



Women's Electoral Lobby | 8-10 Victoria Street, Newtown, NSW 2042

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House of Representatives Standing Committee on Social  
Policy and Legal Affairs Inquiry into family, domestic and  
sexual violence.

## **Submission of the Women's Electoral Lobby Australia**

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Women's Electoral Lobby, established in 1972, is national, independent, non-party political lobby group dedicated to creating a society where women's participation and their ability to fulfill their potential are unrestricted, acknowledged and respected and where women and men share equally in society's responsibilities and rewards. It is an incorporated association.

The group has worked tirelessly for over 45 years to improve the position of women in Australian society.

WEL applies a feminist approach to all its work from policy analysis and development to campaigning. WEL thus works within a feminist policy framework. In proposing and analyzing policy solutions, we measure fairness and justice for women and fairness and justice for society. WEL lobbies and works with governments at all levels to achieve better and fairer legislative, policy and program outcomes in order to achieve equality for all women.

One of our current national strategic focus areas is:

- Eliminating Violence against women and children including securing crucial funding for women's refuges

It is in relation to matters arising from this focus area that we make this submission. It does not cover all terms of reference of the inquiry nor do we deal with sexual violence although we recognize that this is often an element in domestic and family violence. WEL's submission concentrates on four broad areas of concern: Reports and Plans, Funding, Housing and Homelessness and the Impact of Cultural Differences

WEL works in cooperation with Australian Women against Violence Alliance (AWAVA) and relies on the evidence base created by Australian National Research Organisation on Women's Safety (ANROWS) and peak women's organisations to develop national policy or legislative solutions. At the state and territory level, it works with peak organisations as well as seeking information and advice from service providers particularly those operating women's refuges or domestic violence and related wrap-around services.

WEL makes this submission cognizant and supportive of the views of these various organisations which work to support women and children fleeing family and domestic violence, seeking safety and security into the future. The WEL Eliminating Violence against Women Action Group contains members who work in service provision which supports women fleeing domestic violence and seeking to transition to a safer life as well as those conducting relevant social policy research.

## **REPORTS AND PLANS**

This new parliamentary inquiry would be welcome during this COVID 19 pandemic, were it not for the fact that the recommendations of past comprehensive inquiries and the **Fourth National Action Plan to Reduce Violence Against Women and their Children 2019 - 2022**, have not been fully funded. There has not been the strong and consistent national leadership for full implementation of the Plan's strategies and programs in collaboration with states and territories. Funding announcements like the Federal Government's \$150 million appearing in a joint government media release in NSW – **COVID-19: Funding to Boost Domestic Violence Support** (26th May, 2020 Mark Speakman, NSW Attorney-General, Anne Ruston, Federal Minister for Families and Social Services and Bronnie Taylor, Minister for Mental Health, Regional Youth and Women) illustrate a

piecemeal government approach to achieving reductions in violence against women and their children and this approach provides little long-term funding security for over-stretched services.

These recent announcements have been responses to data produced by peak women's organisations surveying services and subsequently confirmed by agencies like the Australian Institute of Criminology (*Statistical Bulletin 28*, 20<sup>th</sup> July, 2020) demonstrating an increase in the number of women experiencing physical or sexual violence during the pandemic. Its online survey of 15,000 Australian women about their experience of domestic violence during the initial stages of the COVID-19 pandemic conducted in May 2020 showed that for many women, "the pandemic coincided with the onset or escalation of violence and abuse."

While such funding in response to reported escalation of violence at this time is welcome as a small contribution, it is not the necessary ongoing or recurrent, substantial financial commitment for which service providers have been pressing for years. Service organisations need to be able **to plan** to meet spikes in demand as well as in times of crisis like this pandemic period.

