



Meeting the Needs of our Children

Effective Community Controlled Strategies
that Prevent and Respond to Family Violence

LITERATURE REVIEW

MARCH 2013

DRAFT



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and Islander Child Care
The national peak body for
Aboriginal and Torres Strait Islander
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SNAICC thanks the Department of Families, Housing, Community Services and Indigenous Affairs, and the Aboriginal and Torres Strait Islander Healing Foundation for the funding support to conduct this research.

Please note: the term "Indigenous," where used in this document, refers to Aboriginal and Torres Strait Islander peoples across Australia.

The image used on the cover of this document is one of a series created by students in year 10 at Moree Secondary College, Bathurst in 2011. The students participated in the 'LoveBites' Program - a program that teaches and informs students about Domestic and Family Violence and Sexual Assault.

A component of the LoveBites Program requires students to develop artworks for distribution in the community about messages they would like to promote. The artwork used on the cover of this document is about 'Respect'. It conveys the students' desire to promote a positive element in a relationship... that you need to respect your culture, family, relationship and most importantly yourself to live a life free from violence.

The LoveBites Program was coordinated by Bathurst Women and Children's Refuge.



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EXECUTIVE SUMMARY

This literature review, supported by preliminary consultations, highlight the following principles as critical for services, programs, activities or initiatives targeted to prevent and respond to family violence in Aboriginal and Torres Strait Islander communities, and in particular support specifically the needs of children.

Priority Practices

1. Safety and security for victims of violence is the number one priority.
2. All people have the right to be free from violence and to be safe in their relationships – in particular the rights of children and young people will come first and be at the heart of all work.
3. Responses to family violence will recognise and value Aboriginal and Torres Strait Islander history, culture, traditional lore, beliefs, values and custom.
4. Responses to family violence will recognise the cultural diversity across Aboriginal and Torres Strait Islander communities.
5. Prevention and response efforts will recognise the grief, loss and disempowerment at the heart of family violence, and centre on individual and community healing.
6. Efforts to both prevent and respond to family violence will be owned and driven by Aboriginal and Torres Strait Islander peoples: community controlled services are fundamental.
7. Aboriginal and Torres Strait Islander communities are supported to say no to violence and to foster healthy relationships within their community.

Engagement Practices

8. Engagement with Aboriginal and Torres Strait Islander parents and communities is central to the design and delivery of programs and services.
9. Localised geographic factors and cultural practices will drive responses and actions taken to ensure that services, programs, activities and initiatives reflect and meet the needs of the local population – at an individual, family and community level.

Sustainability Practices

10. Programs and services are directed and resourced over the longer term and adequately supported.
11. Programs and services contribute to Closing the Gap by meeting targets endorsed by the Coalition of Australian Governments (COAG) while being appropriate to local community needs.
12. Programs and services cover the breadth and layers of 'family violence' as it occurs in the community.

Access Practices

13. Holistic approaches will be implemented when identifying and responding to family violence. This includes in particular a focus on perpetrators, and the inclusion of extended families in response strategies as well as personalised attention to children.

14. Programs and services are physically and culturally accessible to Aboriginal and Torres Strait Islander children and people recognising the diversity of urban, regional and remote needs.

15. Approaches taken to address family violence will enhance the capacities of the Aboriginal community, government, service systems, organisations and the workforce.

Collaboration Practices

16. Partnership between all levels of government, private and community services sectors, the broader community and the Aboriginal and Torres Strait Islander community is critical. This will be standard business practice to ensure effective coordination between programs and services.
17. Culturally appropriate approaches will be taken by mainstream services that provide gateways into the service system for vulnerable groups within the Aboriginal and Torres Strait Islander community – in particular children, young people and women.
18. Locally based Whole-of Community approaches will occur to ensure ownership of issues and respect for the solutions put forward by Aboriginal and Torres Strait Islander community members.
19. A community development approach based on engaging with local Aboriginal and Torres Strait Islander community members will be at the core of the development and implementation of programs.

Accountability Practices

20. Programs and services will have regular and transparent performance monitoring, review and evaluation.
21. All programs and services will be scrutinised by and held accountable to local Aboriginal and Torres Strait Islander people who access and/or receive these.

These principles will be developed into a draft Process Framework for Good Practice Principles, intended to provide a baseline for services, programs, activities or initiatives that focus on improving outcomes for Aboriginal and Torres Strait Islander children, families and communities at risk of, or experiencing family violence. It will be tested with services over the next period and practices included to illustrate how services are implementing these principles for outcomes for children and families.

INTRODUCTION

While there is evidence of the importance of local solutions to prevent and to respond to Aboriginal and Torres Strait Islander family violence, there is a gap in information on key principles from practice that are critical to effectively working with Aboriginal and Torres Strait Islander communities and reducing the incidence of family violence. There is also a gap in understanding what these principles mean and how they can be realised for outcomes for children.

A number of research portals exist about family violence and, within that, some have a specific focus on Aboriginal and Torres Strait Islander communities. In addition, relevant studies, evaluations and reviews have been conducted over the years. This body of evidence has not, however, been distilled into an overview of principles, processes, learning's and practice examples that can be communicated in a way specifically designed to inform services on Aboriginal and Torres Strait Islander controlled responses to family violence.

This research project seeks to redress this gap through drawing on relevant literature and the experiences of service leaders on the ground around Australia. It aims to synthesise key principles from practices that are critical to effectively working with Aboriginal and Torres Strait Islander communities and reducing the incidence of family violence. It seeks to contribute to increased awareness by service providers, researchers, policy makers and other decision makers of effective community controlled strategies targeted to children's needs that respond to and prevent family violence. SNAICC considers that these principles will be fundamental to reducing family violence in a sustainable and culturally appropriate way that supports the specific needs of children.

The literature review is the first component of the research. It:

1. Reviews and examines published literature, reports, strategies, action plans and other material related to family violence focusing on concepts of family violence, its nature and extent, the experiences of Aboriginal and Torres Strait Islander children and youth, and current government responses;
2. Explores and examines principles and practices for successful Aboriginal and Torres Strait Islander controlled responses to family violence that respond to the needs of children; and
3. Identifies key international and national themes related to Aboriginal and Torres Strait Islander family violence, particularly as they inform strategies to support the needs of children.

Consultations with key service leaders, a Process Framework for Good Practice Principles and a final report and fact sheet will be developed through this research. This will include recommendations for appropriate support to enable the implementation of these principles in mainstream and Aboriginal or Torres Strait Islander services.

Information for this review has been sourced from Aboriginal and Torres Strait Islander, and mainstream clearing houses, government websites, and web links to specific documents or topics. The scope has included: inquiries, reviews and task force reports; publications in journals; reports about specific programs including data available, projects and initiatives. The information search was narrowed to

children specific topics in order to have a more focused approach in line with the project's objective of the impact of family violence on Aboriginal and Torres Strait Islander children.

The literature review identified few documented community controlled programs of good practice in this area. Initial consultations with services reinforced that there is little documentation about innovative work that services are doing and principles that are driving it. It was then felt necessary to further explore literature around 'principles' for effective strategies to prevent and respond to family violence, that particularly focus on the needs of children. SNAICC considered that this could frame work with services to draw out what they consider to be critical principles to achieve outcomes for children and what practices fulfil these principles.

Part 1 begins by examining the definition of 'family violence' and considers its prevalence, impact and causes within Aboriginal and Torres Strait Islander communities. It also considers how children are considered within research and data collection on family violence. Research identifying good practice in preventing and responding to family violence is detailed and conclusions drawn on consistent findings. The review also explores what is the cultural context that should be applied and how does this inform decision making processes at a jurisdictional and national level in relation to addressing family violence in Aboriginal and Torres Strait Islander communities.

Part 2 provides examples from research undertaken and plans developed by government and practitioners into family violence and how they have formulated what constitutes 'good practice'. It also outlines whether it is apparent from reading the published literature the extent to which the practice principles and recommendations made in reports over the years have been taken up by governments and their agencies in each jurisdiction as well as at a national level.

Finally, Part 3 draws out key considerations for the development of a Process Framework for Good Practice Principles and recommends a series of draft principles to inform the next phase of this project.

PART 1: FAMILY VIOLENCE

Family violence against children occurs in almost all cultural groups in every nation. It is certainly not unique to Australia or to Aboriginal and Torres Strait Islander peoples. In 2001 the General Assembly requested the Secretary-General to conduct 'an in-depth study on the question of violence against children' and in 2002 the Commission on Human Rights suggested that an independent expert be appointed to lead the Study, in collaboration with other key United Nations agencies. On 12 February 2003, the Secretary-General appointed Professor Paulo Sérgio Pinheiro.

The United Nations Secretary-General's Study on Violence against Children was part of a global effort to paint a detailed picture of the nature, extent and causes of violence against children, and to propose clear recommendations for action to prevent and respond to it. The resultant 2006 "Violence Against Children in the Home and Family" Report found that:

- The risk of home and family violence arises from the interaction between the quality of family relationships, and stress or pressure upon the family from external factors or from characteristics of family members.
- Some factors stem from the individual characteristics of the child (e.g. stage of development, sex) and the characteristics of the parent or caregiver (e.g. mental disorders, substance abuse).
- Others derive from the family setting and the roles and relationships of people within it; these may enhance vulnerability, or on the contrary, may offer protection.
- Dysfunctional family relationships and poor parent-child interactions have a critical bearing on whether children experience violence in the home. Other factors derive from the environment, as in the case of emergency situations, but may also be related to the availability of social networks, or loss of livelihood.
- A negative outcome is not inevitable. For example, good parent and sibling relationships provide children with protection and foster resilience against external shocks.
- Violence is likely to result from a combination of personal, familial, social, economic and cultural factors, and the interrelationship amongst these factors can be difficult to disentangle. Moreover, some children are exposed to several types of violence from multiple sources over many years.¹

The following recommendations made in this report are guided by the human rights obligations of Governments prescribed in the United Nations Convention on the Rights of the Child (1981) and other international human rights instruments, and are also based on evidence from research and existing practice. They recognise that, while the primary role in children's upbringing is accorded to the family, Governments have obligations to ensure that in all places (including in the home) children are protected from actions constituting violence against them, and that there is an effective response when violence occurs.² Governments are required to provide appropriate support and assistance to parents.

Recommendations – United Nations Violence Against Children in the Home and Family Report

Prioritise Prevention

1. Ensure that comprehensive systems to prevent violence and protect children are implemented at scale, in ways that respect the whole child and their family, their dignity and privacy, and the developmental needs of girls and boys.

Societal Level

2. Assess the impact of public policies on children and their families.
3. Increase economic and social safety nets for families.
4. Implement evidence-based advocacy programmes on violence prevention.

Improve legal measures

5. Develop an explicit framework of law and policy in which all forms of violence against children within the family are prohibited and rejected.
6. Ensure that family courts and other parts of the justice system are sensitive to the needs of children and their families.

Strengthen coordinated responses

7. Provide pre-natal and post-natal care, and home visitation programmes for optimising early childhood development.
8. Implement culturally-appropriate and gender-sensitive parenting programmes and programmes that support families to provide a violence-free home.
9. Protect especially vulnerable children in the family, and address gender issues.

Build capacity

10. Build the capacity among those who work with children and their families.

Build information systems

11. Implement civil registration universally, including the registration of births, deaths, and marriages.
12. Develop a national research agenda on family violence against children.

Source: Versini, C. (2006) *Violence Against Children in the Home and Family*. United Nations Secretary-General, pp. 93-96

The Report concluded that families, defined widely, hold the greatest potential for protecting children from all forms of violence. Families can also empower children to protect themselves. But families can be dangerous places for children and in particular for babies and young children. The prevalence of violence against children by parents and other close family members – physical, sexual and psychological violence, as well as deliberate neglect – has only begun to be acknowledged and documented.

Challenging violence against children is most difficult in the context of the family in all its forms. There is a reluctance to intervene in what is still perceived in most societies as a 'private' sphere. But human rights to full respect for human dignity and physical integrity - children's and adults' equal rights - and State obligations to uphold these rights do not stop at the door of the family home.

State responsibility to respect, protect and fulfil the rights of children extends beyond its direct activities and those of State agents, and requires the adoption of measures to ensure that parents, legal guardians and others do not violate children's rights. It is obliged to put in place a framework of laws, policies and programmes to prevent violence by providing adequate protection, and responding to violence if it occurs.

Sexual and gender-based violence has profound implications in the era of HIV/AIDS, and also compromises self-esteem, psychological and emotional health. The implications of all forms of home and family violence for future development, behaviour and well-being in adulthood, and for future parenting, are profound. In addition, home is the place where gender-based inequalities are first experienced by children, and where future power-imbalanced relationships are modelled, or challenged. Boys may be encouraged to become aggressive and dominant ('takers' of care), and girls are encouraged to be passive, compliant caregivers. These gender-based stereotypes support the use of violence and coercion that perpetuates gender inequalities.³

These conclusions are all highly relevant for consideration in the Australian context and assist to provide the context for the gravity of family violence, its complexity and challenges, as well as the imperative on governments to put in place effective mechanisms to support and ensure safe communities for all children, including Aboriginal and Torres Strait Islander children.

Key Messages – United Nations Secretary-General's Study on violence against children

1. Violence against children is not inevitable. It can and must be prevented.
2. Every child has the right to a life free from violence. Violence against children can never be justified.
3. Children can make a valuable contribution to helping understand the violence they face and the damage it does to them. We need to listen and learn from them, and involve them in finding solutions.
4. The best way to deal with violence against children is to stop it before it happens by investing in prevention programmes. States must invest in evidence-based policies and programmes to address factors that give rise to violence against children, and ensure that resources are allocated to address the underlying causes.
5. While prioritizing prevention of violence, States and all sectors of society must also fulfil their responsibilities to protect children and hold accountable all those who put them at risk.
6. Violence threatens the survival, well-being and future prospects of children. The physical, emotional and psychological scars of violence can have severe implications for a child's development, health and ability to learn.
7. Violence against children knows no boundaries. It happens in every country and cuts across social, cultural, religious and ethnic lines.
8. Much violence against children is hidden. Often the abuse of children happens behind closed doors and is perpetrated by those the child is supposed to be able to trust - parents, family members and acquaintances. Children often suffer in silence, afraid to speak out for fear of retribution or shame.
9. All children are at risk of violence by the very fact that they are children. However, some children – because of their gender, race, ethnic origin, disability or social status – are more vulnerable.
10. Violence against children goes beyond the purely physical. Abuse, neglect and exploitation are also forms of violence. Children say that discrimination and humiliation hurt them deeply and leave a scar.
11. Inflicting violence on a child, in whatever form, teaches that child that violence is acceptable and so perpetuates the cycle of violence. By preventing violence today, we help build a future where violence will no longer be tolerated.
12. Violence perpetuates poverty, illiteracy and early mortality. The physical, emotional and psychological scars of violence rob children of their chance to fulfil their potential. Multiplied many times over, violence against children robs a society of its potential for development, hindering progress towards the Millennium Development Goals.

Source: Versini, C. (2006) *Violence Against Children in the Home and Family*. United Nations Secretary-General.

What is Family Violence?

