

## *Sisters Inside Inc. (SIS)*

SIS is an independent community organisation, which exists to advocate for the human rights of women and girls in the criminal justice system and their children.

Violence is a constant feature in most women and children's lives - before, during and after imprisonment.

Family violence is a key contributor to many women's criminalisation. For some, it is the direct cause.

Family safety strategies developed by SIS can inform the National Plan to reduce family violence in Australia.

## **Submission to the National Council to Reduce Violence Against Women & Children**

© Sisters Inside Inc (SIS), July 2008  
PO Box 3407, South Brisbane Qld 4101  
Ph: (07) 3844 5066

**For Further Information Contact - [deb@sistersinside.com.au](mailto:deb@sistersinside.com.au)**

# Contents

<b>This Submission ... At a Glance</b>	<b>3</b>
<b>The Context of this Submission</b>	<b>4</b>
About Sisters Inside (SIS)	4
Causes of Domestic Violence & Sexual Assault	5
Family Violence and the Criminalisation of Women	6
Contribution of Prisons to Increasing Family Violence	7
Why Focus on Women in the Criminal Justice System?	8
SIS's Unique Contribution to the National Plan	10
<b>Barriers to Family Safety for Women &amp; Children</b>	<b>11</b>
Unjust Laws & Practices	11
Failure to Meet Basic Human Rights	13
Inadequate Support Services	14
<b>Removing Barriers to Family Safety</b>	<b>16</b>
Initiating Legislative & Procedural Reform	16
Addressing the Impact of Imprisonment	17
Meeting Basic Human Rights	18
Improving Support Services	19
<b>Preventing and Addressing Effects of Family Violence - Successful Models &amp; Programs</b>	<b>21</b>
Examples of Effective Programs	21
Optimising Program Success - A Model of Service	13
Resourcing Program Development	26
<b>Where To From Here?</b>	<b>27</b>
<b>Key References</b>	<b>28</b>

## *This Submission... At a Glance*

The vast majority of women in prison in Australia report a history of family violence, often child sexual abuse.

Aboriginal and Torres Strait Islander women are highly disproportionately imprisoned, and face the added complexities of multi-generational disadvantage and violation.

Most women in Australian prisons are mothers of dependent children.

Women are increasingly being imprisoned as a direct and indirect result of family violence.

Imprisonment often contributes to ongoing family violence.

These women and children share many characteristics and needs with other victims and survivors of family violence.

The criminal justice system has failed in its responsibility to protect women and children from criminal violence in the home.

Removing victims, rather than perpetrators, from the family home adds to the complexity of problems faced by women and children.

Lack of appropriate housing and inadequate income support are key barriers to women escaping violent family situations.

It is important to address family violence in the context of interrelated issues such as substance abuse and mental health issues.

SIS has substantial experience in developing and implementing successful, nationally-recognised, evidence based programs and approaches which address family violence issues.

All levels of government and the non-government sector could contribute to significantly reducing the rates and effects of family violence in Australia.

Educating perpetrators and the wider community is a useful adjunct to addressing family violence; it is unlikely to actually reduce violence in isolation from strategies focused on mothers and children.

# The Context for This Submission

## About Sisters Inside (SIS)

Based in Brisbane, Sisters Inside specialises in working with women with a history of domestic violence and sexual assault. SIS focuses on social inclusion and works with both women and their children. Wherever possible, SIS functions as a *safety net* for women - helping them to avoid returning to violent family settings after release from prison.

Often a family history of violence has led to high and complex needs, and SIS provides a variety of services for girls, women and their children pre and post release from prison, including:

- Sexual assault counselling by Indigenous and non-Indigenous staff for women in prison.
- Sexual assault counselling and other support for girls and young women in youth and adult prisons.
- Early intervention with mothers and their children, to address the issues which often contribute to post-release return to violent situations.
- Support for children and young people whose mothers are in prison.
- Intensive support for women and children rebuilding their lives after the trauma of prison.
- Reunification of women and their children, including reunification of families from the stolen generations.
- Increasing women's pathways out of violent family settings, including helping them access housing, income support, substance abuse services, mental health services, education, training and work.
- Developing stand-alone, user-friendly resources for Indigenous and non-Indigenous women, children and workers which address family violence issues.

Over the past 10 years, SIS has been an outspoken opponent of all forms of violence against women and children. In particular, SIS has maintained an active campaign against strip searching and other forms of systemic violence within prisons, which often further traumatise women and children who are survivors of domestic violence and sexual assault. This renewed trauma often functions as a barrier to addressing family violence issues.

## Causes of Domestic Violence and Sexual Assault

SIS believes that domestic violence and sexual assault are driven by fundamental social inequities which continue to exist in Australian society. The vast majority of perpetrators of domestic violence and sexual assault are men - fathers and partners<sup>1</sup>. Many women and children continue to be denied access to their fundamental human rights. This plays a key role in perpetuating family violence in Australia.

As a signatory to the Universal Declaration of Human Rights, the Australian Government is responsible for ensuring that all Australians have their basic human rights met. According to the Declaration, everyone has the right to safety (*security of person*, Article 3). *Everyone has the right to a standard of living adequate for their health and well-being, including food, clothing, housing ... medical care and necessary social services, and the right to security in the event of ... lack of livelihood in circumstances beyond their control.* Further, *motherhood and childhood are entitled to special care and assistance* (Article 25).

Successive governments in Australia have failed to ensure that policing and judicial systems protect women and children's right to safety in their own home. All too often, the legal system has functioned in the interest of male perpetrators of violence. Victims of family violence, particularly sexual assault, continue to report feeling disbelieved both when they make complaints to the police and (where cases reach court) within the judicial system. Generally the victims, rather than perpetrators, of violence must leave the family home. Blaming women for returning to violent homes reflects a fundamental misunderstanding of the complex and inter-related needs of women escaping family violence. This includes a failure to understand the unenviable choice many mothers must make for themselves and their children - between living with family violence and living in poverty.

Far from providing *special care and assistance* to women and children, successive governments in Australia have failed to guarantee the basic necessities of life (food, clothing, housing, income support, etc.) to women and children escaping family violence. This has often resulted in women staying in, or returning to, unsafe family settings. Further, it has meant that children grow up believing that family violence is *normal* or *natural*, sometimes leading to multi-generational patterns of family violence. Simply telling these children that violence is socially unacceptable is unlikely to overcome their deeply internalised assumptions, and development of a mindset based in their personal experiences.

