Changing the picture
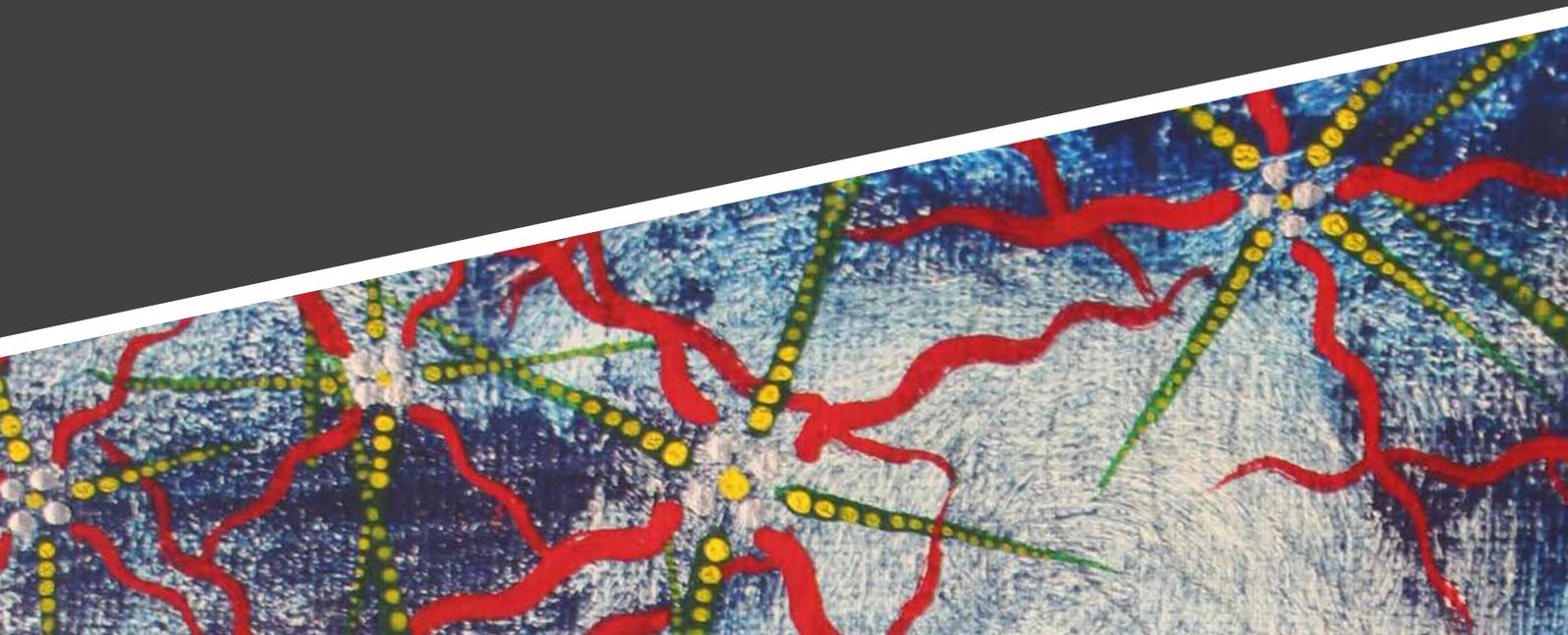
Background paper: Understanding violence against Aboriginal and Torres Strait Islander women and their children

Artist's statement

I am born of the Gammillaroy people of North East NSW. My artist name, Muliyan, is from my people and means 'wedge-tailed eagle and young and strong'.

This piece depicts Crows Nest Falls in Queensland which is a sacred women's site. (I was given permission to depict this place by the Traditional Owners, the Giabul and Jadowair People, who are the custodians of this sacred place).

This art piece is dedicated to those experiencing and impacted by domestic and familial violence. The feminine figure beneath the surface of the water aims to express the struggles victims may feel as they seek out their healing. The waterlilies sitting on the surface of the water represent hope. The red lines depict bloodlines: loved ones, families and generations impacted one way or another by domestic and familial violence. The green lines depict resilience and strength of the spirit as the leaves keep afloat and grow through adversity. The yellow dots depict the support available from the wider community to assist the victim in their journey to break free from the domestic and familial violence cycle. The white/silver dots have dual meanings: 1. the separation at the flowers' core expresses the difficulty victims may experience while seeking support to work through domestic and familial violence situations; and 2. the joining at the flowers' core shows the strengths in a holistic approach where combining family, self and community helps the spirit to rise above.
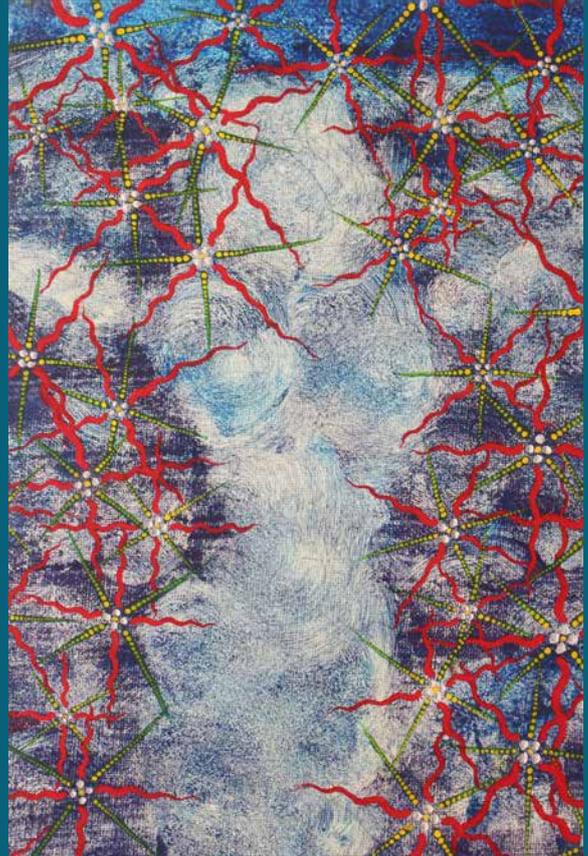
The artwork used in this resource is *Rising from the depths* (2016) by Benjamin Moodie (Muliyan) and was commissioned by Our Watch.

© Our Watch (2018) *Changing the picture, Background paper: Understanding violence against Aboriginal and Torres Strait Islander women*, Our Watch, Melbourne.

Acknowledgement of Country

Our Watch acknowledges and pays our respects to the traditional owners of the land on which our office is located, the Wurundjeri people of the Kulin Nation.
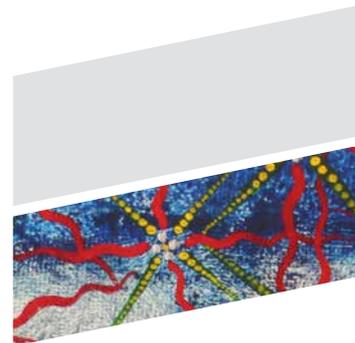
As a national organisation we also acknowledge the traditional owners and custodians of country across Australia and pay our respects to them, their cultures and their Elders past, present and future.

Recognition of previous work in this field

Our Watch pays tribute to all those Aboriginal and Torres Strait Islander people who have been working for many decades to end violence and to improve the lives of Aboriginal and Torres Strait Islander women and their children. This is extremely challenging work that often goes unrecognised and unsupported, and we pay our deep respects to their ongoing determination and commitment and to the strengths and resilience of Aboriginal and Torres Strait Islander peoples and cultures.

This resource also seeks to respond to the voices of Aboriginal and Torres Strait Islander women who have been speaking and writing publicly about gendered and sexual violence and calling for action for decades,[1] as have numerous Aboriginal and Torres Strait Islander organisations and services.[2]

This resource would not have been possible without the work of these many individuals, groups and organisations. It aims to amplify these voices and honour and build on this critical work.

Acknowledgements

Changing the picture, Background paper: Understanding violence against Aboriginal and Torres Strait Islander women and their children

Those academics and practitioners who undertook formal reviews
of the resource:

Responsibility for any errors, omissions and limitations, rests with Our Watch.
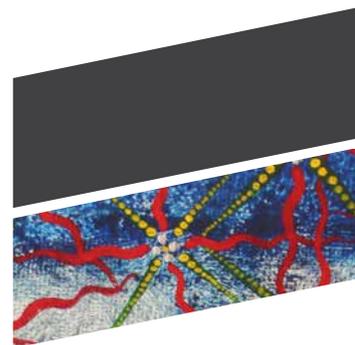
Advisory Group message

"As members of the Aboriginal and Torres Strait Islander Women's Advisory Group for this project, we are proud to present this important resource that focuses on preventing violence. It draws attention to violence against Aboriginal and Torres Strait Islander women as a critical issue for our communities. It urges us all, as a nation, to take the time to look at the bigger picture and what is driving this violence.

As an Advisory Group, we provided guidance, advice and expertise throughout every phase of this project. A Women's Advisory Group was one way of respecting the experiences and knowledge of women on this issue, elevating women's voices and modelling Aboriginal and Torres Strait Islander women's leadership. At the same time, we also greatly value the perspectives of our men, and recognise the positive role they can and do play in preventing violence, and we have made sure that Aboriginal and Torres Strait Islander men have been engaged in the project in many ways, ensuring their voices are also part of this important conversation.

The message here is to everyone in Australia: individuals, communities and governments, to prevent violence against Aboriginal and Torres Strait Islander women and their children, we all have a role to play.

Non-Indigenous organisations and people — both men and women — need to examine the way colonisation has embedded racist and sexist assumptions, structures and practices into how they operate every day. Australian systems and institutions need to change. Individual men – both non-Indigenous men and Aboriginal and Torres Strait Islander men – need to take responsibility for their behaviour — for the way they treat women and children, for the way they interact with other men, and for the way they raise their children, especially their sons. And Aboriginal and Torres Strait Islander women, children and men all need healing: trauma-informed approaches that deal with the devastating legacies and ongoing impacts of colonisation.

We also need to talk about gender inequality and its impacts for our women, because we can't ignore the compounding effect that racism and gender inequality have in exacerbating the levels of violence against Aboriginal and Torres Strait Islander women.

We know this is not just an Aboriginal or Torres Strait Islander problem — violence against our women is perpetrated by men of all cultural backgrounds. But we also need to work on changing our own attitudes towards violence and make sure that in our own families and communities we are practicing and promoting respect and equality for all.

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."

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Changing the picture, Background paper: Understanding violence against
Aboriginal and Torres Strait Islander women and their children

Antoinette Braybrook
(VIC) Djirra (formerly
Aboriginal Family
Violence Prevention and
Legal Service Victoria)

Dr Kyllie Cripps
(NSW) Indigenous Law
Centre, University of
New South Wales

Michelle Deshong (QLD)
Australian Indigenous
Governance Institute

Tracey Currie-Dillon
(TAS) South East Tasmanian
Aboriginal Corporation

Ashlee Donohue
(NSW) Independent
consultant

Ella Kris
(QLD) Torres Strait
Island Regional Council

Sono Leone
(QLD) Strong
Women Talking

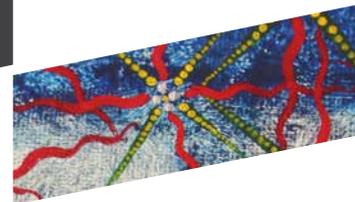**Leanne Miller**
(VIC) Koorie Women
Mean Business

Brooke-Louise O'Donnell
(WA) Corrective Services

Kimberley Wanganeen
(SA) Women's Safety
Services South Australia

Kathy Wright
(NT) Relationships
Australia

Chair foreword

This resource is dedicated to the critical issue of preventing violence against Aboriginal and Torres Strait Islander women and their children.

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. Guided by our ground-breaking national framework, *Change the story*, we are working at all levels of our society to address the deeply entrenched, underlying drivers of violence against women, especially those stemming from gender inequality.

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 can vary significantly for different groups of women. So we continually refine our approach to encompass the many intersecting issues which, when addressed, will ensure that every woman in Australia can live free from violence.

This resource is a critical part of this work. We know Aboriginal and Torres Strait Islander women experience more severe violence and disproportionately high rates of violence. This resource helps us understand why this is, what needs to change, and how we can all work together as a society to prevent this violence.

Our Watch has worked closely with Aboriginal and Torres Strait Islander people — women and men — to develop this resource. We have strived to ensure it respects and is informed by their knowledge, and longstanding activism on this issue. The key tenet in our approach was to make central the voices, ideas and solutions of Aboriginal and Torres Strait Islander people themselves.
The value of existing work already being done by both women and men on this issue was clear in the consultations that informed this resource, and some examples are featured within it. Our Watch looks forward to putting this new resource into practice and to building partnerships that help others to do so.

As a non-Indigenous organisation, we do 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 Aboriginal and Torres Strait Islander women. We will do this in two ways. As part of our own work across Australia, we will address sexism and racism, power inequalities and all forms of discrimination, and we will challenge the condoning of violence against Aboriginal and Torres Strait Islander women. We will also work as allies to 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. This new resource will underpin and guide our own work, and I hope it helps guide and support the work of many other organisations and individuals, as part of a shared, nationwide effort to enable Aboriginal and Torres Strait Islander women and their children to live lives free from violence.

Natasha Stott Despoja AM
Chair, Our Watch

Changing the picture, Background paper: Understanding violence against Aboriginal and Torres Strait Islander women and their children

A note on terminology

Aboriginal and Torres Strait Islander people/Indigenous people

As is appropriate for a national resource, this document uses the term 'Aboriginal and Torres Strait Islander people' to include Aboriginal peoples, Torres Strait Islander peoples and people with both Aboriginal and Torres Strait Islander heritage. On a few occasions it refers only to one group; for example, when quoting literature that does so, or referring to local organisations that use only 'Aboriginal' or 'Torres Strait Islander' to reflect the local population in that part of the country. On occasion, in keeping with international human rights language, the resource also uses the term 'Indigenous' to include both Aboriginal and Torres Strait Islander people and communities, or to differentiate between Indigenous and non-Indigenous people and organisations.

In using these collective terms, we nevertheless acknowledge the diversity of the many distinct nations and different language, tribal and clan groups that make up Australia's Aboriginal and Torres Strait Islander population.

Community/communities

The terms 'community' and 'communities' are used in a broad sense to refer both to specific geographically based communities (such as a remote Indigenous communities) and to other forms of identity-based communities, networks and relationships (such as the many connections that exist between Aboriginal and Torres Strait Islander people across the country).

Aboriginal and Torres Strait Islander families

This term refers to 'families' as defined by their own members. It also specifically includes both those families where all members are Aboriginal and/or Torres Strait Islander, and those that have a mix of both Indigenous and non-Indigenous members.

Contents

About this resource

This document is a background paper that supports and informs the Our Watch resource *Changing the picture: A national resource to support the prevention of violence against Aboriginal and Torres Strait Islander women and their children.*

Changing the picture: a new national resource to support prevention

Changing the picture is a new resource whose overarching goal is to reframe and improve Australia's approach to the prevention of violence against Aboriginal and Torres Strait Islander women and their children.

It is a solutions-focused practice framework that outlines how violence against Aboriginal and Torres Strait Islander women can be prevented, and describes the essential actions that are needed to change and shift the underlying drivers of this violence. It considers how this prevention work should be undertaken, and by whom, and it outlines the principles that should guide this shared national effort. It also includes examples of relevant work already being undertaken around the country.

Violence against Aboriginal and Torres Strait Islander women and their children is a national issue. Preventing it is everyone's responsibility. Some prevention initiatives need to be specifically aimed at Aboriginal and Torres Strait Islander people. These should be owned, developed and led by Aboriginal and Torres Strait Islander people, and wherever possible, implemented by Aboriginal and Torres Strait Islander-controlled organisations.

However, Indigenous people and organisations must not be expected to bear sole responsibility for preventing this violence. Non-indigenous people, 'mainstream'[1] organisations and governments must also take action. They have a particular role to play in preventing violence perpetrated by non-Indigenous men and in combatting racism, structural inequality and discrimination.

For these reasons, *Changing the picture* is aimed at a diverse audience — government and non-government, Indigenous and non-Indigenous, and including both individuals and organisations. It is relevant both to practitioners who are working 'on the ground' (in numerous fields, and in both Indigenous-specific and 'mainstream' contexts), as well as those involved in policy development and program funding, design, planning or implementation. It offers guidance to support evidence-informed, intersectional and culturally safe approaches to prevention policy and practice, across jurisdictions and sectors.

To download a copy of *Changing the picture*, please visit the Our Watch website: www.ourwatch.org.au

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1   This resource uses the term 'mainstream' to refer to non-Indigenous organisations. This is not intended to imply that there are no Indigenous people in 'mainstream' Australia but to distinguish those organisations, services, agencies and settings that are not Indigenous owned or controlled, and which often have few, if any, Indigenous staff.

About this background paper

This background paper was developed to inform *Changing the picture*. It provides the evidence, analysis and conceptual approach that underpins the main resource and supports the specific approach to prevention proposed there.

The paper begins by presenting statistics and information about the prevalence and severity of violence against Aboriginal and Torres Strait Islander women. It then draws on extensive research and practitioner/community-based knowledge and consultation to develop a deeper, intersectional analysis and understanding of the nature and dynamics of this violence. From this research and analysis, the paper develops an 'explanatory model' for understanding the three underlying and intersecting drivers of violence against Aboriginal and Torres Strait Islander women, and illustrates this model in diagrammatic form. The three drivers identified in this model are directly addressed by the three key actions detailed in *Changing the picture*.

This background paper also provides:

- a rationale for why the new resource is needed
- detailed information about how the resource was developed, and the literature and stakeholder consultations on which it is based
- a discussion and clarification of the scope of the project, and definitions used
- a full reference list for all literature and other sources referenced
- a glossary of terms

The background paper will be of interest to researchers, policy makers, program designers and anyone else wishing to develop an in-depth understanding of the research, literature and practice evidence about violence against Aboriginal and Torres Strait Islander women. It will also help readers understand and engage with the conceptual model Our Watch developed to explain the underlying and intersecting drivers of this violence, on which *Changing the picture* is based.

A note on data and evidence use

When it comes to understanding what drives violence against women generally, current analyses (such as *Change the story*) are able to reference robust international evidence on factors correlated with violence.

However, there is no single source of data or comprehensive body of research that relates specifically to violence against Aboriginal and Torres Strait Islander women, or that identifies its specific drivers. In particular, there is limited research that explores the intersections of colonisation, racism and sexism in relation to this issue.

Despite the limited quantifiable data on this issue to date, there is however a range of available evidence that provides insights into various facets of this topic. This includes research, consultation evidence, and practitioner/service-provider knowledge, both existing and collected in consultations undertaken for this resource. When combined, these can help inform a deeper, intersectional analysis of this issue. This background paper combines these many strands and types of information to develop an explanatory model for violence against Aboriginal and Torres Strait Islander women, one that can inform an effective approach to prevention.

How *Changing the picture* and this background paper were developed

Background

As part of the National Plan to Reduce Violence against Women and their Children 2010–2022, Our Watch, Australia's National Research Organisation for Women's Safety (ANROWS) and the Victorian Health Promotion Foundation (VicHealth) were tasked with producing a shared national framework for the primary prevention of violence against women and their children in Australia. That resource, *Change the story*,[3] was released in November 2015, as the result of extensive research and consultations around the country. All Australian governments have agreed to implement *Change the story* in their own jurisdictions.

However, *Change the story* itself acknowledged that, as a framework designed for relevance across the diverse Australian population, it could not do justice to the entrenched and specific issues facing Aboriginal and Torres Strait Islander communities. It committed to the development of a separate, dedicated resource, guided by a participatory process where the voices, experiences, ideas and solutions of Aboriginal and Torres Strait Islander people themselves are central. This resource is the result of that commitment.

Aboriginal and Torres Strait Islander leadership and engagement

As a non-Indigenous organisation, Our Watch ensured that Aboriginal and Torres Strait Islander people held key roles in the leadership of this project. Throughout its development, the resource was also informed by Aboriginal and Torres Strait Islander perspectives, experiences, expertise and knowledge, from both women and men around the country. Both these aspects are described further in the methodology below.

Methodology

The resource was created through a multi-faceted, stepped approach, comprising both research and consultation as outlined below.

i) Creation of an Aboriginal and Torres Strait Islander Women's Advisory Group

Development, research and drafting of this resource was guided by an Advisory Group of 11 Aboriginal and Torres Strait Islander women. Sourced from around the country, these women were appointed following a public Expression of Interest process in 2016. The Advisory Group:

- met regularly to discuss and oversee the project
- provided advice about relevant literature and resources
- assisted with organising consultations, research interviews and formal reviewers, and provided advice on which stakeholders to include
- read and provided feedback on drafts

ii) Involvement of Aboriginal and Torres Strait Islander men

While the Advisory Group facilitated leadership from Aboriginal and Torres Strait Islander women, the project also secured the inclusion of Aboriginal and Torres Strait Islander men, as they are a key part of the solution. The development of the resource actively engaged both men and organisations and services that work with men. Men were engaged through specific men's group consultations and individual research interviews, as well as in the formal stakeholder review process.

iii) Literature review

The project was informed by a combination of evidence, drawn from existing literature, and knowledge, sourced from consultations with diverse stakeholders. The literature review prioritised documents authored or produced by Aboriginal and Torres Strait Islander people, organisations and services. In this way, the project respected and reflected publicly available Aboriginal and Torres Strait Islander knowledge.

iv) Stakeholder consultations

Small group consultations and individual research interviews were conducted with Aboriginal and Torres Strait Islander stakeholders and others with relevant expertise or experience. Broad invitations were issued through Aboriginal and Torres Strait Islander networks. Participants included practitioners and service providers in relevant fields, representatives of Aboriginal and Torres Strait Islander organisations, and other community members.

Two rounds of consultations were held in 2016 and 2017. The first informed our initial thinking and scope and identified relevant issues for inclusion. The second sought feedback on a draft approach developed from the initial consultations.

The consulations were held in the following locations:

- Brisbane
- Toowoomba
- Adelaide
- Launceston
- Sydney
- Perth
- Alice Springs
- Melbourne
- Darwin
- Thursday Island in the Torres Strait (including via several yarning circles at the inaugural 'Domestic violence in the Torres Strait' conference convened by a number of Torres Strait Islander organisations)
- Coober Pedy in South Australia (as part of the South Australian Government's Aboriginal women's gathering)
- In sessions in the Aboriginal and Torres Strait Islander-focused stream at the Our Watch/ AWAVA conference (held in Adelaide and involving participants from around the country)
- Cairns (as part of the 100 Women Forum organised by the Office of Indigenous Policy Coordination, involving Aboriginal and Torres Strait Islander women from around the country)

The project team also drew on the results of relevant consultations undertaken to inform *Change the story* in 2015, particularly:

- A meeting of the Indigenous Male Advisory Council in Darwin, comprising Aboriginal men from across the Northern Territory
- Conversations with organisers of the No More campaign, developed by and for Aboriginal men in the Northern Territory
- The Putting Gender on the Agenda Forum organised by the Alice Springs Women's Shelter, Tangentyere Council and Our Watch, and bringing together over 80 Aboriginal women from Alice Springs and surrounding communities to discuss a wide range of issues relating to violence

v) Drafting an independent review

Drafts of the resource were written and revised by the Our Watch project team following Advisory Group feedback. A number of Aboriginal and Torres Strait Islander academics and practitioner experts were engaged to provide a thorough review of the penultimate draft, as part of a formal academic and peer-review process (see Acknowledgements, page 5). The final version of the resource was produced by Our Watch.

Definitions of violence against Aboriginal and Torres Strait Islander women

This resource focuses on violence against Aboriginal and Torres Strait Islander women, and generally uses this term throughout.

At the same time it recognises the inevitable overlaps and connections with other approaches and definitions, particularly in relation to 'domestic violence' and 'family violence'. The resource acknowledges that these many forms of violence are both understood and experienced in complex and interrelated ways by Aboriginal and Torres Strait Islander people, families and communities.

'Violence against women'

This project adopts the definition of 'violence against women' set out in *Change the story*, which draws on that established in the UN's *Declaration on the Elimination of Violence against Women 1993* and used in the National Plan:

> 'Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or in private life.'

This definition is not limited to physical violence, but includes a spectrum of violent, abusive and controlling behaviour perpetrated against women. As *Change the story* states:

> 'This definition encompasses all forms of violence that women experience, including physical, sexual, emotional, cultural/spiritual violence and financial abuse, that are gender based. Gender-based violence is violence specifically directed against a woman because she is a woman, or that affects women disproportionately.'

'Domestic violence'

Like *Change the story*, this resource deliberately uses the term 'violence against women' for the reason that the many forms of violence against women do not occur in a 'domestic' setting or relationship. These may include but not be limited to: stalking, dating-related violence, non-partner sexual assault or violence, violence in a social/community context, workplace or public place, and technology-based or image-based abuse and violence.

This resource also recognises the term 'domestic violence' has been criticised as even less appropriate in an Indigenous context. This is simply because violence against Aboriginal and Torres Strait Islander women occurs in a range of other contexts and settings outside the family home or other 'domestic' contexts.

