



# Djirra's response to the Australian Government's Draft National Plan to End Violence against Women and Children 2022-2032

February 2022

## Executive Summary

Djirra welcomes the opportunity to provide feedback on the Australian Government's Draft National Plan to End Violence against Women and Children 2022-2032 (**Plan**). Djirra endorses and echoes the submissions made by Change the Record and the National Family Violence Prevention and Legal Services Forum (**NFVPLS Forum**) on the Plan.

Djirra is a specialist Aboriginal Community Controlled Organisation (**ACCO**) based in Victoria, with significant expertise providing frontline services and delivering programs for Aboriginal and Torres Strait Islander women who have experienced, or are experiencing, family violence.

Djirra has previously provided substantial input into the development of the Plan, including participating in various stakeholder consultations, the 2021 National Women's Safety Summit and contributing to the NFVPLS Forum's submission on the development of the Plan.<sup>1</sup> Given the importance of this work, Djirra is concerned about the inadequate timeframe initially provided to respond to the draft Plan (two weeks for a complex, nationwide consultation).

It is Djirra's position that the Plan in its current form fails to demonstrate a commitment to self-determination. It is a missed opportunity for government to meaningfully address the disproportionate rates at which Aboriginal and Torres Strait Islander women experience violence. The Plan does not include tangible actions or targets, and there is a lack of clear accountability for governments. Previous plans have consistently failed Aboriginal and Torres Strait Islander women, as evidenced by the disproportionate rise in the rates of violence against our women – and it is not clear how the current Plan will address this.

In September 2021, Change the Record released *Pathways to Safety*,<sup>2</sup> a detailed report bringing together the voices, expertise and experience of frontline Aboriginal family violence prevention and legal services. In this report, Change the Record and the NFVPLS Forum call on the Australian Government to respect and follow the expertise and leadership of First Nations women and communities.<sup>3</sup>

Djirra supports the self-determined solutions outlined in *Pathways to Safety* and the call for a separate, dedicated National Plan that guarantees resources and decision-making power required to end violence against Aboriginal and Torres Strait Islander women and children.

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<sup>1</sup> NFVPLS Forum (July 2021), 'Developing the next National Plan to reduce Violence against Women and their Children'.

<sup>2</sup> Change the Record (2021), 'Pathways to Safety'.

<sup>3</sup> Ibid, p.3.

## About Djirra

Djirra was established in 2002 to respond to the needs of Aboriginal and Torres Strait Islander people experiencing family violence. Djirra is a member of the NFVPLS Forum, the only national peak body for Aboriginal and Torres Strait Islander victim survivors of family violence and sexual assault.

Djirra (meaning 'reed' in the Woirwurrung language of the Wurundjeri peoples of the Kulin Nation) is an ACCO managed and governed by Aboriginal people with approximately 46% Aboriginal women employed. The vast majority (98%) of people we assist are Aboriginal and Torres Strait Islander women and their children.

Djirra has extensive expertise working with Aboriginal and Torres Strait Islander women through the delivery of legal advice and representation. Djirra's core areas of legal assistance are family violence orders, child protection, family law and victims of crime. Djirra provides intensive case management and holistic supports such as cultural, wellbeing, personal development and counselling. Djirra also has strong connections with Aboriginal and Torres Strait Islander women through its successful signature programs Sisters Day Out, Young Luv and Dilly Bag.

## A separate National Plan to address violence against Aboriginal and Torres Strait Islander women

Violence against Aboriginal and Torres Strait Islander women is a national crisis, occurring at epidemic levels. Aboriginal and Torres Strait Islander women are:

- 32 times more likely to be hospitalised due to family violence;<sup>4</sup> and
- 10 times more likely to die due to assault<sup>5</sup>

than other women in the country.

The devastatingly high rates of violence against Aboriginal and Torres Strait Islander women highlight the urgent need for a separate, dedicated National Plan written for and by First Nations women.

The proposed Aboriginal and Torres Strait Islander Action Plan is not a sufficient or self-determined response. The development of this Action Plan is to be led by the government-appointed Aboriginal and Torres Strait Islander Advisory Council on family, domestic and sexual violence<sup>6</sup>. Safety and equality for First Nations women will not be achieved through a government determined process that is a subset of the mainstream Plan.

We join with the National FVPLS Forum, Change the Record and other First Nations leaders in expressing our disappointment that we have been excluded from the conversation on this, and our calls ignored.

