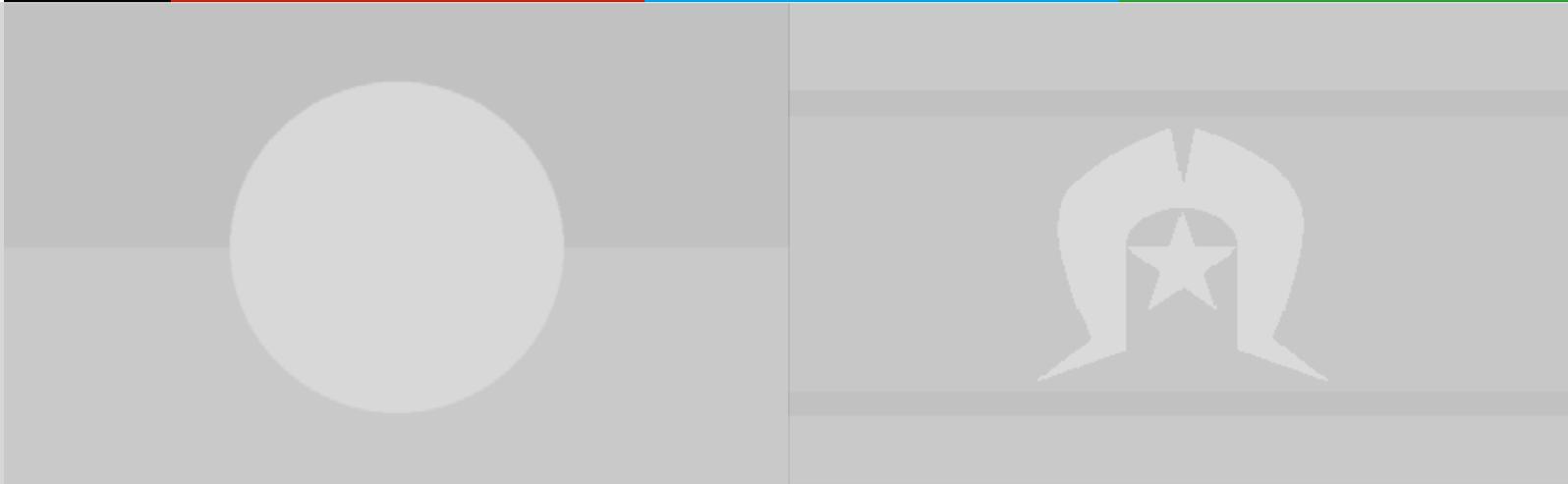


“WE DON’T SHOOT OUR WOUNDED...”

What Aboriginal Victims of Family Violence say about the violence,
their access to justice and access to services in the ACT



COMMUNITY REPORT



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ACKNOWLEDGEMENTS

This community report is based on a larger study looking at the experience of family violence of Aboriginal & Torres Strait Islander victims, and their access to justice and to services

15 Aboriginal women told their stories and quotes from eleven of these are collected here. This community report is dedicated to all these wonderful and brave women. They generously shared their experiences, views and knowledge about family violence.

Nearly 20 Aboriginal and Torres Strait Islander individuals who work in the justice and service sectors in the ACT were approached to offer their thoughts on what can be done to help victims of family violence access justice and get help.

People participated with a great faith in the Aboriginal and Torres Strait Islander communities' spirit, heart, knowledge, strength and courage in building strong families and communities. Hearing the stories of those who have suffered violence and tried to seek help strengthens our resolve to improve access to justice and access to services.

The larger study was financially assisted by the ACT Chief Minister's Department, the ACT Human Rights Commission, Aboriginal Justice Centre and Victim Support ACT.

The research was conducted by Kerry Arabena from the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS), and by Dr Natalie Taylor and Annalisa Koeman from the Australian Institute of Criminology.

WARNING

This report contains sensitive personal information. Whilst all care has been taken to ensure that the information from participants in this report has been de-identified, some of the participants in the report might be recognisable from their experiences and their circumstances.

We ask that you respect the privacy of the participants who generously provided information contained in this report. This report has been compiled to record the stories of individuals who have experienced family violence. They told their stories as a way to improve the services capacity of agencies in the ACT to provide effective services to assist Aboriginal and Torres Strait Islander people reduce the negative impact of family violence in our communities.

The interviews were conducted by Kerry Arabena (2008-09)

CONTENTS

GLOSSARY OF TERMS..... vi

SOME FINDINGS FROM THE STUDY AND RECOMMENDATIONS1

WHAT IS FAMILY VIOLENCE FOR ABORIGINAL WOMEN?.....6

PERSONAL NETWORKS WOMEN RELIED ON 10

ABORIGINAL WOMEN AND SEEKING HELP 12

WHAT ABORIGINAL WOMEN WANTED FROM POLICE 14

WHAT ABORIGINAL WOMEN SAID ABOUT THE MEN WHO HURT THEM 16

WHAT ABORIGINAL WOMEN THINK ABOUT IMPROVING THEIR ACCESS TO
JUSTICE AND PROTECTING THEM FROM VIOLENCE..... 17

WHAT ABORIGINAL AND TORRES STRAIT ISLANDER JUSTICE AND SERVICE
WORKERS SAY 19

SOME SUPPORT SERVICES IN THE ACT 22

GLOSSARY OF TERMS

The term *family violence* is preferred by many Aboriginal & Torres Strait Islander people and service providers. It is also used within the ACT criminal justice system to describe abusive and/or violent behaviour that takes place between people in a range of different family and intimate relationships with each other. The term can encompass a range of verbal, physical & sexually abusive behaviours in addition to controlling actions and actions that demean a person's spirit and connection to community.

