

## **Submission to National Council to Reduce Violence Against Women and Children**

### **Preface**

The development of a national strategy to address violence against women and children is both welcomed and needed. How successful this becomes is dependent on several factors some of which will be addressed more fully in this submission. However as a starting point we would suggest that the national strategy should have a more definitive goal than the **reduction** of violence. A reduction to what? Is this implicitly saying that some level of violence to women and children is inevitable and acceptable? We need a starting point of zero tolerance to any form of violence and discrimination against women and children and would therefore suggest the use of more appropriate language ie the elimination/ ending / stopping / eradicating violence against women and children. Without a starting point of **NO Violence** – then what follows become irrelevant.

### **1. Why is domestic violence and sexual assault happening in Australia?**

Domestic violence and sexual assault are the end result of the distorted gender power relations on which our patriarchal society has been founded. The structures of society upholds the position of power afforded to white Australian males who form the dominant gender and culture. Violence, abuse, sexism and discrimination are embedded in these distorted power relations. A feminist understanding of these dynamics is imperative for the development of a framework under which action plans/ policies/ laws/ programs etc sit. We also need acknowledgement that for indigenous women and women from culturally diverse backgrounds the issues are further compounded as they belong to neither the dominant culture nor dominant gender resulting in enhanced vulnerability and victimisation.

We believe that domestic violence and sexual assault continues to occur because most Australians including our leaders (politicians, Local, State and Federal) do not understand the scope or seriousness of the problem, and if they do then there is a political inertia, a lack of political will to address the problem directly and openly. An epidemic or pandemic of violence are not too strong a term to use, however we never hear of our politician and leaders speaking of domestic violence and sexual assault in these terms. It would be a very different story if we had avian flu at the same level of as the occurrence of domestic violence and sexual assault.

While there might be public awareness campaigns such as the recent “Australia Says No To Violence Against Women”, they are meaningless when our structures and systems continually “Say Yes to Violence Against Women”. Women continue to experience secondary victimization when seeking to redress the violence perpetrated against them while at the same time there are often few consequences for men who abuse women. We believe this is why the vast majority of women who are victims of

domestic violence and sexual assault do not report the violence, seek prosecution against their abusers or access key protective services for themselves and their children. We are making it too hard for them; we don't believe them; we don't support them; we blame them and accuse them of being somehow responsible for what is happening to them. This goes beyond attitudinal issues for service personnel. Many of our systems are gender blind, victim indifferent and abuser friendly.

An example of this is the fact that male perpetrators do not take Protection Orders seriously. Orders are breached at alarming rates. If a man flouts a court-order then he is a high-risk, dangerous man. What do we do? He maybe given a fine (minimally) or given a warning with no-conviction recorded. The word on perpetrator street is that Australia does not take the safety of women and children seriously. This leaves women further at risk and less likely to seek future intervention. Even at the extreme end when an abusers kills his partner, he is able to argue the defence of provocation to justify that somehow she was to blame for her own demise.

The mixed messages victims receive from systemic responses leave many feeling overwhelmed , alienated and fearful. Some examples are:

Child protection services who blame women for "failing to protect their children" by not leaving their abusive partner while the Family Court looks unfavourably on women who do not give their ex-partners access to their children.

Police are dismissive of women who 'drop' charges while the court processes constantly revictimise women who do persist with prosecution

Women are encouraged to leave their partners and family homes but the high cost of affordable housing often drives many women back home.

Government undertakes public awareness campaigns encouraging women to seek assistance when often the lack of coordination across services leaves many women further frustrated and confused.

## **2. What resources, programs or services are you aware of that are successful in preventing or reducing the effects of domestic and family violence or sexual assault?**

Women advocates and activists who founded and work ( both paid and unpaid) in women's refuges, women's domestic violence services, and women's legal services and women's sexual assault support services have been at the forefront of responses to domestic violence and sexual assault for many decades. They have been successful in providing assistance to hundreds of thousands of Australian women and children as well as putting the issues on the public agenda and keeping them there for 30 plus years.

Women's services are success story of the history of domestic violence response and intervention in Australia. This needs to be acknowledged and applauded.

There have been a myriad of different programs developed across Australia aimed at the prevention of domestic violence, dating violence and sexual assault. These range from small unfunded localized programs to large well resourced initiatives. The

National Domestic Violence Clearing House has done some excellent work in documenting some of these (domestic violence specific) for inclusion into their web based data. However many programs are funded in a time limited way with little or no resources available for their continuance, Many great initiatives have passed into obscurity through a lack of continued funding. Added to this there is limited research available into what actually works in terms of prevention. Prevention needs to be seen in several stages – the immediacy of what is now urgent and the long terms goal of educating future generations on issues of domestic violence and sexual assault.

Often prevention is seen merely as educational strategies but we believe that enhanced responses to perpetrators would also have a prevention aspect to it and one which could demonstrate immediate results.

### **3. What are the barriers to family safety for women and children in Australia?**

The major barrier to the safety of women and children is the collusion and contriving at work to maintain the status quo. Violence against women and children is perpetrated mostly by males against women and children and yet the work to provide responses both at an intervention and prevention level is largely undertaken by women. For too long, domestic violence and sexual assault has been seen as a “women’s issue”. It’s not – it is a male issue and men collectively need to own this and work towards changing this. There is a definite lack of male leadership on this issue. Maybe it needs the parallel development of a council of men to take up the issue of the prevalence of male violence within our society, It is not about Australia saying no to violence against women is about men saying no to violence against women. Men’s violence to women is purposeful, sustained, targeted and heightened – society’s response should be the same. At present it is inconsistent, adhoc and unpredictable. Men need to take the leadership and responsibility for changing this from women’s shoulder and work to undo the damage that other men do to women and children. Wearing a white ribbon one day of the year certainly falls way short of this.

