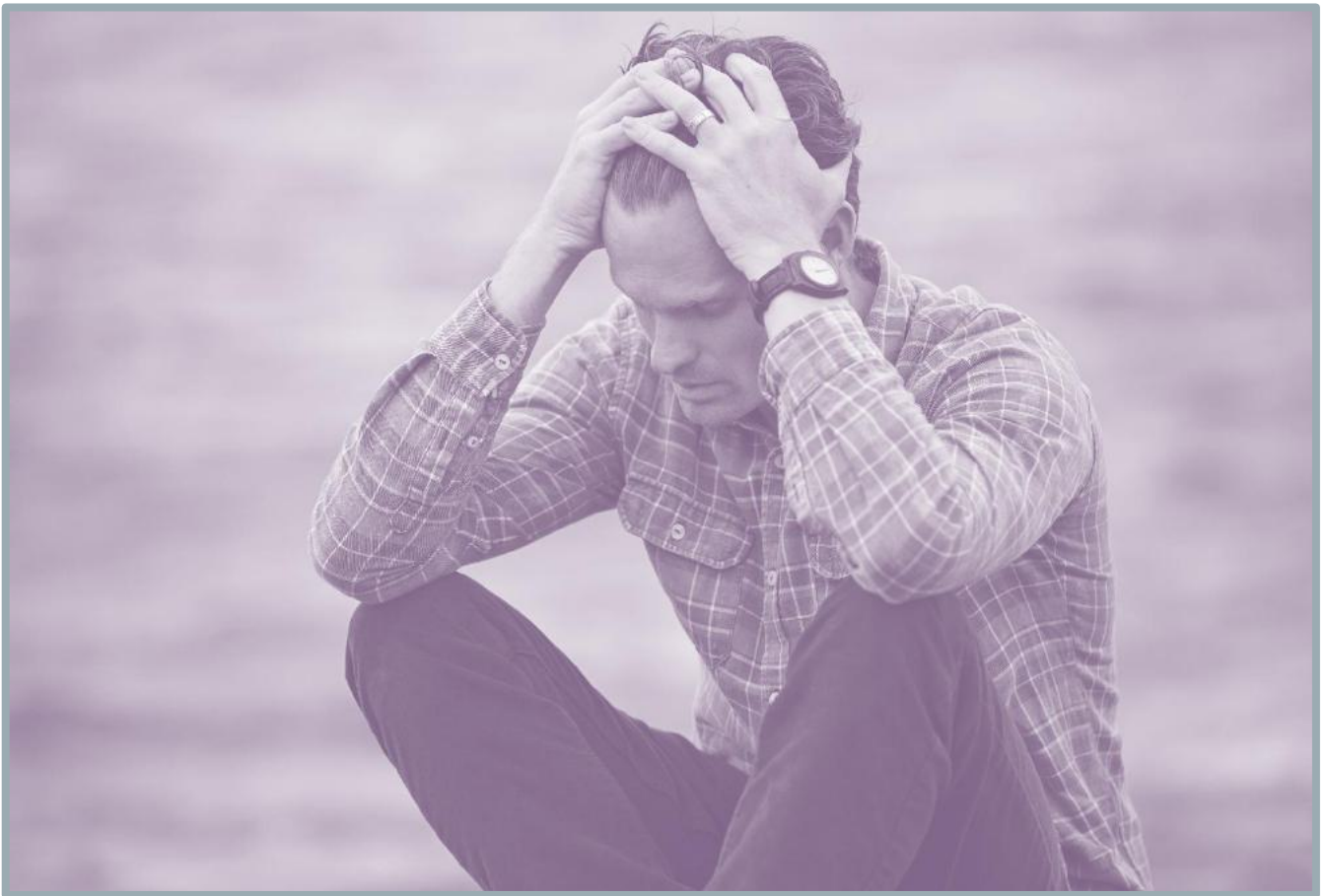


No to Violence Feedback

*Developing the Aboriginal and Torres Strait
Islander Action Plan*



Acknowledgment of Country

No to Violence acknowledges First Nations Peoples across these lands; the Traditional Custodians of the lands and waters. We pay respect to all Elders, past, present, and emerging. We acknowledge a deep connection with country which has existed over 60,000 years. We acknowledge that sovereignty was never ceded, and this was and always will be First Nation's land.



