson 2003), which works congruently with the theoretical context for family violence outlined above. Figure 1 presents the ecosystems framework adapted for family violence in an Aboriginal context based on extensive literature surrounding Aboriginal-specific risk factors for violence (Homel et al. 1999, Clarke et al. 1999, ATSIJJC 2006, Mazerolle & Legosz 2007, Cripps & McGlade 2008, Fleming & Ledogar 2008, Allard 2010, Bartels 2010, Wundersitz 2010, Day et al. 2012) and the more limited literature on protective factors (Homel et al. 1999, VIFVTF 2003, Fleming & Ledogar 2008).

³ The use of the term "mainstream" in this report refers to the non-Aboriginal context of wider society.

Figure 1: Ecosystems framework for family violence in Aboriginal communities



(Adapted from various sources, 2014)

The lack of literature on protective factors highlights how there has been insufficient recognition given to the strength of Aboriginal communities in the face of overwhelming trauma, disadvantage and racism and particularly to the ability of communities to draw on this strength in addressing family violence (VIFVTF 2003). Resilience, defined most frequently as positive adaptation despite adversity, remains a 'strong feature of contemporary Aboriginal life' (Hommel et al. 1999). Research has shown that protective factors which promote resilience in individuals often have external origin in family, community, society, and culture which has led to growing interest in resilience as a feature of entire communities and cultural groups (Fleming & Ledogar 2008). There should be a focus on maximising protective factors that build on resilience within Aboriginal communities, particularly through drawing on culture as a source of resilience, as these factors play an important role in mitigating and counteracting risk factors experienced by Aboriginal people, particularly racism and historical loss or trauma (Fleming & Ledogar 2008).

1.2 Policy Context

Figure 2: Australian policy context for Aboriginal family violence

	Policy	Purpose	Relevant Objective/s
Council of Australian Governments (COAG)	<i>National Indigenous Reform Agreement</i>	A framework for working towards Closing the Gap in Indigenous disadvantage	Safe Communities Building Block: Indigenous children and families are safe from violence and neglect in their homes and communities
	<i>Overarching Bilateral Indigenous Plan 2010-2015</i>	An agreement between the Federal and Victorian governments to Close the Gap in Indigenous disadvantage in Victoria	Breaking cycles of criminal behaviour and violence normalisation

Commonwealth Government	<i>National Indigenous Law and Justice Framework 2009-2015</i>	A framework for addressing Indigenous disadvantage within the CJS in Australia	Ensure Indigenous peoples feel, and are, safe within their communities
	<i>Victorian Aboriginal Affairs Framework 2013-2018</i>	A framework guiding sustained and strategic efforts to improve the quality of life of Aboriginal Victorians	Safe families and communities, and equitable justice outcomes
Victorian Government	<i>Strong Culture, Strong People Strong Families: towards a safer future for Indigenous families and communities – ten year plan</i>	An agreement between the Victorian Government and Indigenous community to develop a safer Victoria for all Indigenous families and communities	See Appendix A for full list of 8 relevant objectives
	<i>Aboriginal Justice Agreement Phase 3</i>	A partnership agreement between the Victorian Government and Koori community to improve Koori justice outcomes	Reduce conflict, violence and victimisation Strengthen community justice responses and community safety

The current policy context surrounding Aboriginal family violence (see Figure 2) flows primarily from the COAG National Indigenous Reform Agreement (NIRA), launched in 2008. In recognising that many Aboriginal Australians experience 'unacceptable levels of disadvantage in living standards, life expectancy, education, health and employment' (COAG 2012), the NIRA nominates six targets to "Close the Gap" in Aboriginal disadvantage which require long-term commitment across a range of strategic platforms or "Building Blocks". Although family violence is not specifically referred to within NIRA or the related Overarching Bilateral Indigenous Plan, the Safe Communities Building Block provides the context to address this issue on national and state policy platforms (COAG 2010, COAG 2012).

The Commonwealth addresses the Safe Communities Building Block through three national policies: the Plan to Reduce Violence against Women and their Children 2009-2021, the National Framework for Protecting Australia's Children 2009-2020, and the National Indigenous Law and Justice Framework 2009-2015 (NILJF). The relevant goal under the NILJF specifically recognises that Aboriginal communities experience 'unacceptably high levels of family violence' (WGJ 2010) and that reducing the incidence and impacts of all forms of this violence, through healing and community-owned safety and crime prevention, is crucial to improving community safety.

At state level, the Government's overarching Aboriginal policy framework, the Victorian Aboriginal Affairs Framework (VAAF), supports the Close the Gap targets in a way which responds to the specific Victorian context (COAG 2010). In addressing disadvantage experienced by Aboriginal Victorians, the VAAF commits to improving six Strategic Actions Areas (SAAs) with twelve related headline indicators (OAAV 2012). SAA 5, which focuses on equitable justice outcomes and safer communities, relates most closely to the Safe Communities Building Block and has a relevant headline indicator that specifically targets a reduction in the incidence of family violence (OAAV 2012).

The AJA has expanded its focus on reducing victimisation to also include direct responses to conflict and violence in Koori families and communities. Complementing work already occurring under the Victorian Indigenous Family Violence 10-year Plan, this enables a comprehensive, prevention-oriented and intergenerational approach to reducing victimisation in the Victorian Koori community

(KJU 2013)

Two key policies that support SAA 5 are the Strong Culture, Strong Peoples, Strong Families Indigenous Family Violence Ten Year Plan (the Ten Year Plan) and AJA3. Developed by the Indigenous Family Violence Partnership Forum (IFVPF)⁴ in response to the VIFVTF, the Ten Year Plan is the only policy at a state or national level that focuses solely on Aboriginal family violence (OAAV 2008). AJA3 aligns more closely with SAA 5 by aiming to improve justice outcomes and community safety through strengthening capacity within Aboriginal communities to implement local crime and violence prevention (KJU 2013). While AJA3 does not have a specific focus on family violence, it includes this in a broader approach of addressing all forms of conflict, violence and victimisation within Aboriginal communities (KJU 2013).

Within this current policy context, there is clearly scope to address Aboriginal family violence through a primary prevention and early intervention approach with every

relevant policy, excepting the VAAF, mentioning crime and violence prevention in relation to community safety objectives. However, there is an evident tension between policies which specifically target reducing family violence and those that take a broader approach to addressing all forms of violence. Aboriginal conceptions of family violence are much broader than those in the mainstream (see Part 1.3.1) with family violence taking many forms, which are interwoven with community and lateral violence (KJU 2013). In this way, policies that approach family violence in the more comprehensive context of community safety and reducing interrelated forms of violence are more likely to result in sustained improvements in safety for Aboriginal individuals, families and communities. The AJA3 and its relevant objectives (see Appendix B) provide the best example of such a policy.

1.3 Legislative Change

Justice system responses to family violence, preceding and including sentencing, 'take place within a context of beliefs and assumptions about the nature of that violence, and hence the most appropriate means of addressing it' (Memcott et al. 2006). The feminist movement brought about a marked cultural shift in public perceptions of family violence, moving the issue from the private sphere into the public domain in a way which positioned the government as having a duty to prevent and respond to violence against women and children in the home (Macdonald 2012). This shift influenced the prevailing understanding of, and ultimately responses to, family violence by criminal justice institutions, particularly courts and police (VSAC 2013). Conceptualising family violence through a feminist lens of 'gendered power and control' (Memcott et al. 2006) has shaped the legislative definition of family violence, police procedure and court response in a way which often fails to account for more complex Aboriginal experiences of family violence.

1.3.1 Legislative Definition

The legislative definition of family violence plays an important role not only in defining which incidents police and courts should respond to, but also community understandings of what behaviours are not

⁴ The IFVPF, established in 2005, is comprised of representatives from the ten Indigenous Family Violence Regional Action Groups (IFVRAGs), relevant Aboriginal community organisations and key government departments and agencies. It is the key mechanism for implementing and reviewing the actions and strategies of the Ten Year Plan (OAAV 2008).

acceptable and should be reported as a crime. It also directly impacts on what behaviours, and by which people, warrant a Family Violence Intervention Order (FVIO), which is an order of a Magistrate made where the court is satisfied that the respondent has committed violence against a family member and is likely to do so again (VSAC 2013).⁵ Historically, the disparity between the CJS definition of family violence and Aboriginal understandings of the concept has in part been responsible for instances of family violence within Aboriginal communities being overlooked by police and courts (Cripps 2011).

A Victorian Law Reform Commission review of the *Crimes (Family Violence) Act 1987* found that new legislation should expand the definition of family violence and scope of family relationships in line with increasingly complex perpetration trends (Peirce 2009). The introduction of the *Family Violence Protection Act 2008 (FVPA)* delivered this with a definition of family violence (see Box 1.1) that encompasses a broad range of physical and non-physical forms of abuse occurring between people in a range of family relationships. This includes with those who are 'like a family member' (FVPA 2008) based on the nature of their social and emotional ties, the cultural recognition of the relationship as being like family in the relevant community, or any form of dependence or interdependence between them.

Aboriginal conceptions of family violence are much broader than mainstream conceptions due to the unique historical context of this violence (discussed in Part 1.1) and cultural understandings of familial, kinship and community ties (Cripps 2011). To comprehend the breadth of Aboriginal conceptions of family violence, it is crucial to understand that an Aboriginal individual cannot be considered in isolation or even simply as part of a family unit, but must be seen as a member of a wider kinship group, which has traditionally 'exercised responsibility for [their] wellbeing' (ATSISJC 2006).

The expanded FVPA definition aligns more closely with Aboriginal conceptions of family violence and family relationships than the previous act, meaning that there may be more family violence-related incidents within Aboriginal communities that now come to police attention. However, it still falls short of the VIFVTF definition (see Box 1.2), which has informed policy responses to Aboriginal family violence for the last decade. The wide-ranging issues of violence between members of kinship networks, community violence between different families, lateral violence⁶, Elder abuse,

Family violence is:

(a) behaviour by a person towards a family member of that person if that behaviour:

(i) is physically or sexually abusive;

(ii) is emotionally or psychologically abusive;

(iii) is economically abusive;

(iv) is threatening;

(v) is coercive;

(vi) in any way controls or dominates the family member and causes them to feel fear for their safety or wellbeing or that of another person;

(b) behaviour by a person that causes a child to hear or witness, or be exposed to the effects of, the behaviours referred to in (a)

Box 1.1

(FVPA 2008)

Indigenous family violence is:

'An issue focused around a wide range of physical, emotional, sexual, social, spiritual, cultural, psychological and economic abuses that occur within families, intimate relationships, extended families, kinship networks and communities. It extends to one-on-one fighting, abuse of Indigenous community workers as well as self-harm, injury and suicide.'

Box 1.2

(VIFVTF 2008)

⁵ People who have experienced abusive or threatening behaviour by non-family members (eg. friends or neighbours) may apply for an intervention order under the *Personal Safety Intervention Orders Act 2010*, however there is no scope in this report to discuss this option.

⁶ Lateral violence refers to the harmful behaviours (such as gossiping, bullying, shaming, social exclusion, family feuding, and organisational conflict) that occur within Aboriginal communities which stem from the sense of powerlessness that comes from being part of an oppressed group (ATSISJC 2011).

child abuse, and self-harm encompassed by this definition may not necessarily be defined as family violence under the *FVPA* and warrant an *FVIO* although they are regarded as such by the Aboriginal community (Cripps & Miller 2008).

1.3.2 Police Procedure

In responding to family violence, the current focus has 'largely been on policing, prosecution and punishment, as well as providing safe accommodation for women and children' (Cripps & Davis 2012) based on prevailing feminist conceptualisations of the issue which prioritise safety for victims and accountability for perpetrators. While police were, for many years, reluctant to get involved in family violence matters, there have been significant improvements in police practice in the past decade, stemming primarily from the introduction of the Code of Practice for the Investigation of Family Violence (the Code of Practice) in 2004 (Macdonald 2012). The Code of Practice aims to improve police responses to family violence through a range of requirements (see Box 1.3) and encourage community confidence to report such incidents.

