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Co-Chairs
Embolden Executive Committee
24 July 2020

House of Representatives Standing Committee on Social Policy and Legal Affairs
PO Box 6021
Parliament House
Canberra ACT 2600
family.violence.reps@aph.gov.au

Dear Standing Committee,

Re: Submission to Inquiry into family, domestic and sexual violence

Thank you for the opportunity to provide this submission to the House of Representatives Standing Committee on Social Policy and Legal Affairs Inquiry into family, domestic and sexual violence.

Embolden SA is the statewide peak body for domestic, family and sexual violence services in South Australia, representing 30 organisations from metro, regional and rural South Australia.

Our members provide services that promote women and their children's safety and wellbeing, and work to prevent and respond to violence against women.

We lobby and advocate for women's rights to respect, safety and self determination, and represent providers of specialist services in the domestic, family and sexual violence and related sectors, including services that work with men who use violence against women and Aboriginal specialist services.

Embolden would like to indicate our availability to appear before the Committee hearings.

Yours sincerely,

Susie Smith and Belinda Halliday

Embolden SA Co-Chairs

EMBOLDEN INC:
SUBMISSION
TO HOUSE STANDING
COMMITTEE ON FAMILY,
DOMESTIC AND SEXUAL
VIOLENCE

24 JULY 2020

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About Embolden SA

Embolden SA is the statewide peak body of non-government organisations working to respond to and eliminate domestic, family and sexual violence in South Australia.

Our members provide services that promote women and their children's safety and wellbeing, and work to prevent and respond to violence against women.

We lobby and advocate for women's rights to respect, safety and self determination, and represent providers of specialist services in the domestic, family and sexual violence and related sectors, including services that work with men who use violence against women and Aboriginal specialist services.

Acknowledgement of Country

Embolden acknowledges and respects Aboriginal peoples as the state's first peoples and nations, and recognises Aboriginal peoples as traditional owners and occupants of land and waters in South Australia. Embolden recognises that their spiritual, social, cultural and economic practices come from their traditional lands and waters, that they maintain their cultural and heritage beliefs, languages and laws which are of ongoing importance, and that they have made and continue to make a unique and irreplaceable contribution to the state.

We acknowledge that Aboriginal peoples have endured, and continue to endure, injustices and dispossession of their traditional lands and waters.

We continue to pay respect to the resilience and strengths of Ancestors and Elders past, present and those emerging.

About this Submission

This submission has been prepared by Embolden with consultation and input from its members and key stakeholders, including women who have lived experience with domestic, family and sexual violence.

It is submitted on behalf of our member organisations, including:

Bramwell House
Ceduna Regional Domestic Violence and Aboriginal Family Violence Services
Coober Pedy Regional DV & Aboriginal Family Violence Service
Cross Border/APY Lands Aboriginal Family Violence Service
Domestic Violence Crisis Line
Eastern Adelaide DV Service
Fleurieu and KI DV Service
Homelessness Gateway Service
Women's Safety Services SA Integrated Programs
Kornar Winmil Yunti Aboriginal Cooperation
Limestone Coast Domestic Violence Service
Louise Place
Migrant Women's Support Program
Murray Mallee and Adelaide Hills DV Service
Ninko Kurtangga Patpangga
Northern Adelaide DV Service
Nunga Mi:Minar Incorporated
OARS Community Transitions
Port Augusta Regional DV & Aboriginal Family Violence Service
Relationships Australia (SA)
Riverland DV Service
Southern Adelaide DV Service
Victim Support Service
Vinnie's Women's Crisis Centre
Western Adelaide DV Service
Whyalla Regional Domestic Violence Service
Yarredi Services
Yarrow Place
Yorke and Mid North Domestic Violence Service
Zahra Foundation Australia

Acronyms used

ACCO	Aboriginal community controlled organisation
ATSI	Aboriginal and Torres Strait Islander peoples
DFSV	Domestic, family and sexual violence
CALD	People from culturally and linguistically diverse backgrounds
LGBTIQ+	People who are lesbian, gay, bisexual, transgender, intersex or queer
NGO	Non-government organisation
RRR	Rural, regional and remote areas
SGBV	Sexual and gender-based violence
SWDFVS	Specialist women's domestic and family violence services
TPV	Temporary Protection Visa

About Violence Against Women and Their Children in Australia

As the evidence base demonstrates¹, SGBV continues to be widespread in Australia, affecting the physical, psychological and emotional wellbeing of both adults and children who experience and live in fear of it². We know, from the extensive research and data collection from key bodies such as the Australian Bureau of Statistics and the Australian National Research Organisation for Women's Safety, that domestic and family violence is a gendered crime. While such violence is a serious denial of human rights that can happen in any relationship where one person exerts coercive control and abuse against another or others, the vast majority of such violence is perpetrated against women and children, most often by men³, and intimate partner violence is the leading preventable contributor to death, disability and illness in women aged 15-44⁴

This human rights violation is rightly recognised as an epidemic that affects the breadth and depth of our communities, not limited to certain socioeconomic classes or cultural backgrounds. It affects every strata of Australian society; however the evidence is clear that certain women and children are particularly vulnerable to experiencing gendered violence, while at the same time facing systemic barriers to accessing services, support and just outcomes. For example, Aboriginal and Torres Strait Islander women are between 34 and 80 times more likely to experience DFV than non-Indigenous women⁵, and 32 times more likely to be hospitalised as a result of experiencing this violence⁶. Women with disabilities experience additional violence because of their disabilities and encounter more barriers to protection and

¹ Webster, K 2016, 'A preventable burden: Measuring and addressing the prevalence and health impacts of intimate partner violence in Australian women' (ANROWS Compass, 07/2016), ANROWS, Sydney, NSW

² Family Court of Australia and Federal Circuit Court of Australia 2019, 'Family Violence Plan', accessed from <http://www.federalcircuitcourt.gov.au/wps/wcm/connect/fccweb/reports-and-publications/publications/family-law/fv-plan>

³ ABS, Crime victimisation, Australia, 2012-13 cat no 4530.0 December 2014
<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4530.0main+features100022012-13>

⁴ Webster, K 2016, 'A preventable burden: Measuring and addressing the prevalence and health impacts of intimate partner violence in Australian women', ANROWS Compass, 07/2016, accessed from <https://d2rn9gno7zhxqg.cloudfront.net/wp-content/uploads/2019/01/19025309/28-10-16-BOD-Compass.pdf>

⁵ see <https://theconversation.com/factcheck-ganda-are-indigenous-women-34-80-times-more-likely-than-average-to-experience-violence-61809>

⁶ Ibid

justice, being 40% more likely to experience domestic violence than those without disability⁷, and experiencing sexual victimisation at rates from four to ten times higher than for other women⁸. While there is limited data available on the experiences of culturally and linguistically diverse women facing violence, we do know that they face additional barriers to safety, including immigration risks (compounded for those on temporary visas experiencing violence), lack of financial support, language barriers and isolation, among other factors⁹. Similarly, those who identify as LGBTIQ+ face additional barriers in seeking safety from domestic and family violence that are distinct from those of other victim-survivors¹⁰.

The evidence also shows that children and adolescents exposed to domestic violence face higher risks of being exposed to emotional, physical and sexual abuse with long-lasting impacts on their wellbeing. However, a strong relationship with and attachment to a caring adult, usually the mother, is a significant protective factor that may mitigate against these impacts¹¹.

