

# Violence against women

## NGO Coalition Fact Sheet 5 (LOIPRs 10-11)

Violence against women is a serious problem in Australia. 1 in 3 women in Australia experience physical violence and almost 1 in 5 women experience sexual violence.

### Aboriginal and Torres Strait Islander women (page 23)

Aboriginal and Torres Strait Islander women are 45 times more likely to experience family violence than non-Aboriginal women. They are 35 more times likely to be hospitalised as a result of domestic violence and up to 3.7 times more likely than other women to be victims of sexual violence.

A 2003 study of Aboriginal women in New South Wales prisons found that over 75% of Aboriginal women had been sexually assaulted as a child and 80% were victims of family violence.

### Women with disability (page 23)

Women with disabilities experience all forms of violence by a range of different perpetrators and across institutional, residential and other care settings. However, legislation and policy frameworks largely focus on family violence and sexual assault.

25% of rape cases are perpetrated against women with disability, and 50-70% of women with psychosocial disability have experienced past physical or sexual abuse. 45% of women in psychiatric hospitals had been sexually assaulted, with 67% sexually harassed and 85% feeling unsafe.

### Barriers to justice

Women who experience violence face various difficulties and barriers to obtaining access to justice.

For Aboriginal and Torres Strait Islander women and migrant women, the lack of culturally appropriate services significantly impedes their ability to engage with legal systems and other support services. And for women with disability, there is a significant lack of accessible support services.

### Women in rural and remote communities (page 24)

Women living in rural or remote areas are at a higher risk of experiencing family violence, both at home and in the workplace. A study has revealed that 73 per cent of clients at a local legal centre had experienced family violence.

There are a number of barriers to obtaining access to justice, including a lack of appropriate and accessible support and mediation services, safe transportation and security. There is also a lack of separate waiting areas for client interview rooms, safe spaces for victims of violence and video-conferencing facilities in smaller regional courts.

Furthermore, women experiencing family violence are disadvantaged by a lack of local access to specialist Magistrates Courts including the Family Violence Division.

### Migrant women (page 24)

Under these secrecy laws, immigration workers and contractors risk two years in jail for recording or disclosing information about the events they witness.

The laws were recently amended to exempt medical professionals, but they still apply to civil society organisations, teachers, lawyers and social workers.

This imposes significant barriers to whistleblowing on human rights abuses in immigration detention.

## National Plan (page 25)

Despite the adoption in 2016 of a Third (three year) Action plan under the National Plan to Reduce Violence Against Women and Their Children (National Plan), there is no evidence of a decrease in violence against women. Key actions under the plan remain unimplemented.

There is widespread concern that the plan is under-resourced and not sufficiently focused on prevention.

### Australia should:

- **Establish an independent mechanism to evaluate the implementation of the National Plan and provide adequate resources for the National Plan, including resourcing NGOs, legal assistance services and specialist domestic, family and sexual violence services, and in particular ensuring that its funding processes support specialist women's services and Aboriginal and Torres Strait Islander community controlled services with expertise in working with victims/survivors.**
- **Implement processes for meaningful participation and collaboration with women experiencing intersecting discrimination, particularly Aboriginal and Torres Strait Islander women, women with disability and CALD women, in the development, implementation and monitoring of action plans.**
- **Amend the Family Law Act 1975 (Cth) to better protect the safety of women and children by removing a presumption of "equal shared parental responsibility" and language of "equal shared time" to shift culture and practice towards a greater focus on safety and risk to children.**

## Sexual assault and harassment at university (page 25)

A 2017 report by the Australian Human Rights Commission found that 51 per cent of university students had been sexually harassed on one occasion in 2016 and over one in five students experienced harassment in a university setting in that year.

Only 2 per cent of students who experienced sexual harassment and 9 per cent of students who experienced sexual assault made a formal report or complaint to the university, with the majority of students unsure of the procedures and policies to report. 4 per cent thought that only sexual assault could be reported.

**Australia should ensure that all Australian universities implement the recommendations of the Change the Course report.**