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NATIONAL ABORIGINAL & TORRES STRAIT ISLANDER WOMEN'S ALLIANCE

SUBMISSION

TO THE

Royal Commission into Family Violence (Victoria)

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ABOUT NATSIWA

The National Aboriginal and Torres Strait Islander Women's Alliance is one of six National Women's Alliances, with funding from the Commonwealth Prime Minister and Cabinet's Office for Women.

Established in 2009, and incorporated in March 2013, the National Aboriginal and Torres Strait Islander Women's Alliance (NATSIWA) proudly works to empower Aboriginal and Torres Strait Islander women to have a strong and effective voice in the domestic and international policy advocacy process.

NATSIWA's vision is as follows:

'To protect the health, human rights and fundamental freedoms that are significant to Aboriginal & Torres Strait Islander Women and Children, through cultural preservation, health education and coalition building'.

Since incorporation NATSIWA's Membership now includes 386 individual Aboriginal & Torres Strait Islander Women and 11 Aboriginal Organisations across Australia.

Our following Guiding Principles are cognisant of the needs, health, wellbeing and development, and aspirations of Aboriginal and Torres Strait Islander Women and Children. They are as follows:

- Aboriginal & Torres Strait Islander strengths;
- Recognition of the centrality of kinship;
- The need for cultural understanding;
- The impact of history in trauma and loss;
- The impact of racism and stigma;
- Recognition of different needs of communities;
- The recognition of human rights and social justice;
- Universal access to basic health care, housing and education; &
- Equitable needs based funding.

Please visit www.natsiwa.org.au to download NATSIWA's Strategic Framework.

It is with much pleasure that NATSIWA provide the Senate Standing Committee on Finance and Public Administration, this submission in response to Term:

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

Executive Summary

The National Aboriginal & Torres Strait Islander Women's Alliance (NATSIWA) considers its submission to the consultation process of the Royal Commission into Family Violence as a significant advocacy and policy document with regards to the human services, justice, policing, health, economic, and women's sectors, both for Victoria and in a national sense. The submission represents the priority issues that have been identified by NATSIWA's membership and executive after consultations with them and relevant stakeholders consisting of guided interviews.

The following documents inform this submission: Strong Culture Strong Peoples, Strong Families 10 Year Plan; the National Plan to Reduce Violence Against Women and their Children; Victorian Government Response to the Victorian Indigenous Family Violence Task Force Final Report, the Victorian Aboriginal Affairs Framework 2013–2018, Victoria's Action Plan to Address Violence Against Women and Children, 2012 and the Victoria's Vulnerable Children – Our Shared Responsibility Strategy 2013–2022.

The Strong Culture Strong People, Strong Families 10 Year Plan is a significant document in this space and has not been evaluated since its inception. However, from the state governments Aboriginal Affairs Report 2012 it identifies that the 10 Year Plan policy document identifies family violence as being a priority area and, in particular, support for survivors and assistance for perpetrators in behavioral change is warranted. The government and the Aboriginal community have identified that an indicator be developed to address the above (State Government of Victoria 2013, Aboriginal Affairs Report 2012. P. 49).

Our vision for Victoria is one in which organisations have the capacity to plan strategically and in a flexible manner, to innovate and to respond to emerging needs and be adequately resourced. They are enabled to make the most of opportunities for collaboration and they take collective action on issues of shared interest. We need to build a service system that is culturally competent and able to respond to the needs of a growing Aboriginal population, unlike the mainstream which has an ageing population. This can be achieved through sustained investment in a qualified workforce and a strengthened relationship between government and the non-government sector. We maintain that a relatively modest financial investment will reap considerable benefits including significant long-term savings in avoided justice and policing statistics to reduce crime and violence costs.

In a sense a partnership-based approach to family violence policy does not need radical change only to ensure collaborations are strengthened among diverse sectors: health, education, justice, law enforcement, among different levels of government and among government, non-government and private organisations and the community at large. These characteristics play a critical role in the success of the 10 year plan from the Victorian government.