Police must:

- Respond to any family violence incident report as a priority, regardless of who made the report or how
- Adopt an understanding and reassuring manner
- Offer Aboriginal families additional support from an Aboriginal Community Liaison Officer (ACLO), if available locally
- Prioritise the safety of the affected family member (AFM), any children and other family members at risk
- Support the AFM and any dependent children to remain in their home where possible by legally excluding the perpetrator from the premises
- Refer all parties to specialist services for additional and ongoing assistance

Box 1.3

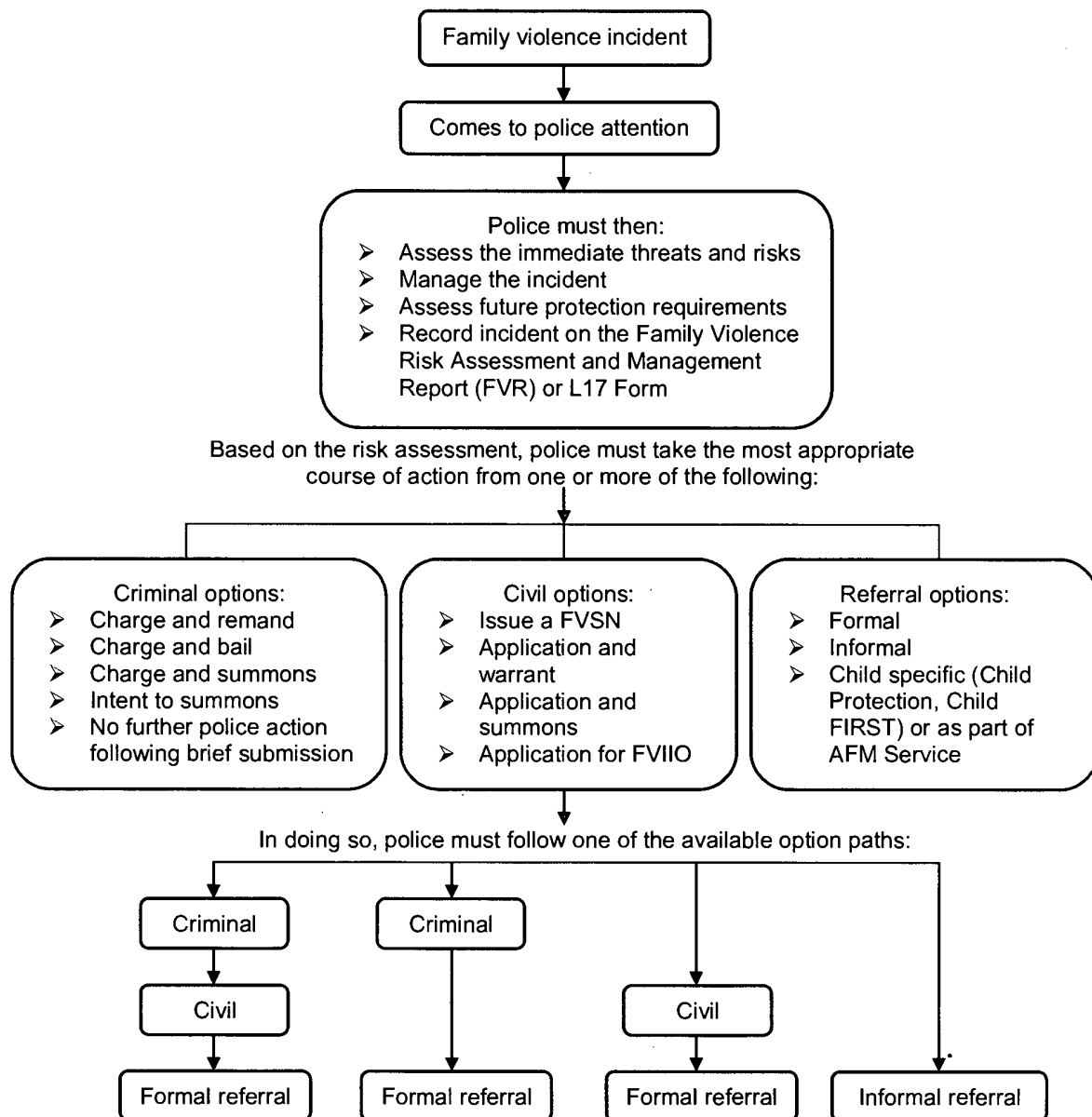
(VicPol 2014)

Under the Code of Practice, police must follow the options model (outlined in Figure 3) when responding to family violence incidents. There has been a push by VicPol to pursue criminal and civil options, where there is sufficient evidence to do so, regardless of whether the AFM wishes to pursue such options or not (VicPol 2014). A new civil measure introduced by the *FVPA* allows police to issue an on-the-spot Family Violence Safety Notice (FVSN), which serves as a temporary intervention order for up to 120 hours and provides the AFM and any dependents with immediate protection after court hours until an *FVIO* application can be made at the proper venue⁷ (Macdonald 2012). While police must consider the accommodation needs of all parties when drafting a FVSN, there are concerns within the Aboriginal community about the limited availability of, and ability to access, temporary accommodation services immediately following a violent incident, particularly for male perpetrators (Cripps & Miller 2009).

In tandem with civil and criminal options, police are required to make a formal referral, where information concerning the parties involved is forwarded to appropriate agencies (VicPol 2014). The family violence referral protocol between the Department of Human Services (DHS) and VicPol, separates service referrals into two categories: those for female victims to a

women's crisis support agency and those for male perpetrators to men's emergency housing assistance, case management or behaviour change programs (DHS 2013). Considering Aboriginal people are more likely to be both a perpetrator and victim of family violence than non-Aboriginal people due to the complex nature of this violence (OAAV 2008), such a clear division of services based on gender and victim/perpetrator status could potentially be problematic for the Aboriginal community. Furthermore, mainstream agencies under the referral protocol often have limited cultural awareness and experience of family violence in an Aboriginal context and may not be able to provide Aboriginal people with the assistance or understanding they require (Cripps & Davis 2012).

⁷ An *FVIO* application must be lodged at the Magistrates' Court or the Children's Court by a police officer, the AFM, a person who has the written consent of the AFM to apply on their behalf, or persons acting on behalf of a child (where the AFM is a child).

Figure 3: Victoria Police options model for investigating family violence

(VicPol 2014)

1.3.3 Legislative Penalties

The focus on victim safety and criminal accountability has seen the introduction of more serious legislative penalties for the contravention of an FVIO or FVSN by the FVPA (2008), which provides power of arrest without warrant for such an offence and a penalty of a fine (maximum 240 penalty units), imprisonment (maximum 2 years), or both⁸. When serving AFMs and perpetrators with an FVSN or FVIO, police, in accordance with the Code of Practice, are meant to explain the purpose, duration and conditions of intervention orders (VicPol 2014). Without being properly informed people

⁸ In addition to this, two aggravated contravention offences commenced in April 2013, both with a maximum penalty of 5 years imprisonment and/or a 600 penalty unit fine: contravention of an FVSN or FVIO intending to cause harm or fear for safety; and persistent contravention of orders (VSAC 2013).

may fail to understand the complex nature and consequences of intervention orders, particularly that consent by the AFM can 'never be a defence to a contravention' (VicPol 2014). Failure to fully inform parties, which in the case of FVSNs does not nullify the notice (VicPol 2014), could result in people contravening FVIOs and FVSNs without being aware of doing so.

In the four years prior to the introduction of the *FVPA*, low end sentences, such as fines and adjourned undertakings⁹, were more common for the contravention of an FVIO than mid-to-high end sentences, such as community orders¹⁰ (VSAC 2013). Following the commencement of the *FVPA*, sentencing outcomes for FVIO contraventions changed considerably with the use of fines declining by 30.5 percent and the use of adjourned undertakings and community orders increasing by 27.1 percent and 9.1 percent respectively (VSAC 2013). Sentencing of repeat FVIO contraventions changed most significantly, becoming 'more severe in this category' (VSAC 2013). While the most common sentence for repeat FVIO contravention before 2009/10 was a fine, since then imprisonment has become the most common sentence for this offence with immediate terms of imprisonment increasing by 34 percent, partially suspended sentences of imprisonment by 38.2 percent, and wholly suspended sentences by 68.5 percent (VSAC 2013).

As FVSNs were only introduced following the *FVPA* and sentenced FVSN contravention charges are relatively rare, it is difficult to make robust observations regarding the distribution of sentences for this offence. While the sentence distribution for FVSNs is broadly similar to that of FVIOs, there is a greater use of imprisonment and partially suspended sentences for FVSN contraventions (VSAC 2013). This may be due to the fact that FVSN contraventions occur within a very short time of receiving the notice, as FVSNs only operate for 120 hours (72 hours prior to February 2013), which 'is likely to be considered an aggravating factor' (VSAC 2013). These changes reflect the notion that the strength of the family violence intervention order system rests largely on the strength of police and court response to contraventions (Macdonald 2012).

Since 2009/10, there is also evidence of greater escalation in sentencing, where more severe sentences are imposed for second or subsequent contraventions than for the first, particularly when a fine was imposed for the first contravention (VSAC 2013). Escalation of sentencing and harsher sentencing for repeat contraventions reflects the belief that the strength of the family violence intervention order system rests largely on the strength of police and court response to contraventions, with poor police response to, and lenient sentencing of, contraventions seen as condoning the behaviour of perpetrators (Macdonald 2012).

⁹ A type of sentence that involves the adjournment of a criminal matter and the release of an offender, with or without conviction, for a specified period provided the offender gives an undertaking with attached conditions.

¹⁰ Includes Community Based Orders (CBOs), Intensive Corrections Orders (ICOs) and Community Corrections Orders (CCOs).

Part 2: Data Analysis

2.1 The Data Challenge

The Ten Year Plan identified 'improving the effectiveness and efficiency of responses to Aboriginal family violence through ongoing research and evaluation' (OAAV 2008) as a key priority. Understanding Aboriginal experiences of family violence on a qualitative and quantitative level allows for the development of appropriate, targeted primary prevention and early intervention strategies to reduce this violence (ABS 2013). However, difficulties with data collection in this area has resulted in a lack of comprehensive and quality data to inform evidence-based policy, decide where resources will have the most impact, and evaluate any actions taken (ABS 2013).

<p>Reasons for the under-reporting of family violence:</p> <ul style="list-style-type: none"> o Shame o Fear of retaliation o Economic dependence on the perpetrator o Fear of not being believed o Lack of understanding or uncertainty about the criminal justice system o Fear of re-victimisation by service response o Sense of responsibility for the safety of children or other family members o Perception that incident is too minor to report to police or not criminal in nature <p>Box 2.1 (ABS 2013)</p>
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Although the ABS released a series of reports outlining strategies to improve family violence related data collection across Australia¹¹, this is hindered by the fact that it remains a largely under-reported crime (Cripps & Miller 2009). For a number of reasons (see Box 2.1), people who have experienced family violence may not report this to police, hospitals, or support service providers, or if they do, fail to disclose family violence as the reason for contact. Considering the most recent Aboriginal social survey found that only 48 percent of Aboriginal women across Australia reported their latest experience of assault by a family member to police, this suggests the total number of victims and perpetrators of family violence is not accurately reflected in relevant datasets (ABS 2009).

Furthermore, there are limitations in collecting Aboriginal-specific data on family violence. Aboriginal people may be reluctant to report family violence incidents for fear of reprisal from the perpetrator or wider family, or wanting to protect themselves and their family (including the perpetrator) from further victimisation by the CJS (Day et al. 2012). Even if the incident is officially reported, Aboriginal identification

may not be accurately recorded. Aboriginal people have historically suffered systemic discrimination within the CJS and based on negative past experiences may be less likely to identify when asked the Standard Indigenous Question (SIQ)¹² if they believe that doing so will have negative repercussions for themselves and their community, or will lead to racism, discrimination or differential treatment (ABS 2013b).