The terms *victim* and *perpetrator* are cautiously used by many Aboriginal & Torres Strait Islander people and service providers. There may be far less distinction than for non-Indigenous people between the terms as separate and real-life categories. The terms are nonetheless used in this report as a way of enabling reflection on the circumstances which brought people into contact with the criminal justice system and with services.

The terms *Aboriginal & Torres Strait Islander* and *Indigenous* are used interchangeably in the report. However, the report acknowledges that people prefer Aboriginal & Torres Strait Islander. Where the term *Aboriginal* is used, this means that just Aboriginal people were interviewed.

SOME FINDINGS FROM THE STUDY AND RECOMMENDATIONS

The voices of the Aboriginal & Torres Strait Islander victims of family violence - what they have experienced, how they have sought help and to what effect, and what they think should be done – have not often been heard. Aboriginal & Torres Strait Islander victims of family violence are very aware of the pressures on their community. They are very very aware of protecting their children & helping them grow. They want the violence to stop. And they also want Aboriginal & Torres Strait Islander men to get support.

ABORIGINAL & TORRES STRAIT ISLANDER CRIME VICTIMISATION

The national picture is that Indigenous victims are over-represented in offences reported to police compared with non-Indigenous victims. This particularly relates to assault, sexual assault and domestic violence. Based on self-report survey data Indigenous women experience higher levels of physical violence than non-Indigenous women. Indigenous people are more likely to be hospitalised for assault and to die from assault compared with non-Indigenous people. Indigenous women are also more likely than non-Indigenous women to seek refuge from family violence, but while they stay in refuges more frequently than their non-Indigenous counterparts, they do so for shorter periods.

The Aboriginal victims of family violence in this report are unanimous in wanting the violence to stop. The combination of verbal, emotional and physical abuse is deeply damaging to their sense of self, their sense of worth and their identity. Aboriginal women who are victims of family violence raise children, hold down jobs, go to college, look after elders and participate in community affairs. Aboriginal women carry the scars of abuse from childhood, through adulthood and into older life. Even with this strength and persistence, family violence creates considerable disruption, undermines the family's financial stability, and breaks community bonds. Everyone is acutely aware also that family violence badly damages children's psychological well-being, their stability and development, and their participation in education and other opportunities.

Aboriginal & Torres Strait Islander women's help-seeking from the justice system is complicated by their profound feelings of responsibility for their families and communities. Many women interviewed for this report felt that, when they needed to call police, then the justice system needed to take the initiative in charging and prosecuting the perpetrator for the violence. At the same time, Aboriginal women felt a high degree of ambivalence and regret that they should be placed in such a position. Their help-seeking can be undermined by ineffective, disrespectful, ignorant and racially stereotypical comments, practices

and activities. Gaining access to justice and participating in the system as a victim of family violence can be hard. But it can be made easier if active and practical support is readily available. As one woman said, *“when a woman makes a decision to change her circumstances ... services can get behind her 100%”*.

It is apparent that the service needs of Aboriginal & Torres Strait Islander victims of family violence can be high, multi-faceted, complex and involve multiple agencies. This combination of intense and longer term support demands a skilled and well-resourced set of services and workforce.

ABORIGINAL & TORRES STRAIT ISLANDER OFFENDING

Indigenous people make up two percent of the total Australian population but account for one quarter of the total prison population, over half (54%) of the total population in juvenile detention in Australia and one quarter of police custody incidents. The most recent prison census data reveals that the rate of imprisonment of Indigenous persons, per relevant population, was 13 times higher than the non-Indigenous imprisonment rate at 30 June 2006. The majority of Indigenous people in prison at 30 June 2006 were male (91%). About 30% of women in prison in Australia are Indigenous.

Indigenous people were much more likely than non-Indigenous people to be in prison for an act which was intended to cause injury (this includes both aggravated and non-aggravated assault as well as other acts intended to cause injury). About one third of Indigenous prisoners were in prison for this offence compared with 14 percent of non-Indigenous prisoners. Further, 75 percent of Indigenous people imprisoned for this offence had previously been in prison, compared to 53 percent of non-Indigenous people imprisoned for this offence. Acts intending to cause injury were by far the most common offence for Indigenous prisoners. However, for those imprisoned and sentenced for an act intended to cause injury, Indigenous prisoners were likely to receive shorter aggregate sentences than non-Indigenous prisoners.

The high level of contact with the criminal justice system from an early age, the high rates of assault, the higher levels of prior imprisonment for Indigenous prisoners and the suggestion of an increase in Indigenous women’s contact with the criminal justice system points to learned behaviour (inter-generational transmission) and the normalisation of violence. The severity of violence and high level of acts intended to cause injury has implications for hospitalisation rates, mortality outcomes due to assault, and homicide rates.