AWAVA gathered information for a submission on the development of the Fourth National Action Plan. It made a number of important observations on what measures had made progress in reducing violence against women. It identified primary prevention activities as critical but needing a lens on prevention which was more intersectional and culturally sensitive. (AWAVA Submission 21<sup>st</sup> September, 2018). It also highlighted the importance of work on mainstream gender equality challenging patriarchy using the *Our Watch Change the Story* framework. This framework identifies 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 of women. WEL sees this as requiring a long view with a coherent national approach and clear messages supported by sanctions.

WEL believes that the **Final Report of the COAG Advisory Panel on Reducing Violence against Women and their Children** published in 2016 and its recommendations covering six Action Areas provided future governments with a blueprint for effectively tackling this social scourge.

In particular, WEL draws attention to Action Area 6: *Integrated responses are needed to keep women and their children safe*. This Action Area recommended:

- + the use of a national common risk assessment framework.
- + the examination of current funding arrangements
- + information-sharing across government and non-government sectors to support the safety of women and their children
- + identification of opportunities to expand models of co-location and integration that include, courts, agencies and services
- + agreement by all governments to work together to improve the intersections between family law, child protection and family violence legal systems by implementing the respective elements of recommendations of the Family Law Council's report on families with complex needs.

## **FUNDING**

Comprehensive, secure and ongoing funding for prevention with increased funding and support for community-led, co-designed intersectional and culturally sensitive prevention and early intervention initiatives were also seen as leading to effective programs to end violence against women by AWAVA in its submission.

In relation to current funding arrangements, the COAG Advisory Panel Recommendation 6.2, there were five requests to governments: *to ensure funding adequacy and responsiveness; to support the delivery of sustainable and effective services through the introduction of long-term contracts; to increase current funding for trialling, sharing and expanding new and innovative responses to violence against women and their children; to ensure funding for such services can be clearly differentiated from other areas of expenditure and to introduce contracting approaches that encourage collaboration and integration across the sector.*

The COAG Advisory Panel worked over a ten month period to arrive at its conclusions and recommendations. It consulted widely. It is the view of WEL Australia that this report needs to be the starting point for this new parliamentary inquiry and its relevant recommendations incorporated into its considerations.

Additionally, this inquiry should focus urgently on measures which will best address issues raised by domestic violence service providers, women's shelters and refuges in this abnormal period of the pandemic with its accompanying economic downturn causing financial hardship and deep anxiety among many families and communities.

WEL draws the attention of the Committee to the report of Women's Safety NSW: ***Experiences of Indigenous Women impacted by violence during COVID 19, July, 2020.*** This report identifies some key issues affecting clients of the Women's Domestic Violence Court Advisory Service and importantly, key service gaps like lack of access to case management, temporary accommodation, safe technology like phones, income and basic needs, free legal services to assist with child recovery where there are safety concerns and online support where it is not safe to make phone calls.

In its Federal Election, 2019 top priorities eliminating violence against women contained a recommendation to the Federal Government to commit \$1 billion over five years matched dollar for dollar by state and territory governments for a long-term securely funded national program for 24 hour accessible women's domestic and family violence refuges and front-line outreach services and transitional accommodation. This has been a priority for WEL since 2015. WEL has lobbied governments for this ***Women and Children's Safety Program.***

WEL offered this as part of a comprehensive approach to a new National Housing and Homelessness Agreement that had bipartisan support and was enshrined in legislation. This program needs to be urgently re-visited at this time by governments as they seek to address the impacts of COVID in fueling gender-based violence.

## **HOUSING AND HOMELESSNESS**

As far back as 2013, the Australian Housing and Urban Research Institute (AHURI) in Bulletin Issue 164, July, 2013 recommended that integrated homelessness prevention schemes were effective for women and children who have experienced domestic and family violence (DFV).

WEL notes that these schemes are essential because the single most significant cause of homelessness for women and their children in Australia is domestic and family violence. Women are trapped in a vicious cycle if they cannot flee to safety and then be eventually referred to more permanent safe, suitable and affordable housing. They may be forced to return to an unsafe domestic situation if there is no affordable housing alternative.

