



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women**

**Concluding observations on the combined sixth and seventh  
periodic reports of Australia, adopted by the Committee at  
its forty-sixth session (12 – 30 July 2010)**

Addendum

**Information provided by Australia on the follow-up to the concluding  
observations of the Committee\***

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited.

## Introduction

1. On 20 July 2010, the Committee on the Elimination of Discrimination against Women considered the combined sixth and seventh periodic report of Australia (CEDAW/C/AUL/7). In its concluding observations, the Committee requested Australia provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 29 and 41 (CEDAW/C/AUL/CO/7). Additional information can be found in the combined sixth and seventh periodic report, available at [www2.ohchr.org/english/bodies/cedaw/cedaws46.htm](http://www2.ohchr.org/english/bodies/cedaw/cedaws46.htm).

2. The Australian Government and all state and territory governments contributed to this report. Under Australia's federated system of government, legislative, judicial and executive powers are distributed between three levels of government in accordance with Australia's Constitution. The national government is the Australian Government, and is sometimes referred to as 'the Federal Government' or 'the Commonwealth'. There are six state governments—New South Wales, Victoria, Queensland, South Australia, Western Australia and Tasmania—referred to as 'the states' and two self-governing territory governments—the Australian Capital Territory and the Northern Territory—referred to as 'the territories'. Australia also has local councils with mayors and councillors, who deal with community matters at the local level, across the country.

3. The states and territories have independent legislative power in all matters not exclusively assigned to the Federal Government. In these areas of concurrent jurisdiction, federal laws prevail where there is any inconsistency between federal and state or territory laws.

4. Australia's system of government requires that all levels of government work collaboratively to implement Australia's human rights obligations. This means that in some policy areas, instead of having a single national approach to meeting Australia's human rights obligations, individual state and territory governments determine how best to meet the obligations for their particular region. This enables tailored measures, policies or legislation to be developed.

5. Given Australia's system of government, Australia has a peak intergovernmental forum—the Council of Australian Governments (COAG)—comprising the Prime Minister, State and Territory Premiers and Chief Ministers and the President of the Australian Local Government Association. The role of COAG is to promote policy reforms that are of national significance, or which need co-ordinated action by all Australian governments.

6. COAG currently has six National Agreements that establish the policy objectives in key service sectors. In order to support the delivery of national reform, COAG has a number of National Partnership Agreements that outline mutually agreed policy objectives, outcomes, outputs, and performance indicators as part of the National Agreements. Oversight of these agreements is the responsibility of the COAG Reform Council, which reports to COAG on the performance of Commonwealth, State and Territory governments against the established policy objectives.

## Violence against Women

### Paragraph 29

*"The Committee encourages the State party to continue its efforts to tackle the persistent problem of violence against women and urges the State party to adopt national legislation and adopt, implement and adequately fund as a matter of urgency the National Action Plan to Reduce Violence Against Women and Their Children, including a mechanism for independent monitoring. The Committee*

*further recommends that the State party develop strategies to prevent homelessness resulting from domestic violence and ensure that women who are victims of domestic and family violence and their children are provided with appropriate ongoing accommodation and integrated support. The Committee recommends that the State party take appropriate measures, including specific legislative measures criminalizing acts of domestic violence, prosecute acts of domestic violence and punish the perpetrators of such acts. The Committee requests the State party to include under the Committee's follow-up procedure referred to in paragraph 50 of the present concluding observations available information on the number and nature of reported cases of domestic violence, on the conviction and the sanctions imposed on perpetrators, as well as any assistance and rehabilitation measures provided to victims of domestic violence”.*

### **Adoption of national legislation**

*“The Committee [...] urges the State party to adopt national legislation...”*

7. The Australian Government recognises the importance of coordinated, national legislation relating to domestic violence. However, within the constitutional parameters of Australia's federal system of government, states and territories carry primary responsibility for legislative measures to criminalise, prosecute and punish perpetrators for acts of domestic violence. While Australia does not have coordinated, national legislation, Australia does have a single, unified strategy that brings together government efforts to reduce violence against women—the National Plan to Reduce Violence against Women and their Children 2010–2022 (the National Plan).