Nonetheless, this resource acknowledges many Aboriginal and Torres Strait Islander women use the term domestic violence, as it helps place focus on the violence women experience in intimate relationships, instead of community-based violence.[4] In this resource, 'violence against women' is a term that includes but is not limited to 'domestic violence'.

Changing the picture, Background paper: Understanding violence against Aboriginal and Torres Strait Islander women and their children

'Family violence'

Many Aboriginal and Torres Strait Islander people prefer the term 'family violence', because it captures 'a wide range of physical, emotional, sexual, social, spiritual, cultural and economic abuses that can occur within families, extended families, kinship networks and communities'.[5]

As used by many Indigenous people and organisations, 'family violence' includes violence and abuse in partner relationships, as well as inter-family or group fighting, child abuse and neglect, and abuse of elders. This term is also intended to acknowledge how these different kinds of violence are interconnected with a broader array of Indigenous family and community issues.[6]

With that said, the concentration on 'violence against Aboriginal and Torres Strait Islander women' in this resource is deliberately intended to be more specific than 'family violence', for two reasons.

Firstly, while family violence can affect anyone, Aboriginal and Torres Strait Islander women are disproportionately impacted.[7] Indigenous organisations draw attention to the severe and particular impacts of family violence on Aboriginal and Torres Strait Islander women and their children, and call for specific attention to be paid to this issue.[8] As the Aboriginal Family Violence Prevention and Legal Service in Victoria has argued:

'It must be recognised that family violence in Aboriginal communities is gendered — just as it is in the mainstream community. While men can certainly be victims of family violence and their needs must not be overlooked, women and children represent the vast majority of victims/survivors within Aboriginal communities.' [9]

Following that, this resource avoids the term 'family violence' as it is too limiting for the scope of this resource. While we know the majority of the violence perpetrated towards Aboriginal and Torres Strait Islander women is in a 'family' context (by male partners, ex-partners or others), this is not always the case. Perpetrators of violence can also include non-family members, such as colleagues, classmates or strangers.

Notes on scope and approach

A focus on gendered violence

Violence can occur in all kinds of relationships, and both genders can be perpetrators and victims. However, there are distinctly gendered patterns in terms of how violence is perpetrated and experienced, by both men and women, as documented in *Change the story.*[10] For this reason, Australia's efforts, in line with international human rights frameworks, focus particularly on preventing men's violence against women.

We know that, like other women in Australia, Aboriginal and Torres Strait Islander women experience particularly high rates of both:

- intimate partner violence (which can be physical and/or sexual and/or involve psychological, economic, social, cultural and other forms of control)[11]
- sexual violence (which can be perpetrated by a partner, or another person either known or unknown to the woman)

We also know that both these forms of violence are overwhelmingly perpetrated by men (both Indigenous and non-Indigenous).[12]

For these reasons, this resource focuses on violence against Aboriginal and Torres Strait Islander women that is primarily perpetrated by men. This specific focus enables an understanding of the particular drivers and dynamics of gendered violence against Aboriginal and Torres Strait Islander women, in our bid to inform more effective prevention in future.

Acknowledging violence against Aboriginal and Torres Strait Islander men

This resource does not ignore the fact that Aboriginal and Torres Strait Islander men are victims/survivors of violence. Indeed, Aboriginal and Torres Strait Islander men experience extremely high rates of violence, as both children and adults.

Our Watch supports multiple, diverse efforts by all stakeholders to prevent all forms of violence in society, including violence against men. However, the specific focus and scope of this resource is violence against Aboriginal and Torres Strait Islander women.

Violence against Aboriginal and Torres Strait Islander women is perpetrated by Indigenous and non-Indigenous men

Violence against Aboriginal and Torres Strait Islander women can be perpetrated by men from any cultural background. Too often, discussions of this issue assume or imply that this violence is always perpetrated by Aboriginal or Torres Strait Islander men, when this is not the case. Misrepresentation is further sustained in media reporting, which rarely mentions non-Indigenous men as perpetrators of violence against Aboriginal and Torres Strait Islander women.[13] This resource takes care to avoid this misrepresentation, and to avoid inadvertently demonising Aboriginal and Torres Strait Islander men.

> ''While the data shows the high rates of violence against Aboriginal and Torres Strait Islander women, [it] does not show that the perpetrators of this violence are all Aboriginal and Torres Strait Islander men. In fact … Aboriginal and Torres Strait Islander women are hurt by men from many different cultures and backgrounds. So, when we talk about the gendered nature of violence against our women, it's not about demonising Aboriginal and Torres Strait Islander men or labelling them all as perpetrators of violence. It's just about calling out violence for what it is, and that's violence against women. And this is not just an Aboriginal and Torres Strait Islander problem, but it is our business.' **Antoinette Braybrook**[14]

There is no available data on the cultural backgrounds of men who perpetrate violence against Aboriginal and Torres Strait Islander women. However, anecdotal and practice evidence from service providers[15] suggests that non-Indigenous men make up a significant proportion of perpetrators of violence against Indigenous women. This evidence is mirrored by the knowledge provided by the services consulted as part of the development of this resource.

In relation to intimate partner violence, there is no single research body or source of data on this topic. However, using 2011 Census data on relationship status as a proxy, we can infer similar patterns. This data shows the majority (59%) of partnered Indigenous women in Australia have non-Indigenous partners, with higher representation in capital cities (exceeding 75% in Sydney, Brisbane, Melbourne and Adelaide for example).[16]

Anecdotal evidence also suggests that perpetration patterns vary significantly according to geographic location. Violence against women in remote communities is more likely to be perpetrated by Indigenous men, while violence in urban areas is more likely to be perpetrated by non-Indigenous men.[17] Again, this reflects the Census data showing the proportion of Indigenous women with non-Indigenous partners is higher in capital cities.

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Specific impacts on Aboriginal and Torres Strait Islander children

In line with the Council of Australian Government's *National Plan to Reduce Violence Against Women and their Children,* Our Watch defines the scope of all our work as violence against women and their children. The national prevention framework *Change the story* adopts the same scope.

This framing of the issue does not encompass all issues of child protection or violence directed towards children. Rather, it recognises that many women who experience violence have children in their care; exposure to violence against their mothers or other female caregivers can cause profound harm to children.[18] This, of course, also applies to Aboriginal and Torres Strait Islander children. To that end, the scope of this resource is violence against Aboriginal and Torres Strait Islander women and their children.

Additionally, there are other critical contextual issues to consider. The race-based policies that created the Stolen Generations have produced an ongoing cycle of intergenerational trauma for Aboriginal and Torres Strait Islander families. Today, Aboriginal and Torres Strait Islander children continue to be removed from their families at extremely disproportionate rates, and family violence is a primary driver of their significant over-representation[19] in out-of-home care.[20] Furthermore, fear of child removal remains one of the greatest deterrents for Aboriginal and Torres Strait Islander women to report violence or seek assistance.[21]

It is clear that the historic and continued practices of child removal compound the prevalence, severity and impacts of violence against Aboriginal and Torres Strait Islander women, and the associated impacts on their children.

A contextualised and holistic approach

This resource places contemporary forms of violence against Aboriginal and Torres Strait Islander women in their social, political, cultural and historical context.

It acknowledges the interconnections between gendered violence against Aboriginal and Torres Strait Islander women, and other forms of violence experienced by Aboriginal and Torres Strait Islander people. This includes family or community violence, but more significantly, it points to the broader context of historic and ongoing colonial and racist violence. The latter is perpetrated by non-Indigenous people (men and women), society and institutions, against Aboriginal and Torres Strait Islander men, women and children. Encompassed within this are the broader systems and structures of violence (including state violence), oppression, abuse, discrimination and inequality, all of which continue to be experienced by Aboriginal and Torres Strait Islander people.

In adopting this contextualised approach to violence against Aboriginal and Torres Strait Islander women, the resource seeks to be one contribution to a broad and holistic range of strategies that together can prevent all forms of violence.

This violence is not a part of traditional Aboriginal or Torres Strait Islander cultures

The kind of violence discussed in this resource is not a part of Aboriginal or Torres Strait Islander traditional cultures. Many Aboriginal and Torres Strait Islander writers point out that in pre-colonial times, violence was strictly regulated and controlled. It bore little or no resemblance to either the kinds of interpersonal violence, or the widespread forms of violence by men against women that are seen in Australia today. They also point to the many ways in which traditional culture and customary law/lore were highly respectful, and protective, of women.[22]

Aboriginal and Torres Strait Islander people successfully managed interpersonal, family and community relationships for over 60,000 years prior to invasion without resorting to the kinds of violence that we see in Australia today. This resource acknowledges this fact, and also recognises as a core principle the strengths, resilience and sustainability of Aboriginal and Torres Strait Islander traditional cultures.

Introduction

'It's not an Aboriginal problem, it's an Australian problem': why this resource is needed

Indigenous women's human rights: upholding our international obligations

In 2017, the United Nations (UN) Special Rapporteur on the Rights of Indigenous Peoples, on her visit to Australia, observed 'a disturbing pattern of violence against Aboriginal and Torres Strait Islander women'. This was fostered by 'discrimination on the grounds of gender, race and class [that] is structurally and institutionally entrenched'. She also noted the 'lack of culturally appropriate measures to address the issue'.[23]

She also observed that for Aboriginal and Torres Strait Islander women, 'family violence is an intersectional concern that overlaps with homelessness, poverty, incarceration, health and removal of children'.[24]

The same year, the Special Rapporteur on Violence against Women echoed these concerns, noting that:

'Aboriginal and Torres Strait Islander women face institutional, systemic, multiple, intersecting forms of discrimination. In addition to sexism and racism, many women also face class-based discrimination due to their low socio-economic status, as well as social exclusion arising from their regional or remote geographical location. These forms of discrimination and exclusion … manifest themselves in an alarmingly high prevalence of violence against Aboriginal and Torres Strait Islander women who continue to experience higher rates of domestic/family violence and more severe forms of such violence as compared to other women.'[25]

The Special Rapporteur on Violence against Women also urged the development of appropriate special measures to accelerate the advancement of Aboriginal and Torres Strait Islander women in Australia.[26]

Extremely high and disproportionate levels of violence against Indigenous women are evident in colonial societies around the world.[27] In 2015, the Special Rapporteur on the Rights of Indigenous Peoples found that, when it comes to Indigenous women around the world:

- Violence is systemic and varied.
- Violence is perpetrated with high levels of impunity.
- Indigenous women are more likely than non-Indigenous women to suffer gender-based violence, particularly rape and domestic violence.[28]

The UN Declaration on the Rights of Indigenous Peoples

In 2007 the UN Declaration on the Rights of Indigenous Peoples specifically provided that states shall take measures, in conjunction with Indigenous peoples, to ensure that Indigenous women and children enjoy full protection and guarantees against all forms of violence and discrimination (Article 22). Megan Davis, Chair and Australian expert member of the UN Permanent Forum on Indigenous Issues, has pointed out that this Article explicitly creates a positive duty for the Australian Government to prevent such violence.[29] The Declaration is, as June Oscar, Aboriginal and Torres Strait Islander Social Justice Commissioner says, 'the most comprehensive tool we have available to advance and protect the rights of Aboriginal and Torres Strait Islander peoples'.[30]

A subsequent resolution of the UN Human Rights Council made explicit recognition of Indigenous women as a group 'who suffer multiple and intersecting forms of discrimination' and face a 'particular risk' of violence, and stressed the 'urgent need to address violence and discrimination against them'.[31]

The Human Rights Council has stressed the need for states to respect, protect and fulfil the right of Indigenous women to a life free from violence. This requires not only strategies that respond to violence but also prevention measures aimed at 'addressing underlying discrimination and marginalisation [and] eliminating structural and institutional discrimination and harmful stereotypes'.[32]

In 2017, the UN Convention on the Elimination of Discrimination against Women (CEDAW) General Recommendation 19 on gender-based violence against women was updated to explicitly reference Indigenous women. It now makes clear that:

'Gender-based violence may affect some women to different degrees, or in different ways, than other women because they experience varying and intersecting forms of discrimination, which frequently have an aggravating negative impact.'[33]

The CEDAW Committee urged states to strengthen their efforts to eliminate gender-based violence against women. It also prevailed upon them to implement their obligations with regard to 'the particular situation of women affected by intersecting forms of discrimination', including Indigenous women. This included implementation of 'measures to eradicate prejudices, stereotypes and practices that are the root cause of gender-based violence against women'. The Committee further added that 'all these legal and policy measures must recognise that this violence is affected by intersectional discrimination'.[34]

Under these various international human rights instruments, Australia is subject to multiple obligations to prevent violence against Aboriginal and Torres Strait Islander women. However, as Australian legal academic Hannah McGlade points out, the extremely high levels of assault and homicide faced by Indigenous women suggest a failure of the nation's judicial system to ensure equality in law and access to justice. She calls for the development of domestic human rights responses that 'respond to the race, gender and sometimes disability issues that Indigenous women face'. She further notes the 'multi-layered experiences of Aboriginal women in accessing justice and seeking protection from violence'.[35]

'In focusing on the intersecting factors that drive violence against Aboriginal and Torres Strait Islander women, and on the need for specific kinds of prevention measures in response, this resource aims to contribute to the development and implementation of this emerging intersectional human rights framework. It aims to support and amplify the voices of Aboriginal and Torres Strait Islander women who have long been at the forefront of this work to ensure their human rights are recognised and protected.'

Understanding the specific context for violence against Aboriginal and Torres Strait Islander women as a critical national issue

Violence against women is a wide-spread and serious Australia problem. As *Change the story* makes clear, the gendered drivers of violence against women are deeply entrenched in Australia; in institutional, social and economic structures, and in many of our social and cultural norms and values.

Equally, we must reject pathologising language that suggests it is 'an Aboriginal and Torres Strait Islander problem'. As this resource makes clear, this is important because the roots of this problem lie in many sources other than in Aboriginal and Torres Strait Islander communities. However, there are compelling reasons to focus specific attention on violence against Aboriginal and Torres Strait Islander women.

Most obviously, while the prevalence of violence varies for many groups of women in Australia, the differential rates of violence experienced by Aboriginal and Torres Strait Islander women in particular is striking. The disproportionate prevalence of this violence is discussed in detail in the first part of this resource.

More importantly, we must understand that, while there are some shared characteristics of violence experienced by different groups of women, the violence experienced by Aboriginal and Torres Strait Islander women occurs in a very specific context. Three aspects are key:

i.   Historic context

Violence against Aboriginal and Torres Strait Islander women today must be seen in light of a continuum of ongoing violence experienced as a result of the colonisation process. This genocidal violence has included murder, rape, slavery, sexual exploitation, theft of land, removal of children, denial of cultural and spiritual heritage, language, and freedom of movement.

ii.   Contemporary context

The context in which Aboriginal and Torres Strait Islander women experience violence today is very different to the context in which other women experience violence. The past and current ongoing practices of colonisation, contemporary forms of racism and socio-economic discrimination have resulted in persistent, intergenerational trauma. They have also created various forms of structural and systemic violence, to which Aboriginal and Torres Strait Islander people — both women and men — continue to be subjected.

This specific context shapes the drivers of violence and its impacts for Aboriginal and Torres Strait Islander women, men, children, families and communities. Violence against women must be understood in the social, cultural, and political context.[36]

iii. Specific impacts of gendered factors

We must also consider the very specific ways in which gendered factors are relevant. For any woman in Australia, the contemporary social context includes many forms of gender inequality. While gender inequality is a global phenomenon, in the Australian context its roots lie in the patriarchal colonial culture that was introduced with colonisation. For Aboriginal and Torres Strait Islander people, the particular patriarchal norms and values, practices and structures that were imposed were at odds with their existing cultures.

The particular ways that Aboriginal and Torres Strait Islander women experience gender inequality and violence today are profoundly affected by all these specific contextual issues. Experiences of gender inequality cannot be separated from experiences of racism and racial discrimination, nor from the ongoing impacts of colonisation and colonial violence. These experiences are part of what has been called 'the "double bind" of gender and racial discrimination and oppression' for Aboriginal and Torres Strait Islander women.[37]

> 'We cannot help [Aboriginal] women and children without appreciating the broader environmental context in which they live.' **Jackie Huggins**[38]
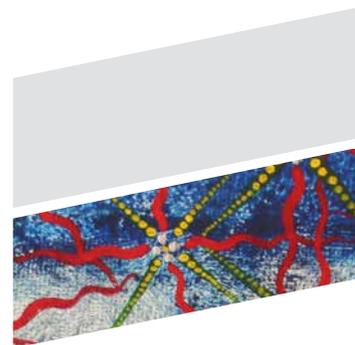
To end violence against Aboriginal and Torres Strait Islander women we need a specific approach to prevention

Because of the specific context in which it occurs, violence against Aboriginal and Torres Strait Islander women also needs specific prevention strategies.

Informing an effective approach to prevention is the reason this background paper was developed. Specific actions and principles for such an approach are outlined in *Changing the picture*. However, in summary:

1. **Priority:** strategies to prevent violence against Aboriginal and Torres Strait Islander women must be prioritised when planning an overall approach to preventing violence against women at national, state or territory level. They should receive a greater level of funding and resources, and a greater intensity of effort, commensurate with the prevalence of this violence.

2. **Specific:** prevention strategies must be directly related to the specific underlying drivers of violence against Aboriginal and Torres Strait Islander women. They must challenge and change the systems, structures, norms and practices that drive and perpetuate this violence. They must also address the intersections between these drivers.

3. **Addressing violence perpetrated by all men:** prevention strategies must address violence perpetrated by both Indigenous and non-Indigenous men, and our national approach must include actions to engage both groups.

4. **Aboriginal and Torres Strait Islander owned and led:** prevention strategies seeking to engage Aboriginal and Torres Strait Islander people should be developed, owned and led by Aboriginal and Torres Strait Islander people. They should be implemented by Aboriginal and Torres Strait Islander-controlled organisations and services, and place-based initiatives should be informed by local cultural and community protocols. Both women and men must be part of the solution in their communities.

5. **'Mainstream' responsibilities:** Violence against Aboriginal and Torres Strait Islander women is perpetrated by men of all cultural backgrounds, in a variety of geographies, across differing communities, and in various settings. Therefore Aboriginal and Torres Strait Islander communities should not bear sole responsibility for preventing this violence. Strategies must also be implemented by 'mainstream' organisations, both to engage non-Indigenous men in specific prevention actions, and more broadly, to prevent racism and discrimination.

6. **Culturally safe:** prevention strategies must use a cultural lens and adhere to well-established principles for cultural safety. This will ensure they are genuinely accessible to, and effective for, Aboriginal and Torres Strait Islander people.

Changing the picture, Background paper: Understanding violence against
Aboriginal and Torres Strait Islander women and their children

Responding to Aboriginal and Torres Strait Islander people's activism

This resource seeks to respond to the voices of Aboriginal and Torres Strait Islander women who have been speaking and writing publicly about gendered and sexual violence and calling for action for decades,[39] along with numerous Aboriginal and Torres Strait Islander organisations and services.[40] They have:

- documented its prevalence, severity and multi-layered impacts
- explained the complex interconnections between this violence and other serious problems faced by Indigenous people and communities
- highlighted the gross inadequacy of current service and justice system responses
- repeatedly called for urgent action to both address and prevent violence against Aboriginal and Torres Strait Islander women and their children

> 'While there have been many positive changes in respect to improved law and justice outcomes for Aboriginal victims/survivors of family violence nationally, we continue to witness the devastating impact that family violence has on the lives of Aboriginal women, men and children every day. We see the continued failure of the system to ensure the safety of Aboriginal women and children; we see the failure of governments to adequately resource Aboriginal organisations to resolve our business our way; we see government funding ripped from successful early intervention and prevention programs; we see the barriers Aboriginal victims/survivors face in accessing mainstream services; and we see the ongoing disadvantage experienced by Aboriginal women, in which gender and race are significant.' **Antoinette Braybrook**[41]

Non-Indigenous organisations have a responsibility to act

As the national prevention organisation, Our Watch has a responsibility to play a key role in driving this urgent action. We dedicate a priority place to the prevention of violence against Aboriginal and Torres Strait Islander women. In doing so we recognise the work that Aboriginal and Torres Strait Islander people and organisations have undertaken, over decades, to bring attention to this issue. This work provides the critical foundation for this resource, which now aims to drive nationwide action from multiple stakeholders, including critical change to be undertaken by non-Indigenous people and organisations.

For our part, Our Watch will work with, alongside and as an ally to Aboriginal and Torres Strait Islander people and organisations as part of an ongoing collective, nationwide effort to prevent violence against Aboriginal and Torres Strait Islander women.
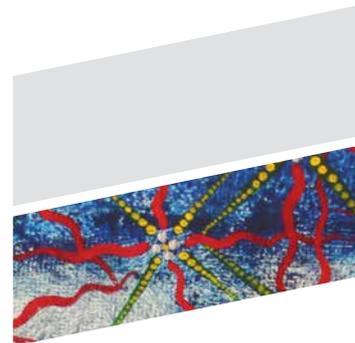
The current picture

'It's different for us': prevalence, nature and impacts of violence experienced by Aboriginal and Torres Strait Islander women

Violence against Aboriginal and Torres Strait Islander women is disproportionately prevalent and serious

There is no single, reliable, national source of data on violence against Aboriginal and Torres Strait Islander women.[42] As is the case for violence against Indigenous people generally, the full extent of this violence is difficult to determine. This is due to a range of barriers that lead to under-reporting by victims/survivors, as discussed in greater detail below. This lack of visibility is further compounded by a range of factors including:

- lack of effective screening by service providers.
- insufficient identification of gender and/or Indigenous status in relevant datasets.
- lack of nationally comparable data from police, courts, health or welfare services[43]
  In particular, there is little available data on rates of violence in the Torres Strait[44]

However, the various datasets and research estimates that are available show that Aboriginal and Torres Strait Islander women experience extremely high rates of violence. For example:

- 22% of Aboriginal and Torres Strait Islander women experienced at least 1 instance of physical violence in the 12 months prior, according to the most recent National Aboriginal and Torres Strait Islander Social Survey (NATSISS) survey[45]
- 71% of Australian Indigenous women reported having experienced physical violence in their lifetime in a recent international survey[46]
- three in five Aboriginal and Torres Strait Islander women (65%) have experienced physical or sexual violence perpetrated by an intimate partner,[47] according to estimates produced for ANROWS

Despite increasing recognition of the issue, recent evidence suggests there has been no reduction in these high rates of violence in the past decade.[48]

Aboriginal and Torres Strait Islander women are likely to experience disproportionately high rates of violence compared to non-Indigenous women. For example:

- Aboriginal and Torres Strait Islander women report physical or threatened violence at 3.1 times the rate of non-Indigenous women in the previous 12 months,[49] in a national survey on self-reported incidents. The same report found a higher proportion — 71% compared to 57% of non-Indigenous women — reported physical violence during their lifetimes.[50]
- Aboriginal and Torres Strait Islander women experienced physical assault ranging from 4.9 (NSW) to 11.4 (NT) times the rates for non-Indigenous women, in police records of 2015 (where data is comparable).[51]
- Aboriginal and Torres Strait Islander women are more likely to experience family violence than non-Indigenous women.[52]
- Homicide deaths of Aboriginal and Torres Strait Islander women were eight times the rate for non-Indigenous women across 5 jurisdictions from 2008 to 2012.[53]
- Aboriginal and Torres Strait Islander women were more likely to be victims of domestic/family homicides than non-Indigenous women — 78% compared to 64% — in longitudinal data between 1989 and 2012.[54]
- Aboriginal and Torres Strait Islander women experience higher rates of sexual violence than non-Indigenous women. In one survey, three times as many Indigenous women (12%) had experienced an incident of sexual violence in the previous 12 months.[55] Another found lifetime incidents of sexual violence were also significantly higher for Aboriginal and Torres Strait Islander women compared to non-Indigenous women.[56]
- Aboriginal and Torres Strait Islander women experienced 1.1 (NSW) to 2.3 (NT) the rate of intimate partner violence compared to non-Indigenous women, according to police data.[57]
- Aboriginal and Torres Strait Islander women appear to experience higher rates of 'image-based abuse' compared to non-Indigenous women. This type of abuse includes the non-consensual distribution of nude or sexual images online or via mobile phones, typically to coerce, threaten, harass and objectify.[58]
- Homicide had the highest relative risk for Aboriginal mothers at 17.5 times higher than for non-Aboriginal mothers, in a Western Australian study examining differences in the mortality risks.[59]

In addition to experiencing higher rates of violence than non-Indigenous women, Aboriginal and Torres Strait Islander women are three times more likely than Aboriginal and Torres Strait Islander men to be hospitalised as a result of family violence.[60]

Further, the severity and impacts of violence experienced by Indigenous women are disproportionately high compared to those experienced by both non-Indigenous women and Indigenous men. For example:

- The physical injuries Aboriginal and Torres Strait Islander women experience due to assault are frequently more severe than those experienced by non-Indigenous women.[61]
- Hospitalisation for family violence-related assaults were 32 times the rate for non-Indigenous females and 3 times the rate for Aboriginal and Torres Strait Islander males.[62] Other analyses of hospital data suggest Aboriginal and Torres Strait Islander women are more likely than Aboriginal and Torres Strait Islander men to have multiple admissions due to interpersonal violence.[63]
- Aboriginal and Torres Strait Islander women are nearly 11 times more likely to die due to assault than non-Indigenous women.[64]

Violence has specific impacts on Aboriginal and Torres Strait Islander women and their children

Impacts on women's health and wellbeing

Violence, and intimate partner violence in particular, contributes significantly to what is known as the 'burden of disease'[65] in Aboriginal and Torres Strait Islander women.[66] Among those aged 18 to 44 years, physical and sexual violence by an intimate partner contributes 10.9% of this burden; more than any other health risk factor, including alcohol or tobacco use and being overweight or obese.[67] As illustrated in Figure 1, intimate partner violence plays a large role in the burden of disease 'gap' between Aboriginal and Torres Strait Islander and non-Indigenous women. For those aged 18 to 44 years, intimate partner violence is 6.3 times higher than for non-Indigenous women in the same age group.[68]

The contribution of intimate partner violence
to the gap between Indigenous and non-Indigenous women

Intimate partner violence is common.