In developing this submission, NATSIWA examined the minimal available data indicative of family and domestic violence demands on services. This highlighted pressure points on services' capacity and identified service gaps in knowledge collection concerning the multiple sectors that come in contact with people experiencing domestic and family violence. The analysis illustrates a clear need for additional data collection to respond to domestic and family violence.

Key Points

The response to the Victorian Indigenous Family Violence Task Force Final Report was presented in 2003 and as a result the Indigenous Family Violence Strategy was developed and 11 Indigenous Family Violence Regional Action Groups were set up statewide, and supported by a departmental Indigenous Violence Regional Coordinator. Along with other initiatives and support services and an Indigenous Family Violence Plan supported by an Indigenous Family Violence Forum was developed and implemented as well as, a sexual assault support service and integrated family violence strategy.

The legacies of those recommendations from 2003 are still being worked through today. Unlike some strategies that had been developed by past governments and following an election the opposition came in and discarded policies/initiatives/programs that were not designed by the government of the day. This has provided some stability and continuity for those sectors to keep working at reducing violence in Victoria.

In recent times the Victorian Government has given strong priority to the prevention of family violence and responding to its incidence both in support for survivors of domestic and family violence and in helping perpetrators to change behavior. As noted in the Victorian Aboriginal Affairs Framework (VAAF), the Government is currently working with the Aboriginal community to develop an indicator for this measure (Victorian Government) Victorian Government Aboriginal Affairs Report 2012.

The continuation and strength of the 10 year plan and the current service system and governance structures has been adequate on a local level, however any reform processes require leadership and at this point in time, Indigenous Australia on a national level let alone a state-wide level is lacking. The National Congress of Australia's First Peoples was a short lived representative group that was to provide leadership for Aboriginal and Torres Strait Islander peoples. In 2009 the Labor government said it would support a new national representative body for Aboriginal Australians. It was a construct designed by Aboriginal and Torres Strait Islander peoples; perhaps a Government bi-partisan agreement may have seen the goals of the National Congress come to fruition and provided some of the leadership support this problem needs both at a local and national level.

It is critical that a huge display of leadership is required from government and Aboriginal communities' to drive the success of any measures adopted to reduce the levels of violence. The limited data available supports that need for a collaborative approach from all sectors and community:

'Data provided to the Victorian Indigenous Family Violence Task Force (the Task Force) in 2003 by Victoria Police indicates that an Aboriginal person in Victoria is eight times more likely to be a victim of family violence than a non-Aboriginal person'⁽¹⁾

'Police data gathered during the same period confirms that 2.9 per cent of Victoria's Aboriginal community were victims of family violence, compared with 0.55 per cent of non-Aboriginal people'⁽²⁾

'Additionally, the Task Force identified that Aboriginal children are the subject of substantiated child abuse at more than seven times the rate for non-Aboriginal children.'⁽³⁾

(1) Victorian Indigenous Family Violence Task Force, 2003, Victorian Indigenous Family Violence Task Force final report 2003, Department for Victorian Communities, Melbourne.

(2) Department of Planning and Community Development, 2005, Strong Culture, Strong Peoples, Strong Families: towards a safer future for Indigenous families and communities: 10 year plan, 2nd edn, Department of Planning and Community Development, Melbourne.

(3) Victorian Indigenous Task Force, op. cit.

