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Family violence in Aboriginal communities

Family violence impacts on Aboriginal people at vastly disproportionate rates and has devastating effects on Victorian Aboriginal communities. The following article is an extract from the Aboriginal Family Violence Prevention and Legal Service (FVPLS Victoria) submission to the Victorian Royal Commission into Family Violence.

inbrief

- › Irrespective of where they live, Aboriginal women are one of the groups at highest risk of family violence in Victoria and across the nation
- › The many causes and contributors to increased rates of family violence against Aboriginal people include gender, colonisation, discrimination and inter-generational trauma
- › Secure and long-term resourcing for culturally safe and specialist support services working with Aboriginal victims/survivors of family violence is needed

Aboriginal women are 34 times more likely to be hospitalised from family violence¹ and almost 11 times more likely to be killed as a result of violent assault.² Aboriginal women have been identified as the most legally disadvantaged group in Australia.³

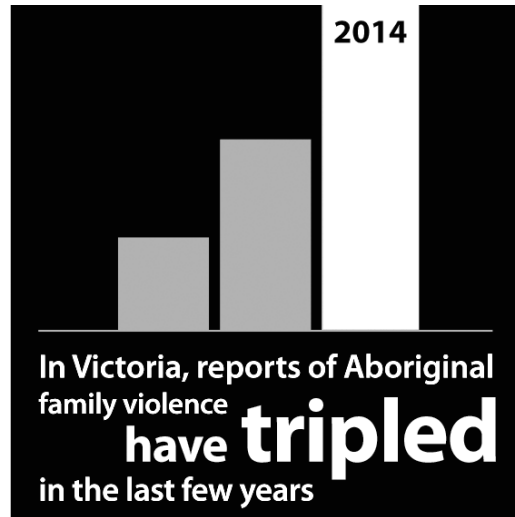
Tragically, family violence against Victorian Aboriginal people appears to be escalating. Across Victoria, police reports of family violence against Aboriginal people (predominantly women and children) have tripled in less than a decade.⁴ This is despite evidence that the majority of family violence incidents go unreported and the reality that Aboriginal women are markedly less likely to disclose family violence due to a multitude of complex barriers.⁵

Family violence is complex and the issues our clients face are complex. Our clients live with intergenerational trauma, removal of children, discrimination, poverty, mental health issues, family violence-driven housing instability and homelessness, disability, lower levels of literacy and numeracy, as well as a range of other cultural, legal and nonlegal issues.

Colonisation, discrimination and inter-generational trauma

There are multiple complex and diverse factors contributing to the high levels and severity of family violence in Aboriginal and Torres Strait Islander communities. It must be clearly understood that the causes do not derive from Aboriginal culture. Family violence is not part of Aboriginal culture. However, the disadvantage, dispossession and attempted destruction of Aboriginal cultures since colonisation have meant that family violence has proliferated in Aboriginal communities.

This does not, however, mean that family violence affecting Aboriginal victims/survivors, predominantly women and children, is exclusively the domain of Aboriginal communities—or that all perpetrators of violence against Aboriginal women are Aboriginal men. There is insufficient data on the Aboriginality of perpetrators and FVPLS Victoria routinely sees Aboriginal clients, mostly women, who experience family violence at the hands of men from a range of different backgrounds and cultures, Aboriginal and non-Aboriginal. The only certainty in the



Infographics supplied by FVPLS Victoria

existing data is that Aboriginal women are at disproportionately higher risk of family violence.

Aboriginal women face the “double bind” of gender and racial discrimination and oppression. Violence against Aboriginal women includes many forms of abuse that are directed against them because they are women, or that affects women disproportionately compared to men. Significant causes of this violence are embedded social attitudes, norms and structural inequalities with regard to their perceived place and value.

In addition, there are many other factors arising from colonisation and systemic discrimination against Aboriginal peoples, which contribute to the high incidence and severity of family violence among Aboriginal people. This includes:

- › inter-generational trauma
- › dispossession of land
- › forced removal of children
- › interrupted cultural practices that mitigate against interpersonal violence
- › disproportionate rates of criminalisation and incarceration
- › economic exclusion and poverty
- › systemic and indirect racism.

Gender

It must be recognised that family violence in Aboriginal communities is gendered—just as it is in the mainstream community. While men can certainly be victims of family violence and their needs must not be overlooked, women and children represent the vast majority of victims/survivors within Aboriginal communities.

Court and police statistics, together with FVPLS Victoria’s 12 years of frontline experience, confirm the majority of victims/survivors of family violence are women and children, and the majority of perpetrators are men—including both Aboriginal and non-Aboriginal men. At last count, 93 per cent of FVPLS Victoria’s clients were Aboriginal women. While there are certainly instances of men as victims, it is important to note many male victims are children—many of whom experience violence perpetrated by men not women. Indeed, as discussed in further detail below, recent research indicates that men’s violence against women is a primary driver in up to 95 per cent of Aboriginal children entering out-of-home care.⁶ Where children are at risk alongside their mother, the most effective way of protecting those children from violence is to provide culturally safe, specialist and effective assistance to the mother and equip her with the supports necessary to safely care for her children free from violence.