An estimated **3** in **5** Indigenous women have experienced physical or sexual violence by an intimate partner since age 15.[1]

This includes violence or abuse by a partner they currently or have previously lived with, as well as violence perpetrated by a non-cohabiting partner.

[1] Includes physical and sexual violence only. Data on emotional abuse is not available for Indigenous women.

It contributes an estimated **10.9%** to disease burden in Indigenous women aged 18-44 years. This is **more than any other risk factor.**

Among all Indigenous women it contributes 6.4% to the burden and is the third largest risk factor.

Top 8 risk factors contributing to disease burden

	Risk factor	%		Risk factor	%
1	INTIMATE PARTNER VIOLENCE	10.9%	5	CHILDHOOD SEXUAL ABUSE	4.7%
2	ALCOHOL USE	7%	6	PHYSICAL INACTIVITY	4.2%
3	OVERWEIGHT/OBESITY	6.2%	7	ILLICIT DRUG USE	3.7%
4	TOBACCO USE	5.9%	8	HIGH PLASMA GLUCOSE*	3.4%
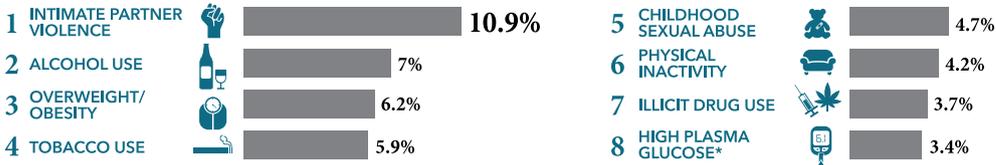
[2] As there are interactions between risk factors, it is not correct to add them together. *A risk factor for diabetes and other chronic diseases.

There is a **gap in the burden** between Indigenous and non-Indigenous women.
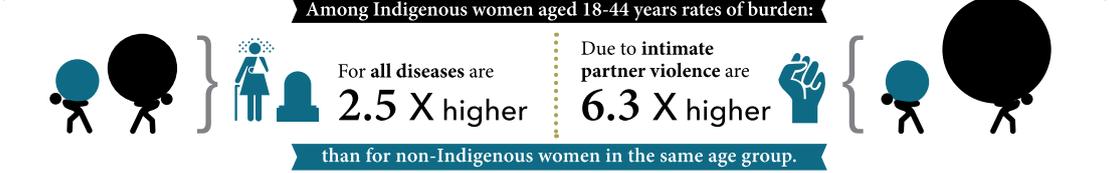
Among Indigenous women aged 18-44 years rates of burden:

For **all diseases** are **2.5 X** higher

Due to **intimate partner violence** are **6.3 X** higher

than for non-Indigenous women in the same age group.

5 X higher — DEPRESSIVE DISORDERS

5 X higher — ANXIETY DISORDERS

15 X higher — ALCOHOL USE DISORDERS

11 X higher — EARLY PREGNANCY LOSS

7 X higher — SUICIDE AND SELF-INFLICTED INJURIES

13 X higher — HOMICIDE AND VIOLENCE

Estimated rates of burden for each disease due to intimate partner violence are higher among Indigenous women aged 18-44 years than non-Indigenous women of the same age.

Figure 1. How intimate partner violence contributes to the gap between Indigenous and non-Indigenous women.[69]

Infographic adapted from Webster, K. (2016, July). *A preventable burden: Measuring and addressing the prevalence and health impacts of intimate partner violence in Australian women.* Sydney: ANROWS.

While we know violence results in poor health and reduced wellbeing generally, there are many far-reaching impacts on Aboriginal and Torres Strait Islander women due to the prevalence and severity of violence they experience. These include far higher rates of depression, anxiety, alcohol use, early pregnancy loss, suicide and self-harm, and homicide and violence, as shown in Figure 1.

Service providers observe that it can be extremely difficult to provide effective intervention and support for many Aboriginal and Torres Strait Islander women, as violence is often co-occurring with one or more other health and wellbeing concerns. These may include but not be limited to, childhood trauma, substance misuse, and mental and physical health issues. For example, treatment for drug and alcohol misuse is less likely to be effective when the woman is also experiencing untreated violence and vice versa. Providing support to a woman experiencing violence can be equally as challenging when she is also presenting with mental health or substance misuse issues which are not being treated effectively.[70] Service provider challenges aside, many Aboriginal and Torres Strait Islander people experience significant frustration at the tendency for available services to work in 'silos', rather than respond to their various needs in an integrated and holistic manner.

These complexities, and the many barriers faced when trying to access services or treatment for these issues, can greatly compound the impacts of the violence women experience.

Other than its impacts on health, violence is a major driver of homelessness for Aboriginal and Torres Strait Islander women. They are 15 times more likely to seek assistance from crisis homelessness services than non-Indigenous women, and make up 22% of all clients at specialist homelessness services.[71]

Cycles of violence and trauma in Aboriginal and Torres Strait Islander women's lives

Violence commonly plays out in Aboriginal and Torres Strait Islander women's lives in cyclical and intergenerational ways. Researchers have documented the extent to which violence is a familiar or expected experience in some women's lives.[72] Consultations for this resource also revealed just how common and familiar experiences of violence are for Aboriginal and Torres Strait Islander women — often both in their own lives and in those of many close female relatives.

> 'When we look at the rising incarceration of [Indigenous] women — a lot of that is women fighting back against a violent perpetrator and being locked up.'
>
> 'Those women in prison are victims, and now they're perpetrators.'
> **Participants at Our Watch conference consultation workshop**

In particular, there is a strong correlation between the extremely high and rapidly increasing rates of over-imprisonment among Aboriginal and Torres Strait Islander women[73] and their own previous experiences of violence.[74] Research shows that the vast majority of Aboriginal and Torres Strait Islander women in prison are survivors of various forms of violence and/or sexual assault, either as children or as adults, or both.[75] Many have been convicted of offences used in self-defence against violent partners, often following previous unsuccessful strategies to deal with their own victimisation.[76]

There is also evidence some women are subject to inappropriate responses by a police and legal system that fails to distinguish between different types of violence in Aboriginal and Torres Strait Islander communities. Too often, the system interprets Aboriginal and Torres Strait Islander women 'fighting back' to be equivalent to the kinds of coercive and controlling violence that those women themselves have been subjected to, and charging women with assault as a result.[77]

Evidence does indeed suggest that Aboriginal and Torres Strait Islander women's use of violence is most commonly a response to violence perpetrated against them by men.[78] Many incarcerated Aboriginal women surveyed in Western Australia reported resorting to violence in retaliation or self-defence, having reached 'breaking point' after years of enduring men's violence.[79]

As such, the victimisation of Aboriginal women and the normalisation of violence in their lives creates a cycle of violence. By fighting back, women become offenders and frequently suffer further serious injury from their original assailant as a result.[80] In some instances they are arrested, particularly because police (and others) can 'disconnect the act from its context'. [81]

Such disconnected responses can place women at further risk as the shadow of assault charges looms over them. The fear of reprisals from previous self-defence attempts means women can become too scared to contact police during an incident of violence. In this way, the cycle of victimisation and offending is perpetuated.[82]

This connection between Aboriginal and Torres Strait Islander women's experiences of violence and incarceration is also cyclical. Not only do 'the broad-ranging health and associated impacts of family violence and sexual assault' contribute to offending, but the prison experience often 'compounds the trauma related to the underlying causes of Aboriginal women's imprisonment'.[83]

Again, this means intergenerational cycles of trauma and violence are continued because 'the increasing imprisonment of Aboriginal women has dire consequences for their children and families, and is likely to perpetuate intergenerational offending'. Further, there are many studies which show that 'children of parents in prison are at greater risk of developing mental, psychological and social problems, and of entering into the criminal justice system themselves'.[84]

Impacts on Aboriginal and Torres Strait Islander children

Violence — particularly family violence — against Aboriginal and Torres Strait Islander women, has significant harmful impacts on the children exposed to it. International research shows that exposure to violence against women — either mothers or other caregivers — can cause profound harm to children.[85]

> 'We talk about the "ripple effects" of violence: on women, on children, families, whole communities.' **Tod Stokes**[86]

Aboriginal and Torres Strait Islander children are at greater risk of exposure to family violence than non-Indigenous children.[87] Research finds that two thirds of those experiencing physical or threatened violence share a household with children; of those, one third of the children are under the age of 5.[88]

The harmful impacts of family violence on children are widely recognised, with exposure to this violence classified as 'emotional abuse'.[89] The harm to children can be complex and profound, with a wide-ranging suite of impacts including:

- injury
- complex trauma
- developmental and learning impacts
- suicide and self-harm
- increased risk of sexual assault
- ongoing negative impacts on social and emotional wellbeing
- death[90]

While direct exposure to violence against their mothers or other female caregivers is harmful for any child, the impacts can be greatly compounded for Aboriginal and Torres Strait Islander children because of the community context. This includes the existing trauma that Aboriginal and Torres Strait Islander children already experience 'through their connection to adults and communities that are dealing with the negative impacts of history'.[91]

The trauma is further aggravated by a number of issues which contribute to unsafe environments. The most prevalent include the high rate of involvement of Aboriginal and Torres Strait Islander people in the criminal justice system and issues relating to inadequate and overcrowded housing, and self-medication with drugs and alcohol.[92]

Family violence against women is also the leading reason for the disproportionately high numbers of Aboriginal and Torres Strait Islander children removed from their families.[93] In Victoria, for example, men's violence against women is a primary reason for 95% of Aboriginal children entering out-of-home care.[94] For Aboriginal and Torres Strait Islander children, families and communities, these removals continue the traumatic intergenerational cycle of family, cultural and community disruption, grief and loss caused by previous government policies that produced the Stolen Generations.[95]

The extremely high rate of removal of Aboriginal and Torres Strait Islander children from their families — currently at almost 10 times that of other children[96] — ensures this cycle of loss and disconnection is continued. This is worsened by the frequency with which the state fails to safeguard these children's family, community and cultural connections while they are in out-of-home care.[97]

> 'In families under threat from family violence [in Victoria], the offender is not always Koori and the victim is not always Koori, but the constant is that our children, our Koori kids are always the victim. … [For] Aboriginal children in out of home care … 9 out of 10 times the primary cause [of removal] is family violence and [this is] backed up by alcohol and drug abuse. … What is common for many of the children … is the level of intergenerational trauma, dysfunction and disengagement from society that is associated with removal.' **Andrew Jackomos**[98]
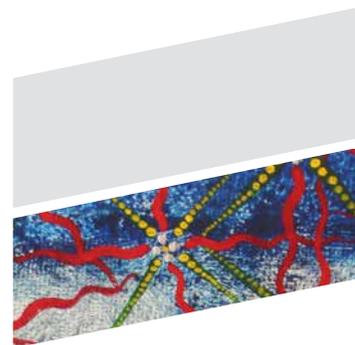
Violence against Aboriginal and Torres Strait Islander women therefore has a raft of knock-on effects for the children in their care. These children:

- suffer significant and often lifelong negative consequences
- are exposed to the ongoing cycle of child removal and intergenerational trauma; further embedding disadvantage in these children's lives[99]
- are likely to be at a high risk of further violence in institutions[100]
- are more likely (without appropriate intervention) to perpetrate and/or experience violence in their own future intimate relationships[101]

Therefore, the widespread exposure of Aboriginal and Torres Strait Islander children to violence continues the cycle of intergenerational trauma already experienced by Aboriginal and Torres Strait Islander people.

> 'My real concerns are that the current group of Koori children in the care of the state are potentially our next cohort of family offenders and victims if we don't provide timely and appropriate [support].' **Andrew Jackomos**[102]
>
> 'I have great concern for the next generation — I'm seeing grandparents becoming victims of violence from their grandchildren.' **Ashlee Donohue**[103]

Financial and economic impacts

Violence has significant financial impacts for many women who experience it, with evidence suggesting that women who experience domestic and family violence are more likely to encounter:

- poor credit records[104]
- challenges in maintaining employment[105]
- homelessness (sometimes as a consequence of damage to public housing caused by a violent partner, and subsequent difficulty accessing housing)[106]
- reliance on income support as their primary source of income[107]

These issues are exacerbated for many Aboriginal and Torres Strait Islander women who already face higher levels of financial discrimination and disadvantage.

'Violence against Aboriginal and Torres Strait Islander women also has broader economic impacts for society. It is estimated that, without appropriate action, the cost of violence against Aboriginal and Torres Strait Islander women to the Australian economy will be $2.2 billion by 2021.'[108]

Aboriginal and Torres Strait Islander women face specific barriers to reporting violence and seeking support

It is likely that the prevalence figures above significantly under-represent the real rate of violence against Aboriginal and Torres Strait Islander women. While we know violence against women is generally under-reported, rates of non-disclosure are higher among Aboriginal and Torres Strait Islander women; some studies suggest that the majority of violence against Aboriginal and Torres Strait Islander women is not disclosed.[109] The section below outlines some key reasons for this.

Negative experiences of, and lack of trust in, government agencies

Previous and continued harms caused by government agencies, authorities and ineffective services have created a number of significant barriers to Aboriginal and Torres Strait Islander women reporting violence. Many women have direct experience of this kind of treatment, particularly of child removal by government agencies and their broader failure to keep women and children safe.

"

'From the voices of the women who we work with, they tell us they've been burnt too many times by the system, that they will never trust the system again with their lives, or their children's lives. So many tell us it's best just to stay silent about the violence.' **Antoinette Braybrook**[110]

'There are issues too, from a systems point of view. Even hospital services, you know? The racism that exists within those institutions are barriers to our women seeking support and accessing help because there's so many cases of women walking in to the hospital or to their doctor, or to the police, and there's always that victim-blaming that goes on, "What did you do?"' **Brisbane consultation participant**

Common experiences include racist attitudes and discriminatory practices from both authorities (police, legal, justice and child protection agencies), and services (health, welfare and housing). The ongoing failures of state agencies creates deep distrust. Many women hold very real fears that reporting violence may lead to child protection intervention, child removal, loss of access to housing or other accommodation, and other unwanted attention or intrusion.[111]

"

'A lot of people don't trust services.'

'People are fearful of legal processes.' **Alice Springs consultation participants**

'You can see why Aboriginal women find it difficult to break out of that cycle when the message is reinforced at every checkpoint — in the media, on the street, every system they try to access, even for basic needs. You're looked down upon. You're not [treated as] equal in any way to anybody else.' **Brisbane consultation participant**
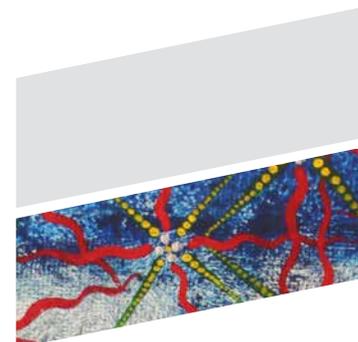
Further, the colonial context means that for Aboriginal and Torres Strait Islander people (like Indigenous people elsewhere in the world) the state is seen as 'a primary perpetrator of violence',[112] which has created distrust of state-run services and agencies.

> 'It's the systemic violence as well. For Aboriginal women specifically, the people that they're supposed to go to, to report about violence, are often the ones that are perpetrators of violence themselves.'
>
> 'As an Aboriginal woman, when you're already in fear for your life and you've had interactions with police growing up as an Aboriginal kid and seeing the way Aboriginal people are treated by police, the last people that you want to call for help are the ones that you already think are part of the problem.' **Brisbane consultation participants**

Other service-related barriers that have been cited[113] as explanations for the under-reporting of violence by Aboriginal and Torres Strait Islander women include:

- a lack of culturally safe education to ensure Aboriginal and Torres Strait Islander women are aware of their legal rights
- a lack of access to gender-specific, culturally appropriate and safe services
- experiences of existing services not providing culturally safe care; meaning women do not trust or feel safe to access such services
- experiences or knowledge of previous cases where police have not investigated Aboriginal and Torres Strait Islander women's reports adequately. This in turn creates a perception that there is little value in making a report
- experiences or knowledge of previous cases where police attending an incident have misidentified the woman as the perpetrator. This creates fear that reporting violence may lead to police charging the woman herself with an offence[114]
- a lack of women staff at some services, particularly the police
- a lack of institutional support to accommodate reporting in languages other than English (particularly written English), creating a fear of being misunderstood
- the sheer complexity of issues and multiple forms of discrimination, oppression and disadvantage Aboriginal and Torres Strait Islander women are facing

In some cases, women may be reluctant to report violence perpetrated by Aboriginal or Torres Strait Islander men. Some do not want reporting to result in a custodial sentence, because existing rates of incarceration and deaths in custody already have devastating effects on Aboriginal and Torres Strait Islander families and communities.[115] For others, a reluctance to report is based on the perception that a lack of effective healing or other programs for men in prison means 'nothing changes' when they are imprisoned.[116]

> 'A lot of Aboriginal women's decision making about responding to violence is around protecting and keeping their families together. And trying to identify where am I most safe. Slowly our women are getting better at talking about the violence and wanting to do something about it. But there's a long way to go… they're still very concerned about their men going to jail, or having to report on their men instead of feeling safe to prioritise their own safety and the safety of their children.'

> 'The lack of safety creates a big barrier for women. If I report violence and he gets carted off, there'll be justice under Australian law, and women associate that with deaths in custody, or what we see on the news with abuse within juvenile justice detention centres. So we would like to report our men if we knew our men were going to go away, get well and come back. But there's a risk that they don't ever come back, because they're black. That's the father of their children, that's another community member, so there are feelings of betrayal about putting their men into the very system that has torn their families, communities and culture apart, and they don't trust that their men will be safe'. **Marlene Lauw**[117]

> 'A lot of women won't put their men in jail because of Aboriginal deaths in custody.' **Participant at Our Watch conference consultation workshop**

Having said this, many Aboriginal and Torres Strait Islander women do actively seek a criminal response to the violence they have experienced, regardless of who perpetrated it. Many see criminal punishment as an entirely appropriate form of justice for these crimes. Aboriginal and Torres Strait Islander advocates and organisations severely criticise implications that police, court and criminal responses are not appropriate for violence against women.[118] Further, they stress the importance of proper punishment and criminal sentencing to enforce the gravity of this violence, and to reinforce that 'Aboriginal women's lives really do matter'.[119]

All these barriers have an additive effect, with the result that Aboriginal and Torres Strait Islander women are placed at even greater risk. Research suggests that the familiarity[120] of violence in some Aboriginal and Torres Strait Islander women's lives, combined with fear and mistrust of authorities and a lack of support options, causes some to resort to violence as self-defence, rather than seek help from services. In doing so, women are frequently 'putting themselves at increased risk of harm, including injury and incarceration'.[121]

Nonetheless, it must be recognised that many Aboriginal and Torres Strait Islander women do persist in their efforts to find safety for themselves and their children. They seek both justice and appropriate responses to their experiences of violence, in the face of significant challenges, while balancing personal with family needs.

> 'Us as Aboriginal women stand up constantly as strong women to do whatever it is that we can.' **Brisbane consultation participant**
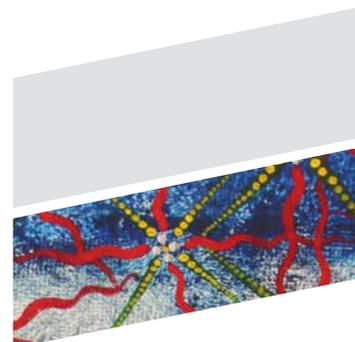
Community dynamics

A number of additional barriers to reporting, developed as a response to collective trauma and oppression, arise within the internal dynamics of some Aboriginal and Torres Strait Islander communities. These include:

- a fear of being perceived as responsible for a perpetrator's imprisonment (given the implications of incarceration noted above)[122]
- threats or intimidation from the perpetrator and/or his family members, creating significant fears of further violence
- fear of other negative consequences and repercussions, particularly in small, interconnected communities where privacy cannot be maintained
- mixed attitudes towards accessing Aboriginal or Torres Strait Islander services, where the benefits of doing so may be outweighed by risks of compromising privacy and confidentiality, especially in small communities
- the interconnectedness of Aboriginal and Torres Strait Islander communities, including rules and obligations
- factors such as shame and responsibility for maintaining families[123]

Another critical point raised in consultations was that some Aboriginal and Torres Strait Islander women do not report intimate partner violence because they do not recognise it as such. This is supported by research that finds a tendency for some victims/survivors, perpetrators and community members to understate the seriousness of violent behaviour. Some do not see it as violence, while others adopt a 'language of minimisation' in describing violent behaviour as everyday or innocuous.[124] For some, where these behaviours are commonplace in family or community, and/or characterised the relationships they experienced when young, they may be understood as inevitable.

Pressures to maintain community and kinship ties and loyalties — particularly when Aboriginal and Torres Strait Islander communities have been under siege or external attack for so long — can create a powerful sense of stigma around discussing family violence. These pressures can lead to Aboriginal and Torres Strait Islander women not reporting violence for fear of being ostracised by the community.[125]

> ❝ 'I've seen people reprimanded by members of their own community for calling the police … I've had a first cousin's daughter tell me that the hardest part in dealing with family violence was the expectation she would stay and make it work and that it only brought shame to her partner's family if she was to leave.' **Andrew Jackomos**[126]

For some women, in some contexts, these pressures create a perception that there is a 'code of silence' around violence.[127] However, this perception is challenged by many Aboriginal and Torres Strait Islander people who both speak out to support women, and also continually resist any attempt to silence the voices of victims/survivors. However, disclosure can still be difficult for individual women, due to legitimate fears for their safety, and a heightened feeling of responsibility to protect other family members.[128]

'Some of these perpetrators are your grandfathers, your fathers, your uncles, your partners, you know. Like brothers and you love them. You don't love the behaviour.'
Brisbane consultation participant

'Understanding what the definition of 'family violence' is — that lateral violence within a family or in a community... [requires] an understanding of what Aboriginal family kinship looks like. It's not just the nuclear family, the white, western Anglo-Saxon family. It is a broader connection between families. And family violence can play out in that in a very violent manner. Not just physical but emotional.'

'You know, I'll give you a quick example. There was an Aboriginal woman in a DV service ... escaping a perpetrator. She'd left the family home, with her young child. His family and extended family were coming to visit her unbeknown to the DV service, 'cause they were all women. They were coming in and perpetrating violence against her by saying, "If you do not drop the charge, if you do not come back, if you do not take him back, then there's gonna be consequences". And of course, she was traumatised ... But cultural protocol meant that she could not say no to his aunties to come in and to visit.'
Craig Rigney[129]

Finally, we know that one of the forms of violence that disproportionately affects women across Australia is sexual violence or sexual assault,[130] and that this type of violence in particular is significantly under-reported for a range of well-documented reasons.[131] Previous consultations in Aboriginal communities have also noted a particular reluctance to talk about sexual assault, for fear of reprisal or from a sense of shame.[132] The particular social context in which Aboriginal and Torres Strait Islander women experience violence, when conjoined with family and community dynamics, means that the under-reporting of sexual violence is likely to be even greater among Aboriginal and Torres Strait Islander women.

Aboriginal female participants at a consultation workshop held in Alice Springs described particular barriers facing girls and women in their communities who experience sexual assault or violence (or what they also called 'disrespectful sex'):

'Shame [means] you can't talk [about sexual violence].'

'There's silence because of fear of payback.'

'A lot of young girls keep this to themselves; they need to build a relationship before they will open up about it, and they also feel guilty.'

'They don't talk because they feel shame.'

'[Some girls] are scared to speak as it might cause a big family fight.'