8. Legislation in federal and State and Territory jurisdictions sets the foundation for the rights of women to be protected against violence. This foundation is augmented by a range of integrated support services across governments, including health, housing, and community services, which respond to the needs of women who have experienced violence at the time of crisis and recovery. All women in Australia have the protection of the law and the right to access support services.

9. Every state and territory has enacted strong legislative measures and established competent tribunals and other law enforcement agencies to ensure the effective protection of women against any act of violence, in compliance with Article 2 of the Convention for the Elimination of all forms of Discrimination Against Women (CEDAW) and Paragraphs 24(b), (r) and (t) of the CEDAW Committee's General Recommendation No. 19. Details of the legal framework operating in each state and territory are provided below at page 19.

### **The National Plan to Reduce Violence against Women and their Children**

*“The Committee [...] urges the State party to [...] adopt, implement and adequately fund as a matter of urgency the National Action Plan to Reduce Violence against Women and Their Children, including a mechanism for independent monitoring”.*

10. The Australian Government has zero tolerance to violence against women and views freedom from violence as a prerequisite to women's exercise and enjoyment of human rights. The adoption, implementation and funding of the National Plan demonstrates Australia's ongoing commitment and concerted efforts to address violence against women and to comply with the human rights obligations contained in CEDAW and described in the CEDAW Committee's General Recommendation No. 19.

#### Adoption

11. COAG endorsed the National Plan in early 2011 and it was publicly launched by the Hon Robert McClelland MP, former Attorney-General, and the Hon Kate Ellis MP, former Minister for the Status of Women, on 15 February 2011.

12. The National Plan is a 12-year initiative that, for the first time, brings together the efforts of all Australian governments to reduce violence against women and their children. It has been praised as a leading example for other nation states to adopt to improve the lives of women and children globally. The National Plan targets the two main types of violence; domestic and family violence, and sexual assault. The National Plan recognises and promotes recognition of the disproportionate perpetration of these forms of violence against women and importantly, it provides a strategic agenda for all Australians to work together to reduce this insidious social issue. The National Plan will leverage and influence related policy agendas to ensure responses take account of the needs of victims and ensure that programs are effectively and appropriately targeted.

13. The National Plan sets out six national outcomes for all governments to work towards over the next 12 years:

- Communities are safe and free from violence;
- Relationships are respectful;
- Indigenous communities are strengthened;
- Services meet the needs of women and their children experiencing violence;
- Justice responses are effective; and
- Perpetrators stop their violence and are held to account.

14. The Australian Government has worked closely with the state and territory governments to progress a number of national actions under the National Plan. A summary of this progress is included below. Some states and territories have adopted complementary strategies to address violence against women. The Australian Capital Territory Government has released the Prevention of Violence against Women and Children Strategy 2011–2017 – Our Responsibility: Ending the Violence against Women and Children, the South Australian Government is implementing the Women’s Safety Strategy 2011–2022: A Right to Safety and the Victorian Government is currently developing an action plan. The current Northern Territory women’s policy Building on Our Strengths: A Framework for Action for Women in the Northern Territory 2008–2012 has women’s safety as a key priority area. This policy is identified in the National Plan.

#### Implementation

15. The national outcomes will be delivered through four Action Plans. Each Action Plan is of three years duration and is underpinned by a key theme, aimed at driving the necessary changes needed to achieve a significant and sustained reduction in violence against women.

16. The first Action Plan (2010–2013), Strong Foundations, focuses on building a strong foundation for the National Plan. It identifies key strategies and actions as well as the immediate national initiatives that will create a foundation for future work to be undertaken during the life of the National Plan. The first Action Plan enables governments to work together to develop, implement and report progress within a coordinated national framework. It involves more than 60 broad actions and provides a framework that enables states and territories to implement initiatives in their own jurisdictions in a flexible and responsive way. These actions inform priority setting at the national, state and territory level. Each level of government will implement actions in line with their specific circumstances and identified priorities.

17. Subsequent Action Plans include Moving Ahead (2013–2016), Promising Results (2016–2019) and Turning the Corner (2019–2022). Moving Ahead will take stock of what has worked well in the first three years and consolidate the evidence base for the effectiveness of the strategies and actions implemented. Promising Results will deliver solid and continuing progress in best practice policies. Turning the Corner is expected to

see the delivery of tangible results in terms of reduced prevalence of domestic violence and sexual assault, reduced proportions of children witnessing violence, and an increased proportion of women who feel safe in their communities.