In addition, FVPLS Victoria’s legal team have been involved in a number of cases where a man has made allegations of violence against a female partner in an attempt to minimise legally substantiated complaints she has made against him (which are often much more serious in nature) or, alternatively, in order to intimidate and >>

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Read the full submission

The full submission by FVPLS Victoria contains specific recommendations to:

- › increase funding and resourcing of Aboriginal family violence prevention legal services and strategies
- › invest in culturally safe and targeted early intervention and prevention strategies for Aboriginal women and children
- › strengthen police responses to violence against Aboriginal women and children

- › reduce family violence-driven child protection intervention in Aboriginal families and strengthen child protection responses to Aboriginal women and children victim/survivors of family violence
- › improve access to court and other justice services for Aboriginal women and children victim/survivors of family violence
- › strengthen coordination and integration between government and community for the benefit of Aboriginal victims/survivors

- › improve data collection, evaluation and government accountability.

It can be accessed at: [www.rcfv.com.au/getattachment/0946B88A-099C-42CD-8B3C-86EDB0456B60/Aboriginal-Family-Violence-Prevention-and-Legal-Service-Victoria-\(FVPLS\)](http://www.rcfv.com.au/getattachment/0946B88A-099C-42CD-8B3C-86EDB0456B60/Aboriginal-Family-Violence-Prevention-and-Legal-Service-Victoria-(FVPLS))

control a female partner against whom the man has been perpetrating violence for some time.

It is of concern that some strategies and frameworks designed to address family violence in Aboriginal communities fail to recognise the gendered nature and impacts of family violence, instead framing family violence as an issue affecting families and communities or as simply one aspect of ‘lateral violence’⁷—thus overlooking the lived experiences of women and children as the primary victims/survivors of male-perpetrated violence. FVPLS Victoria wholeheartedly supports the notion that solutions to family violence impacting on Aboriginal people lie within Aboriginal communities and that Aboriginal people must lead strategies to prevent and eradicate family violence in our communities. Community ownership and community-driven solutions are fundamentally important. However, it is crucial that community approaches do not result in the voices and perspectives of Aboriginal women being lost. Without reference to women or to gender, reliance on a ‘community voice’ can serve to reinforce pre-existing gendered power dynamics and silence Aboriginal women.

Barriers to reporting and seeking support

The legacy and impact of Australia’s colonial history, including oppression through legal and government systems and policies of forced assimilation, cannot be overstated. This legacy continues in Aboriginal peoples’ ongoing disadvantage and dispossession in Victoria. It has resulted in profound

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levels of mistrust of government, the legal system and mainstream service system by Aboriginal communities. This results in Aboriginal victims/survivors facing significant barriers to reporting and seeking support for family violence, including:

- › lack of understanding of legal rights and options and how to access supports when experiencing family violence
- › poor police responses and discriminatory practices within police and child protection services
- › fear of child removal if disclosing family violence
- › mistrust of mainstream legal and support services to understand and respect the needs, autonomy and wishes of Aboriginal victims/survivors
- › community pressure not to go to the police in order to avoid increased criminalisation of Aboriginal men

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- pressure not to leave a violent relationship, stemming from a priority within some parts of the community of maintaining the family unit due to a misconceived fear that parental separation will threaten cultural connection (especially for children) and community cohesion
- poverty and social isolation
- lack of cultural competency and indirect discrimination across the support sector, including, for example, discriminatory practices within police and child protection agencies, lack of culturally appropriate housing options, alienating and deterrent communication and client/patient approaches by medical, legal, community services and other professionals. ■

Endnotes

¹ The Australian Productivity Commission (2014) *Overcoming Indigenous Disadvantage—Key Indicators 2014*, 4.93 table 4A.11.22

² Australian Institute of Health and Welfare (2006) *Family Violence Among Aboriginal and Torres Strait Islander people*, Cat. no. IHW 17, p.71

³ Aboriginal and Torres Strait Islander Commission (ATSIC) (2003) *Submission to the Senate Legal and Constitutional References Committee*, Parliament of Australia, Inquiry into Legal Aid and Access to Justice, 13 November 2003, p.4

⁴ Victorian Auditor-General (2014) *Victorian Auditor-General's Report: Accessibility of Mainstream Services for Aboriginal Victorians*, p.57

⁵ Matthew Willis (2011) 'Non-disclosure of violence in Australian Indigenous communities', *Trends & issues in crime and criminal justice*, No. 405

⁶ Information provided by the office of the Victorian Commissioner for Aboriginal Children and Young People, SUBM.0941.002.0021, p.22

⁷ Lateral violence, sometimes referred to as 'horizontal violence' or 'internalised colonialism', has been described by Richard Frankland as '[T]he organised, harmful behaviours that we do to each other collectively as part of an oppressed group: within our families; within our organisations; and within our communities. When we are consistently oppressed we live with great fear and great anger and we often turn on those who are closest to us.' See: Australian Human Rights Commission (2011) 'Chapter Two: Lateral Violence in Aboriginal and Torres Strait Islander Communities', *Social Justice Report 2011*, SUBM.0941.002.0022, p.23

Photos from Sisters Day Out, a day that celebrates Aboriginal culture and brings Aboriginal women together