'Sometimes family get shamed if you talk about it.'
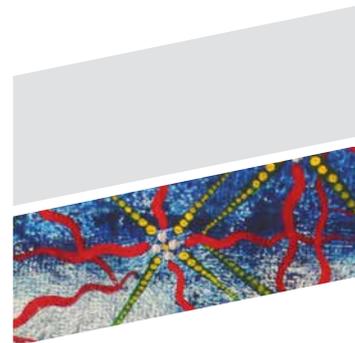
Logistical and practical barriers to reporting

These multiple, inter-related and complex barriers are reflected in women's own narratives about their experiences of violence. These narratives frequently demonstrate the intersecting influence of racism and sexism in women's lives, particularly in their experiences with the criminal justice system and state agencies.[133]

Those working in the field also point to a number of other factors which may be further contributors to under-reporting, being:

- widespread poverty
- limited financial capacity to leave their family/community (or a preference not to)
- a lack of access to education and employment
- a lack of culturally appropriate and safe housing options for Aboriginal and Torres Strait Islander women and their children, creating a logistical barrier for women wishing to leave violent relationships[134]

Aboriginal and Torres Strait Islander women are also more likely than non-Indigenous women to face restrictions on their movement imposed by state agencies. These include rules and regulations associated with welfare cards and other Centrelink policies, child protection and access requirements, and police orders, warrants and bail restrictions.

> 'Instead of saying "Why are Aboriginal communities so violent? Or why don't the women report it, or leave?" … It'd be great to change that language to say: "Why don't we provide adequate support? Why don't we provide better infrastructure? Why don't we make it safe for our people to get out of those situations?" … Because there is no safe place for Aboriginal women. So you might not be safe in your community because of violence, but when you leave, where do you go? And where do you take your children? And what are the losses in those decisions? … Because, you're going out to a place of non-safety anyway. So which non-safety, which lack of safety do you want to choose?' **Marlene Lauw**[135]

Perhaps most significantly, women often report facing threats of reprisals or further violence by the perpetrator (or their family) should they disclose the violence they are experiencing. These threats are commonly directed not only at the woman herself but at other family members, including children.

Service providers confirm that intimidation frequently includes women's violent partners or family members seeking to silence them by making 'explicit threats to report them to child protection or have their children taken away from them if they go to the police'.[136]

> 'Some women are afraid [to access services] because the workers know the other person [the perpetrator] or they're scared about breaking confidentiality, or family retribution and conflicts of interest. Or someone works for the service who they're afraid might find out.'
> **Aboriginal female participants at Alice Springs consultation workshop**

> '[We need to understand] the complexities of all those issues … [we need] a cultural lens, cultural understandings. Especially if he [the perpetrator] is from a stronger family in a region that has more power and control — whether it's traditional power and control or organisational power and control — they work in the organisations, his family members are there. So the … confidentiality gets tainted and … that's why Aboriginal people necessarily might not seek the services of Aboriginal organisations.'
> **Craig Rigney**[137]

For anyone who experiences violence that is intra-familial, disclosure is often particularly difficult if it is likely to lead to a loss of broader family connection and support. For Aboriginal and Torres Strait Islander people there may be especially challenging 'internal conflicts' about disclosure in such cases, given the importance of family and kin.
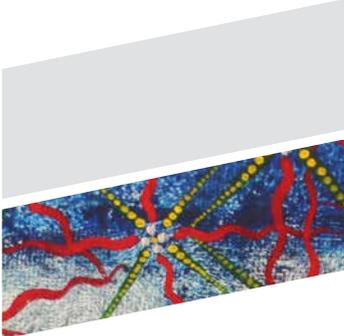
Some similarities, many differences: understanding violence against Aboriginal and Torres Strait Islander women

Similarities and shared dynamics: violence against Aboriginal and Torres Strait Islander women as part of a broader pattern of gendered violence

As discussed above, for Aboriginal and Torres Strait Islander women violence is experienced very differently, occurs in a very specific social context, and has particular impacts that must be properly understood. However, there are some commonalities with violence against other women. As such, this violence can (partly) be understood as part of a broader pattern of gendered violence experienced by women across Australia, and around the world.

This violence comprises a wide spectrum of violent, abusive and controlling behaviour, including:

• physical, sexual, psychological or emotional violence
• financial abuse and control
• cultural/spiritual violence
• threats and coercion

For both Aboriginal and Torres Strait Islander and non-Indigenous women, the perpetrators of violence are overwhelmingly male and known to them. In both cases, they can be men from any background, and include Aboriginal and Torres Strait Islander men and non-Indigenous men.

The kind of violence that women of many backgrounds experience within intimate relationships is often part of a similar pattern of abuse and control. The perpetrator instils fear, limits women's independence, damages their self-esteem and makes escape from the relationship extremely difficult. Like non-Indigenous women, Aboriginal and Torres Strait Islander women are also subject to many other forms of gendered violence outside the relationship context.

For any woman, the immediate and long-term impacts of violence are significant and often devastating. They can include psychological harm, physical injury, illness, disability and even death. Experiencing violence takes a long-term toll on any woman's health and her wellbeing. It also impacts her children, and has multiple negative ripple effects across families, communities and Australian society.

In these ways, violence against Aboriginal and Torres Strait Islander women is part of a larger, Australia-wide (and worldwide) phenomenon and, as such, shares some common characteristics with gendered violence. Current knowledge about gendered violence generally can therefore be of some use in understanding this violence, its drivers, and its impacts.

Differences and unique experiences: violence against Aboriginal and Torres Strait Islander women as a specific phenomenon

Primarily, we must consider how the social position of women influences the dynamics of the violence they experience, and how the social position of Indigenous and non-Indigenous men influences the dynamics of perpetration. We must also take into account how these factors shape or influence the particular ways violence against Aboriginal and Torres Strait Islander women is responded to by institutions, is reported (or not) by the media[138] and is perceived by the broader society.

We must also understand the particular consequences and impacts of violence against Aboriginal and Torres Strait Islander women, some of which are detailed above. Geographical factors must also be considered,[139] given the differences between living conditions, community dynamics and service and infrastructure levels between urban and remote areas of Australia.

Finally — and most importantly from a prevention perspective — we must identify the specific underlying drivers of, and contributors to, violence against Aboriginal and Torres Strait Islander women. If we are to prevent this violence, it is these drivers that must be properly understood and effectively addressed.

To develop this deeper understanding, we need to examine a range of critical contextual factors in which violence against Aboriginal and Torres Strait Islander women occurs. The context cannot be viewed or understood in isolation from the social, cultural economic and political context that is a legacy of colonisation.

'While violence against Aboriginal and Torres Strait Islander women shares some similarities with gendered violence more broadly, it is also fundamentally and significantly different to violence against other women in Australia. This resource is focused on exploring and understanding these differences, to inform an effective approach to prevention.'

Understanding this violence means understanding the ongoing impacts of colonisation

Contemporary violence against Aboriginal and Torres Strait Islander women must be understood in the broader context of colonisation in Australia. This is a process both historical and ongoing, and which has impacts both for Aboriginal and Torres Strait Islander people and non-Indigenous people, as well as Australian society.

> 'Violence against women and girls in the Indigenous context … cannot be seen as separate from the history of discrimination and marginalisation experienced by Indigenous peoples as a whole.' **UN Economic and Social Council, Permanent Forum on Indigenous Issues**[140]

Colonial violence

Colonisation is itself an inherently violent process. In Australia, multiple forms of state or state-sanctioned systematic violence against Aboriginal and Torres Strait Islander people have been used as tools of this process.

> 'Violence certainly is a national problem because it is one of the repercussions of colonisation. I'm not saying that we never had any issues in our communities, but what I'm saying is colonisation, assimilation, all those past policies have impacted and brought about what our communities look like now. They have certainly been the cofactors for it.' **Marlene Lauw**[141]
>
> 'Colonisation has been so impactful on violence in Aboriginal communities. Its effects, and its brutality have been oppressive and suppressive upon our people.' **Tracey Currie-Dillon**[142]

These many forms of violence include:

- 'frontier' violence, as part of the violent dispossession of people from their lands, including massacres of men, women and children
- widespread sexual violence against women and abductions of women
- various forms of physical violence typical of the post-frontier period
- forced labour
- the violence of segregation and exclusion practices throughout the 19th and early 20th centuries.[143]

They also include more subtle or 'hidden' forms of violence that have characterised many more recent government and bureaucratic policies and practices towards Aboriginal and Torres Strait Islander people.

This violence has been both interpersonal and institutional. It has been perpetrated by individuals, and as Aboriginal feminists point out, by both white men and white women.[144] It has been perpetrated by the state and its agencies, particularly police, welfare officers and managers of government reserves and institutions. Finally it has been perpetrated by religious institutions, particularly on missions.

While some of this violence is 'historical', much is ongoing, and even past violence is very much in the living memory of people today. For example, with Aboriginal and Torres Strait Islander children still being removed into institutions up until the 1970s, today's generations of grandparents, parents and children are still directly affected by the impacts of that policy on individual lives and family relationships. Despite many massacres only recently being mapped and documented by historians,[145] they are a significant part of contemporary Aboriginal and Torres Strait Islander oral histories.

Ongoing impacts

The devastating impacts on Aboriginal and Torres Strait Islander peoples of these various forms of colonial violence are widely documented.[146] They include cultural devastation, loss, significant family and community dislocation, and ongoing negative impacts on health and wellbeing.[147]

Colonisation has also left significant legacies for non-Indigenous people, and has influenced and shaped Australian society and culture in general, creating racist and discriminatory norms, structures and practices. While this aspect of colonisation's impact tends to receive little attention in Australia, it must be included in any analysis that seeks to understand violence against Aboriginal and Torres Strait Islander women today, for two reasons.

Firstly, a significant proportion of violence against Aboriginal and Torres Strait Islander women is perpetrated by non-Indigenous men. Therefore any model for understanding this violence needs to acknowledge and explain this, rather than focusing only on violence perpetrated by Aboriginal and Torres Strait Islander men.

Secondly, the legacies of colonial thinking and practice continue to shape Australian social and cultural norms, values and institutions. They influence society's perception and response to violence against Aboriginal and Torres Strait Islander women, media representations, public discourse, and contemporary policy. In turn, these factors help perpetuate the underlying social conditions that devalue the lives of Aboriginal and Torres Strait Islander women and make violence against them more likely.

> 'Colonisation has brought [violence] with it. White people came here from a culture of violence. A lot of those people who came had a lot of violent attributes … Some of those attributes have been passed down to our men …'
> **Participant at Our Watch consultation workshop**
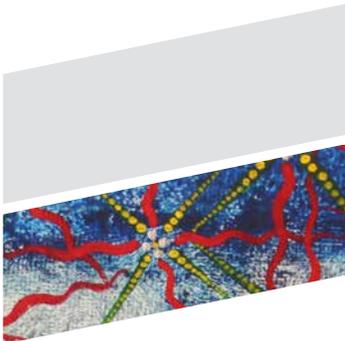
Why we also need to include a gendered analysis

While the combined, ongoing impacts of colonisation and racism are a significant driver of violence against Aboriginal and Torres Strait Islander people, this alone cannot explain the gendered patterns in the data.[148] Violence affects many Aboriginal and Torres Strait Islander people, but women and their children suffer disproportionately, especially as a result of intimate partner violence, family violence and sexual violence. We also know from the national prevention framework[149] that gender inequality sets the necessary conditions for the levels of violence against women generally across Australia. For all these reasons, any model for understanding violence against Aboriginal and Torres Strait Islander women therefore needs to consider the gendered dimensions of this issue.

'It must be recognised that family violence in Aboriginal communities is gendered — just as it is in the mainstream community. While men can certainly be victims of family violence and their needs must not be overlooked, women and children represent the vast majority of victims/survivors within Aboriginal communities. [...] It is of concern that some strategies and frameworks designed to address family violence in Aboriginal communities fail to recognise the gendered nature and impacts of family violence, instead framing family violence as an issue affecting families and communities or as simply one aspect of "lateral violence".'[150]

Aboriginal and Torres Strait Islander women face 'dual oppressions' in an Australian society characterised by both patriarchal and racially discriminatory structures and processes. As a result, there is often insufficient attention paid to issues, including violence, that particularly affect Indigenous women,[151] even during the recently enhanced media coverage of violence against women.[152] The analysis presented here deliberately aims to help redress this.

However, while this model includes a gendered analysis, it places gender issues within the context of colonisation. It does so because the patriarchal notions of gender and gender roles that have created gender inequality in Australia today do not exist independently of this context. Rather, these European notions were introduced as part of that historical process. They were imposed on Aboriginal and Torres Strait Islander communities, causing ongoing impacts for men and women today. They also created the context which shapes non-Indigenous men's attitudes and behaviours towards women.

'We need to stop ignoring gender as the key contributor to violence against women. And I say this with complete respect to our men who are significantly more likely to be victims of violence than white men, who also experience racism, poverty, addiction and isolation.

'Yet, time and time again, in Australian society both Aboriginal and non-Aboriginal, we see the celebration of gendered violence. We see football players accused of rape and off-field violence being allowed to continue to play. We see men squaring off against each other out the front of nightclubs because one of them looked at the other's girlfriend and winked, and clearly they do this because they feel they own us. We hear about warriors, about thugs, about fighters.'

'We live in a country which, while it actively ignores Indigenous history, also mainly erases women's stories from the books as well. Masculinity and patriarchy is actively celebrated in Australia, yet it causes harm time and time again to both men and women.'
Celeste Liddle[153]

Conclusion: the need for an 'intersectional' approach to understanding violence

There is no single or simple 'cause' of violence against women,[154] but rather a number of contributing or reinforcing factors that play a role in different circumstances. However, the prevalence, severity and particular forms of violence that Aboriginal and Torres Strait Islander women experience are the result of complex interactions between a number of key factors, or underlying drivers.

Intersectional analysis

An analysis of the ways in which different and multiple systems and structures of oppression and discrimination intersect and reinforce each other, rather than operating separately. This analysis focuses particularly on the negative consequences and complex impacts for those people who are positioned at the intersection of two or more of these systems of inequality.
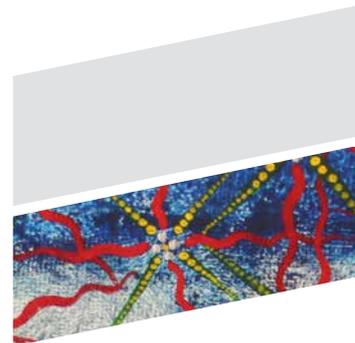
As the many Aboriginal and Torres Strait Islander contributors[155] to research and debate[156] on this topic have pointed out, a gendered analysis alone is insufficient to understand what drives this violence. When applied in isolation, a one-dimensional gendered approach is problematic in many ways as it:

- overstates the similarities between different groups of women
- fails to acknowledge the different structural inequalities they face
- obscures the significant differences between Indigenous and non-Indigenous men's experiences of the gender dynamics in Australian society
- cannot explain the different drivers of violence that are perpetrated by Indigenous and non-Indigenous men

These limitations point to a need for a sustained focus on factors other than gender.

At the same time, we cannot ignore gender. Many Aboriginal and Torres Strait Islander women — activists, service providers and community members — continue to support and call for this focus on gendered dimensions as key drivers of the significant impact of violence on Aboriginal and Torres Strait Islander women, in particular.[157]

> 'Aboriginal and Torres Strait Islander women face an increased risk [of violence] due to both gender and racial discrimination and oppression. It is the intersection of gender and racial inequality that creates conditions for such high rates of violence.' **Women's consultation workshop participant, Darwin**

What is needed therefore, is an intersectional approach[158] which acknowledges the complex interactions and intersections between the different systems of oppression, discrimination and inequality that characterise contemporary society.

> 'Aboriginal women experience multiple points of disadvantage and marginalisation due to the intersection of racism, gender inequality and poverty.' **Aboriginal Family Violence Prevention and Legal Service Victoria 2016, p. 3**

Many Aboriginal and Torres Strait Islander women and organisations have called for such an approach to understanding violence. As they point out, 'the intersections between race, gender and classism are often omitted from the discussion' about violence against Aboriginal and Torres Strait Islander women,[159] and more broadly, 'the impact of the intersection of racism, poverty and sexism on Aboriginal women's marginalisation and social isolation are not well understood'.[160] In contrast, an intersectional approach can help 'take into account culture, history, race and place as well as gender'.[161] It acknowledges both 'Aboriginal women's experiences of entrenched gender inequality', and the 'disproportionate intersectional nature of Aboriginal women's inequality'.[162]

The need for an intersectional approach to understanding violence against women is acknowledged by *Change the story,* which states:

'While gender inequality is always influential as a driver of violence against women, it cannot be considered in isolation, nor is it experienced in the same way by every woman. Other forms of systemic social, political and economic discrimination and disadvantage influence and intersect with gender inequality, and in some cases, increase the frequency, severity and prevalence of violence against women.'

'This means that while gender inequality may be a necessary condition for violence against women, it is not the only, or necessarily the most prominent, factor in every context. For example, Aboriginal and Torres Strait Islander women who, with the men and children of their communities, are suffering the legacy and contemporary manifestations of colonialism, intergenerational trauma and entrenched social and economic disadvantage, may not always place gender inequality as central to their understanding of violence against women. Gender inequality therefore needs to be considered and addressed alongside a range of other significant factors.'[163]

While Aboriginal and Torres Strait Islander men experience the ongoing, combined and deeply traumatic impacts of colonisation and racism, and non-Indigenous women experience the negative impacts of gender inequality, Aboriginal and Torres Strait Islander women experience the combined, intersecting impacts of both of these factors.

'Aboriginal women are hurt, harmed and their lives are lost because they are women and because of their Aboriginality.' **Antoinette Braybrook, Our Watch conference**

'For Aboriginal and Torres Strait Islander women, it is a struggle for gender equality as well as for racial equality.' **Dorinda Cox, Our Watch conference**

It is these major factors — the ongoing impacts of colonisation, including systemic racism, together with gender inequalities — and the ways in which they intersect to drive violence against Aboriginal and Torres Strait Islander women, which are explored in the next section.

Multiple intersecting oppressions

Colonisation, racism and gender inequality intersect not only with each other but with other forms of oppression and discrimination. These include classism, ageism, disability discrimination, homophobia and transphobia, all of which can generate additional drivers of violence, increase the perpetration of violence, exacerbate and complicate its impacts, and create additional barriers to reporting for some Aboriginal and Torres Strait Islander women.

Exploring the underlying drivers of violence

'You've got to get to the root cause of all this' [164] :
the underlying drivers of violence against
Aboriginal and Torres Strait Islander women

As discussed in the previous chapter, an understanding of the ongoing impacts of colonisation in Australia is critical in comprehending the underlying drivers of violence against Aboriginal and Torres Strait Islander women. These flow-on effects continue to influence every aspect of life for Aboriginal and Torres Strait Islander people. They also shape the very nature of Australian society, including its norms and values, its social, economic and political structures and its institutions.

These impacts play out in three interrelated ways. Firstly for Aboriginal and Torres Strait Islander people; secondly for non-Indigenous people and society; and thirdly through the imposition of a European gender hierarchy. As a result, they create three interrelated drivers of violence against Aboriginal and Torres Strait Islander women. These are described in turn below, and illustrated at Figures 2, 3 and 4 respectively.

The way in which these three drivers intersect is then shown in the explanatory model at Figure 5.

'For us, it's not something that's just all in the past'[165]: ongoing impacts of colonisation for Aboriginal and Torres Strait Islander people

From invasion to the present day, the colonisation process has involved deliberate violence, in many different forms, against Aboriginal and Torres Strait Islander people. This process has produced a series of highly traumatic impacts for Aboriginal and Torres Strait Islander people, families and communities in Australia, impacts that continue today.

> ''Colonisation and past government policies have had tragic impacts on every Aboriginal person.' **Larissa Behrendt**[166]

Both policies and practices of forced child removal, together with widespread institutionalisation, especially with the mission system, severely disrupted family and community relationships, parenting practices and cultural connections.

Dispossession from land, in addition to economic exclusion, have produced disempowerment and enforced dependency. Policies of protectionism and assimilation have caused a significant loss of culture, language and knowledge. This in turn has caused serious disruption to the social and cultural norms of Aboriginal and Torres Strait Islander families and communities. High rates of incarceration — of young people, men and women — further disrupt family and cultural relationships, and cause lasting psychological damage for many.

The combined effects of this foundational violence, in conjunction with subsequent processes and practices, has created severely traumatic experiences for Aboriginal and Torres Strait Islander men, women, children and communities. This intergenerational, multigenerational trauma is one of the underlying drivers of violence against Aboriginal and Torres Strait Islander people generally, particularly where this violence occurs within families and communities.

In intersection with a set of gendered drivers (described below), these traumatic conditions also go some way to explaining the high levels of violence against Aboriginal and Torres Strait Islander women, particularly when perpetrated by Aboriginal and Torres Strait Islander men.

The elements that make up these drivers are summarised below. The way in which these many forms of violence can be understood as a direct legacy, or ongoing impact of colonisation for Aboriginal and Torres Strait Islander people, is discussed in more detail on the pages following.

Ongoing impacts of colonisation for Aboriginal and Torres Strait Islander people, families and communities

- Intergenerational and collective trauma
- Experience of systemic oppression, disempowerment and racism
- Destruction/disruption of traditional cultures, family and community relationships and community norms about violence
- Personal experience of/exposure to violence (racist violence, violence within communities and family violence)
- Condoning of violence within Aboriginal and Torres Strait Islander communities

Intergenerational and collective trauma

Research suggests that a significant underlying cause of contemporary forms of violence within Aboriginal and Torres Strait communities is the 'intergenerational trauma' experienced by Aboriginal and Torres Strait Islander people. Experts in the field of psychological trauma suggest that Aboriginal and Torres Strait Islander people experience unique forms of trauma and post-traumatic stress.[167] These are the result of 'the ongoing and cumulative effects of colonisation, loss of land, language and culture, the erosion of cultural and spiritual identity, the forced removal of children, and racism and discrimination'.[168]

> '[T]here are aspects [of post-traumatic stress disorder] that appear to be specific to Australian Aboriginal peoples. These include issues associated with the historical and personal context of culturally bound expressions of distress interpreted as anger (which are finding release in violent behaviour), community and family destruction, grief and loss resulting in high levels of family violence, and drug and alcohol misuse. These are all compounded by personal and social identity issues associated with a lack of meaningful activities, such as employment and traditional activities, and a lack of formal and informal social support.'[169]

These forms of trauma are experienced by Aboriginal and Torres Strait Islander people both individually and at a collective level.[170] Such trauma is referred to as intergenerational or multigenerational because it is transferred or transmitted from one generation to the next.[171] With transfer, its impacts compound and become more complex over time, 'reverberating through the generations', through 'the "flow-down" of traumatic stressors and dysfunctional behaviours'.[172]

High rates of mortality, illness, incarceration, hospitalisation and deaths in custody make up the contemporary experiences of Aboriginal and Torres Strait Islander people and communities. This is partly explained by the well-documented fact that many Aboriginal and Torres Strait Islander people 'carry a significant burden of loss and bereavement from an early age', and experience 'high levels of chronic ongoing stress … in their everyday lives that are severe, multiple and ongoing'.[173]

The intergenerational transmission of these specific traumas is understood to be a significant driver of the ongoing cycle of violence experienced by Aboriginal and Torres Strait Islander people and communities. Characterised as 'a crisis of trauma and violence borne of colonising processes',[174] these cycles of violence can be understood 'not as the unintended outcome of well-intentioned and benevolent colonial rule [but as] the direct result of settler policies intended to eliminate Indigenous people'.[175]

This relationship between trauma and violence has been recognised both in the academic literature and by governments. A recent Queensland Government Taskforce on domestic and family violence pointed to the numerous impacts and traumatic intergenerational legacies of colonisation on Aboriginal and Torres Strait Islander people families and communities. Separately, the Victorian Royal Commission into Family Violence also explicitly recognised family violence within Aboriginal and Torres Strait Islander communities as 'emerging within the context of deep intergenerational trauma as a result of colonisation, dispossession and the destructive impact of policies and practices such as the forced removal of children'.[176]

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" 'Trauma can affect a person for many decades and in many different ways. If people have not had the opportunity to heal, then they may act out their pain in negative ways including physical or emotional violence [or] abuse.' **Healing Foundation**[177]

The complex impacts of these cumulative and intergenerational experiences of trauma include both an internalising of oppression and an externalising of expressions of violence,[178] that sees violence used as 'an expression of trauma',[179] with men more likely to externalise the impacts of trauma through violence.[180]

'Trauma, post traumatic stress disorder is a huge thing for Aboriginal men — we know that's a major factor.' **Consultation participant, Darwin**

" 'Men are using their physical strength against women, which of course, is totally wrong. But … what our research and data shows, is that [there are] a lot of issues that these men have and they don't know how to deal with them … and that leads to violence in some way, shape or form. … Colonisation, disempowering of men … and sadly, the inter-generational trauma has been taught and handed on to, to Aboriginal men in particular. We need to … understand and recognise it. But absolutely not allow it to happen or be an excuse for violence in any way, shape or form.' **Craig Rigney**[181]

'A lot of Indigenous men have experienced abuse, trauma, grief or loss, which may remain unresolved. It negatively impacts on their social and emotional wellbeing and relationships. It is compounded by alcohol and other drug abuse and other distressing issues like overcrowding, unemployment, relationship breakdown, mental health and poverty and they've seen family and domestic violence cycles in their families and communities'. **Steven Torres Carne**[182]

A high proportion of Aboriginal men who commit violent crimes are themselves suffering the psychological symptoms of cumulative harm and intergenerational trauma as a result of numerous traumatic stressors, according to research. These stressors frequently include past experiences of family and/or institutional violence, suggesting that violence is 'both a cause and an effect' of this trauma.[183]

Because the current response to violence tends to rely on criminal justice and punitive approaches, many of these men are subsequently imprisoned. This is an outcome that can have its own traumatic impacts and that tends to compound these underlying issues.[184]
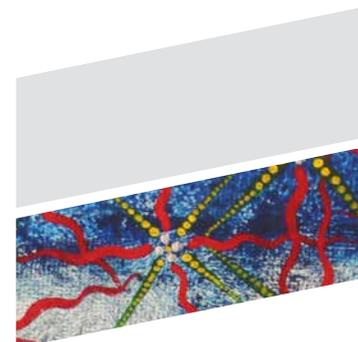
It's clear that 'family violence is both a cause and consequence of imprisonment',[185] illustrating again the cyclical nature of violence in Aboriginal and Torres Strait Islander people's lives. More than that, it demonstrates the interconnection between all these issues — from intergenerational trauma and violence to high levels of incarceration — in the lives of Aboriginal and Torres Strait Islander people, families and communities.