18. A National Implementation Plan for the first Action Plan has been developed in collaboration with state and territory governments. The National Implementation Plan outlines how governments and the broader community will work together to deliver on the key national actions under the National Plan. Alongside the National Implementation Plan, each state and territory government will develop and publish its own jurisdictional implementation plan outlining the actions they are undertaking at a local level.

19. COAG will have overarching responsibility for the implementation of the National Plan and the Select Council on Women's Issues (Select Council) will take primary responsibility for driving the implementation of the national actions. The Select Council brings together the Commonwealth and all state and territory government ministers responsible for the status of women.

20. A tripartite National Plan Implementation Panel (NPIP) will advise the Select Council through senior government officials on the implementation of the National Plan. The NPIP includes Commonwealth, state and territory government as well as non-government representatives from the domestic violence and sexual assault sectors, peak bodies, academia, justice and specific population groups such as Indigenous women, culturally and linguistically diverse women and women with disability. The NPIP provides an important platform to engage civil society on implementing and monitoring the National Plan, as well developing future national actions. It also provides a strong mechanism for the voices of women more broadly to be part of this work.

21. The Commonwealth Government has also funded the creation of six national women's alliances, including one focused specifically on violence against women (Australian Women against Violence Australia). The role of the alliances is to:

- bring together women's organisations and individuals from across Australia to share information, identify issues that affect them, and identify solutions, and
- engage actively with the Australian Government on policy issues as part of a better more informed and representative dialogue between women and government.

22. Through the Alliances, the Commonwealth Government supports and promotes a robust, independent civil society where diverse views can be freely expressed.

#### Funding

23. Since April 2009, the Government has committed over A\$86 million to initiatives under the National Plan:

- A\$12.5 million for a National Counselling Service (1800 RESPECT), and a further A\$8.8 million to provide support for frontline workers;
- A\$9.1 million on Respectful Relationships Education;
- A\$17 million on a national social marketing campaign – *The Line*;
- A\$3.75 million for Community Action Grants;
- A\$3 million to support research on perpetrator programs, and a further A\$4.6 million for a once-off reward/incentive payment to be paid to jurisdictions in 2014;
- A\$4.8 million on a series of Reform Projects;
- A\$0.75 million to expand counselling services for male victims of domestic violence through Mensline;
- A\$6.9 million for a new National Centre of Excellence; and

- A\$14.9 million to conduct two national surveys on a four year cycle.

24. In the 2011–12 Budget the Government committed a further A\$8.5 million over four years from 2011–12 to 2014–15 to expand and reform the support available for training of health and allied health workers to help them recognise domestic violence and be more effective in referring women to support services.

25. The Government’s investment in preventing violence against women is not limited to funding allocated to the National Plan. There are many other Budget appropriations that whilst not targeted to end violence against women, will have a positive impact on vulnerable women. These include collective investment, across a range of portfolios:

- Continued funding of the Women’s Safety Program;
- Indigenous Family Safety Programs, both within Department of Families, Community Services and Indigenous Affairs and Attorney-General’s Department portfolios, ranging from the establishment of safe houses, night patrols, counselling services, support workers, perpetrator and education programs;
- The Support for Trafficked People Program, which provides clients with compassionate and practical support to meet their basic needs for safety, food, accommodation, and mental and physical health and well-being through case management services provided by the Australian Red Cross;
- Specialist models of supported accommodation, which are being developed to create exit points so people can move out of crisis into stable housing more quickly;
- Specialist Homelessness Services funding, provided jointly by the Commonwealth Government and the state and territory governments under the National Affordable Housing Agreement;
- Existing initiatives under the National Partnership Agreement on Homelessness such as ‘Safe at Home’, which contribute directly to local and state-wide partnerships across non-government and human service agencies to improve service provision for domestic violence victims and address systemic problems;
- Specialised Family Violence Services such as counselling, behaviour change groups, support and information, and referral services to support individuals, couples, families, young people and children who have experienced or witnessed family violence as well as perpetrators; and
- Legal assistance services, including Legal Aid Commissions, community legal services and Indigenous Family Violence Prevention Services.