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Men's Referral Service – for men concerned about their behaviour

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Table of Contents

- Acknowledgment of Country..... 1**
- Summary of recommendations 1**
- General feedback..... 2**
- Self-determination..... 2**
 - Establish Aboriginal and Torres Strait Islander family, domestic and sexual violence peak bodies at national and state levels..... 2*
 - Invest in Aboriginal Community Controlled Organisations and workforces 3*
 - Fund Indigenous-led and owned research 3*
 - Reform institutions and systems..... 4*
- Primary prevention..... 5**
 - Address the intersectional drivers of violence..... 5*
 - Improve access to housing and basic needs 5*
 - Invest in healing programs 6*
- Early intervention 6**
 - Work with children and young people 6*
 - Fund community-led programs 7*
- Response..... 7**
 - Develop community-led behaviour change programs 7*
 - Improve access to crisis housing..... 8*
 - Explore alternatives to incarceration..... 9*
- Recovery 9**

Summary of recommendations

No to Violence suggests prioritising the following initiatives under the first Aboriginal and Torres Strait Islander Action Plan:

1. Establish Aboriginal and Torres Strait Islander family, domestic and sexual violence peak bodies at national and state levels
2. Provide new and additional funding for ACCOs to design, deliver and evaluate FDSV programs
3. Develop an Aboriginal and Torres Strait Islander-specific qualification in Client Assessment and Case Management
4. Support the development of a data and evidence ecosystem that is led by Aboriginal and Torres Strait Islander researchers and communities
5. Require police, child protection, legal and justice employees to undertake annual anti-racism and cultural safety training
6. Develop primary prevention campaigns to address the drivers of violence against Aboriginal and Torres Strait Islander women and children, including the intersections between gender inequality and other forms of structural oppression
7. Ensure all Aboriginal and Torres Strait Islander people have access to appropriate and dignified housing
8. Ensure all Aboriginal and Torres Strait Islander people have access to employment, social services, education, health services, stable internet and technology
9. Invest in healing programs that are community-led, culturally safe, and designed to respond to the specific needs of communities
10. Invest in early intervention initiatives that work with children and young people using or at risk of using FDSV
11. Fund community-led programs that divert men using FDSV away from criminal justice interventions
12. Develop tailored behaviour change programs that are community-led, culturally informed and accessible to men with intersecting needs
13. Provide new and additional funding to improve access to crisis accommodation for victim-survivors of FDSV
14. Provide specific funding to develop a culturally safe men's accommodation and counselling model, to enable women and children to remain safe at home and connected to their community
15. Create viable alternatives to incarceration and imprisonment for Aboriginal and Torres Strait Islander men who have used FDSV
16. Provide new and additional funding to recovery programs that support men to reconnect with their identity and sustain behaviour change, post-MBCP intervention

General feedback

No to Violence welcomes the opportunity to provide feedback on the reform areas and outcomes provided in the Action Plan Framework. This framework would be strengthened by providing specific priorities relating to the four pillars of primary prevention, early intervention, response and recovery. As such, No to Violence has structured its feedback to include recommendations on reforms that will enable self-determination, as well as key priorities to address the four pillars of the overarching National Plan.

Self-determination

No to Violence firmly believes that self-determination is the key to achieving long-term change for Aboriginal and Torres Strait Islander peoples and ensuring the safety and wellbeing of women and children. Creating real change for communities starts with a seat at the table, and decision-making powers in relation to how issues within their own communities are managed and resolved.

