

# Reporting on Family Violence in Aboriginal & Torres Strait Islander Communities

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<b>1</b>	<b>How to Report on Aboriginal &amp; Torres Strait Islander Family Violence</b>	<b>2</b>
<b>2</b>	<b>Facts &amp; Figures</b>	<b>5</b>
<b>3</b>	<b>Impacts of Aboriginal &amp; Torres Strait Islander Family Violence</b>	<b>7</b>
	Health Impacts	7
	Mental Health	7
	Homelessness	8
	Social & Community Impacts	8
<b>4</b>	<b>System Responses to Family Violence in Aboriginal &amp; Torres Strait Islander Communities</b>	<b>9</b>
	Legal	9
	Community	10
	Government	10
<b>5</b>	<b>Definitions</b>	<b>11</b>
<b>6</b>	<b>Resources &amp; Further Reading</b>	<b>12</b>
	Statistics	12
	Research	12
	Commentary	12
	Legislation	12
	<b>References</b>	<b>14</b>

# 1 How to Report on Aboriginal & Torres Strait Islander Family Violence

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Family violence is a serious problem in Aboriginal and Torres Strait Islander communities, and in the broader Australian community. When you're reporting on Aboriginal and Torres Strait Islander family violence, you can help readers, listeners and viewers see it as an important issue that everyone can take action on. Remember: you can report on this issue in a way that informs, educates and contributes usefully to public dialogue.

## **Name it**

Always use the term 'family violence' when it applies. Using language like 'domestic dispute' or 'volatile relationship' minimises and trivialises a violent situation. Plus, if your audience consistently comes across the term 'family violence' they will get a better understanding of how widespread the problem is.

## **Safety comes first**

Ensure that you report on the issue in a way that doesn't compromise the survivor's safety. This might involve leaving out some details of what occurred to maintain the survivor's and/or family's anonymity.

## **Violence is never acceptable**

The perpetrator is always solely responsible for a violent situation. Avoid using language or framing the story in a way that suggests the survivor of violence was in any way to blame for what happened to him or her.

## **Be culturally aware**

Where appropriate, acknowledge that Aboriginal and Torres Strait Islander family violence occurs in an historical context of colonisation; dispossession; loss of culture resulting in the breakdown of kinship systems and of traditional law; racism; and government policies of forced removal of children from families. However, remember that providing this background should never detract from the legitimacy of the survivor's experience of violence.

## **Be culturally aware with regards to media practices**

There are specific sensitivities to reporting on Indigenous issues and interviewing Aboriginal and Torres Strait Islander peoples. This includes being aware that Aboriginal and Torres Strait Islander communities have a specific history, and may be sensitive to the way Aboriginal issues are represented in the media. At times it may be inappropriate to use peoples' names or images. Always ask.

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**This guide provides an introduction to the issue of reporting on family violence in Aboriginal and Torres Strait Islander communities. It is not exhaustive, and effective reporting on this issue requires long-term learning in partnership and relationship with Aboriginal and Torres Strait Islander communities, representatives and media specialists.**

**Acknowledge that family violence is not an aspect of ‘traditional’ Aboriginal or Torres Strait Islander cultures**

Be sure not to focus on the Indigenous background of perpetrators or survivors of violence in a way that suggests that their culture or ethnicity explains the violence. Family violence is unacceptable in any cultural context.

**Family violence is serious, highly traumatic, and can be life-threatening**

It is never appropriate to report on family violence in a way that sensationalises or trivialises it.

**Be aware that this crime has both a victim and a perpetrator**

Be sure to report what you can sensitively and appropriately in a balanced way.

**Use sensitivity and good judgement when reporting survivors’ stories**

Family violence can leave survivors feeling vulnerable and ashamed. Make sure you do all you can to report on family violence in a way that upholds the survivor’s (and their family’s) right to dignity. Provide interviewees with as much time as possible to tell their story in their own time and way and ensure you offer support before and after the story is released.

**Contextualise the story with statistics**

Use local, national, and (where appropriate) international statistics on domestic and family violence to frame the story.

**Family violence has a significant gendered dimension**

Acknowledge that family violence occurs in a broader context in which power and resources are distributed unequally between genders, and in which women are much more likely to be victims of family violence than men.