WEL supports more investment in social housing as well as increased funding for women's refuges and emergency accommodation with the legal and other social services necessary for protecting women, restoring their confidence and building their economic independence.

AHURI in a Discussion Paper published in April, 2017: ***Housing and Domestic Violence Scoping Study*** prepared by Dr Nicola Brackwertz provides a comprehensive overview of a diverse range of housing options for women affected by DFV. WEL commends this range of options which is divided into short and longer term housing options.

Crisis housing is seen as women's refuges and shelters. These represent an immediate support for women and their children, but are of variable standard across the country and in some states may be incorporated under the general umbrella of specialist homelessness services. The paper stresses and WEL agrees that these are "not a substitute for longer-term secure and affordable housing."

At this time of the pandemic and prior to this time, there has been a significant shortage of crisis accommodation providing specialist DFV support. In NSW, for example, the crisis properties that do exist are predominantly communal houses with shared common areas. The pandemic has resulted in fewer places being available for women and children because of the need to observe COVID safety procedures like social distancing and other health measures. Those DVF refuges, which were purpose built with self-contained cluster buildings, are able to continue to operate to capacity.

During this pandemic, there has been a significant increase in domestic violence as illustrated by many women's organisations and the recent survey from the Australian Institute of Criminology cited earlier. Some services have reported a 50% increase in requests for community support. Many of the women with children have been offered Temporary Accommodation usually in hard to let motels with other cohorts of homeless people. Women often consider such an accommodation option as unsafe. In some circumstances, because of the inadequacy and lack of DVF crisis accommodation, services have had to try and support women while they remain living in violence.

WEL has maintained that this form of crisis accommodation and attendant support services are essential because frequently life-saving and a true refuge. There should be clarity, however, in the operation of these services in the way they differ from other homelessness services dealing with clients presenting for assistance for reasons other than DFV.

There has not been any significant investment in the infrastructure of DVF refuges or women's shelters since the 1990's and there is a pressing need for this investment to be prioritized and addressed as part of the larger investment urgently required for social housing.

These specialist women's services need to be established under best practice principles which include: a rights-based approach that incorporates an understanding of the gendered nature of violence; respect for and empowerment of survivors/victims by enabling self-determination and control over processes and choices; proven good practice service provision; a client-centred trauma-informed approach accountable to survivors placing their safety, need and interests at the centre of all decisions; cultural sensitivity that is well-informed and supportive of diverse groups of women; access to legal assistance for personal protection and family law matters; support to remain or return to their home when and if it is safe to do so.

In that context, safe at home schemes which model international best practice as recommended by the COAG Advisory Panel in its report (pp44-5) should be an option, but may not be suitable in

every case or even many cases. They are a long-term housing option if the women can afford all associated payments of running a home and breaches of Apprehended Domestic Violence Orders by perpetrators are dealt with effectively and expeditiously. Safety must come first.

The AHURI Discussion Paper provides an overview of transitional housing as a “stepping-stone” to more permanent public or private rental housing. It also explores “supportive housing” for women who are too traumatized or lack the skills to live independently. WEL considers this approach as an essential model to include in the mix of options.

All of these represent approaches for the short to medium term. They are not a permanent solution for the majority of women and their children forced to leave home due to DFV. Some urgent attention is required at this time of COVID-19.

WEL has launched a ***Women and Housing Policy, 2020*** (See [www.wel.org.au](http://www.wel.org.au) ) which outlines some of the remedies for women and their children facing homelessness or insecure housing. In the policy, WEL recommends a broad-based strategy by the Federal Government to address women’s economic inequality and financial insecurity. Importantly, WEL considers there is a need for a gender-responsive national housing policy that addresses the key factors affecting housing outcomes for women.