While investing in partnerships between Aboriginal Community Controlled Organisations (ACCOs) and non-Indigenous organisations is an important way of building cross-cultural knowledge and respect, there are often power imbalances in these relationships.¹ In order to develop genuine partnerships, we must address structural and systemic inequalities that discriminate against ACCOs and prevent culturally safe collaboration from occurring. To facilitate and guide necessary systemic reforms, Aboriginal and Torres Strait Islander family, domestic and sexual violence peak bodies are required at national and state levels. This should be the number one priority under the first Action Plan. In addition to establishing the peak bodies, No to Violence requests that the Action Plan includes specific commitments to:

- building the capacity of ACCOs and Aboriginal and Torres Strait Islander workforces to respond to family, domestic and sexual violence (FDSV)
- funding First Nations-led and owned research
- reforming institutions and systems that contribute to the marginalisation of Aboriginal and Torres Strait Islander peoples.

Establish Aboriginal and Torres Strait Islander family, domestic and sexual violence peak bodies at national and state levels

Our network of First Nations members unanimously supported the prioritisation of the establishment of an Aboriginal and Torres Strait Islander family, domestic and sexual violence peak body at national and state levels. This is an essential step in building the architecture of a system that can create meaningful change for Aboriginal and Torres Strait Islander people. Peak Bodies are a unique feature of Australian civil society. By establishing Aboriginal and Torres Strait Islander FDSV peak bodies, the government will be taking a step to empower Aboriginal and Torres Strait Islander-led practice, evidence-based research, capacity building, and an active and coordinated FDSV sector. These peak bodies will create opportunities for lateral engagement between ACCOs as well as with non-Indigenous organisations and facets of civil society. Our members highlighted the importance of

¹ Moore et al. 2020

building these relationships on foundations of mutual understanding and trust with the leadership of Aboriginal and Torres Strait Islander communities.

Recommendations

1. Establish Aboriginal and Torres Strait Islander family, domestic and sexual violence peak bodies at national and state levels.

Invest in Aboriginal Community Controlled Organisations and workforces

Significant new and additional funding would enable ACCOs to design, deliver, and evaluate FDSV programs. ACCO FDSV service providers are chronically under-resourced. Funding should reflect the complexity and intersectional nature of FDSV work in Aboriginal and Torres Strait Islander communities. This means long-term funding with specific allocation for monitoring, evaluation, and evidence-building. In our consultations with First Nations members, we heard about the many community-controlled healing programs that are working successfully with perpetrators and victim-survivors of FDSV, including the Dardi Munwurro Men's Healing program.² When asked why these programs are more effective than others, we were told “it’s simple, these are community-led programs that have emerged from community need and have been led by community”.

To support the expansion of ACCOs and enable these services to thrive, the Government should consider funding development of an Aboriginal and Torres Strait Islander-specific qualification in Client Assessment and Case Management that is comparable to existing courses offered by the Education Centre Against Violence and Swinburne University. This course would help to build a new Aboriginal and Torres Strait Islander workforce, who are skilled in providing culturally led, healing informed, and kinship centred interventions to men. Further, the development of a First Nations-led qualification would contribute to achieving goals of self-determination.

Recommendations

2. Provide new and additional funding for ACCOs to design, deliver and evaluate FDSV programs.
3. Develop an Aboriginal and Torres Strait Islander-specific qualification in Client Assessment and Case Management.

Fund Indigenous-led and owned research

The first Action Plan should include specific actions to support the development of a data and evidence ecosystem that is led by Aboriginal and Torres Strait Islander researchers and communities. In our consultations with First Nations members, we heard that the acute ways in which social issues manifest and impact Aboriginal and Torres Strait Islander communities are often overlooked in the FDSV sector – and this is partly due to the devaluing of First Nations-led research and solutions. At the Women’s Safety Summit in 2021 (prior to the publication of the draft National Plan), Professor Marcia Langton AO spoke on the importance of data sovereignty and the need to address gaps in the data on

² Deloitte 2021

rates of victimisation and perpetrator of violence within, between, and against Aboriginal and Torres Strait Islander people and communities.³

Investing in the development of Aboriginal and Torres Strait Islander led-and-owned data and evidence will benefit the entire sector's capacity for cultural understanding and safety. This knowledge base could include best practice evidence in delivering trauma aware, healing-focused, and kinship centred programs, as well as intersectional and inclusive responses to men and families.

