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The Commonwealth's role in improving the safety of women and children

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Acknowledgements.

Thank you for this opportunity to talk to you about violence against women and children – an issue which touches - and damages - the lives of too many Australians.

Violence in our community is a significant problem. Both men and women are victims of violence, but there is a difference in where and how violence usually occurs. Of assaults men experience, seventy per cent are attacks by male strangers, whereas the same percentage of women will be attacked instead by their male partner, friend or relative¹.

We should be making an effort throughout the community to reduce violent crime, but a criminal justice approach is not enough when we're dealing with domestic violence and sexual assault. The unique relationships between victims and perpetrators of domestic violence demand an approach specific to the problem.

I have been asked to talk to you today about 'what the Commonwealth could do to improve the safety of women and children who experience domestic violence'.

As you all know, the states and territories have primary carriage for most direct services in this area.

According to the current Federal Office for Women, the Commonwealth's role in working towards the elimination of violence against women is in 'informing policy, programs and practice'².

I think we can go a bit beyond that. In my view, the Federal Government has four key roles to play in this area:

¹ Personal Safety Survey (ABS), 2006

² Office for Women website, Department of Family and Community Services (FaCSIA), August 2007.

1. education and prevention to reduce violence, and so that each generation will be less likely to commit or be victims of violence as adults;
2. to provide leadership and encourage cooperation across;
3. to provide financial assistance through social security support and other relevant joint state and territory agreements; and
4. to ensure that federal laws prioritise the safety of victims of violence and the best interests of children.

I. Prevention

It is disturbing that one quarter of our young people have witnessed violence against their mother or stepmother³.

According to a report conducted by the Victorian Department of Human Services, around 97 per cent of those surveyed said they “did not believe violence could be justified”, but nearly “one in four respondents believed that domestic violence can be excused if the perpetrator genuinely regrets what they have done afterward or if the violence results from a temporary loss of control”⁴.

Children must be educated to understand that violent behaviour is not excusable and to aspire to have respectful relationships. Individuals need to take responsibility for their actions, but government also needs to lead. Successful prevention campaigns have meant that Australia now has the lowest smoking rates in the world.

The current Government’s primary response to violence against women is the, *Violence Against Women Australia Says No* campaign. You would all remember the controversy surrounding the campaign’s launch: the Government jettisoned a carefully researched and planned campaign that focussed on perpetrators taking responsibility for their actions because it seemed to blame men too much for domestic violence. What’s left is an ad that tells women who have been abused to call a phone number.

There’s a big difference between education for the reduction and prevention of violence and what became the *No Respect, No Relationship* campaign. A Commonwealth government does have a role in education and prevention, but it has to be a task sincerely undertaken and competently executed.

2. Encouraging cooperation and collaboration

According to Australian Bureau of Statistics only one in three women who experienced physical assault and one in five who experienced sexual assault reported it to the police in 2005⁵. We need tough laws and good hospital, police and court procedures across Australia so that all victims of violence are confident that their claims will be taken seriously.

³ *Family Homicide in Australia*, Mouzos and Rushforth (Australian Institute of Criminology), 2003

⁴ *Two Steps Forward, One Step Back: Community attitudes to violence against women* (Victorian Department of Health), 2006

⁵ Personal Safety Survey (ABS), 2006

I was lucky to be in Tasmania on Tuesday and was interested to hear about how the Tasmanian Government's relatively new, *Safe at Home*⁶ strategy has been going. I am aware that Liz Little from Tasmania spoke to you yesterday about this.

I understand that the safe at home philosophy is influencing many other new and exciting projects across the country.

Pilots in Eastern Sydney and Bega have also shown that in cases where it is assessed to be safe, it is preferable to instead remove the perpetrator.

In my view, this quiet revolution presents a perfect opportunity for the federal government to lead the conversation between the jurisdictions in what is better practise in this area, and to support the dissemination of models that work.

Some of those models were initiated under Partnerships Against Domestic Violence funding which saw great some research and programmes. Unfortunately funding for most was wound up in 2005.

3. Funding of social security and joint State and Territory agreements

Another key role the government plays in addressing violence against women and children is through financial support. This is most relevant in relation to the provision of adequate contributions to social security assistance and relevant joint State and Territory agreements such as the Supported Accommodation Assistance Program (SAAP) and the Commonwealth State Housing Agreement. I am not going to go into details today about social security, other than to congratulate those of you who fought for and won changes to the Crisis Payment. I do want to talk briefly about SAAP.

At the same time the Howard Government has funded the multi-million dollar advertising campaign *Australia Says No*, they have actually reduced their contribution to SAAP by \$50 million in real terms, because their contribution does not even keep pace with increases in the cost of living. If the Government expects the campaign to be successful, they should allow for an increase on demands on emergency services. SAAP services are already at breaking point. The most recent figures from the Australian Institute of Health and Welfare show that half of all women and two-thirds of all their children escaping violence are turned away from refuges each night. Domestic and family violence is the primary reason people seek emergency accommodation⁷.

Women will often return to violent homes rather than make their children homeless, or they will live in fear in caravan parks or other inappropriate accommodation with inadequate support.

⁶ *Tasmania's Safe At Home: A whole of government response to domestic violence* (Australian Domestic and Family Violence Clearinghouse), 2006

⁷ *Homeless people in SAAP 2004-05, SAAP national data collection annual report 2004-05* (Australian Institute of Health and Welfare), 2006.