Nowhere is the impact of multi-generational violence more evident than amongst Aboriginal and Torres Strait Islander families. It is impossible to adequately address family violence in Australia, without looking at the history and consequent needs of Aboriginal and Torres Strait Islander people. This includes the wider history of violation of their fundamental human rights and violence at the hands of a variety of

---

<sup>1</sup> This is why perpetrators of criminal violence in families are assumed to be men, in heterosexual relationships, throughout this submission.

authority figures over the past 200 years. It is hardly surprising that many Aboriginal and Torres Strait Islander women and children are subject to high levels of family violence and have complex, inter-related needs which must be addressed if they are to live in safety.

Australia cannot address domestic violence and sexual assault without addressing the unjust social structures which underpin continuing family violence.

## Family Violence and the Criminalisation of Women

The vast majority of women in prison are victims of family violence. According to SIS research, 98% of women in prison in Queensland have a history of domestic violence and/or sexual abuse. Many are survivors of child sexual abuse. Repeated studies in other Australian jurisdictions have all found rates of over 85%, with the majority of women in prison being victims of child sexual abuse. The overwhelming majority of girls and young women in youth prisons also have a history of family violence. Despite no evidence of an increase in crime rates, women prisoners are a growing population group - with increases of more than 110% in the total number of women in prison, and a staggering 343% in the number of Indigenous women imprisoned, over the past 15 years.<sup>2</sup>

At SIS, we increasingly see women being criminalised, directly or indirectly due to their experiences of violence. There is a complex relationship between family violence and crime by women, each contributing to increases in the other. A history of family violence has been widely demonstrated to contribute to substance abuse and mental health issues. These, in turn, often underpin women's offending. (For example, over 15% of women in prison in Australia have been convicted of drug offences.)

Most women in prison have committed minor offences (with an average sentence of 2 months in at least 2 jurisdictions, and many women serving shorter sentences than this). Even a short period of imprisonment can lead to disrupted relationships with their children, unemployment and/or homelessness, and therefore impact on whole families. The few women who had their own home and a job prior to being sent to prison generally lose these due to imprisonment. These pressures can function as an incentive to return to a violent family setting.

Women rarely commit violent crimes. The vast majority of women convicted of serious violent crimes committed their offences against violent male partners. In other words, their crimes were a direct outcome of family violence. Nowhere is this pattern more apparent than amongst Aboriginal and Torres Strait Islander women, who are more likely to be convicted of a violent crime and 20 times more likely to be imprisoned than non-Indigenous women. According to one estimate, 90% of Aboriginal and Torres Strait Islander women in prison in the Northern Territory have committed offences related to domestic violence.

---

<sup>2</sup> SIS would be happy to provide more detailed evidence to support all statistical claims made in this submission.

Following release from prison, women typically have even less access to the necessities of life, particularly housing and employment, than previously. Therefore women are often forced to return to violent family settings rather than subject themselves and their children to long term poverty. Sometimes, women feel forced to return to violent family settings for emotional reasons, in particular, their loss of confidence as a result of imprisonment and/or their sense of alienation and isolation within the wider community.

## Contribution of Prisons to Increasing Family Violence

Prisons directly contribute to family breakdown. Most women prisoners are mothers of dependent children, and were primarily or solely responsible for their care prior to imprisonment. When mothers are imprisoned, their children are also penalised. The impact of imprisonment is even greater for many Aboriginal and Torres Strait Islander families, where a significant proportion of women had primary care responsibility for children and elders beyond their biological children prior to imprisonment. Children get their sense of belonging and identity from their connections with their closest caregiver(s) and/or kin. Disturbance of this process can have serious developmental consequences. Further, children are often emotionally damaged as a result of care arrangements whilst their mother is in prison. Yet, the criminal justice system in Australia continues to pay little attention to the impact of imprisoning mothers<sup>3</sup>, and limited provisions are made to maintain relationships between imprisoned mothers and their children. This increases the risk of continuing patterns of family violence (and offending) in the next generation.

Prisons directly contribute to the perpetuation of family violence. Whilst in prison, the inhumane treatment women experience serves to reinforce their sense of powerlessness, and a belief that they cannot stand up against violation by authority figures (whether prison staff or perpetrators of family violence). In prison, women are taught to be dependent, and compliant with the directives of others. *The powerlessness experienced as a child is replicated by the power dynamics of the prison environment, thus increasing the potential to reactivate former coping mechanisms ... self-protective strategies (such as substance abuse or self-injury) are often reactivated when events and/or relationships replicate abusive dynamics or when women have flashbacks or memories of past abuse<sup>4</sup>.*

Prison policies and practices directly work against any form of rehabilitation for women. The day-to-day control-focused functioning of prisons in Australia require women to conform quickly and quietly - even to the most irrational and unreasonable directions. Often, the directives of prison officers are similar to the violent husband who claims that he was *forced* to punish his wife because the dinner was 2 minutes late on the table. Women quickly learn that the cost of speaking out, or asserting even their most basic rights, may be retribution. Most notably, strip

---

<sup>3</sup> To the extent that statistics on the number of mothers in prison in Australia are not routinely kept.

<sup>4</sup> Pollack, cited in Ombudsman for the Northern Territory (2008:143).

searching and isolation cells are often used to punish non-conforming women. These practices frequently function to re-traumatise women with a history of family violence, particularly the majority with a history of child sexual abuse.

In any other context, the strip searching practices routinely used in Australian prisons would be treated as criminal assault. Many women in Australian prisons are strip searched several times each day. Sometimes children are strip searched when they visit their mother. Some mothers prefer not to see their children, rather than to risk exposing them to this trauma. There is no evidence that strip searching achieves its stated purpose (to detect contraband<sup>5</sup>). Rather, it functions as a tool of control and/or punishment - not unlike the impact of assault in family violence settings.

Isolation cells are widely used in Australian prisons. Women may be in these cells for days or weeks at a time. Often women are placed in *administrative segregation* as a result of mental health issues, yet generally, they receive little or no medical services. They are guarded by prison officers with little or no mental health training. In many segregated settings, women spend up to 23 hours each day alone in their cell without private property of any kind. Sometimes they are naked. Often women are under 24 hour surveillance; often their observers are male officers. This includes being watched having a shower, going to the toilet or using tampons (if these are allowed). Sometimes women are held in cells with glass walls; sometimes they are observed via cameras 24/7. In many cases, lights are kept on for 24 hours per day. There have been repeated allegations of physical violence against women in administrative segregation. These practices have been widely questioned - for example by the NT Ombudsman (2008), the Senate Select Committee on Mental Health (2006) and the Anti-Discrimination Commission Queensland (2006).

As a result of prison systems and structures, women generally leave prison more emotionally and practically vulnerable to domestic violence and sexual abuse than when they entered. Old wounds have been reopened, and their powerlessness to control their lives or how they are treated has been reinforced.

## Why Focus on Women in the Criminal Justice System?

When developing a *Plan to Reduce Violence Against Women and Children*, women with lived prison experience (current and past prisoners) should not be seen as a marginal group. Women in the criminal justice system represent the ultimate consequences of family violence in the wider community - in many ways these women are a microcosm of survivors of family violence.

