

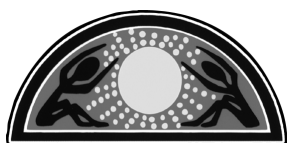


Submission to the Senate Standing Committee on Finance and Public Administration References inquiry into Domestic Violence in Australia November 2014

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A strong voice for our children and families

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SNAICC is the national non-government peak body
that advocates on behalf of Aboriginal and Torres
Strait Islander children and families.

Submission to the Senate Standing Committee on Finance and Public Administration References - Inquiry into Domestic Violence in Australia

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1. Introduction

The Secretariat of National Aboriginal and Islander Child Care (SNAICC) welcomes the Senate Standing Committee on Finance and Public Administration References Committee inquiry into domestic violence in Australia. This critical issue is having devastating impacts on Aboriginal and Torres Strait Islander families and communities and SNAICC appreciates the opportunity to contribute to the examination.

SNAICC was established as a non-government, not-for-profit organisation in 1981. It is the national peak body in Australia representing the interests of Aboriginal and Torres Strait Islander children and their families. Further information on SNAICC is available online at www.snaicc.org.au.

In this submission the term ‘family violence’ will be used to refer to the impacts of domestic violence on Aboriginal and Torres Strait Islander people. Family violence is a broad term that refers to violence between family members, as well as violence between intimate partners. “Family violence includes intergenerational violence and abuse, affects extended families and kinship networks. An individual can be both perpetrator and a victim.”¹

This submission first addresses the impact and factors that contribute to Aboriginal and Torres Strait Islander women and children experiencing family violence. SNAICC contends that inter-generational trauma as a result of the continuing impacts of colonisation is contributing strongly to the incidence of family violence. This situation requires urgent redress through measures that heal and strengthen families with a focus on supporting community controlled services to implement good practice principles in responding to and preventing family violence in our communities.

Our submission particularly requests that the Committee consider the attached SNAICC resource, *Safe for Our Kids (Appendix 1)*, that provides an evidence and community consultation informed framework for implementing good practice in family violence response and prevention.

2. Prevalence of family violence

The incidence of family violence across Aboriginal and Torres Strait Islander communities is disproportionately higher in comparison to that in the broader Australian community:

- In 2006-07, Aboriginal and Torres Strait Islander women and girls were 35 times more likely to be hospitalised due to assaults related to family violence than non-Indigenous women and girls.²
- An estimated 25 per cent of Aboriginal and Torres Strait Islander women have experienced one or more incidents of physical violence in the previous 12 months.³

- Aboriginal and Torres Strait Islander people are between two and five times more likely than non-Indigenous people to experience violence as victims or offenders.⁴

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. In 2012–13, Aboriginal and Torres Strait Islander children were the subject of a child protection substantiation at eight times the rate of non-Indigenous children.⁵

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.⁶ These factors contribute to the prevalence of family violence in Aboriginal and Torres Strait Islander communities and need to be addressed in efforts to respond.

Substantiations of child harm related to the affects of family violence are statistically recorded within the category of ‘emotional abuse’,⁷ which is the second highest category, after neglect, of substantiated abuse for Aboriginal and Torres Strait Islander children at 33.8% of substantiation for 2012-13.⁸ Research has described with concern the inadequacies of child protection systems to respond effectively to increasing rates of reports related to domestic violence, and the need for integration of effective responses within community-based preventative and universal services.⁹

3. Factors contributing to family violence

Family violence is not unique to Australia or to Aboriginal and Torres Strait Islander communities. It occurs in almost all cultural groups in every nation across the globe. Family violence is complex and 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. Higher prevalence of family violence in many Aboriginal and Torres Strait Islander communities is strongly connected to experiences of colonisation, and forced separation of children from their families.¹⁰ These factors have resulted in intergenerational trauma and entrenched poverty for some families. A holistic response is needed that says no to violence, while working to address the underlying causes.

Providing opportunities for healing and preventing the transmission of trauma through future generations will assist to prevent family violence and improve outcomes for the social and emotional wellbeing of Aboriginal and Torres Strait Islander families and children. Trauma-informed services directly deal with trauma and their primary work is underpinned by knowledge of trauma and how it affects individuals and the workers delivering the care.¹¹ Becoming a trauma-informed service involves working in partnership and developing a shared understanding of the impact of colonisation, unresolved grief and intergenerational trauma.¹² It is important for services to strengthen their ability to become trauma-informed services with capacity to deliver local trauma-specific care and interventions.¹³

4. Responding to and preventing family violence

Lack of meaningful Aboriginal and Torres Strait Islander community participation in planning and development has limited effective service delivery in responses to family violence.¹⁴ The National Plan to Reduce Violence against Women and their Children 2010 – 2022 identifies the need to support “Indigenous communities to develop local situations to preventing violence” to successfully reduce the incidences of family violence.¹⁵ The Second Action Plan 2013-2016 focuses on meeting the needs of Aboriginal and Torres Strait Islander women and

children through three key areas: improving access to information and resources, better understanding of what works for communities and delivery of awareness raising, training and prevention activities.¹⁶

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. Appendix 1 is a new resource developed by SNAICC entitled '*Safe for our Kids: A guide to family violence response and prevention for Aboriginal and Torres Strait Islander children and families*' (Safe for Our Kids). The work underpinning this resource has involved the completion of a literature review '*Meeting the Needs of our Children: Effective Community Controlled Strategies that Prevent and Respond to Family Violence*' (Appendix 2) and consultation report on effective community controlled strategies that prevent and respond to family violence. This approach has ensured that *Safe for Our Kids* has been developed from consultation with community-controlled service providers, and a review of the evidence of what works.

