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## **Response to the inquiry into missing and murdered First Nations women and children**

### **Prepared by Women's Legal Service Western Australia (WLSWA)**

Women's Legal Service Western Australia (**WLSWA**) is a not-for-profit community legal centre funded to provide statewide legal services to women who live with disadvantage in Western Australia. WLSWA provides legal advice and casework in the areas of family law, family and domestic violence, care and protection proceedings and criminal injuries compensation for victims of family and domestic violence and/or sexual assault. WLSWA also promotes women's human rights to be upheld, and fosters legal and social change through a range of strategic activities, including law and policy reform.

WLSWA has been working directly with victim-survivors for 25 years, providing general assistance, education and advocacy in partnership with key sector organisations. For close to ten years, WLSWA ran Djinda – a specialist service for Aboriginal and Torres Strait Islander victim-survivors in the Perth metropolitan area. This award winning service was a partnership between WLSWA and Relationships Australia Western Australia.

WLSWA's delivery of Djinda concluded in mid-2022, with the contract awarded to Aboriginal Family Legal Services (**AFLS**) and Southern Aboriginal Corporation (**SAC**). WLSWA is proud to have delivered Djinda and indebted to those women who have trusted us with their stories, their trauma and their strength. Hundreds of Aboriginal women received crucial support and advocacy through complex and often traumatic legal processes. WLSWA fully supports this vital service, now being delivered by AFLS and SAC, as we recognise the necessity of Aboriginal-led services to lead recovery and healing for Aboriginal women and communities.

WLSWA also provide legal assistance to Aboriginal women in our general program areas, outside of Djinda. In the last 12 months, WLSWA has supported over 1,100 clients state-wide. 204 of these clients were Aboriginal women, or 18.5% of total WLSWA clients. 34 of these are living in regional and remote areas, or 17%.

### **Acknowledgment of Country**

WLSWA acknowledge the Traditional Owners of the country on which we live and work, the Whadjuk people of the Noongar nation, and pay respects to their Elders past, present and future.

Throughout this submission the term 'Aboriginal' is in reference to, and includes, 'Aboriginal and Torres Strait Islander Peoples'.

### **Introduction**

WLSWA welcomes the Senate Inquiry into Missing and Murdered First Nations Women and Children (**Senate Inquiry**). Our client's voices and experiences guide this response. We will focus on the issues linked to family and domestic violence (**FDV**) across Aboriginal communities.

It is broadly acknowledged that this country is facing a deeply embedded and widespread FDV crisis with the current state response drastically failing our Aboriginal communities. Aboriginal women are overrepresented as victims and survivors of FDV in both criminal justice populations and general community populations.<sup>1</sup> A recent Four Corners investigation estimates that at least 315 Aboriginal or Torres Strait Islander women have either gone missing or been murdered or killed in suspicious circumstances since 2000.<sup>2</sup> Aboriginal women are murdered at 12 times the rate of non-Indigenous women in Australia.<sup>3</sup> Many of these women are victims of intimate partner violence.<sup>4</sup>

### **Patriarchy and gender constructs are Western concepts**

Violence against women is born from foundations of male privilege, entitlement, power and control. As the United Nations Declaration on the Elimination of Violence against Women states, “violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women”.<sup>5</sup> But gender inequality cannot be separated from other forms of oppression and disadvantage particularly in relation to violence against Aboriginal women.

In his forward to the 2020 report ‘The Answers Were There Before White Man Come In’ (**The Answers Before Report**) Professor Tom Calma AO – a Kungarakan and Iwaidja Aboriginal Elder and social justice campaigner – opined:

“Colonisation and related violence enacted on Aboriginal and Torres Strait Islander Peoples and Communities, perpetuated by intergenerational trauma and the undermining of traditional gender structures, is at the root of [FDV] violence”.<sup>6</sup>

The importation of gender constructs and norms from westernised societies has heavily influenced FDV in Aboriginal communities. Colonisation significantly and unfairly pushed against and “altered Indigenous ways of being, living and traditional knowledge systems”.<sup>7</sup> The violence of colonisation was accompanied by a legal violence directed specifically towards Aboriginal women. Aboriginal women were subject to colonial patriarchal control early on by being “[sexually exploited] and punished further by having their children removed”.<sup>8</sup> Larissa Behrendt – a Euleyai and Kamillaroi lawyer and academic – has said:

<sup>1</sup> National Indigenous Australians Agency cited in Office of the High Commissioner on Human Rights (2022), Special Rapporteur on Violence Against Women, its Causes and Consequences – Indigenous Women and Girls, p. 1 <<https://www.ohchr.org/sites/default/files/documents/issues/women/sr/violenceagainstindigenouswomensgirls/2022-07-07/australia.docx>>.

<sup>2</sup> Bridget Brennan, Suzanne Dredge, Brooke Fryer and Stephanie Zillman, How many more? The killings and disappearances of Indigenous women across Australia is a crisis hidden in plain sight, Four Corners (Online, 24 October 2022) < The killings and disappearances of Indigenous women across Australia is a crisis hidden in plain sight - ABC News>.

<sup>3</sup> Australian Associated Press, Murder rate of First Nations women eight times higher than for non-Indigenous counterparts, *The Guardian* (Online, 5 October 2022) < [Murder rate of First Nations women eight times higher than for non-Indigenous counterparts | Indigenous Australians | The Guardian](#)>.

<sup>4</sup> Bridget Brennan, Suzanne Dredge, Brooke Fryer and Stephanie Zillman, as above n 1 and Marlene Longbottom, Four Corners’ ‘How many more?’ reveals the nation’s crisis of Indigenous women missing and murdered, *The Conversation* (Online, 26 October 2022) <<https://theconversation.com/four-corners-how-many-more-reveals-the-nations-crisis-of-indigenous-women-missing-and-murdered-193216>>.

<sup>5</sup> United Nations, Declaration on the Elimination of violence against Women (1993), UN Doc. A/RES/48/104.

<sup>6</sup> Jill Guthrie, Katherine Thurber, Raymond Lovett and Matthew Gray et al., (2020), The Answers Were There Before White Man Come In: Stories of Strength and Resilience for Responding to Violence in Aboriginal and Torres Strait Islander communities – Family and Community Safety for Aboriginal and Torres Strait Islander Peoples Study Report, The Australian National University College of Health and Medicine, p. 7 <[CHM200082\\_TAWTBWMCJ v9 WEB\\_1.pdf \(anu.edu.au\)](#)>.