“

Many children are growing up in communities where violence has become normal and an ordinary part of life and this has resulted in a generation of young Aboriginal people who are engaging in high risk behaviours, misusing alcohol and other drugs, trying to function in spite of profound emotional and physical damage, trying to form loving relationships, even though they are confused about what love is and, most terrifying of all, harming themselves and killing themselves at unprecedented rates.⁴

Aboriginal leader, Lowitja O'Donoghue

”

Family violence is a broad term that refers to violence between family members, as well as violence between intimate partners. Cripps and Davis, recently accepted the term Family Violence (in the Aboriginal and Torres Strait Islander context), put forward by Gordon, Hallahan and Henry (2002) as:

The range of violence that takes place in Indigenous communities including the physical, emotional, sexual, social, spiritual, cultural, psychological and economic abuses that maybe perpetrated within a family. The term also recognizes the broader impacts of violence; on extended families, kinship networks and community relationships. It has also been used in the past decade to encompass acts of self-harm and suicide, and has become widely adopted as part of the shift towards addressing intra-familial violence in all its forms.⁵

“Family violence includes intergenerational violence and abuse, affects extended families and kinship networks. An individual can be both perpetrator and a victim.”⁶ It extends to one-on-one fighting, abuse of community workers, Elder abuse, self-harm, injury and suicide. Victims of family violence can include parents, uncles, aunties, (step) children, (step) siblings, cousins, grandparents, in-laws and distant relatives.⁷

Some concerns have been raised with the use of the term family violence by Aboriginal and Torres Strait Islander women “..that in using the term “family violence”, there is a sense of detracting from what we know domestic violence is.”⁸ Keel draws on Greer and Laing (2001: p 14) to set out this position, quoting that “The victims and survivors know that it’s a partner, it’s somebody who supposedly loves somebody else who beats them regularly, puts them down and then sometimes murders them.”⁹ Keel also cites Gordon, Hallahan & Henry (2002: p.29), in referring to a submission to the Gordon Inquiry where “an Aboriginal community member stated they would prefer to see family/domestic violence called ‘violence against women’. ‘Family violence’ makes it sound nice.”¹⁰ It appears clear however that the vast majority of commentators, including national and state bodies, researchers, policy makers and service providers accept the term Aboriginal and Torres Strait Islander “Family Violence.” This is because it encompasses the broad spectrum of violence that occurs within and across Aboriginal and Torres Strait Islander communities and that extends well beyond violence against women only.

This breadth of the term also requires a more complex, holistic response. As Memmott, Chambers, Go-Sam and Thomson note:

The thinking behind the term Family Violence reinforces the need to find solutions in the context of the particular communities or social networks in which the violence is occurring, and suggest that any useful theoretical framework must embrace the multifaceted aspects of the issue.¹¹

Drawing from this definition, it is evidence that family violence impacts children in many ways. Children may be direct victims of family violence, in their home or in their community. They may experience it through seeing and hearing family violence being carried out by family members against others and they may be perpetrators of family violence themselves.

Family violence in Australia's Aboriginal and Torres Strait Islander communities

In 2006, the Aboriginal and Torres Strait Islander Social Justice Commissioner identified family violence as a major issue amongst many Aboriginal and Torres Strait Islander communities throughout Australia. Section 2 of the Social Justice Commissioner's report contained key messages (box on the right) and ten challenges in addressing family violence and abuse (box on following page).¹²

The Australian government and its state and territory counterparts have also recognised that family violence is an issue of national importance. Various researchers, policy makers and practitioners have identified family violence occurring in Aboriginal and Torres Strait Islander communities as being in 'crisis' for many years. It is well documented that the incidence of family violence across Aboriginal and Torres Strait Islander communities is disproportionately higher in comparison to that in the broader Australian community.¹³

Various inquiries and research projects into Aboriginal and Torres Strait Islander family violence and child protection systems have been conducted at a national level and in most jurisdictions since 1999.¹⁴ These inquiries and research projects have generated a lot of interest amongst Aboriginal and Torres Strait Islander people, services they operate and amongst the media and members of the general public.

Aboriginal and Torres Strait Islander specific task forces set up in each state and territory have made specific recommendations, developed jurisdictional strategies and implemented specific actions to address issues identified through the provision of new initiatives, activities and programs for Aboriginal women, men, youth and children. Action has also been taken in most jurisdictions to reform legal, administrative and other approaches being taken by police, court systems and sentencing decisions to ensure that culturally appropriate service responses are in place to identify the Aboriginal and Torres Strait Islander status of victims and perpetrators of family violence. In spite of these changes, the occurrence and prevalence of family violence amongst Aboriginal and Torres Strait Islander people remains a pressing concern – particularly where it impacts on or involves children.

Al-Yaman, Van Doeland & Wallis find that data contained in the 1994 and 2002 National Aboriginal and Torres Strait Islander Social Surveys (NATSIS) indicated that the proportion of Aboriginal and Torres Strait Islander people aged 18 years and over who reported being a victim of physical or threatened violence in the previous 12 months almost doubled between 1994 (13%) and 2002 (23%).¹⁵ Based on the NATSIS and the General Social Survey (GSS), Aboriginal and Torres Strait Islander Australians reported being a victim of physical or threatened violence at twice the rate of non-Indigenous Australians.

In seven of the eight jurisdictions, Aboriginal and Torres Strait Islander people reported being a victim of violence at a higher rate than non-Indigenous people. This pattern is different in the Northern Territory, where there was a lower than average reporting of victimisation by Aboriginal and Torres Strait Islander people. It is not clear whether the lower than average Aboriginal and Torres Strait Islander rates in the Northern Territory reflect lower levels of violence or higher levels of under-reporting, although information from other sources suggests that the violence may be under-reported.

Aboriginal and Torres Strait Islander males reported being a victim of violent crime at twice the rate of non-Indigenous males, while Aboriginal and Torres Strait Islander females reported victimisation at more than twice the rate of non-Indigenous females.¹⁶

Family Violence – Key Messages

1. Family violence is abhorrent and has no place in Aboriginal or Torres Strait Islander societies. It is a scourge that is causing untold damage and trauma among Indigenous communities, to our women and children, and to the fabric of Indigenous cultures.
2. Indigenous, women, children and men are entitled to live their lives in safety and full human dignity. This means without fear of family violence or abuse. This is their cultural and their human right.
3. Violence and abuse is a criminal matter. If an Indigenous person commits an offence they should be dealt with by the criminal justice system just as any other person would be. There should also be swift intervention from care and protection systems to ensure that the best interests of the child is the primary consideration.
4. Government officials and community members should be fearless and bold in reporting suspected incidents of violence and abuse. This means addressing the code of silence that exists in many Indigenous communities about these issues. And it means government officers meeting their statutory obligations, meeting their duty of care and taking moral responsibility in the performance of their duties as public officials.
5. Governments must work in partnership with Indigenous peoples and communities to identify and implement solutions to address family violence and abuse.
6. Violence relates to almost every aspect of policy making and service delivery to Indigenous communities. The solutions to family violence and abuse in Indigenous communities are complex, multi-faceted and require long term focus and commitment to address. They require bi-partisan political will and leadership at the highest levels of government.
7. We need to adopt a holistic approach to address the causes and the consequences of family violence in Indigenous communities.
8. We can no longer accept the making of commitments to address Aboriginal and Torres Strait Islander inequality without putting into place processes and programs to match the stated commitments. Programs and service delivery must be adequately resourced and supported so that they are capable of achieving the stated goals of governments.
9. We can also not accept the failure of governments to commit to an urgent plan of action. It is not acceptable to continually state that the situation is tragic and ought to be treated with urgency, and then fail to put into place bold targets to focus policy making over the short, medium and longer term or to fund programs so they are capable of meeting these targets.

Source: Aboriginal and Torres Strait Islander Social Justice Commissioner (2006) Ending family violence and abuse in Aboriginal and Torres Strait Islander communities – Key Issues: An overview paper of research findings by the Human Rights and Equal Opportunity Commission, 2001–2006. Australian Human Rights Commission, section 2.

Ten key challenges in addressing family violence and abuse

1. **Turn government commitments into action.** Governments have been making commitments to address family violence for some time already. What we need is concerted, long term action which meets these commitments.
2. **Indigenous participation.** This action must be based on genuine partnership with Indigenous peoples and with our full participation.
3. **Support Indigenous community initiatives and networks.** There are significant processes and networks already in place in Indigenous communities to progress these issues. We need to support them to lead efforts to stamp out violence, including by developing the educational tools to assist them to identify and respond to family violence.
4. **Human rights education in Indigenous communities.** There is a need for broad based education and awareness-raising among Indigenous communities. Working with communities to send strong messages that violence won't be tolerated, that there are legal obligations and protections, and that individuals have rights, are critical if we are to stamp out family violence.
5. **Don't forget our men and don't stereotype them as abusers.** Family violence is fundamentally an issue of gender equality. We need strong leadership from women, but we also need the support of Indigenous men if we are to make progress in stamping out violence. Indigenous men need to model appropriate behaviour, challenge violence and stand up against it, and support our women and nurture our children.
6. **Look for the positives and celebrate the victories.** There are good things happening in Indigenous communities, even if the national media is not interested in reporting them. We need to confront family violence, but also do so by reinforcing the inherent worth and dignity of Indigenous peoples, not by vilifying and demonising all Indigenous peoples.
7. **Re-assert our cultural norms and regain respect in our communities.** Family violence and abuse is about lack of respect for Indigenous culture. We need to fight it as Indigenous peoples, and rebuild our proud traditions and community structures so that there is no place for fear and intimidation.
8. **Ensure robust accountability and monitoring mechanisms.** There must be accountability measurements put into place to hold governments to their commitments. This requires the development of robust monitoring and evaluation mechanisms. These will also allow us to identify and celebrate successes.
9. **Changing the mindset.** We require a change in mindset of government from an approach which manages dysfunction to one that supports functional communities. Current approaches pay for the consequences of disadvantage and discrimination. It is a passive reactive system of feeding dysfunction, rather than taking positive steps to overcome it. We need a pro-active system of service delivery to Indigenous communities focused on building functional, healthy communities.
10. **Targeting of need.** Let us be bold in ensuring that program interventions are targeted to address need and overcome disadvantage. As it stands, government programs and services are not targeted to a level that will overcome Indigenous disadvantage. Hence, they are not targeted in a way that will meet the solemn commitments that have been made. They are targeted to maintain the status quo.

Source: Aboriginal and Torres Strait Islander Social Justice Commissioner (2006) Ending family violence and abuse in Aboriginal and Torres Strait Islander communities – Key Issues: An overview paper of research findings by the Human Rights and Equal Opportunity Commission, 2001-2006. Australian Human Rights Commission, section 2.

It was not evident from the published material if the survey respondents were asked to identify if the violence they experienced was related to family violence or some other form of violence.

The Australian Domestic and Family Violence Clearinghouse states that: "Women bear the brunt of the violence, with Aboriginal and Torres Strait Islander women 35 times more likely to suffer family violence and sustain serious injuring requiring hospitalisation, and 10 times more likely to die due to family violence, than non-Indigenous women."¹⁷ These figures are reflected in the Overcoming Indigenous Disadvantage report (2011) published by the Steering Committee for the Review of Government Service Provision. After taking account of different age structures of the populations, hospitalisation rates for injuries caused by assault were seven times as high for Aboriginal and Torres Strait Islander men and 31 times as high for Aboriginal and Torres Strait Islander women, in comparison to other Australian men and women.¹⁸ Al-Yaman concurs noting that "Violence is a significant cause of morbidity and mortality in Australia's Aboriginal and Torres Strait Islander population, with women predominantly being the victims."¹⁹

The Australian component of the 2006 International Violence Against Women Survey compared more broadly the proportions of Aboriginal and Torres Strait Islander and non-Indigenous women who had experienced violence.²⁰ They identified that significantly more Aboriginal and Torres Strait Islander women (71%) had experienced some form of violence in their lifetime than non-Indigenous women (57%). This was also true for violence experienced in the past 12 months (25% of Aboriginal and Torres Strait Islander women compared with 10% of non-Indigenous women). A higher proportion of Aboriginal and Torres Strait Islander women had also specifically experienced physical (20%) or sexual (12%) violence in the previous 12 months than non-Indigenous women (7% physical violence, 4% sexual violence).

The fact that women bear the brunt of the impact of family violence is well documented. There is little consideration however in this context of children and the impact of family violence on children. Considerations of children seem contained mostly within the child protection sector, and largely invisible again in responses to sexual violence, as discussed below.

The impact of family violence is profound on many levels. The annual cost of domestic violence only has been estimated at \$8.1 billion alone in 2002-2003, with the largest cost factor being pain, suffering and premature mortality at \$3.5 billion.²¹ Other major contributors to the cost of domestic violence were permanent loss of employment capacity, absenteeism, loss of property, and dislocation of family and household.²² In some cases, trauma resulting from violence results in victims requiring hospitalisation for emergency 'dental repair work' and other physical traumas. Sexual assault of women and children may also occur during a family violence incident. Victims have died as a result of their injuries. Further, even those not hospitalised experience significant impairment in the short medium and long term, including poor mental health, educational outcomes, relationships and chronic disease.²³ Profound psychological, emotional and spiritual wounds have also now been recognised as a result of sexual assault, including psychiatric disorders, as have neurological developments of children.²⁴ Ongoing impact is felt however through the patterns it can create, with presence of family violence being a strong predictor of later child abuse.²⁵

The damage to children's emotional, behavioural and cognitive development through partner violence is also now well understood.²⁶ In fact, childhood trauma has been identified as "probably today's single most important public health challenge and a challenge that could be overcome by appropriate prevention and intervention."²⁷

The Victorian Indigenous Family Violence Task Force discussed the diverse factors contributing to high incidence and prevalence of family violence among Aboriginal and Torres Strait Islander people, as detailed in the box to the right. The Australian Domestic and Family Violence Clearinghouse website under the title Indigenous peoples' experiences of and responses to domestic and family violence similarly discusses this issue,

*The causes of domestic and family violence in Indigenous communities are complex. The violence is situated in a context of colonisation and dispossession, marginalisation, entrenched poverty and racism. The separation of Indigenous children from their families over generations and the translocation of groups of Indigenous people from their traditional lands is widely acknowledged as leading to a breakdown of community kinship systems, family relationships and Aboriginal law. In some communities, high levels of alcohol and drug use contribute to the severity of violence experienced. In rural and remote regions, the limited access to police and other services also poses challenges to help seeking and response.*²⁸

Al-Yaman, Vandoeland and Wallace acknowledge the position of Oberin's (2001, p 26) that "the high rates of domestic and family violence in Aboriginal and Torres Strait Islander communities must be seen in the context of colonization, disadvantage, oppression and marginalization" and Mow (1992) "...context of the historical, political, social and cultural environments in which it occurs."²⁹ Cox, Young and Bairnsfather-Scott (2009, p 151) concur with Al-Yaman's work that the result of colonisation is 'fractured communities'. As they continue, "the fragmentation of family relationships and the learned helplessness has had a crippling effect on successive generations."³⁰

Research on the causes of child abuse and neglect in Aboriginal and Torres Strait Islander communities reaches similar conclusions. The findings of the seminal Bringing them Home Report (1997) are now widely accepted, that the legacy of past policies of forced removal, intergenerational effects of previous separations from family and culture, poor socioeconomic status and perceptions arising from cultural differences in child-rearing practices are all underlying causes for over-representation of Aboriginal and Torres Strait Islander children in the child welfare system.³¹ More recently, Cripps et al for example also found that Aboriginal and Torres Strait Islander mothers in remote areas removed from their natural families during childhood had nearly threefold greater odds of being victims of violence, with a 72% greater risk in non-remote areas.³²

The Victorian Indigenous Family Violence Taskforce attributes the high incidence and prevalence of family violence amongst Aboriginal people to a number of factors including:

- Dispossession of land and traditional culture
- Breakdown of community kinship systems and Aboriginal Law
- Racism and vilification
- Economic exclusion and entrenched poverty
- Alcohol and drug abuse
- The effects of institutionalisation and child removal policies
- Inherent grief and traumas and loss of traditional Aboriginal male roles and statuses

The trauma of living with family violence is but one of the multiple traumas frequently experienced by Aboriginal children. These multiple traumas include the witnessing of community violence, death of loved ones, dislocation from home and community, poor health and extreme poverty.

Source: Victorian Indigenous Family Violence Task Force: Final Report, December 2003, State of Victoria, Department for Victorian Communities, p. 11.

Atkinson, Nelson and Atkinson detail a five-generation model on the cycle of family violence and family breakdown caused by violence intergenerational violence in South America that can be mapped onto the history of Aboriginal and Torres Strait Islander Australia. A summary of the levels is depicted in the box below.³³ Atkinson et al connect this model to Atkinson’s (2002) six generational traumagram, which linked events of colonisation to increases in rates of family violence, child sexual abuse and family breakdown in Aboriginal and Torres Strait Islander society.³⁴ These connections are reinforced by evidence of links between being a childhood victim of trauma and adult perpetrator of higher-level violence.³⁵ In this case, Atkinson argues that “the normalisation of family violence and the high prevalence of grief, loss and substance misuse were as much symptoms as causes of traumatic stress.”³⁶

1st generation:
conquered males killed, imprisoned, enslaved or deprived of ability to provide for families

2nd generation:
overuse of alcohol/drugs to cope with resultant loss of cultural identity and diminished sense of self-worth

3rd generation:
spousal abuse and other forms of domestic violence. Often leads to child removal.