As the focus of this section is on Aboriginal contact with the CJS through family violence, data extracted from the VicPol LEAP database, in conjunction with the most recent ABS population estimates¹³, is analysed. Aboriginal identification in this dataset is based on responses to the SIQ, which VicPol has adopted and agreed to ask in the course of their duties, although the degree to

¹¹ See *Defining the Data Challenge for Family, Domestic and Sexual Violence* (2013) and *Bridging the Data Gaps for Family, Domestic and Sexual Violence* (2013).

¹² The SIQ was developed by the ABS for use in the context of data collection. It asks whether a person is of Aboriginal or Torres Strait Islander descent and provides the choice of three answers: no, yes – Aboriginal, yes – Torres Strait Islander. However, some agencies adjust the answers and add an "unknown" category.

¹³ Population estimates are based on 2011 Census data and series B projections found in *Estimates and Projections, Aboriginal and Torres Strait Islander Australians 2001 to 2026* (cat. no. 3238.0, 2014) and *Australian Demographic Statistics Sep 2013* (cat. no. 3101.0, 2014).

which this is complied with is unknown. Figures discussed do not include the large number of reports where the Aboriginal status of the AFM was marked "unknown" (see Figure 4), which increased by 102 percent since 2008/09 indicating that assumptions made from the data could be understating the impact on Aboriginal communities. Due to these challenges, conclusions drawn from the data analysis should be treated cautiously.

Recommendation 1: Improve and expand the evidence base for Aboriginal experiences of family violence to better inform future service responses

- a) Organisational level – improve reliability of data collected by justice agencies by providing cultural awareness training for relevant workforces on how to word and ask the SIQ in a culturally sensitive manner that encourages Aboriginal identification.
- b) Community level – expand family violence related data collection to include child abuse and neglect, cultural or spiritual abuse, Elder abuse, community violence and lateral violence through utilising an Aboriginal-specific victimisation survey to understand prevalence of family violence, as defined by Aboriginal communities.

2.2 Key Findings

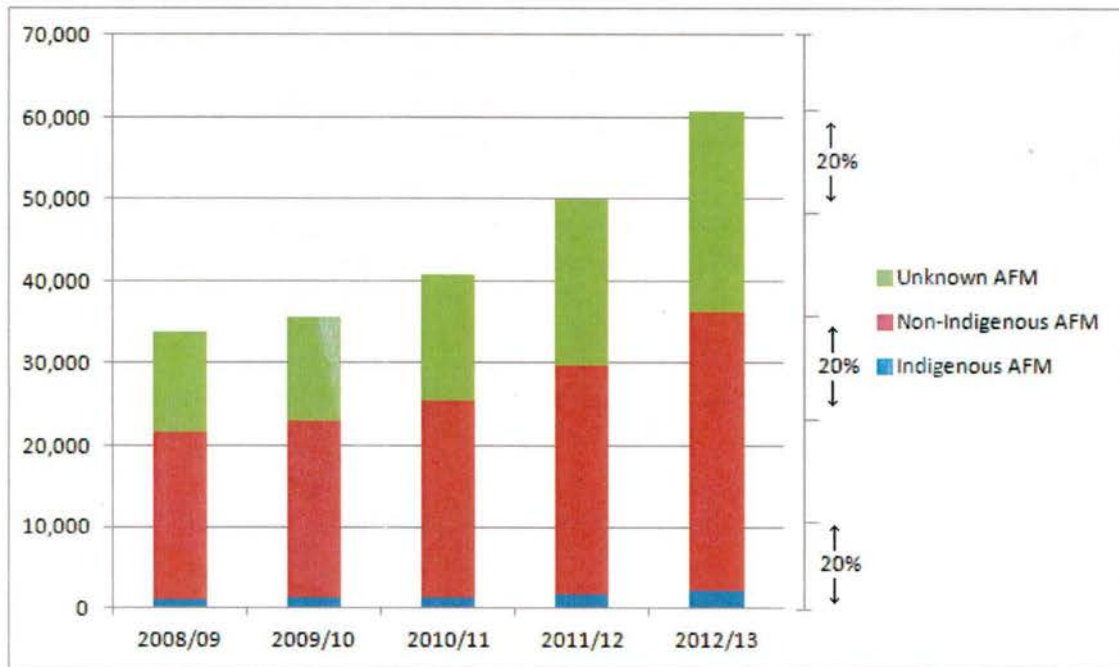
Since the introduction of the *FVPA* in 2008, the number of family violence reports made to VicPol increased significantly for the whole population, as seen in Figure 4. During 2012/13, police submitted 60,829 Family Violence Risk Assessment and Management Reports (FVRs)¹⁴, representing a 79.5 percent increase on the 33,891 reports submitted in 2008/09. The cultural shift in perceptions of family violence discussed in Part 1.3, which prompted improvements in police and court procedure, has influenced the rate of family violence reporting (VSAC 2013). Much of the recent increase in FVRs can therefore be attributed to improved levels of confidence in reporting and seeking police support rather than simply an overall rise in the prevalence of family violence within the community (Macdonald 2012). Furthermore, it should be noted that the total number of reports is inclusive of repeat attendances for the same AFM and therefore indicative of frequency rather than the total number of individuals experiencing family violence.

The number of FVRs where the AFM identified as Aboriginal has duly increased, more than doubling from 1,064 reports in 2008/09 to 2,143 in 2012/13 (LEAP 2014). While growing awareness among the Aboriginal community through family violence focused initiatives under AJA3 and the Ten Year Plan has contributed to this (KJU 2014), the slightly higher rate of repeat attendances reported for Aboriginal AFMs¹⁵ may also contribute to the overall growth in FVRs. Even so, there has been faster growth in reporting of family violence incidents for the Aboriginal community than the non-Aboriginal community, with the number of FVRs with an Aboriginal AFM increasing by 102 percent between 2008/09 and 2012/13 compared to a 75 percent increase in FVRs with a non-Aboriginal AFM over the same period (LEAP 2014). Figure 5 also suggests that, when compared as a proportion of total population (which is necessary given the large difference in number between the Aboriginal and non-Aboriginal populations of Victoria), the Aboriginal community experiences a much higher rate of family violence per capita than the non-Aboriginal community. Overall, this data suggests that, although FVRs with an Aboriginal AFM make up only a small percentage of total reports each year (Figure 4), the Aboriginal population of Victoria is disproportionately impacted by the experience, reporting of and therefore response to family violence incidents.

¹⁴ An FVR must be completed by police in all instances where a family violence incident is reported.

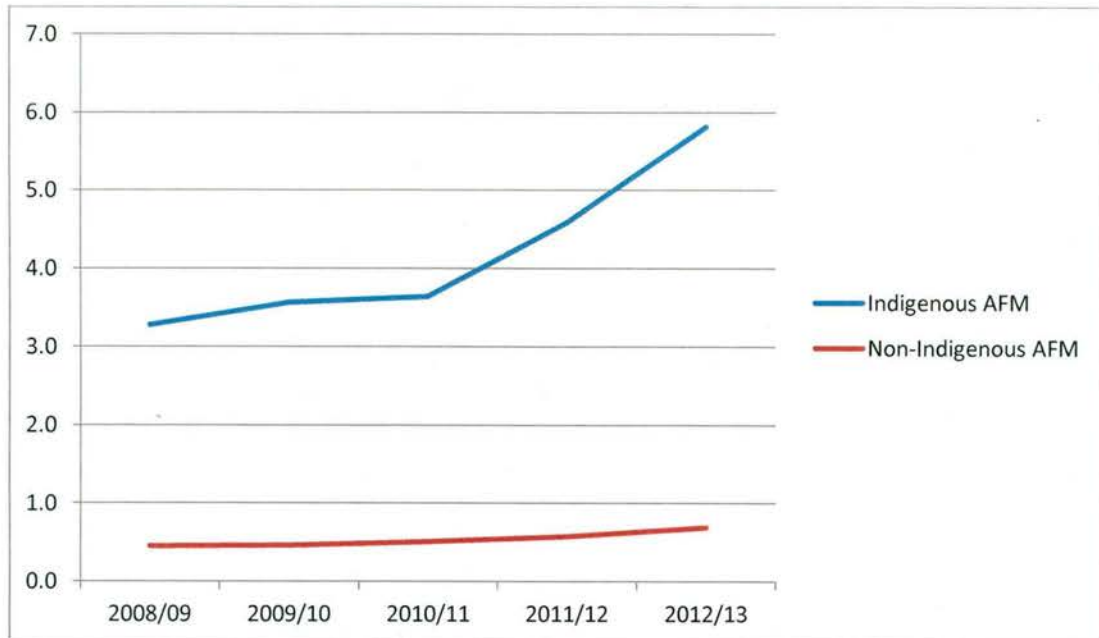
¹⁵ Repeat attendances accounted for 76.6 percent of all FVRs with an Aboriginal AFM in 2012/13 compared to 55 percent of FVRs with a non-Aboriginal AFM (LEAP 2014).

Figure 4: Total number of FVRs and percentage by AFM identification



(LEAP database, extracted January 2014)

Figure 5: Number of FVRs by Aboriginal status of AFM as a rate per 100 population (aged over 10 years)

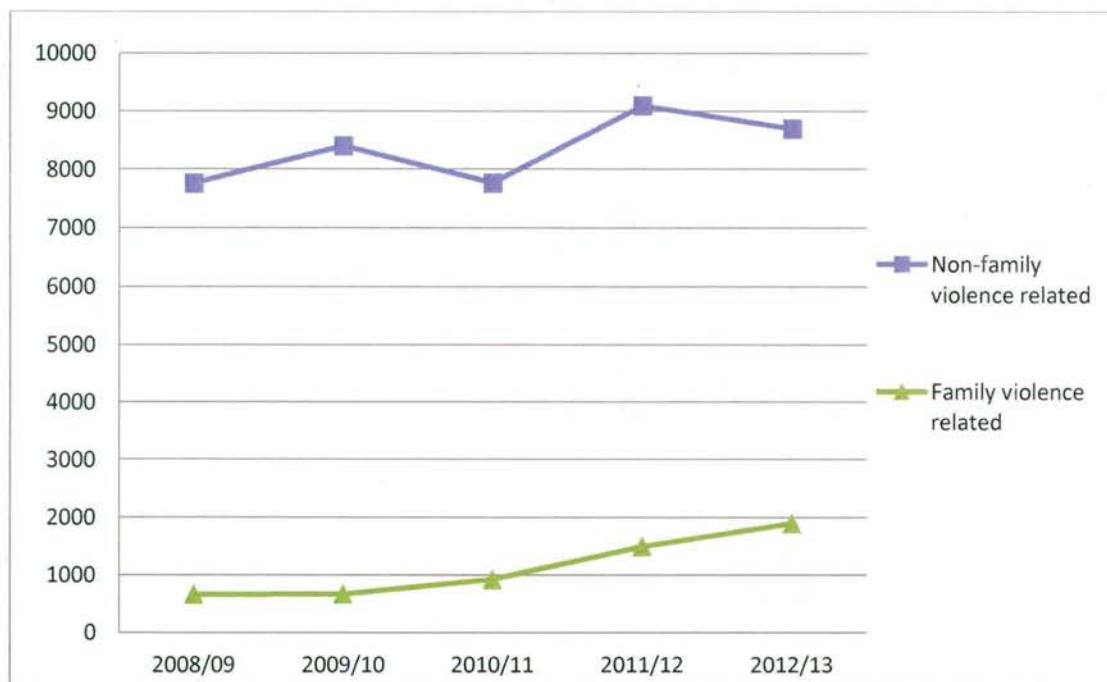


(LEAP database, extracted January 2014)

In 2012/13, of the 10,591 alleged Aboriginal offenders¹⁶ processed by police, 17.9 percent were processed for family violence related offences with the proportion being similar for non-Aboriginal alleged offenders at 17.6 percent (LEAP 2014). This is a sharp increase from the 7.9 percent of Aboriginal alleged offenders who were processed for family violence related offences in 2008/09 (LEAP 2014), although much of this increase likely reflects better reporting of, and police response to, family violence incidents. Figure 6 shows that, as well as increasing as a proportion of all alleged offenders, the absolute number of family violence related Aboriginal offenders has steadily increased in recent years.