<sup>7</sup> Emma Buxton-Namisnyk (2022), Domestic Violence Policing of First Nations Women in Australia: ‘Settler’ Frameworks, Consequential Harms and the Promise of Meaningful Self-Determination, *The British Journal of Criminology*, 62(6), pp. 1323-1324 < [Domestic Violence Policing of First Nations Women in Australia: ‘Settler’ Frameworks, Consequential Harms and the Promise of Meaningful Self-Determination | The British Journal of Criminology | Oxford Academic \(oup.com\)](#)>.

<sup>8</sup> Eileen Baldry and Chris Cunneen (2014) in Deaths, Indigenous Femicide and the Killing State (Web Page) <Indigenous Femicide and the Killing State – Deaths (2016-2020)>.

“Post-invasion society has meant the permeation of one of the dominant culture’s most repugnant values into our own community – sexism. And this dynamic has changed the social position of Aboriginal women within Australia. From being considered equal to men, Aboriginal women now occupy the lowest rung on the socio-economic ladder”.<sup>9</sup>

### Understanding FDV in First Nations Communities

#### WLSWA recommends an intersectional approach to understanding violence against Aboriginal Women.

Violence perpetrated against Aboriginal women is fundamentally and significantly different than the experiences held by non-Indigenous women.<sup>10</sup> Holding a one-sided settler conception of violence against women only fails Aboriginal women.<sup>11</sup> To understand FDV in Aboriginal communities we must take an intersectional approach. It is problematic when responses to violence “overstate the similarities between different groups of women, [as that fails] to acknowledge the different structural inequalities Aboriginal women face, obscure(s) the significant differences between Aboriginal and non-Indigenous men’s experiences of the gender dynamics in Australian society and cannot explain the different drivers of violence that are perpetrated by Aboriginal and non-Indigenous men”.<sup>12</sup>

Taking an intersectional approach encourages an understanding and acceptance of racism, intergenerational trauma and history, socio-economic disadvantage, poverty, geography and gender on Aboriginal women’s experiences of FDV. When considered alongside ageism, disability discrimination, classism, homophobia and transphobia – all of which exacerbate experiences of violence – only then can we begin to understand the additional barriers for Aboriginal victim-survivors. Professor Megan Davis refers to the experiences of Aboriginal women today as a “dual discrimination”.<sup>13</sup> That is, “discrimination by virtue of being Aboriginal and discrimination as a consequence of being a woman”.<sup>14</sup>

As a specialist gender-specific provider of integrated legal assistance, one of WLSWA’s main priorities is to promote gender equality through our advocacy work. WLSWA subscribe to the understanding that “gender inequality and attitudes supporting gender inequality provide the social conditions in which violence against women is more likely to occur”.<sup>15</sup> This is a key position supported by the United Nations, Commonwealth Government, Government of Western Australia, World Health Organisation and the National Plan to End Violence against Women and Children (**National Plan**).<sup>16</sup> Yet, while WLSWA is focused on response and early intervention of violence against women, we are acutely aware that a cross-sector approach is needed to reduce violence against Aboriginal women.

While it is beyond the scope of this submission to address the myriad of unfair systemic conditions and biases faced by Aboriginal communities, WLSWA supports greater investment in the areas of health,

<sup>9</sup> Larissa Behrendt, (1995), Women’s work: The inclusion of the voice of Aboriginal women, *Legal Education Review*, 6(2) in Our Watch (2018), Changing the picture, Background paper: Understanding violence against Aboriginal and Torres Strait Islander women and their children, p. 66 < Changing the picture: Background Paper (ourwatch.org.au)>.

<sup>10</sup> Our Watch (2018), as above n 10, p. 43.

<sup>11</sup> Ibid, p. 48.

<sup>12</sup> Ibid.

<sup>13</sup> Professor Megan Davis, Indigenous women ‘invisible’ to justice, *UNSW Newsroom* (Online, 20 September 2012) <Indigenous women ‘invisible’ to justice | UNSW Newsroom>.

<sup>14</sup> Ibid.

<sup>15</sup> Kylie Cripps, Kristin Diemer and Nikki Honey et al. (2019), Attitudes towards violence against women and gender equality among Aboriginal people and Torres Strait Islanders: Findings from the 2017 National Community Attitudes towards Violence against Women Survey (NCAS), Australia’s National Research Organisation for Women’s Safety, Sydney: ANROWS, p. 22 <[2017-NCAS-ATSI-Sub-Report.pdf \(anrows.org.au\)](#)>.

<sup>16</sup> Ibid.

housing, financial security and education. Along with a focus on transforming systems of power and privilege that negatively shape outcomes for Aboriginal communities. This requires the prioritisation of Aboriginal voices and Aboriginal-led and controlled responses.

### Barriers to accessing justice that Aboriginal women encounter

**WLSWA recommend increased funding for early referral programs in order to address some of the reporting barriers.**

It has been estimated that up to 90% of FDV incidents against Aboriginal women go undisclosed.<sup>17</sup> This follows our experience where a high number of our clients raised reporting concerns due to the risks of racism, homelessness, child removal and potential isolation from family and community. WLSWA has had to reassure many clients in the Djinda program that Relationships Australia social workers, and the service more broadly, was not affiliated with child protection agencies. Without this being made explicit many women would not engage, because of the mistrust and fear of statutory agencies.

There is a growing body of research on the benefits of investment in early intervention supports for women (and families) experiencing FDV. Indeed, early intervention is one of the primary pillars of the National Plan.<sup>18</sup> The Aboriginal Family Led Decision Making (**AFLDM**) program – currently being piloted in Mirrabooka and the Midwest-Gascoyne region in Western Australia – has received an additional \$1.2 million in funding, after an early evaluation found that families participating in AFLDM reported reduced interventions from child protection agencies.<sup>19</sup> This is consistent with our experience at WLSWA and in the Djinda program – that the earlier vulnerabilities are identified and families linked with specialist support, the greater the outcome(s) for women and children. This is evidenced in the case study below, where WLSWA were able to prevent a child removal.