The term 'sexual and gender-based violence' allows us to encompass not only intimate partner or domestic and family violence, but also sexual violence committed outside of intimate relationships as well as violence against women committed by and within institutions. This term encompasses violence committed against women (both cisgender and transgender) as well as non-binary people, serving as "an umbrella term for any harmful act that is perpetrated against a person's will and that is based on socially ascribed (i.e., gender) differences between

7 Brownridge, D 2006, 'Partner violence against women with disabilities: Prevalence, risks and explanations', *Violence against Women*, vol. 12, no. 9, pp. 805–22

8 Dowse, L, Soldatic, K, Didi, A, Frohmader, C & van Toorn, G 2013, 'Stop the Violence: Addressing Violence Against Women and Girls with Disabilities in Australia', Background Paper. Hobart: Women with Disabilities Australia

9 Dimopoulos M & Assifiri H 2004, 'Pathologising NESB women and the construction of the "cultural defence"', Point of Contact Book 9 Working with Diversity, Partnerships Against Domestic Violence, Commonwealth of Australia, Canberra

10 Safe Steps Family Violence Response Centre and No To Violence 2015, 'Joint submission into the Royal Commission into Family Violence: Family Violence and LGBTIQ Communities'; Drummond Street Services and the Victorian AIDS Council 2015, 'Joint submission into the Royal Commission into Family Violence: Family Violence and LGBTIQ Communities'; State of Victoria, Royal Commission into Family Violence: Summary and recommendations, Parl Paper No 132 (2014–16)

11 Holt, S, Buckley, H & Whelan, S 2008, 'The Impact of exposure to domestic violence on children and young people: A review of the literature', *Child Abuse & Neglect*, 32, 797–810

males and females¹²". The term 'sexual and gender-based violence' draws the attention to underlying drivers of violence that are rooted in rigid and binary gender norms, gender inequality, unequal power relationships, coercion and control¹³ "that are reinforced by patriarchal social constructs"¹⁴. It includes sexual violence that can occur both within and outside the context of domestic and family violence.

Embolden is committed to partnering with local, state and federal governments, cross-jurisdiction agencies, other NGOs and stakeholders to improve service responses, support and outcomes for those with lived experience of SGBV.

12 The inter-agency minimum standards: for gender-based violence in emergency programming. UNFPA 2019 https://www.unfpa.org/sites/default/files/pub-pdf/19-200_Minimun_Standards_Report_ENGLISH-Nov.FINAL_.pdf

13 See the full definition of sexual and gender-based violence by the United Nations Refugee Agency: <https://www.unhcr.org/en-au/sexual-and-gender-based-violence.html>

14 Domestic Violence Victoria 2020, *Code of Practice: Principles and Standards for Specialist Family Violence Services for Victim-Survivors*, 2nd Edition, Melbourne: DV Vic

Summary of Recommendations

PREVENTION AND GENDER EQUALITY

- Commit to greater financial and support for national frameworks and campaigns for primary prevention, such as those developed by Our Watch, in line with governments' commitments under the National Plan. This includes respectful relationship education programs for primary through to tertiary education settings, including developing and providing resources for remote and home school programs, led by violence prevention professionals working within an intersectional feminist framework who have an expert insight into the gendered drivers of family, domestic and sexual violence
- Commit to, and support, all areas as defined in the 2020 [National Partnership On Closing The Gap](#). We support priority given to investment to build and sustain the capacity of ACCOs to lead the implementation of culturally safe and appropriate early intervention and prevention strategies and programs in addressing family violence
- That more support is provided to local communities to take effective action to reduce violence against women and their children
- That state and federal governments expand secure funding both for prevention and for response services, within a commitment to a comprehensive society-wide effort to end violence against women. Comprehensive, secure and ongoing funding for prevention across jurisdictions should be provided in conjunction with (not taken from) response service funding
- That the Australian Government increase funding for community-led intersectional and culturally-sensitive prevention and early intervention initiatives in diverse communities including Aboriginal and Torres Strait Islander, LGBTIQ+, culturally and linguistically diverse, migrant and refugee communities and at risk cohorts including women with disability, women working in the sex industry, older women and young women
- Support gender equity strategies within all settings identified by Our Watch and in the National Plans to date, including supporting innovative programs that support gender equality and economic stability for women

SYSTEMIC IMPACTS ON WOMEN'S SAFETY

- Ensure resourcing and training for healthcare professionals to appropriately deal with disclosures of violence and support victims/survivors with care and appropriate referral pathways
- That governments across jurisdictions work collaboratively with each other, with specialist women's services, the housing and homelessness sector, community and industry to improve housing options, particularly investing in public housing, for women and their children at risk of and/or who have experienced SGBV
- That the Australian government proactively builds the capacity of specialist women's services as demand for services rises, including for their response, early intervention and prevention work, not only through resourcing but also by supporting meaningful structures to enable coordination across jurisdictions
- That governments commit to additional funding for SWDFVS to support children and young people, particularly for housing support and crisis accommodation provision
- That state and federal governments commit funding and support to ACCO-led, culturally safe and appropriate specialist supports, particularly health, legal, housing and safety services, for Aboriginal and Torres Strait Islander peoples and communities
- That state and federal governments commit funding and support for health, legal, housing and safety services that meet the needs of those who are often marginalised within mainstream service responses, such as LGBTIQ+ people, those living with disabilities, CALD communities (in particular refugees and women and their children on TPVs)
- Provide funding and policy support to ensure regional, rural and remote services have capacity for remote/mobile provision of DFSV services to women and their children, including at-home visits and support

- Implement WLSA's *Safety First in Family Law* plan¹⁵
- That the Federal Government urgently reinstate JobKeeper to childcare workers, and invest in a public childcare sector that provides quality, safe, low or no cost childcare
- That the Federal Government to urgently reinstate temporary MBS item numbers to enable access to sexual and reproductive healthcare
- The Federal Government maintains the JobSeeker subsidy as a permanent increase to Newstart payments
- Commit to closing the pay and superannuation gap between women and men, particularly for Aboriginal and Torres Strait Islander women, women from CALD backgrounds, those living with disability, and single mothers
- That the Australian Government exempts women on temporary visas and women seeking asylum who have experienced domestic and family violence from meeting residency requirements for the purposes of full access to Centrelink and Medicare while their visa is being processed
- Increase support payments and structures for single mothers, particularly those reliant on Jobseeker and/or caregiver allowances

¹⁵ Women's Legal Services Australia, *Five Step Plan for Safety First in Family Law*, accessed at: http://www.womenslegal.org.au/files/file/SAFETY%20FIRST%20POLICY%20PLATFORM.MAY%202016_FINAL.pdf

FORMS OF VIOLENCE

- That the Australian Government addresses all forms of sexual and gender based violence against women, girls and non-binary people, making a particular effort to incorporate actions to address forms of violence that are usually excluded from the focus on a conventional understanding of domestic and family violence
- That all efforts to address sexual violence, including in the second National Plan, take an intersectional lens in preventing and addressing sexual violence against diverse groups of women including being attentive to different ages
- That the Australian Government funds dedicated long-term initiatives to strengthen services, education and prevention activities for Aboriginal and Torres Strait victims/survivors of sexual assault (both as children and adults)¹⁶
- That the Australian Government sufficiently funds sexual assault services to ensure cultural competency of their support
- That the Australian Government implements recommendations made by the Australian Human Rights Commission following the National Inquiry into Sexual Harassment in the Workplace
- That the second National Plan and any other policy on violence against women embeds reproductive coercion as one of the manifestations of violence against women
- That state and federal governments commit to funding and support for programs that support victim-survivors of technology-facilitated abuse, provide training, resources and information for practitioners, and promote technology safety. These include initiatives such as WESNET's Safety Net and Safer Connections programs

