



4 November 2024

Secretariat of National Aboriginal and Islander Child Care
SNAICC – National Voice for Our Children
Suite 1, Level 8
36 Wellington Street
Yálla-birr-ang/Collingwood VIC 3066

By email: familysafetyplan@snaicc.org.au

Dear Steering Committee,

Submission – National Aboriginal and Torres Strait Islander Family Safety Plan

We wish to provide a brief submission in relation to the development of the above plan (**the Plan**).

Our perspective on safety

By way of context, Katherine Women's Information and Legal Service (**KWILS**) provides free legal advice and representation; related support services; and community legal education for women and non-binary people in Katherine and the Big Rivers Region of the Northern Territory. We have a particular focus on assisting women who have experienced domestic, family and sexual violence (**DFSV**)¹, and those who need to navigate the Child Protection and Family Law systems.

We operate in remote and very remote areas across 360,000 square kilometres. Although we are not an Aboriginal Legal Service, or an Aboriginal Community Controlled Organisation, on average 70% of women seeking our help identify as Aboriginal and/or Torres Strait Islander women. This operating landscape means it is critical for our service to be both trauma-informed and culturally safe. We prioritise the safety and wellbeing of women and families, and strive to centre their experience in our advocacy.

We support the Family Safety Plan being Aboriginal-led

We are pleased that this consultation is prioritising the voices of Aboriginal and Torres Strait Islander people and organisations to ensure that Aboriginal and Torres Strait Islander solutions are front and centre of the national policy approaches that will follow. We wish to recognise the knowledge and expertise of Aboriginal and Torres Strait Islander people. We strongly agree that family safety solutions should be place-based and community-led.

¹ In the 2022 – 2023 Financial Year, 86% of KWILS' legal and support services were provided to victim-survivors of domestic, family, and sexual violence.

The intent of this submission is to highlight two key challenges we have observed through our work in remote and very remote communities, in the event it assists with development of the Plan.

Key Challenges in Katherine and the Big Rivers Region

Our past submissions and the other resources identified below demonstrate a number of key challenges in Aboriginal family safety and DFSV service provision in the Katherine and Big Rivers Region that we wish to comment on briefly.

1. Ability to access culturally safe legal services that are appropriately funded and supported.

Secure and reliable legal representation delivered within a trauma-informed and integrated framework, with an appropriate focus on deep listening and building trust, is essential in increasing the safety of Aboriginal women and children.²

In the remote Northern Territory context, it is critical for multiple legal services to be available and appropriately funded, despite the comparatively lower population. This provides choice and autonomy for women to select a specialist DFSV service, gender-specific service, or ACCO – and also ensures that there is more than one provider available to cater for cases where representation must be declined due to conflict of interest.

However, despite soaring DFSV rates in Katherine and the Big Rivers Region, the NT Government does not fund a domestic violence legal service provider in this region.³ Similarly, Federal Government funding continues to be distributed on a population-based model that fails to meet the significant cost of delivering legal services over a vast geographical landscape and which addresses the particular vulnerabilities and cultural needs of Aboriginal women and families.⁴

Long term underfunding has also impeded the ability of legal services in the Northern Territory to recruit and retain staff, and to invest in broader strategies (including cultural safety improvements) which may increase Aboriginal employment and leadership in the legal sector.⁵ This must be addressed so that legal services are adequately resourced to build strong relationships of trust and confidence with Aboriginal women that will break the cycle of inter-generational distrust of the legal sector following colonisation.⁶

2. Lack of a place-based focus in strategy and investment decisions

Historically, strategies, laws and investment decisions in relation to infrastructure and programs do not adequately recognise the differing needs of Northern Territory communities. In Katherine and the Big Rivers Region, programs and supports that are available for children and families in

² Langton et al, *Improving family violence legal and support services for Aboriginal and Torres Strait Islander women* (Research report), Sydney: Australia's National Research Organisation for Women's Safety (ANROWS), 2020.

³ WLSA Pre Budget Submission 2023-24, page 7-8.

⁴ Senate Inquiry sub p 2-3

⁵ WLSA Submission on Specialised and Trauma-Informed Legal Services Pilot for Victims and Survivors of Sexual Assault, page 10.

⁶ See Our Watch Submission 'Essential Actions' (pg 12) and their supporting evidence; Our Watch. (2016). *Changing the picture: A national resource to support the prevention of violence against Aboriginal and Torres Strait Islander women and their children*, Melbourne, Australia.

bigger urban locations frequently do not extend to our region.⁷ Homelessness and overcrowding in the Northern Territory is 12 times the national average.⁸ There are critical infrastructure and service delivery gaps requiring significant capital investment including, to name a few:

- Crisis accommodation;
- Remote safe houses for women and children;
- Short-term, transitional and supported accommodation;
- Alcohol and other drug rehabilitation facilities; and
- Remote disability assessments and support.

