

## Submission to the consultation on the development of the Fourth Action Plan of the National Plan to Reduce Violence Against Women and their Children

### Summary

21 September 2018

We thank you for the opportunity to make a submission to the consultation on the development of the Fourth Action Plan of the National Plan to Reduce Violence against Women and their Children (the Fourth Action Plan). This submission draws on the survey conducted by AWAVA in May-June 2018<sup>1</sup>, as well as AWAVA's policy positions established in consultation with our members and networks including peak bodies and other diverse organisations from every State and Territory in Australia working in areas such as domestic and family violence, sexual assault, legal assistance, and education.

The Fourth Action Plan is a milestone in the efforts to respond to violence against women in Australia. Being the last four-year plan of the 12-year timeframe, it represents a crucial opportunity for honest evaluation and thoughtful planning towards ongoing, consistent and well-resourced efforts to reduce and ultimately end violence against women.

The Fourth Action Plan background and evidence paper has put forward proposed priorities to be addressed. We commend the Department of Social Services (DSS) on the extensive list that covers a broad range of areas and continues much of the work already in progress. However, the priorities as articulated differ greatly in their level of specificity. For example, some priorities such as access to justice address large and complex systems whereas others such as addressing the impact of violence on children are quite targeted. For this reason, several of the priorities overlap in ways that might make it difficult to develop specific actions building towards larger goals. We would therefore like to offer an alternative structure that policy-makers might find useful in conceptualising the priority areas for the Fourth Action Plan, and working towards a second National Plan. The matrix below outlines this structure.

As shown in the matrix below, the structure includes the priorities put forward by DSS and points to the gaps that require attention. Each of the priority areas identified comprise a number of more detailed measures that are outlined in the text of this submission.

Legend to the matrix:

- The first column represents DSS-identified priorities (in black) and areas that are not yet or not sufficiently addressed by these priorities (in red). Together they represent the measures required to reduce and ultimately end violence against women.
- The second column represents AWAVA-identified priority areas that serve as overarching objectives.
- The last column represents principles that should underpin the Fourth Action Plan.
- The dotted purple frame indicates the necessity of sufficient levels of funding and resourcing.

<sup>1</sup> The AWAVA survey 'Consulting on the Fourth Action Plan of the National Plan to Reduce Violence Against Women and Their Children' aimed to evaluate the progress achieved under the Third Action Plan and consult with a broad range of service providers, peak bodies and individuals across Australia on the development of the Fourth Action Plan. The summary of the survey results is attached to this submission.

# Matrix of proposed priority areas by AWAVA

Reducing violence against women and their children through prevention activities	<b>Approaches to End Violence against Women</b>
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Addressing violence against Aboriginal and Torres Strait Islander women	<b>Addressing Violence against Diverse Groups of Women &amp; Children</b>
Addressing violence against women from culturally and linguistically diverse communities	
Addressing violence against women with disability	
Addressing violence against people who identify as LGBTIQ	
Addressing violence against specific age groups of women	
Addressing violence against women living in financial hardship and/or poverty	
Addressing violence against women the sex industry	
Addressing violence against women in prisons	
Responding to the impact of family and domestic violence on children	

Addressing sexual harassment	<b>Addressing Different Types of Violence against Women</b>
Reducing sexual violence	
Addressing technology-facilitated abuse	
Linkages with efforts to address elder abuse	
Responding to forced marriage, dowry abuse, reproductive coercion, FGM, forced sterilisation of women with disability, and unnecessary medical procedures on intersex infants	

Developing workforce capability	<b>Strengthening Systems</b>
Access to justice	
Addressing the intersection of DFV and migration status	
Responding to human trafficking and sexual exploitation	
Welfare system improvements	
Housing affordability and long-term housing options	

Adequate crisis accommodation	<b>Strengthening Services</b>
Supporting the medium to long-term safety, wellbeing and independence of women and their children	
Mechanisms to ensure funding to specialist women’s services	
Developing services’ capability	

Coordinated response to addressing violence against diverse groups of women	<b>Improving Coordination and Governance</b>
Improved involvement of civil society	
Transparent, independent and periodic monitoring and evaluation	

sufficient and long-term  
**FUNDING AND RESOURCING**

- ✓ Recognises gender inequality and other forms of oppression as the main driver of VAW
- ✓ Recognises the role of specialist women’s services
- ✓ Recognises diversity
- ✓ Intersectional
- ✓ Culturally competent
- ✓ Inclusive
- ✓ Sustainable
- ✓ Ongoing
- ✓ Transparent
- ✓ Collaborative
- ✓ Accounts for regional, rural and remote locality
- ✓ Centres the voices of victims/survivors