4th generation:
trauma re-enacted and directed at spouse and child

5th generation:
cycle of violence repeated and compounded, as trauma begets violence, with trauma enacted through increasingly severe violence and increasing societal distress.

It is clear that until these causes are redressed, and healing is placed at the centre of prevention and response strategies, there can be no reduction in family violence in Aboriginal and Torres Strait Islander communities.

Sexual violence and Aboriginal and Torres Strait Islander victims

In 2010, the Indigenous Law Centre (Faculty of Law, University of New South Wales) published findings from the research which examined the experiences of Aboriginal and Torres Strait Islander victims of sexual violence in the criminal justice system.³⁷ A striking number of victims were identified as children.

At the time of publication, the project had analysed 103 of the 121 cases researchers had located – 67 from the NT, 27 from WA, 12 from Qld, 9 from SA, 5 from NSW and 1 from Victoria. It was found that:

- In the 121 located cases, there were 149 offenders (all of which were male) and 138 victims.
- In the 103 cases analysed, there were 119 offenders and 111 victims (101 females and 10 males).
- An unexpected proportion of sexual offences (62%) had been committed against children under 16 years of age.
- 81% of offenders were known to the victims, 15 % were strangers and 4% of relationships were unclear. In a vast majority of cases the offenders were Aboriginal and/or Torres Strait Islander men.

Of the offenders known to the victims:

- 41% were known through the community;
- 35% were known through family and kinship relations;
- 11% were the current partner (or promised husband) of the victim;
- 7% were former partners of the victim; and
- 5% were in a relationship with the victim’s mother.

It was found that 5% of victims had faced community pressure and intimidation as a result of their decision to report the assault and that pressure was applied in the form of assaults, ostracism or a perceived fear for the safety of the victim. The table below summarises the findings and the conclusions in their analysis of the cases examined. It is not known if there has been any subsequent action to implement the conclusions of this research in any jurisdiction.

Sexual Violence and Indigenous Victims: Women, Children and the Criminal Justice System	
What the preliminary analysis of data collected indicated	Changing the situation
<ul style="list-style-type: none"> • The majority of the cases collected involved female victims between the ages 11 and 15. This indicates that specific attention to the experiences of victims in this age group is needed. The data also signals a need to interrogate whether this is representative of higher rates of offending against children or whether other factors result in a discrepancy between offending and prosecution (eg, decisions not to prosecute offences against adults because of a difficulty in proving lack of consent beyond a reasonable doubt). • The majority of assaults in the cases analysed were perpetrated by people known to the victim through family or community ties. • Victims sometimes face community pressure urging them not to proceed to court with complaints. 	<ul style="list-style-type: none"> • The special vulnerability of Indigenous females between 11 and 15 years of age calls for special attention to the kind of support that is provided to this category of victim. Both judicial and medical support services need to be tailored to specifically address their needs. • The high proportion of child victims requires measures to ensure that families know how to identify behaviours associated with children experiencing sexual violence. Health workers, teachers, family and community members should receive special education on how to identify the signs of children who have been or are being abused. • Appropriate victim support is needed to deal with potential pressure placed on the victim to not proceed to trial. Care must be taken to ensure the victim’s safety at all points of the process, from the initial reporting through to giving evidence and dealing with the aftermath of prosecutions.

Source: Indigenous Law Centre (2010) *Sexual Violence and Indigenous Victims: Women, Children and the Criminal Justice System*, Research Brief No. 1, Faculty of Law, University of NSW.

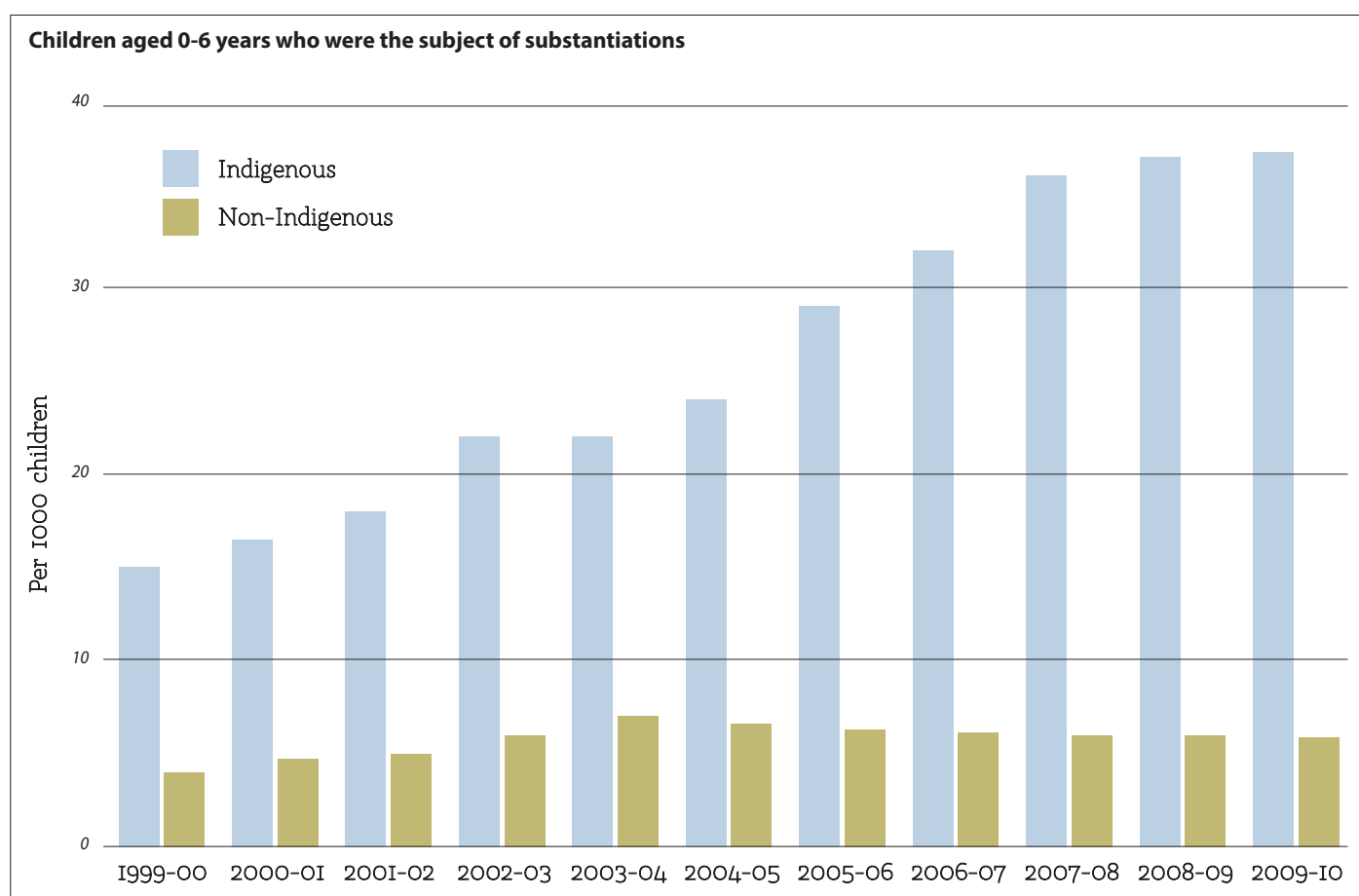
Violence against children

As at 31 December 2012, there were an estimated 238,100 Aboriginal and Torres Strait Islander children aged 0-17 living in Australia. The Australian Institute of Health and Welfare (AIHW) found that Aboriginal and Torres Strait Islander children continue to be over-represented at every stage in the child protection system.³⁸ The AIHW (2012) Child Protection Australia, 2010-11 Report states that:

- In 2010-11, Aboriginal and Torres Strait Islander children were almost 8 times as likely to be the subject of substantiated child abuse and neglect as non-Indigenous children (rates of 34.6 and 4.5 per 1,000 children, respectively). This rate has steadily increased over the decade of 1999-2009 in stark contrast to non-Indigenous children, as illustrated in the Figure below.
- At 30 June 2011, the rate of Aboriginal and Torres Strait Islander children on care and protection orders was over 9 times the rate of non-Indigenous children (rates of 51.4 and 5.4 per 1,000 children, respectively).
- Similarly, the rate of Aboriginal and Torres Strait Islander children in out-of-home care was 10 times the rate of non-Indigenous children (rate of 51.7 and 5.1 per 1,000 children, respectively).³⁹ In all jurisdictions, the rate of Aboriginal and Torres Strait Islander children in out-of-home care was higher than for non-Indigenous children, with ratios ranging from 3.4 in Tasmania to 15.6 in Western Australia.⁴⁰

The AIHW report indicated that the most common type of substantiated abuse of Aboriginal and Torres Strait Islander children is neglect and the least common is sexual abuse.

- Neglect which was 38% compared with 23% for non-Indigenous children. There was a significant variation across jurisdictions in the proportion of Aboriginal and Torres Strait Islander children substantiated for neglect - ranging from 8% in Victoria to 54% in South Australia and the Northern Territory.
- Emotional abuse which was 32% compared with 38% for non-Indigenous children – ranging from 19% in Western Australia to 56% in Victoria.
- Sexual abuse which was 10% and was the least common type of substantiation for Aboriginal and Torres Strait Islander children. This was constant across all jurisdictions except Western Australia due to the differences in the mandatory reporting requirements within this jurisdiction.⁴¹



Source: Figure 4.10.1, AIHW (2012) Child Protection Australia 2010-11, Child Welfare Series Number 53.

The AIHW report noted that the substantiation rates for Aboriginal and Torres Strait Islander children had decreased marginally since 2009-10 from 35.5 to 34.6 per 1,000 children. At the same time, the rate ratio of Aboriginal and Torres Strait Islander children compared to non-Indigenous children also decreased since 2009-10 from 7.7 to 7.6 in 2010-11.⁴²

Issues with data accuracy remain however. The AIHW report notes that practices used to identify and record the Aboriginal and/or Torres Strait Islander status of children in the child protection system vary across states and territories. Over the last few years, several jurisdictions have introduced measures to improve the identification of Aboriginal and Torres Strait Islander clients. However, in some jurisdictions, the high proportion of children whose Aboriginal and/or Torres Strait Islander status is unknown still affects the quality of data on Aboriginal and Torres Strait Islander children. Improvements to the quality of Aboriginal and Torres Strait Islander identification in the national notifications, investigations and substantiations data set have affected the comparability of these data prior to 2009-10. Data systems used by jurisdictions can undergo upgrades and changes between reporting cycles.⁴³

Indigenous children as a proportion of substantiations, care and protection orders and out-of-home care placements in Australia.			
Year	Substantiations	Care and protection orders	Out-of-home care placements
2010-11	26.1%	31.6%	32.8%
2009-10	26.6%	30.4%	31.9%
2008-09	25.0%	29.0%	30.9%
2007-08	22.9%	26.3%	29.1%
2006-07	20.2%	24.8%	27.7%
2005-06	17.6%	24.0%	25.5%
2004-05	14.9%	22.2%	24.0%
2003-04	12.9%	20.1%	23.2%
2002-03	14.1%	21.7%	23.4%
2001-02	12.9%	20.7%	20.7%
2000-01	12.8%	21.0%	22.3%
1999-00	12.9%	20.0%	20.7%
1998-99	15.6%	22.8%	18.5%
1997-98	12.1%	17.4%	18.3%
1996-97	10.8%	16.2%	19.9%

Source: compilation of AIHW Child Protection Australia reports (1996-2011).

The increase in the overall number of children on care and protection orders during the 2010-11 period was driven by the substantial increase in the number of Aboriginal and Torres Strait Islander children on orders.⁴⁴ From 30 June 2007 to 30 June 2011, the rate of Aboriginal and Torres Strait Islander children on care and protection orders increased steadily from 34.8 to 51.4 per 1,000 children.⁴⁵ Of those Aboriginal and Torres Strait Islander children on orders, nearly three-quarters (73%) were on finalised guardianship and custody orders. Children were generally on similar types of orders as non-Indigenous children. However, they were less likely to be on finalised supervisory orders than non-Indigenous children (4% and 7% respectively) and more likely to be on an interim and temporary order (11% and 8% respectively).⁴⁶

All jurisdictions have adopted the Aboriginal and Torres Strait Islander Child Placement Principle in legislation and policy. The impact of using the Principle is reflected in the relatively high proportions of Aboriginal and Torres Strait Islander children who were placed with Aboriginal and Torres Strait Islander caregivers or with their relatives in many jurisdictions. Specifically, across Australia, 69% of Aboriginal and Torres Strait Islander children were placed with relatives/kin, other Aboriginal and/or Torres Strait Islander caregivers or in Aboriginal and/or Torres Strait Islander residential care.⁴⁷ We note that this does include non-Indigenous relatives however.

In many jurisdictions there is a lack of clear data on compliance with the Principle, and a lack of effective compliance mechanisms. Essentially the Principle suffers from a series of significant implementation shortfalls that result in a large number of Aboriginal and Torres Strait Islander children continuing to be dislocated from family and culture, exacerbating the inter-generational effects of the Stolen Generations. For example, a recent report of the Queensland Commission for Children and Young People found that child protection workers could only demonstrate consideration of the hierarchy of placement options in 26% of cases; and Aboriginal and Torres Strait Islander agencies had been consulted in only 62% of cases, despite the legislative requirement to do so.⁴⁸ Research suggests that the third component of the Principle, maintaining connection to culture, is the greatest area of non-compliance.⁴⁹

Analysis of Aboriginal and Torres Strait Islander data contained in the AIHW Child Protection Reports published between 1996-97 and 2010-11 confirms that the proportion of Aboriginal and Torres Strait Islander children who are subject to substantiations, placed on care and protection orders and who have been placed in out-of-home care has steadily increased over the past 15 years. Whilst some of this can be attributed to improvements in identifying the Aboriginal and Torres Strait Islander status of children, the harsh reality may be that more children are living in at-risk family situations. A significant number of children also continue to be removed from their homes and cultures, continuing the cycle of the Stolen Generations.

What the data tells us about family violence amongst Aboriginal and Torres Strait Islander communities

All governments in Australia have moved towards an evidence based approach to decision making which relies on statistical data captured by government and non-government services and agencies. The major challenge and shortcoming of the current system is that there is no single or integrated dataset from which family violence data can be drawn and analysed. This includes data about Aboriginal and Torres Strait Islander family violence.

The annual Overcoming Indigenous Disadvantage report published by the Steering Committee for the Review of Government Service Provision provides a comprehensive picture concerning outcomes to address Aboriginal and Torres Strait Islander disadvantage in each jurisdiction.⁵⁰ Headline Indicators contained in this report include information about family and community violence as well as substantiated child abuse and neglect.

To understand the extent of family violence, however, requires an in-depth and detailed cross examination of a range of independent data sources that, on their own, do not reveal the impact on individuals (men, women, children, youth and Elders) or on groups (families and communities). Connecting the linkages at an individual level to reveal the prevalence/extent of family violence would require tracking an individual across more than one dataset. For example, police data would need to be linked with courts data and hospital emergency data would need to be linked with hospital admissions data. Data captured by Family Violence Prevention and Legal Services would need to be linked with Aboriginal and Torres Strait Islander Healing Services and counselling data, etc.

At the same time, it is not evident from child protection data being published whether the steady increase in the number of Aboriginal and Torres Strait Islander care and protection orders each year in each jurisdiction are new orders or if they consist of a mix of both new and existing orders. Specifically, how many children remain in the system and for how long as opposed to how many new children entered the system. It is also difficult to grasp whether the support services in place in each jurisdiction are connecting the dots as the data being analysed is de-identified. Whilst this affords a degree of protection in relation to the identity of the child/children at risk, current approaches to data analysis do not enable services to undertake informed 'case management' and planning practices which link up what is happening with a child and/or their parents.

