

Chapter 1

Introduction

1.1 On 26 June 2014, the Senate referred the following matters to the Senate Finance and Public Administration References Committee (the committee) for inquiry and report by 27 October 2014:

- (a) the prevalence and impact of domestic violence in Australia as it affects all Australians and, in particular, as it affects:
 - (i) women living with a disability, and
 - (ii) women from Aboriginal and Torres Strait Islander backgrounds;
- (b) the factors contributing to the present levels of domestic violence;
- (c) the adequacy of policy and community responses to domestic violence;
- (d) the effects of policy decisions regarding housing, legal services, and women's economic independence on the ability of women to escape domestic violence;
- (e) how the Federal Government can best support, contribute to and drive the social, cultural and behavioural shifts required to eliminate violence against women and their children; and
- (f) any other related matters.¹

Conduct of the inquiry

1.2 The inquiry was advertised in *The Australian* newspaper and on the committee's website. The committee invited submissions from individuals, organisations and government departments by 31 July 2014. However, it continued to accept submissions until the end of 2014. On 26 August 2014 the Senate granted an extension of time to report until 2 March 2015² and a further extension until 18 June 2015.³

1.3 The committee received 165 public submissions as well as confidential submissions. A list of individuals and organisations which made public submissions, together with other information authorised for publication by the committee, is at Appendix 1.

1.4 The committee held public hearings in Melbourne on 12 September 2014, Canberra on 15 October 2014, Sydney on 4 November 2014, Melbourne on 5 November 2014 and Brisbane on 6 November 2014. In 2015 the committee held

1 *Journals of the Senate*, No. 37 – 26 June 2014, p. 1018.

2 *Journals of the Senate*, No. 46 – 26 August 2014, p. 1283.

3 *Journals of the Senate*, No. 79 – 2 March 2015, p. 2203.

hearings in Darwin on 10 March 2015 and Canberra on 11 June 2015. A list of the witnesses who gave evidence at the public hearings is available at Appendix 2.

1.5 Submissions, additional information and the Hansard transcript of evidence may be accessed through the committee website at: www.aph.gov.au/senate_fpa.

1.6 The committee notes that some details which may potentially identify individuals have been removed from Hansard to protect women at risk of domestic violence.

1.7 On 19 March 2015 the committee tabled an interim report. The recommendations from that report are at Appendix 3.

Terminology

1.8 The committee acknowledges that some communities prefer to use the term family violence or family violence and abuse over the term domestic violence. The committee notes the *National Plan to Reduce Violence against Women and their Children 2010-2022* (National Plan) uses the term domestic violence, whereas the *Commonwealth Family Law Act 1975* uses the term family violence. For consistency, the committee has chosen to use the term domestic and family violence generally throughout the report. However, where other specific terminology has been used in a particular context, the committee has used that terminology.

The gendered nature of domestic violence

1.9 The overarching terms of reference for this inquiry refer to the 'prevalence and impact of domestic violence in Australia as it affects **all Australians**' (emphasis added). The committee recognises that this term of reference encompasses all victims of domestic violence, regardless of gender.

1.10 The committee understands Australian Bureau of Statistics (ABS) data demonstrates that men are more likely to be the victims of violence in the community. Further, the committee acknowledges there are some men who are victims of domestic and family violence. However, the committee accepts the analysis of ABS data by Australia's National Research Organisation for Women's Safety (ANROWS), to the effect that:

The Personal Safety Survey demonstrates a qualitative difference between the violence women and men experience. It shows women are most likely to experience violence in their home by a current or former partner that is domestic violence. In contrast, while men report high levels of violence this is unlikely to be domestic violence. Men are most likely to experience violence in a place of recreation or entertainment by a male stranger and the most common type of known perpetrator against a man is an acquaintance or neighbour.

...

The [ABS' Personal Safety Survey], illustrates that domestic violence is gender-based violence.⁴

1.11 The committee acknowledges that further work is required to address domestic and family violence against men and the data on its prevalence, noting that only 22 per cent of the respondents in the Public Safety Survey undertaken by the ABS were male.⁵

Contributing factors

1.12 The committee acknowledges that there are a complex range of social and personal factors that can contribute to the incidence and severity of domestic and family violence.