Regarding the area of reform 'voice, self-determination and agency', a First Nations-led research agenda will help to provide the framework for shared decision-making, community-led solutions, and keep Aboriginal and Torres Strait Islander women and children at the centre of design and delivery of services.

Recommendations

4. Support the development of a data and evidence ecosystem that is led by Aboriginal and Torres Strait Islander researchers and communities.

Reform institutions and systems

The impacts of institutional racism in Australia are well documented, including the overrepresentation of Aboriginal and Torres Strait Islander people in prisons, social housing, and out-of-home care systems.^{4,5} While systemic racism and discrimination may have become less overt, there are persistent misconceptions about the reasons Aboriginal and Torres Strait Islander people are overrepresented in FDSV and criminal justice statistics. These misconceptions are harmful and contribute to the over-policing and over-servicing of Aboriginal and Torres Strait Islander people.

As a first step in reforming these institutions and systems under the National Plan, all police, child protection, legal and justice employees should be required to undertake annual anti-racism and cultural safety training – including staff in senior positions. Further, these organisations should have mechanisms in place that support employees to safely report racist or culturally unsafe practices by their colleagues or superiors. Finally, there must be transparent accountability for members of these systems who do not fulfil their obligations to protect the safety and wellbeing of Aboriginal and Torres Strait Islander peoples.

Once the Aboriginal and Torres Strait Islander FDSV peak bodies have been established, it is recommended that government services meet regularly and work closely with the peaks, to continue building the cultural competence of these services on an ongoing basis.

Recommendations

5. Require police, child protection, legal and justice employees to undertake annual anti-racism and cultural safety training.

³ Murphy 2021

⁴ Australian Law Reform Commission 2017

⁵ Elias and Paradies 2021

Primary prevention

Primary prevention is crucial to addressing both the immediate safety needs of Aboriginal and Torres Strait Islander communities, and for laying strong foundations for long-term change. Specific initiatives must be developed under the first Action Plan to address the drivers of violence against Aboriginal and Torres Strait Islander people, to improve access to housing and basic needs, and provide new and additional funding to healing programs.

Address the intersectional drivers of violence

There are deeply rooted drivers of violence against women and children in Aboriginal and Torres Strait Islander communities. The gendered drivers are similar to those experienced in Western cultures, and arise from women not having equal social status, power, resources and opportunities to men.⁶ The colonial drivers are a result of systemic marginalisation of Aboriginal and Torres Strait Islander people, through the ongoing impacts of colonisation, intergenerational trauma, structural inequality, racism, and disconnection from culture.⁷

The interconnected and intersectional drivers of violence against Aboriginal and Torres Strait Islander women and children must also be addressed. This includes those experienced by Aboriginal and Torres Strait Islander women and children with a disability, and those who identify as part of the LGBTIQ+ community.

Recommendations

6. Develop primary prevention campaigns to address the drivers of violence against Aboriginal and Torres Strait Islander women and children, including the intersections between gender inequality and other forms of structural oppression.

Improve access to housing and basic needs

Ensuring all Aboriginal and Torres Strait Islander people have access to appropriate and dignified housing must be a key priority in addressing the immediate safety needs of First Nations women and children. Overcrowding, poor-quality housing, and homelessness are significant issues for Aboriginal and Torres Strait Islander people, including those living in urban and suburban areas. This has significant implications for family safety where FDSV is occurring.

Improving access to housing should include the provision of culturally appropriate crisis accommodation for victim-survivors and short-to-medium term housing and counselling services for perpetrators. Providing men with stable accommodation and counselling to address their use of family violence enables women and children to remain safe in their homes and connected to their culture and community. These programs should be facilitated by Aboriginal and Torres Strait Islander workers and/or people with a high degree of cultural competence.

Aboriginal and Torres Strait Islander people also require access to employment, social services, education, and health services, including mental health services. Funding should be allocated to

⁶ Our Watch 2018

⁷ Ibid.

ensure that all Aboriginal and Torres Strait Islander people have access to stable internet and technology. This is particularly pertinent in a post-COVID world, where many services operate either entirely online or in a hybrid capacity.

