

## Innovative models in addressing violence against Indigenous women: Key findings and future directions

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# Innovative models in addressing violence against Indigenous women: *Key findings and future directions*

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**ANROWS Compass (Research to policy and practice papers)** are concise papers that summarise key findings of research on violence against women and their children, including research produced under ANROWS's research program, and provide advice on the implications for policy and practice.

This report addresses work covered in ANROWS research project "Evaluation of innovative models of interagency partnerships, collaboration, coordination and/or integrated responses to family and/or sexual violence against women in Australian Indigenous communities". Please consult the ANROWS website for more information on this project. In addition to this paper, ANROWS Landscapes (State of knowledge paper) and ANROWS Horizons (Research report) are available as part of this project.

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ANROWS acknowledges the traditional owners of the land across Australia on which we work and live. We pay our respects to Aboriginal and Torres Strait Islander elders past, present, and future, and we value Aboriginal and Torres Strait Islander history, culture, and knowledge.

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# Introduction

While Indigenous women are the most vulnerable group in Australia in terms of the risks of becoming a victim of violence, little is known about how Indigenous women themselves are working to prevent and respond to family violence. There is considerable literature about Indigenous women as victims, but little by them. The *Innovative models in addressing violence against Indigenous women* project aimed to rectify this by looking at the theme of innovation from an Indigenous perspective.

Our starting point was an assessment of the current state of knowledge on this topic (see Blagg, Bluett-Boyd, & Williams, 2015), followed by qualitative research on family violence in three sites: Western Australia, the Northern Territory, and Queensland (see Blagg, Williams, & Woodley, 2018). Rather than simply “parachuting in” to communities on the basis of externally generated data profiles, we chose localities where there are already well embedded relationships of trust between members of the research team and Indigenous communities. The research team used a mix of semi-structured interview schedules to guide interviews and conversations, small group discussions, round tables, one-on-one interviews, participation in conferences and seminars, “sitting in” at family violence agencies, and observations of night patrols and police patrols.

## Current state of knowledge

The assessment of the current state of knowledge included both national and international literature and policy and program evaluations to establish what is currently known about innovative responses to violence against Indigenous women in Australia. It identified the following key themes:

- In relation to Indigenous women and violence, a range of cultural, geographical, and social factors has impeded the development of a body of knowledge.
- A key issue for researchers and practitioners lies in whether it is sufficient to apply the same perspectives that inform research on non-Indigenous women to the position of Indigenous women.
- There is now an increasing awareness that Aboriginal family violence requires its own range of tailored responses.
- Emerging practice in rural and remote Indigenous communities tends to be based on an appreciation of Indigenous law, culture, and knowledge as providing a basis for work with victims.

- A place-based response to Aboriginal family violence may differ in a number of crucial respects from orthodox domestic violence projects run by mainstream organisations in urban settings.

Further, there is a disconnect, even a degree of incommensurability, between mainstream and Indigenous notions of causality, as well as differences in the way the notion of risk is deployed in relation to Aboriginal family violence. For example, the way that suspected family violence triggers risk assessments, which often lead to the removal of children, further distances Indigenous women from support services because they become reluctant to report further abuse. This is of immense concern to Indigenous women and must be factored into local intervention strategies.

## Empirical research

The qualitative research employed a participatory and appreciative methodology, embedded in three Indigenous organisations: Marninwarntikura Women’s Resource Centre, Fitzroy Crossing (Western Australia); Darwin Aboriginal and Islander Women’s Shelter (Northern Territory); and Barambah Child Care Agency, Cherbourg (Queensland).

A meta-analysis of the existing literature intimated that successful initiatives tend to be “hybrid” initiatives that step outside the “silos” created when agencies work in isolation from one another and from the community. Therefore, our primary focus in the research was the degree of integration between community-led and mainstream agencies, and an identification of whether new “hybrid” practices can be adapted for other jurisdictions.