The study found that those defendants prosecuted in the ACT for family violence against Aboriginal & Torres Strait Islander victims have extensive and violent histories. However, only one offender out of 25 received a prison sentence for

assault occasioning actual bodily harm. Lack of evidence to proceed resulted in just under a third of defendants having charges against them dismissed while 11 defendants were released on recognisance.

It will be important for the Aboriginal & Torres Strait Islander communities in the ACT to continue to converse about how these findings reveal that both victims and offenders have access to justice.

FACTORS WHICH MAY EXACERBATE CONTACT WITH THE CRIMINAL JUSTICE SYSTEM

Violence both perpetrated and experienced by Indigenous people cannot be dissociated from broader contributing social, cultural, historical and economic factors. These include the experience of colonisation, the disintegration of traditional laws and community norms, disruption of family and kinship ties, poverty, unemployment, personal stressors and multiple disadvantage, the experience of forced removal from families and substance abuse.

The findings suggest that Indigenous contact with the criminal justice system is the product of a complex interplay of factors which cross generations. Indigenous people, whether victims or offenders or both, may be impacted by inter-generational and trans-generational post traumatic stress and this can impact on their ability to deal on a daily basis with the multiple other stressors in their lives. Indigenous people commonly also identify discrimination as a key factor contributing to the problems they face.

ABORIGINAL & TORRES STRAIT ISLANDER VICTIMS ACCESS TO JUSTICE & SERVICES

The study found that Aboriginal & Torres Strait Islander victims who do engage with support services and the criminal justice system in the ACT generally receive a high level of support. However many Indigenous victims of violence choose not to pursue a criminal justice pathway as this does not meet their needs. Often police will be called in order to remove the immediate threat of violence but arrest or prosecution of the offender may not be the desired outcome for many victims.

The findings suggest a need for strategic, multi-layered and sustainable ways forward. Such an approach should include interventions such as counselling (or 'healing'), targeted assistance and high level support to alleviate multiple stressors which put Indigenous people at risk of victimisation and/or offending. A criminal justice response which acknowledges this interplay of factors and provides targeted programs as a core part of its system is also needed. Such a response could include linking with health, education, employment, social security, housing, child protection and other service providers and require

flexibility in terms of tailoring and specifically designing programs with a rehabilitative and restorative emphasis for Indigenous offenders and Indigenous victims. An explicit recognition of the importance of community to Indigenous people is essential.

RECOMMENDATIONS

An overriding objective arising from this report is the need for everyone to focus strongly on healing the profound and long-lasting damage that family violence is doing to victims, to children and to the whole community.

The Community & Government in the ACT should work together to build capacity to tackle family violence, and should¹:

1. Make a joint and public commitment to preventing family violence, supporting victims and helping men to live violence-free lives.
2. Ensure that the voices of Aboriginal & Torres Strait Islander victims of family violence continue to be heard.
3. Identify a strategic planning and delivery framework to deliver real changes aimed at supporting and healing Aboriginal & Torres Strait Islander victims of family violence, and carrying forward improvements in their access to justice and to services.
4. Establish a specific service for Aboriginal & Torres Strait Islander women where a range of legal, advocacy, practical and healing activities can be delivered.
5. Develop & implement a community and professional education program stressing that “violence is not our way”, encouraging victims to seek help, and emphasising positive non-violent role models for men.
6. Implement initiatives to resource and assist Aboriginal & Torres Strait Islander people to further support & mentor each other, and to further train and seek qualifications for their work in assisting victims of family violence. These initiatives should expressly integrate spiritual & cultural contexts.
7. Commit to funding arrangements for services to Aboriginal & Torres Strait Islander victims of violence that are on-going and expressly recognise the more complex and intensive case management requirements involved in assisting Aboriginal & Torres Strait Islander victims of violence.

1 These recommendations are aimed at everyone in the ACT community. At the same time, for this report, “the community” means the Aboriginal & Torres Strait Islander community.

8. Develop a coordinated approach to supporting children and young people affected by family violence that recognises the importance of education and of family; and which offers practical, sustainable & non-punitive support to the parent who is also a victim of family violence.
9. Provide advocacy, assistance & support to Aboriginal & Torres Strait Islander women from the time they report to police through the prosecution and court process, and linked to victim support measures aimed at securing their personal, financial and social stability and security.
10. Identify & implement a range of healing, supportive, advocacy & other interventions focussed on addressing the trauma and harm from family violence.
11. Training & other initiatives whether in the community or justice sectors aimed at supporting victims of family violence to access justice and services in the ACT should expressly include components to improve understanding of the dilemmas & experiences of Aboriginal & Torres Strait Islander victims and to minimise stereotyping & discriminatory responses.
12. Invest further in research and evaluation that is aimed at improving Aboriginal & Torres Strait Islander victims of family violence access to justice and access to services.

WHAT IS FAMILY VIOLENCE TO ABORIGINAL WOMEN?