¹⁶ Ella-Duncan, M, Kennedy, M, Dickson, J, Cuneen, C, Telford, G, Penrith, L 2006, *'Breaking the silence: creating the future : addressing child sexual assault in Aboriginal communities in NSW'*, NSW Department of the Attorney General, Sydney

DIVERSE EXPERIENCES

- That the Australian Government should ensure adequate and sustainable funding for Aboriginal-owned and controlled organisations, Aboriginal Family Violence Prevention Legal Services, and the National Aboriginal and Torres Strait Islander Women Alliance
- Incorporate Our Watch's *Changing the Picture* framework within primary prevention efforts to ensure that these are responsive to and take into account the experiences of Aboriginal and Torres Strait Islander women
- That the Australian Government implements the forthcoming recommendations from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability
- That the Australian Government provide sustainable and adequate funding to LGBTIQ+-controlled services and the development of LGBTIQ+-specific resources, programs and targeted community education campaigns as well as identification of research priorities and effective prevention strategies
- That special needs and cultural consideration are taken into an account regarding the provision of responses and/or programs to women and children from non-English speaking and culturally diverse backgrounds, as well as the appropriate allocation of resources. Special provisions in terms of developing suitable culturally appropriate approaches and responses need to be made available in order to improve access and understanding of the justice, protection, welfare and other systems by women from diverse ethnic communities
- Ensure that women on temporary visas who have experienced domestic, family and sexual violence and their dependents have immediate and full access to safety, protection, justice and fully funded specialist support with demonstrated gender expertise and cultural competency

IMPACT OF NATIONAL DISASTERS AND SIGNIFICANT EVENTS FROM THE PERSPECTIVE OF FRONTLINE WORKERS

- Ensure that an intersectional gender lens is applied to recovery and support packages and initiatives to address the compounded effect of C-19/natural disasters on women, particularly Aboriginal and Torres Strait Islander women, women from CALD backgrounds including refugees and women on TPVs, and those living with disabilities
- Ensure access to adequately resourced, culturally safe, accessible and responsive specialist women's services, including crisis services responding to violence against women. There is critical need for ongoing assessment of an increased demand for women's specialist services
- Commit to funding and resourcing of projects and initiatives that amplify the voices and experiences of women with lived experience of SGBV, such as Our Watch's 'Voices for Change' pilot program, particularly in the context of understanding and responding to the needs and recommendations of those with lived experience during times of national disaster and other significant events such as COVID-19

Response to Terms of Reference

PREVENTION AND GENDER EQUALITY

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

As defined by Our Watch, primary prevention is:

“About changing the social conditions, such as gender inequality, that excuse, justify or even promote violence against women and their children... A primary prevention approach works across the whole population to address the attitudes, practices and power differentials that drive violence against women and their children”¹⁷

Primary prevention is critical to the success of efforts to eradicate violence against women and their children. Targeted and cohesive strategies for primary prevention must go hand in hand with crisis response efforts, and everything that comes in between in consideration of a holistic framework to respond to SGBV. We refer the committee to the work of Our Watch, particularly in setting out a national framework for primary prevention in Australia, ‘Change the Story’, for further evidence and discussion in this field¹⁸.

Prevention of SGBV is a community issue and the responsibility of the whole community. Raising awareness is an ongoing commitment, and crucial to efforts to eradicate SGBV and foster gender equity and respect in our collective communities. Embolden advocates for funding to continue to be made available at local, state and federal levels for prevention and early intervention programs that promote healthy relationships based on shared values of freedom, equity and respect. In

¹⁷ Our Watch, VicHealth and ANROWS 2015, *Change the story: A shared framework for the primary prevention of violence against women and their children in Australia*, Our Watch, Melbourne

¹⁸ Ibid

doing so, we support prioritising funding opportunities that allow for longitudinal impact through integrated and ongoing (as opposed to short term and ad hoc) funding and support. Embolden supports anti-SGBV campaigns and community development activities that:

- Focus on promoting community attitudes that SGBV is unacceptable, and/or that promote gender respect and positive behaviour modelling
- Resource community organisations, particularly ACCOs, adequately so that they are able to lead community campaigns and education programs that promote violence-free neighbourhoods and communities
- Collaborate with and resource primary prevention practitioners and specialist women's safety service providers to develop, deliver and evaluate age appropriate childcare and education programs, including respectful relationships education, that focus on children and young people's attitudes towards violence and are incorporated in care and education settings, early years learning frameworks and school curriculums
- Develop and distribute information regarding SGBV so that the community is aware of services available to those experiencing SGBV, particularly women, children and gender-diverse people
- Continue to utilise, refine and evaluate public radio and television campaigns to reinforce the message that SGBV is unacceptable in our community

Additionally, Embolden supports measures to provide workers within agencies (e.g. Police, social and health workers, and educators), who may be in a position to identify SGBV, with:

- Adequate and ongoing training in skills and awareness of power and control issues in SGBV

- Information on their role in early intervention responses
- Clear and appropriate referral pathways

Embolden advocates that local, state and federal governments demonstrate a leadership role by initiating this training among their own and cross-departmental human services, health and education staff

We wish to highlight the importance of intersectional approaches and culturally safe and appropriate prevention strategies and initiatives (such as Our Watch's [‘Changing the Picture’](#)) that are led by the experiences and voices of those who are all too often marginalised within a Western-centric, colonial, middle class socio-political context. These include Aboriginal and Torres Strait Islander women and their children; CALD communities; LGBTIQ+ people, those living with disabilities, younger and older women. See [‘Changing the Picture’](#) (Our Watch); [‘Pride in Prevention’](#) (Rainbow Health), the [‘National Gender Equality Plan’](#) (Equality Rights Alliance), [‘Intersectionality Matters’](#) (Multicultural Centre for Women’s Health) and [‘Preventing Violence against Women with Disabilities: Integrating a Human Rights Perspective’](#) (Women with Disabilities Australia) for further discussion and recommendations.

Recommendations:

- Commit to greater financial and support for national frameworks and campaigns for primary prevention, such as those developed by Our Watch, in line with governments' commitments under the National Plan. This includes respectful relationship education programs for primary through to tertiary education settings, including developing and providing resources for remote and home school programs, led by violence prevention professionals working within an intersectional feminist framework who have an expert insight into the gendered drivers of family, domestic and sexual violence
- Commit to, and support, all areas as defined in the 2020 [National Partnership On Closing The Gap](#). We support priority given to investment to build and sustain the capacity of ACCOs to lead the implementation of culturally safe and appropriate early intervention and prevention strategies and programs in addressing family violence
- That more support is provided to local communities to take effective action to reduce violence against women and their children
- That state and federal governments expand secure funding both for prevention and for response services, within a commitment to a comprehensive society-wide effort to end violence against women. Comprehensive, secure and ongoing funding for prevention across jurisdictions should be provided in conjunction with (not taken from) response service funding
- That the Australian Government increase funding for community-led intersectional and culturally-sensitive prevention and early intervention initiatives in diverse communities including Aboriginal and Torres Strait Islander, LGBTIQ+, culturally and linguistically diverse, migrant and refugee

communities and at risk cohorts including women with disability, women working in the sex industry, older women and young women

- Support gender equity strategies within all settings identified by Our Watch and in the National Plans to date, including supporting innovative programs that support gender equality and economic stability for women

SYSTEMIC IMPACTS ON WOMEN'S SAFETY

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

The role of specialist women's services

At least partially as a result of unprecedented levels of government and community commitment to domestic and family violence and women's safety, more and more women are recognising themselves as victims/survivors of violence and seeking help. No real increase in resources since 2009 for specialist women's domestic and family violence services (SWDFVS) at the front end of this crisis, means that there is no guarantee that their efforts to seek assistance will result in the delivery of the targeted and purpose specific support they require.