#### ***Meredith's\* Story – Parenting Orders***

*Meredith is an Aboriginal woman with ties to the Nyikina and Bardi communities. She was referred to WLSWA in late 2021 by a women's shelter in the Kimberley. In 2021, we successfully represented Meredith in Family Court proceedings to regain custody of her son Calvin\* – who she had placed in the temporary care of her mother, Rosemary.*

*Shortly after Family Court orders were made for Meredith to spend regular time with Calvin, Meredith realised she was pregnant. The father was her most recent former partner, whose violence in the past had forced her into refuge and Calvin into Rosemary's care. Because of this, Meredith was known to the Department of Communities, who contacted Meredith when she was five months pregnant to begin the 'pre-birth planning' process. This process is commonly undertaken when a parent or family has come to the attention of the Department of Communities (i.e., Child Protection), and involves several meetings with the parent/s, Department staff, hospital social workers and lawyers. The aim of*

<sup>17</sup> Tangentyere Family Violence Prevention Program, Reporting Family and Domestic Violence: What Barriers do Aboriginal Women in the Northern Territory Face? (Web Page) <[Why-women-dont-report.pdf \(tangfamilyviolenceprevention.com.au\)](https://www.tangfamilyviolenceprevention.com.au/why-women-dont-report.pdf)>.

<sup>18</sup> Department of Social Services (2022), National Plan to End Violence Against Women and Children (2022-2032), Commonwealth Government, p. 19 <[National Plan to End Violence against Women and Children 2022-2032 \(dss.gov.au\)](https://www.dss.gov.au/national-plan-to-end-violence-against-women-and-children-2022-2032)>

<sup>19</sup> Government of Western Australia, Funding boost for Aboriginal-led child protection pilot to improve family safety (Media Statement, 4 September 2022) <<https://www.mediastatements.wa.gov.au/Pages/McGowan/2022/09/Funding-boost-for-Aboriginal-led-child-protection-pilot-to-improve-family-safety.aspx>>.

*the process it to negotiate a plan that will allow mother and baby to stay together, without Departmental intervention if possible.*

*As Meredith already had a relationship with her WLSWA lawyer, she contacted WLSWA and sought assistance. That same lawyer who represented her in the Family Court was able to represent Meredith through the pre-birth planning process. This allowed Meredith to feel safe with a familiar lawyer and she did not have to repeat her story.*

*At the time the pre-birth process began, Meredith had reconciled with the father of the baby and both were committed to accessing support and parenting the twins together. Our lawyer attended 5 meetings as part of the 'pre-birth planning process'. Although it had been some months since the last reported incident of violence by the father towards Meredith, the Department's primary concern was that this violence by the father could happen again, with the added strain of a new baby and lack of stable accommodation. There were also on-going concerns that the father was using drugs, although he was seeking help to address this. To allay the Department's concerns regarding the drug use, the WLSWA lawyer was able to work quickly with an external housing provider and arrange for Meredith and the baby to enter supported accommodation as soon as the baby was born. The father would not be allowed to reside in that home. This was accepted by the Department, meaning Meredith and her would remain together.*

*However, because of the concerns in relation to the father, the Department still decided to issue an application in the Children's Court, seeking to be involved in the family for a period of 12 months. The WLSWA lawyer appeared for Meredith at the first hearing which was two days after her baby was born. The lawyer – who had been working with Meredith since 2021 – knew her story and what she wanted. Our lawyer successfully argued that no order should be made for the baby to be taken into the care of the Department, as he was safe with his mother in the secured accommodation.*

*This decision was hugely significant for both parents, who had Department of Communities involvement in their families in the past and found it extremely distressing. The father has a history of trauma in his own family, which fuelled drug abuse, violence and the removal of his older children from his care in the past. Both parents have members of the Stolen Generation in their families.*

*As a direct result of WLSWA advocacy and strong relationships with services, Meredith and her baby remain together without the trauma of removal or Departmental involvement. Meredith had the benefit of one lawyer, from the moment she was referred to WLSWA by the shelter, through the Family Court and Children's Court proceedings.*

*\*Please note that all case studies have been de-identified to protect privacy*

As the case study demonstrates, secure and reliable legal representation is important in building trust and positively engaging with Aboriginal victim-survivors. This is because the level of trauma suffered by victim-survivors (whether intergenerational or other) has been identified as an immediate barrier to seeking safety and reporting FDV. In a survey of Aboriginal-led specialist FDV providers, Australia's National Research Organisation for Women's Safety (**ANROWS**) observed that "victims are often so traumatised that they are unable to seek help, and if service providers become aware of their situation,

they must first (provide) counsel” before the client will be in a position to disclose.<sup>20</sup> WLSWA take great care in delivering a safe, trauma-informed service. We make every effort to re-pair clients with lawyers who have a deep understanding of the client’s journey, trauma history and legal problem.

### **Discriminatory police response**

Aboriginal women understandably underreport FDV due to mistrust of police and lack of confidence in their response. WLSWA was unsurprised to hear that Ms R. Rubunjta – a prominent Aboriginal FDV advocate, founding member of the Tangentyere Women's Family Safety Group in the Northern Territory and victim profiled in the Four Corners investigation – had called police 18 times over her two-year relationship with her murderer to no response.<sup>21</sup> This idea of police apathy or lack of response has been supported by Emma Buxton-Naminsnyk’s 2022 study on ‘Domestic Violence Policing of First Nations Women in Australia’.<sup>22</sup> Buxton-Naminsnyk reports that for the 75% of Aboriginal women who were killed by their partners (between 2006/2016), there were many episodes where police did not enforce criminal laws nor apply for violence restraining orders, when responding to domestic violence incidents.<sup>23</sup> This is a clear indication that violence in Aboriginal communities is being “excused, trivialised or condoned”.<sup>24</sup> “This occurs both informally, through the reactions of family/communities and formally, through weak laws and response systems”.<sup>25</sup> Buxton-Naminsnyk’s study also shows that police do little to change this narrative and only reinforce this ‘acceptance’ of violence against Aboriginal women.

