

OUR WATCH

SUBMISSION IN RESPONSE TO THE *INQUIRY INTO MISSING AND MURDERED FIRST NATIONS WOMEN AND CHILDREN*

December 2022

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About Our Watch

A national leader in prevention

Our Watch is a national leader in the primary prevention of violence against women and their children in Australia. We are an independent, not for profit organisation established by the Commonwealth and Victorian Governments in 2013. All Australian governments are members of Our Watch.

Our vision is an Australia where women and their children live free from all forms of violence. We aim to drive nation-wide change in the culture, behaviours, attitudes and social structures that drive violence against women and their children.

Guided by our ground-breaking national framework, *Change the story*, we work at all levels of our society to address the deeply entrenched, underlying drivers of violence against women, especially those stemming from gender inequality. We work with governments practitioners and the community, at all levels of Australian society, to address these drivers of violence in all settings where people live, learn, work and socialise.

Committed to preventing violence against First Nations women

Violence against women is a national problem — one that is prevalent and persistent — in all communities, right across Australia. This is why Our Watch is leading a whole-of-population approach to primary prevention. At the same time, we know gender inequality cannot be separated from other forms of oppression and inequality. We recognise that the drivers, perpetration and experience of violence vary significantly for different groups of women. There are many intersecting issues which must be addressed in order to ensure that every woman in Australia can live free from violence.

In particular, we know First Nations women experience disproportionately high rates of violence, and violence that is often more severe and more complex in its impacts. Preventing this violence must be a national priority. It requires dedicated attention and intensive effort and resourcing. It requires us to address the many complex drivers of this violence — not only gender inequality but also the ongoing impacts of colonisation and racism across Australian society.

Violence against First Nations women is not an ‘First Nations problem’. Nor should First Nations people bear sole responsibility for addressing it. This violence is an Australian problem, and it is perpetrated by men of all cultural backgrounds.

As a non-Indigenous organisation, Our Watch does not claim to have all the solutions. However, we are committed to taking responsibility for change and to playing our part in tackling the drivers of violence against First Nations women. We do this in two ways. As part of our own work across Australia, we seek to address sexism and racism, power inequalities and other ongoing impacts of colonisation, and to challenge the condoning of violence against First Nations women. We also work as allies to and in solidarity with Aboriginal and Torres Strait Islander people and organisations to support culturally safe, locally relevant, community-owned and -led solutions in Aboriginal and Torres Strait Islander communities.

Changing the picture: our key resource and evidence base on the prevention of violence against First Nations women

Our Watch's approach to preventing violence against First Nations women is underpinned by our key framework, *Changing the picture*.¹

Published in 2018, *Changing the picture* was produced in collaboration with Aboriginal and Torres Strait Islander stakeholders. The project was guided by an Aboriginal and Torres Strait Islander Women's Advisory Group. It was informed by consultation with Aboriginal and Torres Strait Islander people around the country, and by a literature review that prioritised documents authored or produced by Aboriginal and Torres Strait Islander people, organisations and services. In producing the framework, Our Watch's aim was to respect and reflect publicly available Aboriginal and Torres Strait Islander knowledge, and make central the voices, experiences, knowledge, ideas, decades-long activism and solutions of Aboriginal and Torres Strait Islander people.

Changing the picture is in two parts:

- A comprehensive [background paper which outlines the evidence on violence against Aboriginal and Torres Strait Islander women](#) and is aimed at promoting a deeper understanding of the nature and dynamics of this violence and its underlying, and intersecting drivers;
- A solutions-focused [action framework which outlines a comprehensive set of prevention actions to address these drivers and support the prevention of this violence](#).