Fifteen Aboriginal described the abuse they experienced. Women described a wide range of behaviours that they defined as family violence. These **were verbal** abuse and attacking her **sense of self**, as well as the physical abuse. These are their own words.

Sometimes he will drink for three to four months and during those times he was bloody horrible to me. Those verbal putdowns made me really shame, sometimes he would stand out in the street in front of all the neighbours and scream at me so much I couldn't leave the house; when I did my head was down cause I was shame.

He would keep at me and keep at me, even when I was trying to go to sleep. Some nights I wanted to put a pillow over his face just to shut him up. At least with a hit, it stops, but his mouth, it just kept going and going!

The bruises go away, but the emotional stuff stays with ya, my self worth has gone down, even in the good times.

The verbal putdowns of me as a woman and my sense of myself plus the physical assaults. It was the shouting, shouting & carrying on. He would grab my neck and try to choke me. It happened everyday for no particular reason. Thank god I'm out of it now. His idea was that women don't speak for themselves and that he can do these things to me as 'just a woman'.

He verbally abused me; physically attacked me and attacked my identity.

Verbal putdowns, physical assault, Psychological. Used to happen when alcohol was involved.

My friends and family all think the domestic violence has gone away because he doesn't hit me anymore. They cannot understand the constant mental anguish I am in. I don't even feel like a woman anymore.

For other women, the **physical abuse** was the dominating thing, whether it was daily or sporadic.

Physically I was attacked once or twice a week, the verbal putdowns were constant.

I was choked, near dead and bashed so badly that I was hospitalised. Both me and my partners have issues related to drug addiction.

The physical abuse only once or twice and I threatened him with the police. He never did it again.

I was once bashed so badly that I was left in a coma in hospital that affected my short and long term memory.

Verbal putdowns, physical assault, Psychological. Verbal abuse – daily. The physical abuse occurred every couple of days.

For the majority of my adolescence. In my relationships I was bashed every day I was living with him.

Verbal putdowns, pushing and shoving. He would often get violent when he was drinking.

I was once bashed so badly that I was left in a coma in hospital that affected my short and long term memory.

Women also talked about violence and **abuse in their families** and extended families.

Only the other week in the midst of a drug frenzy, he took a knife and tried to cut the baby out of me daughter, then he put her in a car and drove her through the side of the house. She ended up in intensive care and he was also in hospital. When the police came around I said to one of them "I want to rip his voice box out of his fuckin' throat, I want to kill him!" Then, I was arrested by the Police Officer for saying I wanted to kill him. She wanted to come inside my house and I wouldn't let her, I went to shut the door and she put her foot in it. Then I got arrested for common assault against the police officer. I have to go to court soon for that, and I am going to court to get my nephew...

Used to happen when alcohol was involved. With one of my partners it was particularly bad when he was on ICE. My daughter's partner is also violent to her. He also is addicted to ICE

I was suffering from violence everyday from my own family... I was having three fights a day because of my kids! If some of our kids had a fight with my cousin's kids then their mother would be down on my doorstep or a car load out the front and they would want to fight me. I grew up in that town, and my mother and father left for a good life. There was no future there for us in that town...its just generation after generation of fighting there, that's what is going on.

My niece goes back to the same person and gets violated and then turns around and leaves him, then does the same thing again! They should not be together, there is no love there at all – it's two young people playing cubby house. I told my niece's partner to keep his hands to himself; he didn't so I rang the police. He was just about to hit her in the head again, when the police came in. He got escorted out and locked up for the night.

Women had a range of different things that they did in order to survive, or **just make it not so bad**. Sometimes this involved calling police for help.

But these (verbal assaults) would build up. I knew that the emotional abuse would be followed by the physical abuse. I used to wait for it and try to make sure that when he did hit me, it wasn't in front of the children.

The verbal abuse was constant. The physical stuff happened when he was on a binge. About three years ago I rang the cops on him and they came to get him and put him in the lock up over night then charged him and released him on bail to do some anger management courses.

WHAT WAS THE WORST?

For some women, the worst was the **effect of the abuse on their spirit and soul**.

The head games [were the worst] – they take longer to heal. Ruined my self esteem and keeps me with him.

Was the verbal abuse, I could not make it stop and it really affected my confidence.

The emotional abuse really rocked my self esteem. After the emotional abuse, I knew the physical abuse was coming.

While it all looks alright from the outside, the inside is horrible. He hasn't touched me since then, he has not come to my bed, has not shown me any affection, has not offered a hug or held my hand. He sleeps on the couch in the lounge room. I wonder if I am going crazy, the mental anguish I am going through is horrible. He wont talk about it.

It really affected my belief about myself as a good parent.

For others, the worst was the **effect of the abuse on their children**.

I don't want them growing up with all this shit... What kind of example am I setting for my daughters? What is my son going through watching him [the perpetrator] do that to me?

The verbal abuse when he would go out on the street. This made me really shame. The fact my children were taken away and that I can't get to my son who is in jail interstate.

Having been through it all and now watching my daughter go through it. This is a terrible thing for me. I will be there for her though in the same way that my mother and my aunties were for me. It is also terrible that I have to go to court for common assault against a police officer.

Nearly dying. Losing custody of my son.