When police do respond to Aboriginal victim-survivors’ calls for help responses are often marked with bias, racism and pre-conceptions. Buxton-Naminsnyk’s study noted that in 66% of cases, police records clearly indicated that the level of intoxication (either of the victim, the offender, or witnesses to the assault) contributed to officers’ decisions not to progress charges despite “often-considerable evidence that domestic violence offences had occurred”.<sup>26</sup> These attitudes towards victim-survivors and inconsistency in domestic violence policing were further highlighted in a recent inquiry into Queensland police service responses to family violence (**Queensland Inquiry**).<sup>27</sup> The Queensland Inquiry heard that police often make dehumanising remarks about victim-survivors, including that "domestic violence is just foreplay" or of victim-survivors who were raped in intimate sex, labelling the assault as "surprise sex" or claiming that "she deserved it".<sup>28</sup>

Mistrust or fear of police by Aboriginal women is justified. Many Aboriginal women who are victims of violence fear misidentification as the perpetrator, arrest, police violence and unjustified custody. In our submission to the Legislative Responses to Coercive Control in Western Australia Discussion Paper (**Coercive Control Submission**), we noted that Aboriginal women are more likely to be misidentified as perpetrators of violence as a result of racism and bias amongst police. Many of these misidentified

<sup>20</sup> Marcia Langton, Kristen Smith and Tahlia Eastman et al. (2020), Improving family violence legal and support services for Aboriginal and Torres Strait Islander women, Australia’s National Research Organisation for Women’s Safety, Sydney: Australia, p. 31 <[AT.19.03 Langton RR-FVsupport-Women.pdf \(anrowsdev.wpenginepowered.com\)](#)>.

<sup>21</sup> Bridget Brennan, Suzanne Dredge, Brooke Fryer and Stephanie Zillman, as above n 2.

<sup>22</sup> Emma Buxton-Naminsnyk (2022), as above n 7, p. 1329.

<sup>23</sup> Ibid.

<sup>24</sup> Our Watch (2018), as above n 9, p. 60.

<sup>25</sup> Ibid.

<sup>26</sup> Emma Buxton-Naminsnyk (2022), as above n 7, p. 1331.

<sup>27</sup> Ben Smee and Eden Gillespie, Queensland police inquiry hears allegations of recruits being taught racism, officers being raped, The Guardian (Online, 6 October 2022) <[Queensland police inquiry hears allegations of recruits being taught racism, officers being raped | Queensland | The Guardian](#)>.

<sup>28</sup> Ciara Jones, Queensland police response to domestic and family violence inquiry hears of ugly comments, crews avoiding call outs, ABC News (Online, 14 July 2022) <[Queensland police response to domestic and family violence inquiry hears of ugly comments, crews avoiding call outs - ABC News](#)>.

women experience substance use disorders or a psychological illness.<sup>29</sup> Of the murdered Aboriginal women in Buxton-Naminyk's study, 50% had previously been identified by police as being 'criminal offenders' in either FDV proceedings or other matters.<sup>30</sup> Some service providers estimate that Aboriginal women are misidentified up to 90% of the time by police.<sup>31</sup> Chelsea Watego and Alissa Macoun et al., argue that Aboriginal women are misidentified as perpetrators violence at disproportionate rates because they are not seen as "ideal victims" – they are not deemed "grieveable".<sup>32</sup> "The view that Aboriginal women's lives don't matter in [Australia is of course] the hangover from colonisation".<sup>33</sup>

Rectifying misidentification of victim-survivors requires changes to be made at several points including in police reports, court documentation, intervention orders and child protection documentation.<sup>34</sup> It is a slippery slope in a bureaucratic system and unsurprising that misidentification is contributing to the overincarceration of Aboriginal women. Over 90% of women in prison have experienced FDV.<sup>35</sup> And most Aboriginal women in prison report experiencing multiple forms of violence at different times in their life.<sup>36</sup>

The brutal cycle of "surveillance, gaslighting and fear of potential violence" prevents Aboriginal women from ever reporting violence.<sup>37</sup> As Noongar human rights lawyer and legal researcher – Hannah McGlade's – has opined: "Aboriginal women know the Australian state was built on violence and that the instruments of law, the police and courts, can never really be trusted to protect black women's bodies".<sup>38</sup>

### System abuse and FDV

**WLSWA recommend widespread education and training for all actors in the criminal and justice systems to raise their literacy on domestic violence and avoid misidentification of victim-survivors.**

It is WLSWA's experience that the justice system and its processes are often hijacked and weaponised by perpetrators of FDV to the disadvantage of victim-survivors. Applications for violence restraining orders (VROs) or cross-applications to intimidate the victim-survivors into withdrawing their own application for a VRO, are common tactics used by perpetrators in FDV proceedings. The Queensland Inquiry also heard that several women (Aboriginal and non-Indigenous) were in custody and/or incarcerated because they were convinced by controlling partners or ex-partners to "take responsibility for their partner's offending and plead guilty to offences they did not commit".<sup>39</sup> The Australian National Domestic and Family

<sup>29</sup> Women's Legal Service Victoria, Snapshot of Police Family Violence Intervention Order applications, January-May 2018.

<sup>30</sup> Emma Buxton-Naminyk (2022), as above n 7, p. 1336.

<sup>31</sup> Ben Smee, 'Racist': coercive control laws could harm Indigenous women in Queensland, advocates warn', *The Guardian* (Online, 18 May 2021), <[Racist: coercive control laws could harm Indigenous women in Queensland, advocates warn | Queensland | The Guardian](#)>.

<sup>32</sup> Chelsea Watego, Alissa Macoun, David Singh and Elizabeth Strakosch, Carceral feminism and coercive control: when Indigenous women aren't seen as ideal victims, witnesses or women, *The Conversation* (Online, 25 May 2021) <[Carceral feminism and coercive control: when Indigenous women aren't seen as ideal victims, witnesses or women \(theconversation.com\)](#)>.

<sup>33</sup> Brooke Fryer, Vanished: The Unresolved Cases of First Nations Women, *SBS Feed* (Online) <[Vanished: The unsolved cases of First Nations women | SBS The Feed](#)>.

<sup>34</sup> inTouch Multicultural Centre Against Family Violence (2022), 'The Causes and Consequences of Misidentification on Women from Migrant and Refugee Communities Experiencing Family Violence', February 2022, p. 7 <[Position Paper: The Causes and Consequences of Misidentification on Women From Migrant and Refugee Communities Experiencing Family Violence - inTouch - Multicultural Centre Against Family Violence](#)>.

<sup>35</sup> Hayley Gleeson with Julia Baird, Why are our prisons full of domestic violence victims? *ABC News* (Online, 18 December 2019) <[Why are our prisons full of domestic violence victims? - ABC News \(Australian Broadcasting Corporation\)](#)>.

<sup>36</sup> Deirdre Howard-Wagner and Chay Brown, Increased incarceration of First Nations women is interwoven with the experience of violence and trauma, *The Conversation* (Online, 6 August 2021) <[Increased incarceration of First Nations women is interwoven with the experience of violence and trauma \(theconversation.com\)](#)>.