The aim of *Safe for Our Kids* is to support best practice across the nation to reduce the incidence and impacts of family violence on Aboriginal and Torres Strait Islander children. *Safe for Our Kids* includes a set of evidence-based good practice principles presented as a 'Process Framework' to assist all services working with families in achieving positive outcomes for Aboriginal and Torres Strait Islander women and communities, but in particular supports the needs of children.

4.1 Good Practice Principles

Safe for Our Kids encourages a self-assessment approach as a reflective process for organisations and service providers working to prevent and respond to family violence with Aboriginal and Torres Strait Islander families and children. *Safe for Our Kids* promotes good practice principles in the areas of engagement, sustainability, access, collaboration and accountability to address the distinct needs and aspirations of communities in response to family violence.

Implementing good practice principles is also consistent with adopting a human rights-based approach to engaging with Aboriginal and Torres Strait Islander people. The Principles in *Safe for Our Kids* directly promote human rights, particularly the standards and collective rights in the United Nations Declaration on the Rights of Indigenous Peoples 2007 (the Declaration).

Enabling participation of Aboriginal and Torres Strait Islander peoples in decision-making is fundamental to realising their human rights. All Australian governments have international legal obligations to ensure the realisation of these rights. The right to participate in decisions comes primarily from the right to self-determination, which requires the empowerment of Indigenous peoples to have control over the decisions that affect their own lives.¹⁷ Participation is also critical to realising the fundamental right of all children that their best interests are a primary consideration in all decision making. The United Nations Committee on the Rights of the Child has identified that participation of Indigenous peoples is necessary to ensure a cultural lens in determining the best interests of an Indigenous child.¹⁸ The *Safe for our Kids* resources includes a strong framework for supporting Aboriginal and Torres Strait Islander community participation in the design and delivery of family violence response and prevention initiatives.

Recommendation:

SNAICC recommends that the Federal Government adopt the principles developed in *Safe for Our Kids* to be used as a baseline for a national approach to inform service development, programs, activities or initiatives to improve outcomes for Aboriginal and Torres Strait Islander children, families and communities.

5. Conclusion

The *Safe for Our Kids* guide offers communities and organisations key principles to effectively reduce the incidence of family violence, as well as an explanation of what these best practice principles mean and how they can be used to promote positive outcomes for our children. SNAICC believes that by using good practice principles to inform programs and initiatives communities, services and governments can work to put supports and resources in place to keep children safe from the devastating impacts of family violence.

¹ Department of Human Services. (2012). *Indigenous Family Violence Primary Prevention Framework* (Victoria), State of Victoria, p. 8

² COAG. (2011). *National Plan to Reduce Violence Against Women and their Children 2010-2022*. Commonwealth of Australia, 1.

³ Department of Social Services. (2014). *Second Action Plan 2013-2016 – Moving Ahead – of the National Plan to Reduce Violence against Women and their Children 2010-2022*. Commonwealth of Australia, 9.

⁴ Australia's National Research Organisation for Women and Safety. (2014). *Fast Facts: Indigenous Family Violence*, available at <http://www.anrows.org.au/publications/fast-facts/indigenous-family-violence>.

⁵ Australian Institute of Health and Welfare. (2014). *Child Protection Australia 2012-13*, Commonwealth of Australia p 25.

⁶ Human Rights and Equal Opportunity Commission (HEREOC). (1997). *Bringing Them Home: Report on the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families*, Canberra: Commonwealth of Australia.

⁷ Ibid, p127.

⁸ Ibid, p80.

⁹ Humphries, C. (2007). *Domestic Violence and Child Protection: Challenging direction for practice*. Australian Domestic and Family Violence Clearinghouse, Sydney: University of New South Wales.

¹⁰ Secretariat of National Aboriginal and Islander Child Care (SNAICC). (2013). *Meeting the Needs of our Children: Effective Community Controlled Strategies that prevent and Respond to Family Violence*. Literature Review, 11.

¹¹ Judy Atkinson. (2013). *Trauma-informed services and trauma-specific care for Indigenous Australian children*, Closing the Gap Clearinghouse Resource Sheet no.21, 7.

¹² Healing Foundation. (2013). *Growing Our Children Up Strong*, The Intergenerational Trauma Initiative: Volume 1, 7.

¹³ Healing Foundation. (2013). *Growing Our Children Up Strong*, The Intergenerational Trauma Initiative: Volume 1, 7.

¹⁴ SNAICC. (2013). *Meeting the Needs of our Children: Effective Community Controlled Strategies that prevent and Respond to Family Violence*. Literature Review, 21.

¹⁵ COAG. (2011). *National Plan to Reduce Violence Against Women and their Children 2010-2022*. Commonwealth of Australia, 20.

¹⁶ Department of Social Services. (2014). *Second Action Plan 2013-2016 – Moving Ahead – of the National Plan to Reduce Violence against Women and their Children 2010-2022*. Commonwealth of Australia, 25.

¹⁷ United Nations Declaration on the Rights of Indigenous Peoples (2007), art 3-4.

¹⁸ Convention on the Rights of the Child 1989, art 3; Committee on the Rights of the Child, General Comment No. 11, Indigenous Children and their Rights under the Convention, 2009, CRC/C/GC/11, 12 February 2009, para. 31.