The failure of legal and community systems to protect victims and hold abusers accountable is unacceptable. Shortcomings in policy, practice, knowledge, training, collaboration, resources, communication and referrals that work to amplify abusers’ ability to control and terrorize their partners / victims or conspire to create insurmountable obstacles to the safety and autonomy for domestic violence and sexual assault victims need to be addressed.

### **4. What suggestions do you have to reduce domestic and family violence and sexual assault against women and children?**

At a national, state and local government level there is a need for a common understanding of domestic violence and sexual assault as a violation of a person’s basic human right to safety and security of person. There is a need for a shared responsibility by people in positions of power and authority to work together to bring about the necessary changes within our systems to better support those whose rights to safety and security are being violated.

Domestic and family violence and sexual assault against women and children will only be reduced when men are educated and acknowledge that this is a gender issue and that the vast majority of the assailants, abusers, perpetrators, and rapists are male.

We will only reduce domestic and family violence and sexual assault against women and children when men in power, and men generally, make a united stand against those males in our society who are the perpetrators of abuse and violence. Men need to stop covering up, excusing, ignoring, and being silent when it comes to other men's violence and abuse. This requires an on-going strategy involving men at all levels of society including business, churches, academia, sporting groups, educational institution, defence services etc. It needs men to educate men and men to educate boys. This needs to be a sustained, coordinated approach – no quick fix and no public campaign that can make a few men feel good for a day when in fact nothing is changed as a result.

We need a meaningful whole of government response that goes beyond rhetoric and has a focus of changing systems to change lives.

The adoption of a zero-tolerance / campaign for domestic violence and sexual assault. Rhetoric needs to be back-up with political will and action including the following:

### **Justice System**

- Enhanced focused on holding perpetrators accountable and removing barriers for those women who wish to proceed with either domestic violence or sexual assault prosecutions.
- The establishment of dedicated domestic violence and sexual assault courts across Australia that are designed to deal with cases in a timely manner affording the best possible support and safety to victims and ensuring swift and certain' consequences to perpetrators.
- Great cooperation and collaboration is needed across jurisdictions especially the involvement of the Family Court in a more holistic and safer way.
- The introduction of consistence risk indicators in decision making criteria to ensure the victim safety is accounted for at all stages during the court process.
- The need for safety audits to be conducted across all aspects of the Justice System
- The need for compulsory training on domestic violence and sexual assault for police, corrections officers, legal professionals, magistrates / judges focused on the dynamics and patterns of domestic abuse and violence; risk assessment; and effective socio-legal interventions for male perpetrators.
- Mandating perpetrators of domestic violence to reputable violence rehabilitation programs that are well-resourced, monitored and where there are serious consequences for non-compliance. These programs need to be long-term, comprehensive, and evaluated, be closely aligned to women's services and to integrated community responses – not stand alone programs without linkages to the violence resistance movement. Research show these programs do more harm than good.

### **Community**

- The establishment of services to assist perpetrators with other issues in their lives such as drug and alcohol abuse, employment difficulties, mental health, and relationship and parenting education.
- More cooperation, collaboration, and integration within and between government and non-government services that interact with victims and offenders, Australia-

wide. We need to comprehend domestic violence through the eyes of victims and their victimized children.

- Dedicated services to address the specific and serious needs of children who are entrapped in homes where there are violent and abusive men. There is presently a dearth of children's services working with children of domestically violent fathers/step-fathers/boy-friends.
- One stop shops for victims where their safety is a priority – where legal help; accommodation; child-care; financial assistance; and social support is provided all under the one roof. The barriers that keep women entrapped in violence, and that prevent her from leaving safely need to be identified and broken down. If women are safer, connected and supported by the community, then their children will be safer too.

### **Whole of Government Response**

- The development of domestic violence death review boards in every state and territory so that we can learn from these tragic events.
- Development of collaborative / integrated responses underpinned by supportive policy and funding
- Active and meaningful involvement of Indigenous women and men into the development of policy, service development and funding allocations.

Ms Betty Taylor & Dr Brian Sullivan: Principal Partners of the **TAVAN INSTITUTE**

#### **Training Against Violence Abuse and Neglect**

TAVAN Institute provides specialized training to professionals whose work intersects with victims and /or perpetrators of domestic & family violence.

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**Betty Taylor** has extensive experience in the area of domestic violence including direct service provision, program development and training. She is the founder and previous Director of the Domestic Violence Prevention Centre Gold Coast and chaired the Queensland Domestic & Family Violence Council for two terms, 1994-1997 and 2001-2004. Betty was awarded a Churchill Fellowship in 2002 to investigate multi-agency interventions to domestic violence across the USA and Canada and has overseen the successful development of the Gold Coast Domestic Violence Integrated Response. She has written and developed numerous training programs on domestic violence.

**Dr Brian Sullivan** After a number of years working in leadership roles in the education and human service sectors, Brian undertook advanced counsellor training in the USA. He completed his doctorate in counselling and mental health at the College of Health and Human Services, University of Toledo, Ohio in 2000, where he researched readiness for change of court-mandated male perpetrators of domestic violence. While in the USA, Brian also trained in the Duluth Model of DV Intervention. He has worked intensively with court-ordered men using the Duluth program. Brian teaches at the University of Qld in the Master of Counselling Program where he coordinates a course in Violence Issues in Counselling. He also provides training for professionals in DV intervention programs for men who perpetrate intimate partner violence.