This becomes more complicated and less transparent where a parent at-risk of violence flees their existing relationship to seek short and/or longer term support for accommodation or accesses other services, such as counselling. Similarly, it is not clear the extent to which perpetrators of family violence are accessing/receiving support or assistance to change their behaviour or attitude towards themselves and/or others. At the same time, it is not clear from analysis of available data if children are experiencing single or multiple episodes of injuries as a result of family violence. Nor is it clear to what extent they are receiving support (such as counselling) or if they are participating in other activities locally as part of a community led approach to address family and/or community violence.

There are a range of very complex issues that need to be addressed before it is possible to gain a more accurate and true picture of the impact that family violence is having on individuals, families and communities within each jurisdiction. Gaining easy access to 'good practice' information is one area where there have been incremental improvements made in relation to sourcing information. However, significant work is required at both an organisation level and a statewide level to put in place more robust processes to document the success and failures that are occurring where action is being taken to address family violence in Aboriginal and Torres Strait Islander communities.

It is anticipated that key recommendations made in the Overcoming Indigenous Disadvantage Key Indicators Report (see box below), if implemented, could address some of these issues:

Recommendations - Overcoming Indigenous Disadvantage Key Indicators Report

Recommendation 5

That (where possible) the Overcoming Indigenous Disadvantage Report provides more disaggregation in relation to:

- Remoteness
- Aboriginal and Torres Strait Islander people living in an urban context
- community level data
- sub-groups within the Aboriginal and Torres Strait Islander population (such as homeless and highly mobile groups) that might otherwise be lost in the data collection on the Aboriginal and Torres Strait Islander population.

Recommendation 7

- (a) That the OID report provides more analyses that reflect the complexity of disadvantage, particularly in regard to the linkages between indicators.
- (b) That the OID report provides more rigorous statistical analyses, in particular when comparing trends and outcomes in administrative data.

Recommendation 8

- (a) That the SCRGSP investigate the possibility of providing a series of smaller reports in between publication of the biennial report that would highlight particular indicators, outcomes, themes or linkages.
- (b) That the SCRGSP examine the feasibility of providing a separate tailored report for each state and territory based on available data.

Source: Steering Committee for the Review of Government Service Provision (2011) *Overcoming Indigenous Disadvantage: Key Indicators 2011*, Productivity Commission, Canberra.

It is evident that a similar set of recommendations to those contained in the Overcoming Indigenous Disadvantage Key Indicators annual reports needs to be explored in relation to deconstructing child protection and other available data published in each jurisdiction. If possible, data should be cross referenced at a Local Government Area (LGA) level so it is easier to identify hot-spots in each jurisdiction. This approach would enable staff of mainstream and Aboriginal and Torres Strait Islander services located in each region to identify where additional services, programs or activities need to be put in place to support victims and perpetrators of family violence.

Non-disclosure of violence in Australian Aboriginal and Torres Strait Islander communities

A paper published by the Australian Institute of Criminology in 2011 outlined reasons why there are high rates of non-disclosure of violence in Aboriginal and Torres Strait Islander communities.⁵¹ This paper suggested that increasing the level of disclosure is one step in resolving the problems of violence that impact on Aboriginal and Torres Strait Islander communities. McGlade also reinforced the importance of this point in relation to child sexual assault in Aboriginal and Torres Strait Islander communities. As she notes, “rejecting shame is critical to addressing sexual violence”.⁵²

It also suggested that efforts to increase disclosure can only be effective within the context of broader efforts to break the cycles of intergenerational violence and cultures that establish violence as normative. And that solutions need to consider the role of men in changing attitudes to violence, ensuring that the right services and responses are in place to respond effectively to disclosures and that culturally appropriate supports are available for victims.

The 3 case study scenarios included in this paper highlight key issues that an Aboriginal and Torres Strait Islander person may be influenced by where a situation involving violence is not reported to the police. These are detailed in the table below. The situations in each case study can be readily applied to many remote, rural and metropolitan settings where there is a high population of Aboriginal and Torres Strait Islander people.

This paper raises a number of relevant issues that need to be understood in the development of policies, programs and procedures to engage with Aboriginal and Torres Strait Islander people who experience family violence and who are reluctant to report offences committed against them. The recommendations below reflect the complexity of the issue and its various layers across sectors. It also highlights the importance of culturally safe services that recognise the needs of all victims - male, female and child – and place healing, education and respect for cultural ways at the front and centre.

Barriers to reporting sexual assault	
Personal barriers	Justice system-related barriers
<ul style="list-style-type: none">• Too trivial or inappropriate to report to police• Not a ‘real’ crime• Not clear that harm was intended• Dealt with it themselves• Regard it as a private matter• Shame, embarrassment• Did not want family or others to know• Fear of reprisal by assailant• Self-blame or blamed by others for the attack• Desire to protect offender, relationship, or children	<ul style="list-style-type: none">• Police would not or could not do anything• Police would not think it was serious enough, or would not want to be bothered with the incident• Fear of not being believed by police• Fear of hostile treatment by police or other parts of justice system• Fear/dislike of police or the legal process• Lack of proof that the incident happened• Did not know how to report

Recommended actions that can be taken to encourage disclosure
Police responses: (<i>NSW Violence Against Women Specialist Unit 2005</i>)
<ul style="list-style-type: none"> • Police are respectful and show awareness and sensitivity to the victims' individual needs; • The women are believed; • Women had an advocate or support person; and • Police give victims information about their rights and the justice process. • Police are able to provide assurance of safety from the perpetrator; • Counsellors or sexual assault services are working with police; • The matter is likely to be investigated; and • Officers trained in sexual assault issues are immediately assigned to the case.
Improving social responses to sexual assault in the general community: (<i>Lievore 2005</i>)
<ul style="list-style-type: none"> • Promoting community awareness about the prevalence of sexual assault, challenging rape myths and mistaken beliefs and changing social responses; and • Removing barriers to services. • Specialised training and education and increased support for those involved in responding to sexual assault; and • Promoting coordinated community responses.
Service responses for Indigenous victims being developed in conjunction with Indigenous communities:
<ul style="list-style-type: none"> • Indigenous cultural diversity, including diversity in the nature and adherence to traditional practices and authority; • Provision of culturally secure services that members of the community can feel safe and comfortable using; and • Availability of translators and interpreters. • Service responses that recognise the needs of all victims, both female and male, adult and child, within the cultural and practical context of each community; and • Use of outreach or mobile services able to meet the needs of remote communities.

Other areas where change is suggested to improve disclosure
<ul style="list-style-type: none"> • Mainstream models of service delivery that rely on appointments and specific counselling sessions limited to one hour periods may not be appropriate for Indigenous ways of communicating and undermine the willingness of victims and survivors to seek support (Thorpe, Solomon & Dimopolous 2004). • Services that can take flexible approaches, respond to the diversity in Indigenous culture and include men as part of the healing process are more likely to be utilised by Indigenous victims and survivors (FVPLS Victoria 2010a; Thorpe, Solomon & Dimopolous 2004). • Enacting specific measures to increase public confidence in order to improve levels of disclosure. An assessment of the Sexual Assault Code of Practice introduced by Victoria Police in 1991 showed a significant increase in the number of disclosures of sexual offences to police in the first few years after the Code of Practice was introduced (D'Arcy 1998).

Other areas where change is suggested to improve disclosure	
Specialist training and education	Community awareness and education
<ul style="list-style-type: none"> • Ongoing cultural awareness training which includes working in and with local communities, involves facilitators that represent a diversity of groups and includes experienced people (FVPLS Victoria 2010b). • Providing Indigenous support workers with specific skills to deal with sexual assault (Thorpe, Solomon & Dimopolous 2004). • Training frontline rape crisis workers in Indigenous communities that have particularly high levels of sexual assault is an important way of encouraging disclosure (Fife-Yeomans 2008). 	<ul style="list-style-type: none"> • Educating people in communities so they can identify signs which may indicate abuse and knowing who they can report their suspicions to. • Education campaigns involving close consultation and engagement and face-to-face delivery of messages (Bryant & Wills 2009). • Undertake wide-ranging communication activities that involve the media, communities and schools (Taylor & Putt 2007) with awareness and education campaigns aiming to establish a 'need to disclose' culture involving community leaders who encourage and appeal for disclosure on an on-going basis (Mulligan 2008). • Education about rights being supported by protective policing measures and wide community support to allow those rights to be exercised.
Community responses	Changing the situation
<ul style="list-style-type: none"> • Effective approaches for Indigenous communities focusing healing processes that aim to let victims deal with their pain and suffering through telling their stories in a way that is comfortable and safe for them while maintaining community and family interconnectedness (Blagg 2002; Lievore 2003). • Responses recognising and respecting a female victim's cultural and family obligations, rather than aiming to separate them from families and communities (Blagg 2002). 	<ul style="list-style-type: none"> • Ensuring that solutions consider the role of men in changing attitudes to violence, ensuring that the right services and responses are in place to respond effectively to disclosures and that culturally appropriate supports are available for victims.

Source: Australian Institute of Criminology "Trends & issues in crime and criminal justice" No. 405 January 2011.

Building safe and supportive Aboriginal and Torres Strait Islander families and communities

Building safe and supportive Aboriginal and Torres Strait Islander families and communities has been a key focus of all Australian governments for a number of years. This section of the literature review presents findings from research on what we know about what works to prevent and respond effectively to family violence.

The involvement of Aboriginal and Torres Strait Islander people in discussions and decision-making processes have been strengthened at a local, regional and statewide level in many jurisdictions since 2000. Action has also been taken to create more robust prevention and early intervention services by establishing healing centres in each jurisdiction to address social and emotional wellbeing issues occurring in Aboriginal and Torres Strait Islander families through the provision of support services for parents and children. The primary focus of these healing services has been to provide counselling, education and support for victims of family violence. They also aim to educate, inform and empower Aboriginal and Torres Strait Islander community members living in a specific area about what they can do at an individual, family and community level to address and minimise the incidence and recurrence of family and community violence.

Many Aboriginal and Torres Strait Islander communities have also developed their own responses to family violence, which include educational initiatives and men's programs, as well as moves to incorporate principles of customary law into the justice system.⁵³ Many Aboriginal and Torres Strait Islander community governed local councils have also completely banned or restricted the sale of alcohol in an effort to minimize the incidence of one-off and ongoing family and community violence occurring.

Cripps & Davis explore in a recent Research Brief a range of support programs, behavioural reform programs, community policing and monitoring programs, justice programs, mediation programs, education and awareness programs and composite programs being implemented to reduce Aboriginal and Torres Strait Islander family violence in Australia and overseas.⁵⁴ This brief also touches on alcohol restrictions and highlights some of the common factors for effective family violence program design.

The following extract taken from this brief describes key factors required to redress Aboriginal and Torres Strait Islander family violence in all its complexity.

Communities Working to Reduce Indigenous Family Violence

Qualitative evidence suggests that effective programs require the involvement of Indigenous communities in defining the problem and its context, and in setting the parameters for how to engage with the issue(s). Interventions can then be developed by and for the community in which they operate so that they recognise and respect Indigenous diversity, embrace Indigenous cultural values, and foster community engagement in decision-making processes. Overall, this would ensure that the community is vested in the issue, the intervention and its outcomes.

The type of interventions that have consistently been identified as being most effective in responding to family violence are those designed to be flexible and holistic in their approach, responding to the multiplicity of factors contributing to the occurrence of violence and to the many people affected by it (HREOC 2008).

It is widely recognised that the skills and resources needed to respond to the problems associated with family violence involve multiple professionals and organisations, who must work in partnership towards the mutual goals of healing individuals, families and communities, breaking the cycle of violence and creating safer, healthier, nurturing environments. Working effectively in partnership requires:

- Making use of local structures and developing relationships with a variety of key players including other services, Indigenous organisations, Elders, and most importantly, community members of both sexes and different ages
- Establishing effective and functional leadership and decision-making structures
- Establishing processes where services work together 'respectfully' and as 'equal partners'; and
- Making the time for full and open dialogue between all stakeholders.

A partnership approach, if appropriately structured, can meet program goals but can also strengthen the capacity of the existing workforce through both the sharing of knowledge and training resources between organisations.

Planning for sustainability is a further critical element to the success of any initiative seeking to reduce Indigenous family violence. The reliance on short-term government funding can compromise the effectiveness and impact of programs.

Source: Cripps, K., & Davis, M (2012) Communities Working to Reduce Indigenous Family Violence, Indigenous Justice Clearinghouse, Brief 12, June 2012.

This brief makes the following conclusions:

1. Evaluations are required at various intervals, recognising that the benefits of programs may only be apparent at two or five years after the intervention, not the typical six months post-intervention evaluations that currently take place.
2. Of the evaluations that exist, some show on a qualitative level that genuine partnerships, a sense of ownership, and participation in programs increases the receptiveness of the community.
3. Indigenous communities are working hard, often despite immense odds, to tackle the problem of violence within their communities.

Other literature reviewed confirms that addressing issues of family violence amongst Aboriginal and Torres Strait Islander people is also highly complex and approaches taken need to address multiple issues at the same time. It was noted that despite a paucity of available published material about what is/is not working, the key elements outlined in the June 2012 Research Brief 12 paper were not isolated.

Child Family Community Australia (CFCA) published a critique and synopsis in 2012 provided of Australian research on building safe and supportive Aboriginal and Torres Strait Islander communities for Aboriginal and Torres Strait Islander children.⁵⁵ Based on assessments of 22 research and evaluation reports, this paper examined the evidence base in the following areas:

- building safe and supportive Aboriginal and Torres Strait Islander communities for children and families; (n = 2)
- support for vulnerable and at-risk Aboriginal and Torres Strait Islander families; (n = 18) and
- prevention of child abuse and neglect in Aboriginal and Torres Strait Islander families and communities. (n = 2)

A number of promising programs are identified, although the paper recognises that long-term impacts of these programs are not yet known. The Sturt Street Family Violence Program was one of the programs of focus in the study. The box on the right highlights the centrality of the broader prevention strategy in place within immediate support services. The study found that preventative approaches to child abuse and neglect may not be viewed by practitioners as being distinct from the support they provide to vulnerable or at-risk families.

The findings in this study range across the areas detailed in the box below and are captured concisely in this summary:

“

While capacity building can occur at the family level and at a system level, the two are inherently interconnected. Community development approaches offer a way to facilitate Indigenous capacity building for families and their communities. Engagement strategies that are underpinned by the specific needs of Indigenous families are more effective when Indigenous people are involved in the decision-making process. Services that are culturally competent understand the need to collaborate with other agencies to provide holistic services that can meet the diverse needs of Indigenous families. All of these elements were considered integral to building the capacity of vulnerable and at-risk Indigenous families.

”

Local context and a holistic response to this specific context is identified as critical. This is consistent with other evidence that the need to draw from a solid understanding of the different cultural and social constructs present in a community. Specifically, Aboriginal and Torres Strait Islander people live in many different geographic locations (urban, rural and remote) which each have their common but often unique local cultural rules and practices. In all Aboriginal communities, complex kinship systems are still an integral part of the local cultural practices and specific rules govern social interactions between/amongst members of that community. These need to be considered for the development of good practice strategies.

The paper identifies the difficult challenge presented by the aim of building safe and supportive communities for Aboriginal and Torres Strait Islander children as a preventive measure to protect children from abuse and neglect. It highlights the importance of exploring how data can be accessed and linked with the day to day lived experience of Aboriginal and Torres Strait Islander families, a long term commitment to the issue and ensuring objectives stay focused on aspirations of Aboriginal and Torres Strait Islander communities.

The Sturt Street Family Violence Program (SA)

Practical and ongoing preventative support was provided to Aboriginal or Torres Strait Islander women and their children who were experiencing family violence or homelessness.

By providing immediate material support such as furniture, utensils, bus tickets and clothing, the Aboriginal women were able to focus on the longer-term goals of obtaining a house, rather than worrying about basic survival needs.

By coupling this with ongoing emotional and educative support - through counselling and assistance with budgeting - the women were able to build self-esteem, coping abilities and parenting skills, and thereby prevented them from having to access other services.

Source: Wendt & Baker (2010) in Child Family Community Australia (2012) *Safe and supportive Indigenous families and communities for children: A synopsis and critique of Australian research*, Paper No. 7 2012.