# Key findings

Violence against Indigenous women takes place at the intersection of a range of different forms of oppression, of which gender remains one. Indigenous-led family violence initiatives may share a number of common features, such as:

- Indigenous community leadership, and a seat at the table when government creates family violence policies;
- willingness to work with and alongside men;
- building structures that are culturally, as well as physically, secure for women escaping violence and for those working within the organisation;
- developing policies and protocols intended to prevent lateral violence<sup>1</sup> in the workplace; and
- developing trauma informed practice that acknowledges the intergenerational impact and legacy of government policies such as removing children from their families.

Our focus on integration between community-led and mainstream agencies revealed that mainstream agencies and Indigenous women hold different notions of what constitutes an “integrated response”. Mainstream practice focuses on an integrated **criminal justice** response that is designed to make the system more efficient and bring perpetrators to account, and integration occurs at the level of **agencies**. In comparison, Indigenous organisations look at integration in terms of a **holistic response** that focuses on prevention and integration with cultural health and healing families. Integration occurs at the level of **place**, with **place-based** responses beginning “from the bottom upwards”.

Indigenous-led initiatives in remote areas struggle due to funding shortfalls and cuts to other services, as well as their own. A paucity of other services in the area in relation to mental health, children’s services, accommodation, and so on prevents them from being able to provide a holistic approach.

Indigenous women’s organisations are skilled and energetic innovators. Along with offering refuge and legal services, some family violence services in remote areas have developed a range of programs depending on local need. Innovations such as women’s night patrols, local law and justice groups, station programs for petrol sniffers, and healing camps show the ingenuity of Indigenous women.

Marninwarntikura Women’s Resource Centre in Fitzroy Crossing, for example, has achieved considerable success in terms of reducing access to alcohol in the town, and developing an inter-agency practice regime focused on screening children for fetal alcohol spectrum disorder (FASD) and supporting young mothers, as well as providing safety for victims at the point of crisis and other legal support. The service also has a “social enterprise” arm that is building women’s resilience through arts and crafts using traditional techniques. Marninwarntikura focuses on healing and recovery, and engages women in the social enterprise to both empower them economically and prevent further re-traumatisation.

We also found that the experiences of Indigenous women in the three research sites have numerous overlapping congruities: however, they also manifest contingent differences, shaped by the particular pattern of colonisation, and the ways the settler state sought to manage the social consequences of dispossession in these areas.

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<sup>1</sup> Lateral violence is the term used by Indigenous people in Australia and Canada to describe the displacement of anger from colonial systems of control “laterally” into Indigenous families, communities, and workplaces.

# The problem with mainstream approaches

Law has incrementally broadened the orbit of harms deemed to lie within the scope of family violence and the cast of potential perpetrators, yet these are still assumed to lie within the orbit of a coercive control model (i.e. patriarchal power expressed at the individual couple level) (Nancarrow, 2016). This is inconsistent with an Indigenous family violence model, in which violence reflects a wider range of problems: violence against Aboriginal and Torres Strait Islander women exists at the junction of multiple, rather than singular, forms of domination, coercion, and conflict, and is most often associated with excessive consumption of alcohol.

While the importance of “healing” is gestured to in government policy documents as a necessary step, it remains misunderstood by non-Indigenous people as a largely individual journey rather than a collective experience focused on the trauma of colonial dispossession.

Themes which emerged in our research include that:

- For many Indigenous victims, mainstream systems still remain alien and estranging.
- The law does not distinguish between coercive control and other forms of aggression, particularly fights, while “the police and courts adopt a formulaic approach” (Nancarrow, 2016, p. 155).
- The view that domestic violence is an exceptional form of harm, attached to male power, stops us learning from other sites of Indigenous crisis response, such as suicide, mental health, drug and alcohol abuse, and inter-generational trauma.