Changing the picture frames violence against Aboriginal and Torres Strait Islander women as an urgent national priority. It is aimed at encouraging, guiding and supporting a national effort to prevent this violence. As the *Changing the picture* Aboriginal and Torres Strait Islander Women's Advisory Group articulated:

*This resource is a way forward, a way of understanding the roots of this issue and discussing solutions that can keep our women and children safe-holistic solutions that also work for our men and our children and young people. Solutions that break the cycle of violence and heal, support, strengthen and empower Aboriginal and Torres Strait Islander families and communities.*²

Changing the picture outlines how violence against Aboriginal and Torres Strait Islander women can be prevented, describing the essential actions that are needed to change and shift the drivers of this violence. It considers not only what needs to be done, but how this prevention work should be undertaken, and by whom. Envisaging a shared national effort, it points to actions that are most appropriately undertaken by Aboriginal and Torres Strait Islander people and organisations, and actions that should be the responsibility of non-

¹ Our Watch (2018) *Changing the picture: A national resource to support the prevention of violence against Aboriginal and Torres Strait Islander women and their children*, Our Watch, Melbourne.

² Advisory Group message; in Our Watch (2018) *Changing the picture: A national resource to support the prevention of violence against Aboriginal and Torres Strait Islander women and their children*, Our Watch, Melbourne, p. 3.

Indigenous people and organisations, and of governments. It also presents a set of principles that should guide this prevention work.

About this submission

Oversight from Our Watch First Nations Board members and staff

This submission was developed in line with the usual rigorous and evidence-based processes that underpin Our Watch's work. In addition, it was guided by an internal group recently established by the Our Watch CEO that brings together our First Nations Board members, staff and other key organisational representatives to consider and provide advice on Our Watch's work in relation to violence against First Nations women. This group is comprised of First Nations staff and board members at Our Watch.

A focus on TOR items d), e) and f), as most relevant to our prevention expertise

Our Watch welcomes the opportunity to make a submission to the Senate Standing Committee on Legal and Constitutional Affairs as part of the Inquiry into Missing and Murdered First Nations Women and Children.

The full Terms of Reference for the Inquiry span a range of issues, from the causes of this violence, through to institutional responses in terms of monitoring, investigation, and response, and including practices of commemoration.

Our Watch does not have expertise on all these matters, nor is it appropriate for us as a non-Indigenous organisation to comment on those where the perspectives and wishes of First Nations people should be paramount (such as the question of appropriate commemorative practices).

In line with our expertise and evidence base, our submission focuses on responding to the three points in the Terms of Reference defined for the Inquiry that have specific relevance to the prevention of violence against First Nations women, specifically:

- d. the systemic causes of all forms of violence, including sexual violence, against First Nations women and children, including underlying social, economic, cultural, institutional and historical causes contributing to the ongoing violence and particular vulnerabilities of First Nations women and children
- e. the policies, practices and support services that have been effective in reducing violence and increasing safety of First Nations women and children, including self-determined strategies and initiatives
- f. the identification of concrete and effective actions that can be taken to remove systemic causes of violence and to increase the safety of First Nations women and children.

Our Watch welcomes the opportunity to provide further advice or assistance to the Committee in relation to the issues outlined in this submission. Please contact Director

Government Relations, Policy and Evidence, Amanda Alford at amanda.alford@ourwatch.org.au.

Changing the picture as the evidence base for our submission

To respond to the Terms of Reference, this submission draws on Our Watch's key framework for preventing violence against First Nations women, *Changing the picture*, described above. While this framework was produced in collaboration and consultation with First Nations people and draws extensively on literature produced and by First Nations authors and organisations, Our Watch acknowledges that it is a framework published by a non-Indigenous organisation (although one that includes First Nations expertise, as described below).

At the same time, *Changing the picture* shows that violence against First Nations women is a national problem, requiring a national solution. While some prevention work must be led by Aboriginal and Torres Strait Islander people, there are also important roles for governments, and for non-Indigenous people and organisations to play, as part of a shared national effort. Our Watch offers this submission in this spirit – as a contribution to the Inquiry and a way of sharing both our broad expertise on the prevention of violence against women generally, and the evidence we have previously compiled on the specific issue of violence against First Nations women. Like *Changing the picture*, we hope this submission can complement and help guide and support the work of others – governments and non-government organisations – as part of a shared, nationwide effort to enable Aboriginal and Torres Strait Islander women and their children to live lives free from violence.