The SWDFVS sector has developed and maintained and refined the knowledge, skill and competence required to tailor service responses that apply a safety first principle and they need to be adequately resourced and supported to deliver those services comprehensively and equally for women and children accessing assistance into the future. Embolden believes that the role of the specialist women's services is vital in Australia's response to violence against women and their children and as a member of the Australian Women against Violence Alliance (AWAVA), have developed a Policy Brief to that effect. The brief states that:

"These services know how to plan for safety and assess complex and changing risks; they advocate for and with victims/survivors and support them to navigate complex systems; they understand the dynamics of violence and the impacts of trauma; and they use principles of empowerment and client-centred approaches to support women and their children to recover from the impacts of violence and trauma. These services have led prevention efforts and created men's behaviour change programs that hold women's and children's safety at

*their core. Specialist services contribute to social change using their on-the-ground knowledge of women's experiences*¹³

Embolden recommends governments of all Australian jurisdictions increase funding to specialist women's and culturally specific services that meet the standards the Australian Women Against Violence Alliance (AWAVA) has set out:

- A rights-based approach
- Advancing gender equality and women's empowerment
- A client-centred approach
- Women's safety is central
- Perpetrator accountability
- Accessible culturally-appropriate and sensitive services

Further to this recommendation, Embolden shares support for the need for governments to provide support for the development and adoption of good practice standards by all services working with women and children facing violence, led by the specialist women's services sector, and building on work already done by peak bodies and others in this area. Examples include:

- NASASV Standards of Practice for Services Against Sexual Violence¹⁹
- DV Vic Code of Practice²⁰
- DV NSW Good Practice Guidelines²¹
- AWAVA Policy Brief on the Role of Specialist Women's Services²²

¹⁹ Can be accessed here: http://www.nasasv.org.au/PDFs/NASASV_Standards_2nd_Edition_2015.pdf

²⁰ Can be accessed here: <https://dhhs.vic.gov.au/sites/default/files/documents/201705/code-of-practice-domestic-violence-vic-2006.pdf>

²¹ Can be accessed here: <http://dvnsw.org.au/wp-content/uploads/2017/08/DFV-Practice-Guidelines.pdf>

²² Can be accessed here: <https://awava.org.au/2016/04/07/research/role-specialist-womens-services-australias-response-violence-women-children>

Access to legal services and support

Ensuring that victim-survivors of SGBV have safe, affordable access to legal support, particularly in relation to their experiences with SGBV such as engaging with family law processes, are critical to the safety, well being and protection of those with lived experience of domestic, family and sexual violence. We especially wish to highlight the significant work done by organisations such as the Australian Women's Alliance Against Violence (AWAVA), the National Council of Single Mothers and Their Children (NCSMTC), the Law Council of Australia and the Australian Human Rights Commission (amongst others) in adding to the evidence base and their policy guidance, particularly in the key area of needed family law reform to support safety for women and their children in the legal system. We particularly urge the Committee to refer to their work in this field and recommendations alongside previous inquiries and reports including:

- Australian Law Reform Commission 2019, *'Family law for the future – An inquiry into the Family Law system'*²³
- Law Council of Australia 2018, *'The Justice Project Part I: People who Experience Family Violence'*²⁴
- House of Representatives Standing Committee on Social Policy and Legal Affairs 2017, *'A better family law system to support and protect those affected by family violence: Recommendations for an accessible, equitable and responsive family law system which better prioritises safety of those affected by family violence'*²⁵
- Family Law Council 2016, *'Final Report on Families with Complex Needs and the Intersection of Family Law and Child Protection'*²⁶
- Family Law Council 2015, *'Interim Report on Families with Complex Needs and the Intersection of Family Law and Child Protection'*²⁷

²³ Available online at: <https://www.alrc.gov.au/publication/family-law-report/>

²⁴ Available online at: <https://www.lawcouncil.asn.au/justice-project/final-report>

²⁵ Available online at: https://www.aph.gov.au/Parliamentary_Business/Committees/House/Social_Policy_and_Legal_Affairs/FVlawreform/Report

²⁶ Available online at: <https://www.ag.gov.au/FamiliesAndMarriage/FamilyLawCouncil/Documents/Family-with-Complex-Needs-Intersection-of-Family-Law-and-Child-Protection-Systems-Final-Report-Terms-3-4-5.PDF>

- Victorian Royal Commission 2016, *'Family Violence Report'*²⁸
- Australian Institute of Family Studies 2015 *'Evaluation of the 2012 Family Law Act amendments'*²⁹
- Federal Senate Finance and Public Administration References Committee inquiry report 2015, *'Domestic violence in Australia'*³⁰
- Productivity Commission 2014, *'Access to Justice Arrangements Inquiry Report'*³¹
- Joint report of the Australian Law Reform Commission and NSW Law Reform Commission 2010, *'Family Violence – A National Legal Response'*³²
- Professor Richard Chisholm 2009, *'Family Courts Violence Review'*³³
- Family Law Council 2009, *'Improving Responses to Family Violence in the Family Law System: An Advice on the Intersection of Family Violence and Family Law Issues'*³⁴

²⁷ Available online at: <https://www.ag.gov.au/FamiliesAndMarriage/FamilyLawCouncil/Documents/Families-with-Complex-Needs-Intersection-of-Family-Law-and-Child-Protection-Systems%E2%80%93Interim-Report-Terms-1-and-2.pdf>

²⁸ Available online at: <http://files.rcfv.com.au/Reports/Final/RCFV-All-Volumes.pdf>

²⁹ Available online at: <https://aifs.gov.au/publications/evaluation-2012-family-violence-amendments/export>.

³⁰ Available online at: http://www.gph.gov.au/Parliamentary_Business/Committees/Senate/Finance_and_Public_Administration/Domestic_Violence/Report

³¹ Available online at: <http://www.pc.gov.au/inquiries/completed/access-justice/report>

³² Available online at: <http://www.alrc.gov.au/publications/family-violence-national-legal-response-alrc-report-114>

³³ Available online at: <https://www.ag.gov.au/FamiliesAndMarriage/Families/FamilyViolence/Documents/Family%20Courts%20Violence%20Review.doc>

³⁴ Available online at: <https://www.ag.gov.au/FamiliesAndMarriage/FamilyLawCouncil/Documents/Improving%20responses%20to%20family%20violence.pdf>.

Our principle position remains that urgent reforms (identified in AWAVA's [Joint Statement](#), to which we are a signatory) are required of the family law system in Australia to make it safe for those with lived experience of family violence. These include:

1. Making sure courts identify safety risks that should be considered in any court decision, by implementing consistent screening and risk assessment process to protect children and parents at risk of violence;
2. Ensuring the courts have access to all relevant information by establishing a national information sharing framework to ensure information from state jurisdictions can be considered where relevant, and the courts are supported to make informed decisions that prioritise child safety and wellbeing;
3. Ensuring victim-survivors of family violence are supported and don't have to go through the court process alone – by providing social and legal supports for all parties to family law matters involving family violence or child abuse;
4. Prioritising matters where people are at high-risk – by creating a specialist case management stream for family violence matters involving children and parents at serious risk of harm, and
5. Requiring those who influence court proceedings to have competency in identifying and responding to domestic and family violence in diverse family contexts – by implementing an accreditation framework for all court officials and family law practitioners and professionals, starting with court report writers and supervised contact centre workers.