Our key findings are that:

- Violence intervention is slanted toward one form of harm against women—coercive control—ignoring many other forms, including couple fighting.
- Criminal justice interventions reflect a distorted image of harms in Indigenous communities. It is not possible to identify levels (and layers) of violence within Indigenous communities using police data.
- Communities want to see a greater focus on prevention that covers the whole spectrum of violence and aggressive behaviours within communities, including “humberging”,<sup>2</sup> jealousy, and couple fighting.
- Violence responses need to address the over-sale and over-consumption of alcohol and the harmful impact of drugs.
- Poor housing conditions and overcrowding exacerbates violence and makes women and children vulnerable to abuse from a broad range of potential abusers.

<sup>2</sup> Humberging refers to aggressive demands for money, goods, or services, usually aimed at kin.

# Future directions for policy-makers and practitioners

## Social and emotional wellbeing

Intervention and prevention in the family violence arena should be underpinned by a focus on social and emotional wellbeing (SEWB) philosophy. Increasingly, it is recognised that policy areas relevant to SEWB are complex, overlapping, and extending. Under the SEWB approach, connection with law, cultures, and spirituality are protective factors in terms of vulnerability to the kinds of problems that create family violence.

## Police Orders

The Western Australia Police Order model should be the subject of deeper scrutiny and considered for use in other jurisdictions, particularly to identify how Indigenous organisations could play a greater role in following up interventions and working with families. This is because, where there are concerns for a victim's safety but not enough evidence to warrant prosecution, the orders allow the police to ban an aggressive party from the home for 72 hours. Many Aboriginal women prefer this to taking out a restraining order. There was wide support for the idea, if not always the practice, in Western Australia. However, that there was little follow up, and nowhere for aggressive men to go, were perceived as weaknesses of the model.

## Court innovations

Innovations in court practices also have relevance to family violence, such as those designed to simplify proceedings and ensure victim safety. To be relevant to the bush, these initiatives must be mobile and flexible. The Integrated Domestic Violence Court's "one family/one judge" response (Neighbourhood Justice Centre, Collingwood) is an example. Other innovations include:

**Trauma-informed:** Intervention must take into account inter-generational trauma and other catastrophes of colonisation, and incorporate Indigenous knowledge and culture. Aboriginal Courts, with Indigenous artefacts prominently displayed and Elders flanking the Magistrate should be considered.

**The importance of triage:** Key aspects of this approach include the co-location of services (including victim services) and a "no wrong door" approach. This approach stresses good triage practices at the point of contact with the court and the speedy presentation of reports to the Magistrate. The triage process must include screening for disabilities, addictions, trauma, housing, and mental health.

## Gladue reports

Gladue reports are mandatory in some Canadian territories when courts are sentencing, or considering bail, for Indigenous offenders. Essentially, the decision requires sentencing judges to consider the unique systemic factors that may have brought a particular Aboriginal offender before the courts and to consider all possible alternatives to imprisonment for Aboriginal offenders. This may have an impact on the increasing number of Indigenous women being jailed.

## Local coordinating structures

On a local level it is important to have ongoing discussion between magistrates, court user groups and Indigenous community leaders. The new Kimberley Family Violence Plan in Western Australia offers a fresh approach through tighter interagency cooperation and accountability and commitment to working in partnership with Indigenous community structures.

## Elders and respected persons

Female and male Elders and respected persons need to be at the centre of intervention, wherever possible. This includes sitting in courts, devising diversionary programs, and leading on-country healing camps. As we reflected in our research, however, these leaders are over-extended. Paying Elders and building the capacity of their organisations to provide day-to-day support for them is essential.

# Conclusion

There is a degree of incommensurability between mainstream understandings of causes and effective responses to family violence, and the experiences of Aboriginal and Torres Strait Islander women. Although Indigenous women's work on preventing and responding to family violence is under-represented in the literature, there are numerous examples of their ingenuity in addressing the complexities of violence at the intersections of multiple sites of oppression.

Good practice in responding to family violence in Aboriginal and Torres Strait Islander communities is holistic, place-based and contextualised. It combines the skills of community leaders, Elders, relevant agencies, police, and courts at a local level and focuses on integration with cultural health and healing families.



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