**Humanise the story with appropriate terminology**

Ask the survivor of violence what they would prefer to be called. If you can’t, where possible and appropriate, refer to the victim of violence by name. If you can’t use their name, be as specific as you can – for example, ‘woman who has experienced family violence’. The term ‘survivor’ is also used for people who have experienced family violence in the past.

**It is important to include information about available support options for people who have experienced family violence**

You should always include numbers for local support services where possible – see [Resources](#) for a list of services by State and Territory.

### **Call on community experts for comment**

Don't just rely on the police or the judiciary for comment when reporting on family violence. Community experts on family violence will be able to put the issue in context. When talking about family violence in Aboriginal and Torres Strait Islander communities, ensure that you speak to representatives who have cultural and family violence expertise.

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### **As well as the contacts for local support services, always list the following tagline at the end of the story:**

If you or someone you know is impacted by sexual assault or family violence, call 1800RESPECT on 1800 737 732

or visit  
[www.1800RESPECT.org.au](http://www.1800RESPECT.org.au)

In an emergency, call 000.

However, many Aboriginal and Torres Strait Islander survivors will not feel comfortable contacting an online or phone-based service, or a non-Aboriginal service. In this context it is important to be aware of and wherever possible report on the availability of specialist support for Aboriginal and Torres Strait Islander survivors of violence.

# 2 Facts & Figures

Aboriginal and Torres Strait Islander women are

**35** TIMES MORE LIKELY

to be hospitalised due to **family violence** related assaults than other Australian women



Without intervention, the cost of violence perpetrated against Aboriginal and Torres Strait Islander women is estimated to be

**\$2,200,000,000**

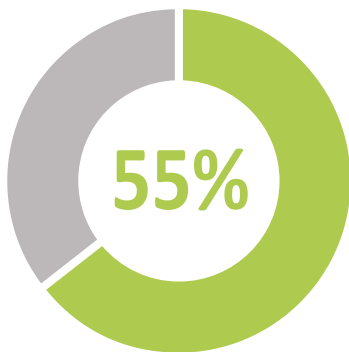
in 2021-2022, including costs associated with



**pain, suffering, premature death, and health costs**

Aboriginal and Torres Strait Islander women are

**5** TIMES MORE LIKELY to be **victims of homicide** than other Australian women



of these homicides are related to **family violence**

Aboriginal and Torres Strait Islander women are

**5** TIMES AS LIKELY

to experience **physical violence**

**3** TIMES AS LIKELY

to experience **sexual violence**

than other Australian women in the previous year



Family violence in Aboriginal and Torres Strait Islander communities occurs in an historical context of colonisation; dispossession, loss of culture resulting in the breakdown of kinship systems and of traditional law, racism, and government policies of forced removal of children from families (the 'Stolen Generation').<sup>1</sup> Related to all of this is the enormous socioeconomic disadvantage that many Aboriginal and Torres Strait Islander people live with.<sup>2</sup>

Family violence is a serious problem for many Aboriginal and Torres Strait Islander communities around the nation. Available statistics show that:

- Aboriginal and Torres Strait Islander people are between two and five times more likely than other Australians to experience violence as victims or offenders.<sup>3</sup>
- Aboriginal and Torres Strait Islander women are five times as likely to experience physical violence, and three times as likely to experience sexual violence, than other Australian women in the previous year.<sup>4</sup>
- Aboriginal and Torres Strait Islander women are 35 times more likely to be hospitalised due to family violence related assaults than other Australian women.<sup>5</sup>
- According to the Australian Productivity Commission, Aboriginal and Torres Strait Islander women are twice as likely to die as an outcome of family violence compared to other Australian women.<sup>6</sup>
- Family violence is a major contributor to children being removed from their families. Aboriginal and Torres Strait Islander children are over nine times as likely to be on care and protection orders and ten times more likely to be in out of home care than non-Aboriginal and Torres Strait Islander children.<sup>7</sup>
- Without intervention, the cost of violence perpetrated against Aboriginal and Torres Strait Islander women, is estimated to be \$2.2 billion in 2021-22, including costs associated with pain, suffering, premature death and health costs.<sup>8</sup>
- Family violence is a greatly underreported crime.<sup>9</sup> Aboriginal and Torres Strait Islander women have lower reporting rates than non-Aboriginal and Torres Strait Islander women and are known to face specific and additional barriers to reporting.
- Aboriginal and Torres Strait Islander women are five times more likely to be victims of homicide than other Australian women. More than half (55%) of these homicides are related to family violence.<sup>10</sup>