WEL advocates government investment in social and affordable housing to address the shortages and long waiting lists evident across the country. It supports the **Everybody’s Home Campaign** led by an alliance of charities and community associations in conjunction with the Community Housing Industry Association and Homelessness, Australia. The target for this campaign is 500,000 new social and affordable homes.

### **IMPACT OF CULTURAL DIFFERENCES**

There are cultural differences recognized in the AHURI discussion paper (p4), cited earlier, which need to be taken into account in how DFV is viewed in certain communities and consequently what housing solutions may be appropriate. These differences are evident among CALD communities and they present particular challenges in programs for Indigenous or First Nations women. Indigenous women may distrust government services; may fear the removal of their children from their care; and may wish not to disrupt kinship ties and so on.

WEL supports the creation of Indigenous women’s refuges and safe houses, cultural awareness training for staff and volunteers to ensure cultural competency of service providers. Some programs in remote communities have night patrols and perpetrator “cooling-off” houses. WEL commends such community-controlled initiatives, but stresses the need for these to be funded on a recurrent basis rather than as innovations not enduring beyond a trial period.

Support at the point of an emergency or crisis is critical, but there needs to be support for prevention and early intervention in diverse communities including Indigenous, culturally and linguistically diverse LGBTQI, migrant and refugee communities and other vulnerable and at risk groups including women with a disability.

WEL offers also some further observation on the plight of immigrant and refugee (CALD) women who face some similar obstacles in leaving violent relationships to other women. They also face additional challenges.

Many CALD women do not have the knowledge or means to access government or community services. Their issues in finding protection are made worse by social isolation which is often a part of the migration experience.

They may lack family and friends or a social network a factor which may be used by the abuser to exert control, often coercive control. This compounds their isolation and lack of information from diverse sources including information about their legal rights and the family law generally governing relationships.

If DVF policies and programs are to be effective and inclusive, they need to take account of the inequalities and barriers faced by marginalized groups. They need to be developed with consideration for the intersectional nature of inequality – race, ethnicity, ability, dis-ability and migration status and be responsive to it with appropriate culturally sensitive initiatives.

CALD women, for example, also experience overt and covert racism and discrimination in their contacts with some service providers. This can be an added factor deterring them from seeking assistance and support. Any negative experiences in the broader Australian community may discourage them from reaching out for support. This is often the case with Muslim women or women of Arabic-speaking background.

Policies for the prevention of DVF can be framed in ways which seem to suggest that violence is inherent in some cultures and yet, a failure to recognize that there is violence with other dimensions for some CALD women. There needs to be a recognition of immigration law-related violence and of extended family abuse including forced marriages.

Many CALD survivors of DFV have experienced it at the intersection of their ethnicity and immigration status with a spouse as the source of information intentionally misguiding his partner by controlling all information on migration status and using threats of deportation to prevent a partner from reporting abuse or seeking help.

A focus solely on culture of the victim or survivor may not accord recognition to the woman's subordination being derived from not just their cultural difference, but also from sources in mainstream culture like racism and gaps in government policies and the social services system. All these perspectives need to be understood by policy makers and service providers.

## **CONCLUSION**

WEL believes that in this time of a pandemic, when there is mounting and compelling evidence of a disproportionately negative impact on women's lives, governments must invest in social infrastructure such as social housing as well as frontline domestic violence crisis services and prevention and early intervention programs.

The extensive economic and workforce impact of the pandemic and the costs of violence against women measured in various studies over the years for the development of successive national Action Plans should make strategies for reducing violence against women and their children a top government priority. WEL trusts that this House of Representatives Inquiry will result in recommendations that lead to full implementation of plans and programs with secure, recurrent funding into the future.

**Prepared for WEL Australia by Jozefa Sobski with assistance and advice from Cat Gander, Convenor WEL NSW Ending Violence against Women Action Group, Dr Jane Bullen, Deputy Convenor, WEL NSW Executive and Menaka Cooke, Member WEL NSW Executive.**