**Criminalised women share many characteristics with other family violence survivors.** Violence against women should not be seen in isolation from some of

---

<sup>5</sup> For example, over a 3 year period 41,728 strip searches were conducted in Queensland women's prisons. Only 2 found any significant contraband.

the consequences of a history of family violence. Compared with women in the wider community, all women with a history of family violence face:

- Higher rates of mental health problems.
- Higher rates of drug and alcohol abuse issues.
- Higher rates of poor self esteem and associated issues.
- Higher rates of criminalisation.

And, if they leave the violent family setting most face:

- Significantly reduced income.
- Increased social isolation.
- Difficulties in taking control over their lives.
- Reduced opportunities and prospects for their children.
- Increased risk that their children will be victims or perpetrators of family violence (and offending) in their adult lives.

We know that domestic violence and sexual assault occur across all strata of Australian society. **Criminalised women are distinguished from the wider population of survivors of family violence, because:**

- They are more likely to come from a low socio-economic background.
- They are more likely to be Aboriginal or Torres Strait Islander.
- They are more likely to be homeless.
- They are more likely to have an intellectual or learning disability.
- They are more likely to have a childhood experience of incarceration and/or institutionalisation.
- They are more likely to have complex physical health needs, including preventable health problems.
- They are more likely to suicide or self harm (particularly within days or weeks of release from prison).

**The social and economic alienation of all women and children impacted by family violence commonly leads to a sense of powerlessness, making it difficult for them to break the cycle of family violence.** This is further accentuated amongst women with lived prison experience, who are generally released feeling less able to leave a family violence situation, than before their incarceration. **Any genuine solution to this social crisis must be driven by enabling women to exercise maximum possible control over their own, and their children's lives.** This includes development of a National Plan which is driven by women's own perceptions of their needs and focuses on enabling women to make the changes they choose in their lives.

## SIS's Unique Contribution to the *National Plan*.

SIS is uniquely placed to contribute strategy ideas to the *National Plan to Reduce Violence Against Women and Children*. We associate with many survivors of violence on a daily basis. SIS particularly focuses on responding to the needs of Indigenous women with lived prison experience. Many of our staff have a personal history of family violence and/or are Indigenous women. SIS has conducted substantial research and developed training materials in this area over the past 10 years. We are also closely associated with many individuals and organisations throughout Australia, who provide services to and/or conduct research about, women, imprisonment and violence. Our popular biennial national conferences have consistently focused on issues of violence against women.

We daily see the worst extremes of the impact of violence against girls, women and their children. Women and children's experience as victims of crime contributes to the many other problems they face. Imprisonment, far from addressing these problems, adds another layer of complexity to the issues faced by these women and their children. **Imprisonment often sets whole families on a downward spiral into sustained violation.** SIS works alongside women and children with the highest levels of complex, inter-related needs.

Women with lived prison experience represent a rich source of expertise. These women hold many of the solutions for addressing violence against women and children. We attribute the success of SIS strategies and services in addressing violence, to the fact that our program development is guided by women with lived prison experience.

SIS has already demonstrated the effectiveness of a number of core strategies, which could be readily transferred to work with the wider population of women and children affected by family violence.

New family violence prevention strategies could be tested with criminalised women and their children. Unlike many women and children escaping family violence, these families can be easily accessed, *en masse*. Both pre and post release (whilst on probation), women are a (literally) *captive* group. Given the higher level and complexity of needs in this sub-group, strategies would be particularly thoroughly tested for their effectiveness.

**Family violence is both a key cause, and outcome, of criminalisation of women and girls.** Testing new prevention strategies with this group would have an added advantage. It could be expected to contribute to reducing crime rates amongst women in Australia, in both the short and long term. **Ultimately, effective family violence prevention strategies could be expected to save the national economy many \$millions, currently spent on imprisoning women.**

## *Barriers to Family Safety for Women & Children*

**The single most significant barrier to family safety is the fact that our social and legal systems largely function in favour of the perpetrators of family-based, violent crime.** At an overt level, this is reflected in unjust laws and practices within the legal and judicial systems that reinforce the powerlessness of the victims of these crimes. Social systems function to penalise women who seek to address family violence and sexual assault, and make it difficult for them and their children to live in a safe, secure manner. Covertly, the functioning of our social and legal systems is legitimised through social attitudes which treat family violence and sexual assault as less important than other violent crimes.

**For as long as perpetrators know that they are unlikely to be severely penalised for their crimes; for as long as perpetrators know that the costs of living in safety will largely be borne by their victims - we are unlikely to see any significant reduction in violent family crime.**

Community education may generate a change-friendly context. It may contribute to building cultural expectations which encourage governments to undertake the radical changes in policy and practice required to genuinely address family violence and its effects. However, community education cannot be expected, in and of itself, to reduce family-based violent crime or address its impact on its victims.

Family violence is a significant threat to the social fabric of Australian society. It plays a key destabilising role - not least through generating multi-generational poverty, domestic violence and crime. Yet, we continue to take a *Lamington Drive* approach to social services. We see funding of industry or defence as a critical investment in the long term safety and security of Australian society. Yet, we fail to address *the threat within* - the disenfranchisement of many of our citizens, and the long term risks associated with their social alienation.

There has been limited strategic collaboration between the Australian government, state/territory governments and the non-government sector in addressing the wider issues of family violence, and the specific issues resulting from the imprisonment of mothers with a history of domestic violence and/or sexual assault.

### **Unjust Laws and Practices**

Many women (especially those with a criminal record) report feeling disbelieved when they seek support from police and the courts to address family violence or sexual assault. This is in marked contrast, for example, to when reporting a burglary or assault by a stranger. This reflects social attitudes which imply that family violence is somehow *less criminal* than crimes against property or the violence of strangers. It results in a reversal of the usual social belief that it is the criminal, rather than the victim, who should bear the costs of crime.

Generally, women and their children are forced to flee the family home if they are to have any chance of living in safety. State/territory legislation does not generally guarantee the right of victims of family crime to continue to live in their home. Police and judicial systems do little to protect women and their children, if they stay in the family home. (This is in marked contrast with witness protection programs in other areas of the criminal justice system.) Often women are seen as *asking for it*, if they assert their own and their children's right, to live safely in familiar surroundings. They are seen as greedy, when they demand sufficient child support from their criminal partner to allow them to maintain their previous standard of living.

Further, recent changes in Family Law provisions designed to encourage joint custody arrangements, often require women to share custody with a violent partner - both reducing their income (and therefore their ability to financially support their children) and, in some cases, placing their children in danger. It is hardly surprising that some women feel compelled to stay in criminally-violent family settings in order to be able to better meet the practical needs of their children, and to better protect them from a sometimes violent father.