> 'A lot of Aboriginal men are coming to men's groups from jail. So they come out of jail, the prisons open the gate and they just say, "See you later. Your time has finished". There's no follow up or support. So where do they go? The first thing they wanna do is find their missus, their kids. They might have heard the missus is playing up. They want to grab her, they want to attack. … But you've got to look at the reasons and the roots for why these men are violent, and the foundation for that. Because, if we don't … they go into jail, they come out, bash women, we put them in jail again, 6 or 12 months later they come out. … And it just keeps going and going, and going.'[186]

> 'Indigenous people are such a high proportion of people in custody in Australia today. And so many of the young people in detention across the country are also Aboriginal. Guess how old the youngest is? 10 years old. They're children, locked up. And now with what's going on in the Northern Territory [referring to media coverage of abuse in juvenile detention centres] we're getting to see what happens inside there. And then when those people are released they get a partner. And then the cycle continues. A vicious circle.'[187]

Experience of systemic oppression, disempowerment and racism (including racist violence)

Colonisation is a system of oppression that deliberately created a series of structural and institutional inequalities for Aboriginal and Torres Strait Islander people. In the contemporary context, Aboriginal and Torres Strait Islander people continue to experience systemic oppression and discrimination in many aspects of everyday life, from housing to education and employment, to interactions with police, the justice system, shops, services, government agencies[188] and individuals.

The disempowerment of Aboriginal and Torres Strait Islander people has been a deliberate and central tool of colonisation, from the protectionist-era policies that imposed extraordinary controls over every aspect of people's lives,[189] to more contemporary policies that have restricted Aboriginal and Torres Strait Islander people's capacities and aspirations for individual and collective self-governance, community control and self-determination.

In addition to this structural and systemic oppression, Aboriginal and Torres Strait Islander people also report direct and personal experiences of racism (both institutional and interpersonal) at much higher rates than non-Indigenous people.

Studies have found self-reported experiences of racism among Aboriginal and Torres Strait Islander peoples range from 16% to 97% depending on the aspects of racism researched.[190] Most recently, a 2016 survey found that in the previous six months alone, over one third (37%) of Aboriginal and Torres Strait Islander people had experienced racist verbal abuse and 17% had experienced racist physical violence.[191]

Racist violence against Aboriginal and Torres Strait Islander people has not only played a major role in Australian history, but persists in many forms today, including:

- violence perpetrated against individuals in public places
- attacks on communities or neighbourhood violence
- the actions of racist organisations
- violence perpetrated by state agencies, such as police and the criminal justice system[192]

The combined structural and personal manifestations of racism reproduce and entrench social and economic inequalities, and disempower those who experience it.

Racism also has significant negative physical and mental health impacts for anyone who is targeted by it.[193] Prolonged and more frequent exposure to racism that starts in early life has impacts on multiple domains of health in adulthood.[194] The psychological effects of racist violence in Australia are both serious and cumulative. The evidence details extreme anguish and distress, often accompanied by feelings of powerlessness and hopelessness, particularly when the violence is perpetrated by people in positions of authority.[195] Experiences of racism from authority figures, such as police and government service providers, have also been identified as a key trigger for anger and violence among Aboriginal and Torres Strait Islander men in custody.[196]

Destruction or disruption of traditional culture, family and community relationships and community norms about violence

Systematic attempts to destroy Aboriginal and Torres Strait Islander cultures, practices and language, including through government assimilation policies, have resulted in either destruction or disruption of many aspects of traditional cultural knowledge, law/lore and community norms. This includes the destruction of traditional 'guidelines for everyday living' or 'norms for acceptable behaviour', encompassing specific laws and cultural norms relating to the use of violence, and established procedures for community leaders to respond to breaches of these laws and norms.[197]

'Family violence may not have been part of our traditional culture but it is certainly a part of many of our families lives today — a very negative part.' **Andrew Jackomos**[198]

'Through colonisation [we've seen] the displacement of men in the family unit. That's divide and conquer 101 — you remove the man from the family unit. You take away the warrior. You disempower him and you break the family unit. … So what we see in the men that we work with … is that Aboriginal men have never felt that their voice is heard. They're frustrated.'

'Aboriginal men, I guess, have lacked the skills and the confidence in the areas where women across the board, including Aboriginal women, have [succeeded] in getting together, being strong, talking about their feelings, talking about their emotions, and doing something about it.'

'Look at the feminist movement across the world. If we put a cultural lens on that, it has slightly different meanings – but the principles are the same. It was women coming together. So here, Aboriginal women are very strong and the women were first to act. So Aboriginal men, generally speaking, feel very disempowered, [they think] "No-one wants to listen", "I don't know who to talk to", "The women seem to be doing their own thing and are damn good at it, and we're not organised. We don't talk. We don't communicate". So they internalise everything, and everything starts to fall apart. So, without making that an excuse, that's probably something that [needs to] be addressed, or considered.' **Craig Rigney**[199]

'[One of the causes of violence] is the social fabric breakdown that came from colonisation. Aboriginal people were separated, we had all those policies of moving people to different communities … [that] caused family breakdowns and disconnection from culture. People became more isolated, and there's a lack of formal support. And now we see lateral violence and drinking that can lead to violence. Because of that history of oppression there's a lot of frustration, confusion, anger so people lash out, hurt the people they love.' **Participant at Our Watch conference consultation workshop**

Destroyed too were the cultural knowledges and practices that previously defined people's roles, relationships and obligations towards each other and prevented, strictly regulated or mitigated against, interpersonal violence. As a result, 'Indigenous people have been profoundly affected by the erosion of their cultural and spiritual identity and the disintegration of family and community that has traditionally sustained relationships and obligations and maintained social order and control'.[200]

This destruction of culture has contributed to the erosion of Aboriginal and Torres Strait Islander wellbeing, which in turn is recognised as a key driver of the current levels of violence in Aboriginal and Torres Strait Islander communities.[201]

'The influence of mainstream [culture] is what's causing violence, and why we are losing our culture.' **Consultation participant, Thursday Island, Torres Strait**

These profound cultural and community impacts, combined with persistent experiences of deprivation and disadvantage have significantly compromised the ability of many communities to maintain order using customary law, or develop other ways to counter contemporary violence-supportive social and cultural norms.[202]

'The cause of family violence, I believe, is to do with the breakdown of our society's values and norms, traditions and culture that has increased over the past 30 or 40 years and is cumulative harm and dysfunction is happening for many families' generation after generation. The impact of past government policies and programs have had a devastating effect on my community that continues to this day. But there is no, and will never be, any justification for family violence. Family violence that is ripping apart families and ripping apart children from their culture and heritage.' **Andrew Jackomos**[203]

Personal experience of/exposure to violence (racist violence, family violence, and violence within communities)[204]

Aboriginal and Torres Strait Islander people are more likely to have personal experiences of violence, and exposure to multiple forms of violence than the general population. They are exposed to colonial violence, racist violence (both interpersonal and institutional),[205] the high levels of family violence described in the previous chapter, and other kinds of community violence that are characteristic of oppressed and traumatised communities.

Direct personal experiences of violence

Experience of violence itself — especially as a child, and over the long term — has been shown to potentially establish and reinforce a belief that violence is an appropriate form of discipline, punishment or way of solving disputes.[206] This in turn can contribute to the normalisation of violence within families or communities who experience it.

While important to acknowledge, the link between exposure to, or experience of violence and later perpetration or victimisation is not an inevitable one, nor can such past experiences be considered an excuse for future perpetration. Many people who have experienced violence never go on to be violent themselves, and indeed some are among the strongest role models and campaigners against violence.[207] The impact of individual experiences of violence can be greatly reduced by other social, educational and psychological factors, such as exposure to positive relationships and role models, and equitable, non-violent community norms. All of this supports the view that effective prevention efforts are key to helping break the cycle of violence in people's lives.

At a social level, the intergenerational impact of the multiple damaging legacies of colonisation described above helps explain the relatively high levels of interpersonal violence within some Aboriginal and Torres Strait Islander communities today.[208] Indeed, literature points to this 'ongoing cultural dispossession and its consequences' as the most significant 'underlying factor' explaining these contemporary patterns of violence.[209] To this end, interpersonal violence between Aboriginal and Torres Strait Islander people today can be viewed as a contemporary legacy of the ongoing systemic and structural violence perpetrated against Aboriginal and Torres Strait Islander people since first contact.

Violence within communities

Violence within communities is sometimes referred to as 'lateral violence' because it results from historical and ongoing trauma and social and cultural oppression, when the subsequent anger is directed 'sideways, rather than targeted at the deeper causes of oppression'.[210] It involves those living with consistent oppression, fear and anger 'turning on each other, even on those closest to them'.[211]

For this reason, and because it is the result of intentional colonising acts designed to 'divide and conquer', this violence is also sometimes referred to as an expression of internalised oppression, or 'internalised colonialism'.[212] Because it is based on feelings of powerlessness, such violence tends to be directed at those who are less powerful, particularly women and children.[213] This violence spreads through families and communities, and across generations, and its traumatic impact is far reaching because of the closeness of Aboriginal and Torres Strait Islander community and kinship ties.[214]

However the term 'lateral violence' is highly contested, with many people disliking it for the implication that Aboriginal people themselves, rather than the colonial process, systems and structures, are to blame. Some consulted for this resource feel the term has the effect of constructing yet another 'Aboriginal problem'. In its place, they suggest 'internalised oppression' as a more useful term because 'lateral violence is not our problem, it's a response [to trauma and oppression]'.[215]

> '' 'What we know about lateral violence is, if you've been oppressed and oppressed and oppressed, and you can't press up, you press out. And a lot of that has encompassed the violence within our communities. Lateral violence, and being an oppressed people, you know, it is about the loss of the culture.' **Marlene Lauw**[216]

Regardless of the label, the various kinds of violence experienced within Aboriginal and Torres Strait Islander communities overlap with the kinds of violence against women considered in this resource, and cannot be understood in isolation from each other.

Other forms of violence

As an example of this intersection, other forms of violence in Aboriginal and Torres Strait Islander communities can greatly compound and exacerbate violence against women by making it extremely difficult for women to report violence or seek help. While we know many women in Australia are too fearful to report violence, for many Aboriginal and Torres Strait Islander women (particularly those living on remote communities), other kinds of violence – including threats and intimidation by the perpetrator's family or kin – makes them even less likely to do so.[217]

"

'We talk about lateral violence as a resistance ... If you're oppressed and imposed on, there are certain things that we all do to try and resist that, and fight that off. Some of that might be being angry and frustrated. We all know that saying 'fight or flight'. Sometimes that's the only thing left to Aboriginal people. It's not like services come in and fix everything up ... everyone's just left to fight it out, endlessly, with no resources.... So, sets of behaviours that are adaptive in a resistance sense then become maladaptive in the sense that women and children are copping it.' **Sigrid Herring**[218]

Aboriginal and Torres Strait Islander people — men, women and children — are also more likely than non-Indigenous people to experience or be exposed to other forms of violence in their own lives. Again this is due, at least in part, to the conditions created by the traumatic legacies and ongoing impacts of colonisation.

This includes many forms of violence and abuse, both interpersonal and institutional that are perpetrated by non-Indigenous people and institutions, and driven by systemic racism and discrimination. They also include family violence, much of which is violence against women, but which can also impact men and children.

Social learning of violence

Children's direct experience of, or exposure to, physical or sexual violence can have profound and negative impacts on their development and later lives. Early exposure to violence can potentially lead to developmental issues[219] as covered above in 'The Current Picture'. Without intervention, this developmental pathway can lead to a higher risk of perpetration and victimisation. However, evidence suggests that, without positive intervention, early life exposure to violence can increase the likelihood of later perpetration of violence.[220]

This 'social learning' of violence is more likely in the absence of positive alternative relationship models, and also where there is little or no effective support to help people recover from their experiences of violence. Gender also plays a part, because while both girls and boys may be exposed to violence or be victims of violence as children, patterns of perpetration in adulthood are still strongly gendered. As previously discussed, men are overwhelmingly the perpetrators of violence, particularly relationship or family violence and sexual assault.

This potential link between childhood and adult experiences of violence is particularly relevant, given the damage to family relationships and parenting skills wrought by colonial policies of forced institutionalisation. These impacts are compounded by the ongoing lack of social recognition of the harms done and the extremely limited availability of culturally safe supports and services to facilitate healing and recovery. This point was made repeatedly in consultations in relation to Aboriginal and Torres Strait Islander men who use violence.

> 'If he's seen violence as a normal way of responding to things as he's grown up … at some point, when there's a lot of stressors that might occur in that fella's life, around money or overcrowding or jealousy, these sorts of issues are triggers that might provoke that situation, and that's when violence erupts. If he hasn't got anything culturally, to centre himself, to give him that mindfulness then he's going to react in those sorts of ways, because he hasn't got the tools to help him deal or cope with those stressors … A lot of fellas didn't have their own dads around, so they didn't show them how to have a loving, nurturing relationship with their partners, and respect them.'
> **Participant, Aboriginal men's consultation workshop, Darwin**

As well as helping to explain the perpetration of violence, some also suggest that repeated personal experiences of violence, particularly in childhood 'can leave many survivors vulnerable to being re-victimised as adults', because these experiences cause an extremely damaging 'loss of self' that further normalises the cycle of abuse in their lives.[221]

In both these ways, the high levels of exposure to violence — including racist violence, violence within Aboriginal and Torres Strait Islander communities, and family violence — in turn become part of the explanation for the recurring and cyclical nature of violence against Aboriginal and Torres Strait Islander people, including women.

Condoning of violence within Aboriginal and Torres Strait Islander communities

Not only is the experience of, and exposure to, many kinds of violence more common for Aboriginal and Torres Strait Islander people, these are also more likely to be 'familiar' or shared experiences in families and communities, and across generations. As a result, some people may be more likely to view violence as an expected part of life. This does not necessarily imply an acceptance of violence nor an inability to see violence as 'wrong' or harmful, but rather shows the collective impact of these experiences on contemporary views and attitudes.

> 'If you just think back one generation, if you were socialised in a house in domestic violence, we know that you might go on to become a victim of domestic violence or to perpetrate domestic violence. You may do. If you look at the number of generations of Aboriginal families that have been socialised, generation after generation in violence it's terrible. Over the last 10 generations, Aboriginal people were socialised in abject fear of being murdered and massacred and incarcerated into missions and reserves, of being raped, enslaved, and their children stolen from them. These traumas are reinforced in recent generations through people's experiences of racism and discrimination, poor health, and so many early deaths. So domestic violence now is part of such a big run of stuff. If you add all that up, over those generations, when we're talking about how much more severe the violence in Aboriginal communities is, I think the answer is in those mountains of violence that Aboriginal people have been socialized in.' **Sigrid Herring**[222]

Some authors suggest that ongoing high levels of violence in some Aboriginal and Torres Strait Islander communities contribute to a condoning of violence as a means for resolving grievances, which in turn leads to a 'normalisation' or 'social learning' of violence.[223] Examples of violence being condoned or simply expected by some Aboriginal and Torres Strait Islander people were mentioned frequently in consultations on this resource — with many pointing to these views and attitudes as one of the reasons it has become so difficult to 'break the cycle' of violence in some families and communities.

> 'When kids see violence at home they think it is normal.'
>
> 'Because of history, violence has been normalised.'
>
> 'We need better understanding of what family and domestic violence is — it's NOT normal.' **Consultation participants, Alice Springs**
>
> 'When I was growing up, you tolerated that violent behaviour. At footy carnivals, there were big fights … It was seen as entertaining, people would stop watching the footy and watch the fights. Society tolerated that kind of behaviour there … I remember seeing that before we were teenagers. The whole world thought that back then, that it was just entertaining.'
>
> 'There's that issue of normalisation — where we've seen that [violence] happening and so everyone thinks that's just a normal thing to do.' **Consultation participants, Darwin**
>
> 'Violence has become normalised … and the community become conditioned to [think], "Oh, you know, yeah, that happens in Aboriginal communities," and it becomes normal, you know, people become indifferent to the whole thing.' **Consultation participant, Sydney**
>
> 'Violence is transgenerational — it's been passed down from generation to generation. It's an oppressed mindset and also a learned behaviour. After a while that just normalises the violence. It becomes just something we do in our families. It's a bad, bad inheritance.' **Participant at Our Watch conference consultation workshop**

The condoning of violence generally in Australian culture has been explicitly recognised as a 'reinforcing factor' for violence against women in the national framework for prevention.[224] This occurs both informally, through the reactions of family/communities and formally, through weak laws and response systems. In Australia generally, we see many examples of violence being excused, trivialised or condoned. When combined with ideas about gendered power, roles and relationships, these attitudes produce social norms that are especially likely to normalise violence against women.

The contextual analysis above helps deepen our understanding of the particular ways in which these kinds of violence-supportive attitudes and norms also operate within Aboriginal and Torres Strait Islander communities. It shows how these attitudes have additional roots in the systemic violence that Aboriginal and Torres Strait Islander people have experienced from invasion onwards.

'*There's a kind of tolerance in the mainstream of violence against us*'[225]: ongoing impacts of colonisation for non-Indigenous people and Australian society

Colonisation has created complex and damaging legacies for Aboriginal and Torres Strait Islander people. But it has also influenced the structures, norms and everyday practices of non-Indigenous Australians, as well as Australian organisations and institutions of all kinds. These impacts are shown in the diagram below.

Discriminatory and racist structures, norms, attitudes and practices can be understood as significant underlying drivers of the violence against Aboriginal and Torres Strait Islander people that is perpetrated by non-Indigenous people or institutions.

In intersection with particular gendered drivers (see later discussion) these underlying social conditions also partly explain the high levels of interpersonal violence against Aboriginal and Torres Strait Islander women, particularly when perpetrated by non-Indigenous men.

The elements that make up this driver are summarised below and each is discussed in detail on the following pages.

Ongoing impacts of colonisation for non-Indigenous people and society

- racialised structural inequalities of power that benefit non-Indigenous people
- entrenched and systemic racism in social norms, attitudes and practices
- perpetration of racist violence
- social norms condoning violence against Aboriginal and Torres Strait Islander people, and insufficient accountability for this violence
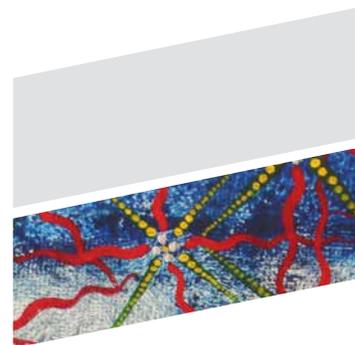
Racialised structural inequalities of power

Contemporary Australian society is characterised by racialised social structures of inequality, whereby social and economic and political privilege, power, resources and opportunities are concentrated with non-Indigenous people. This structural inequality is the contemporary result of the longstanding policies and practices described above.

Today these inequalities are continued through a range of mechanisms, as follows:

• Australian institutions continue to privilege non-Indigenous culture and knowledge, trivialise, devalue or exclude Indigenous perspectives and directly and indirectly discriminate against Aboriginal and Torres Strait Islander people.

• Contemporary laws and policies, while not necessarily explicitly discriminatory, have a disproportionate negative structural impact on Aboriginal and Torres Strait Islander people.

• Structural inequalities are further entrenched because Aboriginal and Torres Strait Islander people, particularly women, are underrepresented in decision-making positions, including those that are responsible for decisions that directly affect the lives of Aboriginal and Torres Strait Islander people.

> 'Aboriginal and Torres Strait Islander people often have to deal with systemic forms of discrimination. For many Aboriginal and Torres Strait Islander people, systemic racism is bound up in historical disadvantage and mistreatment.'
> **Australian Human Rights Commission**[226]

Entrenched racism in social norms, attitudes, and practices

In addition to being structural or institutional, racism in Australia is widespread in the attitudes, social norms and practices of non-Indigenous people.[227] This culture of racism is most obviously manifested in both explicit and implicit individual expressions and actions of racism, discrimination, and stereotyped ideas and beliefs about Aboriginal and Torres Strait Islander people. Numerous research projects have consistently found such views to be commonly held in Australia,[228] both openly and less consciously.[229]

Racist social norms and attitudes also have more subtle or indirect manifestations, including, for example:

• a widespread attitude of indifference to or lack of understanding of issues affecting Aboriginal and Torres Strait Islander people

• negative and stereotyped representations of Aboriginal and Torres Strait Islander people in the media and public and political debate. This includes a tendency to 'blame the victim'[230] and marginalise or discredit Aboriginal and Torres Strait Islander people's voices and perspectives

• a sense of privilege and entitlement among non-Indigenous people

• low levels of support in general for Aboriginal and Torres Strait Islander people's issues. This encompasses resistance to providing redress for past or present injustices,[231] protecting Indigenous people's human rights, or prioritising the needs of Aboriginal and Torres Strait Islander people in public debate and social policy[232]

> 'One of the legacies of colonisation for non-Indigenous people is that sentiment that Aboriginal people should 'just get over it.' **Consultation participant, Launceston**

These racist social norms, attitudes and practices, and the structural mechanisms of inequality discussed above are mutually reinforcing.

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Perpetration of racist violence against Aboriginal and Torres Strait Islander people

The perpetration of racist violence, intimidation and harassment of Aboriginal and Torres Strait Islander people has long been identified as a human rights violation in Australia. A 1991 Human Rights Commission inquiry into this issue concluded that rather than being a problem of isolated individuals, the underlying reason for this violence is racism in all parts of Australian society.[233]

Racism drives many kinds of racist violence. However, when racism intersects with gendered factors, it also drives the specific perpetration of violence against Aboriginal and Torres Strait Islander women by non-Indigenous men. Both these ideas will be discussed below.

Social norms condoning violence and insufficient accountability for violence against Aboriginal and Torres Strait Islander people

One of the legacies of colonisation described above is that violence against Aboriginal and Torres Strait Islander people is more likely to be implicitly condoned. As many Aboriginal and Torres Strait Islander writers have argued, non-Indigenous people have learned an apparent indifference or 'structural apathy'[234] to interpersonal and institutional violence — including fatalities — against Aboriginal and Torres Strait Islander people.

The condoning of violence against particular groups is in itself a driver of violence against those groups. This has been shown in relation to violence against women. The many social norms, practices and structures that shift blame onto the victim,[235] or excuse, downplay or trivialise the violence, have a twofold impact. Not only does it all increase the likelihood of such violence, it also reduces levels of accountability.

In the social context of racism, violence both against and between Aboriginal and Torres Strait Islander people tends to be condoned to an even higher degree than violence generally.

> 'One of the legacies of colonisation is the negative depiction and stereotyping of Aboriginal and Torres Strait Islander people in the media and popular culture.'
> **Consultation participant, Launceston**

Racist, provocative, stereotyped or sensationalist media coverage may 'generate a climate which provides legitimacy for racist violence'[236] and/or which trivialises violence experienced by Aboriginal and Torres Strait Islander people. Research has also found a tendency for this violence to receive limited reporting in the public arena and is cited as evidence for 'the apparent disposability of Black lives in Australia'.[237] Alternatively, where the issue is covered, violence is often framed as an 'Indigenous issue' or portrayed as culturally inherent to Aboriginal communities.[238] This can have the effect of reinforcing stereotypes, and further condoning the violence experienced by Aboriginal and Torres Strait Islander people.

'We're Aboriginal and we are also women!': the role of gendered factors in driving violence

Gender inequality has been shown to set the underlying conditions for violence against women, as outlined in the national prevention framework *Change the story*.