Key Messages to build safe and supportive Indigenous families and communities

- | | |
|--|--|
| <ul style="list-style-type: none"> • Longer time-frames than those currently provided are required for programs and services to: • build trusting relationships with Indigenous families and community partners; • identify client needs and to plan and implement appropriate responses; • devise and deliver effective engagement strategies; • foster Indigenous cultural understandings for service staff and for the broader community; and • develop evaluation strategies that identify longer-term outcomes for Indigenous families. • Indigenous participation in the planning, delivery and measurement of programs is critical in fostering greater trust and connectivity and enhancing community awareness. • Engagement strategies work best when Indigenous families are consulted about their needs, and services respond using holistic approaches that are delivered in a culturally sensitive manner. | <ul style="list-style-type: none"> • A collaborative approach to service delivery has resulted in a reduction of service duplication, more efficient use of resources and the promotion of shared goals. It is unclear whether these benefits will result in positive outcomes for Indigenous families in the longer-term. • When Indigenous clients exit from programs there is little known about the impact that services have had on their families beyond their engagement with the program. • Short funding periods and limited resources for programs have restricted the capacity of some services to provide appropriate support to Indigenous families. • Indigenous perspectives about how child abuse prevention information is shared among the community can help to identify where, when and how child prevention interventions could be delivered. • Program evaluation data are rarely linked to population-wide data to establish the longer-term impact of programs on Indigenous families and communities. Improved data linkage may help to establish a solid evidence base to inform child protection strategies for Indigenous families and communities. |
|--|--|

Source: Child Family Community Australia (2012) *Safe and supportive Indigenous families and communities for children: A synopsis and critique of Australian research Paper No. 7.*

The Overcoming Indigenous Disadvantage: Key Indicators 2011 report also provided an analysis of the 'things that work' from extensive consultation with Aboriginal and Torres Strait Islander people, governments and researchers. 'Success factors' are strongly linked to those identified above and included:

- Cooperative approaches between Aboriginal and Torres Strait Islander people and government - often with the non-profit and private sectors as well
- Community involvement in program design and decision-making - a 'bottom-up' rather than 'top-down' approach
- Good governance - at organisation, community and government levels
- Ongoing government support - including human, financial and physical resources.⁵⁶

The report noted that while "Cooperation between Indigenous people and governments seems an obvious ingredient for successful programs. Nevertheless it does not always occur."⁵⁷ Working as partners, acknowledging the value and supports of other partners were identified as critical for cooperative approaches between Indigenous communities and organisations, governments, non-profit organisations and private businesses.

The New Zealand Taskforce for Action on Violence within Families recognised that to achieve zero tolerance and healthy relationships individuals, agencies and government departments must work cooperatively, with close involvement from whanau, hapu and iwi (extended family, clan and peoples or nations).⁵⁸ Collaboration was central to their program, with a primary goal of the Task Force's 2011-12 Programme of Action to encourage "collaboration and co-operation across government and non-government agencies to amplify their collective impact". This drew from international thinking that "the system matters" when it comes to eliminating and

preventing family violence because the causes of family violence are deeply rooted at every level of the social ecological system.

A New Zealand Family Violence Clearing House highlights evidence that shows that coordinated community responses in fact reduce violence.⁵⁹ Male perpetrators who attend stopping violence programmes that are linked to a wider system of services re-offend less frequently than men who attend stand-alone programmes. Collaborative networks open up more options for victims, and can work to hold perpetrators accountable for their violence, tapping in to the complex causes and dynamics of men's violence against women.

When collaborative initiatives work well they expand creative and problem-solving capacity by bringing multiple perspectives to bear. They are more likely to achieve results, and better results more efficiently, than the parties are working individually. Clients have less need to repeat information, have access to services previously unavailable and have services better targeted to their needs and circumstances. There is a better referral system combined with more opportunities to divert clients away from the court system.⁶⁰ It is increasingly recognised that effective collaboration against domestic and family violence requires coordinating the entire community response.

Key messages detailed below provide guidance on critical steps to work towards coordinated and collaborative responses. SNAICC has also recently completed significant research on genuine partnerships for integrated services that concludes that a set of key principles are fundamental for creating genuine partnerships between Aboriginal and Torres Strait Islander services and mainstream services and government stakeholders.⁶¹

Key Messages – New Zealand Taskforce for Action on Violence within families

- Coordinated and collaborative responses to family violence result in better outcomes for victims and perpetrators, enhanced processes in and between agencies, improved service delivery and provision and reduces violence.
- There needs to be strong national mandate and leadership for agencies to work collaboratively. A centralised source to feed information out to and from local networks supports coordinated response and minimises the risk of duplication.
- All members of a collaborative need written agreements on shared aims and objectives based on commonly agreed values-based philosophical framework. Roles, responsibilities and expectations need to be clearly defined and specified. Transparent decision-making, participatory planning and continual monitoring and evaluation are key components of successful collaborations.
- Investment in a dedicated coordinator role ensures momentum is not lost and issues are resolved as they arise. Agencies also need to support staff to invest time and resources into collaborative activities. Funding needs to support the networks to collaborate on primary prevention as well as intervention activities. Investment in communal training assists in building shared understanding and promotes trust and respect.
- Consistent monitoring and measuring of safety and accountability needs to occur in ways that support ongoing learning and which provide opportunities for inclusion of current best-practice of system-wide responses.

New Zealand Family Violence Clearing House (2012) Building collaborations to eliminate family violence: facilitators, barriers and good practice. Issues Paper 1. March 2012, New Zealand Family Violence Clearing House.

build capacity for Aboriginal and Torres Strait Islander community-controlled children and family services.⁶³ A recent report of the Australian National Audit Office further highlighted that building the role and capacity of Aboriginal and Torres Strait Islander organisations is not only important for effective service delivery, but an important policy objective in its own right in so far as it promotes local governance, leadership and economic participation, building social capital for Aboriginal and Torres Strait Islander peoples.⁶⁴

Hannah McGlade places the issue of self-determination at the centre in her consideration of the development of Aboriginal models to address child sexual assault. As she asserts, a response that is fully informed and developed by Aboriginal and Torres Strait Islander communities is required.

“

“The responses of the non-Aboriginal criminal justice system have been discriminatory, traumatic and largely ineffective, and fail to address holistically the needs of victims and families.”⁶⁵

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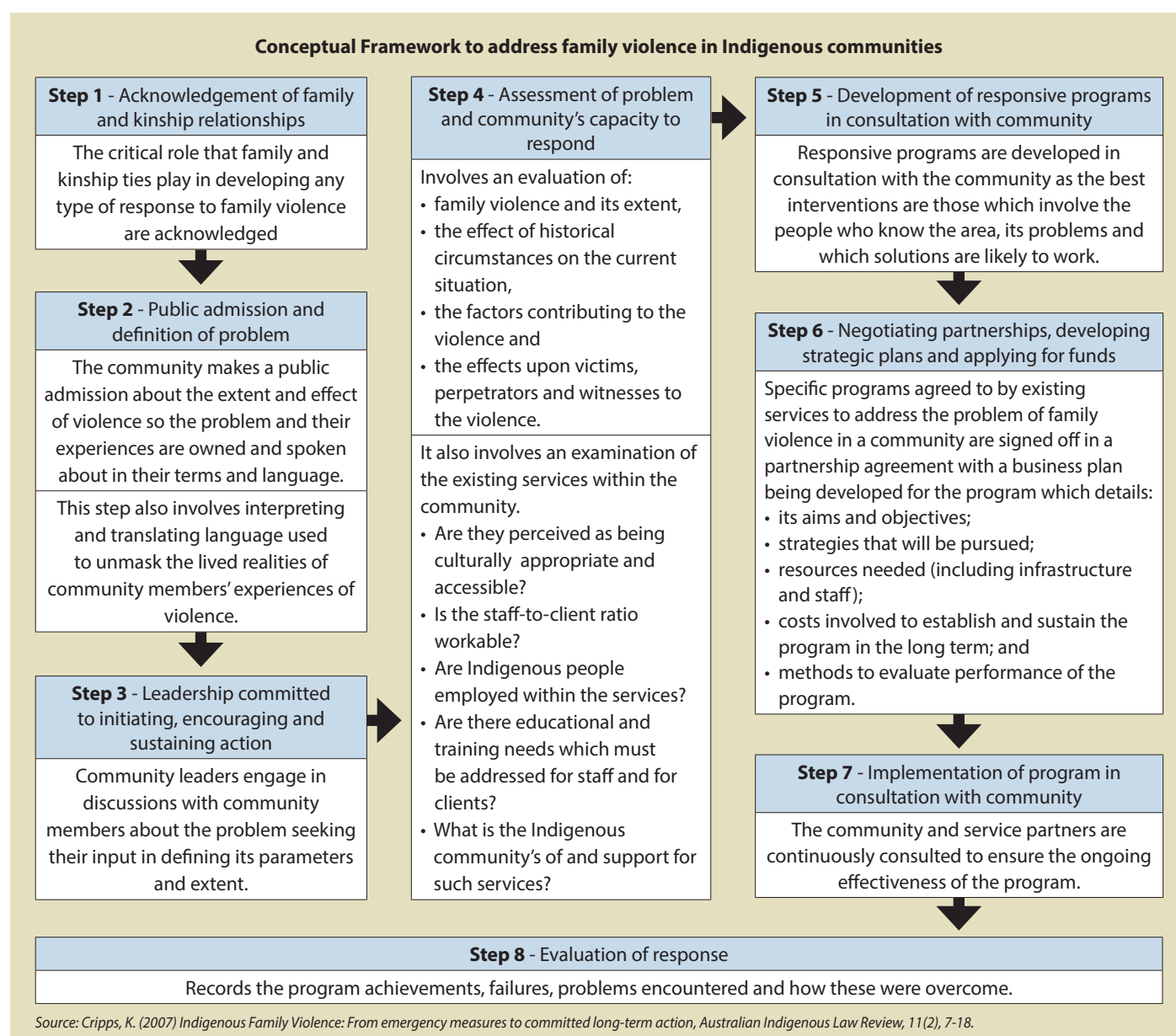
While she focuses specifically on the response to sexual assault as a crime, a number of other recommendations are relevant here. In particular, McGlade details the importance of a response that is based on the empowerment of women and children and that focuses on healing or restoring the well-being of victims, offenders, families and communities.⁶⁶

Another central feature reinforced consistently throughout this literature is the active involvement of local Aboriginal and Torres Strait Islander people in discussions, planning, development and the implementation of programs, services and activities. The Overcoming Indigenous Disadvantage: Key Indicators 2011 Report links this element to self-determination, one of the determinants of good Indigenous governance. It reflects on the Harvard Project on American Indian Economic Development, which found that self-determination led to improved outcomes for North American Indigenous people: “When [Indigenous people] make their own decisions about what approaches to take and what resources to develop, they consistently out-perform [non-Indigenous] decision-makers.”⁶²

The best outcomes in Aboriginal and Torres Strait Islander community well-being and development are achieved where those peoples have control over their own lives and are empowered to respond to and address the problems facing their own communities. Numerous reports and inquiries in Australia have consistently confirmed a lack of robust community governance and meaningful Aboriginal and Torres Strait Islander community participation as major contributors to past failures of Government policy and highlighted the need to

Cripps draws together these major factors in a Conceptual Framework to address family violence in Indigenous communities. This framework identifies a number of actions and processes to be implemented on an ongoing basis to respond to family violence through embracing Aboriginal and Torres Strait Islander cultural protocols, ethics and knowledge systems.⁶⁷ The flow chart below summarises Cripps's Conceptual Framework in a visual format for the first time to highlight the initial steps that she believes need to be considered to address family violence in Aboriginal and Torres Strait Islander communities. This is drawn from a distillation of the information she has gathered over the years from her research.

The components of Cripps's framework draw on a deep understanding of the causes of family violence and present processes for community ownership and empowerment that evidence indicates are fundamental for outcomes from community development, human rights and social policy perspectives. It is clear that Cripps's framework and its various elements will need close consideration in the process to develop a national Processes Framework for Good Practice Principles. This will need further exploration and discussion to identify how elements of Cripps's framework can be adapted, in whole or in part.



PART 2: GOOD PRACTICE PRINCIPLES

This section of the literature review discusses the need for good practice principles and examines a sample of the ‘principles’ that were found in various reports, strategies, action plans and other documents which related to family violence in Aboriginal and Torres Strait Islander communities. It is noted that each of these have been written with a specific issue or area of interest in mind. In some instances, international standards and conventions were identified as underpinning the stated principles. In others, the information to emerge from task force reports and inquiries formed the basis of principles contained in strategies and action plans being implemented.

These principles are explored and frame the key questions to drive the development of a national process framework for good practice principles.

Why have Good Practice Principles

Over the last 15 years, Australian and state/territory Governments have changed their policies and included new service delivery requirements for services they fund. These are now underpinned by Registration and Performance Standards as part of the new regulatory framework. Organisations that do not meet the criteria set under these standards are usually de-funded for a short period of time (until they make changes to meet the set standards) or permanently (because they cannot meet the standards set).

Good Practice Principles are a set of ethical statements or philosophical ideas that clearly state what will drive or underpin the actions of an organisation in what it is seeking to achieve. Their primary purpose is to provide a broad conceptual overview and create a focal point the actions of an organisation to internal and external stakeholders. At the same time, Good Practice Principles can draw attention to the critical and core workings of an organisation which, in turn, re-affirm the purpose, objectives and actions they are seeking to achieve.

In more recent times, practice principles have formed the basis for accredited management standards such as ISO 9000 or ISO 14001 which relate to the quality management systems an organisation will implement to meet statutory and regulatory requirements set by government for products, goods and services.

Good practice principles are also a method or technique that has consistently shown results superior to those achieved with other means. They are often used as a benchmark and set basic minimum standards for self-assessment.

The consultation process for this project identified that there are core components that must be considered particularly around how community controlled services are guided in their practices to deliver effective family violence prevention strategies for Aboriginal and Torres Strait Islander people, particularly children. It appears however that these principles are not consistently explicit, not driving program development and do not form the basis of reflections on service effectiveness. In particular:

- Close examination of good practice case studies showcasing how Aboriginal and Torres Strait Islander programs and activities respond to family violence confirms that good practice principles are cited after a program has been operational and/or reviewed as opposed to programs being set up and designed around existing and agreed principles.
- Performance indicators and compliance benchmarks for most Aboriginal and Torres Strait Islander family violence prevention programs, projects and initiatives funded by the Australian and state/territory governments are usually known in advance. It has been noted that many of these funded programs have not, until more recent times, come from a place where ‘principles’ or ‘values’ were already in place.
- Information gathered during this research project found that some programs and services being delivered in each jurisdiction have developed their own practice principles. Whilst there are some common themes occurring in each of these, the principles applied or stated appear to reflect the values and views of individual organisations.
- Research undertaken by government, academics and practitioners into family violence have formulated and presented various ideas about what constitutes ‘good practice’. It is not clear from the published literature however to what extent the stated principles have been taken up by governments and their agencies in each jurisdiction or nationally.

These issues highlight a need for a national framework to guide all stakeholders and provide a bench mark of good practice to aim for.

An early example of ‘principles’

An early example of a list of principles that was found was prepared by the Office of the Status of Women in 2001.⁶⁸ Memmott et al have emphasised the need to ensure all Aboriginal and Torres Strait Islander controlled family violence programs operate under the Principles set out in the report “Working Together Against Violence” by the Office of the Status of Women in 2001.⁶⁹ These principles state that programmes should be based on an approach which:

1. recognises the underlying causes of family violence, including substance abuse, loss of identity and the impact of colonisation.
2. recognises the importance of protecting children and supporting them to break the ‘cycles’ of family and community violence.
3. incorporates practices that maintain and sustain children’s safety, protection and rights via education and other methods of intervention.
4. is locally based and has a high degree of Aboriginal and Torres Strait Islander community ownership.
5. uses models of service delivery and activities that are determined at the community level, rather than prescribing a centrally determined model or approach.
6. attempts to integrate traditional owners into any community-based responses and seeks the support of community leaders.