Whilst criminally-violent male perpetrators of domestic violence are often not charged or convicted, women are being imprisoned for increasingly minor offences. There is no evidence that women are committing more, or more serious, offences. Yet, more and more mothers are being imprisoned throughout Australia. Most women prisoners are mothers of dependent children. Most are survivors of family violence and/or sexual assault. Despite the fact that imprisonment functions as punishment for both mothers and their children, the judicial system largely views women's parental responsibilities as irrelevant to sentencing. The correctional system does not even keep consistent data on the parental status of women prisoners.

Common practices within correctional services in Australia actively contribute toward increasing rates of family violence. Few rehabilitatory services are provided for women in prison, particularly the majority who are serving short sentences. Few women are allowed to keep their (often very young, even breast-feeding) children in prison with them. Very few family-friendly facilities are available in prisons - either to accommodate young children, or for visits designed to maintain or enhance family relationships. Authorities in women's prisons often actively discourage, or disallow, provision of services by non-government organisations to women in prison. This includes services to address issues of family violence or help maintain mother/child relationships.

Prisons in Australia are largely unaccountable for their actions. The complete lack of routine external scrutiny of Australian prison policies and practices means that correctional authorities are rarely called to account for behaviours which violate women prisoner's human rights or contribute to the perpetuation of family violence.

It is ironic that increased rates of imprisonment of women in the (supposed) interest of *community safety* can play such a significant role in reducing the ability for women and children to live safely in the community.

## Failure to Meet Basic Human Rights

Our social failure to meet women and children's basic human rights makes it **difficult or impossible** for many to choose to live safely in their own home, or leave a violent family situation. The **physical and economic capacity to address family violence** is of overwhelming importance in reducing rates of family violence in Australia. **For as long as women cannot leave violent situations without significant economic penalty for themselves and their children, there is little incentive for violent men to change their behaviour.**

Almost all women (criminalised or not) face the moral dilemma of deciding whether to expose their children to a significantly reduced standard of living if they address family violence. Most are forced to undertake a cost-benefit analysis of the relative impact of reduced income and continuing to live with family violence, for both themselves and their children. The many women without economic security have no choice but to rely on Centrelink payments. For these women, the financial penalties of living independent of a violent partner (whether in the family home or not) are very significant. They must choose whether or not to expose their children to life below the poverty line, at least for a period of time.

Many women report feeling helpless when facing the complex rules and regulations which accompany receipt of Centrelink income support. Just as in their domestically violent situation, women are expected to behave in a compliant way. They are expected to be thankful for the limited extent to which their basic needs are met. Even when they do access income support, this is insufficient to meet their basic needs. Often their income is further eroded through their partner's failure to meet child support payment responsibilities. This is not consistent with a human rights-based society. Every Australian is entitled to expect that their basic human rights will be met during hard times.

**Many of the factors which keep women in the domestic violence cycle result from inadequate housing, income and other services which should be guaranteed according to the *International Declaration of Human Rights*.** Women who have been in prison face similar issues to the wider population of women escaping family violence - but to a greater extent.

With a doubling of imprisonment rates amongst women over recent years, many mothers are being suddenly and unexpectedly imprisoned for minor offences, having made no provisions for this. If a mother had a job prior to imprisonment, she is likely to lose this. If a mother had a home prior to imprisonment, she is likely to lose this due to failure to pay rent (or, for a very few women, mortgage). Further, she is at risk of incurring outstanding payments as a debt due upon release from prison. If she was in private rental housing, she may be placed on the TICA list and

effectively excluded from the private rental market. If she was in public housing, she may have to start again at the bottom of the waiting list. If she was on the public housing list prior to imprisonment, she may have been removed whilst in prison. Further, she may have lost the personal belongings left in the house. These may include critical resources such as personal identification and other legal documents. Further, some children have been placed in care whilst their mothers are in prison. Having stable housing is a common pre-requisite for women to regain custody of their children.

Lack of adequate income and housing in particular, impacts at many levels on the lives of both criminalised, and non-criminalised, women and their children. It directly impacts on their capacity to live in safety, independent of a violent partner.

## Inadequate Support Services

Women's capacity to address the effects of family violence functions at both a practical and emotional level. Women who have been in prison typically experience further erosion of their ability to address family violence. There is a severe shortage of services to support women leaving a violent situation, in addressing the complex, inter-related issues that many face as a result of family violence. Further, some existing services function in a way which reinforces women's powerlessness and loss of control over their lives - perpetuating the very behaviour that they need to address in order to live successfully, independent of a violent partner.

Nowhere is the shortage of services more evident, than in availability of crisis accommodation for women and children escaping family violence. SAAP services consistently report turning large numbers of women and children away, due to insufficient beds.

More widely, in addition to inadequate emergency and long term housing, women must compete for limited mental health, substance abuse, health, education, brokerage, advocacy and other support services. Further, both government and government-funded services are generally provided using a *silos approach* - in isolation from each other. Non-government services, in particular, have very limited resources, and funding restrictions often require this isolationist approach. The more complex and inter-related the needs of a particular family, the further this problem is exacerbated. For example:

- Many mental health services are unwilling or unable to work with people who also have substance abuse issues;
- Many substance abuse services are unwilling or unable to work with people who also have mental health issues;
- Many homeless women and children fail to qualify for access to mental health and/or substance abuse services, due to geographical constraints.

This means that women and children may have access to services to address some of the issues which are a barrier to dealing with family violence, whilst not others.

As a result, many return to family violence situations despite having some of their needs met. This failure to concurrently address the health, welfare and social needs of women and children escaping family violence is therefore highly inefficient.

Women who have been in prison generally face particularly complex issues. Even a very short sentence can send a whole family into disarray. Some children are taken into state care. At the very least, most children's lives are suddenly and dramatically disrupted through the loss of their mother's care. They may be forced to live with strangers, or, worse, be left in the care of a violent father. They may be isolated from key family members, forced to change schools and live in an unfamiliar neighbourhood away from their friends. This trauma commonly results in behaviours which increase the difficulties of parenting. Children's trauma may be reflected through challenging behaviours, poor school performance or apparently irrational responses to minor things.

Whilst in prison, every mother is likely to experience some level of institutionalisation and to have faced systemic violence. She will generally leave prison traumatised by the experience, and less able to address domestic violence, than prior to imprisonment.

In addition to the silo approach, some organisations continue to use service models and approaches which have been demonstrably unsuccessful in addressing family violence in the past. Whilst living with violence, women are generally required to behave in a powerless way - to conform to the requirements of their violent partner and allow this partner to control most aspects of their lives. Yet, in order to function successfully independent of a violent partner, women must take power and responsibility in their lives.