Gender inequality affects all women, including Aboriginal and Torres Strait Islander women, who experience its negative impacts in ways that are too often ignored, or that remain 'invisible to the mainstream'.[239]

> " 'Gender inequality is as real for Aboriginal and Torres Strait Islander women as it is for other women.' **Antoinette Braybrook**[240]

To some extent, like other women in Australia, Aboriginal and Torres Strait Islander women experience gendered violence and abuse because they are women living in a society characterised by gender inequality.

However, this alone does not explain the prevalence, severity and particular dynamics and impacts of violence against Aboriginal and Torres Strait Islander women today. Two additional points need to be made.

Firstly, the nature and experience of gender inequality varies for different groups of women across Australian society. For Aboriginal and Torres Strait Islander women in particular, it intersects with the many specific impacts of colonisation discussed in the previous sections, as well as with the dynamics of racism and racial discrimination more generally.

Secondly, colonisation has created ongoing gendered impacts for Aboriginal and Torres Strait Islander cultures and people, because of its negative affect on and disruption of gender norms, roles and relationships that existed for thousands of years.

The complex role of these various gendered factors in driving violence against Aboriginal and Torres Strait Islander women is outlined below.

Gendered drivers of violence

General gendered factors — drivers of violence outlined in *Change the story*

Across Australia, and internationally, certain manifestations of gender inequality consistently predict higher levels of violence against women. Described in *Change the story* as 'gendered drivers' of violence, these are:

1. condoning of violence against women
2. men's control of decision making and limits to women's independence in public life and relationships
3. rigid gender roles and stereotyped constructions of masculinity and femininity
4. male peer relations that emphasise aggression and disrespect towards women

. . . .

For more detail on these gendered drivers of violence against women in Australia generally, see *Change the story*, pages 22 to 26.

These gendered drivers can impact on men and women of any cultural background. They play a significant role in influencing norms, attitudes and behaviours — and therefore in driving men's perpetration of violence against women of all backgrounds — right across Australian society. As such they help to explain violence against Aboriginal and Torres Strait Islander women as part of a bigger (global) picture of violence against women, or gendered violence.

> 'Men do it [use violence] for power and control — that's up there and upfront. Violence gets you what you want. But it's short-term gain, long-term pain.'
>
> 'They use violence because they think they can and quite often they can get away with it. It's an abuse of power, a sense of entitlement — "It's my right, I'm a man".' **Participants at Our Watch conference consultation session**

Specific gendered factors that drive violence against Aboriginal and Torres Strait Islander women in particular

In addition to the gendered drivers described above and in *Change the story*, which drive violence against women of all cultural backgrounds, there are two more specific gendered factors play a significant role in driving violence against Aboriginal and Torres Strait Islander women. These are outlined below.

- **Intersection of racism and sexism, creating a 'double bind' of oppression for Aboriginal and Torres Strait Islander women**

  Aboriginal and Torres Strait Islander women experience gender inequality in ways that cannot be separated either from their experiences of racism and racial discrimination or from the legacies of colonisation and colonial violence.

  These experiences are part of what has been called 'the "double bind" of gender and racial discrimination and oppression', whereby Aboriginal and Torres Strait Islander women experience many forms of abuse and violence caused by 'embedded social attitudes, norms and structural inequalities with regard to their perceived place and value'.[241] This perceived place and value is determined by both racialised and gendered factors. Therefore, while racism and sexism are both significant factors in their own right, it is also their intersection that drives such high levels of violence against Aboriginal and Torres Strait Islander women.

> 'While poverty, substance abuse, isolation and so forth may all contribute to the heightened rates of violence against women experienced in some [Indigenous] communities, white women who are the most financially privileged in this country are not free from violence … The sad truth of it is that if we were, tomorrow, to solve the issues of poverty, addiction, cultural acceptance, racism and access to services in remote areas, the best we could hope for, as Aboriginal women, would be that the rates of violence experienced by our women reach parity rates. While we're a country which not only ignores issues of gender but actually celebrates them, we're not going to solve this.' **Celeste Liddle**[242]

- **The contemporary impacts of imposed 'colonial patriarchy' on Aboriginal and Torres Strait Islander cultures, gender roles and men and women**

The destruction (or attempted destruction) of traditional Aboriginal and Torres Strait Islander cultures that has been part of the colonisation process, specifically disrupted the social roles and responsibilities of men and women,[243] and displaced traditional laws, practices and norms that defined appropriate relationships between women and men. This process subordinated and disempowered Aboriginal and Torres Strait Islander women,[244] suggesting that the concept of 'colonial patriarchy' may be a useful way of understanding its particular impacts on Aboriginal women's lives.[245]

> '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, we now occupy the lowest rung on the socio-economic ladder.' **Larissa Behrendt**[246]

" 'We've got 10 generations of Aboriginal people who have been socialised under a patriarchal society. That's what's happened. So, you know, culturally… our ancient people were much more egalitarian in that gender sense but we've now had 10 generations of people who've been socialised in patriarchy.' **Sigrid Herring**[247]

> 'As well as looking at the factors which exacerbate violence against women in our communities, we also need to examine gender and how toxic notions of masculinity make this something society just accepts. We need to take apart both traditional and coloniser notions of ownership of women, of roles of women and see how these contribute to the subjugation of women and; combined with racial oppression; why Aboriginal women in particular are seen as being socially expendable.' **Celeste Liddle**[248]

At the same time, despite Australian society generally valorising male dominance and giving disproportionate power, resources and opportunities to men, the colonisation process has simultaneously disempowered Aboriginal and Torres Strait Islander men. It has destroyed or undermined their traditional roles and status, leaving some feeling 'uncertainty about their traditional role and their disengagement from both their culture and identity'.[249] And yet, contemporary Australian society also deprives Aboriginal and Torres Strait Islander men of the power, status and opportunities that other men in Australia are afforded, making it difficult for them to meet either traditional or colonially imposed standards of manhood.

These impacts compound the intergenerational trauma experienced by Aboriginal and Torres Strait Islander men, which is an underlying cause of negative outcomes for men themselves (including poor social, spiritual, physical, mental and emotional wellbeing, self-harm and suicide), and can also be outwardly directed as violence against others (including violence against women and children).[250]

'This kind of violence [seen in Indigenous communities today] is not our way. It's a learnt behaviour. I don't think it's been there for 40,000 years.'

'Cultural lore has broken down. Culturally, I've seen in remote [communities] they have defined roles and responsibilities. And if that gets out of balance and men and women aren't learning what their roles and responsibilities are, then the consequences of that can end up in violence.' **Consultation participants, Darwin**

'[One of the causes of violence] is the social fabric breakdown that came from colonisation. Aboriginal people were separated, we had all those policies of moving people to different communities … [that] caused family breakdowns and disconnection from culture. People became more isolated, and there's a lack of formal support. And now we see lateral violence and drinking that can lead to violence. Because of that history of oppression there's a lot of frustration, confusion, anger so people lash out, hurt the people they love.' **Consultation participant, Our Watch national conference workshop**

'I see our violence as different [from] patriarchal, gender violence with inequality between men and women, with women being the lesser gender — this is a Western concept … I can see it as violence, but it's not about privilege. Our black men don't have privilege. They don't have the same entitlements that western society men have been given for centuries. It's very different. … I see it as an oppressed violence. It's alcohol-fuelled. Trauma-fuelled. Grief-fuelled. Loss. Inequality. Shame. All of those things feed into it being rife.' **Marlene Lauw**[251]

The different impacts of colonisation on men and women were raised repeatedly in consultations undertaken for this resource. Some pointed to the way it had undermined the important and previously highly valued and respected role of women in communities. Others suggested that the impact on Aboriginal and Torres Strait Islander men has been a damaging sense of confusion and loss about their roles, identities and responsibilities, which some men direct outwardly as anger and violence against women. In making this point, participants stressed this confusion and loss was not an excuse for the violence, but rather evidence that some men were responding to these impacts by adopting the kinds of patriarchal attitudes and behaviours that were introduced with colonisation.

'[Why do Aboriginal men use violence?] It's about jealousy. And it's a controlling behaviour, controlling their women. But it's also about their loss of identity, not knowing who they are.' **Consultation participant, Coober Pedy**

'Aboriginal men's roles have disappeared, which doesn't condone men's violence but if you feel so disempowered, (for example if you can't get a job), then it's more likely that you will use alcohol and drugs, and use family violence. It's the cycle of disempowerment.' **Consultation participant, Launceston**

'When you look at Aboriginal men, you see their roles and responsibilities have been taken away. So [we need to] give them back some of that responsibility.' **Consultation participant, Darwin**

'It's not one single thing, it's a perfect storm':
a model for understanding what drives violence against Aboriginal and Torres Strait Islander women

Pulling the pieces together: a holistic, intersectional explanatory model

The section above described the three drivers of violence against Aboriginal and Torres Strait Islander women, and illustrated these with individual diagrams. While these drivers were explained in turn for clarity, they should not be considered to be separate or unrelated factors, nor do they operate in isolation from each other. Rather, these drivers are overlapping, interrelated, and operate in intersecting ways to drive violence against Aboriginal and Torres Strait Islander women.

These three component parts of the overall picture can now be combined, to create a holistic explanatory model as shown on this page. This explanatory model depicts three intersecting drivers of violence against Aboriginal and Torres Strait Islander women.

The model shows that these drivers are overlapping and interrelated, and that they all exist in the context of colonisation.

The diagram also emphasises that it is the complex intersection of these factors that creates the conditions for the extremely high prevalence and severity of violence against Aboriginal and Torres Strait Islander women that we see in Australia today.
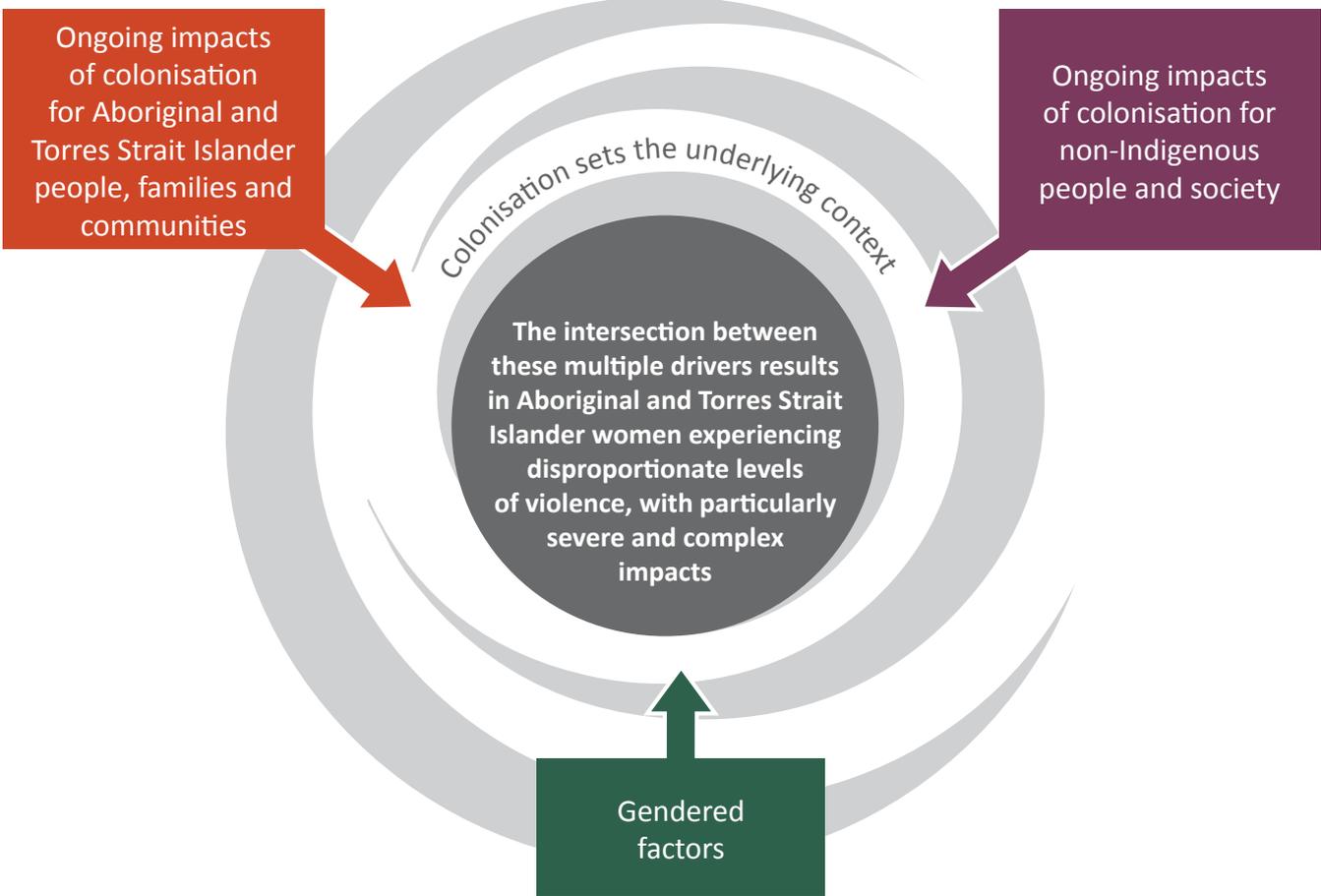
Figure 5. An explanatory model of the drivers of violence against Aboriginal and Torres Strait Islander women

How the drivers intersect in different ways to drive violence

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
- ongoing impacts of colonisation for non-Indigenous people and society
- gendered factors — both general and specific

None of these factors operates in isolation. There is no one cause of 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 Aboriginal and Torres Strait Islander women.

A key feature of the model is the way it helps explain the different combinations of factors that drive the use of violence by non-Indigenous men, and by Aboriginal and Torres Strait Islander men.

Perpetration of violence against Aboriginal and Torres Strait Islander women by Aboriginal and Torres Strait Islander men

The set of factors on the left of the diagram help explain the perpetration of violence against Aboriginal and Torres Strait Islander women by Aboriginal and Torres Strait Islander men. They show that the oppressive and traumatic impacts of colonisation and the significant damage it continues to cause, are a key part of the explanation for this violence. In this sense, Aboriginal and Torres Strait Islander men's violence can be understood as one expression of internalised oppression and trauma.

These factors alone do not explain the gendered patterns in this violence. These show that it is women who experience disproportionate levels and impacts of intimate partner, family and sexual violence, and that it is primarily men who perpetrate this violence.

Further, as some Aboriginal women writers have suggested, explaining Aboriginal and Torres Strait Islander men's use of violence only as a result of the damaging effects of colonisation is problematic. It risks excusing this violence, or removing individual responsibility for it. It cannot explain why many Aboriginal and Torres Strait Islander men are not violent, and it tends to ignore the fact that Aboriginal and Torres Strait Islander women also have experienced these damaging and traumatic impacts.[252]

It is for these reasons that the factors in the middle of the diagram become a crucial part of the explanation. They help explain the gendered patterns in violence because they show that some of colonisation's impacts have themselves been specifically gendered.

> 'We've never been a patriarchal society. This is a Western concept.
> **Marlene Lauw**[253]

The imposition of European colonial patriarchy on Aboriginal and Torres Strait Islander cultures had particular impacts on men and women, disrupting previous perceptions of gender roles, relationships and responsibilities.

In particular, Aboriginal and Torres Strait Islander men have been denied both their traditional role, identity and status, and any access to alternative forms of social power and status in contemporary society, suggesting that their use of violence against women may be a means of reasserting a sense of power they feel they have lost,[254] behaviour which, as many point out, is a further distortion of traditional culture.[255]

> **"** 'We have no cultural traditions based on humiliation, degradation and violation.'
> **Mick Dodson**[256]

As some Aboriginal women writers argue, some Aboriginal men appear to have internalised the patriarchal values that colonisation imposed, through a process of 'transferred misogyny'.[257] They also suggest this is then compounded by the way 'Aboriginal communities have adapted and adopted the patriarchy and the colonial systems which victim-shame and blame Aboriginal women for not seeking help and speaking up'.[258]

The gendered factors shown in the model at Figure 5 are an important part of the explanation for violence perpetrated by Aboriginal and Torres Strait Islander men. These operate in intersection with, not in isolation from, the other factors shown.

Perpetration of violence against Aboriginal and Torres Strait Islander women by non-Indigenous men

The second set of factors (those on the right of the diagram) help explain perpetration of violence by non-Indigenous men.

> **"** 'The way Aboriginal women are seen is a legacy of our colonial history — and the negative terminology that has been used about Aboriginal women throughout that history.' **Dorinda Cox**[259]

These factors show that the impacts of colonisation are not only relevant when violence is perpetrated by Aboriginal and Torres Strait Islander men. They are also a key driver of non-Indigenous men's violence against Aboriginal and Torres Strait Islander women. They show that racialised power inequalities, entrenched racism in social norms and attitudes, and a tendency for Australian society to condone violence against Aboriginal and Torres Strait Islander people generally are a significant part of the explanation for non-Indigenous men's violence.

> **"** 'For non-Aboriginal men [who use violence against Aboriginal women] it could be that it's easier to have power over them, there's more privilege and more victim-blaming.'
>
> 'Violence is about men's power and control issues, so you have [non-Indigenous] men targeting women they perceive as disadvantaged.' **Participants at Our Watch conference consultation workshop**

Again, however, these factors do not explain the gendered dimensions of non-Indigenous men's violence. This includes both violence against their Aboriginal or Torres Strait Islander partners (discussed earlier) and sexual violence against Aboriginal girls and young women (see, for example, repeated media reports from different parts of the country of organised or regular sexual violence perpetrated by non-Indigenous men against Aboriginal girls and young women).[260]

Again, the gendered factors at the bottom of the diagram are a critical part of the explanation for non-Indigenous men's violence. These factors show that violence against Aboriginal and Torres Strait Islander women is a part of the bigger picture of patriarchal, gendered violence in Australia, perpetrated by men of all backgrounds against women of all backgrounds, right across the country. Key drivers of this violence include the four gendered drivers described on page 68.

However, as already discussed, gender issues do not operate in isolation, and play out quite differently for different groups. In particular, Aboriginal and Torres Strait Islander women are subjected to forms of gender inequality and gendered violence that are simultaneously racialised, as part of the intersection of racist and sexist oppressions discussed earlier. These specific, racialised gendered factors create a social and cultural context that enables non-Indigenous men to exploit power imbalances and exercise particular forms of control over Aboriginal and Torres Strait Islander women.

For this reason, non-Indigenous men's use of violence against Aboriginal and Torres Strait Islander women needs to be seen not only or simply as gendered violence, but as violence that occurs at 'the intersection of misogyny and racism'.[261] It is a continuation of the specifically patriarchal forms of colonial violence, both physical and sexual, that have been perpetrated by non-Indigenous men against Aboriginal and Torres Strait Islander women since early contact.[262]

Intersecting oppressions underpin the condoning of violence against Aboriginal and Torres Strait Islander women

> 'Aboriginal women have died from assaults and criminal misconduct, and they have passed without any public attention or anything like justice.' **Marcia Langton**[263]

Racism and the contemporary impacts of colonisation affect all Aboriginal and Torres Strait Islander people. Sexism and gender inequality affect all women. However, Aboriginal and Torres Strait Islander women are impacted by the intersections of all these factors, and it is the compounding effects of these intersections that drive particularly high levels of violence against them.

> 'Violence is often under-reported because of normalising or condoning violence against women. This contributes to the dehumanisation of Indigenous women.' **Megan Davis**[264]

These intersections can also help explain the institutional and public response to, or attitudes towards violence against Aboriginal and Torres Strait Islander women.

Notwithstanding longstanding efforts to bring it to public attention,[265] this violence receives relatively little public or media attention.[266] Aboriginal women and women's refuge workers point out that even homicides receive little media or public profile when the victim is an Aboriginal woman.[267] Following a number of recent deaths of Aboriginal women, one observed that 'whether violence is state-sanctioned or perpetrated by an intimate partner … Aboriginal women's experiences have remained almost absent in mainstream media coverage'.[268]
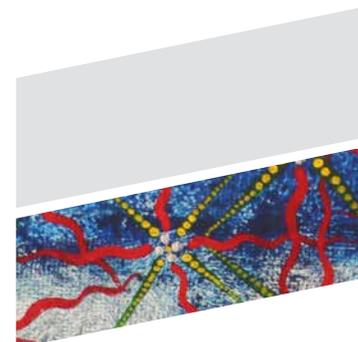
Where the issue is reported, coverage tends to invoke stereotypes about Aboriginal and Torres Strait Islander women, such as alcohol or drug use. This has the effect of both shifting even greater blame onto the victim and also representing the violence they experience as less serious or worthy of attention.[269] While research has found media reporting of violence against women generally is often characterised by victim-blaming language,[270] reports of violence against Aboriginal and Torres Strait Islander women takes the usage of such language even further.

Finally, many victims' families also face significant challenges in accessing justice and ensuring perpetrators are held accountable.[271] Many writers point to ongoing 'concern[s] of bias in the administration of justice'[272] for Aboriginal and Torres Strait Islander women who are victims of violence. They note the ongoing relevance over 20 years later of a 1994 Australian Law Reform Commission Inquiry that reported:

'Of all the identifiable groups of women whose concerns have been presented to the Commission, Aboriginal … women are least well served by the legal system. … The reality experienced by most Indigenous women is that the law provides them with little or no protection. In particular, few men who commit violent assaults against indigenous women are made accountable for these non-Indigenous or Indigenous crimes.'[273]

The intersection of all these factors mean violence against Aboriginal and Torres Strait Islander women is even more likely to be condoned or tolerated than violence against other women.

Intersecting oppressions and institutional violence against Aboriginal and Torres Strait Islander women

These intersecting drivers can also help to contextualise the various forms of institutional violence experienced by Aboriginal and Torres Strait Islander women — such as that perpetrated by police or prison officers.[274] While often less visible,[275] these bear numerous similarities to the kinds of institutional violence and abuse experienced by Aboriginal and Torres Strait Islander men. Further, this institutional violence is perpetrated by both non-Indigenous men and non-Indigenous women. Both these factors suggest that this institutional violence is driven primarily not by gender but by the kinds of structural, systemic and institutional racism and discrimination discussed above, and is a continuation of the many forms of institutional violence against women, men and children that have been perpetrated as part of the colonisation process.

However, gendered factors are also helpful in this context because for Aboriginal and Torres Strait Islander women in particular, institutional violence and gendered violence are frequently intersecting, and cyclical experiences. As discussed earlier, interpersonal violence perpetrated by men is frequently the underlying reason for Aboriginal and Torres Strait Islander women's contact with police and the justice system in the first place, leading to extremely high rates of incarceration (and, therefore, exposure to institutional violence) for Aboriginal and Torres Strait Islander women.[276] Imprisonment frequently continues this vicious cycle in women's lives by compounding the trauma that is the underlying cause of their imprisonment in the first place.[277]

Other factors that reinforce the drivers to exacerbate violence

In addition to the three most powerful and intersecting 'drivers' of violence against Aboriginal and Torres Strait Islander women (see Figure 5), there are also a number of other relevant factors that can be considered contributing, or reinforcing factors.

Socio-economic stressors and health and psychological factors

The disadvantaged social and economic circumstances in which many Aboriginal and Torres Strait Islander people live create many significant stress factors that may contribute to the likelihood of violence. These include, for example:

- high levels of poverty and financial stress
- unemployment and homelessness
- poor quality, insecure and overcrowded housing conditions

Physical and mental health issues can also play a part, particularly where people experience poor access to appropriate treatment options, as can psychological factors such as 'low self-esteem [and] a sense of powerlessness'.[278] All these issues can be relevant life experiences for both victims/survivors and/or perpetrators of violence.

None of these factors is a single or simple cause or driver of violence. However, in the context of the underlying drivers, and as part of the multilayered, severe and chronic ongoing stress that many Aboriginal and Torres Strait Islander people experience in their everyday lives, these issues can be contributing factors,[279] or 'tipping points' for violence.[280]

Alcohol (and other drugs)

The harmful consumption of alcohol and its contribution to violence against women are problems that play out right across Australian society. While alcohol does not 'cause' violence, it can 'trigger' or exacerbate the perpetration of violence against women in some circumstances. This is not an effect of alcohol alone, but also the social context in which it is consumed. In particular, it becomes a significant factor when certain Australian drinking cultures or norms involve expressions of masculinity that emphasise aggression and disrespect for women.[281]

Similarly, alcohol should not be seen simplistically as a 'cause' of violence against Aboriginal and Torres Strait Islander women — both because such violence also occurs in contexts where alcohol is not involved, and also because many Aboriginal and Torres Strait Islander people consume alcohol but are never violent.

There is, however, much evidence to suggest that alcohol is a common 'situational' or, 'precipitating' factor[282] and correlated with the high prevalence of violence in Aboriginal and Torres Strait Islander communities.[283] In 2014–15 over two-thirds of Aboriginal and Torres Strait Islander people who had experienced physical violence in the previous 12 months reported that alcohol or other substances contributed to the most recent incident.[284]

> 'Alcohol is a problem for the whole NT culture, not just Aboriginal people.'
>
> 'Domestic violence increases when we don't respond to alcohol.'
>
> 'Mother and mother-in-law need to step in to support both partners [in a situation of violence]. … But when they are drunk they're not there to know what's going on. They might listen to us when they are sober.' **Aboriginal female participants at Alice Springs consultation workshop**

'In the old days [violence] might not have been severe, but nowadays because of all the stressors and triggers and compounding intergenerational trauma it becomes more severe. And then you throw alcohol and other drugs into the mix ...'