A Rudd Labor government would work with state and territory governments to improve access to crisis accommodation, and to secure, long term affordable housing.

There's no point talking about safety unless we're prepared to make sure there are safe places for victims of domestic violence to go if they leave home; and not just emergency accommodation, but long term accommodation. We're also critically short on dedicated funding for children's services.

4. Family Law and Child Support

The fourth area of responsibility the Commonwealth has in working towards the prevention and support of victims of domestic violence is through Commonwealth law; in particular the Family Law Act and the Child Support Acts.

Of course you are all aware of the changes to both these areas over recent years.

I was interested in some of the findings of the recently released report by the Australian Institute of Family Studies, '*Allegations of family violence and child abuse in family law children's proceedings: A pre-reform exploratory study*'. The study was commissioned by the Attorney General's Department to assist with the Howard Government's recently introduced Family Law Violence Strategy.

A significant finding of the study was that more than half the cases in the Family Court involved allegations of family violence and/or child abuse⁸, with most cases severe in their nature, involving physical injury or abuse.

Violence typology is explored at length in the first chapter of the AIFS report. The authors cite research from Johnson and Ferraro (2000) who differentiate incidents of domestic violence into three categories:

1. intimate terrorism;
2. violent resistance; and
3. situational couple violence.

The categories are relatively self-explanatory, however, it is interesting to note that unlike intimate terrorism and violent resistance, Johnson argues that situational couple violence is generally less frequent and is more likely to be equally reciprocated rather than based on "a range of such control mechanisms that are employed overwhelmingly by men"⁹.

While it is clearly true that some partner violence is reciprocated, I would be very concerned if the Commonwealth Government decided to go down the path of asking the Family Court, for example, to differentiate between categories of violence, discounting some as less serious.

⁸ Page VII Key Findings, *Allegations of family violence and child abuse in family law children's proceedings: A pre-reform exploratory study*, Australian Institute of Family Studies, 2007.

⁹ Page 6, *Allegations of family violence and child abuse in family law children's proceedings: A pre-reform exploratory study*, Australian Institute of Family Studies, 2007.

I am sure we'll all be watching developments in this area closely. Any future changes to the family law system must ensure the protection of children and parents from violence and abuse. As Labor flagged at the time of the debate over the family law changes, children's safety and wellbeing must be the priority.

I noticed recently that the Child Support Agency is just about to start their media campaign regarding the recent scheme changes. I understand that they will be spending around \$36 million over the next five years on the campaign. I thought that it was interesting that, "There is \$1.8 million (funding allocated in the campaign) over three years....to fund advocacy groups to provide communication to their constituents"¹⁰.

The Child Support System is perhaps one of the most controversial areas of government. Most members of parliament will tell you that a fair proportion of their case work are CSA cases. And yet the principle of non-residential parents contributing to the cost of caring for their children is absolutely right.

Some advocacy groups in this area are quite passionate and a little one-eyed. It is irregular at the best of times for governments to give funding to advocacy groups to promote government legislation to their members. It will be interesting to see who gets this money and what tendering process is used. I would like to hope that residential and non-residential parent representative groups will be equally represented in funding allocations.

Rudd Labor vision

A Rudd Labor Government will offer a strong and sustained commitment to end violence against women and children.

Instead of the piecemeal approach of the recent years, in which programs are funded then abandoned, advertising campaigns started then scrapped and community groups all around the country struggle on their own, re-inventing the wheel, a Rudd Labor Government will develop a *National Plan to Prevent Violence Against Women and Children*. This National Plan will set out a coherent national vision for the prevention of violence against women and children. It will include domestic and family violence, sexual assault, child sexual assault and other forms of violence against children. The *National Plan to Prevent Violence Against Women and Children* will be long term. It will be accountable. It will allocate responsibility and set out timelines for change.

This plan will be overseen by a National Council to make sure it is effective and accountable. Key members of the Council will include: law enforcement agencies; academics; expert organisations such as the *Women's Services Network* and the *National Association of Services Against Sexual Violence* and survivors of domestic violence and sexual assault. This Council will work across government from a public health framework to prevent violence before it happens.

¹⁰ F&PA 81, Senate Finance and Public Administration Committee, 2007-08 Budget Estimates, 24 May 2007

A public health approach is evidence-based; it focuses on the health of communities as a whole, especially on those at greatest risk of disease or injury allowing us to take account, for example, of Aboriginal women and children's greater statistical likelihood of experiencing family violence and tailoring our responses accordingly.

The public health approach does not replace criminal justice and human rights responses to violence; rather, it complements them by placing an additional strong emphasis on prevention. As with drink driving, we try and prevent it, but when people are caught doing it, we throw the book at them.

A National Plan to Prevent Violence Against Women and Children will mean that innovative, evidence-based projects are promoted and hopefully shared between the States.

Federal Governments have always been responsible for the security of the nation: our Prime Ministers have led us into war; have sought to defend us from invasion in the Second World War; now seek to defend us from terrorism. We spend \$22 billion dollars a year¹¹ on defence.

The sad truth is, for many women and children, the most dangerous place in the world for them is their own home. They're a million more likely to die at the hands of their partner than to be blown up by a terrorist. If we put one tenth of the effort we put into national security into security at home, we could beat this.

Ends.

For more information please go to www.alp.org.au or phone Tanya Plibersek's office on (02) 9357 6366. To be added to Tanya Plibersek's women's update list, please email Monika.Wheeler@aph.gov.au.