1.13 As part of its submission, VicHealth provided the committee with its 'Preventing violence against women: A framework for action', which highlighted a broad range of contributing factors to the incidence and severity of violence:

- attitudinal support for violence against women;
- witnessing or experiencing family violence as a child;
- exposure to other forms of interpersonal or collective violence;
- use and acceptance of violence as a means of resolving inter-personal disputes;
- social isolation and limited access to systems of support;
- income, education or employment;
- relative labour force status;
- alcohol and illicit drug use;
- poor parenting;
- personality characteristics and poor mental health;
- relationship and marital conflict; and
- divorce or separation.⁶

1.14 The Australian Women's Health Network also highlighted structural barriers such as gender inequality and gender role socialisation and social norms which can ignore or support violence against women.⁷

1.15 Other submissions highlighted factors that can contribute to the incidence and severity of domestic and family violence in particular communities. For example, The

4 *Submission 68*, pp 1-2.

5 Mr Paul Mischefski, Vice-President of Men's Wellbeing Queensland, *Submission 87*, 87, p. 5. See also chapter 4, paragraph 4.8.

6 *Submission 53*, p 11.

7 *Submission 4*, p.17.

Central Coast CALD Domestic Violence Sub-Committee submitted that domestic violence in culturally and linguistically diverse (CALD) communities could be exacerbated by:

- lack of awareness of what encompasses the definition of family and domestic violence in Australia within CALD communities;
- lack of education and knowledge to access services and support programs for victims of domestic violence;
- no protocols in place for preparedness for new arrivals (whether migrant or humanitarian) concerning emergency numbers to call when domestic violence is experienced;
- inadequate cross-cultural training to key crisis emergency services, both government and non-government agencies, in order to recognise and understand the barriers of CALD communities and challenges;
- competing cultural and religious beliefs which contribute to family and community pressure;
- lack of knowledge and understanding of the availability of free interpreter services;
- the masochistic nature of society that values notions of masculinity and gender discrimination;
- lack of infrastructure i.e. housing/crisis accommodation and resources to enable women from CALD backgrounds to leave domestic violence;
- inadequate multilingual resources that women experiencing [family and domestic violence] can access; and
- lack of knowledge of the Department of Immigration and Border Protection's provision on domestic violence and requirements of non-judicial evidence especially for those who are on temporary spouse visa.⁸

1.16 The National Family Violence Prevention Legal Services Forum submitted that it 'recognises other contributing factors in the high incidence and prevalence of family violence among Aboriginal and Torres Strait Islander people', including:

- inter-generational trauma;
- dispossession of land;
- interrupted cultural practices that mitigate against interpersonal violence;
- removal of children; and
- economic exclusion.⁹

8 *Submission 35*, p.1. See also Federation of Ethnic Communities' Councils of Australia, *Submission 54*, pp 7-9.

9 *Submission 51*, p. 11. See also Australian Women Against Violence Alliance, *Submission 62*, p. 14.

1.17 While the committee acknowledges there are many contributing factors to the incidence and severity of domestic and family violence, it would also like to stress that these cannot be seen as direct causes of domestic violence. As Australia's ANROWS submitted to the committee:

There is no single cause of domestic violence. It is best understood as a result of the interaction of factors at the individual, family, community and societal levels encompassing, for example, attitudes to women and gender roles within relationships, family and peer support for these attitudes, and social and economic gender inequality in the broader societal context. Alcohol and economic stress can be triggers, or contributing factors, which may exacerbate domestic violence but they are not causes.¹⁰

Acknowledgements

1.18 The committee thanks those individuals and organisations who made submissions and appeared at hearings. It particularly acknowledges the people who told the committee of their personal experiences, as well as organisations working in the sector and their staff, who go above and beyond to assist victims of domestic and family violence.

Structure of the report

1.19 The report consists of 10 chapters as follows:

- Chapter 2 details the effects of domestic and family violence;
- Chapter 3 covers the national framework;
- Chapter 4 examines the prevalence of domestic and family violence;
- Chapter 5 looks at national data collection;
- Chapter 6 explores primary prevention measures;
- Chapter 7 considers early intervention measures;
- Chapter 8 investigates crisis support;
- Chapter 9 outlines the legal framework;
- Chapter 10 covers longer term support.

10 *Submission 68*, p. 3.