The reality is that there is inadequate infrastructure and programs available in Katherine and the Big Rivers Region to address the drivers of violence against Aboriginal women and to provide them with a place for safety and healing.⁹ This may be a similar story to elsewhere in Australia, but the solutions in our region will look very different and require a different level of investment.

We support submissions and recommendations made by other organisations

In recognition that the Plan should centre Aboriginal voices, perspectives, experiences, and solutions, supported by non-Aboriginal allies such as KWILS, we do not wish to put forward particular recommendations for the Plan. We do, however, wish to endorse submissions made by the following organisations and ACCOs:

- Katherine West Health Board;
- NTCOSS;
- ANROWS; and
- Our Watch.

We wish to express particular support for the following aspects of the submissions and recommendations made by these organisations:

- The Plan must target all aspects of the DFSV spectrum: primary prevention, early intervention and response, and recovery and healing. To do this effectively, strategies must also address social determinants of health, such as living conditions, health, poverty, housing stability, economic opportunity and employment (Our Watch, Katherine West Health Board).
- The Plan must directly recognise and address the ongoing impacts of colonisation as a driver of DFSV against Aboriginal women. As well as enabling solutions to be Aboriginal-led, the Plan must also ensure that there is responsibility placed on non-Aboriginal organisations and people to confront deeply embedded racism and sexism (Our Watch).

⁷ KWILS Submission -Australia's Youth Justice and Incarceration System 2024, page 2; See NT Government, Social housing wait times, available online at: <https://nt.gov.au/property/social-housing/applyfor-housing/apply-for-public-housing/waiting-list>.

⁸ Australian Bureau of Statistics, 'Estimating Homelessness: Census, 2021' (Released Mar 2023) <<https://www.abs.gov.au/statistics/people/housing/estimating-homelessness-census/latest-release>>.

⁹ NTWLS Submission to the Inquiry into missing and murdered First Nations women and children – Northern Territory Women's Legal Services, page 5.

- The Plan must facilitate strategies that operate on a model of long-term, flexible funding (Our Watch, Katherine West Health Board, NTCOSS), that prioritises the delivery of services on-country and led by Aboriginal people (Katherine West Health Board). We suggest it is also critical that the Plan recognises the extreme cost and other challenges of delivering programs and services in the DFSV sector in remote and very remote areas, and includes a corresponding requirement for funding to be allocated in a manner that caters for this.
- The Plan should include development of a Workplace Strategy which supports workplaces in all areas of the DFSV sector to improve cultural safety, working conditions and leadership opportunities for Aboriginal and Torres Strait Islander people (Our Watch, NTCOSS).
- The Plan should establish strong monitoring and reporting mechanisms (Our Watch). We would add that these mechanisms should be funded or delivered by Governments so as not to add additional burdens onto the already stretched NGO sector.

Past relevant submissions

We note the Steering Committee’s encouragement to use or build on past submissions for other consultations. As a result, we have **attached**, for your reference, a copy of the following previous KWILS submissions:

No.	Submission Title	Relevant points
1.	Submission - Australia's Youth Justice and Incarceration System	<ul style="list-style-type: none"> • Place based solutions (pg 2) • Particular needs of Katherine and the Big Rivers Region (pg 3)
2.	Submission to the Inquiry into missing and murdered First Nations women and children – Northern Territory Women’s Legal Services	<ul style="list-style-type: none"> • Systemic causes of all forms of violence, including sexual violence, against First Nations women and children (pg 8) • National Plan to End Violence against Women and Children 2022-32 (pg 4-5)
3.	WLSA Federal Pre-Budget Submission 2023-24	<ul style="list-style-type: none"> • Women’s Legal Services require additional funding to meet demand and establish best practice service delivery models (pg 7-8)
4.	WLSA Federal Pre-Budget Submission 2024-25	<ul style="list-style-type: none"> • Turnaway Rates – Executive Summary (pg 3)
5.	WLSA Submission on Specialised and Trauma-Informed Legal Services Pilot for Victims and Survivors of Sexual Assault	<ul style="list-style-type: none"> • Culturally Safe Services (pg 10)

We also encourage the Steering Committee to consider the closing submissions of Senior Counsel Assisting the Coroner in relation to the DFSV deaths of four Aboriginal women in the Northern Territory in recent years (copy **attached** for convenience). The submissions followed two months of hearing evidence in relation to systemic failures and drivers of violence against the women who passed. While

we wish to honour each of their individual stories, we also recognise that the experiences of those women is, to a significant extent, representative more broadly of the ongoing stories of many other Aboriginal women experiencing DFSV in the Northern Territory.

If the Committee would like any further information from KWILS, or would like to discuss any aspect of this submission, please do not hesitate to contact me, or Brianna Bell on (08) 8972 1712.

Yours Sincerely



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