

Submission to the Royal Commission on Family Violence
National Council of Women of Victoria Inc. May 2015

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Submission

Royal Commission on Family Violence

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May 28 2015

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(Established 1902).

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Introduction & scope of this submission

National Council of Women of Victoria welcomed the establishment of the Royal Commission and is pleased to have the opportunity to respond to the Commission's Discussion Paper.

This submission does not attempt to revisit the context for the 'family violence epidemic', acknowledging that commission has already recognised the many community wide circumstances that relate to the increased reporting of family violence including societal, economic, spatial/geographic and cultural factors.

The submission begins by introducing the historic commitment of National Council of Women of Victoria to the need for whole of government, community partnership approaches to issues such as family violence, and to the need for solutions to be based on widest access to reporting and evaluation of the publicly funded programs, and evidence based public policy.

Information is then provided about recent family violence related work undertaken by National Council of Women of Victoria together with observations on possible ways of improving system coordination and other changes so as to improve outcomes for Victorian parents and children.

About the National Council of Women of Victoria

National Council of Women of Victoria was established in 1902. The NCWV's mission statement declared it was a non-party-political, non-sectarian, not for-profit, umbrella organization with broadly humanitarian and educational objectives, seeking to raise the awareness of women as to their rights and responsibilities as citizens and encouraging their participation in all aspects of community life.

The objects included:

1. To work for the empowerment of women and families and promote equal status for women and men in law and in fact.
2. To maintain and strengthen Council's relationship with branches and all members.
3. To develop policies and responses on behalf of women on a state-wide basis.
4. To act as a voice on issues and concerns of women at state and regional levels.
5. To link with the women of Australia and the International Council of Women- *Conseil Internationale des Femmes* (ICW/CIF) through the National Council of Women of Australia and contribute to the implementation of their plans of action and policies.

While the number and type of member organisations under the NCW Victoria umbrella has changed over time, the practice still obtains that there is an attempt to develop policies and responses on behalf of women on a state-wide basis, and to act as a voice on issues of concern at the state and regional levels, with affiliates and individual members from across metropolitan, regional and rural Victoria.

Historically, NCW Victoria through its membership of NCW Australia and its links to the International Council of Women has worked within the framework of the United Nations human rights treaty system and the UN Conventions to which Australia is signatory. Thus NCW Victoria has been attentive to the reporting cycles in relation to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). While it falls to the Australia government of the day to review progress in relation to this convention, with input from the State and Territory governments, there has evolved over time the practice of creation of Shadow Reports, and NCW Victoria has regularly engaged in this process, as well as in preparatory work for the annual meetings of the UN Commission on Status of Women. See for example the Australian NGO report for

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the 2015 Beijing+20 Review meeting of the Commission “Working together for available through the JERA International website

A key theme in these processes is the need for widest community access to information about what is being done in relation to Family Violence both at State Government and national level. Access to data about what the distribution and effect of funding is central to our ability to assess what has been done in the complex family violence sector.

What National Council of Women did in response to the Victorian Government 2012 ‘Ending Violence’ Strategy?

NCW Victoria was among the groups in Victoria to welcome then Minister for Human Services the Hon. Mary Wooldridge’s preparation and release of the Victorian Government’s ‘Ending Violence’ strategy in October 2012. This whole of government, community partnership approach to ending violence promised significant improvement in service delivery across the Victoria. . This strategy signed off by seven ministers suggested that it would be possible to have better coordination between government departments, agencies and entities engaged in service delivery on behalf of the government. Certainly the Government of Victoria’s commitment to the new foundation now known as ‘Our Watch’ was a very significant development, and Victoria is advantaged by being home to the Foundation. Funding for other programs to reduce or end family violence is not always easy to track but vital community information services have been funded including via the Women’s Health Victoria Network and the Domestic Violence Resource Centre Victoria. The latter has used its funding for training and information programs especially for the commendable DVRCV *Advocate* published twice yearly. This publication is essentially for workers in the family violence and allied sectors, but is invaluable to community members seeking to be well-informed on the family violence sectors including research findings and a comprehensive listing of the support groups available in local regions.

NCW Victoria had already decided in 2011-12 that in relation to the issue of violence, a first step was to work towards a cultural shift in the treatment of women, whether in the home or in the wider community. To that end a brochure was prepared **round the theme**: Women have rights and responsibilities. All women are deserving of **respect**. Members were aware that newcomers to Australia who seek to become citizens are provided with instructional material on Australian democracy, the rule of law and the principle of respect for all individuals regardless of background, as set out in the official publication *Australian Citizenship Our Common Bond*. However it seemed it seemed that many in Australia must be ignorant of these matters and that provision of a foldable brochure that doubled as a poster could address reassure some and instruct others that compensating got as a certain degree of ignorance, particularly among those with a propensity for violence.