Djirra will continue to call for a separate, dedicated National Plan to end violence against Aboriginal and Torres Strait Islander women that:

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<sup>4</sup> Australian Institute of Health and Welfare (2019), 'Family, domestic and sexual violence in Australia: continuing the national story 2019', p.ix.

<sup>5</sup> Australian Human Rights Commission (December 2020), 'Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future Report', p.4.

<sup>6</sup> Draft Plan, p.41.

- Is developed in line with the principles of self-determination.
- Acknowledges the unique needs of our women and children.
- Does not apply a one size fits all approach.
- Acknowledges the diversity of our people and culture.
- Invests in Aboriginal and Torres Strait Islander women and children.
- Ensures all voices are included and heard.

At a minimum we seek a commitment, with timeframes and a mechanism, to be included in this Plan for the development of a dedicated, self-determined National Action Plan for and by Aboriginal and Torres Strait Islander women.

### The Current Draft Plan

The Plan acknowledges that the previous plan failed its most important challenge – to reduce violence against women. If this Plan is to be effective, clear accountability is needed to create a transparent framework with specific outcomes, including:

- **Economic barriers to safety:** While a connection between ‘economic disadvantage’ and violence experienced by Aboriginal and Torres Strait Islander women is acknowledged,<sup>7</sup> the Australian Government’s ability to change this is virtually excluded from the Plan. There is no acknowledgement of government responsibility to deliver an adequate and dignified social security safety net, especially to Aboriginal and Torres Strait Islander women, who are still experiencing past and ongoing effects of colonialism and racism. The Plan must include a commitment to increasing social security payments to a liveable standard and abolishing punitive mutual obligation programs, such as ParentsNext.
- **Housing:** The Plan must include a clear commitment to increased funding for culturally-appropriate housing and emergency accommodation for Aboriginal and Torres Strait Islander women. First Nations women experiencing and escaping family violence must have a dedicated, culturally-sensitive response, not one where they are just included in “diverse groups”.
- **The new National Domestic, Family and Sexual Violence Commission:** There is limited information in the Plan about the role and responsibilities of this new Commission, including whether there will be Aboriginal and Torres Strait Islander control and oversight. It is also not clear whether this Commission will be responsible for the evaluation of the Aboriginal and Torres Strait Islander Action Plans.
- **Closing the Gap:** The Plan must clearly identify ways governments will implement the Closing the Gap agreement. For example, governments have committed to reducing Aboriginal and Torres Strait Islander children in out of home care by 45% by 2031. However, there is no government accountability for achieving this in the Plan. The Plan also states that its targets will be in addition to Closing the Gap targets. It is not clear who is responsible for developing these targets, the process, and whether there will be Aboriginal and Torres Strait Islander oversight.

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<sup>7</sup> Ibid, p.42.

- **Child protection:** Punitive child protection responses exacerbate trauma from violence and deter women from seeking support due to fear of child removal.<sup>8</sup> The lack of accountability for reducing child removal in the Plan means governments can not only fail to improve, but even make things worse, for example by passing laws designed to remove even more children from their families into permanent care. Djirra joins the NFVPLS Forum in calling on government to establish a system (akin to the Custody Notification System) under which Aboriginal and Torres Strait Islander families in contact with the child protection system would be referred to culturally-appropriate services, such as a Family Violence Prevention and Legal Service, at the earliest opportunity.

## Funding for FVPLSs

As outlined previously by the NFVPLS Forum,<sup>9</sup> over 95% of users of FVPLS services are Aboriginal and Torres Strait Islander women and children. This places the NFVPLS Forum and its member organisations in a strong position to drive systemic change and make a significant impact in Aboriginal and Torres Strait Islander communities.

Despite this, FVPLSs have consistently been critically under-resourced. Specialist ACCOs and FVPLSs must be invested in, including on a long-term, secure basis to strengthen our capacity to continue to provide culturally-safe, holistic support. We are calling on the government to commit to reinstating a dedicated funding stream for FVPLSs, to ensure we have certainty of funding and are not required to compete with other service providers. FVPLSs' early intervention and prevention programs must also be invested in, to ensure better outcomes for Aboriginal and Torres Strait Islander women experiencing or at risk of violence.

As the only national peak body for Aboriginal and Torres Strait Islander victim survivors of family violence and sexual assault, the National FVPLS Forum must receive increased and ongoing funding to ensure Aboriginal and Torres Strait Islander women's voices are not excluded from the national conversation.

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<sup>8</sup> Langton et al. Improving family violence legal and support services for Aboriginal and Torres Strait Islander women (Sydney: ANROWS, 2020).

<sup>9</sup> NFVPLS Forum submission, p. 6