## 1. Approaches to end violence against women

- 1.1.** Respondents to AWAVA's survey identified that primary prevention activities were the most visible and perceived as having made progress. However, many gaps remain, including the need for a more **intersectional and culturally-sensitive lens on prevention** activities. Prevention of violence against women is a long-term project requiring ongoing resourcing and firm commitment over many decades.
- 1.2.** Ongoing work to **mainstream gender equality** and challenge patriarchy is required to end violence against women and their children. Our Watch's Change the Story framework identified the four key gendered drivers that need to be challenged: the condoning of violence against women; men's control of decision-making and limits to women's independence; rigid gender roles and identities; and male peer relations that emphasise aggression and disrespect to women.
- 1.3.** Governments and funding bodies at all levels need to provide **greater financial and institutional support** to effective local and state based organisations and programs working in the area of violence prevention, including education about gender.
- 1.3.1.** As Our Watch's Counting on Change guide to prevention monitoring makes clear, demand for response services is expected to increase in the medium term as violence condoning attitudes are challenged and reporting is encouraged.<sup>2</sup> Therefore we need a commitment to **comprehensive, secure and ongoing funding for prevention** across jurisdictions as well as, not taken from, response service funding (which itself needs to be increased).
- 1.3.2.** We need to increase **funding and support for community-led intersectional and culturally-sensitive prevention** and early intervention initiatives in diverse communities including Aboriginal and Torres Strait Islander, LGBTIQ, culturally and linguistically diverse, migrant and refugee communities and at-risk cohorts including women with disability, women in the sex industry, women in rural and regional areas, older women and young women.
- 1.4.** There is currently no mechanism to **coordinate primary prevention initiatives** across Australia. A coordination body or network is needed to create opportunities to draw on good practice, identify gaps and learn from other practitioners.
- 1.5.** In addition to NCAS, PSS and the Australian Longitudinal Study on Women's Health there is also a need to track progress on **the key drivers of violence against women** at the population level, recognising the long-term, multi-faceted nature of primary prevention. Our Watch's Counting on Change guide is the key resource on which this work can be based.

## 2. Addressing violence against diverse groups of women

- 2.1.** The Fourth Action Plan needs to **use an intersectional lens** in efforts addressing violence against diverse groups of women. Addressing violence against diverse groups of women requires meaningful consultation, co-design and community-led initiatives.
- 2.2.** Responses to violence against **Aboriginal and Torres Strait Islander women** need to be co-designed and community-led. Sufficient funding needs to be guaranteed to Aboriginal-owned and -controlled organisations. Mainstream services working with Aboriginal and Torres Strait Islander communities need to ensure cultural competency of service provision.

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<sup>2</sup>[https://www.ourwatch.org.au/getmedia/8c6df8f7-5d01-4e32-9e6a-a8bff04f0673/OurWatch\\_GuideToMonitoring\\_A3Summary\\_horizontal.pdf.aspx](https://www.ourwatch.org.au/getmedia/8c6df8f7-5d01-4e32-9e6a-a8bff04f0673/OurWatch_GuideToMonitoring_A3Summary_horizontal.pdf.aspx)

- 2.3. Mainstream services working with **women from culturally and linguistically diverse backgrounds** need to ensure that service provision is culturally competent. More culturally appropriate community education is required, and responses need to be co-designed and community-led. The diversity and different circumstances of women from culturally and linguistically diverse backgrounds (e.g. women on temporary visas facing violence) needs to be properly addressed.
- 2.4. To address violence against **women with disability** an emphasis on more competent and responsive services is required, as well as consultation and coordination with organisations that are led by women with disability. A Royal Commission into Violence against People with Disability needs to be established. The recommendations of the ‘Stop the Violence’ project need to be implemented, monitored and evaluated.
- 2.5. The impact of violence on other groups is increasingly of concern. These include LGBTIQ people, young women, older women, women on temporary visas who are experiencing violence, women experiencing financial hardship and/or poverty, women in prisons, women in the sex industry, women in rural and regional areas, and children.
- 2.5.1. Sustainable and adequate funding is needed for the development of **LGBTIQ-specific** resources, programs and targeted community education campaigns, as well as effective prevention strategies. Mainstream services must be resourced and trained to adopt inclusive practices and provide appropriate support. More investment in research about domestic and family violence and sexual assault in the LGBTIQ community is required<sup>3</sup>.
- 2.5.2. Violence against **young women** needs to be addressed, in particular in the context of sexual harassment and assault in university settings, dating violence and access to services and justice for international students regardless of their visa status.
- 2.5.3. Violence against **older women** needs to be addressed as an intersectional problem across the lifespan, rooted in discrimination, gender inequality and ageism. It is manifested in the context of family violence, sexual violence, elder abuse, homelessness and economic insecurity and inequality.