<sup>37</sup> Chelsea Watego, Alissa Macoun, David Singh and Elizabeth Strakosch, Carceral feminism and coercive control: when Indigenous women aren't seen as ideal victims, witnesses or women, *The Conversation* (Online, 25 May 2021) <[Carceral feminism and coercive control: when Indigenous women aren't seen as ideal victims, witnesses or women \(theconversation.com\)](#)>.

<sup>38</sup> Hannah McGlade, Raising Black Women's Voices, *The Saturday Paper*, (Online, 8-14 December 2018) <[Raising black women's voices | The Saturday Paper](#)>.

<sup>39</sup> Women's Safety and Justice Taskforce (2022), Hear her Voice: Report 2, Volume 2, Queensland Government p. 421 <[Hear-her-voice-Report-2-Volume-2.pdf \(womenstaskforce.qld.gov.au\)](#)>.

Violence Bench Book has warned that “[Perpetrators] who seek to control the victim before, during or after separation may make multiple applications and complaints in multiple systems ... in relation to a protection order, breach, parenting, divorce, property, child and welfare support and other matters with the intention of interrupting, deferring, prolonging or dismissing judicial and administrative processes, which may result in depleting the victim’s financial resources and emotional wellbeing, and adversely impacting the victim’s capacity to maintain employment or to care for children”.<sup>40</sup>

### ***Ilona’s\* Story – Vexatious Proceedings***

*Ilona was referred to WLSWA by a victim support worker in the Pilbara. Ilona was concerned as the father of her children, had then applied for a Family Violence Restraining Order (FVRO) against her and threatened to make an application in the Family Court to have the children removed from her care and placed with his mother. The father had been recently convicted and imprisoned for offences against Ilona and her children. He also had said he would get the court to make orders that the children must come and visit him in prison. Ilona was emotionally exhausted after going through the criminal trial process, terrified for herself and her children and unsure of what her rights and obligations were in the family law process.*

*Our WLSWA lawyer was able to quickly explain to Ilona the family court process, her options, and the fact that in this case the Family Court would not send the children to the paternal grandmother, or order victims to visit their abuser in prison. Ilona was reassured that as she already had a FVRO against the father, which included the children, he was prohibited from contacting her and was committing further offences by doing so. Ilona was also reassured that she had taken all necessary steps to ensure their safety and was not required by law to take any further steps at this time. She was given information on her options should she wish to make an application the Family Court of WA in the future. Ilona was relieved to be provided this information so quickly, as it helped her to understand that she had control over the situation and was now safe from the father.*

*The WLSWA lawyer was also able to have the father’s baseless and vexatious application for an FVRO against Ilona dismissed in a local court. The order protecting Ilona and the children remains in force.*

Ilona’s outcome was positive, yet WLSWA has represented countless other victim-survivors who have been undermined and discredited in front of magistrates, police, social workers and their children. The legal system has been slow to react and counteract this form of systems abuse. This must be addressed as this form of abuse is an extension of violence.<sup>41</sup> Post-separation proceedings are known to lead to escalation of violence. In about 44.4% of all partner homicides between 2011/2015 (in Queensland), the victim-survivor had been identified as a defendant to a VRO on at least one occasion.<sup>42</sup> The Queensland Domestic and Family Violence Death Review and Advisory Board further noting that “in nearly all of the [FDV]-related deaths of Aboriginal people, the deceased had been recorded as both respondent and

<sup>40</sup> National Domestic and Family Violence Bench Book, ‘Systems Abuse’, 3.1.11 [3], [Systems abuse - National Domestic and Family Violence Bench Book \(aiaa.org.au\)](https://www.aiaa.org.au/).

<sup>41</sup> Jane Wangmann (2010), ‘Gender and Intimate Partner Violence: A Case Study From NSW’, *UNSW Law Journal*, 33(3), p. 967 <<http://www8.austlii.edu.au/cgi-bin/viewdoc/au/journals/UNSWLawJl/2010/42.html>>.

<sup>42</sup> Queensland Government, Domestic and Family Violence Death Review and Advisory Board 2016–17 Annual Report <[https://www.courts.qld.gov.au/data/assets/pdf\\_file/0003/541947/domestic-and-family-violence-death-review-and-advisory-board-annual-report-2016-17.pdf](https://www.courts.qld.gov.au/data/assets/pdf_file/0003/541947/domestic-and-family-violence-death-review-and-advisory-board-annual-report-2016-17.pdf)>.



aggrieved prior to their death. These numbers indicate that a concerning amount of [FDV] victims are being recorded as perpetrators".<sup>43</sup>

Aboriginal women are also overrepresented in data on breach of protection orders and sentences for these breaches. While there is a notable lack of data in Western Australia, in Queensland, over 69% of women imprisoned for breaches of protection orders between 2013/14 were Aboriginal or Torres Strait Islander.<sup>44</sup> At the sentencing phase, over 40% of Aboriginal women and men who were charged with breaches of protection orders were sent to prison.<sup>45</sup> Once a woman is charged with violence perpetration she is more likely to reject formal mechanisms of protection.<sup>46</sup>

WLSWA affirm that the causes of misidentification by police are "deeply rooted in misconceptions about the nature of FDV which is tied to the ideal victim' stereotype. The ideal victim does not use violence, she is passive, submissive and helpless".<sup>47</sup> The stereotype of the ideal victim continues to infect decision-making in the justice system from first responders through to judicial officers.<sup>48</sup>

### Financial Security and Safe Housing

**WLSWA recommends increased funding to address housing and financial security for First Nation communities.**

FDV is the leading cause of homelessness for women and children.<sup>49</sup> In 2017/18, Aboriginal people made up just 3.2% of Australia's population yet comprised 25% of Specialist Homelessness Service (SHS) clients.<sup>50</sup> Western Australia also has a higher proportion of victim-survivors accessing SHS compared to the national average (41% vs 38%).<sup>51</sup> Limited housing options increases the risk of intervention from child protection agencies. The risk of homelessness and/or experience of insecure housing is heightened for Aboriginal women who have been described as "trapped in a revolving door between crisis centres, homelessness and returning to an unsafe home. This is a factor in their high rates of injury and early death".<sup>52</sup>

Previous inquiries and royal commissions into family violence have consistently repeated that "stable housing, employment, and participation in community life, are central to the wellbeing of victims of family violence".<sup>53</sup> Yet, little has been done to address FDV as a determinant to homelessness. Only

<sup>43</sup> Australia's National Research Organisation for Women's Safety (2020), Accurately identifying the "person most in need of protection" in domestic and family violence law < Accurately identifying the 'person most in need of protection' in domestic and family violence law - ANROWS - Australia's National Research Organisation for Women's Safety >.