Recommendations

7. Ensure all Aboriginal and Torres Strait Islander people have access to appropriate and dignified housing.
8. Ensure all Aboriginal and Torres Strait Islander people have access to employment, social services, education, health services, stable internet and technology.

Invest in healing programs

We heard from our members and networks that addressing the drivers of violence requires healing-first approaches – where men are supported to address grief and trauma stemming from colonisation, and to understand and connect with themselves emotionally, through culture. These programs should be created within the local context and respond to needs identified by local community members, with support from the local community.

Effective healing programs show positive impacts on individuals, families and communities in terms of self-worth and identity.⁸ Successful healing programs take a strengths-based approach, making connections between participants and Culture and Country to heal from intergenerational trauma, institutional violence, and intersectional marginalisation faced by many Aboriginal and Torres Strait Islander men. In this way, healing programs can meet men where they are at, and can intervene with men to help them choose a non-violent path. This type of positive change is primary prevention: strengthening community relationships and shifting towards non-violent approaches support communities without family violence. No to Violence recommends that healing programs are a key component of primary prevention initiatives under the first Action Plan.

Recommendations

9. Invest in healing programs that are community-led, culturally safe, and designed to respond to the specific needs of communities.

Early intervention

Shifting the system towards early intervention will empower families to remain safe together, and address challenges before they become unmanageable. This means working with children and young people to address their experiences and use of FDSV, and offering diversionary programs for Aboriginal and Torres Strait Islander men who are at risk of criminal charges and / or child removal.

Work with children and young people

The first Action Plan should prioritise investment in early identification and intervention with children and young people using or at risk of using FDSV. Research has shown that responses to Aboriginal and

⁸ Healing Foundation 2017

Torres Strait Islander children and young people using and affected by FDSV are inadequately resourced and overly reliant on child protection systems to respond.⁹ To break the cycle of violence, Aboriginal and Torres Strait Islander children and young people must be provided with opportunities to heal from their experiences of violence, and to address their own use of FDSV in holistic ways that incorporate values from culture that drive behaviour change. Again, these programs should be developed and facilitated by ACCOs, where cultural safety and understanding are embedded from the start.

Recommendations

10. Invest in early intervention initiatives that work with children and young people using or at risk of using family, domestic and sexual violence.

Fund community-led programs

Target 10 of the 'Closing the Gap' implementation plan commits to reducing the rate of Aboriginal and Torres Strait Islander adults held in incarceration by at least 15%. In order to achieve this, we need diversionary programs that are community-led to support men to change their behaviour before the violence escalates and requires criminal justice intervention. This could include community-led healing programs that integrate trauma-informed healing work with behaviour change work.

Recommendations

11. Fund community-led programs that divert men using family, domestic and sexual violence away from criminal justice interventions.

Response

Aboriginal and Torres Strait Islander men using FDSV require access to culturally informed and safe perpetrator intervention services. Our members have told us that mainstream Men's Behaviour Change Programs (MBCPs) are often unsuitable for Aboriginal and Torres Strait Islander men, and run the risk of either being ineffective or leading to further harm. The first Action Plan should also prioritise improving access to crisis accommodation for both victim-survivors and perpetrators, and legal system reform to ensure safe and effective responses to Aboriginal and Torres Strait Islander men using FDSV.

Develop community-led behaviour change programs

The most effective programs for Aboriginal and Torres Strait Islander men are those that integrate cultural work with behaviour change work.¹⁰ Ideally, these interventions should be designed and led by people from the community, who possess deep cultural knowledge and an understanding of the intergenerational impacts of colonisation. For example, the MBCP run by Tangentyere Council Aboriginal Cooperation in Mparntwe / Alice Springs, has been hailed for its culturally safe approach to

⁹Morgan et al. 2022

¹⁰ Andrews et al. 2021

keeping women and children safe and holding men accountable for their use of violence.¹¹ The first Action Plan should prioritise investment in community-led behaviour change programs, including funding to build best practice evidence and to support the expansion of existing programs.