The family violence related offences that the highest absolute number of alleged Aboriginal offenders were processed for by police in 2012/13 were assault (857), contravention of an FVIO or FVSN (423), and property damage (303) (LEAP 2014). As a proportion of alleged Aboriginal offenders however, the types of offences most likely to be related to family violence in the same period were rape, harassment, sex (non-rape), assault, and abduction/kidnap. It is concerning that a higher proportion of alleged Aboriginal offenders are being processed by police for family violence offences at the more serious end of the offending scale, which could suggest greater flow-on to courts and Corrections due to the grave nature of offending

Figure 6: Total number of alleged Aboriginal offenders by family violence related status of offence



(LEAP database, extracted January 2014)

Justice procedure offences for the contravention of an FVIO or FVSN accounted for 22.3 percent of all Aboriginal alleged offenders processed for family violence related offences in 2012/13 and was the second most common family violence related offence in terms of absolute numbers of alleged offenders processed (LEAP 2014). Since the introduction of the *FVPA*, the number of contravention offences across the state have increased significantly, and particularly among the Aboriginal community with FVIO and FVSN contraventions by alleged Aboriginal offenders almost doubling from 230 in 2008/09 to 423 in 2012/13 (LEAP 2014). This increase has likely been influenced by the decline of the notion that "technical" contraventions are permissible, with police now required to

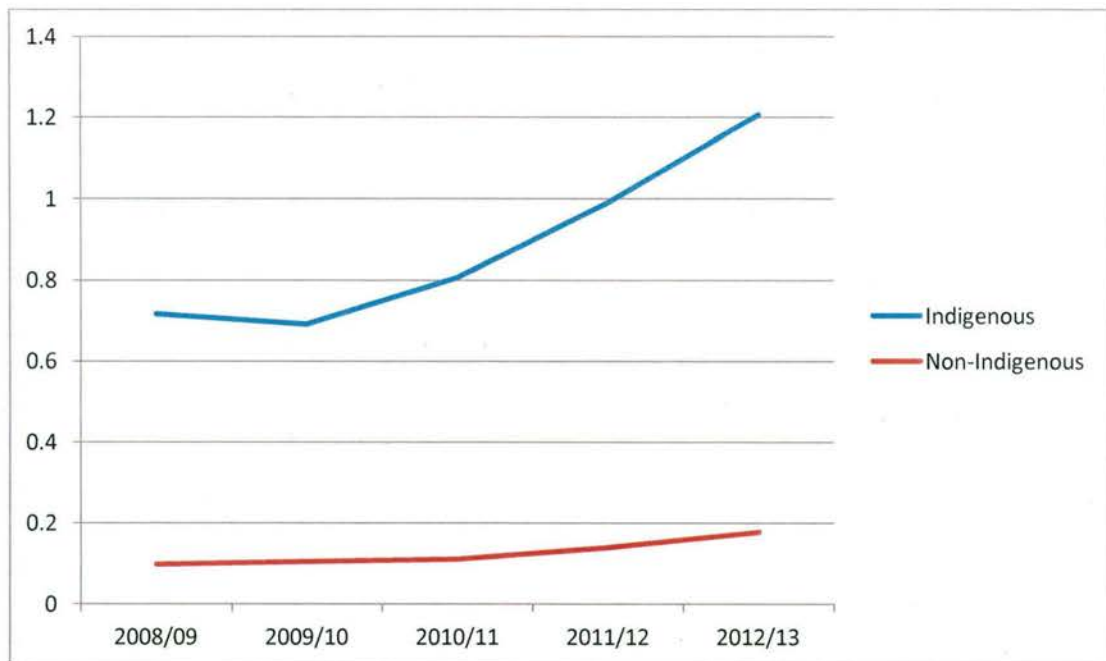
¹⁶ Offenders are referred to as "alleged offenders" as they were assumed to be offenders at the time of data collection.

investigate all alleged FVIO or FVSN contraventions, regardless of their perceived seriousness, and to consider laying criminal charges for all contraventions (VSAC 2013).

Figure 7 shows, however, that a higher number of Aboriginal alleged offenders are processed for the contravention of intervention orders per capita than non-Aboriginal alleged offenders. This could be due to the fact that a higher number of FVIOs and FVSNs are taken out by, or on behalf of, Aboriginal complainants and against Aboriginal defendants (see Figure 8), therefore resulting in a greater likelihood of orders being breached due to the sheer number taken out per capita. Difficulties arising from failing to fully inform people of the nature and consequences of intervention orders, discussed in Part 1.3.3, could also contribute to this. Considering the graver legislative penalties now imposed for the contravention of FVIOs and FVSNs (see Part 1.3.3), the higher rate of contraventions per capita among Aboriginal alleged offenders means the Aboriginal community could be disproportionately affected by these penalties.

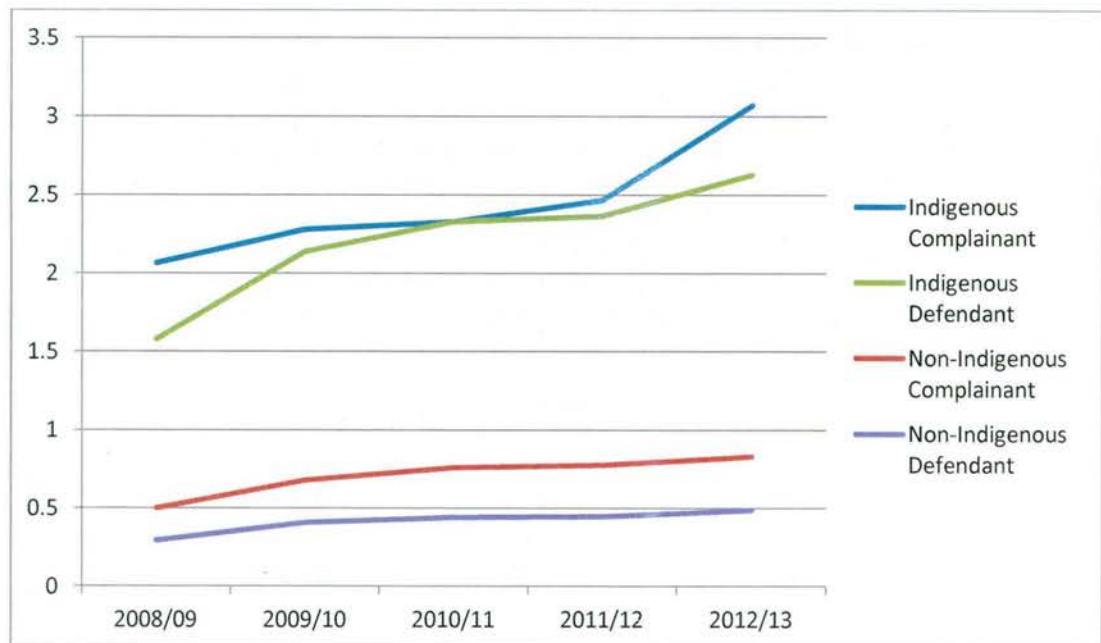
Overall, data analysis shows that, in the absence of Aboriginal family violence related offending, Aboriginal over-representation in contact with police would be 22 percent lower than it currently is (LEAP 2014). Although court and Corrections data could not be analysed to explore the extent of over-representation within other areas of the CJS, this statistic suggests that flow on from Aboriginal over-representation in police contact due to family violence could be contributing to recent growth of Aboriginal over-representation in the Victorian CJS.

Figure 7: Number of justice procedure offences relating to the contravention of FVIOs and FVSNs by Aboriginal status as rate per 100 population (aged over 10 years)



(LEAP database, extracted January 2014)

Figure 8: Number of FVIOs and FVSNs taken out by Aboriginal status as rate per 100 population (aged over 10)



(LEAP database, extracted January 2014)

Part 3: Best Practice Review

3.1 Best Practice

Although it is likely that 'good practices are widespread, if not sporadic' (Memmott et al. 2006) within the Aboriginal family violence sector in Australia, it is difficult to find evidence to support best practice principles (BPP) due to a lack of formal, published evaluations in the space. Despite there being a myriad of Aboriginal-specific violence prevention programs, minimal investment in evaluation for such programs has resulted in a lack of solid evidence on which to ascertain the effectiveness of these initiatives or base future program design (Cripps & Davis 2012). While it is easy to advocate for more evaluation to be undertaken and published, the process of designing and implementing such studies is far from simple, being costly in terms of both time and money, and requiring expertise (Day et al. 2013).

'There is a lot of anecdotal evidence, but it's really hard to get or do formal evaluation, so we have no evidence to back up our good work'

Hume
consultation participant

(DHS 2012)

Unlike monitoring, which is the ongoing process of collecting routine, usually quantitative information about program activities, evaluation requires collecting more detailed information on the impact of these activities at certain points over time to analyse how successful the initiative has been in terms of specific criteria or values (KJU 2014b). Evaluations need to be undertaken at medium and longer term intervals to properly assess the effectiveness of programs as the benefits of certain programs, such as those that aim to change behaviours, may only be apparent two or four years afterwards rather than at the typical six month post-program interval (Cripps & Davis 2012). In an Aboriginal context, evaluations should use a mixture of both quantitative and qualitative methodologies to assess program processes, impacts and outcomes as including participants' qualitative experience of the program ensures community input and the assessment of aspects that cannot be measured quantitatively, such as the quality of community consultation, relevance of the program to local needs, and the impact of the program on community capacity building (Day et al. 2013).

Recommendation 2: Improve the evidence base for good/effective practice in Aboriginal-specific family violence prevention and early intervention by supporting evaluation

- a) Funding – program design should allocate a proportion of funding within the program budget for a formal evaluation to be undertaken and published by an independent body in the mid to long term.
- b) Skill development – support the development of monitoring and evaluation skills for program staff at all stages of program development.
- c) Planning – program design should plan for monitoring and evaluation from the beginning and develop a monitoring and evaluation framework to ensure relevant information is collected to support evaluation activities throughout the lifespan of the program.

3.1.1 Agreed Principles

Despite the lack of evaluation in the family violence prevention space, particularly for the Aboriginal population, there is nonetheless broad consensus internationally and within Australia that such interventions are sound due to there now being a 'well-developed understanding of risk and protective factors for violence' (VicHealth 2007). A review of existing literature on what constitutes good or effective practice in family violence prevention programs for Australian Aboriginal communities

(Memcott et al. 2006, Cripps & Davis 2012, Day et al. 2012, Day et al. 2013) classified the findings under thirteen broad BPP. These principles were initially identified by Memcott et al. (2006) in their comprehensive review of the issue and later adopted by the Ten Year Plan, sans the principle on sustainable funding. Figure 9 outlines the thirteen BPP and describes, based on the literature, how they should be implemented in practice.