<sup>44</sup> Heather Douglas and Robin Fitzgerald, 'How Indigenous women have become targets in a domestic violence system intended to protect them', *The Conversation* (Online, 14 September 2018) < [How Indigenous women have become targets in a domestic violence system intended to protect them \(theconversation.com\)](#)>.

<sup>45</sup> Ibid.

<sup>46</sup> Mandy Wilson and Jocelyn Jones et al. (2017), Violence in the Lives of Incarcerated Aboriginal Mothers in Western Australia, *SAGE Open*, p. 10 < [Violence in the Lives of Incarcerated Aboriginal Mothers in Western Australia \(sagepub.com\)](#)>.

<sup>47</sup> Janet Taylor and Julianna Marshall (2001), 'Coercive control, social entrapment and criminalised women', March 2001, Central Australian Women's Legal Service, p. 9, <[Coercive-Control-Social-Entrapment-and-Criminalised-Women-Law-Society-NT-Balance-Edition-1.21.pdf \(cawls.org.au\)](#)>.

<sup>48</sup> Ibid.

<sup>49</sup> Nicole Heath, A tragic reality: domestic violence is the main cause of homelessness for women, *SBS News* (Online, 10 June 2020) < [Domestic violence the leading cause of homelessness for women \(sbs.com.au\)](#)>.

<sup>50</sup> Australian Institute of Health and Welfare (2018), Specialist Homelessness Services Annual Report 2017–18, Canberra, <<https://www.aihw.gov.au/reports/homelessnessservices/specialist-homelessness-services-2017-18/contents/client-groups-of-interest/clients-who-have-experienced-domestic-and-family-violence>> in Kylie Cripps and Daphne Habibis D (2019), Improving housing and service responses to domestic and family violence for Indigenous individuals and families, Australian Housing and Urban Research Institute Limited, Melbourne, p. 6 < <http://www.ahuri.edu.au/research/final-reports/320>, doi: 10.18408/ahuri-7116201>.

<sup>51</sup> Australian Institute of Health and Welfare (2019), Specialist homelessness services 2018–19: Western Australia, Canberra < [Specialist homelessness services 2018–19: Western Australia Fact sheet \(Full Publication:29Nov2019Edition\)\(AIHW\)](#)>.

<sup>52</sup> Kylie Cripps and Daphne Habibis (2019), Improving housing and service responses to domestic and family violence for Indigenous individuals and families, Australian Housing and Urban Research Institute Limited, Melbourne, p. 8 < <http://www.ahuri.edu.au/research/final-reports/320>, doi: 10.18408/ahuri-7116201>.

<sup>53</sup> See for example: State of Victoria (2016), Royal commission into family violence: Summary and recommendations, Parl Paper No 132 (2014-16). Melbourne: RCFV.

recently has Western Australia been described as experiencing its “worst [affordable] rental shortage since 2007”<sup>54</sup> despite a longstanding housing crisis. WLSWA is also acutely aware that we are facing a shortage of crisis accommodation with many women’s refuges in Western Australia are at peak capacity. One refuge in Albany has reported that demand for their service has increased by over 60% since the start of the COVID-19 pandemic.<sup>55</sup>

### Cultural change and widespread education

#### WLSWA recommends broad cross cultural training for the front line and judiciary.

Aboriginal focused cross cultural professional development and training for the frontline and judiciary is evolving. There are currently no national standards to guide the provision of cultural awareness training for judicial officers in Australia. Instead, training – if at all – is provided on an ad hoc basis, resulting in the “extent of training being left to the discretion of individual chief magistrates or judges/justices, who may or may not have a sound understanding of Indigenous cultural norms and values, and how the role of a judicial officers can be more effective in achieving a culturally safe courtroom”.<sup>56</sup>

A lack of cultural awareness training only embeds practices that leads to unfair outcomes for Aboriginal communities – such as overincarceration of victim-survivors who have been misidentified as perpetrators. The impacts of a lack of cultural awareness were seen in the Western Australian police’s failure to identify Tamica Mullaley – the mother of Baby Charlie Mullaley – as a victim of domestic violence, treat her life-threatening injuries and prioritise the welfare of her and Baby Charlie when she was found bleeding by the side of the road in Broome in 2013.<sup>57</sup> Instead, police were quick to accuse Tamica’s father of “smell[ing] of alcohol and ‘who knows what else’” and “play[ing] the black card” when interacting with police.<sup>58</sup> Baby Charlie was abducted, tortured and murdered in abhorrent and grossly negligent circumstances. It took over nine years for Tamica to be ‘pardoned’ by the Government after she was accused of assaulting police officers.<sup>59</sup>

Aboriginal women face a double bind in accessing justice. Coupled with the notable lack of cultural awareness and cross cultural training, the frontline and judiciary are yet to develop the literacy to respond effectively to FDV. In our Coercive Control Submission, we advocated for broad scale re-education for all stakeholders who enforce, prosecute and apply the law, accompanied with targeted frontline support.<sup>60</sup> Without this, any response risks embedding further trauma and disadvantage for victim-survivors. This is particularly so for Aboriginal communities who are already at risk of further oppression when interacting with law and the State.

<sup>54</sup> Laura Meachim and Jacqueline Lynch, WA is experiencing its worst rental shortage since 2007 with many facing homelessness, *ABC News* (Online, 15 November 2020) <[WA is experiencing its worst rental shortage since 2007 with many facing homelessness - ABC News](#)>.

<sup>55</sup> Asha Couch and Tom Edwards, Albany Women's Centre sees huge spike in demand as housing crisis continues, *ABC News* (Online, 1 December 2021) <[Albany Women's Centre sees huge spike in demand as housing crisis continues - ABC News](#)>.

<sup>56</sup> Vanessa Cavanagh and Elena Marchetti (2015/16), Judicial Indigenous Cross-Cultural Training: What is available? How good is it and can it be improved? *Faculty of Social Sciences Papers*, p. 57 <[Judicial indigenous cross-cultural training: What is available, how good is it and can it be improved? \(uow.edu.au\)](#)>.