7. recognises the complex nature of family and community violence in Aboriginal and Torres Strait Islander communities, including the importance of involving and targeting men as well as women and children in the solutions.
8. is initiated, planned and implemented by a core group of local people that is representative of the wider community.
9. provides a small funding component to enable the development of a small core of people within the community who can take a long-term view of the problem. The core group should be initially resourced to undertake planning, consultation and community development activities. Additional follow-up funding could then be provided for the implementation of strategies and responses based on needs determined through the initial planning stage.
10. adopts holistic approaches to the problem, enabling the implementation of a range of different concurrent activities, including community education, preventive activities, support groups for victims, awareness groups and post-prison follow-up for perpetrators, support for carers (including grandmothers etc), and activities and resources for children and young people. Where appropriate, different levels of service provision could be provided through a 'one-stop-shop' model.
11. is flexible, responsive and able to adapt to the specific needs of the local community. Under this approach, activities may vary over time and in different localities, depending on the specific needs of communities.
12. does not focus solely on crisis intervention/support services, but attempts to integrate local culture, art, dance and music into community-based activities
13. encourages the development of strong links with any other relevant service providers in the community, including those responding to needs in the areas of housing, economic development, employment, education and training.
14. collaborates with and seeks input from policing and justice structures within the community.
15. operates in a whole-of-community and whole-of family context that is sensitive to the wider family and social systems of people.
16. has minimal layers of bureaucracy between the community-based project and the funding agency, and utilises regionally based contact officers who can advise on the development of program activities.
17. has access to a regionally based Aboriginal and Torres Strait Islander family violence worker whose role is to assist, coordinate programs and support services.
18. is linked to other programs at the regional and national levels, particularly in respect of information exchange between activities, and should promote more best practice models of service delivery through funding programs. A national clearinghouse could play a significant role in collating and disseminating information about innovative and effective responses that have been developed by communities.
19. actively involves communities in the evaluation and assessment of program activities.
20. is directed to areas of highest need rather than areas of largest population.
21. has small, efficient and transparent administrative structures that are accountable and based within the local community.
22. has a demonstrated track record and credibility within the community, and people delivering services through the program should be skilled and knowledgeable.
23. aims to teach participants new and enhanced skills that have application beyond the period of involvement in the project. An important aspect of this process would be the transfer of skills from experienced a community workers to a 'new' generation of workers.
24. incorporates processes to prevent worker burnout and provide continuing support for hands-on workers (including debriefing) – (Office of the Status of Women, 2001 b).

It is evident that these principles were written at a time when governments and bureaucrats were seeking direction about how to design and structure programs they were funding. This early example translates more easily into a set of 'criteria' that could underpin a set of principles rather than appear as a set of principles on their own.

National Plan to reduce violence against women and their children

It is important to look at what Aboriginal and Torres Strait Islander family violence prevention plans, strategies, services and programs are currently in place to ensure that a process framework is in line with current standards and practices and funding guidelines that exist.

The National Plan to reduce violence against women and their children (the National Plan) recognises the high incidence of violence experienced by Aboriginal and Torres Strait Islander women and their children, and focuses on ways to strengthen Aboriginal and Torres Strait Islander communities to prevent violence. It states that:

Every Indigenous person: woman, man or child, has the right to safety in their own home and community. Indigenous people have the same rights as other Australians and deserve good services and adequate protection.

The National Plan:

- recognises the diverse experiences of Aboriginal and Torres Strait Islander women and children and the need to ensure solutions are right for specific local circumstances.
- supports Aboriginal and Torres Strait Islander communities to create and build on their own solutions to prevent violence. This includes encouraging women to have a stronger voice as community leaders, providing leadership opportunities for Aboriginal and Torres Strait Islander women, supporting Aboriginal and Torres Strait Islander men to reject violence as well

as improving employment, education and business opportunities in Aboriginal and Torres Strait Islander communities.

The values and principles that guide the National Plan are:

- Domestic violence, family violence and sexual assault crosses all ages, races and cultures, socioeconomic and demographic barriers, although some women are at higher risk.
- Everyone regardless of their age, gender, sex, sexual orientation, race, culture, disability, religious belief, faith, linguistic background or location, has a right to be safe and live in an environment that is free from violence.
- Domestic violence, family violence and sexual assault are unacceptable and against the law.
- Governments and other organisations will provide holistic services and supports that prioritise the needs of victims and survivors of violence.
- Sustainable change must be built on community participation by men and women taking responsibility for the problems and solutions.
- Everyone has a right to access and to participate in justice processes that enable them to achieve fair and just outcomes.
- Governments acknowledge the legacy of past failures and the need for new collaborative approaches to preventing violence against Aboriginal and Torres Strait Islander women.
- Responses to children exposed to violence prioritise the safety and long term well-being of children.

The Process Framework for Good Practice Principles developed as a result of this project will consider the values and principles in the National Plan and identify how consistent they are with community needs and what we know about achieving outcomes for our children.

Victoria

The approach taken in Victoria to develop and implement the ten-year Indigenous Family Violence Plan has been included in this literature review as a benchmark and best practice case study. This case study highlights what can be achieved where strong, respectful, collaborative and robust working relationships are in place between Aboriginal and Torres Strait Islander people and Government.

It is noted that strong leadership and persistent lobbying by key Aboriginal community representatives over a number of years played a significant role in determining how their state's Plan evolved. Principles laid out by their Task Force gave community and government a focus and foundation on which to build their plan. These principles also enabled and empowered Victoria's Aboriginal and Torres Strait Islander community to confirm the importance of having a cultural overlay and lens to all future actions taken by Government. They also guided key decisions taken by the Indigenous Family Violence Forum set up to oversee and monitor the Plan.

Approach used to develop the Victorian Indigenous Family Violence Plan

In 2002, the Framework for the development of the Victorian Indigenous Family Violence Strategy: a partnership approach between the Indigenous community and Government (the Framework) established a Community led approach to develop an Indigenous Family Violence Strategy. Under the Framework, the following three stage process was used to develop their state's Plan.⁷⁰

Stage 1: Indigenous Task Force and Local Indigenous Family Violence Action Groups

- An Indigenous-led Task Force is established in 2002 to provide the Victorian Government with advice about how to effectively address family violence occurring within the Indigenous community.
- Local Indigenous Family Violence Action Groups are established to:
 - raise awareness of issues of Indigenous family violence within local communities; and
 - develop local solutions to prevent and respond to local issues of family violence.
- The Indigenous Family Violence Community Initiatives Fund is established and \$650,000 in small grants is made over 2 years to local community projects to address Indigenous family violence.
- The final report of the Task Force is delivered in 2003.



Stage 2: Government response to Task Force Report

- The Victorian Government issues a response to the recommendations of the Task Force.
- The response includes provision for a number of services including:
 - Healing Services
 - Time Out Services
 - An Indigenous Scholarships Scheme
 - A new Men's Resource Advisory Service
 - Indigenous Family Support Innovation Projects
 - An extension of the Aboriginal Family Decision Making Program



Stage 3: Partnership Forum and 10 year Indigenous Family Violence Plan

- The Victorian Government establishes an Indigenous Family Violence Forum in 2005:
 - for ongoing, high level dialogue between Government Departments and Indigenous communities about the needs of Indigenous communities in confronting issues of family violence; and
 - to oversee the development and implementation of a ten-year Indigenous Family Violence Plan.
- The Forum establishes Terms of Reference, principles and processes for the development of a Plan
- Through their work between 2005 and 2008, the Government and Indigenous community develop a 10 year plan to address Indigenous family violence.

Task Force Report

The Task Force report contained detailed information about findings from their research and information gathered from consultations with Aboriginal communities throughout the state.⁷¹ Their Report included a Key Values and Principles statement, Key Outcomes statement and a Key Statement containing 11 principles, detailed in the box below.

Victorian Indigenous Family Violence Task Force Final Report

Key Values and Principles

1. Safety and security for victims of violence
2. Strong community leadership and positive role models
3. Shared responsibilities and being supportive of each other
4. Healthy lifestyles based on harmonious relationships and respect for self and others
5. Cultural integrity/respect and cultural safety within Indigenous and mainstream services
6. No more violence – in the home, in the family, in the community or in the workplace

Key Outcomes

1. Family strengthening and protection for victims
2. Support to implement innovative and decision-making based on community driven priorities
3. Financial support to implement long-term sustainable solutions to address family violence
4. Integrated strategic processes which reflect and support a 'whole of government' process
5. Stronger partnerships between Indigenous and mainstream services
6. Stronger partnerships with government

Key Statement

The Task Force believe that opportunities and goodwill already exist for the Victorian Government and the Victorian Indigenous Community to develop a Victorian Indigenous Family Violence Strategy that is community driven, reflects the priorities and issues identified by communities and which empowers Indigenous people to effectively deal with and address family violence occurring in their community.

Using the following *eleven principles* as a set of minimum standards, the Government is best placed to work with the Community to achieve improved outcomes when both parties:

1. Recognise the uniqueness and diversity of Indigenous culture, society and history in Victoria, and promote reconciliation that gives proper recognition and respect to the Indigenous communities and people of Victoria.
2. Recognise that from an Indigenous perspective the causes of family violence are located in the history and impacts of white settlement and the structural violence of race relations since then.
These factors include:
 - dispossession of land and traditional culture
 - breakdown of community kinship systems and Aboriginal lore
 - racism and vilification
 - economic exclusion and entrenched poverty
 - alcohol and drug abuse
 - the effects of institutionalism and child removal policies
 - inherited grief and trauma
 - the loss of traditional Aboriginal male roles, female roles and status
3. Acknowledge that family violence is generally seen as an issue focussed around physical abuse and spousal relationships, in an Indigenous community context, family violence includes a wide range of physical, emotional, sexual, social, spiritual, cultural and economic abuses that can occur within families, extended families, kinship networks and communities.
4. Recognise that responses to family violence need to build on the strengths of Indigenous families and communities and encompass Indigenous concepts of social, emotional, cultural and spiritual wellbeing.
5. Recognise the need to support, empower and enable communities to develop solutions appropriate to local conditions and needs.
6. Require that priorities and strategies for the improvement of programs and services be developed and implemented primarily at the local level and agreed with community service providers.
7. Recognise that to achieve improved outcomes; there must be whole-of-government coordination and continuing commitment at the highest of levels of government in addressing Indigenous disadvantage and the underlying issues.
8. Recognise that to improve outcomes for Indigenous individuals, families and community, community and Government agencies with the responsibility of coordination and delivery of family violence related programs and services work together effectively to develop integrated and culturally appropriate responses.
9. Recognise that community organisations must be empowered and have sufficient resources to build the capacity and infrastructure at a local level to deliver effective 'community led' approaches which result in improved and sustainable social justice outcomes.
10. Ensure the development and enhancement of program and funding arrangements for the successful implementation of the Victorian Indigenous Family Violence Strategy.
11. Ensure the development and delivery of early intervention programs that respond to the underlying causes of family violence and promote strong and healthy persons and families.

Source: State of Victoria (2003) Victorian Indigenous Family Violence Task Force: Final Report, Department for Victorian Communities.

Victorian Government's Response to the Task Force Report

The response of the Victorian Government to the Task Force Report was "based on a principle of respectful partnership between Governments and Indigenous communities". The Government supported and adopted the following key points from the Task Force Report:

- Safety and security for victims of violence is the number one priority.
- Introducing structural changes to Court processes so that more support is given to victims.
- Investing in new services that focus specifically on supporting victims of violent acts – especially those who are most vulnerable and those who are sexually assaulted or abused.
- Providing service responses to perpetrators to ensure they have opportunities to address their issues in a manner that will lead to fewer family violence incidences in the short, medium and longer term.
- Providing support to Indigenous people to engage in discussions about family violence so they can share information and focus their efforts on implementing 'good practice' processes.
- Supporting activities which focus on specific groups within Indigenous Communities – such as children, youth, women, men, Elders, people in same sex relationships and staff of Indigenous service providers.
- Confirmation that Indigenous people want not only to identify the priorities but also drive the process at the local Community level.
- Building stronger partnerships with Government and other services to enhance service responses at the local Community level.
- Developing integrated strategic processes which involve Indigenous representatives participating in decision making activities that focus on service planning and implementation.
- Strengthening service responses to Indigenous family violence issues by building the capacity of Indigenous services in a manner which supports sustainability in the long term.
- Providing access to data gathered by service providers and passing this on to Indigenous groups so they can make more informed decisions about what needs to happen in their Communities.
- Undertaking research activities which gather up-to-date information about what is happening in specific areas which can be used to inform decision making about what changes could be made to enhance service responses so they are more culturally secure for Indigenous people.
- Developing a marketing strategy that includes access to resources to support local Community education and awareness campaigns that seek to change attitudes about family violence.
- Empowering Indigenous people by ensuring Indigenous participation occurs in all planning and decision-making processes set up by Government – at a central and regional level.⁷²

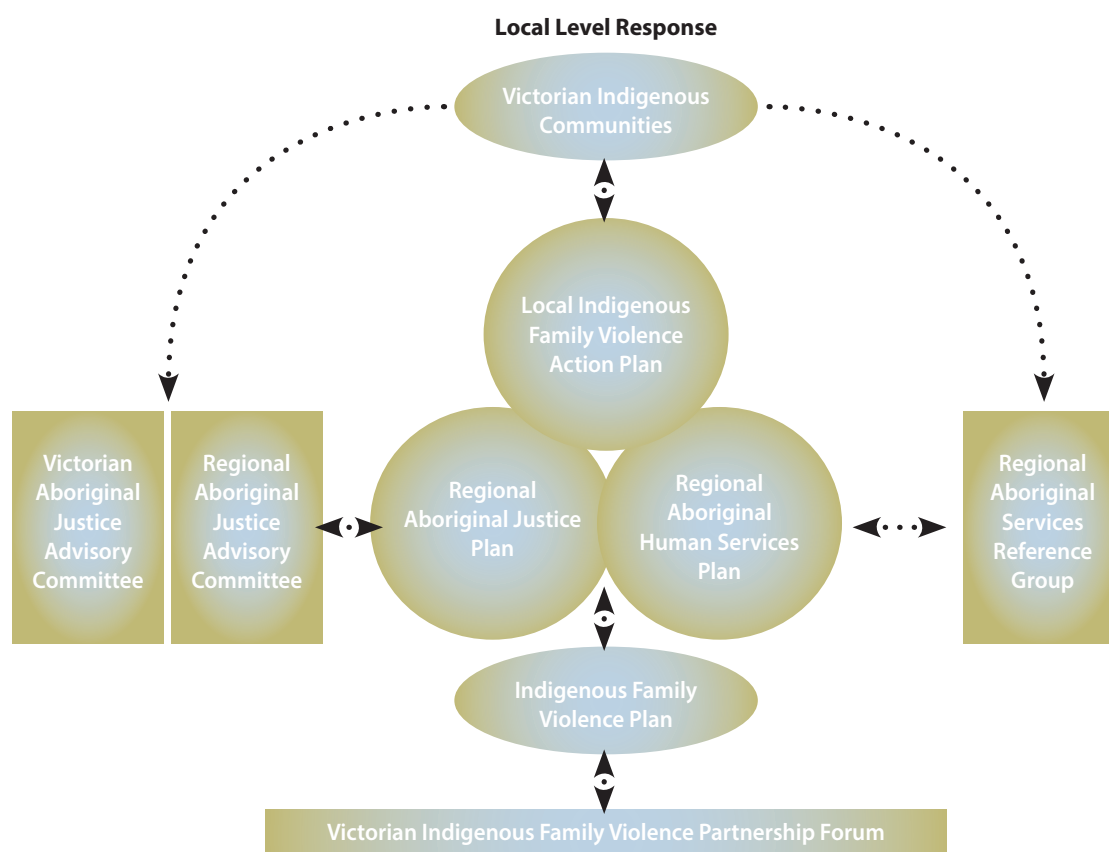
The state agreed that there is a need to put in place a ten-year plan to address Victorian Indigenous family violence issues. The issues associated with family violence must be built on strong foundations that can sustain themselves for future generations.

Whole of Government response at the local level

The Victorian Government implemented a whole-of-Government response in order to successfully prevent, reduce and respond to Aboriginal and Torres Strait Islander family violence which included a local level whole-of-Community response. It is noted that there were already a number of Aboriginal and Torres Strait Islander community groups operating at the local level that had lead responsibility for developing plans and local initiatives to reduce and respond to Aboriginal and Torres Strait Islander family violence. Local Indigenous Family Violence Action Groups were established to work with local communities to implement the Plan.