'Family violence is the single biggest risk factor for substantiated Terminology. While both women and men can be perpetrators and/or victims of family violence, statistics and research overwhelmingly indicate that the majority of incidents are perpetrated by men against women and children. For this reason, the term 'victims' refers to women and children and is gendered female. The term 'perpetrator' is gendered male. In some relationship settings (primarily same-sex relationships), readers might choose to substitute other, more relevant, terms. 'Children' in this document refers to infants; children and young people aged 0–18. Children must be considered as victims and assessed in their own right' ⁽⁴⁾

'Child abuse notifications in Victoria and is present in 64 per cent of cases affecting Aboriginal children' ⁽⁵⁾

The emphasis of this submission relies heavily upon government support and resourcing and so looks to the statewide strategy of the Strong Culture, Strong People, Strong Families 10 Year Plan. Monitoring and evaluating the 10 Year Plan is vital to the subsequent development of effective policies and initiatives. An evaluation framework should have been incorporated into the 10 Year Plan from the outset so that appropriate data collection is a key element of any new plan. As such, NATSIWA recommends that an evaluation framework, performance indicators and an implementation plan be incorporated into any future plans. The evaluation framework must detail from the outset how the effectiveness of the plan initiatives will be assessed merely measuring progress against action items is not sufficient to inform future policy and program development.

Early intervention and prevention must be identified as a priority area. It will be vital for the 10 Year Plan to exist in harmony with the priorities identified by Victoria's Action Plan to Address Violence Against Women. The preventative measures must reflect a complex understanding of prevention that moves beyond primary prevention. Efforts in prevention need to be appropriate to the interventions and responses across the life cycle, with a particular focus on early intervention and the role that schools, Aboriginal community controlled health organisations and other sectors can play in developing resilience, and the right protective factors. To complement these approaches this will include targeted and broad based social marketing strategies and will need to take account of the National Framework to Prevent Violence Against Women planned to be launched in September 2015.

It is important that we properly assess prevention programs to maximise success. Having better integrated responses to issues of complexity like community attitudes to Aboriginal people especially stereotypical views of the Aboriginal male and the wide spread views of all females including Aboriginal females that they "...they asked for it", require better understanding and public education. Proper, planned evaluation measures must accompany any future campaigns.

The key to effectively reducing the risk and threat of violence is in striking an adequate balance between prevention and treatment. If there is to be a paradigm shift towards that of early intervention and prevention, there must remain a balance with properly-resourced ongoing therapeutic/rehabilitative assistance.

As there are a wide array of services across many systems that address family and domestic violence in communities such as social services, police, the justice system, crisis services, sexual assault centres, family violence teams, men sheds, legal services and Aboriginal community controlled organisations funding models must accommodate existing and future changes in services' operating environments, that allows agencies to

(4) Department of Planning and Community Development, 2005, Strong Culture, Strong Peoples, Strong Families: towards a safer future for Indigenous families and communities: 10 year plan, 2nd edn, Department of Planning and Community Development, Melbourne.

(5) DPCD, Strong Culture, Strong Peoples, Strong Families, op. cit.

respond to emerging needs and trends that adequately capture the work undertaken by these services are vital. Consultations with NATSIWA 's membership, including legal services, the Indigenous Family Violence Regional Action Groups , Aboriginal Justice Forums, Aboriginal Community Controlled Organisations (ACCO's) reveal that funding from all sources have not kept pace with the expense for service delivery and administration. Findings from the report *The Cost of Violence against Women and their Children 2009* provides a summary of the various fiscal pressures currently facing services across the country; despite increased funding, CSO and Aboriginal organisations are experiencing financial deficits that impede workforce development and service delivery due to:

- Increasingly complex clients.
- Increased organizational cost, for example GST, infrastructure, compliance (exacerbated by the different reporting requirements of founding bodies)
- The failure of funders to pay the full cost of services/projects, including infrastructure;
- Increased competition for funds; and
- The tendency for funding to be short-term and project specific.

The emphasis on partnerships is productive, but would be strengthened by stronger relationships with the community sector and with arenas that are not directly family violence focused, but are part of the broader system (e.g. mental health, justice, housing, employment, education, disability, etc).