<sup>57</sup> Lorena Allam, WA government apologises for police treatment of murdered baby's family, *The Guardian* (Online, 22 June 2022) <[WA government apologises for police treatment of murdered baby's family | Indigenous Australians | The Guardian](#)> and Keane Bourke, Tamica Mullaley pardoned over conviction for police assault on night baby Charlie abducted, *ABC News* (Online, 22 June 2022) <[Tamica Mullaley pardoned over conviction for police assault on night baby Charlie abducted - ABC News](#)>.

<sup>58</sup> Crime and Corruption Commission report into abduction and murder of Baby Charlie Mullaley at paragraph [56].

<sup>59</sup> Lorena Allam, as above n 60 and Keane Bourke, Tamica Mullaley pardoned over conviction for police assault on night baby Charlie abducted, *ABC News* (Online, 22 June 2022) <[Tamica Mullaley pardoned over conviction for police assault on night baby Charlie abducted - ABC News](#)>.

<sup>60</sup> Women's Legal Service WA, Submission: Legislative Responses to Coercive Control in Western Australia Discussion Paper, 8 August 2022, p. 2.

The fact that Aboriginal women underreport violence should be reason enough to prompt widespread education and training to enact cultural change within the judiciary and frontline. This push is also supported by our experience representing victim-survivors with VROs. Many of WLSWA's clients – including at Djinda – often “receive[d] a grilling” from magistrates before they are granted a VRO against their abuser.<sup>61</sup> ANROWS research has further found that “police sometimes err on the side of caution in making [VRO] applications, deferring to the magistrates to determine if an order is warranted. However, magistrates in turn may rely on the initial assessment made by police, as may prosecutors”.<sup>62</sup> Clearly, there is a misunderstanding of roles and possibly, a lack of accountability of police and courts when, for example, misidentification occurs.

WLSWA acknowledges that cultural reform is not the responsibility of one agency or profession; police, the judiciary, government, Aboriginal Community Controlled Organisations (ACCOs) and frontline organisations (including specialist FDV services) all have a role to play in promoting and supporting cultural reform. As a starting point, we encourage the Government to fund the development of Aboriginal resources for non-Indigenous FDV practitioners including lawyers, social workers and medical professionals. For example, the ARDS Aboriginal Corporation has built a resource for anyone working with the Yolngu people of East Arnhem Land affected by family violence.<sup>63</sup> The resource is intended to stimulate cross cultural discussion in a safe and trauma-informed way.

### Specialist Aboriginal Community Controlled Organisations

**WLSWA recommend increased funding for specialist Aboriginal Community Controlled Organisations to work with Aboriginal victim-survivors of FDV.**

There is a critical shortage of dedicated gender specific ACCOs across the country, leading to non-disclosure by Aboriginal victim-survivors over concern they will be dismissed by mainstream services.<sup>64</sup> Mainstream services often reflect a settler feminist approach; for example, victim-survivors are encouraged to leave their relationship, develop self-sufficiency and learn to take care of themselves and their children. Whereas many Aboriginal women want to remain connected to family, kin and community.

On the importance of ACCOs delivering family violence services, Donna Klingspohn has said: “Cultural safety extends beyond cultural awareness and sensitivity within services and includes reflecting on cultural, historical and structural differences and power relationships within the care that is provided. It involves a process of ongoing self-reflection and organisational growth for service providers, and the system as a whole, to respond effectively to First Nations”.<sup>65</sup>

WLSWA supports this statement from the Victorian Aboriginal Child Care Agency: “[We] can no longer accept the making of commitments to address Aboriginal and Torres Strait Islander inequality without putting into place adequately resourced processes and programs to match the stated commitments ... It is not acceptable to continually state that the situation is 'tragic' and ought to be treated with urgency,

<sup>61</sup> Women's Legal Service WA, Annexure to Submission: Legislative Responses to Coercive Control in Western Australia Discussion Paper, 8 August 2022, p. 1.

<sup>62</sup> Australia's National Research Organisation for Women's Safety, as above n 46.

<sup>63</sup> Felicity James, Breakthrough resource to teach whitefellas about reality of life in Arnhem Land, *ABC News* (Online, 24 February 2019) < [Breakthrough resource to teach whitefellas about reality of life in Arnhem Land - ABC News](#)>.

<sup>64</sup> Victorian Aboriginal Child Care Agency, 'Aboriginal women and children deserve a future free from violence: An urgent call to close the gap' (Media Release) <<https://www.vacca.org/page/media/aboriginal-women-and-children-deserve-a-future-free-from-violence-an-urgent-call-to-close-the-gap>>.

<sup>65</sup> Donna M. Klingspohn (2018), The Importance of Culture in Addressing Domestic Violence for First Nation's Women, *Front. Psychol* < [Frontiers | The Importance of Culture in Addressing Domestic Violence for First Nation's Women \(frontiersin.org\)](#)>.

and then fail to put into place bold targets to focus policy making ... to fund programs so they are capable of meeting these targets to Close the Gap”.<sup>66</sup>

Djinda worked with victim-survivors in the Perth metropolitan area, but Western Australia is a large state and many victim-survivors in regional, rural and remote Aboriginal communities are not being serviced. Where support is provided it is dependent on several variables – namely, the services’ capacity and the workers’ skills and availabilities.<sup>67</sup>

WLSWA understands that the Western Australian Government has allocated funding to deliver a One Stop Hub (**Hub**) in Broome to provide victim-survivors with a range of supports and wraparound assistance in a single location.<sup>68</sup> WLSWA welcome this commitment by the Government, given that Broome and the West Kimberley district have recorded the highest number of FDV hospital-related admissions per head of population in Western Australia in recent years.<sup>69</sup> We further understand that the Government will consult with community members, Aboriginal Elders, people with a lived experience of FDV, peak bodies, service providers and other government agencies in design and delivery of the Hub.<sup>70</sup> The tender process to identify a service provider has not been finalised, but WLSWA urge the Government to elect an ACCO or ACCO partnership – as they are best placed to understand the needs of victim-survivors (and perpetrators), given that upwards of 30% and 39% of the population in Broome and West Kimberley respectively are Aboriginal.<sup>71</sup>

**WLSSA recommends a whole-of-government and community response to addressing FDV in First Nations communities. A siloed service system only harms women.**

Violence against Aboriginal women is inextricably linked to historical and current colonial violence and structural injustice that works to deny Aboriginal communities their base rights. WLSWA clients often presented with multiple intersecting and compounding disadvantages – inadequate and/or overcrowded housing conditions, financial insecurity, unemployment or underemployment, alcohol and/or substance use disorders, poor health outcomes and intergenerational trauma. Evidence shows that addressing these stressors can reduce the prevalence of FDV and reduce the impacts of family violence on community.<sup>72</sup> Indeed, the National Plan recognises the complex, intersectional drivers of FDV, and that these necessitate a cross-sectoral response.<sup>73</sup>

Responses to FDV in Aboriginal communities have traditionally “arisen in the context of a crisis” and have thus focused on policing, prosecution and punishment.<sup>74</sup> These interventions have only disadvantaged

<sup>66</sup> Victorian Aboriginal Child Care Agency, as above n 67.