Existing structures set up in Victoria allow for Local Indigenous Family Violence Action Plans developed by Local Indigenous Family Violence Action Groups to feed up to the Partnership Forum to inform the broad priorities and directions of the Forum. Arrangements are also in place for Local Indigenous Family Violence Action Plans to influence and be influenced by Regional Aboriginal Justice Plans and Regional Aboriginal Human Services Plans. This is described in the diagram, Local Level Response, over the page.

Feedback provided by Victorian stakeholders consulted during this research project confirmed that the structures put in place to address Aboriginal and Torres Strait Islander family violence issues are working.



Source: State of Victoria (2004) Victorian Government Response to the Indigenous Family Violence Task Force Final Report, Department of Human Services, State of Victoria, p. 19.

Victoria's Indigenous Family Violence Primary Prevention Framework⁷³

Victoria's Indigenous Family Violence Primary Prevention Framework (see diagram over page) states that:

Primary prevention should not be seen in isolation from a broader spectrum of responses to family violence. It is important to recognise the interplay between responses and the need for responses to occur at all levels. These responses can reinforce and build on each other helping to create safer families and communities.

It takes the view that there are commonly three levels of response that together provide a comprehensive approach.

- Primary prevention – preventing violence before it occurs. This includes a broad range of activities involving a range of population groups and conducted in a range of settings.
- Early intervention – taking action on the early signs of violence, sometimes called secondary prevention. This includes behaviour change programs for those displaying and using abusive behaviours.
- Crisis intervention – intervening after the violence has occurred, sometimes called a tertiary response. This includes women's responses, men's case management, time out services, children's responses.

Primary prevention strategies commonly focus on changing attitudes and behaviour, building knowledge and skills, and structural, cultural and societal contexts in which violence occurs.

Effective primary prevention activities can involve the whole population (universal) and/or particular groups who are at higher risk of using and/or experiencing violence in the future (targeted/selective).

Under the Framework, targeted prevention activities are in place which has a focus on:

- Men
- Women, including pregnant women
- Adults and children with a disability (intellectual and physical)
- Gay, lesbian, bisexual, transgender, intersex
- Young women and girls
- Young men and boys
- Elders
- Families

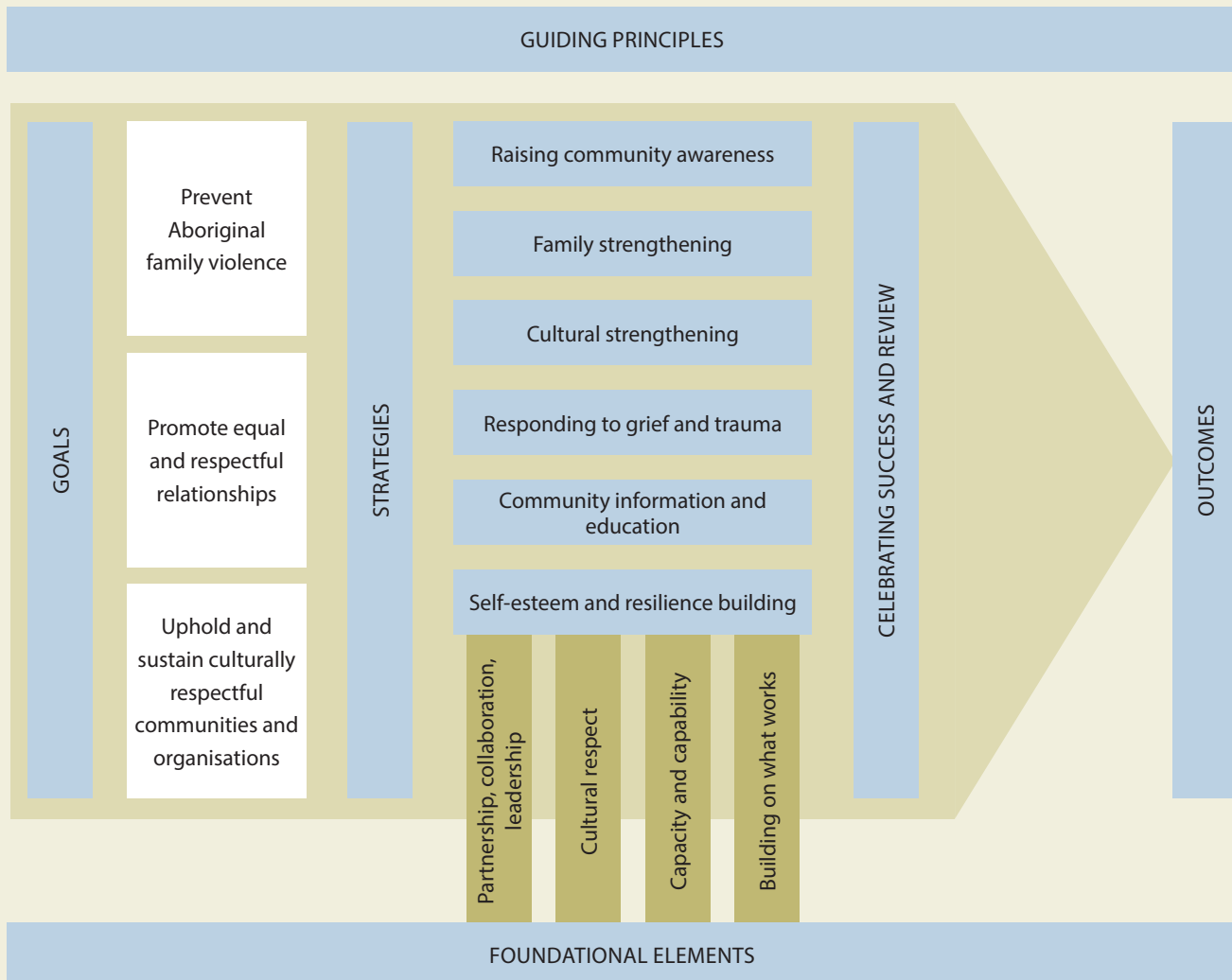
The approach taken in Victoria highlights the importance of linking strategies, projects and activities that aim to work towards the goal of preventing Aboriginal family violence. The Framework identifies a strong need to create linkages with:

- Aboriginal and mainstream education settings including local primary and secondary schools as well as tertiary institutions such as TAFE and Universities.
- Aboriginal and mainstream housing settings such as the Aboriginal Housing Board and the Office of Housing.
- Aboriginal and mainstream justice settings such as Regional Aboriginal Justice Advisory Committees, Local Aboriginal Justice Advisory Committees, and Victoria Police.
- Aboriginal and mainstream income support and employment settings such as Centrelink.⁷⁴

Primary Prevention Framework

VISION: Families are our heart and soul. They generate dreams and values, ideals and visions for our children. Actions and programs strengthen honour and respect Aboriginal individuals, families, communities, cultural heritage and cultural practices.

We are committed to the prevention of Aboriginal family violence. The Aboriginal community and the Victorian government, in partnership, will lead the development of a safer Victoria for all Aboriginal families and communities.



Source: Primary Prevention Framework, State of Victoria (2012) Indigenous Family Violence Primary Prevention Framework, Department of Human Services, State of Victoria, p. 17.

10 Year Indigenous Family Violence Plan

The 10 Year Indigenous Family Violence Plan appears to be well supported. The nine guiding principles are underpinned by seven (7) values which focus on preventing and eliminating family violence. Six of these value statements mirror those developed by the Victorian Indigenous Family Violence Task Force. The plan includes a number of case studies which highlight family violence initiatives that have occurred in different regions in Victoria.

Case studies have also been prepared against each of the objectives under the plan. It is apparent that the Victorian plan is the benchmark at the moment across Australia.

State and Territory Principles on Family Violence Prevention

This section outlines the major principles identified by each jurisdiction in their state/territory plans and strategies to combat family violence.

New South Wales

“Stop the Violence End the Silence” NSW Domestic Violence Action Plan June 2010, NSW Department of Premier and Cabinet.

Principles

- Domestic and family violence is a whole-of-Government and whole-of-community problem and needs a collaborative, integrated response
- There must be a strong emphasis on prevention as well as intervention strategies
- Actions must help Aboriginal communities to close the gap on violence
- Actions must be strategic yet flexible enough to be applied at a local level
- There must be linkages to other NSW and Commonwealth initiatives
- Actions must be evidence-based
- Actions must recognise program sustainability.

Australian Capital Territory

“Our responsibility - Ending violence against women and children” ACT Prevention of Violence Against Women and Children Strategy 2011-2017

Principles for Change

- This Strategy builds on the ACT Government’s commitment to human rights and will contribute to a culture of dignity and respect.
- Responses to violence against women and children in the ACT will contribute to and benefit from work to improve the status of women in the ACT. Gender stereotyping, sex discrimination and

unequal power relations between men and women are significant factors in the prevalence of violence against women.

- This Strategy acknowledges that domestic violence, family violence and sexual assault affects all ages, races and cultures, socioeconomic and demographic factors, although some women are at higher risk. It affects women and children throughout their lives.
- In line with the ACT Government’s commitment to addressing Aboriginal and Torres Strait Islander disadvantage, this Strategy provides responses which are sensitive to factors such as racism, acculturation, dispossession and intergenerational trauma.
- Work to address violence against women with disabilities cannot be separated from discrimination against people with disability and includes violence used by personal attendants, health care providers, and family members.
- This Strategy will provide the whole community with an opportunity to join the discussion about violence against women and contribute to a culture of respect.
- Work under the Strategy will be informed by evidence-based approaches and quality assurance measures.

South Australia

“A Right to Safety” The next Phase of South Australia’s Women’s Safety Strategy, 2011-2022, Office for Women

Responses to Aboriginal women will recognise:

- The right to be free of family violence and live in a safe environment.
- Responses to family violence need to recognise the diversity across Aboriginal communities.
- Locally based ‘Whole of Community’ ownership of issues and solutions.
- Community development approaches at the core of planning and implementation.
- Partnership building between governments and communities and across portfolios.
- Holistic approaches when identifying and responding to family violence.
- Restoration of community harmony through cultural, spiritual and social healing.
- Recognition of our shared history and the impact of past practices.

Queensland

For our sons and daughters - A Queensland Government strategy to reduce domestic and family violence 2009-2014

Principles

- All people have the right to be free from violence and to be safe in their relationships.
- The safety and wellbeing of the child will be paramount where

adult interests conflict with child interests.

- Communities are supported to say no to violence and to foster healthy relationships within the community.
- Culturally appropriate approaches are required within mainstream services that provide gateways into the service system for vulnerable groups.
- People who are violent are held accountable and responsible for their behaviour and are provided with opportunities to change.
- Partnership between all levels of government, private and community services sectors and the broader community is critical.
- A continuous improvement approach which promotes innovation and reports on progress and outcomes is essential.
- A high priority must be placed on reducing harm to women and children in Indigenous communities.

Western Australia

WA Strategic Plan for Family Violence and Domestic Violence 2009-2013

Principles

1. Family and domestic violence and abuse is a fundamental violation of human rights and will not be tolerated in any community or culture.
2. Preventing family and domestic violence and abuse is the responsibility of the whole community and requires a shared understanding that it must not be tolerated under any circumstance.
3. The safety and wellbeing of those affected by family and domestic violence and abuse will be the first priority of any response.
4. Perpetrators of family and domestic violence and abuse will be held accountable for their behaviour and acts that constitute a criminal offence will be dealt with accordingly.
5. Responses to family and domestic violence and abuse can be improved through the development of an all-inclusive approach in which responses are integrated and specifically designed to address safety and accountability.
6. An effective system will acknowledge that to achieve substantive equality, partnerships must be developed in consultation with specific communities of interest including people with a disability, people from diverse sexualities and/or gender, people from Aboriginal and Torres Strait Islander communities and people from culturally and linguistically diverse backgrounds.
7. Victims of family and domestic violence and abuse will not be held responsible for the perpetrator's behaviour.
8. Children have unique vulnerabilities in family and domestic violence situations, and all efforts must be made to protect them from short and long-term harm.

Northern Territory

The "Growing them strong, together: Promoting the Safety and Well-being of the Northern Territory's Children" Report of the Board of Inquiry into the Child Protection System in the Northern Territory, 2010, was the only document found to have contained any principles.

The report sets out Principles for a system that cares for and protects children at page 63. These are principles that the inquiry believed must underpin a range of services that care for and protect children.

1. Recognise the principles central to the United Nations Convention on the Rights of the Child (UNCROC) including:
 - Children's right to safety (including cultural safety), security and wellbeing.
 - Families are best placed to care for children.
 - Government's obligation is to provide the widest possible assistance to support families in their child rearing role.
 - Children's right to be free from abuse and neglect and that where parents can't or won't protect and care for children (even with widest possible assistance) the State needs to intervene and care for the child. Statutory child protection is one part of a broad and robust system for protecting children and ensuring their wellbeing.
2. Acknowledge the particular UN considerations that are relevant for Aboriginal children:
 - the interconnectedness between children, communities, culture and context.
 - their present situation cannot be understood without reference to the historical context and a large history of rights violations.
 - obstacles to the rights of Aboriginal self-determination remain a real barrier to the realisation of the safety and wellbeing of children.
 - the significance of land and its loss and violation to Aboriginal people is in part about its centrality in the future lives of the children.
3. Be child-centred in the context of family and community (protection of children must occur within a framework of valuing children).
4. Be based on the understanding that child protection is everyone's responsibility – whole of government, whole of community.
5. Recognise the need to build capacity in families and communities which requires family sensitive, culturally competent resources and systems for families that they and their communities can influence and grow.
6. Be culturally literate and competent enabling access and availability to all cultural groups and able to acknowledge cultural differences and meet unique cultural needs.
7. Use local, place-based approaches and models as opposed to importing ideas without adapting them to Territory and local ways. Service models need to be tailored to the local context – recognising that a system for protecting children in remote communities, town camps, regional communities and urban centres will be different.

8. Be non-stigmatising and equitable and fair appreciating that all children have the same rights to safety, security and wellbeing.
9. Acknowledge that whilst procedures are important, the work involved in caring for children, families and communities and keeping children safe is deeply relationship-based.
10. Establish a clear mission, philosophy and objectives; have a practice-informed management that can engage with front-line staff; and resource and support a workforce that is enabled to do its work and have measurable performance criteria.
11. Use evidence-informed approaches and where this is not possible, at least use theoretically informed approaches with a commitment to immediate evaluation.
12. Be accountable to specific performance standards that demonstrate defined outcomes for children, families and communities.

United Kingdom

In 2004, the British Government introduced the Every Child Matters: Change for Children Programme which focused on changing the approach to the wellbeing of children and young people from birth to age 19 years.⁷⁵ The British Government's aim is for every child, whatever their background or their circumstances, to have the support they need to:

- Be healthy;
- Stay safe;
- Enjoy and achieve:
- Make a positive contribution;
- Achieve economic well-being

This means that the organisations involved with providing services to children - from hospitals and schools, to police and voluntary groups - will be teaming up in new ways, sharing information and working together, to protect children and young people from harm and help them achieve what they want in life.

Every Child Matters is a comprehensive programme of reform for children's services. Key underpinning principles - all garnering very broad support in the evidence received - included:

- More closely integrated frontline delivery of educational, health, social and specialist services;
- Earlier intervention to provide support before problems become serious;
- Closer working between professionals who might be involved with the same child or young person;
- More coherent planning and commissioning of services at the combined local level - and the establishment of Children's Trusts (or similar arrangements) to support this; and
- Greater involvement of children, parents and carers in the development of services.⁷⁶

It is noted the principles underpinning the Every Child Matters programme were developed when it had been reviewed which was one year after it had been implemented.