Housing and homelessness

Domestic and family violence is the leading cause of homelessness for women in Australia³⁵. There is an urgent need to allow women and their children experiencing and/or escaping violence to access housing that is stable, affordable, accessible, decent and long term, with a range of suitable options and adequate support at each stage. Evidence suggests that over 90% of initial requests by domestic and family violence clients to Specialist Homelessness Services for long-term accommodation are unable to be met³⁶. Further, current data shows that for every ten women housed through the South Australian specialist women's support sector³⁷, approximately seven children are also housed – however, services to support children in emergency motel accommodation are currently non-existent, and dedicated children's services in shelter accommodation are severely limited.

The priority for services, agencies and policies engaging with women and their children experiencing SGBV must be to ensure that they are continuously supported throughout their journey to safety and housing stability, encompassing crisis accommodation through to long term housing solutions.

Embolden supports the direction of the Fourth National Action Plan to Reduce Violence against Women (the National Plan), which states:

*"Safe, accessible and stable accommodation is crucial for the safety and recover of women and their children impacted by violence"*³⁸

³⁵ Australian Institute of Health and Welfare 2016, 'Domestic & family violence & homelessness 2011–12 to 2013–14' Web Report; NSW Women Refuge Movement and the UWS Urban Research Centre 2009, 'The impact of housing on the lives of women and children post domestic violence crisis accommodation', Report; and Corrie T 2013, 'A wider lens: Domestic violence, homelessness and financial security' 26(2) Parity 21–23)

³⁶ Australian Institute of Health and Welfare 2016, 'Domestic & family violence & homelessness 2011–12 to 2013–14', Canberra, ACT: AIHW

³⁷ Women's Safety Services SA DVCL data, Jan 2020

³⁸ Commonwealth of Australia (Department of Social Services) 2019, 'Fourth Action Plan—National Plan to Reduce Violence against Women and their Children 2010–2022', Canberra, ACT

Further to this overarching principle, the Third Action Plan 2016-2019 of the National Plan identifies that:

*"Mainstream services can learn from the service delivery models of specialist women's services which provide crisis and post-crisis support, advocate for and with victims and survivors, and support them to navigate complex systems"*³⁹

Currently in SA and Australia more broadly, funding and resources for specialist DFSV support programs is not adequate to meet client housing needs, even with the current number of available accommodations.

Organisations that provide DFSV housing support and services are increasingly expected to shoulder the burden of additional clients, with minimal, if any, increased investment in support frameworks. This situation is untenable. Organisations cannot continue to provide services and support to people with more accommodation options added into the system without commensurate funding increases for specialist workers, programs and infrastructure. Any increase in crisis accommodation 'bricks and mortar' funding should not come at the expense of adequately resourcing other support structures.

As an AWAVA member, Embolden supports the principles of the AWAVA 2019-2020 Pre-Budget Submission, and here particularly note the need for:

- Governments of all jurisdictions to work together to extend access to government-funded services, including crisis payments and emergency housing, to all victims/survivors of domestic, family, sexual and intimate partner violence, irrespective of current visa status, across all states and territories
- Adequate and sustainable funding to meet demand for homelessness services, including specialist women's services, while ensuring that funding goes to services that are appropriately specialised, competent, safe, inclusive,

³⁹ Commonwealth of Australia (Department of Social Services) 2016, *Third Action Plan 2016-2019 of the National Plan to Reduce Violence against Women and their Children 2010-2022*, Canberra, ACT

accessible and culturally competent for the full range of diverse groups of women and children who need them

- All agreements that address homelessness to require that State/Territory strategies include measures to support women and children facing violence but also that funding spent under these strategies goes to services with specialist capability to address the gendered dynamics of violence and homelessness (i.e. specialist women's services and/or generalist services with documented specialist capability)⁴⁰

Embolden supports the assessment and implementation, where viable, of available solutions and opportunities such as refurbishing and renovating existing housing stock under public housing initiatives to reflect and meet the needs of current and future occupants, including catering for the needs of single women; women with smaller families; multigenerational families; LGBTIQ+ people; people living with disabilities; and perpetrators removed from the family home to support women and their children's safety. We support the development of programs and services that will ease housing stress and economic insecurity of women and their children resulting from their experiences of domestic and family violence, including but not limited to exploring programs such as 'rent-to-buy' schemes for those escaping violence.

⁴⁰ Australian Women Against Violence Alliance 2019, *2019-2020 Federal Budget: Budget measures to address violence against women and their children*, Canberra, ACT

Access to health services

Violence against women, as well as being a violation of fundamental human rights, brings with it a heavy health burden, as the greatest contributor to ill health and premature death in Australian women aged 15-44⁴¹. These impacts to women's health are far ranging, with mental health being particularly impacted by SGBV – as reported by VicHealth, depression and anxiety make up 58% of the disease burden resulting from violence. Other negative health outcomes include sexual and reproductive health impacts, substance dependence, suicide, injuries and homicide⁴². The impact of violence against women on the private and public health systems comes not only with a health, but an economic burden across the board – SGBV was estimated to have costed victims/survivors, their communities and government \$1.4 billion dollars in 2016 alone⁴³.

Just as violence against women may be experienced by anyone, but particularly affects Aboriginal and Torres Strait Islander women, people living with disabilities, women living in RRR, and immigrant and refugee women, evidence suggests that the negative health outcomes of violence are often more severe, and more prevalent, among these cohorts. For example, intimate partner violence is estimated to contribute five times more to the disease burden of Aboriginal and Torres Strait Islander women than non-Indigenous women. Additionally, Aboriginal and Torres Strait Islander women are 32 times more likely to require hospitalisation due to family violence related assaults than non-Indigenous women⁴⁴.

It is imperative that measures to address the health burden of violence against women include tailored responses, including culturally safe and appropriate

⁴¹ VicHealth

⁴² Webster, K. (2016). A preventable burden: Measuring and addressing the prevalence and health impacts of intimate partner violence in Australian women (ANROWS Compass, 07/2016). Sydney: ANROWS

⁴³ KPMG, 2016. The cost of violence against women and their children in Australia. https://www.dss.gov.au/sites/default/files/documents/08_2016/the_cost_of_violence_against_women_and_their_children_in_australia_-_summary_report_may_2016.pdf

⁴⁴ Our Watch (2018) Changing the picture: A national resource to support the prevention of violence against Aboriginal and Torres Strait Islander women and their children, Our Watch, Melbourne

initiatives that take into account the diverse experiences of those with lived experience of SGBV. This includes safe and appropriate health care for LGBTIQ+ communities, including trans, intersex and non-binary people, many of whom face discrimination, humiliation or misunderstanding in accessing health services⁴⁵, particularly relating to sexual and reproductive healthcare.

We also wish to highlight the importance of access to telehealth, particularly in the context of sexual and reproductive health. Access to telehealth and other non face-to-face health services are vital for women living in RRR, and will only become more critical as COVID-19 continues to impact health, economic and living conditions for Australians into the indeterminate future. Embolden [supports the call](#) for Federal Government to urgently reinstate temporary MBS item numbers to enable access to sexual and reproductive healthcare.

Healthcare providers are often women's first professional contact for gender-based violence⁴⁶, and the difference between a supportive, informed response for a woman disclosing to a healthcare provider, and an ill informed, negative one, could well determine whether or not they go on to receive the referral pathways to support them through to safer outcomes. Embolden supports the development, delivery and evaluation of standard operating procedures and [training for healthcare providers](#) on how to effectively, respectfully and safely recognise and respond to presentations and disclosures of SGBV, particularly in understanding and responding within an intersectional framework.