# 3 Impacts of Aboriginal & Torres Strait Islander Family Violence

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The effects of family violence in Aboriginal and Torres Strait Islander communities are very far-reaching, and may continue to be felt for years after the violence has finished. These impacts are compounded by the fact that Aboriginal and Torres Strait Islander survivors of violence may not have access to culturally appropriate services or supports, may be distrustful of the justice system, and already experience significant socioeconomic disadvantage and marginalisation as a result of their Indigenous status.

## Health Impacts

- Aboriginal and Torres Strait Islander women are 35 times more likely to be hospitalised as a result of family violence than other Australian women.<sup>11</sup>
- Disability,<sup>12</sup> physical injuries (including broken bones and traumatic brain injury), heart disease and sexually transmitted infections and death are just some of the potential health consequences of family violence.<sup>13</sup>
- Family violence experienced during a woman's pregnancy can have short- and long-term impacts, including for the unborn child. Family violence is a risk factor for obstetric complications, miscarriage, and maternity-related depression.<sup>14</sup>

## Mental Health

- Family violence has very serious impacts on survivors' mental health. It has been shown to lead to depression, anxiety disorders, post-traumatic stress disorder, and other stress and trauma-related disorders.<sup>15</sup>
- Family violence has also been linked to self-harm behaviours and suicide.<sup>16</sup>
- Aboriginal and Torres Strait Islander people who are survivors of family violence may experience a range of emotional impacts particular to their cultural background, including shame, despair, demoralisation and hopelessness or what is sometimes called 'community depression'.<sup>17</sup>
- The trauma of family violence has intergenerational impacts.<sup>18</sup>
- Survivors of family violence are also more likely to turn to substance use, including alcohol, drugs and tobacco. This can lead to secondary injury or illness.<sup>19</sup>

## Homelessness

- Population-wide statistics show that domestic or family violence is the most common reason people access homelessness services.<sup>20</sup>
- Aboriginal and Torres Strait Islander people who have experienced family violence are more likely to be affected by homelessness and increased poverty. This is especially the case for people living in regions with fewer resources and supports.<sup>21</sup>

## Social & Community Impacts

- The vast majority of Aboriginal and/or Torres Strait Islander women in prison have experienced some form of violence in their lifetime, including sexual violence.<sup>22</sup>
- Family violence has been shown to contribute to poor educational outcomes for Aboriginal and Torres Strait Islander children.<sup>23</sup>
- There is some evidence that employment opportunities are adversely impacted for both survivors and perpetrators of family violence.<sup>24</sup>
- Family violence can also lead to a weakening of family structures, which can impact negatively on the social and emotional wellbeing of Aboriginal and Torres Strait Islander individuals and communities.<sup>25</sup>



# 4 System Responses to Family Violence in Aboriginal & Torres Strait Islander Communities

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## Legal

- People who commit acts of domestic or family violence can be prosecuted according to State and Territory law under various offences. Consequences for successful prosecution may include a fine, a good behaviour order, the completion of court-mandated programs to address use of violence in relationships, periodic detention or a prison sentence.
- Domestic Violence Orders (or Protection Orders, or Apprehended Violence Orders) can also be issued to protect victims from future violence. See [Resources](#) for links to information about protection orders in different States and Territories.
- Some States and Territories have developed special justice initiatives for Aboriginal and Torres Strait Islander people involved in the justice system because of family violence. These have included Indigenous sentencing courts, legal and court support programs for family violence victims and offenders, and other community justice groups.
- The Commonwealth Government also funds the Family Violence Prevention Legal Services Program, which provides assistance in areas such as intervention order applications and child protection to victims of crime applications and family law. They also provide essential non-legal help, such as practical support at court and liaison with other agencies, community legal education and early intervention and prevention activities.

## Community

- 1800RESPECT is the National Sexual Assault, Domestic and Family Violence Counselling Service. They are able to provide phone and online counselling, information and support, as well as referral to local support services (including Aboriginal and Torres Strait Islander services).
- However, many Aboriginal and Torres Strait Islander victims and survivors will not feel comfortable contacting an online or phone-based service, or a non-Aboriginal service. In this context it is important to be aware of and wherever possible report on the availability of specialist support for Aboriginal and Torres Strait Islander survivors of violence.
- Each State and Territory has a range of local services that provide supports for survivors of family violence, such as legal and court support, emergency or short to medium-term housing, counselling, referral to health or mental health services, and much more.