To accurately reflect and honour the evidence and analysis Our Watch has already produced, much of the content of this submission is summarised from *Changing the picture*. Where it is difficult to summarise the complexity and detail of particular issues, we have referred the Committee back to the [Changing the picture background paper](#) and [Changing the picture action framework](#), including specific page numbers as relevant.

Response to Terms of Reference

Terms of Reference item d): The systemic causes of all forms of violence, including sexual violence, against First Nations women and children, including underlying social, economic, cultural, institutional and historical causes contributing to the ongoing violence and particular vulnerabilities of First Nations women and children

To effectively prevent violence against Aboriginal and Torres Strait Islander women, we need to properly understand and explain what causes or drives this violence. We can then ensure that we are ‘treating the cause, not the symptom’ by designing prevention strategies that directly address these deeper underlying issues. This fundamental principle — aligning strategies and actions with the specific underlying drivers of violence — is the essence of a prevention approach.

Too often, however, there is a lack of attention to the determinants of violence against Aboriginal and Torres Strait Islander women. This is reflected in media reporting and public debate. Media coverage of violence can under-report violence against First Nations women, and when this violence is reported or discussed, there is sometimes limited recognition or consideration of the potential underlying causes or drivers of this violence, beyond pointing to alcohol or drug addiction,³ factors that are themselves frequently symptoms of a deeper issue. This limited analysis is a significant barrier to prevention efforts.

The [Changing the picture background paper](#), *Understanding violence against Aboriginal and Torres Strait Islander women and their children*, offers an analysis that avoids this over-simplification. It provides an extensive discussion of the prevalence, nature, impacts and dynamics of violence against First Nations women, and a detailed exploration of the complex, intersecting, underlying drivers of this violence. Drawing on extensive research and consultation, it places this violence in a social, political and historical context, and encourages a deeper, intersectional and contextualised understanding of this issue.