⁴⁵ Riggs DW, Coleman K, Due C 2014, 'Healthcare experiences of gender diverse Australians: a mixed-methods, self-report survey', BMC public health, 2014;14:230

⁴⁶ World Health Organization 2017, 'Strengthening health systems to respond to women subjected to intimate partner violence or sexual violence: A manual for health managers' Available at: <https://apps.who.int/iris/bitstream/handle/10665/259489/9789241513005-eng.pdf?sequence=1>

Economic independence

Women's economic independence plays a key role in fostering a culture of gender equality in our society, as well as being critically important to women's ability to escape DFV. In particular, there remains a need for both immediate and long term efforts to address the gender pay gap, provide access to low or no cost quality childcare, and expand support for flexible work arrangements and provisions for men to access parental leave, as well as additional supports for single mothers and their children, support for older women, women on TPVs, support for ATSI and CALD communities, and for those living with disabilities.

For those experiencing FDV, the economic impacts can be shattering and life altering. It is estimated that on average, it costs \$18,000 for a victim/survivor to leave a violent relationship and establish safety, including costs associated with relocation, safety upgrades, legal costs and medical costs⁴⁷. On top of this financial burden, separation for victim/survivors of domestic and family violence results in significantly reduced assets⁴⁸, while perpetrators of domestic and family violence leave victim/survivors responsible for repaying jointly accumulated debts⁴⁹.

⁴⁷ Australian Council of Trade Unions submission on the Family and Domestic Violence Leave to the Fair Work Commission. <https://www.actu.org.au/media/886617/actu-submission-to-fwc-family-and-domestic-violence-leave.pdf>

⁴⁸ Braff, R & Myering, IB 2011, '*Seeking security: Promoting women's economic wellbeing following domestic violence*', Department of Families, housing, Community services and Indigenous Affairs, University of New South Wales, Australian Domestic and Family Violence Clearinghouse

⁴⁹ Corrie, T & McGuire, M 2013, '*Economic abuse: Searching for solutions. A Spotlight on Economic Abuse research report*', Good Shepherd Youth & Family Service, Collingwood

Recommendations:

- Ensure resourcing and training for healthcare professionals to appropriately deal with disclosures of violence and support victims/survivors with care and appropriate referral pathways
- That governments across jurisdictions work collaboratively with each other, with specialist women's services, the housing and homelessness sector, community and industry to improve housing options, particularly investing in public housing, for women and their children at risk of and/or who have experienced SGBV
- That the Australian government proactively builds the capacity of specialist women's services as demand for services rises, including for their response, early intervention and prevention work, not only through resourcing but also by supporting meaningful structures to enable coordination across jurisdictions
- That governments commit to additional funding for SWDFVS to support children and young people, particularly for housing support and crisis accommodation provision
- That state and federal governments commit funding and support to ACCO-led, culturally safe and appropriate specialist supports, particularly health, legal, housing and safety services, for Aboriginal and Torres Strait Islander peoples and communities
- That state and federal governments commit funding and support for health, legal, housing and safety services that meet the needs of those who are often marginalised within mainstream service responses, such as LGBTIQ+ people, those living with disabilities, CALD communities (in particular refugees and women and their children on TPVs)

- Provide funding and policy support to ensure regional, rural and remote services have capacity for remote/mobile provision of DFSV services to women and their children, including at-home visits and support
- Implement WLSA's *Safety First in Family Law* plan⁵⁰
- That the Federal Government urgently reinstate JobKeeper to childcare workers, and invest in a public childcare sector that provides quality, safe, low or no cost childcare
- That the Federal Government to urgently reinstate temporary MBS item numbers to enable access to sexual and reproductive healthcare
- The Federal Government maintains the JobSeeker subsidy as a permanent increase to NewStart payments
- Commit to closing the pay and superannuation gap between women and men, particularly for Aboriginal and Torres Strait Islander women, women from CALD backgrounds, those living with disability, and single mothers
- That the Australian Government exempts women on temporary visas and women seeking asylum who have experienced domestic and family violence from meeting residency requirements for the purposes of full access to Centrelink and Medicare while their visa is being processed
- Increase support payments and structures for single mothers, particularly those reliant on Jobseeker and/or caregiver allowances

⁵⁰ Women's Legal Services Australia, *Five Step Plan for Safety First in Family Law*, accessed at: http://www.womenslegal.org.au/files/file/SAFETY%20FIRST%20POLICY%20PLATFORM.MAY%202016_FINAL.pdf

FORMS OF VIOLENCE

e) All forms of violence against women, including, but not limited to, coercive control and technology-facilitated abuse

While significant inroads have been made in raising awareness of violence against women in Australia (particularly since the advent of the first National Plan), there remain a number of challenges and resistances to achieving wider understanding of the gendered drivers of SGBV, in addition to the impact of violence other than physical abuse by an intimate partner. Sexual violence, coercive control, family violence, carer abuse, financial abuse, elder abuse, spiritual abuse, verbal and emotional abuse, and technology-facilitated abuse are all manifestations of the same root cause of gender-based violence – rigid gender norms and gender inequality. However, awareness and recognition of such types of violence, while growing, remains lacking in much of mainstream discourse within Australian communities. This is despite the prevalence of these types of violence, the ways in which perpetrators often combine multiple forms of violence, and the common narratives from women and their children that non-physical forms of abuse can be of equal or greater impact than physical violence⁵¹.

Technology-facilitated abuse is any form of abuse aided by the use of technologies, including abuse, stalking, harassment, grooming, monitoring, surveilling, location-tracking, threatening, humiliating, impersonating and/or isolating. In the context of SGBV, it can be understood as another tool used by perpetrators to hold power and control over a victim. It is reported that image-based abuse (a form of technology-facilitated abuse), has surged during COVID-19, with a 210% increase in reports to the eSafety Commissioner between March-May 2020⁵², and a 600% increase over

⁵¹ Our Watch 2019, *'Unpacking violence: a storytelling resource for understanding non-physical forms of abuse and the gendered drivers of violence against women'*, Our Watch, Melbourne

⁵² compared to average weekly reportings for the previous year

the Easter weekend⁵³. Embolden supports the extension of funding and support for programs that support victim-survivors of technology-facilitated abuse, provide training, resources and information for practitioners, and promote technology safety. These include initiatives such as WESNET's Safety Net and Safer Connections programs.

There currently exists no legislation covering coercive control in Australia, a form of SGBV that has been reported as being a predictor for intimate partner femicides⁵⁴. Coercive control encompasses a wide range of behaviours and forms of abuse, intended to “hurt, humiliate, intimidate, exploit, isolate and dominate”⁵⁵ that are implemented as tools in order to exert dominance and control over another person or people. It can be hard to recognise, even for victim-survivors themselves, and the negative impacts can be severe and long lasting, even after escaping the abuse. Amongst the various deleterious forms of coercive control, Embolden also recognises reproductive coercion and control as a form of domestic and family violence, and that such coercion and control may often be experienced by women within the context of other forms of violence being present. Reproductive coercion may take the form of a perpetrator of violence forcing or coercing someone (usually a woman) to either become pregnant or progress with an unwanted pregnancy, or to terminate a wanted pregnancy. We believe that more research is warranted to determine the impacts of reproductive coercion in the context of domestic and family violence, and to create measures to respond to and reduce these impacts on women.