### 3. Addressing different types of violence against women

- 3.1. Responses to **sexual violence** (including sexual harassment) require a higher prioritisation and visibility in their own right. Sexual violence remains subsumed under the definition of domestic and family violence, which is contributing to the invisibility of the issue.
- 3.1.1. It is essential that prevention of and responses to sexual violence are **integrated** across all priorities of the National Plan and Action Plans.
- 3.1.2. Prevention of sexual violence should include **comprehensive sexuality education, education about gender and respectful relationships** that is inclusive of diverse ages, cultures and sexualities as well as support for sexual health at all stages of life and in all settings. Prevention of and responses to sexual violence need to be done through an intersectional lens taking into account compounding effects arising from interacting diverse identities and experiences.
- 3.1.3. Law reform and policy development should focus on measures to enhance **safe mechanisms of disclosure, promote reporting and evidence collection and challenge the community, police and judicial attitudes** to sexual assault that continue to reinforce its

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<sup>3</sup> UNSW (2014) Calling it What It Is: A Report into Lesbian, Gay, Bisexual, Transgender, Gender Diverse, Intersex and Queer Experiences of Domestic and Family Violence. Recommendations 3.1-3.9.

invisibility. There is a strong need for consistent legislation and responses to sexual violence.

**3.2.** More work needs to be done to increase awareness and improve responses to **other forms of violence against women** excluded from the focus on a conventional understanding of domestic and family violence, including trafficking and sexual exploitation, early and forced marriage, dowry abuse, and labour, domestic and sexual servitude. Responses to these forms of violence needs to be co-designed with diverse communities and ensure access to service irrespective of the intention to press charges. Additionally, manifestations of violence such as reproductive coercion, forced sterilisation of women with disability and medically unnecessary procedures on intersex infants and children need to be in scope of efforts to end violence against women.

**3.3.** Effective services assisting women and front-line services with current and emerging **technology-facilitated abuse** and improving technology safety need to be built upon and expanded.

## **4. Strengthening systems**

**4.1. Access to justice** as a whole requires significant reforms to ensure that women are not disempowered and can pursue this avenue.

**4.1.1.** Within the **family law system**, better accessibility of courts for diverse groups of people is required, as well as improvements to the physical safety of courts and development of a national risk assessment framework. There is a great need for better training for judicial officers and professionals (independent children lawyers and family report writers) on the nature and dynamics of family violence, cultural competency, working with people with disability and people from LGBTIQ communities, trauma-informed practice and intersectionality. There is an urgent need to remove the presumption of equal shared parental responsibility when deciding on parenting orders when domestic and family violence is alleged.

**4.1.2.** Within the **immigration system**, for women on temporary visas, access to family violence provisions afforded under the migration regulations needs to be expanded to include all dependent visa categories. Definitions of family violence used under the Migration Act and regulations need to be expanded to include multiple perpetrators and manifestations of violence. In the process of reviewing the eligibility to access family violence provisions, relevant decision makers need to determine the existence of family violence before seeking to assess the existence of a 'genuine relationship', to ensure relationships impacted by violence are evaluated in an informed and appropriate way that does not risk further traumatising the victim/survivor.

**4.2.** The focus on the **welfare system** as an enabler for women and their children to re-establish their lives and gain financial independence needs to continue. Access to government-funded services, including crisis payments and emergency housing, to all victims/survivors of domestic, family, sexual and intimate partner violence needs to be expanded irrespective of current visa status, across all states and territories. A gender lens in developing welfare policies as well as more training and policy improvements are needed to ensure that victims/survivors are not disempowered, further marginalised, disadvantaged or put at further risk.

**4.3.** Affordable housing and appropriate support from **housing and homelessness** service providers is essential for comprehensive efforts to prevent and respond to violence against women and their children. A comprehensive gender-responsive national housing strategy needs to be developed which would include the principles of visibility, capability and accountability. An effective national strategy should set ambitious goals to reduce homelessness and increase

affordable housing stock. The National Housing and Homelessness Agreement (NHHA) needs adequate resourcing and policy direction in order to deliver positive outcomes in the Fourth Action Plan.

4.4. Support in cases of **human trafficking and sexual exploitation** needs to be delinked from the criminal justice system to ensure adequate protection for all survivors of trafficking. Comprehensive data collection is necessary to ensure better understanding of the scope and evidence-based responses. A human rights lens rather than a migration lens is needed to ensure person-centred responses

4.5. In **developing workforce capability**, the Fourth Action Plan should address:

4.5.1. The need to support **specialist women's services** to meet the challenges of maintaining good practice service models while responding to rising demand, and ensuring that adequate funding flows to specialist women's service services. See sections 5.6-5.8 under 'Strengthening services' below.

4.5.2. The need for training and capacity-building in the **various workforces that have a role** in responding to violence against women, particularly in the areas of primary prevention and men's behaviour change.

4.5.3. The need to **strengthen general workplaces** in their responses to violence against women through training, policy development and support as well as ensuring DFV leave for employees.