Figure 9: BPP for Aboriginal-specific family violence prevention programs

1. Cultural grounding of programs	Programs should be based on the reconnection of community with traditional culture and family kinship ties; incorporate Aboriginal knowledge, values, beliefs, customs, protocols and traditions into their content and process; and draw on this connection with culture as an importance source of community strength and resilience.
2. Community grounding of programs	Programs should be developed by and for the community in which they operate in order to respect Aboriginal diversity, be responsive to local needs, build on existing community strengths, and be inclusive of community approaches. There should be a high degree of community ownership, control and involvement in the decision-making process so invested in the program and its outcomes.
3. Composite programs, integration and holistic approaches	A holistic approach to addressing family violence requires implementation of a range of composite programs within a community that respond to the multiplicity of factors contributing to the occurrence of this violence, the many forms of violence experienced and the different groups affected by it.
4. Engagement of men, women and children in programs	Addressing the complex and intergenerational nature of family violence requires the involvement of women, men and children. Programs should meet the specific needs of all community members through targeting different age and gender groups but should also bring these groups together in an integrated healing approach that strengthens whole families and communities.
5. Ensuring the involvement of appropriate Elders	Programs should seek the support of community leaders and involve appropriate Elders in program content and processes where possible in acknowledgement of their authority in providing leadership as decision-makers and their primary role as keepers of cultural experience and knowledge.
6. Self-empowerment and self-esteem as capacity building¹⁷ by-products	Programs should have a focus on capacity building within Aboriginal communities and community organisations as this plays an important role in empowering Aboriginal people (particularly women) and building self-esteem, confidence, self-respect and a sense of control amongst that community.
7. Examining intergenerational family history and colonial experience as a healing element	There is a need to gain respect and awareness of one's own history and culture before the healing of individual and collective trauma can begin. Programs should therefore explore how the impacts of colonisation, historical and ongoing, have shaped the context in which family violence occurs and the intergenerational nature of this violence as an essential element of healing.
8. Culturally competent	Programs should be designed to be culturally appropriate in content and process and provide a culturally safe environment to meet the needs and

¹⁷ Capacity building broadly refers to the process by which individuals, groups, organisations, and societies increase their ability to perform core functions, define and achieve objectives, and solve problems.

responses, including group approaches	values of Aboriginal people. This includes acknowledging the importance of group approaches in the context of Aboriginal conceptions of family, kinship ties and appropriate social systems of interaction.
9. Capacity building through networking partnerships and interagency collaboration	Programs should be designed to enhance the capacity of community-based organisations and workforces through building on and/or being strengthened by partnerships and collaboration with professionals, non-government organisations and various levels of government within wider society. An effective partnership approach requires working together respectfully (inc. having understanding and respect for Aboriginal culture) and as equal partners.
10. Information collection and dissemination	Programs should aim to collect up-to-date information that can be disseminated to the community for educational purposes or for utilisation in designing future programs; and shared with other relevant programs and organisations to expand the knowledge base of what works in Aboriginal-specific family violence prevention.
11. Training and skills acquisition	Programs should be designed to include appropriate training (inc. specialist training in some cases) and continuing support for Aboriginal community workers in the family violence space as skilled and capable staff are crucial to maintaining low turnover, remaining consistent in approach, and building trust with clients over time.
12. Flexibility and adaptability of projects	Programs should be flexible, responsive and adaptable to the specific needs of local communities so they can be implemented in different contexts over time, while still being responsive to needs as they arise within a particular locality or context, and draw on local knowledge and resources.
13. Sustainable funding	Planning for sustainability, utilising existing community resources and developing longer term funding mechanisms between community and government are important as reliance on short-term government funding can compromise the effectiveness and impact of programs seeking to reduce family violence.

3.1.2 Guiding Framework

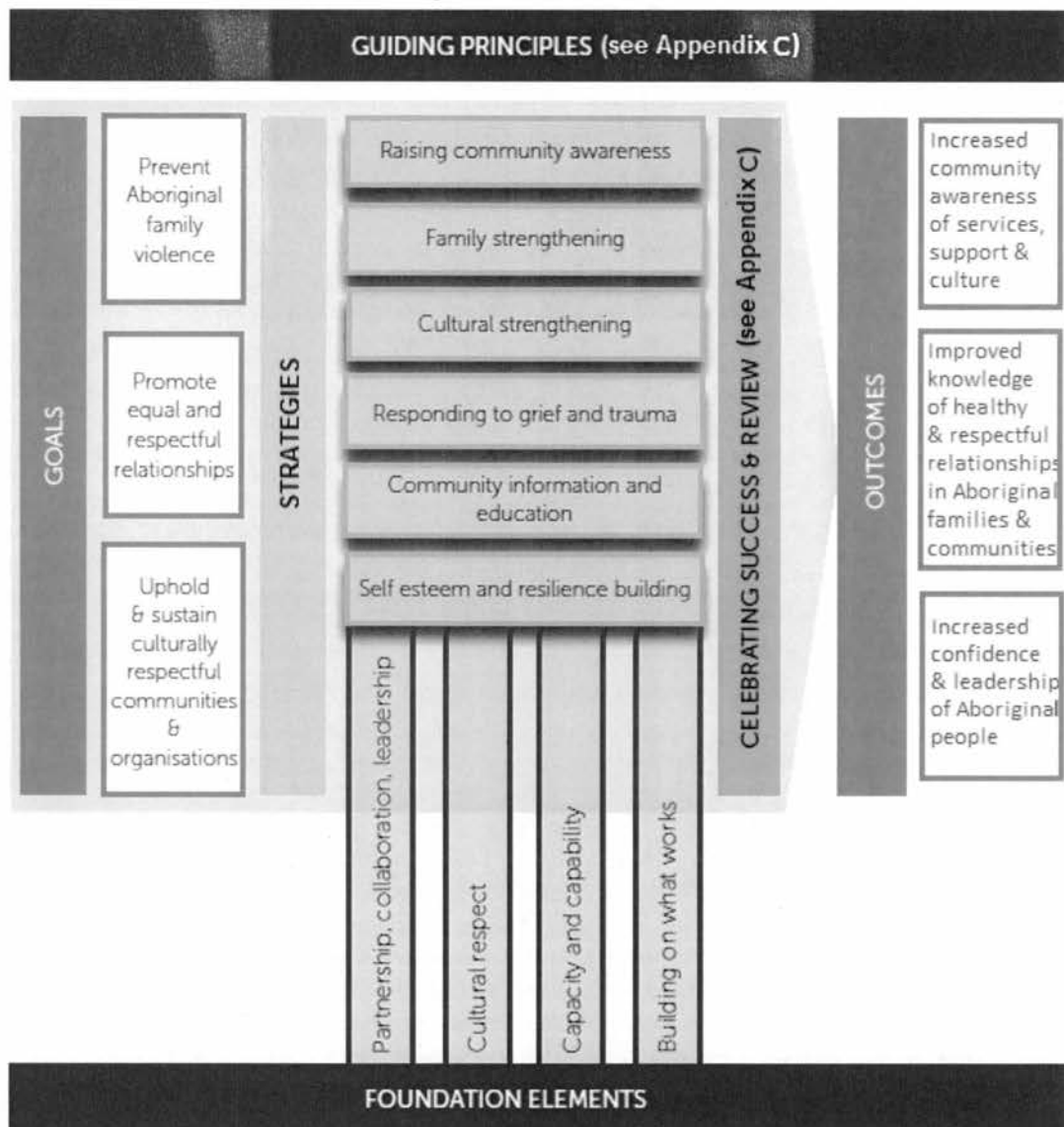
In 2008, the government committed 24.7 million dollars towards addressing family violence in Victoria under *A Fairer Victoria 2008: Strong People, Strong Communities*, 8 million of which was allocated to fund Aboriginal family violence initiatives, including developing an Aboriginal-specific primary prevention framework. Action 3.1.1 in the Ten Year Plan supported the development of an Aboriginal-specific framework that linked to VicHealth's mainstream framework for guiding primary prevention of violence against women (OOAV 2008), which was released the previous year. This conceptual framework identified key opportunities for violence prevention across individual, community and organisational, and societal levels based on three interrelated themes: promoting equal and respectful relationships between men and women; promoting non-violent social norms and reducing the effects of prior exposure to violence (especially on children); and, improving access to resources and systems of support (VicHealth 2007).

Working in partnership with the IFVRAGs¹⁸, DHS (2012) developed the Indigenous Family Violence Primary Prevention Framework (IFVPPF) based on community consultation¹⁹ and in reference to the

¹⁸ IFVRAGs have a leadership role in developing and implementing local community led initiatives that educate, prevent, reduce and respond to family violence within Aboriginal communities.

Ten Year Plan and VicHealth framework. The purpose of the IFVPPF (see Figure 10) is twofold: to support 'primary prevention capacity building, effective, sustainable activities, and ownership and leadership within Aboriginal communities' (DHS 2012); and, to act as a resource for Aboriginal communities, IFVRAGs, and other mainstream organisations and government departments working within the Aboriginal family violence prevention space in guiding the development and evaluation of primary prevention and early intervention initiatives (DHS 2012). The goals and outcomes of the IFVPPF are similar to the three guiding themes of the VicHealth framework but adapted for an Aboriginal context. The strategies indicate who should be targeted in which settings, while the guiding principles and foundation elements provide the broader best practice context in which this should occur (see Appendix C).

Figure 10: The IFVPPF



(Adapted from DHS 2012)

¹⁹ Eleven consultations were conducted across Victoria with the support of the IFVRAGs resulting in direct involvement of 138 people including members of Aboriginal communities, local community organisations, Aboriginal and mainstream family violence organisations, and government departments.

3.2 Program Evaluation

In 2011, the Community Crime Prevention Unit (CCPU) re-targeted 7.2 million dollars of existing grant funds to develop primary prevention and early intervention initiatives aimed at addressing violence against women and their children, which had been identified as a key concern by Regional Crime Prevention Reference Groups. As part of the wider Reducing Violence against Women and their Children Grants Program, the CCPU provided 2.4 million dollars, administered by the Koori Justice Unit (KJU), to support accessible, culturally-appropriate initiatives that specifically address the needs of Aboriginal communities. The resulting Koori Community Safety Grant Program (KCSGP) provides opportunities for Aboriginal Community Controlled Organisations (ACCOs) to work in partnership with each other and government to address the unique forms of violence experienced in the Aboriginal community, which include but are not limited to family violence (see Box 3.1).

In 2013, grants for four KCSGP projects (outlined in Figure 11), each of three years duration, were awarded to ACCOs across Victoria to support them in delivering a range of activities for Aboriginal communities. While these projects all have the same overarching aim of preventing violence in Aboriginal communities, particularly against women and children, each project seeks to achieve additional aims through a combination of activities (see Aims and Method, Figure 11) (KJU 2012).

As the KCSGP supports community-led projects that adopt a primary prevention and early intervention approach to addressing violence, project development should ideally be guided by best practice in Aboriginal-specific family violence prevention and the IFVPPF. The following section therefore discusses significant findings from evaluating the KCSGP projects against the 13 BPP (Figure 9), under the four foundation elements of the IFVPPF (Figure 10) with which they align and makes relevant recommendations (see Appendix D for detailed evaluation).