Sexual violence and harassment, as with other forms of SGBV, affect all cohorts of women, however viewing prevalence and effects through an intersectional lens provide insight into the diverse experiences of women affected by SGBV, and point

⁵³ see <https://lens.monash.edu/@politics-society/2020/06/04/1380604/reports-of-revenge-porn-skyrocketed-during-lockdown-we-must-stop-blaming-victims-for-it>

⁵⁴ Monckton Smith, J 2019, 'Intimate Partner Femicide: Using Foucauldian Analysis to Track an Eight Stage Progression to Homicide', Violence Against Women

⁵⁵ Stark, E 2009, 'Coercive Control: The Entrapment of Women in Personal Life', Oxford University Press, Oxford

to the need for tailored, culturally safe and appropriate responses and services. For example:

- Aboriginal and Torres Strait Islander women are up to 3.7 times more likely than other women to be victims of sexual violence⁵⁶
- Between 83% and 90% of women with intellectual disabilities experience sexual abuse, and approximately one third of women with physical disability surveyed in one study had experienced sexual abuse at some stage in their life⁵⁷
- Trans women from culturally and linguistically diverse (CALD) backgrounds are at higher risk of sexual violence than cisgender women, and almost 20 per cent more likely to suffer multiple instances of sexual harassment than other women⁵⁸

⁵⁶ AIHW: Al-Yaman F, Van Doeland M & Wallis M 2006, *'Family violence among Aboriginal and Torres Strait Islander peoples.'*; Cat. no. IHW 17, AIHW, Canberra

⁵⁷ Salthouse, S and Frohmader, C 2004, *'"Double the Odds" – Domestic Violence and Women with Disabilities'*, paper presented to the 'Home Truths' Conference, Sheraton Towers, Southgate, Melbourne 15 - 17 September

⁵⁸ Ussher, JM, Hawkey, A, Perz, J, Liamputtong, P, Marjadi, B, Schmied, V, Dune, T, Sekar, JA, Ryan, S, Charter, R, Thepsourinthone, J, Noack-Lundberg, K, & Brook, E 2020, *'Crossing the line: Lived experience of sexual violence among trans women of colour from culturally and linguistically diverse (CALD) backgrounds in Australia'* (Research report 14/2020), ANROWS, Sydney

Recommendations:

- That the Australian Government addresses all forms of sexual and gender based violence against women, girls and non-binary people, making a particular effort to incorporate actions to address forms of violence that are usually excluded from the focus on a conventional understanding of domestic and family violence
- That all efforts to address sexual violence, including in the second National Plan, take an intersectional lens in preventing and addressing sexual violence against diverse groups of women including being attentive to different ages
- That the Australian Government funds dedicated long-term initiatives to strengthen services, education and prevention activities for Aboriginal and Torres Strait victims/survivors of sexual assault (both as children and adults)⁵⁹
- That the Australian Government sufficiently funds sexual assault services to ensure cultural competency of their support
- That the Australian Government implements recommendations made by the Australian Human Rights Commission following the National Inquiry into Sexual Harassment in the Workplace
- That the second National Plan and any other policy on violence against women embeds reproductive coercion as one of the manifestations of violence against women

⁵⁹ Ella-Duncan, M, Kennedy, M, Dickson, J, Cuneen, C, Telford, G, Penrith, L 2006, *'Breaking the silence: creating the future : addressing child sexual assault in Aboriginal communities in NSW'*, NSW Department of the Attorney General, Sydney

- That state and federal governments commit to funding and support for programs that support victim-survivors of technology-facilitated abuse, provide training, resources and information for practitioners, and promote technology safety. These include initiatives such as WESNET's Safety Net and Safer Connections programs

DIVERSE EXPERIENCES

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

There exists a wealth of evidence and expert knowledge that draws upon the lived experience of violence by women from diverse backgrounds, in Australia and around the world.

For example, in referring to the experiences of Aboriginal and Torres Strait Islander women, we refer the Committee to The Lowitja Institute's [‘Close The Gap’](#) report for the Close the Gap Campaign Steering Committee for Indigenous Health Equality, 2020; the various [publications and resources produced by the NPY Women’s Council](#) on this issue; the set of [2010 policy papers and numerous submissions by the Aboriginal Family Violence Prevention and Legal Service Victoria](#), and the report of its 2012 national conference, Aboriginal Family Violence Prevention and Legal Service Victoria (2013); and the 2016 [Redfern Statement](#) released by 18 Aboriginal and Torres Strait Islander peak organisations, which highlights the prevention of violence against Aboriginal and Torres Strait Islander women as one of six priority areas requiring urgent government action.

We also refer you to the joint [Australian Women Against Violence Alliance, National Aboriginal and Torres Strait Islander Women’s Alliance and Harmony Alliance Migrant and Refugee Women for Change submission to the ALRC’s comprehensive review of the family law system](#), as well as Our Watch’s ‘Changing the Picture’, for further discussion on the prevention of violence against Aboriginal and Torres Strait Islander women and their children.

Women with disabilities often face a range of complexities and compounding effects relating to their experiences of violence. These include higher rates of sexual violence and intimate partner violence, as well as abuse perpetrated

against them by those with responsibilities for their care⁶⁰. For more detail, see the Women with Disabilities Australia 2011 [*Submission to the UN Analytical Study on Violence Against Women with Disabilities*](#), Women With Disabilities Australia 2013 [*'Stop the violence: addressing violence against women and girls with disabilities in Australia'*](#) background paper, and ANROWS 2015 state of knowledge paper [*'What does it take? : Developing informed and effective tertiary responses to violence and abuse of women and girls with disabilities in Australia'*](#), as well as the work of WWDA and AWAVA more broadly.

Embolden notes that, even though SGBV is overwhelmingly perpetrated by men, and overwhelmingly perpetrated against women, the limited evidence base into same-gender relationships and IPV shows similar or higher rates of prevalence within LGBTIQ+ relationships⁶¹. However, there are few, if any, dedicated support services for this risk cohort⁶², and existing specialist women's support services are not resourced to provide such support. We support the development and provision of specialised LGBTIQ+ support options that are safe and suitable for LGBTIQ+ victim-survivors and perpetrators of SGBV, supported by adequate funding and in collaboration with the specialist women's safety sector. We also refer to Rainbow Health's 'Pride in Prevention' framework.

Women who are subjected to SGBV and live in Australia on a temporary visa experience additional barriers when accessing support due to restrictive migration regulations. Such restrictions embedded in migration policy further flow onto other systems such as social security or family law creating more barriers to obtaining safety. See the National Advocacy Group on Women on Temporary Visas Experiencing Violence 2018 report [*"Path to Nowhere"*](#) for further discussion.

⁶⁰ State of Victoria, Department of Health and Human Services 2016, *'A discussion paper of the Victorian State Disability Plan 2017-2020'*

⁶¹ Carman M, Fairchild J, Parsons M, Farrugia C, Power J & Bourne A 2020, *'Pride in Prevention: A guide to primary prevention of family violence experienced by LGBTIQ communities'*, Rainbow Health Victoria, Melbourne VIC

⁶² See <http://www.anothercloset.com.au> and <https://www.acon.org.au/what-we-are-here-for/domestic-family-violence/#domestic-family-violence>

Embolden is strongly cognisant of and committed to the need to improve services for women and children experiencing violence in rural, regional and remote areas. Distance and living in small communities with few appropriate services and little privacy, can make accessing assistance extremely difficult. It is also recognised that within rural and remote communities some women experience a greater or lesser degree of isolation depending upon how far from the main town(s) they reside, and their social situation which may impact upon their ability to access services in their community. Creative and flexible services, formal and informal networks, need to be devised to overcome these problems.

A commitment to improving these services is also a commitment to improving services to Aboriginal and Torres Strait Islander women experiencing SGBV, to women of CALD backgrounds and women with disabilities who are particularly isolated when living in RRR areas.

In order to provide choices to women it is necessary that services in metropolitan areas adapt a range of methods to ensure that their service is easily accessible to women and children living in RRR areas. Additional funds are also necessary to provide transport for women and children to leave remote areas and to access services in metropolitan areas that would otherwise be inaccessible. Further funds should be made available to buy in appropriate services to the community that would otherwise be unavailable.