At the brochure launch at the Parliament of Victoria, on June 25 2013, by the then Minister for Women's Affairs, Heidi Victoria, speakers included Malvina Malinek OAM as originator of the brochure for NCWV, Jennie Russell OAM as Past President NCW Victoria, and Dr. Manjula O'Connor, psychiatrist, and founder of the Australasian Centre for Human Rights and Health, a NCWV affiliate, also working on domestic violence particularly in the Indian community.

The establishment of the NCWV *Respect* working group in late 2013 enabled more coordinated activity in relation to the 'Respect' brochures. Group members met with staff of Berry Street (a NCWV affiliate and major provider of DV support services in Victoria), visited to local service delivery groups including Whittlesea Community Connections, Northern Health and placement of almost 2000 brochures with these services and NCWV affiliates. Although the leaflet has been well received, it is very hard to evaluate the impact of such material on behavioural change should perpetrators read it. Further while is a wide range of materials including purse sized leaflets family violence services, including multi-lingual material, display racks in waiting areas in public health facilities are often

overflowing with health specific material and for whatever reason often appear unwilling to use material on Family Violence.

Likewise while NCW Victoria was pleased to be briefed on innovative partnerships against Violence like the Knox Yarra Ranges funded work in adjacent local government areas, it appears that there is lack of evidence that ‘Real Men Don’t Hit Chicks’ and other social media linked behavioural change approaches actually work in reducing violence, although they may inspire greater willingness for those observing violence to speak up if they see violence occurring. In fact there may well be a backlash effect since it is reported that closed men’s Facebook groups are attacking initiatives like the Knox Yarra Ranges initiative.

A linked issue for our members has been the importance of safe access to taxi services especially for vulnerable whether across the age groups and especially women at risk of violence. NCW Victoria began to talk in late 2013 with the taxi industry and the State Government about procedures if any that were in place for taxi education re appropriate behaviour towards female passengers. Given the preponderance of drivers from countries with different laws and customs in the area of status of women, it seemed that material of the type of the NCWV brochure could be the basis for driver education programs. The then Minister for Public Transport, Hon. Terry Mulder MP responded that “The Knowledge test” (then to be introduced in 2014 by the Taxi Services Commission) will test specifically “issues surrounding appropriate and respectful behaviour by drivers in regards to female passengers”. Unfortunately the rollout of the test has turned out to be limited, both in content and application, with exemption for country service providers. The spread of the UBER system now seems likely compromise further attempts to reassure women without access to private transport about their safe access to taxi services in both city and country Victoria.

NCW Victoria 2014-5 Working together on Family Violence

The crucial role of building respectful behaviour learning in the schools was acknowledged by the keynote speaker at the NCW Victoria Annual General Meeting in September 2014 Dr Debbie Ollis in relation to the Victorian

Government's commitment to respectful relationships program in government schools.

Next, NCWV welcomed the setting up of the Royal Commission into Family Violence and the appointment of the Honourable Marcia Neave AO as Commissioner in February 2015. We recalled the work of Commissioner Neave as a judge of the Court of Appeal and a professor, and her continuing interest in the way the law responds to the needs of women, and we recall her work as Chair of the Victorian Law Reform Commission which worked on projects including Defences to Homicide, Sexual Offences and Reproductive Technology.

NCWV has used its newsletter and website to draw attention to the Royal Commission's Terms of reference, the Commission's objective of reporting early in 2016 on many matters that will foster a violence-free society and to developing practical recommendations for change, and to the Commission's call for submissions from anyone directly affected by family violence and from any others whose experiences and ideas may assist the work of the Royal Commission.

At the NCWV's February 2015 meeting, as an orientation to the work of the RCFV, members spent time in small groups discussing their own experiences of family violence, including as staff or as volunteers in hospitals, schools and pre-schools. Some had acted as 'next friend' volunteers accompanying women of culturally and linguistically diverse backgrounds to magistrate court hearings when an AVO was being sought with the VIRWC ARIES program. Why is family violence still unreported in both mainstream and immigrant communities, and why is the media quick to blame women for failing to protect their children, or for partnering with the perpetrator in the first place?

Informants also included those who had involvement in complex family breakdown situations and disputes over care of children; including those where the custodial parent male or female has mental health and drug issues.

Several participants had experience of the complexities of interaction between Victoria legal and policing processes and concurrent Family Court matters. Major

issues seem to be lack of security for women attending some magistrates' courts, or even police stations to report violence and lack of follow up between courts and the police when an AVO is issued. The Victoria Police 2019-2014 Police Strategy to Reduce Violence Against Women and Children identified the need to ensure that data systems are meeting the needs of organizational response to violence against women and children, including Interpose, LINK and LEAP to ensure ongoing performance monitoring and improvement.

In relation to Men's Behavioral Change programs concerns were expressed that it was not clear that these programs worked, and that courts were referring more men than could be accommodated in programs any way.

One new issue identified was that the changes to Victorian law following the Parliamentary Committee report Betrayal of Trust, the amendment to the Children, Youth and Families Act 2005. Women unable to leave a violent and abusive situation – especially because of shortage in supply of safe, and affordable alternative accommodation – are further threatened by the prospect of a fine for failing to report abuse of a child.