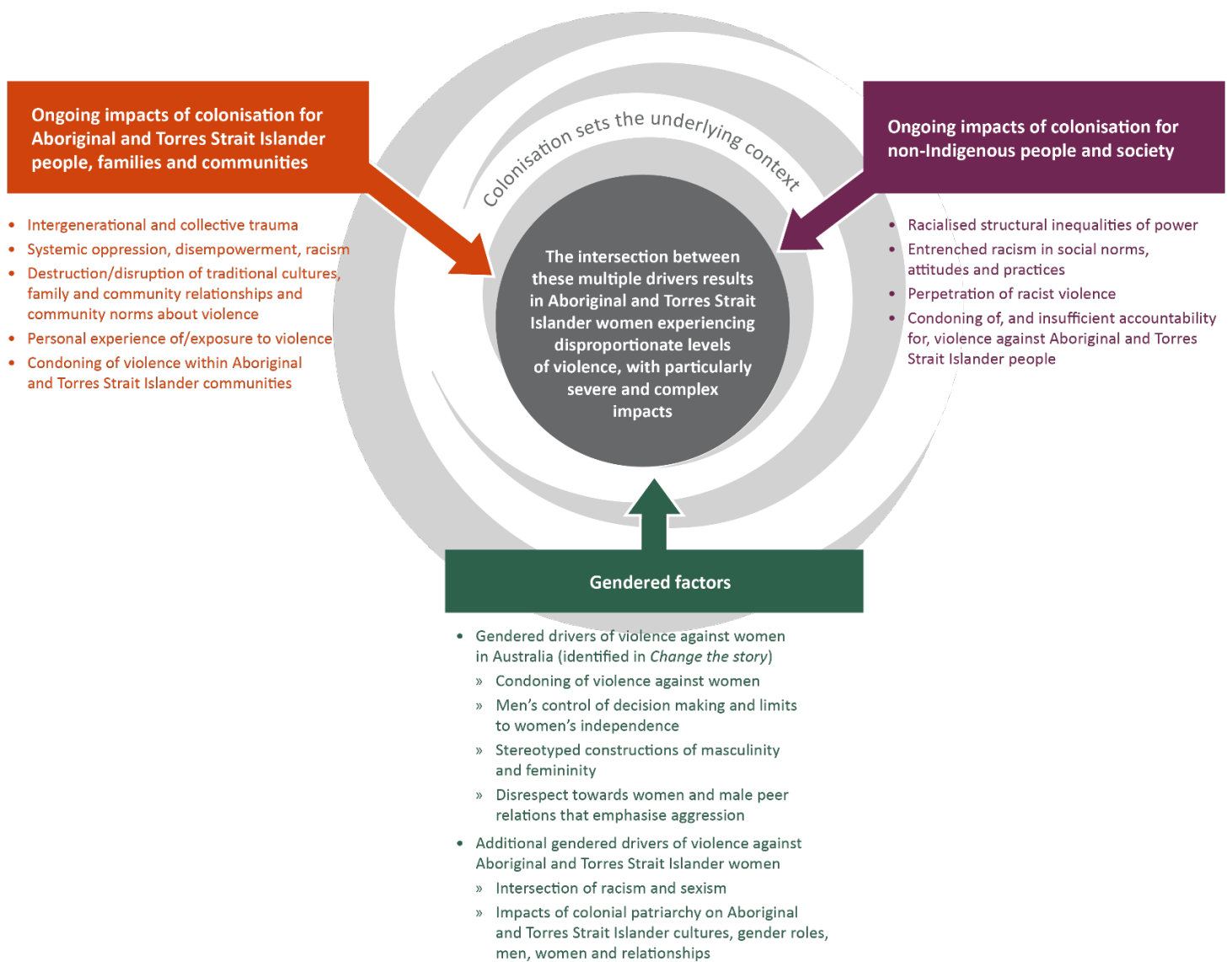
Changing the picture makes clear that violence against Aboriginal and Torres Strait Islander women is not a part of traditional culture. When violence occurred prior to colonisation, it was regulated and controlled, and bore no resemblance to the kinds of violence and abuse

³ Brown, L. (2016, November 25). Why we need to educate journalists about Aboriginal women’s experience of family violence. *The Conversation*. Retrieved from <https://theconversation.com/why-we-need-to-educate-journalists-about-aboriginal-womens-experience-of-family-violence-65789>

seen today. Many aspects of traditional culture and customary law were respectful and protective of women. As custodians of some of the longest surviving cultures in the world, Aboriginal and Torres Strait Islander people successfully managed interpersonal, family and community relationships for over 60,000 years prior to colonisation.

The background paper shows that understanding what drives violence against First Nations women requires both an emphasis on the many historical and ongoing impacts of colonisation and a gendered analysis. This 'intersectional' understanding of the issues is illustrated in Figure 1 below.

Figure 1 The intersecting drivers of violence against First Nations women (Source: Our Watch, 2018).



The explanatory model shown in the diagram above points to three relevant sets of factors driving violence against Aboriginal and Torres Strait Islander women:

- ongoing impacts of colonisation for Aboriginal and Torres Strait Islander people, families and communities (described in the red text)

- ongoing impacts of colonisation for non-Indigenous people and society (purple text)
- gendered factors — both general, and specific to the intersection of racism and sexism and the impacts of ‘colonial patriarchy’ (green text).

Each of these sets of factors, is described in significantly more detail in the [Changing the picture background paper](#), and Our Watch refers the Committee to pages 50-66 of that publication, for further discussion and evidence on each.

None of these factors operates in isolation. There is no one cause of this violence, and none of these drivers provides a simple explanation in any context. Rather, it is the combination, or intersection of these various factors that drives such high rates of violence against First Nations women.