26. In addition, state and territory governments fund a range of initiatives to reduce violence against women and to provide support and assistance to women who have been victims of violence. This includes funding for police (and in some jurisdictions specialist police units), specialist courts and support services that are designed to support victims of crime who are witnesses, domestic violence and sexual assault services, forensic medical services and primary prevention initiatives to educate young people on how to have respectful relationships.

#### Independent monitoring

27. The success of the National Plan will be measured through our collaborative efforts to make ‘a significant and sustained reduction in violence against women and their children’ over a 12-year period. In addition to the significant oversight roles to be undertaken by COAG, the Select Council on Women’s Issues, and the NPIP, the National Plan will be evaluated. Through the NPIP, governments and their community partners will develop a framework for the evaluation over the 12 years of the National Plan, including agreement on the methodology. The evaluation framework will include an assessment of

the impact of the National Plan at the Commonwealth and state and territory level. This will be underpinned by two national surveys to be conducted every four years: the Personal Safety Survey and the National Community Attitudes Survey. These surveys will provide valuable data about experiences of and attitudes towards violence against women.

**Prevention of homelessness and provision of ongoing accommodation for victims of domestic violence**

*“The Committee further recommends that the State party develop strategies to prevent homelessness resulting from domestic violence and ensure that women who are victims of domestic and family violence and their children are provided with appropriate ongoing accommodation...”*

28. The National Plan recognises that domestic and family violence continues to be the major cause of homelessness and escaping violence is the most common reason provided by people who seek help from specialist homelessness services. According to the 2010–11 Supported Accommodation Assistance Program National Data Collection Annual Report, in 22 per cent of all support periods, the main reason that specialist homelessness services clients sought assistance was domestic or family violence (50,700 support periods), with the vast majority of these being for female clients. This compares to 10 per cent of support periods where clients reported relationship or family breakdown and 10 per cent where clients reported other financial difficulties. When similar individual categories for seeking assistance are grouped together, issues around interpersonal relationships (including the category of domestic or family violence) were reported as the main reason for seeking assistance in close to half of all support periods (42 per cent). Of the women reporting family or domestic violence as the main reason for seeking assistance, 52 per cent had children in their care.

29. The National Plan contains a number of strategies that intersect with homelessness responses and reforms to enhance the first point of contact to identify and respond to needs, support specialist domestic violence and sexual assault services to deliver responses that meet needs, and support mainstream services to identify and respond to needs.

30. The Australian Government together with the states and territories have committed to a range of initiatives to help women and children escaping domestic violence under the A\$1.1 billion National Partnership Agreement on Homelessness. Out of over 180 initiatives under the Agreement, 30 initiatives are specifically targeting women and children escaping domestic or family violence across Australia. Under the Agreement, assistance was provided to women and children experiencing family or domestic violence over 16,400 times in 2010–11. This assistance will reduce the number of women turned away from support services, protecting the human rights of victims of domestic violence and ensuring appropriate protective services are provided in accordance with Paragraphs 24 (b), (k), (r) and (t) of the CEDAW Committee’s General Recommendation No. 19.

31. The Agreement also supports women’s rights to the equal enjoyment of an adequate standard of living, including housing, as described in Article 25 of the Universal Declaration of Human Rights. Under the Agreement, there is an increased focus on ensuring that people experiencing domestic violence are able to stay in their home or access long-term accommodation. For example, the ‘Safe at Home’ concept is supported by a range of programs, delivered by the states and territories, that may include the development of security plans and risk assessments, the provision of security upgrades, the development of protocols between existing stakeholders such as police, the justice system and counselling services, or housing perpetrators in supported accommodation so that the victims can stay safely in the family home. Initiatives based on the ‘Safe at Home’ model are operating in New South Wales, South Australia, Tasmania, Victoria and Western Australia.

32. In the Northern Territory, the Domestic and Family Violence Amendment Act 2010 (NT) allows the Court to create a 'replacement tenancy agreement' not only for the benefit of the protected person, but also for the defendant if the protected person no longer wishes to reside in the premises. The Northern Territory Government also has a program to fit safe rooms in public housing dwellings to protect tenants escaping domestic violence.