'A lot of men tell me: "We don't have a place for men to go, we just need a place where we can cool off". ... The men say, "We need to do stuff, we're bored, we're sitting at home we've got nothing to do, we've got no jobs, and then a lot of people are turning to alcohol, and then there's fights".' **Aboriginal male participants at Darwin consultation workshop**

'[Talking about Aboriginal men smoking marijuana] They're feeling oppression and depression and hopelessness, and anger that they can get out, and trauma, so they're smoking to keep it in ... and if they don't have [the drugs] that's [when it gets worse]. When there's no dope there's high violence, because they can't keep it down, the hopelessness the oppression, the depression, the anger. Because it's like [it's in] a bottle, and when they smoke dope, it [motions keeping the lid on] and when they can't, it's like 'psssshhhh' [motions the lid exploding off the bottle].' **Research interviewee**

Rather than viewing alcohol as causal, the correlation between alcohol and violence and related harms for Aboriginal and Torres Strait Islander people must also be understood in historical context. Because colonisation in Australia involved the introduction of alcohol to already disrupted, displaced and traumatised communities, there are now high rates of harmful use of alcohol (and other drugs) among some Aboriginal and Torres Strait Islander people and communities.

The harmful use of alcohol and other drugs in this context has been referred to as a malapdaptive or 'destructive coping behaviour'.[285] In the absence of culturally safe support and healing, it is a means by which some Aboriginal and Torres Strait Islander people 'self-medicate' to numb the pain of the 'trauma-inducing conditions' in which they live, but which then promotes violence against those around them.[286]

In addition, when harmful substance use becomes widespread in a community it can further compromise the capacity of already disrupted communities to maintain healthy, respectful and non-violent social norms. In turn, this compounds the normalisation of violence, and prevents the development of more effective community strategies.[287] It is important, therefore, that in acknowledging the role played by alcohol and other drugs, these factors are neither singled out, nor isolated from the broader context.[288]

Considering geographical factors

Geographical factors are also an important part of the context for understanding violence against Aboriginal and Torres Strait Islander women, given the particularly diverse geographical distribution of Indigenous people in Australia.

While the majority (79%) of Aboriginal and Torres Strait Islander people live in major cities or regional areas, a significant proportion (21%) live in remote or very remote areas. These statistics contrast starkly with the 2% of non-Indigenous Australians who do so.[289] Remote and non-remote areas differ in a variety of ways:

- their socio-economic and demographic profile
- the kinds of social, cultural and community relationships and dynamics that are typical of each
- the very different levels of infrastructure and services available

These contrasts between remote and non-remote areas create different dynamics, meanings, experiences and contextual issues relating to violence. While this resource presents a broad, national picture, such place-based factors would need to be considered when analysing how this issue manifests in different locations.[290]

Understanding the relationship between 'drivers' of violence and other factors

The principles of primary prevention are such that to prevent violence from happening in the first instance, we must carefully identify, understand and address its underlying causes or drivers. However, as a highly complex social problem, understanding what drives violence — of any kind — is a complex exercise.

One common approach is the use of 'socio-ecological models'. These are theories that identify a wide range of factors at multiple levels of society in order to understand an issue. The factors range from the beliefs and behaviours of individuals and families, the norms and practices of local communities, and the values, structures and customs of organisations, institutions and society generally.[291]

Such models are a useful way to understand individual behaviour in a social context, and to demonstrate the complex interactions between many different factors.[292] However, ecological models also have limitations, sometimes suggesting that there is an undifferentiated 'soup' of equally relevant factors, making it difficult to identify the most significant among them. This typically results in scattered policy and practice responses that do not address the most important factors, but instead rely on simplistic solutions focusing on the symptoms rather than addressing the underlying causes of a problem.

Policy approaches to violence in Aboriginal and Torres Strait Islander communities have been repeatedly criticised for precisely this reason. Aboriginal and Torres Strait Islander authors point to an ineffective short-term focus on 'band-aid solutions', like 'law and order' measures or response services. Such approaches, they argue, do not tackle the real underlying causes of this violence, most notably intergenerational trauma.[293]

This resource therefore uses the language of 'drivers' to highlight the deepest underlying explanations for violence against Aboriginal and Torres Strait Islander women. While many other factors may be a relevant part of the picture, the three most significant drivers of this violence are structural, systemic and related to entrenched systems of oppression, discrimination, disadvantage and inequality.

The various other factors, such as poverty and other socio-economic stressors, alcohol/drug use, and psychological factors (as described on pages 70 and 71, and explored in various research[294]), are most appropriately considered contributing, reinforcing or contextual factors. Such factors often interact with the drivers to increase the likelihood or severity of violence they may also be of heightened relevance in some contexts, or for some people. However, in the big picture, they are not primary 'causes' or 'drivers' of violence on their own. Indeed many of these factors are themselves symptoms of the same historical and contemporary systems and structures of oppression that are identified as the main drivers in the explanatory model at Figure 5.

> 'It's important to acknowledge all these other kinds of factors, but we need to be clear they are not the underlying reason for violence. They might increase the violence, or make it more serious, but they are not the real reasons for that violence'.

> 'These other factors [referring to alcohol and various issues of poverty] are not the main drivers of violence – in fact if you think about it, they also there because of colonisation'. **Consultation participant, Launceston**

Conclusion

An intersectional understanding of violence against Aboriginal and Torres Strait Islander women

This background paper has focused on developing a deeper understanding of violence against Aboriginal and Torres Strait Islander women. It has drawn on research literature and consultation findings to demonstrate the prevalence and severity of this violence, and explore its specific impacts.

The analysis has shown that violence against Aboriginal and Torres Strait Islander women cannot be understood in isolation from the social, cultural and political context in which it occurs. This context is the direct result of colonisation — both in a historical sense and as an ongoing process — and includes specific gendered factors. It influences both the perpetration of this violence and Aboriginal and Torres Strait Islander women's experiences of it.

For this reason, neither a gendered analysis, nor an analysis of the impacts of colonisation, is on its own sufficient to understand violence against Aboriginal and Torres Strait Islander women.

The analysis developed here therefore seeks to combine the insights of both these approaches, doing so in a careful, intersectional way, rather than simply 'adding' the two sets of factors together. This approach highlights the impacts of colonisation as drivers of this violence, and integrates a gendered analysis that draws on knowledge about gendered violence internationally.

This intersectional analysis informs the explanatory model at Figure 5, which shows the multiple drivers of this violence, and the intersections and interactions between them. The model responds to the many calls for a greater focus on the intersectional discrimination that Indigenous women experience as an explanation for the prevalence of violence against them. These calls have been made in international human rights forums,[295] in research on the underlying causes of violence against Indigenous women worldwide,[296] and by Aboriginal and Torres Strait Islander women and organisations.[297]

The model shows that the high rates and severity of violence against Aboriginal and Torres Strait Islander women can be understood as a contemporary symptom of colonisation's impacts (on Indigenous and non-Indigenous people), intersecting with gendered factors, and specifically with racialised gender inequality.

These intersections play out differently to drive violence by non-Indigenous men and violence by Aboriginal and Torres Strait Islander men.

Violence perpetrated by non-Indigenous men can be understood both as part of the broader pattern of gendered violence in Australia generally, and as an ongoing aspect of colonisation. This points to a need for prevention strategies to include actions to address gender inequality and disrespect for women, in addition to strategies to address racism and racialised power inequalities in Australia.

Violence perpetrated by Aboriginal and Torres Strait Islander men is partly attributable to the devastating impacts of colonisation on Indigenous communities. Of particular significance are intergenerational trauma, ongoing and systemic experiences of racism, and the disruption of traditional gender roles, relationships and identities. Although these are not excuses for violence perpetrated by Aboriginal and Torres Strait Islander men, they provide part of the explanation for it. They certainly highlight the necessity for prevention actions to address these deep, underlying drivers, rather than only their symptoms.

Understanding violence as a foundation for prevention: introducing *Changing the picture*

The central tenet of primary prevention is that to stop violence, we first need to understand what drives it. For this reason, this background paper has focused on developing a deeper understanding and analysis of the specific drivers of violence against Aboriginal and Torres Strait Islander women.

This conceptual background paper provides the foundation for the solutions-focused practice framework *Changing the picture: A national resource to support the prevention of violence against Aboriginal and Torres Strait Islander women and their children.*

Changing the picture builds on this background paper to outline an approach to prevention practice that specifically targets and address the underlying drivers identified here. The framework:

- introduces and explains the principles of a primary prevention approach
- outlines three sets of actions that address the three drivers of violence against Aboriginal and Torres Strait Islander women described here
- provides a set of overarching principles to guide prevention practice
- includes examples of existing initiatives
- specifies roles for different stakeholders to play as part of a shared national effort to prevent violence against Aboriginal and Torres Strait Islander women

To download *Changing the picture*, please visit the Our Watch website http://ourwatch.org.au
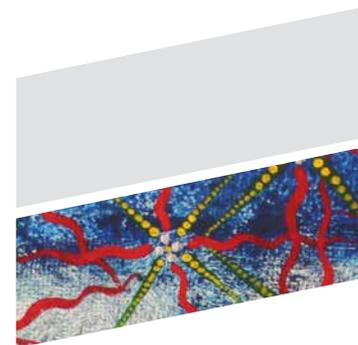
Glossary

Colonisation refers firstly to the historical act of the British invading and claiming the land now called Australia, thereby dispossessing the Aboriginal and Torres Strait Islander people who had previously lived on and been custodians of these lands for thousands of years; and secondly to the ongoing process of settlement and establishing British colonies, and later the Australian nation. This process involved significant violence towards Aboriginal and Torres Strait Islander people, decimated the original Aboriginal and Torres Strait Islander population, and destroyed or had a devastating impact on hundreds of cultures and languages. From the beginning Aboriginal and Torres Strait Islander people consistently resisted colonisation. Colonisation is considered to be not only a historical act, but also an ongoing process, particularly because there has been no treaty or other form of settlement or agreement, and because many contemporary laws, policies and practices fail to recognise the specific status and human rights of Aboriginal and Torres Strait Islander people as Indigenous peoples; but also because it continues to have significant impacts for Aboriginal and Torres Strait Islander people today.[298]

Cultural safety is an environment that is safe for people, where there is no assault, challenge or denial of their identity, of who they are and what they need. It is about shared respect, shared meaning, shared knowledge and experience, of learning, living and working together with dignity and truly listening.[299] For Aboriginal and Torres Strait Islander people, cultural safety and security requires both the creation of environments of cultural resilience within Aboriginal and Torres Strait Islander communities as well as cultural competency by those who engage with Aboriginal and Torres Strait Islander communities.[300]

Domestic violence refers to acts of violence that occur between people who have, or have had, an intimate relationship. While there is no single definition used across jurisdictions in Australia, the central element of domestic violence is an ongoing pattern of behaviour aimed at controlling a partner through fear, for example by using behaviour which is violent and threatening. In most cases, the violent behaviour is part of a range of tactics to exercise power and control over women and their children, which can be both criminal and non-criminal. Domestic violence includes physical, sexual, emotional, psychological and financial abuse.

Family violence is a broader term than domestic violence, as it refers not only to violence between intimate partners but also to violence between family members. This includes, for example, elder abuse and adolescent violence against parents. Family violence includes violent or threatening behaviour, or any other form of behaviour that coerces or controls a family member or causes that family member to be fearful. In Aboriginal and Torres Strait Islander communities and organisations, family violence is a term often used to encapsulate the broader issue of violence within extended families, kinship networks and community relationships, as well as intergenerational issues.

Gender-based violence is violence that is specifically directed against a woman because she is a woman, or that affects women disproportionately.

Gender inequality is a condition in which unequal value is afforded to men and women, and in which power, resources and opportunities are unequally distributed between them. Gender inequality results from, or has its roots in, laws and policies formally constraining the rights and opportunities of women, but is now more commonly reinforced and maintained through informal mechanisms, including highly gendered social norms, practices and structures. For example, gender inequality creates the conditions in which violence against women is often trivialised, condoned, or excused, and these practices in turn reinforce a culture of gendered victim-blaming. Child protection practices that put the onus on women to protect children from family violence, instead of on men never to use violence, can similarly contribute to the notion that women carry the responsibility for violence, or for managing its impacts.

Image-based abuse is the non-consensual distribution of nude or sexual images online or via mobile phones, whereby images are used to coerce, threaten, harass, objectify and abuse. Distribution may be either by persons known to the victim (friends, family members, intimate partners, ex-partners, acquaintances) or strangers, and for a wide variety of reasons, including control, intimidation, sexual gratification, monetary gain and social status building.[301]

Intergenerational trauma is a form of historical trauma transmitted across multiple generations. Survivors of the initial experience who have not healed may pass on their trauma to younger generations.[302] In this context, this term refers to a specific form of trauma experienced by Aboriginal and Torres Strait Islander people as a result of 'the ongoing and cumulative effects of colonisation, loss of land, language and culture, the erosion of cultural and spiritual identity, the forced removal of children, and racism and discrimination'.[303] Intergenerational trauma is both an individual and collective experience for Aboriginal and Torres Strait Islander people. It particularly affects the children, grandchildren and future generations of the Stolen Generations.

Intersectional analysis is an analysis of the ways in which different and multiple systems and structures of oppression and discrimination intersect and reinforce each other, rather than operating separately. This analysis focuses particularly on the negative consequences and complex impacts for those people who are positioned at the intersection of two or more of these systems of inequality. (See also 'intersectionality')

Intersectionality refers to the interconnected nature of social categorisations — such as gender, race, class, disability or sexuality — as they apply to a given individual or group, which are regarded as creating overlapping and interdependent systems of discrimination or disadvantage. (See also 'intersectional analysis')

Intimate partner violence refers to any behaviour by a man or a woman within an intimate relationship (including current or past marriages, domestic partnerships, familial relations, or people who share accommodation) that causes physical, sexual or psychological harm.

Lateral violence is a term used in various countries to describe violence within oppressed communities, that is a result of historical and ongoing trauma and social and cultural oppression. This violence is sometimes referred to as 'lateral violence' because the anger that results from this oppression and trauma is displaced and directed 'sideways, rather than targeted at the deeper causes of oppression'.[304] It involves those living with consistent oppression, fear, anger and trauma 'turning on each other, even on those closest to them'.[305] In the Australian context, lateral violence is a term used by some to refer to a range of behaviours within Aboriginal and Torres Strait Islander communities, including not only physical violence but damaging behaviours such as 'backstabbing' bullying, shaming and social exclusion, and referring not only to individual behaviour but also to group, sector or organisational conflict.[306] Because this violence is the result of specific and intentional colonising acts designed to 'divide and conquer', it is also understood to be an expression of internalised oppression, or 'internalised colonialism'.[307]

Non-partner sexual assault is sexual violence perpetrated by people such as strangers, acquaintances, friends, colleagues, peers, teachers, neighbours, and family members.

Norms – (See 'social norms').

Physical violence can include slaps, shoves, hits, punches, pushes, throwing a person down stairs or across the room, kicking, twisting of arms, choking, burning, stabbing or use of a weapon.

Psychological and emotional violence or abuse can include a range of controlling behaviours such as control of finances, isolation from family and friends, continual humiliation, threats against children or being threatened with injury or death.

Sexual violence is sexual activity that happens where consent is not obtained or freely given. It occurs any time a person is forced, coerced or manipulated into any unwanted sexual activity, such as touching, sexual harassment and intimidation, forced marriage, trafficking for the purpose of sexual exploitation, sexual abuse, sexual assault and rape.

Social norms refer to rules of conduct and models of behaviour expected by a society or social group. They are grounded in the customs, traditions and value systems that develop over time in a society or social group.

Spiritual/cultural violence is a form of domestic or family violence, or other violence against women, that may be part of a broader and complex pattern of behaviours experienced by a victim. Spiritual and cultural abuse are means by which a perpetrator can exercise dominance, control or coercion over a victim because spirituality or cultural identity is central to the victim's way of life, or their personal sense of meaning, purpose and wellbeing. Such abuse may involve a perpetrator:

- belittling the victim's spiritual or cultural worth, beliefs or practices
- violating or preventing the victim's spiritual or cultural practices
- denying the victim access to their spiritual or cultural community
- causing the victim to transgress spiritual or cultural obligations or prohibitions
- forcing on the victim spiritual or cultural beliefs and practices that are in conflict with their own
- manipulating spiritual practices to justify abuse
- misusing the traditions, practices and expectations of the spiritual or cultural community to which the victim belongs as a means of normalising or suppressing the abusive behaviours, silencing the victim, or preventing the victim from seeking support and help[308]

State violence is violence perpetrated by, or under the responsibility of, the state and its agencies, such as violence by police or prison officers.

Stolen Generations refers to Aboriginal and Torres Strait Islander people who, as children, were removed from their families and communities under past government forcible removal policies for the purposes of separating them from their culture, family, land and identity.

Violence against women refers to any act of gender-based violence that is specifically directed against a woman, that causes or could cause physical, sexual or psychological harm or suffering to women, including threats of harm or coercion, in public or private life. This definition encompasses all forms of violence that women experience (including physical, sexual, emotional, cultural/spiritual, financial, and others) that are gender based.

Endnotes

1   Huggins (2003), p. 5.

2   This point has been made recently by a number of Indigenous women frustrated at the implication in some public discussions that they have previously been silent on this issue. See, for example, Liddle (2016), McQuire (2016), Longbottom et al (2016), Behrendt (2016), Burney in Caccetta (2016). For key examples from the decades of work and publications on this issue by Aboriginal and Torres Strait Islander women, see Bolger (1991), Aboriginal and Torres Strait Islander Women's Taskforce on Violence (2000), Atkinson (2002), and the many sources cited by Moreton-Robinson (2009), p. 71 and Howe (2009), p. 59 note 83. For a recent example, see the activism of the Tangentyere Women's Family Safety Group, in Schubert (2017).

3   Our Watch et al (2015).

4   Olsen & Lovett (2016), p. 17.

5   Indigenous Family Violence regional action groups (2012), p. 18.

6   Olsen & Lovett (2016), p. 19.

7   Indigenous women are, for example, 2.8 times more likely than Indigenous men to be hospitalised as a result of family violence — based on hospitalisation rates for Aboriginal and Torres Strait Islander family violence-related assaults of 530 females per 100,000 female population and 191 males per 100,000 male population cited in Steering Committee for the Review of Government Service Provision (2016), 4.12.1.

8   See, for example, Aboriginal and Torres Strait Islander Social Justice Commissioner (2006), Aboriginal Family Violence Prevention and Legal Service Victoria (2015, 2016a), Change the Record Coalition (2015).

9   Aboriginal Family Violence Prevention and Legal Service Victoria (2015), p. 21.

10 Our Watch et al (2015), p. 12.

11 See Biddle (2013).

12 See, for example, Wundersitz (2010).

13 In her analysis of media reporting of Aboriginal family violence, for example, Brown (2016) found that over the 5-year period she investigated, only 2 out of 145 articles in Victorian newspapers noted that not all perpetrators of violence against Victorian Aboriginal women and their children are Aboriginal men.

14 Keynote speech, Our Watch/AWAVA conference, Adelaide (2015), unpublished Our Watch staff notes.

15 See, for example, Aboriginal Family Violence Prevention & Legal Service Victoria (2015), p. 22.

16 Biddle (2013).

17 See, for example, the Inquiry into the Protection of Aboriginal Children from Sexual Abuse, which heard evidence of regular sexual abuse of girls and young women by non-Indigenous mining workers in the NT: Anderson and Wild (2007), and Hoare (2008) on the pattern of sexual abuse allegedly perpetrated by truck drivers in parts of NSW.

18 See for example Frederick & Goddard (2007), Humphreys & Houghton (2008). Several jurisdictions now recognise this harm as a form of family violence in and of itself.

19 Nationally, Aboriginal and Torres Strait Islander children represent over 35% of children living in out-of-home care: Australian Institute of Health and Welfare (2016).

20 Australian Institute of Health and Welfare (2016), State of Victoria (2016), Commission for Children and Young People (2016).

21 Aboriginal Family Violence Prevention and Legal Service Victoria (2015), p. 17, National Family Violence Prevention Legal Services (2017).

22   See, for example, Atkinson & Woods (2008), Langton (2008, 2015) Lucashenko (1996), McGlade (2012), Dodson (2003). Many consulted for this resource also pointed out that there is no single 'traditional culture', and that given the enormous diversity of the hundreds of different Aboriginal and Torres Strait Islander cultures that existed across Australia at the time of invasion, cultural norms and traditions about gender roles and relationships would have varied widely across the country.

23   United Nations Special Rapporteur on the Rights of Indigenous Peoples (2017), p. 13.

24   United Nations Special Rapporteur on the Rights of Indigenous Peoples (2017), p. 13.

25   United Nations Special Rapporteur on Violence against Women (2017), p. 6.

26   United Nations Special Rapporteur on Violence against Women (2017), p. 6.

27   In Canada for, example, rates of self-reported violence against Aboriginal women are 3 times higher than among non-Aboriginal women (Brennan 2011) and the average rate of homicides of Aboriginal females is at least 6 times higher than that of non-Aboriginal women: Miladinovic and Mulligan, (2015). In the United States, violence against Native American and Alaskan Native women has been reported as the highest in the nation. Bussey & Whipple (2010), p. 286.

28   United Nations Special Rapporteur on the Rights of Indigenous Peoples (2015).

29   Reported in: Aboriginal Family Violence Prevention and Legal Service Victoria (2013), p. 1.

30   Oscar (2018).

31   United Nations General Assembly (2016), p. 2.

32   United Nations General Assembly (2016).

33   United Nations Committee on the Elimination of Discrimination against Women (2017), pp. 4–5.

34   United Nations Committee on the Elimination of Discrimination against Women (2016), pp. 6–7.

35   McGlade (2016). See also McGlade (2017).

36   United Nations Committee on the Elimination of Discrimination against Women (2016), p.6–7.

37   Aboriginal Family Violence Prevention and Legal Service Victoria (2015), p. 22.

38   Huggins (2003), p. 5.

39   This point has been made recently by a number of Indigenous women frustrated at the implication in some public discussions that they have previously been silent on this issue. See, for example, Liddle (2016), McQuire (2016), Longbottom et al (2016), Behrendt (2016), Burney in Caccetta (2016). For key examples from the decades of work and publications on this issue by Aboriginal and Torres Strait Islander women, see Bolger (1991), Aboriginal and Torres Strait Islander Women's Taskforce on Violence (2000), Atkinson (2002), and the many sources cited by Moreton-Robinson (2009), p. 71 and Howe (2009), p. 59 note 83. For a recent example, see the activism of the Tangentyere Women's Family Safety Group, in Schubert (2017).

40   For example, see Aboriginal and Torres Strait Islander Social Justice Commissioner (2006) the various publications and resources produced by the NPY Women's Council on this issue https://www.npywc.org.au/resources/publications/, the set of 2010 policy papers and numerous submissions by the Aboriginal Family Violence Prevention and Legal Service Victoria (available at www.fvpls.org), and the report of its 2012 national conference (Aboriginal Family Violence Prevention and Legal Service Victoria 2013) and the recent Redfern Statement released by 18 Aboriginal and Torres Strait Islander peak organisations, which highlights the prevention of violence against Aboriginal and Torres Strait Islander women as one of six priority areas requiring urgent government action National Congress of Australia's First Peoples (2016), pp.14–15.

41   Antoinette Braybrook, Foreword, in Aboriginal Family Violence Prevention and Legal Service Victoria (2013), p. 5.

42   The main data source used to measure prevalence of violence against women at the national level (the Australian Bureau of Statistics 2012 Personal Safety Survey) does not collect data on the Indigenous status of respondents. As previously noted by Bryant (2009), nor is there a single source of data that provides a comprehensive overview of violence against Indigenous people generally.

43   Steering Committee for the Review of Government Service Provision (2016), 4.100.

44   Memmott et al (2009). However, Memmott reports that police data does show family violence to be the most common reason for police community responses in the Torres Strait: Memmott (2010). The likely high prevalence in this area is supported by unofficial police statistics obtained during consultation for this resource, which show an average of 367 domestic violence incidents a year reported in the Torres Strait, an area with a 2011 Census population of just 4,635 (unpublished police data 2013 to 2016).

45   Australian Bureau of Statistics (2016a).

46   D'Abbs & Shaw (2011).

47   Webster. (2016). Definition of 'intimate partner' includes both cohabiting and non-cohabiting partners — does not include emotional abuse (as no data available).

48   While not specifically comparing rates of violence against women over time, the most recent Productivity Commission report on Indigenous disadvantage finds rates of family and community violence in Indigenous communities were unchanged between 2002 and 2014 to 2015. Steering Committee for the Review of Government Service Provision (2016), 4.101.