Projects considered for funding under the KCSGP were those which aimed to:

- Reduce violence against women and children
- Reduce violence in the community by addressing lateral violence, community violence, same-sex violence, intergenerational feuding, and Elder abuse
- Promote healthy and respectful relationships
- Promote anti-violence awareness and messages
- Increase the use of support services that prevent violence
- Break cycles of violence through healing activities

Box 3.1 (KJU 2012)

Figure 11: Current KCSGP projects

Project & Region	Aims	Method
Strong Men, Strong Communities (Gippsland)	<ul style="list-style-type: none"> ➤ Increase safety of communities and families ➤ Build capacity of Aboriginal men to choose alternatives to violence ➤ Provide opportunities to become leaders and mentors 	<ul style="list-style-type: none"> ➤ 9 Dardi Munwurro Men's Behavioural Change Programs ➤ 6 fortnightly Men's Groups ➤ 2 Regional Men's Camps (bringing the Men's Groups together) ➤ 2 Regional Forums with local service providers ➤ 6 Family Strengthening Days with structured activities for families
Family and Community Violence Prevention (Loddon Mallee)	<ul style="list-style-type: none"> ➤ Increase capacity of community members to deal with issues that compromise their safety ➤ Increase public awareness of 	<ul style="list-style-type: none"> ➤ 3 Sisters Day Out Workshops for women ➤ 12 Early Years Cultural Safety Workshops for young parents ➤ 6 Dilly Bag Women's Behavioural Change Programs

	<ul style="list-style-type: none"> ➤ violence and its impacts ➤ Enhance community safety 	<ul style="list-style-type: none"> ➤ 3 Dardi Munwurro Men's Behavioural Change Programs ➤ 1 community-wide media campaign
<p>Aboriginal Family Harmony (Hume)</p>	<ul style="list-style-type: none"> ➤ Promote anti-violence messages ➤ Increase cultural engagement ➤ Provide skill development in areas relevant to violence prevention 	<ul style="list-style-type: none"> ➤ 6 family violence workshops for workers ➤ 8 camps for specific groups (youth, women and men) ➤ 64 mini-camps with a focus on family and community ➤ 3 Annual Aboriginal Harmony Days for community ➤ Follow-up activities to build on workshops/camps/events
<p>Strong Relationships, Strong Community (North Metropolitan)</p>	<ul style="list-style-type: none"> ➤ Increase understanding of violence ➤ Provide skill development to increase community safety ➤ Increase Aboriginal participation in mediation services ➤ Build capacity of Aboriginal men to choose alternatives to violence 	<ul style="list-style-type: none"> ➤ 1 social marketing/education campaign with written and online resources ➤ 6 community education workshops ➤ 18 gender-specific healing programs comprising a total of 144 sessions ➤ Improve mediation services in partnership with Dispute Settlement Centre Victoria ➤ Train 10 Aboriginal mediators with an aim to conduct 120 mediation sessions

Partnership, collaboration and leadership

One of the most significant findings from a decade of research and action in addressing family violence within Aboriginal communities is that, to be effective, violence prevention programs 'must be community owned and controlled' (Memmott et al. 2006). The historical and ongoing injustices suffered by Aboriginal people have caused many to question the intentions behind non-Aboriginal "help" for Aboriginal families, and there is a need to recognise and utilise existing strength and capability *within* communities to address the issue. Nonetheless, government has a role to play supporting communities to develop and deliver 'sustainable, long term, holistic, local, community driven responses' (VIFVTF 2003) as part of an integrated policy and program framework.

An effective partnership approach not only supports community development and program implementation (BPP 2) but also strengthens capacity of community organisations and workforces through interagency collaboration (BPP 9), and creates opportunities to nurture and build community leadership. Working effectively in partnership requires establishing functional leadership and decision-making structures, making use of local networks to share knowledge and resources among key people and organisations including Elders, skilled professionals, ACCOs, mainstream organisations, and government partners (Cripps & Davis 2012).

There is evidence of engagement of local stakeholders and appropriate involvement of Elders (BPP 5) in the majority of KCSGP projects and of interagency collaboration (BPP 9) in some projects. BPP 9 is particularly evident in the Regional Forums designed to build the capacity of regional service providers by bringing local organisations together to share information (*Strong Men, Strong Communities*), and the partnership with Dispute Settlement Centre Victoria to improve mediation services (*Strong Relationships, Strong Communities*). However, there appears to be much more scope for enhancing the capacity of community-based ACCOs by building on existing levels of service

coordination, interagency collaboration and networking partnerships, particularly through fostering collaboration with mainstream organisations to make them more accessible for Aboriginal people.

Recommendation 3: Build capacity within communities through greater interagency collaboration with Aboriginal and mainstream organisations

- a) Aboriginal collaboration – improve collaboration between Aboriginal organisations in the same region by creating opportunities, possibly with the assistance of IFVRAGs, to bring different but relevant service providers together for sharing information and resources (where appropriate).
- b) Mainstream collaboration – improve collaboration between local Aboriginal and mainstream organisations and the accessibility of mainstream organisations for Aboriginal people by fostering greater understanding of, and respect for, Aboriginal culture.

A crucial part of effective partnership is that all parties work together 'respectfully and as equal partners' (Cripps & Davis 2012). Establishing genuine partnerships between Aboriginal communities, mainstream organisations and government are a key part of combating the ongoing racism that limits the effectiveness of family violence prevention activities in Aboriginal communities (DHS 2012). Genuine partnership requires a commitment by government and mainstream service providers to respect Aboriginal culture, value Aboriginal knowledge surrounding the issue, allow communities maximum flexibility in determining their own priorities, and support communities in taking an equal role within the partnership process (Memmott et al. 2006; Day et al. 2013). The KCSGP aims to support community-led development and implementation of violence prevention programs (BPP 2). However, within any partnership that relies on government support and funding to build capacity, there is likely to be a level of community compromise and therefore a need to continually renew and strengthen commitment to the fact that the partnership is *by, with and for* Aboriginal people.

'Working through the covert and overt racism is critical'

East Gippsland
consultation participant

(DHS 2012)

Recommendation 4: Strengthen commitment to equal and respectful partnership with Aboriginal communities

- a) Improve the understanding of Aboriginal culture among non-Aboriginal workers in the area, possibly through the provision of cross-cultural training.
- b) Foster greater respect within relevant government partners and/or mainstream organisations for the strength and capacity of Aboriginal communities to lead development of violence prevention programs.
- c) Support high level of Aboriginal leadership and involvement in program decision-making processes (including identifying the problem, defining how to engage with the issue, and deciding where and how programs should be run).
- d) Prioritise community-led partnership between Aboriginal communities and government partners and/or mainstream organisations rather than a non-Aboriginal-led partnership.
- d) Ensure program evaluation allows for community assessments of how well government partners have adhered to the BPP (Figure 9).

Cultural respect

Evaluations of the *Sister's Day Out* (FVPLS 2008) and *Dardi Munwurro* (CHC 2012) programs highlight the success of individual and gender specific-focused programs in building capacity, skills, knowledge and resources at the individual level in a way which contributes to family violence prevention (see Appendix E). These programs acknowledge the importance of gendered group approaches in 'creating culturally safe²⁰, affirming and confidential spaces' (FVPLS 2008) in which to discuss men's and women's business relating to family violence. While all KCSGP projects have individual-based interventions in the form of camps or healing programs, there were far fewer that showed evidence of engaging men, women and children (BPP 4) in family or community-based interventions (BPP 8).

'We need fractured communities to get back together and build trust'

Northern Loddon-Mallee consultation participant

(DHS 2012)

The complex and interrelated nature of family violence in Aboriginal communities requires the involvement of men, women and children in an integrated healing approach that strengthens connections between families and communities and aims to break intergenerational cycles of violence (Memmott et al. 2006). Furthermore, individual interventions do not account for the importance of immediate and extended family and kinship ties within Aboriginal communities, and the way in which family violence affects not simply individuals, but wider family, kin and community networks (see Part 1.3.1).

Dardi Munwurro participant stories indicate 'change occurring not only at the individual, but also at the family and community level' (CHC 2012), suggesting that there is an opportunity to harness the capacity building that has been done at an individual level within these programs for greater change at family and community levels.

As such, there is significant scope within the KCSGP projects to further consolidate the knowledge, skills and healing gained from individual-based interventions through family and community-based interventions, such as mediation sessions (*Strong Relationships, Strong Community*) or the proposed Family Strengthening Days which have structured activities for families to practice learning gained from the whole project (*Strong Men Strong Communities*).

Recommendation 5: Further consolidate individual-based interventions for family violence prevention through family and community-based interventions

Consolidate learning and healing that has begun at the individual level through:

- a) Family-based interventions – provide opportunities for intimate partners and families to come together at mediation or counselling sessions to continue healing processes within the family network and strengthen family and kinship connections.
- b) Community-based interventions – provide opportunities for families and communities to come together for activities that utilise local culture, art, dance and music to foster positive community engagement with family violence prevention and support cultural and community strengthening.

There has been a strong focus within the literature and KCSGP projects on involving men in family violence prevention, particularly through men's camps and behavioural change programs (*Strong Men*

²⁰ A culturally safe environment is one which empowers the cultural identity and wellbeing of Aboriginal individuals and therefore makes them feel safe and able to draw strength from their identity, culture and community (Cripps & Miller 2009).

Strong Communities, Family and Community Violence Prevention, and Aboriginal Family Harmony). While incorporating programs with a focus on men is an important part of any family violence prevention strategy, as men are the main perpetrators of family violence (Memmott et al. 2006), this must not be at the expense of programs that aim to empower Aboriginal women and strengthen their self-esteem through building capacity at the individual level (BPP 6). Programs that are culturally tailored to appropriately address the needs of Aboriginal women and support them to 'heal, acquire skills, achieve self-sufficiency, **wellness and happiness**' have been identified as crucial to reducing violence within families and communities (Memmott et al. 2006). The *Sister's Day Out program (Family and Community Violence)* provides a good example of such a program, with participant feedback showing the program strengthened participants' sense of self-esteem and identity as Aboriginal women, challenged perceptions that violence is a normal part of Aboriginal community life, validated women's vital roles within families and communities, and reinforced the 'proper cultural ways of "being" Aboriginal women' (FVPLS 2008). Although there are women-specific camps (*Aboriginal Family Harmony*) and healing programs (*Strong Relationships, Strong Community*) within the KCSGP, there could be a greater emphasis on programs that strengthen self-esteem and self-empowerment in a similar way to the *Sister's Day Out program*.

The impacts of colonisation (discussed in Part 1.1) caused extensive social dislocation within Aboriginal communities and undermined traditional male and female roles. Although it is not discussed in depth within Australian literature, literature on family violence within Maori communities²¹ has identified the 'imposed notions of gender roles based on patriarchy and individualism' (Dobbs & Eruera 2014) by colonisers as resulting in a devaluation of the position of Maori women, who were traditionally regarded as an intrinsic part of family and community. This patriarchal culture, which became embedded and normalised over time within Maori communities, 'disordered the [traditional] role and status of Māori women', undermined certain protective practices and legitimised violence against women (Dobbs & Eruera 2014). Due to the similar historical context of family violence in Aboriginal communities within Australia, it is likely that patriarchal conceptions of gender norms have impacted on Aboriginal social structures, and particularly 'the formation and maintenance of intimate partner relationships' (Dobbs & Eruera 2014). There is then a need to re-conceptualise masculinity within Aboriginal communities based on connection to culture and traditional cultural roles, rather than on dominant mainstream conceptualisations of masculinity, and recognise 'Aboriginal women's vital roles in their families and communities' (FVPLS 2008).

Recommendation 6: Reinforce the importance of women's position in family and community through capacity building and reconceptualising masculinity

- a) Capacity building – support programs that aim to build capacity for Aboriginal women at the individual level in a way which strengthens and validates their individual sense of self-esteem and self-empowerment.
- b) Reconceptualising masculinity – support programs that reconnect Aboriginal men with traditional cultural roles in a way which reconceptualises masculinity through a cultural lens and increases men's awareness and recognition of the important role of women.

A holistic approach to preventing or reducing family violence is most effective when a range of composite programs, which may not directly relate to family violence but work as part of a broader violence prevention strategy, are implemented within the one community (BPP 3). Composite programs aim to reduce the risk factors (or underlying causes) and promote the protective factors outlined in Figure 1 (Part 1.1), or address interrelated forms of violence. There was some evidence of

²¹ Literature on Maori family (or *whānau*) violence comes from a similar theoretical understanding of the definition, context, and underlying factors as Aboriginal family violence, and is therefore considered relevant literature

composite programs within KCSGP projects that addressed risk or protective factors for family violence, such as workshops on the role of drugs and alcohol (*Aboriginal Family Harmony*) and the importance of parenting (*Family and Community Violence Prevention*). There was less evidence of programs, such as the lateral violence workshops (*Strong Relationships, Strong Communities*), that addressed related forms of violence. While all programs should logically contribute to the prevention or reduction of family violence (Memmott et al. 2006), there could be greater integration within the KCSGP of composite programs, particularly of programs that aim to reduce alcohol and drug use as this is a primary proximal risk factor for violence²² (Wundersitz 2010), as part of a holistic family violence prevention strategy.