33. Funded under the National Affordable Housing Agreement, Specialist Homelessness Services (SHS), providing crisis support for women and children escaping domestic and family violence, are also a significant part of service system responses funded under the Agreement. SHS operate through a case management approach and provide a range of services including accommodation, general/practical support, personal/emotional support for families and relationships, financial and employment support, and linkages with mainstream and specialist services.

34. In Queensland, the Homelessness Information Management Program, which is funded under the Agreement, is developing service and information solutions that will support better access to services, improved client pathways and enhanced service coordination. Two products for full implementation by June 2013 will improve service system responses to women and children at risk of homelessness through domestic and family violence. The Vacancy Capacity Management System is an electronic tool for the funded SHS non-government organisations. The tool is a register of resources that includes real-time information on both accommodation (vacancy) and non-accommodation (capacity) availability, and is used to improve client access to and pathways through the homelessness service system. Common Homelessness Assessment and Referral Tool (CHART) is a standardised and shareable ICT assessment tool that will record, store and retrieve demographic information on clients and has the ability to electronically refer clients between services within the SHS sector. The solution will also allow the Queensland Department of Communities, Child Safety and Disability Services to monitor and report on the work being undertaken by the specialist homelessness services sector.

35. Due to the differences in the police and legal systems and community services sectors in each state and territory, and the wide range of programs being implemented, it is not appropriate to impose national standards, but rather to encourage state and territory governments and non-government organisations to provide tailored responses to women which are relevant in their local community. These kinds of local and state-wide partnerships across non-government and human service agencies assume every domestic violence victim has the right to access services and provide an opportunity to improve service provision for domestic violence victims and address systemic problems.

36. Other new services supported under the National Partnership Agreement on Homelessness include:

- In New South Wales, women who have experienced domestic violence are being supported through Long-Term Accommodation and Support for Women and Children Experiencing Domestic and Family Violence initiative in Western Sydney, the Hunter and the Illawarra. In 2010–11, over 190 families were provided with assistance through this initiative;
- In Victoria, the Family Violence – Support for Indigenous Women and Children initiative connects Indigenous women and their children to their community following family violence. In 2010–11, over 270 clients were provided with support under this initiative;
- In Queensland, the Safety Upgrades Program enables victims of domestic and family violence to remain in their homes where it is safe to do so by upgrading the security of the property. In 2010-11, 87 clients received personal support and/or safety upgrades. The service model includes provision for perpetrators to be

provided with temporary accommodation where they are required to leave the family home as a condition of a Domestic Violence Order.

- In 2011–12, funding for an additional four services has been approved, increasing the number of Safety Upgrade Services in Queensland to seven;
- In South Australia, the Staying Home, Staying Safe – Domestic Violence Safety Packages are a state-wide response that provide risk and safety assessments and home upgrades where necessary to enable women and children to safely remain in their homes following the removal of domestic violence perpetrators;
- In Western Australia, a Memorandum of Understanding has been established between the police and non-government service providers under the Safe at Home initiative. This allows police incident reports to be provided to services to better support families and individuals in need. In 2010–11, 621 clients were assisted under the program;
- The Northern Territory Government, in partnership with the Australian Government now operates 20 Remote Safe Houses in 15 remote communities, as well as Alice Springs and Darwin. This program offers increased safety options in remote communities for women and their children by providing safe houses. Men’s places have also been set up that provide support to men and serve as a hub for family violence education and intervention; and
- A new transitional Accommodation Service for Aboriginal women and children was established in Darwin in 2010–11.

37. A number of housing initiatives funded and operated by state and territory governments are also underway. Housing New South Wales’ Start Safely program involves a subsidy to provide short to medium term financial help to women so that they can secure private rental accommodation and do not have to return to their homes. As part of the South Australian Domestic Violence and Aboriginal Family Violence Sector Reform, significant new investment in domestic and Aboriginal family violence support and accommodation services included an increase in funding of a \$15 million to the sector and an additional 120 stimulus properties. Communicare’s Breathing Space program in Western Australia is a domestic violence initiative for men who have been violent or abusive in their relationships. Up to 12 men can live at the residence at one time in a holistic programme based on a therapeutic community model. It is the first service in Australia using this model of domestic violence intervention.