Limited research and data on interventions – successful or otherwise – impedes effective and meaningful work with service users. While efforts to build the evidence base are vital, one must be mindful that such efforts can represent a significant impost on services, particularly smaller organisations. Research and evaluation comes at a cost and agencies need to be resourced to collect accurate and timely data, undertake evaluations and contribute to research. While national research conducted by large-scale bodies exists, Aboriginal and Torres Strait Islander data is deficient inaccurate and timely data about the effectiveness of the services it provides, largely because of a lack of time, skills and resources to enable those providing services to undertake follow-up, and other data collection activities that enhances research and analysis. Program evaluation is recognized as an effective method of monitoring program implementation that can assist and enhance program delivery. In the face of insufficient knowledge NATSIWA recommends enhancing existing funding dedicated to assisting agencies evaluate their programs and projects, and that program evaluation is embedded and appropriately funded in all future service agreements without decreasing service delivery to improve the evidence base with regards to effective treatment and solutions.

NATSIWA would like to see further cooperation between government, domestic and family violence agencies, sexual assault, Aboriginal Community Controlled Organisations, professional medical bodies, specialist psychiatrists, psychologists, social workers, universities; legal services, to provide assessment and treatment services focused on individuals with problem behaviors and includes violence against women and for police in relation to training for its workforce.

Training frontline workers in best practices, early intervention and preventative action, risk management, as well as in a tertiary setting is vital. Undergraduate teaching in social sciences, allied health professions, medicine, legal, and policing must give greater emphasis to social and behavioural problem solving, trauma from sexual abuse, family violence, and the issues associated with colonisation. Incentives for these students and established practitioners are required, and could involve the establishment of a scholarship scheme for vocational studies and/or post graduate studies in the relevant field and associated with family and domestic violence.

NATSIWA supports the State governments' initiatives in the Victoria's Action Plan to Address Violence Against Women and Children: Everyone has a Responsibility to Act initiatives, and in complementing the Strong culture, Strong Peoples, Strong Families 10 Year Plan. However, it needs to be considered in the overall picture as an integral part to the government's strategy and others commitment to reducing violence in Aboriginal communities. It must not be misunderstood as a disconnected document as the actions may be disconnected in program design and resourcing. Initiatives which support and empower ACCO's are especially welcome. Such initiatives strengthen the community's capacity to respond and increase the knowledge and skills for effective community programs.

The role of ACCO's must be recognised more broadly. The Victorian Aboriginal Affairs Framework and its governance arrangements are a good model for other jurisdiction's to emulate. The only criticism is that they too work in a siloed approach and the Ministerial roundtables are an excellent opportunity to get the messages to state Ministers. Appropriate channels of communication and consultation should be identified and one recommendation would be for the engagement structure membership to set aside time to get real input from the coalface and for them to prepare solidly for representation and to build the capacity of invited guests to attend the Ministerial roundtables held three times per year. Conversely the government when it espouses working across government they should also commit to funding across government.

The implications of a growing Aboriginal population are the concern for intergenerational violence continuing into the next generation. There is a need for some research to indent implications particularly in terms of demand for early intervention and preventative programs at birth and in the education system.

Members have expressly mentioned the lack of leadership of Aboriginal communities in Victoria and nationally. With the demise of ATSIC and now the defunding of the National Aboriginal First Peoples of Australia Congress, Aboriginal and Torres Strait Islander peoples rely upon a Ministers advisory committee to give advice on a nation that still has its first peoples' living in third world conditions. NATSIWA recommends that the government support and increase funding to peak Aboriginal and Torres Strait Islander organisations, instead of reducing funding. If not, the concerns as raised by people at the grass roots will continue to escalate.

NATSIWA members stated the desirability of more programs that address the increase of lateral violence among Aboriginal communities, and that there are more programs for men in the early stages without labelling them as perpetrators.

In Aboriginal communities there has been an increase in the use of social media to be violent against extended family members. There has been some work with the Victorian Dispute Resolution Centre and community's which needs to be funded adequately to support community's to deal with this type of violence.

And more recently it has been noted from the health sector that the epidemic in ICE is rife within the Victorian community and it has a huge effect upon violence in Aboriginal families. The alcohol and drug sector needs to fund more Aboriginal alcohol and drug programs throughout Victoria.