After the release of the Issues Paper on March 31 2015 and the **April 10** announcement of the five initial Community Consultations in Metro Melbourne and across Victoria starting on April 20, NCWV formed the view that the very tight timelines for the lodging of submissions may well disadvantage those without access to high speed internet. Accordingly we organized a Forum held on the morning of Thursday May 7 to focus on HOW and WHAT to submit to the Royal Commission on Family Violence

Participants in the forum were drawn from NCWV affiliates, working group members and our pro bono Advisers. Copies of the Issues paper, submission cover sheet and other relevant material were provided. We focussed in what can be done to improve the situation of the most vulnerable including women from the newly emerging communities, women from remote and regional areas, and women with disabilities, and the experience of these women in the Magistrates

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Courts of Victoria. Speakers were Ms Marion Lau OAM (Victorian Multicultural Commission), Melba Marginson (Victorian Immigrant and Refugee Women's Coalition), a representative from the Flemington Community Legal Centre, Ms Vera Gu (National Australian Chinese Women's Association), Malvina Malinek OAM (NCWV Convenor. Status of Women & Respect Working Group) and Trish Reck (Gentian Place Child & Family Counselling Services).

Some of the issues highlighted at this forum were the issues relating to the complex interactions between migration and the incidence of violence of the type identified in the Australia Law Reform Commission report 117, where violence compounds the intersectional disadvantage suffered by women without permanent residency who have entered the country on a Prospective Marriage Visa, who are Secondary applicants for a Visa for example as a spouse of a 457 Visa holder and those who in the country as spouses of International Student or Tourist Visa holder.

It is known that in certain courts say at the lowest Magistrate Court level there has been careful training of Department of Justice staff but the forum heard that there is no training provided on these issues to those who become the interpreters when matters come to the Court. The common use of compatriots as interpreters neglects to take account of the fact that in China according to the submission from the NCW Victoria affiliate NACWA (National Australian Chinese Women's Association) and the FCAV (Federation of Chinese Associations of Victoria) "...domestic violence has been considered a private issue that should be kept within the household, with any outside interventions left at the doorstep. As a result there is a high degree of tolerance towards domestic violence in the Chinese community".

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[Domestic Violence Resource Centre Victoria](#)

www.dvrcv.org.au/

[Violence Against Women and Children Strategy - Victoria ...](#)

www.police.vic.gov.au/content.asp?a=internetBridgingPage&Media... **Victoria Police** Home page
... **Violence** Against Women and Children Strategy. Filename: **Violence-Against-Women-and-Children-Strategy.pdf**

[Respectful Relationships Education in Schools project - Our ...](#)

www.ourwatch.org.au/.../Respectful-Relationships-Education-in-Schools-... **Schools** are 'mini communities' where **respect** and equality can be modelled, to help shape positive attitudes and **behaviours** at an early stage of life. [Respectful Relationships Education](#)
www.education.vic.gov.au/school/teachers/health/pages/respectrel.aspx Jun 13, 2014 - Student Health and Wellbeing > **Respectful Relationships** Education ...in **schools** as well as a basis for future policy and **program** development.

<http://jerainternational.org/beijing-20-review>

http://jerainternational.org/wp-content/uploads/2015/04/20150423-Jera-Working_Together_for-Equality_NGOBeijing-20Review-2014.pdf

[Failure to disclose offence - Department of Justice and ...](#)

www.justice.vic.gov.au > ... > **Protecting children and families** Nov 11, 2014 - **Failure to disclose** the information to police is a criminal offence. ... reporting obligation specified in the Children, Youth and Families **Act** 2005.

[Family Violence - Knox City Council](#)

www.knox.vic.gov.au/Page/Page.aspx?P **Knox City Council** recently partnered with Maroondah City Council and *Yarra Ranges* Council on a State Government funded project .. A highly successful Communications team led *Real Men. Don't Hit Chicks* campaign. Over 200 *men*.

[April 2013 newsletter - National Council of Women Victoria](#)

www.ncwvic.org.au/files/2013%20April%20NCWV%20Newsletter.pdf

[National Council of Women of Victoria: Publications](#)

www.ncwvic.org.au/publications.html Jump to **Brochure >>** - **Brochure**. Women have rights and responsibilities. All women are deserving of **respect**

www.rosshouse.org.au/sites/...org.../RossHouse_A.R.2012-13_lowres.pdf

NCWV are some with strong Ross House involvement ... the Knox City '*Real Men Don't Hit Chicks*' campaign, http://www.ncwvic.org.au/files/2015%20NCWV_May_%20Forum.pdf *real* attempt to address the epidemic of violence in our society: *men* and *women* together, the old and .

[PDF\]February 2015 newsletter - National Council of Women ...](#)

www.ncwvic.org.au/files/2015%20Feb%20NCWV%20Newsletter.pdf

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