Recommendation 7: Support a holistic approach to family violence prevention by promoting further integration of composite programs within prevention strategies

Promote the integration of composite programs within community family violence prevention strategies that aim to address:

- a) Underlying factors – reduce exposure to risk factors, particularly alcohol and drug abuse, and promote exposure to protective factors that influence the occurrence of family violence.
- b) Interrelated forms of violence – reduce the prevalence of specific forms of family violence (eg. violence between same-sex partners or Elder abuse) and other interrelated forms of violence such as community and lateral violence.

Capacity and capability

There is a general lack of training opportunities in the Aboriginal family violence sector, making it vitally important that Aboriginal-specific violence prevention programs incorporate training and skill enhancement into the program design, as well as support processes to prevent worker burn-out (Memmott et al. 2006). Training local community workers in family violence prevention builds capacity and capability within Aboriginal communities to lead development and delivery of programs, foregoing the need to import a new skilled person or “expert” to deliver programs, which can be costly

and potentially disempowering to communities (Memmott et al. 2006). Developing and delivering training at the community level also allows for input from those who understand local training needs and are mindful of current initiatives in the field (Memmott et al. 2006). Despite potential difficulties posed by family connections, local Aboriginal workers have an advantage over non-Aboriginal workers in their ability to establish rapport and trust with program participants, facilitate more open discussion, and have a better sense of how to adapt program content and delivery for that particular locality (Day et al. 2012).

There is some evidence of training and skill development within the KCSGP, particularly through the provision of family violence focused workshops (*Aboriginal Family Harmony*) and training of Aboriginal

‘Primary prevention is complicated and complex. We need to up-skill in this area.’

Eastern Metropolitan
consultation participant

(DHS 2012)

²² Data shows that 27.1 percent of Aboriginal alleged offenders in 2012/13 were affected by alcohol and/or drugs where the offending was family violence related compared to only 7.7 percent of alleged offenders where the offending was non-family violence related (LEAP 2014). Although Aboriginal people are less likely to drink overall than other groups, those who do drink often do so at medium to high-risk levels (VEOHRC 2013) which may exacerbate other distal and proximal risk factors relating to family violence, therefore increasing the risk of perpetration.

mediators (*Strong Relationships, Strong Community*), however this could be enhanced by consulting communities about their local training needs and developing more opportunities based on this.

Recommendation 8: Build capacity within communities to lead family violence prevention by providing local opportunities for training and skill development

- a) Local expertise – incorporate training opportunities for local Aboriginal community workers into programs based on local skill development needs to foster development of local expertise in family violence prevention.
- b) Specialist training – provide opportunities for cross-cultural training for non-Aboriginal workers in the area and for additional specialist training where necessary so workers can address specific issues, such as same-sex violence or Elder abuse.
- c) Staff support – incorporate support processes for program staff into program development and delivery to prevent worker burn-out and manage any issues that may arise.

Investment is required to implement violence prevention programs and develop skills for those conducting them, however reliance on short-term government funding can compromise the program effectiveness and adversely impact community capacity (Cripps & Davis 2012). Communities need to build on their own capacity and capability in sourcing more sustainable funding (BPP 13) through working with partnership structures and organisational networks, including service providers in such varied areas as housing, employment, education and training. In this way, communities can utilise interagency collaboration to draw on existing training and professional development opportunities, adapt existing materials and resources to suit their locality, or partner with other organisations to attract additional government funding and make joint submissions for funds (DHS 2012). While the KCSGP provides projects with sustained funding over three years, there needs to be consideration for future planning within these communities, should they wish to continue implementing programs that prove successful.

Recommendation 9: Encourage interagency collaboration to source more sustainable funding for family violence prevention initiatives

Encourage Aboriginal organisations to work together, and with mainstream organisations, to:

- a) Share existing resources, materials and knowledge, including about how to write appropriate grant applications, at a community level.
- b) Utilise regional networks in the areas of housing, employment, and education to draw on service provision or training and development opportunities relevant to violence prevention.
- c) Make joint applications for family violence prevention funding or for additional government funding for initiatives that have proved successful but for which initial funding has expired.

Building on what works

Information collection and dissemination (BPP 10) is an important part, along with evaluation, of contributing to the evidence base on Aboriginal-specific violence prevention. It is a requirement of the KCSGP that successful grant recipients monitor projects on an ongoing basis and provide six-monthly performance reports outlining progress against agreed project milestones, outputs, and outcomes (KJU 2012). It is therefore assumed that a reasonable amount of information collection, particularly against indicators of successful implementation, is conducted within projects to satisfy BPP 10.

Information dissemination under BPP 10 is comprised of two parts. Firstly, it involves generating a range of targeted educational and media products (including videos, booklets, and online resources) that raise community awareness and understanding of family violence in ways which promotes Aboriginal perspectives, are culturally sensitive and practically accessible. There is extensive evidence among the KCSGP projects of facilitating community education under part one of BPP 10 through community-wide media and social marketing campaigns (*Family and Community Violence Prevention* and *Strong Relationships, Strong Community*), community education workshops that include the production of written and online resources (*Strong Relationships, Strong Community*), and community activity days (*Aboriginal Family Harmony*).

The second part involves facilitating the exchange of up-to-date knowledge and information about what works within Aboriginal-specific family violence prevention with other relevant organisations at local, regional and national levels. In addition, this information should be provided to the community to determine the types of programs that will have the most potential in their local context (Day et al. 2013). While there is some evidence of information sharing through interagency collaboration, particularly through the Regional Forum for local service providers (*Strong Men, Strong Communities*), the extent to which relevant information about the effectiveness, or ineffectiveness, of certain programs is being shared with appropriate organisations and community is not entirely clear. At this stage, interim and formal evaluations of the KCSGP projects have not been undertaken but are expected to be completed in future which may provide more information about good or effective practice for dissemination under BPP 10 (KJU 2014b). This would provide an important contribution to the developing understanding of 'whether, or under what conditions, programs that have been effective in one community or geographical area can be successfully implemented in another' (Day et al. 2013), which is crucial to the flexibility and adaptability of programs (BPP 12).

Recommendation 10: Create more opportunities for information dissemination to contribute to the shared violence prevention evidence base

- a) Create opportunities to share information, possibly with the assistance of IFVRAGs, about family violence prevention initiatives with and among Aboriginal communities and organisations.
- b) Facilitate information sharing among relevant Aboriginal and mainstream organisations at the local, regional and national levels regarding Aboriginal-specific violence prevention initiatives.
- c) Disseminate detailed information regarding effective aspects of program design and delivery to allow for assessment of program flexibility and adaptability (ie. whether the program, or aspects of it, can be adapted for other localities).

Conclusion

Mainstream understandings of family violence have influenced recent legislative changes and CJS responses to family violence in Victoria in a way which fails to account for the complex nature and context of this violence within Aboriginal communities. Furthermore, data analysis has shown that this may be contributing to recent growth of Aboriginal over-representation in the CJS, suggesting the need for preventative action. The current policy context surrounding Aboriginal family violence supports a developmental approach to primary prevention and early intervention to address the issue. While there is considerable agreement about best practice within Aboriginal-specific family violence prevention, programs in this area need to build on what works by adhering to BPP in practice.

Appendices

Appendix A: Strong Culture, Strong Peoples, Strong Families: towards a safer future for Indigenous families and communities – ten year plan

The objectives of the Indigenous family violence ten year plan have been shaped by the Indigenous Family Violence Partnership Forum to frame the actions which can prevent and eliminate family violence.

Objective 1: Make Victoria a culturally safer place for all Indigenous Victorians

1.1 Promote respect for Indigenous culture and history.

Objective 2: Support strong, robust and healthy families that provide a safe, nurturing environment

2.1 Promote a safe and healthy start to life for Indigenous children.

Objective 3: Intervene early to improve education, awareness and prevention of family violence

3.1 Develop and implement an evidence based prevention strategy.

3.2 Improve the capacity of Regional Action Groups, organisations and Indigenous community groups to implement local prevention programs.

Objective 4: Increase the safety of Indigenous families and individuals, especially women and children

4.1 Improve access to and response of the service system for Indigenous victims of family violence.

4.2 Strengthen the justice system to respond to Indigenous victims of family violence.

Objective 5: Increase the accountability of perpetrators of family violence within Indigenous communities

5.1 Develop, through the justice system, a range of support services and strategies for Indigenous people affected by family violence.

5.2 Promote coordinated responses to Indigenous men, women and youth who use violence.

Objective 6: Increase opportunities for healing for victims and perpetrators

6.1 Improve access to therapeutic programs for people who experience family violence.

6.2 Build capacity of services to coordinate service responses to Indigenous family violence.

Objective 7: Increase the cultural competency and capacity of the service system to improve responses to Indigenous family violence

7.1 Support employment, retention and development of Indigenous people in services through coordinated planning and support.

7.2 Ensure cultural competency of services consistently across the service system.

7.3 Provide tools to police to ensure provision of culturally competent responses to Indigenous victims and perpetrators of family violence.

Objective 8: Improve the effectiveness and efficiency of responses to Indigenous family violence through ongoing research and evaluation

8.1 Review ongoing initiatives to ensure effectiveness of responses to Indigenous family violence.

8.2 Develop mechanisms to share information on good practice actions and outcomes.

8.3 Improve data collection systems from mainstream service agencies to better inform service responses.

Appendix B: Aboriginal Justice Agreement Phase 3

Objectives relevant to prevention and early intervention in the context of family violence are:

Objective 1: Crime prevention and early intervention

- 1.1 Reduce risk factors associated with youth offending and increase protective factors.
- 1.2 Minimise the circumstances in which Koories are at risk of negative contact with police.
- 1.3 Increase opportunities for the ongoing involvement of Elders in AJA initiatives

Objective 4: Reduce conflict, violence and victimisation

- 4.1 Develop the knowledge base on violence in Koori communities.
- 4.2 Prevent violence and increase the safety of Koori families and communities.
- 4.3 Address alcohol and drug abuse as a driver of violence.
- 4.4 Promote healing models for Koories that address underlying causes of violence and victimisation.
- 4.5 Reduce the impact of crime on victims.

Objective 6: Strengthen community justice responses and increase community safety

- 6.1 Support the provision of local, place-based approaches and solutions to crime and violence prevention, diversion, rehabilitation and re-integration.
- 6.2 Prioritise community safety planning as a place-based crime prevention approach.
- 6.3 Develop a place-based strategy covering the North and West Metropolitan regions.