The effect of the violence on myself and my children. After going for heart surgery, I awoke with full recall of all the violence I had suffered. I thought I was going mad, I did not know what to do with it all.

He never got prosecuted for doing this horrible thing to me. Also, as my kids were growing up, they witnessed all the violence and I think it affected them.

I was feeling shame and taking on the guilt because of his behaviour. My neighbours tried to help me but my husband would not listen to them. I was becoming more isolated. He was becoming more aggressive and starting to violate me in front of the kids.

On a daily basis he would abuse me. I wanted the violence to stop because he was starting to abuse the children by pushing and kicking them.

PERSONAL NETWORKS WOMEN RELIED ON

Many women relied on personal networks for support, practical help and encouragement.

My mum - I can tell her what is happening for me.

My mother and my aunties were my inspiration. They never judged me or told me to leave. They said that when you have had enough you will leave him. You will get sick of it one day. Now I rely on other members of my family and my close friends.

[I relied on] my son and those others who had some idea of what was happening in my life.

My grown children and other members of my family have been incredibly supportive.

My parents (I am living with them again with my children) and my children's godmother. She is my dearest friend.

My neighbours and workers in the agencies. My family live in a rural town in NSW and I had to leave because of the violence there.

My neighbour tried to talk with him but there was a language difficulty and my husband was stubborn. My neighbour tried to talk with him about taking a break or to separate for a while but then my husband made it difficult for him. Then my neighbours didn't want to get more involved and then I felt shame as my husband wouldn't listen and they were trying to help. With police I wanted them to come immediately and take him away and lock him up. My husband was pushing me around, he grabbed my neck in front of the children, shouting and shouting and throwing things. My neighbours did and I miss them. I didn't trust my husband not to do something silly so I had to leave. The Police after an hour's talking with him did take him away. He was carrying on and shouting down the road, accusing me of having affairs with the neighbours. It was so embarrassing.

My friends and neighbours were really good to me. My children were great as they grew up. I have a large family, although I have lost a lot of my siblings and my parents have now passed away. I wasn't really able to associate with women – my man used to get overbearing. I wasn't allowed to go anywhere without him.

People that I could trust.

I suppose my dad but mainly my brothers have been the most helpful to me. They made sure I didn't go back to the relationships; they smashed up those dogs that hurt me. It was also good to go to the program at the ____ because there were lots of other mums I could talk to about stuff that I was going through. There are like 200 mums and 350 young babes out there. They were good they hooked me up with Women's Information and Referral Service and stuff, so yeah.

ABORIGINAL WOMEN AND SEEKING HELP

Most of the Aboriginal women who experienced family violence sought help from a range of different services. A couple felt “too shame” to speak out. Mostly the help worked reasonably well but sometimes women did not have good experiences. The sorts of services women talked about being in contact with included:

- The Domestic Violence Crisis Service (DVCS)
- Marymead
- Communities @ Work
- Winnunga Nimitijah
- Police
- Legal Aid/Aboriginal Legal Service
- Beryl Women’s Refuge
- Gugan Gulwan
- Family Services
- Richmond Fellowship
- Centacare
- Psychologists/counsellors
- Hospital
- Court
- Housing ACT
- Women’s Information & Referral Centre
- Inanna
- Dickson Community Centre

A range of different things helped from the services Aboriginal women were in contact with. Commonly, women felt **understood, listened to, respected** and **helped practically** and **over long periods of time**.

The [DVCS] workers are helping me deal with my isolation. They ring me and seem to care about me. They seem to understand what women in my situation need help with. They are helping me find a bigger house for me and my children. This would not have happened if the neighbour did not ring the police.

The parenting programs have been good. At Marymead the new worker is trying to get my son back to Canberra and they also help me with transport to the shopping.

At Marymead I did parenting classes, and Relationships Australia have been very helpful, I have got to Winnunga to do counselling courses and stuff, they have been really helpful... mostly I have needed someone to talk to, to get my feelings out.

I have used a lot of services, the good ones have experienced staff and have been good with practical help and support and sometimes I just need to talk and they have people who want to listen.

A worker at DVCS has been really good to me. He has good experiences and is able to help me a lot. He rings and listens to me. It is also good to go to college. There are 200 young mums and 350 young kids. It is good to talk to my peers, others who understand.

The psychologist at the hospital was incredibly helpful. I am so grateful that we have had a ten year long relationship. Often time, people in those kinds of jobs change and I would have felt so abandoned had they left at anytime I needed that relationship with them.

DVCS has been really good to me. I have had people keep in contact with me. They listen to me; they have phoned me to see if I have been ok.

The mums' and bubs' program at Inanna is good for me. I don't know what I would have done without my mum's support.

When services **did not work well** Aboriginal women felt punished, treated with disrespect and not listened to.

The police who came and took my kids away from me.

... I have to go to the white legal aid service, and they don't have any workers who understand us.

The police who have stereotyped me. Some of the police have been good, but there are others who have a bad attitude and it shows.

Family Services are dogs mate, dogs. Coming around and taking my baby off me. They confuse me you know? Given me different messages all the time and I did what I had to do for myself.