Every Child Matters - what the outcomes mean	
Be healthy	<ul style="list-style-type: none"> • Physically healthy • Mentally and emotionally healthy • Sexually healthy • Healthy lifestyles • Choose not to take illegal drugs <i>Parents, carers and families promote healthy choices</i>
Be safe	<ul style="list-style-type: none"> • Police would not or could not do anything • Police would not think it was serious enough, or would not want to be bothered with the incident • Fear of not being believed by police • Fear of hostile treatment by police or other parts of justice system • Fear/dislike of police or the legal process • Lack of proof that the incident happened <i>Did not know how to report</i>
Enjoy and achieve	<ul style="list-style-type: none"> • Ready for school • Attend and enjoy school • Achieve stretching national educational standards at primary school • Achieve personal and social development and enjoy recreation • Achieve stretching national educational standards at secondary school <i>Parents, carers and families support learning</i>
Make a positive contribution	<ul style="list-style-type: none"> • Engage in decision-making and support the community and environment • Engage in law-abiding and positive behaviour in and out of school • Develop positive relationships and choose not to bully and discriminate • Develop self-confidence and successfully deal with significant life changes and challenges • Develop enterprising behaviour <i>Parents, carers and families promote positive behaviour</i>
Achieve economic well-being	<ul style="list-style-type: none"> • Engage in further education, employment or training on leaving school • Ready for employment • Live in decent homes and sustainable communities • Access to transport and material goods • Live in households free from low income <i>Parents, carers and families are supported to be economically active</i>

Source: Department for Education and Skills (2004) Every Child Matters: Change for Children.

Comparative Analysis of the Principles

A number of principle statements from existing family violence related strategies and plans from all jurisdictions were reviewed during the course of the literature review. It was found that many principles and other statements had been for the most part developed specifically for that strategy or plan. These principles, which vary in content and structure, provide valuable information on the consistency, or lack thereof, of government supported strategies to redress family violence.

A comparative analysis of the different principle and value statements appearing in family violence related strategies and plans highlight that a number of common themes as well as significant variations in the actual wording and focus of principle statements. Almost all principles at a jurisdictional level include a reference about human rights, and the word safety is used in most of the plans, but not all. Some principles explicitly emphasised children whilst others emphasised the rights of all people.

Principles around culture or cultural considerations were mentioned in the majority of the principles statements. The WA strategic plan included a statement about Aboriginal and Torres Strait Islander communities. It also indicated that the first priority of any response was the safety and wellbeing of those affected by family and domestic violence abuse, reinforcing this with a statement about human rights. South Australia strategy 'A Right to Safety' also emphasised community as a key word in many of their statements, which were more philosophical in nature. Support for community led and/or driven principles were only included in some principle statements.

The term family violence was used in most of the principle statements however, the term domestic violence was also mentioned on several occasions. Western Australia's Strategic Plan for Family Violence and Domestic Violence' also explicitly mentioned 'family violence' and 'domestic violence' as being two separate issues. It was the only jurisdiction to include a principle around perpetrators.

Partnerships and collaboration were identified in some of the principle statements but not all. At the same time the use of 'holistic approaches' or similar were only mentioned in some principle statements. The principles in the 'Queensland Government For Our Sons and Daughters Strategy to Reduce Domestic and Family Violence' emphasised safety and wellbeing and partnerships, as principles. Principle 7 of the National Plan acknowledges the legacy of past failures and the need for new collaborative approaches to preventing family violence amongst Aboriginal and Torres Strait Islander women.

Government support and designated role was more evident in the plans for some jurisdictions. The ACT Government stated commitment to identified principles. Similarly the principles statements of the NSW 'Stop the Violence, End the Silence' Action Plan identified that "there must be linkages to the NSW and commonwealth initiatives". There also appear to be no principles in any of the plans of the NT government however. 'The Growing Them Strong, Together' Inquiry Report identified 12 principles around

which the inquiry would occur. It is not apparent whether any of these principles have been used subsequently as a basis for other programs and/or initiatives undertaken in the NT to respond to family violence amongst Aboriginal communities.

This Queensland strategy also placed a high priority on reducing harm to women and children as well as the right for all people to be free from violence and safe in their relationships. Responses to family violence in the Northern Territory appear to focus predominantly on women and then, children. It is evident that the family violence issues in the NT are completely different to situations occurring in other states. The higher proportion of Aboriginal people living in the NT requires that historical and cultural dimensions to family violence will strongly need to be taken into account and considered separately.

The actions taken in Victoria to respond to family violence are well documented. The government has worked closely with Aboriginal and Torres Strait Islander representatives since 2002 to identify what needs to happen as part of a whole of government and a whole of community approach. It was found that a number of actions taken by individual government departments have shaped how the justice system, the child protection system and the service system and the Aboriginal and Torres Strait Islander community work collaboratively together at a regional and statewide level. The forum set up by the Department of Human Services and Department of Justice report to the family violence Partnership Forum which is central to how family violence responses in Victoria occur. It is for this reason it is benchmarked in this literature review.

PART 3: THE DEVELOPMENT OF GOOD PRACTICE PRINCIPLES

This literature review has raised a number of issues that need to be considered and taken into account as part of the process to develop a Process Framework for Good Practice Principles. There are also other existing good practice tools that could provide guidance to the development of this framework.

Good practice tools

Memmott et al identify good practice as pertaining to “both the running of complete Indigenous Violence programs by various arms of government, as well as the running of Individual projects by Indigenous and other groups”.⁷⁷ In concluding the paper Memmott et al consider that there are many elements in running a good practice project in the Aboriginal and Torres Strait Islander family violence field, “that it is unusual (and probably unreasonable) to expect to find a project that is executed proficiently in all of its dimensions and goals”.⁷⁸ This view is supported throughout the available literature on “good practice” models. Specifically the Domestic and Family Violence Clearinghouse has published elements of good practice, detailed below. As noted by Principle 1 below, these good practice elements should be reflected by the principles and definitions of the project.

Programs, projects, services and initiatives assessed for the Good Practice Database are of a high standard and include the following elements:

1. Principles and definitions which reflect good practice
2. A recognition of cultural diversity and other diverse needs within the community
3. Represents innovation or a practice benchmark
4. Potential for adoption or development within a range of settings across the nation
5. A clearly defined conceptual framework or evidence base
6. Clearly defined aims and objectives, which focus on safety and violence reduction
7. Informed by consultative processes
8. Skilled, supported and supervised workforce
9. Good governance, planning, and policy development
10. Monitoring and meaningful evaluation
11. Multi-agency service collaboration
12. High-level support and coordinated management

These elements of good practice encompass all of the principles set out in the “Working Together Against Violence”.⁷⁹ It is evident that an Aboriginal and Torres Strait Islander specific cultural overlay will need to be included as part of any principles developed to ensure that regional specific cultural practices (such as language) are identified as a key determining factor – where this is applicable. The elements of good practice have however been broadened to encompass all the principles and incorporate Memmott’s et al 2006 “capacity to deliver” elements of good practice. These elements will inform the development of the draft Process Framework for Good Practice Principles.

Key questions for consideration

Drawing from diverse issues canvassed in this literature review, the following key questions are identified as important for consideration during the development of this Framework.

1. What are the minimum and shared principles that should be put in place as the cornerstone of a national process framework?
2. Is it possible for a single set of principles to be put in place which incorporate and reflect national policy positions as well as specific policy directions being implemented by stakeholders in each state/territory? Specifically, what are the core principles for Aboriginal and Torres Strait Islander services working in this sector and can a single overarching set of principles be put in place to reflect their individual and collective priorities?
3. How will consensus be reached about the type of wording to be used in the proposed key principles to be developed given that there are a number of different historical, geographic and cultural issues that need to be considered and taken into account?
4. Will it be mandatory for all future projects and programs that are to be funded to comply with the principles once they are endorsed and adopted by all jurisdictions?
5. How will flexibility be incorporated into the principles so they reflect local, regional and state/territory conditions?
6. Who will monitor the projects and programs to ensure they comply with the national principles which may or may not align with jurisdictional principles and values?
7. How will these principles assist Aboriginal and Torres Strait Islander community controlled organisations in each jurisdiction to more effectively respond to and/or intervene in family violence situations where they operate?
8. How will these principles fit in with the philosophy of Aboriginal and Torres Strait Islander community controlled organisations who are not operating in the family violence sphere but are primarily delivering medical and health services, child and family services and other non-family violence related services and programs?
9. What is the Aboriginal and Torres Strait Islander alternative to the ‘feminist model’ approach to family violence which reflects the preferred holistic approach (men, women and children) to the provision of service responses? And what are the principles required to reflect this?

Draft Good Practice Principles

There are consistent areas that emerge from consideration of the literature on what works to prevent and to effectively respond to family violence and the state, territory and national plans. These are summarised below in the form of draft principles. These will inform consultations to test whether these in fact capture the experience of Aboriginal and Torres Strait Islander services, in the implementation of their programs. Consideration is also needed to explore what kind of support framework is required to assist services to develop and evaluate programs in accordance with good practice principles.

Priority Practices

1. Safety and security for victims of violence is the number one priority.
2. All people have the right to be free from violence and to be safe in their relationships – in particular the rights of children and young people will come first and be at the heart of all work.
3. Responses to family violence will recognise and value Aboriginal and Torres Strait Islander history, culture, traditional lore, beliefs, values and custom.
4. Responses to family violence will recognise the cultural diversity across Aboriginal and Torres Strait Islander communities.
5. Prevention and response efforts will recognise the grief, loss and disempowerment at the heart of family violence, and centre on individual and community healing.
6. Efforts to both prevent and respond to family violence will be owned and driven by Aboriginal and Torres Strait Islander peoples: community controlled services are fundamental.
7. Aboriginal and Torres Strait Islander communities are supported to say no to violence and to foster healthy relationships within their community.

Engagement Practices

8. Engagement with Aboriginal and Torres Strait Islander parents and communities is central to the design and delivery of programs and services.
9. Localised geographic factors and cultural practices will drive responses and actions taken to ensure that services, programs, activities and initiatives reflect and meet the needs of the local population – at an individual, family and community level.

Sustainability Practices

10. Programs and services are directed and resourced over the longer term and adequately supported.
11. Programs and services contribute to Closing the Gap by meeting targets endorsed by COAG while being appropriate to local community needs.
12. Programs and services cover the breadth and layers of 'family violence' as it occurs in the community.

Access Practices

13. Holistic approaches will be implemented when identifying and responding to family violence. This includes in particular a focus on perpetrators, and the inclusion of extended families in response strategies as well as personalised attention to children.
14. Programs and services are physically and culturally accessible to Aboriginal and Torres Strait Islander children and people recognising the diversity of urban, regional and remote needs.
15. Approaches taken to address family violence will enhance the capacities of the Aboriginal community, government, service systems, organisations and the workforce.

Collaboration Practices

16. Partnership between all levels of government, private and community services sectors, the broader community and the Aboriginal and Torres Strait Islander community is critical. This will be standard business practice to ensure effective coordination between programs and services.
17. Culturally appropriate approaches will be taken by mainstream services that provide gateways into the service system for vulnerable groups within the Aboriginal and Torres Strait Islander community – in particular children, young people and women.
18. Locally based Whole-of-Community approaches will occur to ensure ownership of issues and respect for the solutions put forward by Aboriginal and Torres Strait Islander community members.
19. A community development approach based on engaging with local Aboriginal and Torres Strait Islander community members will be at the core of the development and implementation of programs.

Accountability Practices

20. Programs and services will have regular and transparent performance monitoring, review and evaluation.
21. All programs and services will be scrutinised by and held accountable to local Aboriginal and Torres Strait Islander people who access and/or receive these.

CONCLUSION

There has been a wealth of literature produced over the last 20 years which has evaluated, reviewed, reported on and made recommendations about the factors that have contributed to the increasing occurrence of family violence in Aboriginal and Torres Strait Islander communities in each state and territory in Australia. Aboriginal and Torres Strait Islander specific Task Forces set up in each jurisdiction have predominantly been established at times when there is a crisis or series of crises occurring in one or multiple locations. Recommendations made in the reports produced by each Task Force have usually received the backing and financial support of the respective government in a jurisdiction, with some support also coming at a federal level on occasion.

Whilst some responses have been immediate, many have taken time to gain support and backing primarily because there is a process which needs to be followed to set aside funds, develop a strategy or action plan, recruit staff and other resources needed to take follow-up action or to add value to existing programs and services that are already on the ground, and to then engage with key stakeholders and the victims and perpetrators of family violence. Over time, the inclusion of principles and values statements in strategies and implementation plans has now become standard practice for all governments and their agencies. It is evident from the literature examined that, over time, the process undertaken to develop these has become much more refined. They appear to have moved away from being prescribed 'To Do Lists' to being more philosophical in nature.

Material examined in this literature review details a very complex and often disconnected web of individual components within and across each jurisdiction. There also remains a gap between different datasets under the umbrella term 'family violence' as data is not captured using this broad term. Published information is currently presented in whole of state/territory format rather than local government area format. In real terms, this makes it difficult for decision makers to easily identify where there is a correlation between one incident and another to clearly identify where family violence is present. Information being collected by various government agencies (justice and health related) is often not shared or cross-referenced. This has resulted in gaps occurring in the systems already in place which, in turn, has led to ineffective use of scarce resources that are on the ground in most Aboriginal and Torres Strait Islander communities.

While it is obvious that privacy issues need to be taken into account when it comes to identifying and meeting the needs of victims and perpetrators, it is also evident that this factor can be used as a screen to block effective action being taken to address and resolve family violence at an individual, family and community level. Improvements in data sharing and how the information is presented could result in more informed and strategic decisions being made at a policy and planning level between individual government agencies and with Aboriginal and Torres Strait Islander services and agencies that have responsibility for providing on-ground service responses.

Evidence of what works detailed in this literature review informs us that community engagement, drive and ownership is critical to effective programs, as is partnerships across services, the sector and with government. Similarly, identifying specific target groups for services, programs and activities is important, as is the inclusion of specific information about the outcomes being achieved for women, men, youth and Elders as well as communities at a local and

regional level. There is however little documented practice on these critical principles. There is also no consolidated outline of principles to inform the development of practice and guide practice reviews and evaluations. This project seeks to build on the literature and consultations to develop a set of principles.

It is evident from reviewing the material examined in this literature review however that it will be a challenge to develop a single set of principles, processes and learning's that can then be translated into a single practice example. There are a myriad of individual and often independent factors and characteristics that can be ascribed to a particular program, service or activity which will depend on who it is focusing on – individuals who may be victims, perpetrators or those who are not directly involved (immediate family, extended family or community members including organisational staff), service providers who have a legislative mandate to provide a service, deliver a program or run an activity.

What is clear is that there are now significant opportunities which can be accessed to widely distribute information about what is happening to address and provide responses to family violence occurring within and amongst Aboriginal and Torres Strait Islander groups at a micro (community) level, a regional level and at a national level. The major challenge will continue to be a robust, formal and independent evaluation of the programs being implemented. At the same time, it is evident that leadership needs to be taken to empower individuals to acquire the skills needed to undertake these processes in a manner which uses a consistent and agreed basis for comparing outcomes being achieved – in each jurisdiction as well as from a national perspective.

It also needs to be recognised that differences in cultural practices within and between each jurisdiction need to be a prime consideration when identifying the effectiveness of a program, service or activity. At the same time, the physical location of a community must be taken into account as this will obviously impact on the funds and resources needed to deliver a program, service or activity – for victims and for perpetrators of family violence. The capacity of existing programs and services to provide appropriate responses will also vary across jurisdictions as there are different legislative and policy requirements that need to be satisfied. The common factor in all of this will be that Aboriginal and Torres Strait Islander people are involved in processes that are being implemented on the ground.

There is, however, an opportunity to develop a core set of principles that can accommodate jurisdictional differences and satisfy the desire to have a common set of national elements that can be used as a guide and a benchmark by Aboriginal and Torres Strait Islander communities at a local, regional and national level. The recommendations made by the United Nations can be used as a guide to confirm whether governments in each jurisdiction have applied some or all of the supports and assistance to parents to address family violence.

The journey to develop a national Process Framework for Good Practice Principles will not occur immediately. It will require input from representatives from Aboriginal and Torres Strait Islander community controlled organisations and services in each jurisdiction as well as a process which strengthens local, regional and statewide discussion and decision making processes. This literature review has been prepared to assist in this process.

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 8. Report of the Commission of inquiry into the abuse of children in Queensland institutions, 1999; and Protecting children: an inquiry into the abuse of children in foster care, Crime and Misconduct Commission, Queensland, 2004;
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 13. Jacob & Fanning, Report on child protection services in Tasmania, 2006;
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