Terms of Reference item e): The policies, practices and support services that have been effective in reducing violence and increasing safety of First Nations women and children, including self-determined strategies and initiatives.

Changing the picture includes a range of examples of existing prevention initiatives being undertaken around the country. It has a focus on initiatives two of the three drivers described in *Changing the picture*: driver 1 (the ongoing impacts of colonisation for Aboriginal and Torres Strait Islander people) and driver 2 (the ongoing impacts of colonisation for non-Indigenous people and in Australian society).

Our Watch refers the Committee to these examples (see [Changing the picture action framework](#), pages 47-63). We note that much work in this area is not evaluated, most often due to insufficient resources. As a result, these examples should be considered as illustrative of a range of existing and promising approaches, which may offer lessons for a range of stakeholders, and which could possibly be adapted and applied in different contexts. These examples acknowledge and highlight the work that many Aboriginal and Torres Strait Islander organisations and communities, and some non-Indigenous stakeholders, are already doing to address this issue — often with very limited resources.

Other, more recent examples of prevention initiatives led by First Nations communities since the publication of *Changing the picture* include:

- Our Watch’s work in partnership with Aboriginal organisations under the Connected Communities and From Understanding to Action projects. For further information on these projects, please contact Our Watch.
- Tangentyere Family Violence Prevention Program [Mums Can, Dads Can](#) and [Girls Can Boys Can](#); two components of a family, domestic and sexual violence primary prevention project developed and delivered by Town Camp community members in Alice Springs. *Mums Can, Dads Can* aims to challenge rigid gender stereotypes about men’s and women’s parenting roles. *Girls Can Boys Can* works with parents, carers, educators and children to create resources that show healthy, fun, equal and respectful relationships between girls and boys, and the strengths of Aboriginal children, families and communities. This work was developed through a partnership between the Tangentyere Family Violence Prevention Program (TFVPP) and the

Larapinta Child and Family Centre (LCFC), and funded under the NT Government's Safe, Respected, Free from Violence Prevention grants. The project uses the education expertise of the team at LCFC, together with the culturally safe primary prevention of violence expertise of Tangentyere Council, and draws on the Our Watch *Change the story* and *Changing the picture* frameworks. Further information can be found at: <https://www.tangfamilyviolenceprevention.com.au/our-primary-prevention-projects>

Terms of Reference Item f): The identification of concrete and effective actions that can be taken to remove systemic causes of violence and to increase the safety of First Nations women and children.

The need for a primary prevention approach

While there is increasing awareness of the scale and severity of the problem of violence against First Nations women, often the focus is on how to respond to its impacts. This rightly leads to calls for expansion of, and improvements to, crisis and response systems, services and processes. These systems must be able to support, assist and respond to the needs of victims/survivors and their families, and also respond more appropriately and effectively to those who perpetrate violence (whether through the criminal justice system or in other ways). Continued work to improve both these aspects of the response system is critical. The overwhelming need for effective responses to violence against First Nations women and children is clear from the scale and severity of the problem.

However, focusing only on responding to this violence fails to address its underlying causes or drivers. Treating the symptoms of a problem can never be enough in the long term. As Aboriginal and Torres Strait Islander service providers and advocates point out, this approach also tends to rely heavily on simplistic 'law and order' solutions and, as such, not only fails to address the 'root causes of violence' and 'the underlying reasons why individuals come into contact with the justice system in the first place', but also 'only perpetuates cycles of trauma and disadvantage, and will not make our communities safer in the long term'.⁴

It is only by developing a prevention approach — one that identifies and addresses the deeper drivers of violence against First Nations women — that we can start to reduce and ultimately prevent this violence from occurring in the first place.