<sup>67</sup> Sarah Wendt and Donna Chung et al., (2017) Seeking help for domestic and family violence: Exploring regional, rural and remote women's coping experiences: Key findings and future directions, The Australian National Research Organisation for Women's Safety Limited, p. 6 < [https://d2m9gno7zhxqg.cloudfront.net/wpcontent/uploads/2019/02/19024421/RP.14.04\\_Rural\\_Compas\\_FINAL\\_1709-2.pdf](https://d2m9gno7zhxqg.cloudfront.net/wpcontent/uploads/2019/02/19024421/RP.14.04_Rural_Compas_FINAL_1709-2.pdf) >.

<sup>68</sup> Government of Western Australia, New family and domestic violence hub announced in Broome (Media Release, 14 June 2022) < [Media statements - New family and domestic violence hub announced in Broome](#) >.

<sup>69</sup> Ibid.

<sup>70</sup> Ibid.

<sup>71</sup> Australian Bureau of Statistics (2016), 2016 Census All persons Quick Stats: Broome < [2016 Broome, Census All persons QuickStats | Australian Bureau of Statistics \(abs.gov.au\)](#) >.

<sup>72</sup> Jill Guthrie, Katherine Thurber, Raymond Lovett and Matthew Gray et al., (2020), as above n 6, pp. 7, 15 and 17.

<sup>73</sup> Department of Social Services (2022), as above n 18, p. 84 in Australian Human Rights Commission (2020), Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future Report, p. 147 < <https://humanrights.gov.au/our-work/aboriginal-and-torres-strait-islander-social-justice/publications/wiyi-yani-u-thangani> >.

<sup>74</sup> Kylie Cripps and Megan Davis (2012), Communities working to reduce Indigenous family violence, Brief 12, Indigenous Justice Clearinghouse, p. 1 < [brief012-v1.pdf \(Indigenousjustice.gov.au\)](#) >.

and marginalised Aboriginal communities. Further, they have excluded Aboriginal voices and viewpoints in design and delivery.

Strategies for Aboriginal communities must come from or be co-designed with community and the community must retain ownership of such strategies for meaningful change to occur. This will avoid a 'one size fits all' approach. The experiences of Aboriginal women in remote Western Australian communities are vastly different to the experiences of Aboriginal women in metropolitan Perth, let alone the experiences of non-Indigenous women. Programs with community designed decision-making are best placed to respond to need. The Answers Before Report "found that involving Elders and community members in responses to family violence improves the cultural safety of programs and increases their impact and success".<sup>75</sup> ACCOs need adequate and secure ongoing funding to be able to carry out their work.

From our experience, WLSWA knows that perpetrator accountability can be considered, at times, from various non-punitive angles and that many Aboriginal communities preference alternative legal responses – including therapeutic justice. "Strategies for addressing family violence in Aboriginal communities need to acknowledge that a consequence of [colonisation] is that an Aboriginal woman may be unable or unwilling to fragment [her] identity by leaving community, kin, family or partners as a solution to the violence".<sup>76</sup> While this does not detract from the role of mainstream justice or legal services, it does suggest that we must centre and respect the agency of victim-survivors. Alternative legal responses could be positioned alongside mainstream legal services. WLSWA would defer to other ACCOs, particularly those working with perpetrators and young offenders, for their insights on alternative legal responses. However, WLSWA does recommend that, at a minimum, mainstream legal services can better improve on cultural security by employing more Aboriginal liaison officers in the court system and police, and ensuring the cultural competence of non-Indigenous staff within all services, including in the police and provide free legal representation for victim-survivors and perpetrators. Any programming that involves the mainstream sector must be based in trauma informed response.

## Conclusion

WLSWA is the only gender specific specialist CLC in Western Australia. We are experts on the delivery of culturally responsive and trauma-informed legal assistance services to all women needing family and domestic violence and family law representation statewide. Our role and involvement with Djinda has given us a unique insight into access to justice issues affecting Aboriginal women.

The scope of the Senate Inquiry is particularly broad and for this reason we have chosen to focus on the areas of our practice. WLSWA knows that the issue of missing and murdered Aboriginal women and children cannot be separated from a broader discussion on family and domestic violence. Our submission, albeit short, has revealed some of the glaring inadequacies and failures of our systems and nation that have put Aboriginal women at greater risk of violence and death.

WLSWA supports sustained and targeted investment into women-led Aboriginal community controlled organisations. Aboriginal women understand the causes of violence in their communities and they

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<sup>75</sup> Ibid.

<sup>76</sup> Ending family violence and abuse in Aboriginal and Torres Strait Islander communities – Key issues 2006, Aboriginal and Torres Strait Islander Social Justice Commissioner, p. 5.

understand the remedies. For us to effectively respond to the crisis of missing and murdered Aboriginal women in this country we must prioritise their voice and solutions.

To this end, we endorse this statement from the Aboriginal and Torres Strait Islander Social Justice Commissioner June Oscar AO: “The solutions we need to end violence sit with us. We know what works, and we know what does not [...] real and lasting change can only happen when First Nations women are leading that change”.<sup>77</sup>

And please do not hesitate if you require additional information.

Kind regards



Dr Jennie Gray

Chief Executive Officer

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<sup>77</sup> Australian Human Rights Commission, First Nations women to take leading role in addressing family and community violence (Media Release, 13 September 2022) < [First Nations women to take leading role in addressing family and community violence \(humanrights.gov.au\)](https://www.humanrights.gov.au/first-nations-women-to-take-leading-role-in-addressing-family-and-community-violence)>.