Afterwards, DVCS came an hour after police. I felt disappointed and didn't feel respected or reassured. I was crying & upset & wanted them to be sympathetic and I didn't get that on a woman to woman level. They phoned once afterwards but I felt they were "just doing a job". They asked questions about him and not about me.

WHAT ABORIGINAL WOMEN WANTED FROM POLICE

The Aboriginal women had different experiences with police intervention.

The police caught up with him in a park, he was coming to the hospital to see me. He got bail and took off. He should never have gotten bail. I took a DVO out on him, and even though his family were not happy with what he did to me, they still did not like the fact that I put out a DVO on him. Afterwards, he still tried to come back to me, saying that 'he wanted to talk'. I told him then that he did his talking with his fists and that I did not want to talk to him ever again. Eventually he got the message and left me alone.

I called the police to intervene. My partner had charges pressed against him by the police ... I wanted to make sure he could come back knowing that she would call the police if she needed to, that she wasn't afraid to do it.

When he used to threaten me, I used to come back at him saying that I was going to call the cops on him. This usually shut him up, but one day it did get that bad. I rang the cops and this time they came to the house and took him away to the watch house. He was there overnight and had to appear before the court where he got charged. Bail conditions were set that included that he had to attend an anger management course out at Symonston for 2 days a week. After that he was released back home. He has never hit me again since that time, but the mental abuse kicked in real hard after that.

He put me up in a corner and I had no choice but to defend myself, so I was kicking and punching for all it was worth. I was beside myself; I did not want to take it anymore. When the police arrived, I was still defending myself and by this time he had calmed down a bit. When the police came in it gave him a chance to look more reasonable than I did. He had me charged for assault; I got taken out of the house and taken to the lock up over night. In the morning, I was charged with Domestic Violence. Would you believe he took a DVO out on me... I can't go back to the house now. He has everything.

I think it would be too hard for the women to charge the men, it is much better when the police charge them for Aboriginal women.

I wanted to see him get punished. I wanted the violence to stop, but the relationship to continue. Having the police prosecute him was good, he got punished but in a way which meant that I could continue to be his partner without blame or guilt. He could work a program in prison that helps him to be sober today.

When I presented myself to [the police] they would not do anything because I was an Aboriginal woman.

And coppers, they don't understand; you know if they got there quicker, while the violence was happening then it would be good I wouldn't have to press charges against the people who are doing shit to me. But when they come after, then I have to press charge. That's the only solution they have for me, to press charges. They need to get there when it's happening so I don't have to. It's hard to press charges.

They kept on saying to me that I should get out, why waste resources coming to help someone who would not help themselves... I answered them back that some women do not know how to leave and for some women, Officer, it takes a bit of time to leave, and you don't know what it means to get out.

I called the police. I did not press charges. I just wanted the violence to stop.

They charged him. He has got to deal with that... my life has been ok since they charged him. They also made me contact DVCS who have been really helpful... they also kept me informed and rang me; I didn't need to ring them, they rang me.

WHAT ABORIGINAL WOMEN SAID ABOUT THE MEN WHO HURT THEM

Aboriginal women spoke with a lot of understanding of the men in their lives, and acknowledged how hard it was being an Aboriginal man in society. At the same time, every woman said that she wanted the violence to stop. They had different ideas about how this could happen.

I wanted to see him punished. I wanted to see him suffer like I suffered. I wanted him to go away for a very long time.

[My sons] say to me that they have seen what I have been through so they don't want to hit anyone, they have too much respect. I told them it is not good to be labelled a basher. Bashers hang their heads; they don't hold their heads high.

I wanted to see him get punished for doing what he did to me. I needed him to not be so reliant on alcohol and to deal with his anger differently. I wanted us to be a couple, but to not suffer in a relationship. We have been together for 15 years now, it is better the devil you know.

I wanted to see him get punished for doing what he did to me. I wanted him to know what he was doing to us.

It's not like I accept what he has done, and I don't forgive him of it, but he was abused when he was young and he never got over it, used to bottle it all up inside and take it out on me. See, its hard to leave our men after all they have gone through too. Captain Cook brought alcohol and drugs to this country took everything away from us, that's why our violence is different and we cant really walk away. Because we don't know how to. How can we walk away from our men?

I just want my partner to get better in rehabilitation.

For him to get the same only ten times worse.

WHAT ABORIGINAL WOMEN THINK ABOUT IMPROVING THEIR ACCESS TO JUSTICE & PROTECTING THEM FROM VIOLENCE

Aboriginal women wanted justice in their lives and for their children. They wanted it to be respected and for workers to understand their situation. Many of the women had 'listening to them' and 'taking action' sitting side by side as recommendations.

Come quickly when people ring them to come to a domestic dispute. Keep a person informed of what is going on. Speak to people well and understand their situation. Make sure that if there are any issues that come up in courts that women can be represented well and supported if they have to go to court.

Not come and take the kids away. They can bring in other services to make sure that it doesn't happen. But when there is violence, the police need to come quickly and speak nicely to people. They need to charge the people who are being violent so that other people don't have to do it.