Both domestic violence and imprisonment are characterised by this loss of control. Unfortunately, some services continue to demand a compliant approach from women. This both legitimises and reinforces a mindset of dependency and helplessness amongst these victims of crime. On occasion, the values and approaches of staff in health and welfare services mean that they effectively replace the perpetrators of family violence.

## Removing Barriers to Family Safety

**Women and children need to know that the law is on their side.** Like other victims of crime, victims of criminal violence in the home should be entitled to at least the same level of protection as other victims of crime. Arguably, given the significant breach of trust involved in family violence, and its subsequent long term (even multi-generational) social ramifications, victims of family violence should be afforded even greater protection and support.

**Further, women and children need to know that society is on their side.** This should be reflected through high levels of social support - from having their basic human rights met, through to provision of services which address the effects of family violence. This includes treating women and children with respect and developing their autonomy, rather than encouraging compliance and reinforcing powerlessness.

### Initiating Legislative & Procedural Reform

In order for women and children to **feel** that the law is on their side, the law actually needs to **be** on their side! Reorientation of legal systems in favour of victims is at the core of addressing family violence in Australia.

**Survivors of family violence must have the first option to stay in the family home.** This must be enshrined in legislation in all states/territories. A commitment to removing the perpetrator, rather than the victim, from family violence settings would go a long way toward reducing family violence and addressing some of its effects. It would also provide some incentive for perpetrators of violence to address their unacceptable, and criminal, behaviours. Women and children have the right to be able to live safely in their own home. Therefore legislation would have to include provision of protection where this is required. The decision as to whether to live safely in the family home, or move to a new house, should be a genuine choice for all victims of family violence and sexual assault.

Decisions made by the previous Australian government which might be detrimental to addressing family violence, must be reviewed. In particular, **new Family Law provisions in relation to joint custody should be assessed for their impact** on financial support to women and children who are victims of family-based crime, and the pressure for children to live part time with a sometimes violent father.

**Police policies and procedures in all states/territories should be reviewed** for any requirements that might imply that family violence is *less criminal* than other violent crimes. Policies and procedures should clearly require that officers stand *on the side* of victims of crime in family violence settings, as they do in any other situation where a violent crime has been committed. This includes protection from the alleged perpetrator of crime, as required. If police policies and procedures are

found to be consistent with a law enforcement approach, and police continue to treat victims of domestic crime unlike other victims of violent crime, then (further) external review strategies to examine police performance in this area must be put in place.

## Addressing the Impact of Imprisonment

**Imprisonment rates for women can be dramatically reduced without any question of a threat to public safety.** This is clear, because imprisonment rates have more than doubled in recent years, whilst (contrary to popular belief) crime rates amongst women have remained largely unchanged. Therefore, at the very least, 50% of women in prison in Australia could be released without any question of an adverse impact on community safety.

This position was recently supported by the Ombudsman for the Northern Territory. Recommendation 62 of the Ombudsman's Report, read:

*That rather than expanding female prison capacity, the Department of Justice develop a comprehensive strategy for the establishment of further alternative sentencing and remand options for women around the Territory ...*

SIS would argue that **imprisonment of women in general does more harm than good**; that imprisonment rates should be reduced even further than this. Given that most women prisoners are mothers, the damage done to these women and their children as a result of imprisonment must be weighed up against genuine public safety concerns (as distinct from ill-informed reactions). Further, a significant proportion of the crimes committed by women are related to family violence. Therefore, it should be the family violence which is addressed, rather than individually penalising women who are victims of domestic violence and sexual assault, and their children.

As a basic first step, **prison practices which undermine women's capacity to address family violence must be reviewed.** The most urgent of these are:

- Assault of women by prison officers (otherwise known as strip searching) should be immediately outlawed in every state and territory.
- Women's prisons should be exclusively staffed by female officers. At the very least, state/territory legislation should ensure that male prison officers are not allowed to participate in observation of women prisoners in their cells (particularly in isolation facilities) or strip searching.
- Use of administrative segregation (isolation cells) should be outlawed in every state and territory. At the very least, in those very rare instances where women pose a genuine threat to others, they should be under medical care, exclusively supervised by properly qualified medical staff with the authority to make final decisions about their patients' care.

**Women's parental responsibilities should play a key role in sentencing decisions** and detailed information should be kept by state/territory correctional departments on the parental status of women prisoners. We should aim to minimise the risk of the further harm to women victims of violent crime and their children, which often occurs through the trauma of imprisonment. Again, this would require legislative and procedural changes at a state/territory level.

**Prisons should be made more accountable to the wider community.** This includes introduction of accountability for their contribution toward increasing family violence in Australia and violations of the human rights of women prisoners and their children. Legislation in all states/territories should institute systems for regular, ongoing, external scrutiny of prison practices.

Another level of accountability should be achieved by legislative and procedural changes which encourage and resource the provision of support services to women in prison by non-government organisations, and reduce the capacity of prison authorities to exclude external service providers. **There is significant evidence to show that women who receive consistent support by a single service provider both pre and post release, are less likely to end up in a downward spiral into ongoing family violence.** This is particularly evident where services support both the woman and their children during this traumatic period in their lives, and enable relationship maintenance whilst the mother is in prison.

**Keeping women in prison in Australia, and caring for their children, costs many \$millions annually. The savings achieved by reducing the number of women in prison could fund these services ... and many others directed at women and child survivors of family violence.**

## Meeting Basic Human Rights

Australia must live up to its international human rights obligations. Access to safe, secure, housing and adequate income support is essential pre-requisites to addressing family violence.

Women without independent means of economic support are understandably loath to force their children to live below the poverty line. What *good mother* would subject her children to poverty, simply because she couldn't put up with *the occasional beating*? Women should not be forced into making such a choice. **Adequate guaranteed income support**, with the Australian government taking responsibility for recouping a responsible level of familial financial contribution from the father, would eliminate the need for women to make such an invidious choice.

The other fundamental resource which must be available to women and children escaping from family violence settings is **safe, secure, affordable housing**. The more quickly women and children can settle into safe, secure, affordable housing, the sooner they will be able to address the other effects of family violence. With

house purchase and rental costs escalating, women without independent means of economic support are effectively excluded from the private rental market. In the current market, the first priority must be to increase public housing stock. State/territory governments and the Australian Governments should work collaboratively to increase the availability of public housing for women and children escaping from family violence.

Criminalised women face additional barriers in accessing housing. Most imprisoned women serve short sentences. Yet, during this time women with housing generally lose it. Allowing this to occur is a false economy. **Retention of public and private rental housing for women serving short sentences**, particularly women with dependent children, would be a valuable investment in addressing family violence through preventing homelessness and enabling speedy reunion of mothers and children following imprisonment. (This strategy was also advocated by the NT Ombudsman's report, Recommendation 39.)