Appendix C: Indigenous Family Violence Primary Prevention Framework

Guiding Principles:

- 1. Aboriginal culture:** Aboriginal Victorians are the First Peoples of our state. We recognise the uniqueness and diversity of Aboriginal culture, society and history in Victoria and promote reconciliation that gives proper recognition and respect to the Aboriginal people of Victoria. We acknowledge Elders as keepers of the rich history and we value, respect and protect them. The Aboriginal community and Victorian Government agencies work together in a respectful manner to effectively develop integrated and culturally competent responses to family violence in Aboriginal communities that incorporate Aboriginal history, values and parenting experience.
- 2. Family violence is not part of our culture:** As stated in our Vision: 'Families are our heart and soul. They generate dreams and values, ideals and visions for our children'. Family violence is a crime and is unacceptable within the Aboriginal community. Safety and security for victims of violence is our number one priority.
- 3. Holistic healing approach to family violence in Aboriginal communities:** We appreciate the importance of a holistic healing approach to family violence in Aboriginal communities based around family and Aboriginal community strengthening, collaborative approaches, appropriate resources and flexible program and service delivery arrangements.
- 4. Early intervention, prevention and education:** Aboriginal community and Victorian Government responses to family violence in the Aboriginal community are based on our support for early intervention, prevention and education.
- 5. Complex nature of family violence within communities:** In an Aboriginal community context, family violence includes a wide range of physical, emotional sexual, social, spiritual, cultural and economic abuses that can occur within families, extended families, kinship networks and communities.
- 6. Empowering Aboriginal communities:** In recognition of the principle of Aboriginal self-management and self-determination, we recognise, advocate and promote the need for Aboriginal people to lead the process at all levels.
- 7. Local solutions to local problems:** We recognise the requirement to support, empower and enable communities to develop solutions to prevent, reduce and respond to family violence in Aboriginal communities through the core leadership of the Indigenous Family Violence Regional Action Groups and Partnership Forum.
- 8. Partnership, transparency and accountability:** Honesty, mutual respect, trust, accountability, transparency in decision making and shared recognition of each partner's role and responsibilities enable the partnership between the Victorian Government and the Aboriginal community. To maximise the effectiveness of all service provider and partnership arrangements, members of the Partnership Forum actively promote transparency and accountability in all work on Aboriginal family violence.
- 9. Adequate resources:** The provision of adequate funding and resources is an essential element in the prevention and elimination of family violence in the Aboriginal community. We ensure these resources achieve long term, sustainable improvements in the Aboriginal community and Victorian Government practice

Foundation Elements:

Partnership, collaboration and leadership – partnerships and collaboration enable prevention activities to have a broader reach, and allow more people to share the load in designing, implementing and participating in activities. Prevention activities targeting Aboriginal people are most successful when they are community led and create opportunities to nurture and build community leaders. Actions to support partnership, collaboration and leadership:

- Build on the partnerships of the IFVRAGs
- Continue to fund and support the leadership role of the IFVRAGs
- Mainstream organisations must consult with and seek advice from IFVRAGs
- Acknowledge, resource and appreciate the time needed to nurture relationships and to build partnerships
- Encourage Aboriginal and mainstream organisations to work together, apply jointly for prevention funding and share resources where appropriate

Cultural respect – cultural respect is necessary to enable the Aboriginal community to have equal access to services, and to be involved in the planning, development and participation in activities. Cultural respect is the responsibility of all agencies, Aboriginal and non-Aboriginal. Actions to encourage and embed cultural respect:

- Encourage all individuals and agencies to demonstrate cultural respect at all times
- Encourage agencies to develop cultural protocols
- Support activities and projects that aim to promote cultural respect

Capacity and capability – currently a small number of dedicated people are working with a limited pool of resources and funding, and there is limited capacity for follow up activities or evaluation of what participants and organisers learnt from involvement in prevention activities. Further investment is required to conduct prevention activities and to build skills for those implementing these. Actions to support the building of capacity and capability:

- Continue to provide funding for primary prevention activities
- Create opportunities for agencies to jointly apply for prevention funding
- Provide training for those involved in prevention activities
- Consider tailoring existing resources for use in Aboriginal family violence prevention

Building on what works – evaluating and finding out why things work well is important to achieving outcomes because it allows us to share the learning, to attract further funding and build new partnerships. Prevention activities are often transferable from one place to the next, and lend themselves to being adapted to local needs. Actions to build on what works:

- Create opportunities to share learnings about prevention activities
- Consider mechanisms to support those evaluating projects
- Encourage Community Prevention Initiative Fund (CPIF) projects to adopt an action research model to document and evaluate the projects

Strategies:

For the prevention of Aboriginal family violence, six mutually reinforcing strategies are identified as those likely to have the most positive effect in the primary prevention of Aboriginal family violence.

Strategy 1: Raising community awareness

1.1 Target the whole community

1.2 Suit settings such as sporting festivals, family days and community walks that provide an opportunity to reach out to a broad range of people

1.3 Include messages about respectful behaviour and information on the availability of services to assist those experiencing violence

Strategy 2: Family strengthening

2.1 Target men, women, young people, children, families

2.2 Suit settings such as centres for families and Aboriginal meeting places

2.3 Include information about the availability of services and support

Strategy 3: Cultural strengthening

3.1 Target men, women, young people, children, families

3.2 Suit settings such as healing and time out services, schools, Aboriginal meeting places

3.3 Include learning traditional cultural ways, such as shield making and basket-making

Strategy 4: Responding to grief and trauma

4.1 Target men, women, young people, children, families

4.2 Suit settings such as family centres, healing and time out services and camps

4.3 Include acknowledgements of the impact of long term grief and trauma and what this means for generations of Aboriginal people

Strategy 5: Community information and education

5.1 Target the whole community, and groups within the community such as men, women, young people, children and families

5.2 In settings such as family days, media, schools and art

5.3 Include education and awareness of healthy relationships

Strategy 6: Self-esteem and resilience building

6.1 Target particular groups such as men, women, young people, children and families

6.2 In settings such as camps, sporting clubs, schools, family centres and days out

6.3 Include building leadership skills and confidence as well as sharing knowledge

Celebrating Success and Review:

Celebrating the success of prevention activities allows those involved to reflect on achievements and acknowledge the effort of being involved in this work. It is important to celebrate the involvement, knowledge and contribution of local Aboriginal people and leaders. A regular showcase should take place. Aboriginal community, Aboriginal organisations and prevention partners should be invited to participate. Mainstream organisations should also be invited to hear about, learn, and share knowledge about the prevention activities across Victoria.

Reporting on the progress and achievements in relation to the Framework will be built into the regular reporting on the Ten Year Plan that occurs via the Partnership Forum on an annual basis.

Appendix D: Best Practice Principle Evaluation Table for KCSGP

Are the best practice principles evident in the KCSGP projects?

BPP	1	2	3	4	5	6	7	8	9	10	11	12	13
Strong Men, Strong Communities	✓	✓		-	✓	-	✓	✓	✓	✓		✓	✓
Family and Community Violence Prevention	✓	✓	-	-	✓	✓	✓	✓		✓		✓	✓
Aboriginal Family Harmony	✓	✓	-	✓	✓	✓	✓	✓	-	-	✓	n/a	✓
Strong Relationships, Strong Community	✓	✓	✓	-	n/a		✓	✓	✓	✓	✓	n/a	✓

Key:

- ✓ 'yes'
- 'to an extent'
- n/a 'not enough available information to assess'

BPP 1 was marked 'yes' for all as there is considerable evidence that programs under the four projects show cultural grounding as they have been developed with Aboriginal knowledge, values, beliefs, and customs in mind and are often based on the reconnection of community with traditional culture.

BPP 2 was marked 'yes' for all as the purpose of the KCSGP is to support community development of local violence prevention activities designed by, with and for community although the report notes that a partnership approach could be further developed.

BPP 3 was marked 'yes' for projects which showed evidence of implementing a range of varied yet integrated programs within community that respond to both underlying factors contributing to family violence and the many forms of violence experienced, or 'to an extent' for projects which had programs that addressed one of these.

BPP 4 was marked 'yes' for projects which showed evidence of significant engagement of men, women *and* children in the project through having gender-specific activities, youth or child specific activities, and family/community specific activities or 'to an extent' for projects which showed evidence of one or more of these activities.

BPP 5 marked n/a means there was not enough available information to assess whether Elders were being involved in programs. Where there was a planned community activity day or camp, it was assumed that the presence of Elders was likely and so marked 'yes'.

BPP 6 was marked 'yes' for projects which showed evidence of trying to build self-empowerment and self-esteem for both men and women within the community, and 'to an extent' for projects which showed evidence of this for only one gender.

BPP 7 was marked 'yes' for all as there was evidence to suggest that all projects contained programs or camps that had a focus on healing that explored connection to culture, intergenerational family history and colonial experience as a healing element.

BPP 8 was marked 'yes' for all projects as each showed evidence of having programs that were culturally appropriate in content and process, provided a culturally safe environment in which to discuss family violence and acknowledged the importance of group approaches (even where these were gender-specific group approaches for discussing men's and women's business).

BPP 9 was marked 'yes' for projects which showed evidence of trying to build capacity within the community through networking partnerships and/or interagency collaboration with local organisations, mainstream family violence organisations or regional organisations.

BPP 10 was marked at least 'to an extent' as there is an expectation under the KCSGP that projects will collect information for monitoring and evaluation purposes. Programs further marked as 'yes' displayed additional community dissemination of information through education, media campaigns or sharing of information at a regional level.

BPP 11 was marked 'yes' for projects which showed evidence of providing training and skills acquisition for workers in the family violence related field.

BPP 12 marked n/a means there was not enough available information to assess whether programs were flexible, responsive and able to adapt to different locations. Those marked 'yes' included Sister's Day Out and/or Dardi Munwurro as part of the project, as both of these have been shown to be successful in being adapted for different locations.

BPP 13 was marked 'yes' for all as the funding provided under the KCSGP was substantial for each project, with payments being made sustainable through instalments each year across the three year duration.

Appendix E: Overview of the Sister's Day Out and Dardi Munwurro Program Evaluations

Sister's Day Out Evaluation (FVPLS 2008)

The Sister's Day Out workshops and retreats sought to achieve the following community outcomes:

- Support Koori women (particularly young Koori women aged 15-35) to be prepared to handle incidents of family violence through:
 - Being aware of their rights
 - Knowing points of contact for assistance
 - Knowing people who can provide ongoing support
- Enhance awareness of and accessibility to local and state-wide Indigenous and non-Indigenous family violence and sexual assault services for Koori women
- Strengthen the focus of the local communities on family violence issues
- Strengthen the role of mainstream non-Indigenous organisations in providing appropriate support for Koori women

This was to be achieved through a combination of activities, including pampering (hairdressing, manicure, foot massage, etc.) as a fun means of attraction and relaxation; information sessions about aspects of family violence from the FVPLS Victoria staff and service providers; informal interactions among participants and with service providers and solicitors; and Sisters Yarning Circles to conclude the day.

The workshops and retreats clearly provided positive personal and community experiences. Participants' feedback (captured through an evaluation sheet completed at the end of the workshop, and through follow up phone contact several months after the workshop) indicates the program has been highly effective in:

- Providing young women with information about family violence and sexual assault
- Raising awareness of the services available to assist them (both Koori and mainstream)
- Establishing a community focus and support base on these issues.

Notably, the workshops and retreats went further than awareness-raising; they facilitated direct access to services. Twenty percent of the workshop participants completing this question on evaluation sheets (100 of 493) indicated they sought private advice from a solicitor on the day. Up to half the participants in the retreats sought advice. In the 90 follow up surveys completed some months after the workshops, 35 services had been accessed by the respondents on their own behalf or for other community members.

Dardi Munwurro Evaluation (CHC 2012)

The Dardi Munwurro "*Strong Spirit*" Building Strong Communities Program aims to engage Victorian Koori men to address personal, relationship and behavioural issues that directly impact on family violence. This is achieved by drawing on traditional values and understanding of men's issues, and by using models that enable men to respond to the challenges they face in current society. The Program also aims to implement sustainable changes in men's understandings and behaviours and establish or reconnect them with stable and relevant support structures. The Program works closely with the Koori community and local services through the establishment of a local Steering Committee and engagement of key local community stakeholders.

The outcomes of the program, identified in the analysis of the five "most significant change" (MSC) stories, include:

- Improved communication and problem solving skills

- Greater self-awareness and personal learning
- Improved confidence and leadership; men feel stronger and more resilient
- Awareness and recognition of issues and one's ability to change
- Ability to deal with conflict and heal
- Confiding in other men and reduced social isolation
- Recognition of roles and responsibilities as Koori men
- Improved capacity to recognise the impact of one's behaviour on others
- Better understanding of family violence and intergenerational trauma
- Increased awareness and use of support services

While the findings presented in this report are based on a small sample of participants, the MSC stories collected indicate the Dardi Munwurro Program is having the desired impact on participants. Stories conveyed change occurring not only at the individual, but also at the family and community level. Stories contained strong messages regarding the importance of solidarity amongst people in building more resilient and strengthened individuals, family and community.

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