It is important to acknowledge what is going on in Aboriginal women's lives. People have to take the time to listen to Aboriginal Women's stories. People also need to realise that it takes time to get over things. Listen to my story. Take action against the perpetrator, it is too hard for Aboriginal women to do it. Be civil when they come to our houses.

Make sure there are people who can help you go through court it is an intimidating process. Make sure there are skilled people working in the Aboriginal organisations. Make sure they understand cultural issues and make sure that services stay free for young people like me. It is important to get to where people are in trouble at the time they ring. It is also good if the police can prosecute the person who is violent, but that means they have to get there when it is happening. It was good to have someone by my side when I was going to court.

Make sure they can listen to people, make sure they treat people with respect and make sure they really listen to what is happening. All of my issues came up for me, all at the same time. I needed help and I was fortunate to get it. It took me nearly three years just to get over the incestuous relationship. It has taken me a long time to get over the rest. Listen to a victim's story, prosecute the perpetrator of violence and protect the children by whatever means possible.

Come quickly when called to a domestic. Take action against the perpetrator. Make sure that DVOs and Restraining Orders are easy to get and to serve. Make sure there is a non judgemental attitude of people working in the area. Make sure that people are safe throughout the prosecution process.

Listen to my story; treat me with respect, arrest the person who has hurt me, punish the person. Be fair and open about what can and can't happen. It would be wrong to set up any expectations in anyone. It is important to stick to the facts.

Treat me with respect, recognise we don't want to end the relationship; we just want the violence to stop. We want the services not to tell us to prosecute the partner, or leave the partner; some of us have such low self esteem that it would be too hard to do.

I reckon that people should be able to go to some kind of place that is respectful, will listen to you and be able to help you get in touch with other agencies that can help you too. I often don't have any phone credit left because I have to make a lot of phone calls.

Send male/female teams to connect with male/female in household. Have 2 different levels of communication. Send really good messages about what's culturally appropriate, that "violence is not our way". But it is hard for police to do this and not sound patronising. Understand the causes of family violence are socially constructed though it is still not ok.

When a woman makes a decision to change her circumstances that services can get in behind her 100%. That there is someone to talk to and the advice is good advice, so the counsellors need to be properly trained to give you good advice. That the services work together for me and that the services know what each other are doing. That the police will come immediately if I need them to.

WHAT ABORIGINAL & TORRES STRAIT ISLANDER JUSTICE & SERVICE WORKERS SAY

Nearly twenty Aboriginal & Torres Strait Islander people who worked in the justice system or the community were approached for interview about what they experienced and what their views were. There were some main themes to what people said.

1. Aboriginal & Torres Strait Islander victims of family violence just want the violence to stop.

Aboriginal and Torres Strait Islander people do not pick up the phone thinking about all the interventions that could/should occur, they just want that violence that is happening to them, at that moment, to stop.

2. Victims of family violence don't see the violence they experience as criminal.

Aboriginal and Torres Strait Islander people manage the cycles of violence in their lives. For example, Aboriginal women may leave home for two to three days (either staying with family, friends, or with emergency accommodation services) before a pension pay day to avoid getting hit, and will return home after the 'danger time' has passed. In this way, they are not homeless, they are not hurt and they manage the situation so children in the relationship experience the least amount of disruption to their lives.

3. Victims of family violence only report as a last resort.

Family violence is a very sensitive issue and in a large majority of cases people only report as a very last resort.

4. Police involvement is not widely viewed as a 'protective measure' for victims.

Police are dismissive of Aboriginal and Torres Strait Islander victims of violence – "She'll only go back tomorrow, what's the difference?"

5. Victims of family violence live in fear.

Victims have fled to other states and territories to escape the threat of violence, or other women have moved interstate to Canberra to flee the violence they (and their children) have experienced elsewhere.

6. Victims of family violence feel they contradict widely held Indigenous family and community values if they report and seek prosecution of offenders.

Victims become doubly isolated because of their perception of having contradicted 'family values' – fear of reprisals from offenders families, the ineffective interventions in family lives by a range of government services, an inability to connect with supportive others in the community and isolated from children, family friends and community organisations (where other family members may work).

7. There are a number of issues and dilemmas that contribute to the 'multiplier effect' for primary and secondary victims of violence.

Pressure and claims of "dealing with it (the violence) in the wrong way" from extended family members.

8. There is an imbalance of rights between victims and offenders.

Offenders can participate in educational programs to re-orient their lives (e.g. anger management courses) while victims have no such right to educational programs to help them re-orientate their lives or to make a necessary change in their lifestyle or career.

9. Victims of family violence sometimes need 'permission' to do things that meet their needs.

People who are victims of violence have had their confidence eroded due to the nature of their relationship, may turn to service providers to assist them and make some decisions for them when they cannot make decisions for themselves.

10. Victims of family violence need access to information.

A victim of crime would need advocacy support to ensure all components of the [support] plan were able to be accessed and implemented on behalf of the person seeking assistance.

11. Victims of family violence want to be respected and the right to be heard.

They want the right to be heard and not judged because of what is occurring in their relationship or family situation.

12. Children who are victims of family violence (whose parents are in denial about their experience of violence) need individuals in services.