Similarly, **help with paying small debts** which are a barrier to accessing housing (eg. rental or Centrelink debts incurred as a result of sudden, unexpected imprisonment) would play a useful preventative role. It would allow women to *get on their feet* more quickly after imprisonment, and aid in the addressing the family problems so often experienced after children are placed in care. Centrelink or state housing department debts could be suspended for women being released from prison, and TICA listing as a result of imprisonment could be challenged. These would be highly efficient ways of increasing women and children's access to income and housing following imprisonment.

## Improving Support Services

**Greatly improved quality and quantity of support services are essential to reducing rates and addressing the effects of family violence.**

In addition to housing and income support, women and their children often need help in accessing state/territory government services such as education and health services. **It is essential that we remove resourcing, policy and practical barriers to women accessing government services to address these basic human rights.**

It is important that women and children leaving family violence settings (or prison) have access to adequate suitable crisis accommodation. This includes the need for *shelters of last resort* which guarantee to accommodate women and their children. This is particularly critical for women with complex needs which lead to behaviours that existing services find difficult to manage.

**Non-government services in areas such as mental health, substance abuse, brokerage and advocacy are woefully under-funded.** Often, funding guidelines restrict their activities to providing very specific, limited services. It is hardly surprising that many implement the silo approach as a means of working within their resource limitations and meeting funding body requirements.

It is essential that we recognise the complex, inter-related nature of women and children's needs, following the trauma of family violence - and, sometimes, the added trauma of a mother's imprisonment and its additional consequences. These call for a range of needs to be addressed concurrently, in an integrated way. There is a clear **need to develop multi-faceted, wrap around services** for families addressing domestic violence and sexual assault. These should include the obvious areas such as mental health or substance abuse support. Families facing multiple problems may need a strong advocate to help them navigate the service maze. Women may need detailed information and emotional support whilst making the difficult decisions about what is best for their family. Often, women and their children require financial help to meet needs not typically provided by existing emergency relief services (for example, motel room when accommodation is literally unavailable, paying to fill pharmaceutical prescriptions, searching the TICA list to check whether this is a barrier to private rental, or purchasing a Birth Certificate or other identification when these have been lost in the process of escaping violence or imprisonment). Wrap around services should be sufficiently flexible to create a genuinely flexible support system which can be customised to meet the specific needs of each individual family.

The means by which services are delivered is often as important as the range of needs to be met. **Many service provision models of the past have been demonstrably unsuccessful** in helping women engage or reengage with the skills and resilience required to live independently of a violent partner. It is essential that services are empowering and encourage the independence and decision-making authority of mothers. Domestic violence and imprisonment are characterised by a loss of control. We must move toward enabling women to assess their own needs, rather than relying on assessment by service providers. Organisations and workers must develop knowledge, values, attitudes and skills compatible with this approach, if we are to develop successful services which contribute to the long term reduction of family violence.

As recognised in the FaHCSIA *Green Paper on Homelessness*, community-based, non-government services have a strong history of success in providing responsive services and driving innovative forms of support. However, NGO's consistently face barriers to service provision due to inadequate funding and inflexible funding guidelines. Given adequate, flexible funding, non-government organisations are best equipped to provide flexible, customised support packages for women and children addressing family violence.

In order to address the particularly complex needs of criminalised women, brokerage workers should be appointed for all women in prison, at least 2 months prior to their release. These workers should be provided with guaranteed access to women in prison to ensure that intensive transition planning occurs prior to release, and practical needs such as ID, clothing, crisis payment and housing can be in place ready for their release. A National Homelessness Demonstration Project undertaken by SIS clearly found that this form of early intervention played a significant role in preventing homelessness, and thereby reducing the risk of women and children feeling forced to return to violent family settings.

# Preventing and Addressing Effects of Family Violence - Successful Models & Programs

SIS has developed and refined a variety of programs and services which have been successful in preventing, or reducing the effects of, domestic violence and sexual assault. Further, some of SIS's key learnings have been articulated into detailed resource materials, which are available to other organisations addressing family violence.

## Examples of Effective Programs

SIS has developed evidence-based programs that have been widely recognised throughout Australia and internationally. These innovative programs are designed to assist mothers in prison to maintain relationships with their children, provide direct assistance to children themselves and help families to *stay safe*, following the mother's release from prison.

The following are just a few of the current and past SIS programs which could apply equally to addressing the needs of criminalised and non-criminalised women and children escaping family violence. As detailed earlier, it is clear that criminalised and non-criminalised women and their children share many characteristics and needs in common. **These programs reflect the variety of issues faced by most women and children when they leave the 'imprisonment' of a violent family setting:**

SIS Program	Transferability to Wider Population
<b>Sexual Assault Counselling Program:</b> Provides counselling by Indigenous and non-Indigenous counsellors. This program was established in 1994 following findings that 89% of women in prison had been sexually abused and this abuse was one of the contributing factors to their offending. This program has been progressively refined over the past 15 years, and can offer sophisticated advice on effective counselling with family violence survivors.	Many women living with family violence, experienced domestic violence and/or sexual assault when they were children. Provision of culturally appropriate counselling for both women and their children can be critical to both retaining their commitment to leaving a violent situation, and breaking multi-generational patterns of family violence.