⁴ Human Rights Law Centre and Change the Record (2017). *Over-represented and overlooked: The crisis of Aboriginal and Torres Strait Islander women's growing over-imprisonment*; Braybrook, A. & Duffy, S. (2017, February 23). Calling for smarter approaches to violence, offending that address underlying causes of crime. *Croakey*. Retrieved from <https://croakey.org/calling-for-smarter-approaches-to-violence-offending-that-address-underlying-causes-of-crime/>

Actions outlined in *Changing the picture* to address the underlying drivers of violence against First Nations women

Changing the picture outlines three sets of actions that are essential to prevent violence against First Nations women. Aligning with the three drivers of this violence illustrated in Figure 1 above, these are:

1: Address the legacies and ongoing impacts of colonisation for Aboriginal and Torres Strait Islander people, families and communities, through actions that:

- Heal the impacts of intergenerational trauma, strengthening culture and identity
- Strengthen and support Aboriginal and Torres Strait Islander families
- Implement specific initiatives for Aboriginal and Torres Strait Islander women and girls, boys and men, and children and young people
- Challenge the condoning of violence in Aboriginal and Torres Strait Islander communities
- Increase access to justice for Aboriginal and Torres Strait Islander people

2: Address the legacies and ongoing impacts of colonisation for non-Indigenous people, and across Australian society, through actions that:

- Challenge and prevent all forms of racism, indifference, ignorance and disrespect towards Aboriginal and Torres Strait Islander people and cultures
- Address racialised power inequalities and amend discriminatory policies and practices
- Challenge the condoning of violence against Aboriginal and Torres Strait Islander people

3: Address the gendered drivers of violence against Aboriginal and Torres Strait Islander women, through actions that:

- Implement intersectional approaches to preventing violence against women across the Australian population
- Challenge the condoning of violence against Aboriginal and Torres Strait Islander women by challenging both racist and sexist attitudes and social norms
- Support Aboriginal and Torres Strait Islander women's participation in leadership and decision making
- Challenge gender stereotypes, and the impacts of colonisation on men's and women's roles, relationships and identities
- Strengthen positive, equal and respectful relationships between women and men, girls and boys
- Engage both Indigenous and non-Indigenous men to challenge harmful and violence-supportive ideas about masculinity and relationships

This is a summary of the kinds of actions required. Our Watch refers the Committee to *Changing the picture* ([action framework](#) pages 15-32) for a discussion of the many different ways and contexts in which these actions need to be implemented, as well as an outline of

other supporting actions that would address other factors that exacerbate violence against First Nations women ([action framework](#) pages 33-36).

Contributing to prevention: roles for different stakeholders

The prevention of violence against First Nations women requires action by many stakeholders, including:

- governments and government departments and agencies at all levels
- non-government organisations and services
- Aboriginal and Torres Strait Islander people, communities and organisations
- non-Indigenous people, communities and organisations

Action is needed in both First Nations-specific and ‘mainstream’ or non-Indigenous contexts.

To address the many damaging impacts of colonisation on First Nations people, particularly those associated with intergenerational trauma, prevention strategies must be implemented in First Nations communities and social settings. This work should be developed and led by First Nations people, implemented by community controlled organisations and guided by the principles of self-determination and community ownership described in the previous section.

However, prevention efforts must not be limited to these settings, nor must Aboriginal and Torres Strait Islander people and organisations bear sole responsibility for preventing violence against First Nations women.

Governments have a critical responsibility to prevent violence against First Nations women, and specific obligations under international human rights law to do so. Work at the community or organisational level is important, but should be accompanied by legislative, institutional and policy actions by governments to protect Indigenous people’s human rights, promote racial and gender equality, and ensure accountability for violence and discrimination.

Work undertaken by governments should align with the *National Agreement on Closing the Gap*, and its four Priority Reforms that focus on changing the way governments work with Aboriginal and Torres Strait Islander people; reforms that will:

- Strengthen and establish formal partnerships and shared decision-making
- Build the Aboriginal and Torres Strait Islander community-controlled sector
- Transform government organisations so they work better for Aboriginal and Torres Strait Islander people
- Improve and share access to data and information to enable Aboriginal and Torres Strait Islander communities make informed decisions.