#### **Integrated support, assistance and rehabilitation measures for victims of domestic violence**

*“The Committee further recommends that the State party develop strategies to [...] ensure that women who are victims of domestic and family violence and their children are provided with [...] integrated support.”*

*“The Committee requests the State party to include under the Committee’s follow-up procedure referred to in paragraph 50 of the present concluding observations available information on [...] any assistance and rehabilitation measures provided to victims of domestic violence.”*

38. The Australian Government is committed to ensuring women who have experienced violence can rebuild their lives as part of a community-wide response. The Government has established integrated support, assistance and rehabilitation services for victims of domestic violence under the National Plan that promote the objectives of CEDAW and comply with Paragraphs 24 (b), (k), (r) and (t) of the CEDAW Committee’s General Recommendation No. 19. These measures are detailed below.

39. The National Plan recognises that support services must be high-quality, accessible, responsive and where possible, integrated. Women should not have to tell their story multiple times to multiple services and the first response should be the right one. The National Plan also acknowledges the diverse experiences of women, and the need to ensure responses meet their specific circumstances.

#### 1800RESPECT

40. 1800RESPECT is the National Sexual Assault, Domestic and Family Violence Counselling Service offering telephone counselling—1800 737 732—and online interactive counselling— [www.1800RESPECT.org.au](http://www.1800RESPECT.org.au). It is a confidential service staffed by professional counsellors to assist people who have experienced, or are at risk of, domestic violence and/or sexual assault. The service is provided 24 hours a day, seven days a week, and offers telephone and online counselling, information and referrals, an inclusive service to people with disabilities, Indigenous people, young people and people from culturally diverse backgrounds, and support for staff in other services who are working with victims of violence.

41. 1800RESPECT complements domestic violence and sexual assault counselling and advice services provided by states and territories. Work has been undertaken to ensure referral pathways between services so that women are able to access the most appropriate services. This includes offering warm (direct) referrals where possible.

42. Since its commencement in October 2010, 1800RESPECT has been building relationships with domestic violence and sexual assault services across the states and territories to help ensure they can work together to provide the best possible outcome for their clients. 1800RESPECT received 16,961 telephone contacts between 1 October 2010 and 30 April 2012 and 1,726 online contacts in the period from 1 July 2011 to 30 April 2012. There were 14,656 referrals from these contacts, of which 983 were warm (direct) referrals where a client is directly connected through to a service.

#### National Standards for telephone and online counselling services

43. The development of national standards for telephone and online counselling services will assist in the delivery of high quality integrated support services, reduce the need for individuals to retell their story through improved information sharing and integrated case management, and extend the use of best practice risk assessment and management frameworks to identify and respond to violence against women. Research is currently being undertaken on existing standards, including both operational and professional standards of practice, for domestic and family violence and sexual assault telephone and online counselling services. This will help to guide the development and adoption of the new national standards over the coming years. These standards will have the potential to further encourage and support links between different parts of the service system.

#### Support for workers in mainstream services

44. Victims of domestic violence and sexual assault frequently access a wide range of services and support, including health and counselling, legal, housing, education and employment. Workers across the different sectors need to be able to respond effectively to victims of domestic and family violence and sexual assault. It is also recognised that the workers may need support to deal with the vicarious trauma they may experience. State and territory governments and individual service providers provide a wide range of different supports, training, debriefing and professional supervision. Utilising 1800RESPECT, telephone support is available to workers in other services who need support in responding to their clients' needs. This complements support systems established by states and territories. Work has also been undertaken with states and territories to identify opportunities to create new support mechanisms and information. Online resources for service providers and workers were identified as a specific need and work is proceeding to remedy this.

DV-Alert

45. The Domestic Violence Response Training Project (DV-Alert) provides training for Health and Allied Health Workers, including Indigenous Health Workers, to improve access to support for women who are experiencing or at risk of domestic and family violence. It has a primarily rural and remote focus but is also available for metropolitan participants. The training is designed to assist workers in mainstream services to better understand and identify domestic and family violence, and improve referral and support skills. Operating since 2007, it is the only nationally accredited and nationally delivered training program focused exclusively on domestic and family violence.