<p><b>A Place to Call Home:</b> Provided a preventative and interventionist service to assist women pre and post release to access accommodation and support services in Townsville and Brisbane. Included highly flexible brokerage funds and advocacy services. This program resulted in the refined <i>Planned Support</i> model of service provision, detailed in the next section.</p> <p><b>Building On Women's Strength's Program (BOWS):</b> Provides intensive support for women and their children in rebuilding their lives after the trauma of prison.</p> <p><b>Women's Transition Program:</b> Worked with women pre-release and supported the women, their children and families through the transition process. This pilot project aimed to reduce the (high) death rate of women leaving prison (from drug overdoses, suicide or domestic violence) during the transition period.</p>	<p>Successful family violence prevention and intervention is not simply a matter of enabling women to leave a violent setting. Developing a life free of violence is a process, which occurs with varying intensity over time. Many families require support during this transition process.</p> <p>Enormous psychological damage has been done to women and their children; many women are unfamiliar with the systems and processes required to access the essentials of life. Intensive practical and emotional support is often required by families making this transition.</p> <p>Accessing accommodation and support services is equally important, and often equally difficult, for non-criminalised women and children leaving family violence settings. Given the shortage of emergency accommodation, supporting women to plan for their 'release' from a violent setting could reduce the risk of adding homelessness to the complexities of families' lives.</p>
<p><b>Crucial Connection Program - Reconnect:</b> Improves the social connectedness of young people whose mother is in prison. It is targeted at young people who are either homeless or at risk of homelessness, and provides culturally appropriate and accessible individual support/ counselling, advocacy and activity programs for young people, their mothers and families.</p> <p><b>Early Intervention Program (PEEK):</b> Provides comprehensive early intervention services designed to build protective factors in women and their children and ensure positive reunification.</p> <p><b>Youth Crime Prevention Program:</b> Enabled a group of young people whose mothers were in prison to participate in a variety of social/recreational activities designed to enhance their self esteem and confidence. The group ultimately developed a resource kit to assist them and other young people to address issues which are raised for them while their mums in jail.</p> <p><b>Indigenous Arts/Circus Project:</b> Uses creative arts based workshops to develop helpful resources for Indigenous criminalised women and their children facing family violence.</p>	<p>Most children and young people are profoundly affected by both their experience of family violence, and the consequences of leaving a violent family setting. This includes dealing with issues such as living in poverty, moving neighbourhood, changing schools and losing contact with family, friends or other supportive networks.</p> <p>Sometimes children and young people have become so acclimatised to living with violence, that they have developed inappropriate mechanisms in response. Often these are at one of 2 extremes - <i>fight</i> (eg. aggressive behaviours) or <i>flight</i> (eg. withdrawal, including deep withdrawal and self harm). Some blame their mother for leaving a violent setting, and <i>breaking up the family</i>. This adds to the burden of the mother who must develop more sophisticated parenting skills to address these, often deeply entrenched, problems and their consequences.</p> <p>Therefore, a wide variety of programs for children (as well as mothers) are required to prevent these consequences impacting on their future lives and perpetuating patterns of family violence.</p>

<p><b>Work Pathways:</b> Provides an opportunity for women to undertake accredited training after they have been released from prison.</p>	<p>Most women and children are economically disadvantaged when they leave violent family settings. The availability of employment and training support programs for mothers can provide a sense of hope for the future - that there are alternatives to living in poverty long term. Providing support in conjunction with other programs explicitly targeted at women escaping family violence increases the likelihood that they will feel safe to take up these opportunities in a supported way. This is particularly important in the current context, where women may fear losing Centrelink payment, facing a further reduced income or living with a HECS debt, if they undertake further education.</p>
--	--

## Optimising Program Success - A Model of Service

Over the past 10 years, SIS has progressively developed and refined its approach to service provision. In 2006, we received funding for a Demonstration Project, through the National Homelessness Strategy. This enabled SIS to spend 18 months intensively researching, testing and articulating a model of service. As a result, SIS has developed an evidence-based model which has proven highly effective in addressing domestic violence and sexual assault amongst women with lived prison experience<sup>6</sup>.

**The *Planned Support* model** shares some characteristics with conventional case management, but is driven by a fundamentally different approach to working with women and their children. Planned Support seeks to retain the strengths of case management, whilst empowering women to take control of their life decisions. This innovative approach is particularly compatible with the 10 Principles for Change outlined in the FaHCSIA *Green Paper on Homelessness*. These principles, and the Planned Support model, could be equally usefully applied to work with women and children escaping family violence.

**Planned Support aims to help women build their practical and emotional capacity to leave a violent situation.** From the outset, it is important to recognise how practically and emotionally difficult it is for women to leave family violence. Most face a variety of inter-related issues; for some, these issues are complex and inter-dependent. SIS has found that there is limited value in providing isolated programs to address single areas of need. Unless women are supported to concurrently address the range of issues impacting on their family, many are unlikely to move (or remain) out of family violence settings. Therefore, provision of wrap around services is essential. This included addressing needs directly (through

---

<sup>6</sup> For example, the first intake of women in the National Demonstration Project in South East Queensland had consistent support from SIS services for 9 - 12 months. 70% of this group was living independent of their violent partner, in relatively stable housing, by the end of the project.

programs offered within SIS) wherever possible and providing supported referral and/or advocacy when women need assistance from other organisations.

**Upon leaving a violent family setting, women are expected to make a fast transition from being fully controlled by their violent partner, to taking full control of their own life.** (This is not unlike women's transition from prison, where they are expected to switch immediately from being fully compliant with prison staff, to living independently.) Wrap around services must *keep families warm* during their transition. But they must not be *wrapped so tight that they can't move!* **Services must work alongside women and children, in order to build their self-management skills, and enable them to take responsibility for their own lives.** Effective wrap around services provide *support*, rather than *smothering* (or worse, *control*), for women and children escaping family violence.

Many women required very high levels of support during their transition process - from dependence to independence. The project found that it was important to know when support was, and was not, needed. Achieving improved autonomy depended on achieving a balance between fast, intense provision of services when needed, and moving into a background support role (being a *safety net*) when women were managing on their own. Some assessment tools were developed to assist workers in making this judgment.

**If we genuinely want violated women and children to take their rightful place in society, we must begin by giving them the same autonomy and right to make decisions about their lives as other community members.** Our services must be *women-driven*. Worker attitudes were found to be a critical determinant of successful work with women. The project found that working from each woman's own strengths, goals and priorities was a key determinant of ultimate success. Women were treated with dignity and respect. Workers in the project supported and resourced women's own perception of their needs. They worked from the assumption that women should be free to test their own strategies and, if necessary, learn from their mistakes. They treated women as the experts in their own lives, and valued their ability and right to make their own decisions for themselves and their children. The ultimate test of a worker's respect for a woman is their ability to support decisions with which they disagree (eg. where the woman decides that living with violence, rather than exposing her children to poverty, is in the better interests of her children), and continue to provide her with services and support. This continued support provides the best chance of the family living safely in the long term, because both mother and children now have a continual reference point and an increasing understanding of their choices, if the violence becomes too difficult to live with.

**Some of the organisational factors which were found to contribute to the success of the Demonstration Project were:**

- **Allocation of a *Lead Worker* for each woman:** Each woman had a significant say in the appointment of her Lead Worker, who was her key organisational reference point. This staff member had responsibility of tracking her constantly

changing preferences and needs, articulating these into a broad plan and brokering services to address these needs.

- **Co-location of values-compatible programs** designed to meet the range of needs of women and children escaping family violence: The project was co-located with a number of other programs at SIS. This proved very useful in responding to the often specialist and/or urgent needs of women. Many women had as much interaction with other SIS workers, as their Lead Worker or other Demonstration Project staff. The most significant problems experienced in meeting families' needs was when the project was forced to rely on external organisations to provide services to address critical issues such as housing, income, mental health and substance abuse.
- **Employment of peer-based workers** who shared characteristics with the women: The staff team in the Demonstration Project included Indigenous workers, workers with a history of family violence and workers with lived prison experience. The very existence of affinity-based staff in the SIS environment short-cut the process of trust and comfort building, and improved the level of understanding of women's needs amongst all workers in the project. Ultimately, this contributed significantly to both the efficiency and effectiveness of the program.
- **Continuity of service:** A commitment to continuity of service beyond addressing the immediate issues of family violence was found to be critical to successful long term outcomes for women. Even when in stable housing, some women faced crisis situations which potentially threatened their ability to continue to live independent of a violent partner. Providing an ongoing *safety net* for a period of time played a demonstratively important preventative role, and enabled women to move forward and progressively address the issues in their lives.