Further, behaviour change programs must be accessible for Aboriginal and Torres Strait Islander people with intersecting needs, such as those with a disability, and those who identify as part of theGBTQ community. We heard from our members that MBCPs are not always appropriate for men with complex and intersecting needs. MBC facilitators must be trained in how to work safely with these men, including through the provision of training and mentoring that help them to better understand the cumulative impact of different forms of marginalisation.

Recommendations

12. Develop tailored behaviour change programs that are community-led, culturally informed and accessible to men with intersecting needs.

Improve access to crisis housing

Under the first Action Plan, new and additional funding should be allocated to improve access to crisis accommodation, including housing for Aboriginal and Torres Strait Islander men who have been legally excluded from the home. Providing men with stable accommodation and counselling to address their use of violence is a model that has been evaluated in Victoria.¹² This model enables women and children to remain safe in their homes and connected to their community and places the onus on the perpetrator to take accountability for their own behaviour.

No to Violence operates the Men’s Accommodation and Counselling Service (MACS) in Victoria. Originally funded as a pilot, MACS was designed to enable men who have been legally excluded from their home to find stable accommodation and counselling support. An Ernst and Young evaluation found that MACS fills an important gap in the service delivery system.¹³ MACS keeps these men in view while offering them a safe alternative to breaching their court orders, allowing victim-survivors to safely remain in their homes while perpetrators access the support they need to address their violent and abusive behaviours.

The first Action Plan should include funding to pilot a culturally specific version of this model, in which healing approaches are combined with behaviour change work and access to housing within an environment that is culturally informed and safe.

Recommendations

13. Provide new and additional funding to improve access to crisis accommodation for victim-survivors of FDSV.

¹¹ Brown and Campbell 2021

¹² Ernst and Young 2021

¹³ Ibid.

14. Provide specific funding to develop a culturally safe men's accommodation and counselling model, to enable women and children to remain safe at home and connected to their community.

Explore alternatives to incarceration

The over-representation of Aboriginal and Torres Strait Islander people in Australian prisons perpetuates the cycle of family violence. We suggest that the first Action Plan establish viable alternatives to incarceration. This could include non-custodial residential facilities, as suggested in Northern Territory Justice Agreement.¹⁴ Aboriginal and Torres Strait Islander people should be involved in the governance, oversight, and operation of these diversionary programs, including monitoring and evaluation to ensure these alternative approaches are meeting the needs of the community.

Restorative and non-punitive approaches to justice should be explored. No to Violence has already begun consultation work with the Northern Territory Government to develop an Aboriginal Family Violence Circle Court. Building on the successful implementation of the Barndimalgu in Geraldton, Western Australia, this model enables Aboriginal people who have pleaded guilty to a family violence offence to take part in a 20-week program to address their violence behaviour before the sentence is delivered with the goal of enabling behaviour change while keeping Aboriginal people in the community and out of prison.¹⁵ We are open to exploring ways to expand this work in other states and territories under the first Action Plan.

Recommendations

15. Create viable alternatives to incarceration and imprisonment for Aboriginal and Torres Strait Islander men who have used FDSV.

Recovery

A holistic, whole-of-family approach should be taken when working with families impacted by FDSV. This includes working with the perpetrator who, in many cases, will have ongoing contact with their partner, children and the community. This is why the first Action Plan needs to allocate funding to build new and expand existing healing approaches that support perpetrators to recover from their own use of violence and reduce the likelihood of them using violence again in the future. This funding is needed to manage any perceived risk to the overall wellbeing of children, to promote healing and connection, and to ensure the removal of children is only ever undertaken as an absolute last resort.

The Action Plan should explore ways to integrate recovery programs with opportunities for Aboriginal and Torres Strait Islander men to reconnect with country. For many First Nations people, the relationship to country is inextricably linked with their spiritual, cultural, linguistic and familial identity – all of which are protective factors in their cessation of violence. No to Violence recommends that

¹⁴ Blagg et al. 2021

¹⁵ Department of the Attorney General, Western Australia 2014

this model be trialled and evaluated, using tailored measures of success that are specific to the needs of Aboriginal and Torres Islander communities.

Recommendations

16. Provide new and additional funding to recovery programs that support men to reconnect with their identity and sustain behaviour change, post-MBCP intervention.

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