49   ABS (2016), National Aboriginal and Torres Strait Islander Social Survey.

50   D'Abbs and Shaw (2011).

51   Steering Committee for the Review of Government Service Provision (2016), 4.98. These are the jurisdictions where comparable police data was available.

52   Olsen and Lovett (2016a), pp. 10–11.

53   Steering Committee for the Review of Government Service Provision (2014).

54   Cussen & Bryant (2015).

55   Mouzos & Makkai (2004), pp. 30–31. See also Australian Bureau of Statistics (2013).

56   Olsen & Lovett (2016), p. 11, citing D'Abbs & Shaw, G. (2011). *Community safety and wellbeing research survey: Consolidated report.* Sydney: Bowchung Consulting.

57   Steering Committee for the Review of Government Service Provision (2016), table 4A.12.7.

58   Henry, Powell and Flynn (2017) found Aboriginal and Torres Strait Islander people twice as likely as non-Indigenous Australians to experience image-based abuse. Half the Indigenous people surveyed had experienced such abuse (50% compared to 22% of non-Indigenous respondents). This is a form of abuse where victimisation is not obviously gendered, but perpetration is — while Indigenous men and women experienced image-based abuse at similar rates, in both cases the perpetrator was most often male. Perpetrators are also typically known to the victim, with Indigenous people even more likely than non-Indigenous respondents to report that the perpetrator was an acquaintance, friend or family member.

59   Fairthorne et al (2016).

60   Calculations based on hospitalisation rates for Aboriginal and Torres Strait Islander family violence-related assaults of 530 females per 100 000 female population and 191 males per 100 000 male population cited in Steering Committee for the Review of Government Service (2016), 4.12.1.

61   For example, hospital data from Queensland, Western Australia, South Australia and the Northern Territory showed that for Indigenous women the rate of head injury due to assault was 69 times higher than that experienced by non-Indigenous women (Olsen and Lovett 2016, p.13).

62   Steering Committee for the Review of Government Service Provision (2016), 4.98 and table 4A.12.13.

63   Meuleners et al (2010). Based on an analysis of Western Australian data.

64   Based on available national and state and territory datasets: Olsen & Lovett (2016) p. 13, citing Al-Yaman et al (2006)

65   This is a term used to describe the overall impact of a disease or other risk factor (in this case violence against women) on a particular population. Burden of disease studies typically compare different diseases and risk factors with one another.

66   Webster (2016).

67   Webster (2016).

68   Webster (2016).

69   Government of Western Australia (2015), p. 16.

70   Aboriginal Family Violence Prevention and Legal Service Victoria (2015), p. 18.

71   See for example Wilson et al (2017) on the 'normalisation' of violence in some women's lives.

72   Comprising only 2% of the adult female population nationally, Aboriginal women make up 34% of Australia's female prisoner population (compared to 26% for Aboriginal men): Australian Bureau of Statistics (2016b) Indigenous women are imprisoned at 15 times the rate of non-Indigenous women: PWC Indigenous Consultin (2017) p. 5. On the 'skyrocketing' rates of imprisonment of Aboriginal and Torres Strait Islander women see also: Human Rights Law Centre and Change the Record (2017).

73   Aboriginal and Torres Strait Islander Social Justice Commissioner (2006), Wilson et al (2017), Victorian Department of Justice (2006), Kilroy (2013).

74   In their interviews with incarcerated Indigenous women in Western Australia, Wilson et al (2017) found that among the 54 who had used violence themselves, 90.7% reported they had also been victims of violence in the past. See also Aboriginal and Torres Strait Islander Social Justice Commissioner (2006), Lawrie (2003), p. 29, Human Rights Law Centre and Change the Record (2017), p. 5.

75   Wilson et al (2017), New South Wales Government (2015), Sherwood & Kendall (2013), NSW Aboriginal Justice Advisory Council (2001), Bartels (2012).

76   Nancarrow (2016).

77   Wilson et al (2017), Burbank (1994). This is in line with international research that suggests women who use violence are more likely than men to have been sexually or physically abused, and that their use of violence is often a response to a male partner's ongoing and sustained abuse. For example, Swan et al (2008).

78   Wilson et al (2017), Burbank (1994). This is in line with international research that suggests women who use violence are more likely than men to have been sexually or physically abused, and that their use of violence is often a response to a male partner's ongoing and sustained abuse. For example, Swan et al (2008).

79   Wilson et al (2017), p. 7.

80   Wilson et al (2017), p. 10 citing Mullins & Miller (2008).

81   Kilroy (2013), p. 4.

82   Aboriginal Family Violence Prevention & Legal Service Victoria (2013), p. 20.

83   Wilson et al (2017).

84   See for example Frederick & Goddard (2007), Humphreys & Houghton (2008).

85   Stokes (2016).

86   Cripps et al (2009); Mouzos & Makkai (2004).

87   Australian Institute of Health and Welfare (2006).

88   Australian Institute of Health and Welfare (2016), p. b128.

89   Holt et al (2008).

90   SNAICC (2015), p. 4.

91   Australian Institute of Health and Welfare (2014), pp. 12, 22.

92   Australian Institute of Health and Welfare (2016), State of Victoria (2016), Commission for Children and Young People (2016).

93   Aboriginal Family Violence Prevention and Legal Service Victoria (2015), pp. 15–16.

94   As extensively documented in the *Bringing Them Home* report. See Commonwealth of Australia (1997).

95   Australian Institute of Health and Welfare (2016).

96   See for example, Commission for Children and Young People (2015), pp.152–158, Arney et al (2015).

97   Jackomos (2016).

98   Aboriginal Family Violence and Legal Prevention Service (2016), pp. 7–8.

99   On the prevalence of sexual abuse of Aboriginal and Torres Strait Islander children in institutional contexts, see Anderson et al (2017).

100   Holt et al (2008).

101   Jackomos (2016).

102   Donohue (2016).

103   Corrie & McGuire (2013).

104   Moe & Bell (2004).

105   Fabinyi (2014).

106   Sharp (2008).

107   KPMG (2009), p. 9.

108 Willis (2011), cited in Steering Committee for the Review of Government Service Provision (2016), 4.102.

109 Braybrook (2016).

110 Wilson et al (2017), Aboriginal Family Violence Prevention and Legal Service Victoria (2013), p. 18, Holder et al (2015), p. 7. Australian Human Rights Commission (2017a), p. 17. Cripps further suggests that these fears help explain the 'language of minimisation' used by many Aboriginal and Torres Strait Islander people to downplay or diminish violence and its consequences (2007), p. 14.

111 Smith (2007), p. 102.

112 Many of the barriers listed here are cited for example by Olsen and Lovett (2016), p. 11 and Holder et al (2015), p. 8. Others were suggested by Advisory Group members and practitioners consulted in the development of this resource.

113 Anecdotal evidence of such cases was provided by a number of participants at consultations for this resource.

114 Olsen & Lovett 2016, p.11, Nancarrow 2006.

115 Observation from Healing Foundation staff, based on feedback they have received from Aboriginal and Torres Strait Islander communities.

116 Lauw, M. (2016).

117 Lauw, M. (2016).

118 See, for example, Price et al (2016).

119 Braybrook (2017).

120 Some literature uses the term 'normalisation' but this has been avoided here as this is a contested term, with some of those consulted in the preparation of this resource arguing that it's rare for Aboriginal people to think violence is 'normal'.

121 Wilson et al (2017).

122 Olsen & Lovett (2016), p. 11.

123 Olsen & Lovett (2016), p. 11, Holder et al (2015), p. 8.

124 Cripps cited in Dudgeon et al (2014), p. 400.

125 Davis, Megan (2012), cited in Aboriginal Family Violence Prevention and Legal Service Victoria (2013), p. 18.

126 Jackomos (2016).

127 Aboriginal and Torres Strait Islander Social Justice Commissioner (2006).

128 Cox (2008).

129 Rigney (2016).

130 In Australia, 1 woman in 5 has experienced sexual violence over their lifetime compared to 1 in 20 men: Australian Bureau of Statistics (2012).

131 Australian Law Reform Commission (2010) pp. 1100–1102.

132 For example, Aboriginal and Torres Strait Islander Women's Taskforce (2000) p. xv.

133 Wilson et al (2017), p. 10.

134 See, for example, Aboriginal Family Violence Prevention and Legal Service Victoria (2013), p. 25.

135 Lauw, M. (2016).

136 Aboriginal Family Violence and Legal Service Victoria (2015), p. 17.

137 Rigney (2016).

138 See Brown (2016).

139 Geographic factors are a particularly relevant consideration because the geographic distribution of Indigenous people in Australia is far more varied than that of the non-Indigenous population. The proportion of Indigenous Australians living in non-remote areas is 79% compared to 21% who live in remote areas, while 98% of non-Indigenous Australians live in non-remote areas and only 2% in remote areas. Australian Institute of Health and Welfare (2015) (using 2011 ABS Census data).

140 United Nations Economic and Social Council (2012), p. 6.

141   Herring (2016).

142   Currie-Dillon (2016).

143   On this history of violence, including differences in the timing and impacts for Aboriginal people and Torres Strait Islanders, see Human Rights and Equal Opportunity Commission (1991), pp. 38–46.

144   McQuire (2015), Behrendt (1993).

145   For the most comprehensive recent attempt to document and map these massacres, see Ryan et al (2017) and the *Colonial Frontier Massacres in Eastern Australia 1788-1872* project website at: https://c21ch.newcastle.edu.au/colonialmassacres/

146   See for example, Elder (2003), Haebich (2000), Perkins & Langton (2008), Reynolds (2000).

147   See for example Zubrick et al (2004) which provides empirical evidence from the Western Australian Aboriginal Child Health survey of the ongoing negative health and wellbeing impacts of the Stolen Generations on Aboriginal families today.

148   Neither does it explain gendered patterns in attitudinal data, as VicHealth (2015), p. 14, in its analysis of the National Community Attitudes towards Violence Against Women Survey (NCAS) data. The authors note that both Indigenous men and women are exposed to oppression and inequality stemming from colonisation and racism, yet, Indigenous men are more likely than Indigenous women to hold attitudes supportive of violence against women, suggesting that gender plays a part.

149   Our Watch et al (2015).

150   Braybrook (2015).

151   Davis. (2007).

152   McQuire (2015).

153   Liddle (2015).

154   Our Watch, et al (2015), Foreword.

155   For key examples, see Huggins et al (1991), Behrendt (1993).

156   This Australian debate draws on and contributes to intersectionality theory more broadly, which critiqued 'single-axis' thinking and activism and proposed a form of analysis that considered the intersection of different forms of oppression: Maddison & Partridge (2014), p. 29. For detailed summaries of and commentaries on the Australian debate, see Holder et al (2015) pp. 2–6, Maddison & Partridge (2014).

157   See, for example, Liddle (2015). Others also stress the way this intersection of racism, colonisation and patriarchy creates particularly disproportionate and devastating impacts of violence on Aboriginal children. See, for example, McGlade (2012).

158   The term 'intersectionality' was coined by Crenshaw (1989), building on earlier work exploring similar ideas, particularly Moraga & Anzaldúa (1981) and Hooks (1982). Crenshaw's theory has since been expanded upon by others, including Collins (1990).

159   Longbottom et al (2016).

160   Aboriginal Family Violence Prevention and Legal Service Victoria (2016), p. 6.

161   O'Donaghue (2001), p. 15.

162   Aboriginal Family Violence Prevention and Legal Service Victoria (2016), p. 4.

163   Our Watch et al (2015), p. 22.

164   Consultation participant, Brisbane.

165   Consultation participant, Melbourne.

166   Behrendt (1997).

167   Atkinson, J. (2002). Ryan et al also note that the particular kinds and combinations of trauma and chronic stress Indigenous people experience are not well recognised or captured within mainstream diagnoses such as post-traumatic stress disorder (2016), p. 45.

168   Steering Committee for the Review of Government Service Provision (2016) citing Bryant (2009), Clapham et a (2006); Human Rights and Equal Opportunity Commission (1997) and Zubrick et al (2004).

169   Atkinson, C (2008), p. 250.

170   Healing Foundation (2015).

171   Al-Yaman et al (2006), Linklater (2014).

172   Atkinson (2008), p. 249.

173   Ryan et al (2016), p. 43.

174   Atkinson & Woods (2008), p. 16.

175   Healing Foundation & White Ribbon (2017).

176   State of Victoria (2016), p. 48.

177   Healing Foundation (2015).

178   Al-Yaman et al (2006), Atkinson, J. (2002).

179   Longbottom et al (2016).

180   Miller & Najavits (2012), cited in Healing Foundation & White Ribbon (2017), p. 43.

181   Rigney (2016).

182   Steven Torres Carne, Healing Foundation, Our Watch Aboriginal men's consultation workshop, Darwin, (2016).

183   Atkinson (2008).

184   Braybrook & Duffy (2017).

185   Braybrook & Duffy (2017).

186   Research interviewee (requested not to be named).

187   Research interviewee (requested not to be named).

188   For survey data on the prevalence of Indigenous people's experiences of racism in various everyday and institutional settings, and perceptions about their ability to exercise their rights and access opportunities and services, see Reconciliation Australia (2016), Blair et al (2017), p. 10.

189   On protectionism, see Haebich (1992), Altman & Rowse (2005), Moran (2005).

190   Paradies (2011).

191   Reconciliation Australia (2016).

192   For a comprehensive discussion of these multiple forms see Human Rights and Equal Opportunity Commission (1991), pp. 69–114.

193   Australian Government (2015).

194   Shepherd et al (2017).

195   Human Rights and Equal Opportunity Commission (1991), p. 115.

196   Day et al (2006), p. 532.

197   Hovane (2015), Healing Foundation & White Ribbon (2017), p. 8.

198   Jackomos (2016).

199   Jackomos (2016).

200   Aboriginal and Torres Strait Islander Women's Taskforce (2000), p. xii.

201   Healing Foundation and White Ribbon (2017), p. 7.

202   Atkinson (1990b), Langton (2008).

203   Jackomos (2016).

204   As stressed in the earlier note on terminology the term 'communities' is used in a broad sense to refer both to specific geographically based Indigenous communities, and to other forms of identity-based communities, networks and relationships (such as the many connections that exist between Aboriginal and Torres Strait Islander people across the country).

205   Paradies (2011), Reconciliation Australia (2016), Human Rights and Equal Opportunity Commission (1991).

206   European Commission (2010) World Health Organisation & London School of Hygiene and Tropical Medicine (2010).

207 Holt et al (2008)

208 Human Rights and Equal Opportunity Commission (1997), MacRae et al (2013), Royal Commission into Aboriginal Deaths in Custody (RCIADIC) (1991), Memmott et al (2001), Anderson (2002), p. 409.

209 Memmott et al (2001).

210 Blagg et al (2015), p. 6.

211 Healing Foundation (2015).

212 Healing Foundation (2015), Australian Human Rights Commission (2011a).

213 Dudgeon et al (2014), pp. 400–401.

214 Australian Human Rights Commission (2011a), p. 71.

215 Herring (2016).

216 Lauw (2016).

217 Wild & Anderson (2007), Cripps (2008).

218 Herring (2016).

219 There is even evidence that early trauma can affect the developing brain, interfering with a child's ability to learn to trust and develop empathy, and heightening the tendency to perceive benign overtures as threats. Overcoming such impacts entails complex and long-term efforts for those who have suffered such early trauma and those supporting them, making primary prevention of such violence imperative. See for example Kinniburgh et al (2005), Neigh et al (2009), Perry (2005).

220 Our Watch et al (2015), pp. 26–7.

221 Cox (2008).

222 Herring (2016).

223 Olsen & Lovett (2016), p. 19, Wilson et al (2017), p. 6.

224 Our Watch et al (2015), p. 26.

225 Consultation participant, Alice Springs.

226 Australian Human Rights Commission (2017b).

227 Larson et al (2007), Mellor, (2003), Paradies & Cunningham (2009), Pedersen et al (2000).

228 For a review of the evidence, see Bodkin-Andrews (2017).

229 Skinner et al (2013).

230 For example, a third of non-Indigenous Australians believe Aboriginal and Torres Strait Islander people are responsible for their own disadvantages today: Reconciliation Australia (2016).

231 For example, only 28% of non-Indigenous people feel that 'the wrongs of the past must be rectified before all Australians can move on': Reconciliation Australia (2016).

232 For example, survey results report 'almost no reference to Indigenous issues' when Australians are surveyed about 'the most important issues facing Australia today': Markus (2016), p. 21.

233 Human Rights and Equal Opportunity Commission (1991), p. 387.

234 McQuire (2016).

235 Our Watch et al (2015), p. 23.

236 Human Rights and Equal Opportunity Commission (1991), p. 117.

237 Bond (2017).

238 Brown (2016).

239 Aboriginal Family Violence Prevention and Legal Service Victoria (2016), p. 6.

240 Braybrook (2016).

241 Aboriginal Family Violence Prevention and Legal Service Victoria (2015), p. 22.

242 Liddle (2015).

243 Olsen & Lovett (2016), p. 14.

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244   Fredericks (2010).

245   Baldry & Cunneen (2014).

246   Behrendt (1995).

247   Herring (2016).

248   Liddle (2015).

249   Healing Foundation (2016), p. 5.

250   Healing Foundation (2016), p. 5.

251   Lauw (2016).

252   Langton (2008), McGlade (2012).

253   Lauw (2016).

254   Day et al (2012). For a discussion of this idea, see also Memmott et al (2001), pp. 29–30.

255   For example, see Payne (1993) on the way 'bullshit law' or distorted Aboriginal customary law is sometimes used to try to excuse criminal acts of violence against Aboriginal women.

256   Dodson (2003).

257   Behrendt (2000) p. 364. See also McGlade (2001) p. 140, Green (2007), pp. 22–23. While data is limited, this argument appears to be supported by the National Community Attitudes Survey. The survey found that, like non-Indigenous men, Aboriginal and Torres Strait Islander men were less likely than women to support gender equality and more likely than women to hold attitudes supportive of violence. See VicHealth (2015, p. 3).

258   Longbottom et al (2016).

259   Cox (2016).

260   See, for example, the Inquiry into the Protection of Aboriginal Children from Sexual Abuse, which heard evidence of regular sexual abuse of girls and young women by non-Indigenous mining workers in the NT (Anderson & Wild, 2007), and Hoare (2008) on the pattern of sexual abuse allegedly perpetrated by truck drivers in parts of NSW.

261   Atkinson & Woods (2008), p. 4.

262   Behrendt (1993), Moreton-Robinson (2000). See also McGlade: (2012), pp. 40–43, on the long history of sexual abuse of Aboriginal women and children in Australia.

263   Langton (2016).

264   Cited in Aboriginal Family Violence Prevention and Legal Service Victoria (2013), p. 25.

265   See the many examples cited at endnotes 38 and 39.

266   Kalinya Communications (2017), p. 3.

267   See for example those quoted in Brennan (2017).

268   Brown (2016).

269   Liddle (2017).

270   Sutherland et al (2015).

271   See for example Day (2017).

272   McGlade (2016).

273   Australian Law Reform Commission (1994).

274   See for example the WA coroner's report: Fogliani (2016), documenting the 'inhumane' treatment of an Aboriginal woman in WA police custody in 2014.

275   Marchetti (2013).

276   Aboriginal and Torres Strait Islander Social Justice Commissioner (2006), Wilson et al (2017), Victorian Department of Justice (2006), Kilroy (2013), Lawrie (2003).

277   Aboriginal Family Violence Prevention and Legal Service Victoria (2013), p. 20.

278   Cripps & Davis (2012). See also Change the Record Coalition (2015) which calls for greater recognition of the impact of disability and mental health on violent behaviour among Aboriginal and Torres Strait Islander people.

279   Olsen & Lovett (2016), p. 15.

280   Weatherburn (2011).

281   For more on Australian 'alcohol cultures' or drinking cultures, and how these are influenced by broad social norms about gender and masculinity, and various subcultural values and norms, see VicHealth (2016).

282   Memmott et al: (2001), p. 26, suggest this helps explain for example, why violence can be more common or severe on 'pay days' when people can afford to purchase alcohol.

283   See the various sources cited by Olsen & Lovett (2016), p. 15.

284   Australian Bureau of Statistics (2016a). The proportion reporting alcohol as a contributor was higher in remote areas than urban areas.

285   Cripps & Davis (2012)

286   Atkinson (2007), p. 67.

287   Memmott et al (2001), p. 26.

288   Huggins, J. (2003), p. 6.

289   Australian Institute of Health and Welfare (2015).

290   It is difficult to accurately compare prevalence rates for violence against Aboriginal and Torres Strait Islander women in remote versus non-remote areas. The 2014–15 National Aboriginal and Torres Strait Islander Social Survey (NATSISS), which measures self-reported prevalence, found very similar victimisation levels for Aboriginal and Torres Strait Islander people in remote and non-remote areas. However, other data shows that compared to capital cities, hospitalisation rates among Aboriginal and Torres Strait Islander people in remote areas are twice as high for injury caused by assaults, and more than three times higher for injury caused by family violence related assaults: Steering Committee for the Review of Government Service Provision (2016).

291   Olsen & Lovett (2016), pp. 15–16.

292   Our Watch et al (2015), pp. 21.

293   Cripps (2016). See also Huggins (2016); Braybrook & Duffy (2016).

294   See, for example, the 'Group 2' factors in Cripps' (2010) model of family violence in Aboriginal and Torres Strait Islander communities (where Group 1 factors are those associated with colonisation and its impacts).

295   United Nations General Assembly (2015). United Nations (2016). Draft General Recommendation No. 19 (1992) p.5-7. United Nations Special Rapporteur on Violence against Women (2017). United Nations Special Rapporteur on the Rights of Indigenous Peoples (2017).

296   For example, research and inquiries into the high rates of violence experienced by Indigenous women in Canada consistently identify the underlying causes to be the intersection of racism, sexism and the legacies of colonialism.

297   For example, Aboriginal Family Violence Prevention and Legal Service Victoria (2016), O'Donoghue (2001), McGlade (2016).

298   For further reading on this complex topic, see Behrendt (2012).

299   Williams (2008).

300   Aboriginal and Torres Strait Islander Social Justice Commissioner (2011).

301   Derived from Henry et al (2017), p. 3.

302   Healing Foundation (2015).

303   Steering Committee for the Review of Government Service Provision (2014) citing Bryant (2009); Clapham et al, (2006), Human Rights and Equal Opportunity Commission (1997), Zubrick et al (2004).

304   Blagg et al (2015), p. 6.

305   Healing Foundation (2015).

306   Clarke et al (2016).

307   Healing Foundation (2015), Australian Human Rights Commission (2011a).

308   See Australian Government. Attorney General's Department (2017).

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Appendix 1: Alternative text for figures.

Page 30: Figure 1 — The contribution of intimate partner violence to the gap between Indigenous and non-Indigenous women.

Intimate partner violence is common.

An estimated 3 in 5 Indigenous women have experienced physical or sexual violence by an intimate partner since age 15. (Includes physical and sexual violence only. Data on emotional abuse is not available for Indigenous women.)

This includes violence or abuse by a partner they currently or have previously lived with, as well as violence perpetrated by a non-cohabiting partner.

It contributes an estimated 10.9% to disease burden in Indigenous women aged 18–44 years. This is more than any other risk factor.

Among all Indigenous women it contributes 6.4% to the burden and is the third largest risk factor.

Top 8 risk factors contributing to disease burden:

1. Intimate partner violence — 10.9%
2. Alcohol use — 7%
3. Overweight/obesity — 6.2%
4. Tobacco use — 5.9%
5. Childhood sexual abuse — 4.7%
6. Physical inactivity — 4.2%
7. Illicit drug use — 3.7%
8. High plasma glucose (a risk factor for diabetes and other chronic diseases) — 3.4%

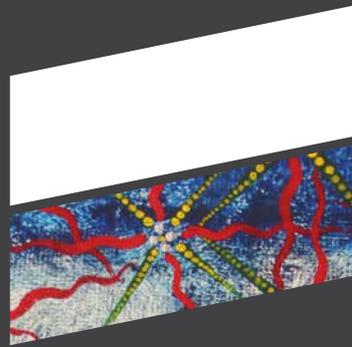There is a gap in the burden between Indigenous and non-Indigenous women.

Among Indigenous women aged 18–44 years rates of burden:

- for all diseases are 2.5 times higher.
- due to intimate partner violence are 6.3 times higher

Than for non-Indigenous women in the same age group:

- 5 times higher for depressive disorders.
- 5 times higher for anxiety disorders.
- 15 times higher for alcohol use disorders.
- 11 times higher for early pregnancy loss.
- 7 times higher for suicide and self-inflicted injuries.
- estimated rates of burden for each disease due to intimate partner violence are higher among Indigenous women aged 18-44 years than non-Indigenous women of the same age.

This information is taken from Webster, K. (2016, July). *A preventable burden: Measuring and addressing the prevalence and health impacts of intimate partner violence in Australian women.* Sydney: Australian National Research Organisation for Women's Safety.