Provide information about disclosure of violence with their peer group – young people who have disclosed violence in a new peer group (e.g. in high schools) face being ostracised because of the way they have shared their experiences with others.

13. Indigenous victims of family violence mainly want to talk to other Aboriginal and Torres Strait Islander people in key service provider agencies.

- *Aboriginal and Torres Strait Islander people trust the knowledge and experience of Aboriginal and Torres Strait Islander workers in the areas of child protection, family support, crisis intervention, and community welfare.*
- *Generally Aboriginal and Torres Strait Islander victims of crime seek support from workers that are involved in specific family violence services and do not access local Aboriginal community agencies due to 'family relationships', 'shame' and the ongoing stress of community people knowing what is happening in the family and in their relationships.*

14. Victims of family violence feel that Aboriginal or Torres Strait Islander people are more able to:

Promote their needs within different service agencies and to advocate on their behalf that those agencies adopt approaches to address family violence.

15. Aboriginal and Torres Strait Islander victims of violence need to be able to consider their capacity to undertake processes that ensure their safety.

Is the victim of violence safe? Has the victim of violence got other emergency plans in place to prevent further situations/incident of violence? How can the service be of assistance in these plans?

16. The current system has failed Aboriginal and Torres Strait islander victims of violence.

What is required (but to date not implemented) is a long term; consistent and constantly reviewed Indigenous family violence initiative. More importantly, when it is discovered this initiative is not as effective as it should be, rather than throwing out the initiative, we need to consider retaining and simply making the necessary adjustments.

17. Aboriginal and Torres Strait Islander victims of violence often end up as volunteers or workers in helping organisations.

Many (not all) Aboriginal and Torres Strait islander workers in the field have had first hand experience of violence in their lives, either as a primary or a secondary victim.

18. Working with victims of violence is often traumatic for the Aboriginal and Torres Strait Islander workforce.

Some cases people work with reactivates stolen generation issues and other unresolved issues such as grief and loss.

SOME SUPPORT SERVICES IN THE ACT

24 HOUR CRISIS SUPPORT

Domestic Violence Crisis Service (DVCS) 6280 0900 (24 hrs)

PO Box 1922

FYSHWICK ACT 2609

www.dvcs.org.au

Canberra Rape Crisis Centre (CRCC) 6247 2525 (24 hrs)

Nguru Program for ATSI survivors

PO Box 916

DICKSON ACT 2602

www.rapecrisis.org.au

Lifeline 13 11 14 (24 hrs)

GPO Box 583

Canberra 2601

www.act.lifeline.org.au

EMERGENCY ACCOMMODATION

Beryl Women Inc 6247 5689

PO Box 390

DICKSON 2602

Doris Women's Refuge 6278 9999

Monaro Crisis Accommodation Service Inc 6452 6174

Open Family Australia Inc 0417 382 4441

Inanna Service 6295 3323

Aboriginal Hostels Ltd

Kambah

Turner

www.ahl.gov.au

6296 5924

6257 8317

LEGAL ADVICE & OTHER ASSISTANCE

Women's Legal Centre Inc Indigenous Liaison Officer www.womenslegalact.org	1800 634 669 or 6257 4499
Legal Aid ACT Appointments 4 Mort St Canberra City 2601 www.legalaidact.org.au	1300 654 314 6243 3471
Aboriginal Legal Service Gnd Fl, Fujitsu House, 7 - 9 Moore St Canberra 2600 www.alsnswact.org.au	6249 8488
Women's Information & Referral Centre GPO Box 158 Canberra 2601 www.wirc.act.gov.au	6205 1075
Aboriginal Justice Centre Level 3 Griffin Centre Genge St CANBERRA CITY 2601 www.actajc.org.au	6162 1000
Gugan Gulwan Aboriginal Youth Corporation Grattan Crt WANNIASSA 2903	6231 9555
ACT Welfare Rights & Legal Centre Havelock House Cnr Northbourne Ave and Gould Street, TURNER 2602 www.welfarerightsact.org	6247 2177

HEALTH, COUNSELLING & WELL-BEING

Winnunga Nimmityjah Aboriginal Health Service 63 Boolimba Cr NARRABUNDAH 2604 www.winnunga.org.au	6284 6222
Victim Support ACT GPO Box 158 CANBERRA CITY 2601 www.victimsupport.act.gov.au	1800 822 272
Women's Health Service ACT Health Building Cnr Moore & Alinga St CANBERRA CITY 2601	6205 1078

JUSTICE & RIGHTS

Police (AFP) Attendance Line	131 444
Office of the Director of Public Prosecutions	6247 3800
ACT Magistrates Court Charge Section Civil Section Childrens Court Ngambra Circle Sentencing Court	6207 1728 6207 1709 6207 1746 6207 1803
ACT Supreme Court (Registry)	6207 1786
ACT Victims of Crime Coordinator GPO Box 158 CANBERRA 2601 www.victimsupport.act.gov.au	1800 822 272
ACT Human Rights Commission Level 4, 12 Moore St CANBERRA 2601 www.hrc.act.gov.au	6205 2222
ACT Ombudsman Ground floor, 1 Farrell Pl, CANBERRA 2600 www.ombudsman.act.gov.au	1300 362 072