Safety is of significance in terms of DFV delivery in rural and remote communities where there is nowhere to 'hide' and opportunities to leave the community are more limited.

The SWDFVS sector has long been aware that migrant and refugee women and children from CALD backgrounds who are abused are uniquely vulnerable. The life changes women and children have to cope with when migrating are traumatic enough without being trapped in a situation of domestic violence. Many migrant

women are often new to Australia or very isolated from the mainstream community, therefore not aware of the resources or services available within the community, or the assistance they may be able to access through welfare, justice and other systems. The linguistic and cultural barriers present further difficulties when trying to interact with a complex and unfamiliar justice system and law enforcement agencies, in addition to a vast range of other government and non government agencies. Women in DFV situations need culturally sensitive emotional and practical support, as well as the knowledge of available services. All of these require appropriate responses from varied systems that reflect diversity as well as the commitment to communicate with all members of diverse communities accurately and adequately.

Recommendations:

- That the Australian Government should ensure adequate and sustainable funding for Aboriginal-owned and controlled organisations, Aboriginal Family Violence Prevention Legal Services, and the National Aboriginal and Torres Strait Islander Women Alliance
- Incorporate Our Watch's Changing the Picture framework within primary prevention efforts to ensure that these are responsive to and take into account the experiences of Aboriginal and Torres Strait Islander women
- That the Australian Government implements the forthcoming recommendations from the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability
- That the Australian Government provide sustainable and adequate funding to LGBTIQ+-controlled services and the development of LGBTIQ+-specific resources, programs and targeted community education campaigns as well as identification of research priorities and effective prevention strategies
- That special needs and cultural consideration are taken into an account regarding the provision of responses and/or programs to women and children from non-English speaking and culturally diverse backgrounds, as well as the appropriate allocation of resources. Special provisions in terms of developing suitable culturally appropriate approaches and responses need to be made available in order to improve access and understanding of the justice, protection, welfare and other systems by women from diverse ethnic communities
- Ensure that women on temporary visas who have experienced domestic, family and sexual violence and their dependents have immediate and full access to safety, protection, justice and fully funded specialist support with demonstrated gender expertise and cultural competency

IMPACT OF NATIONAL DISASTERS AND SIGNIFICANT EVENTS FROM THE PERSPECTIVE OF FRONTLINE WORKERS

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

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

The impacts of domestic and family violence in Australia are devastating on multiple levels, from the effects on individuals, families and our broader community. These impacts include adverse health outcomes⁶³, economic disadvantage⁶⁴, homelessness⁶⁵, and the welfare of children who are exposed to domestic and family violence in a multitude of ways⁶⁶. For those who are simultaneously experiencing effects of national disasters and/or significant events such as COVID-19, as well as dealing with the effects of domestic violence on themselves and their families, the stress and pressure can feel overwhelming, and compound the effects of trauma and other negative impacts on their health, financial stability, and other key life domains.

In Australia, since the start of COVID pandemic, 6.8% of all women, and 13.2% of women in cohabiting relationships, experienced physical violence, sexual violence or coercive control, according to recent research by the Australian Institute of

⁶³ Australian Institute of Health and Welfare 2019. 'Family, domestic and sexual violence in Australia: continuing the national story 2019', Cat. no. FDV 3., AIHW, Canberra

⁶⁴ PWC 2015, 'A high price to pay: The economic case for preventing violence against women', accessed from <https://www.pwc.com.au/pdf/a-high-price-to-pay.pdf>

⁶⁵ AIHW 2015, 'Specialist homelessness services 2014-15', Cat. no. WEB 99, AIHW, Canberra, accessed from <https://www.aihw.gov.au/reports/homelessness-services/specialist-homelessness-services-2014-15>

⁶⁶ ANROWS (Australia's National Research Organisation for Women's Safety) 2018. 'Research summary: the impacts of domestic and family violence on children', ANROWS, Sydney

Criminology⁶⁷. The same study reveals that for 33% of these women, it was the first time they had experienced domestic violence in their relationship. For one in five who experienced coercive control, it was the first time their partner had been emotionally abusive, harassing or controlling. More than half that had faced previous abuse said this had escalated.

In Australia, the increased violence linked to the recent bushfire and pandemic has led to a growing demand for services. The COAG Women's Safety Council⁶⁸ has noted the "growing demand for services"⁶⁸, as well as "increasing complexity and severity of violence, [with] many women seeking help for the first time"⁶⁹. Fifty per cent of frontline domestic and family violence specialists in NSW reported an increase in client numbers in NSW (or 59% in Victoria), 75% reporting an increase in complexity of needs (86% in Victoria), 50% reported an escalation of violence and abuse (also 50% in Victoria) and 47.5% reported an increase in the number of first-time cases since the outbreak (42% in Victoria)⁷⁰. In South Australia, Demand for emergency accommodation spiked by 15 per cent over the peak COVID-19 lockdown period, as restrictions and heightened stress exacerbated abuse in South Australian homes, including a surge in calls from women not previously identified as at risk from DFV⁷¹

For more discussion and recommendations endorsed by Embolden, we refer the Committee to the submission made by AWAVA on the COVID-19 impact⁷².

⁶⁷ Boxall H, Morgan A & Brown R 2020, *The prevalence of domestic violence among women during the COVID-19 pandemic*, Statistical Bulletin no. 28. Australian Institute of Criminology, Canberra

⁶⁸ see <https://pmc.gov.au/sites/default/files/files/communique-mar-apr-2020-coag-womens-safety-council.pdf>

⁶⁹ see <https://www.pmc.gov.au/sites/default/files/files/communique-coag-womens-safety-council-19may20.pdf>

⁷⁰ For more information see: https://www.womenssafetytynsw.org.au/wp-content/uploads/2020/04/UDPATE_COVID19-Impact-on-DFV-in-NSW_2.04.20_WSNSW.pdf and https://bridges.monash.edu/articles/Responding_to_the_shadow_pandemic_practitioner_views_on_the_nature_of_and_responses_to_violence_against_women_in_Victoria_Australia_during_the_COVID-19_restrictions/12433517

⁷¹ see <https://indaily.com.au/news/2020/07/21/more-sa-women-flee-homes-during-pandemic/>

⁷² AWAVA 2020, *'Submission to the Select Committee on COVID-19'*, available at <https://awava.org.au/2020/07/16/submissions/2020/awava-submission-to-the-select-committee-on-covid-19>

Recommendations:

- Ensure that an intersectional gender lens is applied to recovery and support packages and initiatives to address the compounded effect of C-19/natural disasters on women, particularly Aboriginal and Torres Strait Islander women, women from CALD backgrounds including refugees and women on TPVs, and those living with disabilities
- Ensure access to adequately resourced, culturally safe, accessible and responsive specialist women's services, including crisis services responding to violence against women. There is critical need for ongoing assessment of an increased demand for women's specialist services
- Commit to funding and resourcing of projects and initiatives that amplify the voices and experiences of women with lived experience of SGBV, such as Our Watch's 'Voices for Change' pilot program, particularly in the context of understanding and responding to the needs and recommendations of those with lived experience during times of national disaster and other significant events such as COVID-19

Related matters

<i>I.) Any other related matters</i>

We thank the Committee for the opportunity to participate in this Inquiry. However, we note that this engagement can and must not replace a proper consultation process for the Second National Plan to Reduce Violence against Women and their Children.

Should the Committee wish to call upon Embolden to appear before Committee hearings, and/or provide any further information in regard to this submission, please contact Jennifer Kingwell, Embolden Policy & Communications Manager:

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