## Government

Australian Governments have responded to Aboriginal and Torres Strait Islander family violence on a policy level in a range of ways. The key national document that deals with domestic and family violence is COAG's *National Plan to Reduce Violence Against Women and their Children 2010-2022*. Many State and Territory Governments also have prevention of violence against women plans or strategies. Other Government documents – such as health strategies (like the 2009 *National Women's Health Policy* and the 2010 *National Aboriginal and Torres Strait Islander Women's Health Strategy*) and crime prevention strategies – may also deal with family violence in Aboriginal and Torres Strait Islander communities.

# 5 Definitions

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The Human Rights and Equal Opportunity Commission defines **'family violence'** as: "Any use of force, be it physical or non-physical, which is aimed at controlling another family member or community member and which undermines that person's well-being. It can be directed towards an individual, family, community or a particular group. Family violence is not limited to physical forms of abuse, and also includes cultural and spiritual abuse. There are interconnecting and trans-generational experiences of violence within Indigenous communities."<sup>26</sup>

Family violence is a similar term to 'domestic violence'; however, it is used here in relation to violence that occurs in Aboriginal and Torres Strait Islander extended kinship and family networks. These networks may include grandparents, uncles and aunts, cousins and other community and cultural relationships that aren't captured by the Western nuclear family model. It includes violence by non-Aboriginal and Torres Strait Islander people.

Like domestic violence, family violence is about control and power. It may involve:

- physical violence
- controlling who you see or what you do
- emotional abuse such as insults, manipulation and threats
- financial abuse, such as controlling access to money
- stalking or other kinds of harassment
- spiritual or cultural violence, such as denigrating your religious, cultural or spiritual beliefs or preventing you from practising those beliefs
- sexual violence, including coercion; and other forms of behaviour that are used to control you, make you afraid, or to diminish your sense of self-worth.

# 6 Resources & Further Reading

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## Statistics

Australian Bureau of Statistics

– Directory of Family and Domestic Violence Statistics, 2013:  
<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4533.0~2013~Main%20Features~Home%20page~1>

Australian Institute of Criminology:

[http://www.aic.gov.au/crime\\_types/violence/domestic.html](http://www.aic.gov.au/crime_types/violence/domestic.html)

## Research

Australian Domestic and Family Violence Clearinghouse:

<http://www.adfvc.unsw.edu.au>

Indigenous Justice Clearinghouse:

<http://www.indigenousjustice.gov.au>

## Commentary

Our Watch:

<http://ourwatch.org.au>

## Legislation

ACT

Domestic Violence and Protection Orders Act 2008

see 'Part 13: Public access and publication':

<http://www.legislation.act.gov.au/a/2008-46/current/pdf/2008-46.pdf>

NSW

See Crimes (Domestic and Personal Violence) Act 2007

Section 45 'Publication of names and identifying information about children and other persons involved in apprehended violence order proceedings': [http://www.austlii.edu.au/au/legis/nsw/consol\\_act/capva2007347/s45.html](http://www.austlii.edu.au/au/legis/nsw/consol_act/capva2007347/s45.html)

NT

See Domestic and Family Violence Act 2007

Section 26 'Prohibition on publication of personal details': [http://www.austlii.edu.au/au/legis/nt/num\\_act/dafva20073402007300/s26.html](http://www.austlii.edu.au/au/legis/nt/num_act/dafva20073402007300/s26.html)

QLD

See Domestic and Family Violence Protection Act 1989

Section 82 'Restriction on publication of proceedings': [http://www.austlii.edu.au/au/legis/qld/consol\\_act/dafvpa1989379/s82.html](http://www.austlii.edu.au/au/legis/qld/consol_act/dafvpa1989379/s82.html)

#### SA

See Intervention Orders (Prevention of Abuse) Act 2009 – Part 5,  
Division 1, 33 ‘Publication of report about proceedings or orders’:  
<http://www.legislation.sa.gov.au/LZ/C/A/INTERVENTION%20ORDERS%20%28PREVENTION%20OF%20ABUSE%29%20ACT%202009/CURRENT/2009.85.UN.PDF>