There is also significant work to be undertaken by non-Indigenous people and organisations to address the drivers of violence associated with systemic racism and discrimination — in both its interpersonal and institutional or structural forms. This means working in partnership with, and as effective allies to First Nations people. Further, because the perpetrators of violence against First Nations women can be from any cultural background, ‘mainstream’ organisations have a particular responsibility to implement prevention strategies that reach and engage non-Indigenous men.

In addition, efforts must be made to ensure that organisations undertaking general prevention work to address the gendered drivers of violence against women anywhere across Australian society consider the specific issues that might be relevant to Aboriginal and Torres Strait Islander people who participate in their programs or make up part of their audiences. Such work should actively aim to include and engage Aboriginal and Torres Strait Islander people in genuine and meaningful ways.

As violence against First Nations women occurs across Australia in many different contexts, prevention actions must also occur in diverse geographic and cultural contexts across the country, from remote communities to urban neighbourhoods. They need to be implemented in all the diverse settings where people live, work, learn and play.

Actions to address the drivers of violence against First Nations women require both specialised policy support and broad ‘on-the-ground’ implementation. No single organisation can undertake all the actions outlined here. Rather, all stakeholders need to contribute — in appropriate and context-specific ways, separately and in partnership — as part of a comprehensive, holistic and shared national approach.

Principles for prevention in practice

For prevention to be effective, it’s not only what we do that’s important, but also how we do it. This is critical to ensure prevention efforts are safe, appropriate, effective and informed by evidence about good practice.

Our Watch’s work designed to guide primary prevention in diverse settings across Australia include the following general principles for prevention practice:

- working at multiple levels to transform social norms, structures and practices for a more equal society
- designing initiatives to suit each setting and audience, rather than a one-size-fits-all model
- using ‘intersectional’ approaches; that is, addressing the intersections between multiple forms of social inequality, rather than focusing on gender inequality in isolation
- putting in specific and intensive effort with communities affected by multiple forms of disadvantage and discrimination, with additional resourcing in these contexts
- ensuring initiatives are inclusive and respond to the demographic and geographical diversity of the whole Australian population
- building partnerships for prevention, between diverse organisations and communities
- challenging harmful ideas of masculinity, and positively engaging men and boys, while empowering women and girls
- working across the life cycle, and particularly with children and young people, new parents, and adults at critical relationship stages, such as separation and divorce
- developing reflective practice (where practitioners reflect on their own social position, values and assumptions, and those of the organisation in which they work)

See [How to Change the story](#), pages 44–71, for more on these principles.

While these general principles are also relevant for initiatives specifically aiming to prevent violence against First Nations women, there are additional principles that are critical in this context. The literature specific to issues relevant to Aboriginal and Torres Strait Islander people, and the expertise and experience of practitioners and other stakeholders consulted for the development of *Changing the picture*, shows that work to prevent violence against First Nations women should be guided by these principles:

- self-determination: community ownership, control and leadership
- cultural safety
- trauma-informed practice and practitioner self-care
- healing focused
- holistic
- prioritising and strengthening culture
- using strengths-based and community strengthening approaches
- adapting to different community, demographic and geographic contexts
- non-Indigenous organisations working as allies in culturally safe ways

Finally, prevention work must address intersectional discrimination, and the multiple different forms and experiences of violence that some First Nations women experience. In addition to the issues all First Nations people face, there are also a range of cross-cutting or intersecting forms of discrimination, oppression and inequality that impact on some First Nations women. These include those based on classism, sexism, disability discrimination, homophobia and transphobia, for example. Prevention strategies should be developed with a view to addressing these intersecting impacts, and include, for example, specific, carefully designed strategies to prevent violence against sistergirls, First Nations women in same sex relationships, and First Nations women with a disability.

For a detailed explanation of each these principles and their application, see [Changing the picture](#) (national resource, pages 37-44).