**Concurrently addressing women's housing, support service and practical needs was critical in the early stages of their transition from a violent family setting.** This included addressing practical needs (eg. transport to an appointment or storing family belongings) and support needs (eg. substance abuse services or counselling). Some of the activities which were demonstrably helpful in enabling women to leave family violence have conventionally been seen as creating dependency. The project critically analysed and reframed the concept of *dependency*. It recognised that women had to emotionally overcome their dependence on a violent partner ... and sometimes, the smallest practicalities could be their most urgent need at that time.

**The ability to respond to needs quickly was central to the project's success.** This was particularly important during critical times when women were under emotional and practical pressure (eg. immediately post-departure, or during Family Court procedures, or whilst addressing substance abuse issues). This included fast access to flexible brokerage funds. Most emergency relief funds do not make allowances for critical needs such as purchasing a birth certificate, filling a prescription or overnight motel accommodation when there are no shelter places available.

**Collaborative relationships with other organisations sometimes proved helpful.** However, coordination was found to have its limitations. The Demonstration Project

was in a privileged position. Because of its research focus, considerable time was allocated to collaborative undertakings with other agencies. Ultimately, seamless **coordination cannot make up for a lack of essential services**. Nor can it change the attitudes and guidelines which preclude those most in need - people with complex needs. If other organisations are unable or unwilling to provide essential services, the long term prognosis for women and children escaping family violence is poor. Whilst lack of coordination is sometimes a problem, the project found that the problems more often lay in systemic failures such as the inadequacy of public housing stock, difficulties accessing mental health or substance abuse services, limited emergency accommodation or the policies and practices of service providers.

**Systemic barriers faced by the project were matters of funding, organisational policy and worker competencies, rather than coordination.** A more systematic whole-of-government approach would help develop pathways out of family violence. But, only if this was coupled with additional housing and an overarching policy framework which required all service providers to develop policies and practices which respected the dignity of women and children escaping family violence.

## Resourcing Program Development

SIS has developed a range of practical resources and substantial training materials, and is therefore well placed to resource other service providers working with women and children escaping family violence. The two most detailed publications are:

- ***Planned Support: An Innovative Approach to Case Management.*** This substantial publication details the Planned Support model. It provides further information about the critical success factors in service provision to women and children escaping family violence. This includes a variety of very practical tools and techniques for organisations (eg. a system for providing effective continuity of support and managing the very different levels of service provision demand by different women/families at different time) and staff (eg. a system for sharing information, tracking progress and articulating families' changing plans).
- ***Working With Women With Lived Prison Experience: A Starting Point.*** This detailed (190 page) training kit includes a major focus on working with Indigenous women (and women from CALD backgrounds) and addressing family violence issues. It can function as a do-it-yourself resource, or SIS can provide accompanying training.

The Indigenous Arts/Circus Project is currently developing educational resources for government and non-government workers (forthcoming). These resources will be available nationally and will demonstrate new approaches to working with Indigenous women and their children whose lives have been affected by family violence.

SIS is also happy to share details of specific programs with the National Council or individual service providers.

## Where To From Here?

SIS applauds initiatives focused on perpetrators and wider community education. The National Council can play a valuable role in educating perpetrators and the wider community that family violence is unacceptable. These initiatives can also help remind women that they should not have to live with violence. However, the strategies outlined in the current *key deliverables* are unlikely to result in an actual decrease in family violence, or success in reducing the effects of domestic violence and sexual assault.

In order to be effective, the *National Plan to Reduce Violence Against Women and Children* must combine a *carrot* and *stick* approach to addressing family violence in Australia:

- **The *Plan* must provide active disincentives to perpetrate family violence.** Changes are required in both legislation and practice, at a commonwealth and state/territory level, to ensure that perpetrators are not rewarded, or shielded from responsibility for, their violent behaviour. The very existence of changed laws and attitudes within the criminal justice system will help to prevent family violence into the future.
- **The *Plan* must provide active incentives for victims of family violence to live in safety.** Until women and children can leave violent settings without economic penalty, we are unlikely to see sustained decreases in rates of family violence. Until women and children have guaranteed ongoing access to services which can provide seamless, personalised, wrap-around support we are unlikely to see the long term effects of family violence addressed into the next generation.

The National Council can play a key role in promoting sharing of knowledge and dissemination of information on preventing and responding to domestic violence and sexual assault. In order to achieve sustained change, the National Plan must use the best evidence-based approaches to encourage policy development and good practice. The National Plan must commit to addressing family violence - in both the short and long term.

SIS believes it is possible to develop a strategy which will ultimately ensure the safety of all women and their children. In order to achieve this, Australia must make a sustained **investment** in a continuum of prevention, intervention, remedial and monitoring strategies. We must move beyond the *Lamington Drive* approach to addressing this critical *national security* issue.

SIS is keen to work in partnership with Council and key service providers to ensure that the Council develops strategies based on the best possible evidence-based models, and to enhance strategic collaboration between the Australian government, state/territory governments and the non-government sector.

## *Key References*

Anti-Discrimination Commission Queensland (2006) **Women in Prison: A Report by the Anti-Discrimination Commission Queensland**, ADCQ, Brisbane.

([http://www.adcq.Queensland.gov.au/pubs/WIP\\_report.pdf](http://www.adcq.Queensland.gov.au/pubs/WIP_report.pdf))

Ombudsman for the Northern Territory (2008) **Women in Prison Northern Territory: Report of the Investigation into Complaints from Women Prisoners at Darwin Correctional Centre**, Darwin.

([http://www.nt.gov.au/omb\\_hcsc/ombudsman/publications/Report%20-%20Women%20In%20Prison%20PDF.pdf](http://www.nt.gov.au/omb_hcsc/ombudsman/publications/Report%20-%20Women%20In%20Prison%20PDF.pdf))

(The) Senate Select Committee on Mental Health (2006) **A National Approach to Mental Health – From Crisis to Community, First Report March 2006**, Commonwealth of Australia, Canberra.

([http://www.aph.gov.au/Senate/committee/mentalhealth\\_ctte/report/report.pdf](http://www.aph.gov.au/Senate/committee/mentalhealth_ctte/report/report.pdf))

**Universal Declaration of Human Rights**

(<http://www.un.org/Overview/rights.html>)