## 5. Strengthening services

5.1. Increased awareness about domestic and family violence has led to increases in service demand; however, available **funding** does not reflect these increases. As a result, services struggle to meet demand, and there is not equitable access across all parts of Australia.

5.2. Increasing awareness and high-profile cases involving sexual assault and sexual harassment are driving significantly **increased demand** for counselling and other services (including through 1800RESPECT).

5.3. While State and Territory governments have roles in delivering and regulating services, the Commonwealth also has key roles in **assessing need, funding, coordinating, standard-setting and capacity-building**. Mechanisms to bring these functions together and track progress are needed, especially in the context of increasing demand.

5.4. **Adequate, sustainable and long-term funding** is required to meet demand for services, including early intervention, crisis response and recovery.

5.5. Despite some progress, **service gaps** remain. These include:

5.5.1. the availability of services especially in **rural, regional and remote areas**,

5.5.2. the availability of appropriate **housing options** for women facing violence, and

5.5.3. the availability of **culturally competent, inclusive and accessible** services.

### Monitoring, standards and workforce capacity-building

5.6. We need better **transparency and tracking of funding** allocated to addressing violence against women across all portfolios at all levels of government.

5.7. We need **nationally consistent good practice standards** to be developed and adopted by all services working with women and children facing violence, led by the specialist women's services sector, and building on work already done by peak bodies and others in this area.

**5.8.** The Fourth Action Plan should explore the feasibility of rolling out more broadly models based on Victoria's **Flexible Support Packages** for women and their children who are escaping violence, with consideration for the service capacity, structures and systems required to implement such packages in each State and Territory.

#### Homelessness and crisis accommodation

**5.9.** We support the intention to address **crisis accommodation** to ensure its availability as well as appropriateness. In AWAVA's survey, a lack of housing options and the risk of becoming homeless for women who are facing violence was one of the major identified gaps.

**5.10.** However, the areas of housing and homelessness need to be looked at holistically, recognising that **access to affordable and appropriate housing** plays a crucial role not only in the crisis response but in terms of long-term recovery too.

**5.11.** **Systemic improvements to housing** are also needed – see section 4.3. under 'Strengthening systems' above.

**5.12.** Although some progress has been made on tenancy reforms, on the whole the **commitments made in the Third Action Plan** of the National Plan in relation to housing and homelessness still need to be implemented.

**5.13.** Governments in all jurisdictions need to work together to **extend access to government-funded services**, including crisis payments and emergency housing, to all victims/survivors of domestic, family, sexual and intimate partner violence, irrespective of current visa status, across all states and territories.

**5.14.** Adequate and sustainable funding is needed to meet demand for homelessness services, including specialist women's services, while ensuring that funding goes to **services that are appropriately specialised**, competent, safe, inclusive, accessible and culturally competent for the full range of diverse groups of women and children who need them.

**5.15.** All agreements (bilateral or overarching) that address homelessness need to be progressively amended to include the requirement not only that State/Territory strategies include measures to support women and children facing violence but also that **funding spent under these strategies goes to services with specialist capability to address the gendered dynamics of violence** and homelessness<sup>4</sup> (i.e. specialist women's services and/or generalist services with documented specialist capability.)

### 6. Improving coordination and governance

**6.1.** A robust **monitoring and evaluation mechanism** must be in place to allow for the impact of activities under the National Plan (and any future National Plan) to be measured, gaps to be assessed and performance to be improved.

**6.2.** Greater **consistency and coordination** between the Commonwealth, State and Territories is required to put into action a shared commitment to end violence against women.

**6.3.** Improved mechanisms for **communication and co-design** between civil society (including survivor voices) and government are required to strengthen implementation and planning.

**6.4.** A **consultative process** is needed to determine full costing for the range of program and service needs, particularly in regard to specialist support services.

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<sup>4</sup> <https://awava.org.au/2017/08/10/research/brochure-unique-role-specialist-womens-services>

The Commonwealth Government needs to ensure that **key initiatives under the plan are sufficiently and sustainably resourced and adequate long-term funding** is provided for quality prevention, early intervention and ongoing specialist response and support initiatives and monitoring and evaluation of these initiatives.

In light of the long-term goal of ending violence against women, we support the development of a **second National Plan**, drawing on a full open and participatory evaluation of progress under the first National Plan, with reference to AWAVA's full Position Paper and other key documents including Our Watch's Counting on Change guide.

We refer you to AWAVA's full Position Paper for detailed analysis of the efforts required to reduce and ultimately end violence against women and their children. We have also attached a summary of AWAVA's survey results, 'Consulting on the Fourth Action Plan of the National Plan to Reduce Violence Against Women and Their Children', for more information.

Once again we thank you for the opportunity to provide input to this consultation. If you would like to discuss the contents of the submission further, please contact Merrindahl Andrew, AWAVA Program Manager, using the details below.

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