#### TAS

See Family Violence Act 2004  
Part 4, Section 32 ‘Restriction of publication of names of parties, &c.’:  
[http://www.austlii.edu.au/au/legis/tas/consol\\_act/fva2004158](http://www.austlii.edu.au/au/legis/tas/consol_act/fva2004158)

#### VIC

See Personal Safety Intervention Orders Act 2010  
Part 6 ‘Restriction on Publications of Proceedings’:  
[http://www.austlii.edu.au/au/legis/vic/consol\\_act/psioa2010409](http://www.austlii.edu.au/au/legis/vic/consol_act/psioa2010409)

#### WA

See Restraining Orders Act 1997 – Section 70 ‘Information on Identity  
of Certain Person Restricted’: [http://www.austlii.edu.au/au/legis/wa/consol\\_act/ro82a1997200/s70.html](http://www.austlii.edu.au/au/legis/wa/consol_act/ro82a1997200/s70.html)

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- 2 For a brief introduction to these issues: Kylie Cripps and Megan Davis, 2012, 'Communities working to reduce Indigenous family violence', Brief no. 12, Indigenous Justice Clearinghouse, Australian Institute of Criminology: [www.healthinfonet.ecu.edu.au/uploads/resources/23797\\_23797.pdf](http://www.healthinfonet.ecu.edu.au/uploads/resources/23797_23797.pdf).
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- 7 Australian Institute of Health and Welfare, Child Protection Australia 2010–11, 2012, viii.
- 8 The National Council to Reduce Violence Against Women and their Children, 2009, The Cost of Violence against Women and their Children: <http://www.dss.gov.au/our-responsibilities/women/publications-articles/reducing-violence/national-plan-to-reduce-violence-against-women-and-their-children/economic-cost-of-violence-against-women-and-their-children?HTML#impact>.
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- 10 Andy Chan and Jason Payne, 2013, Homicide in Australia: 2008-09 to 2009-10 National Homicide Monitoring Program annual report, Australian Institute of Criminology, Canberra, p.20, [http://www.aic.gov.au/media\\_library/publications/mr/21/mr21.pdf](http://www.aic.gov.au/media_library/publications/mr/21/mr21.pdf);
- See also Australian National Research Organisation for Women's Safety, 'Fast facts: Indigenous family violence': <http://www.anrows.org.au/sites/default/files/Fast-Facts---Indigenous-family-violence.pdf>.
- 11 Australian Productivity Commission, 2011, Overcoming Indigenous Disadvantage: Key Indicators 2011, Fact Sheet Indigenous Men and Women, Commonwealth of Australia, Canberra: [http://www.pc.gov.au/\\_\\_data/assets/pdf\\_file/0014/111614/key-indicators-2011-factsheet-men-women.pdf](http://www.pc.gov.au/__data/assets/pdf_file/0014/111614/key-indicators-2011-factsheet-men-women.pdf).
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- 13 T Vos et al, 2007, The burden of disease and injury in Aboriginal and Torres Strait Islander Peoples 2003, School of Population Health, University of Queensland, Brisbane. Quoted in *ibid*.

- 14 See L Espinosa et al, 2002, 'Domestic violence during pregnancy: implications for practice', *Journal of Midwifery and Women's Health*, 47(5): 305; L Bacchus et al, 2004, 'Domestic violence: prevalence in pregnant women and associations with physical and psychological health', *European Journal of Obstetrics Gynaecology and Reproductive Biology*, 113(1): 6-11; A Taft et al, 2003, *The Australian Longitudinal Study of Women's Health: health and experiences of violence among young Australian women*, Women's Health Australia, Newcastle.
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- 24 B Cheers, et al, 'Family violence', op cit.
- 25 Ibid.
- 26 Aboriginal and Torres Strait Islander Social Justice Commissioner, 2006, *Ending family violence and abuse in Aboriginal and Torres Strait Islander Communities*, Australian Human Rights Commission, Canberra: [https://www.humanrights.gov.au/sites/default/files/content/pdf/social\\_justice/family\\_violence2006.pdf](https://www.humanrights.gov.au/sites/default/files/content/pdf/social_justice/family_violence2006.pdf).