46. Expanded training commenced from 1 July 2011. The expansion includes:

- Greater access to training for a broader range of health and allied health workers;
- Access to financial support to participate in training, particularly for those in rural and remote areas. Support is available for accommodation and travel costs, and a payment to assist in the cost of locum support is available;
- Access for metropolitan participants with rural, regional and remote participants remaining a priority; and
- An examination of the appropriateness of training for an expanded audience and for health workers working with Indigenous people.

47. As of April 2012, 181 participants have attended training during 2011–12. In 2010–11, a total of 182 participants attended face to face training. A further 169 participants have either completed or are enrolled in online training with almost an additional 50 prospective participants in 2011–12, compared to a total of 71 participants in training through online services in 2010–11.

48. Training for Indigenous workers was redeveloped under the guidance of an Indigenous advisory group and trialled with 3 Indigenous communities prior to its launch in early July 2012.

National Reform Projects

49. Under the National Plan, governments have committed to better understand and build the evidence base to help improve the quality of services and responses to women and their children who are experiencing, or at risk of domestic and family violence. While the approach for individual projects may differ, the common aim is help build knowledge and understanding of what can work in key, sometimes difficult, service delivery areas and to promote adoption of good practice models or approaches. This may include developing resources or information for service providers. The reform projects, to be developed over 2011–13, will focus on helping to improve service delivery for women with disability, risk assessments for the health sector, children exposed to domestic violence, the transition of women to stability post-violence, a national workforce agenda, community policing best practice for safe Indigenous communities and Indigenous community safety planning.

50. The Government is providing A\$5 million to promote better understanding of the relationship between child abuse and neglect and domestic and family violence, mental illness and substance abuse, recognising that substance abuse issues may intersect with these risks. The program aims to identify good practice including through research and evaluation of different approaches and to improve or enhance service responses to children and young people exposed to these risks. The outcomes of specific projects will be shared to assist the service sector more broadly.

51. The Australian non-government organisation Women with Disabilities Australia has been engaged to undertake a project to help improve service responses to women with disability experiencing or at risk of domestic and family violence. The work will also seek to identify structural issues which may impact women with disability who have experienced

violence, or in terms of their ability to access services or the ability of services to respond effectively.

Safe at Work, Safe at Home? Project

52. Given the important role financial independence can play in recovering from violence, the Australian Domestic and Family Violence Clearinghouse ([www.austdvclearinghouse.unsw.edu.au/](http://www.austdvclearinghouse.unsw.edu.au/)) has been funded to conduct a project to improve the knowledge and capacity of unions, employers and employer organisations to support employees experiencing domestic violence. This is achieved through supporting managers to build the capacity of workplaces to assist employees affected by domestic violence through training and resources, as well as examining ways to address this issue through collective bargaining. This includes provisions in workplace agreements such as specific leave options, privacy provisions, safety measures, or policy development and training for management and key staff. The project is undertaking research, monitoring and evaluating family violence-related developments in employment and providing evidence to assist in further policy consideration.

53. To date, the project has resulted in positive outcomes including consultation and engagement with unions and employers, which has led to a number of family violence clauses included in a number of enterprise agreements and awards; developing a website and information package including factsheets, templates and guides; administering a survey to gather information on the prevalence of domestic violence experienced by union members; developing a training package for employers and unions; and developing an evaluation framework to monitor the occurrence of domestic violence clauses in agreements.

State and territory support services

54. A number of integrated support, assistance and rehabilitation programs for victims of domestic violence are also carried out by state and territory governments.

55. In New South Wales, victims of sexual assault and family violence can access the support, assistance and rehabilitation measures provided by Victims Services, within the New South Wales Department of Attorney General and Justice. These measures include victims compensation, a 24-hour Victims Access Line which provides information, support and referral services, and access to free face-to-face counselling for eligible victims of violent crimes that have occurred in New South Wales. An independent review into the viability of the current Victims Compensation Scheme is currently being undertaken with a view to delivering faster and more effective financial support to victims, including victims of domestic violence and sexual assault.

56. In South Australia, the Family Safety Framework focuses on enhancing victim safety for women at high risk of serious harm or death due to domestic and family violence. It aims to ensure coordinated, appropriate, consistent and timely responses across multiple government agencies. It includes Family Safety Meetings and risk assessments to improve consistency in the assessment of high-risk cases. Family Safety Meetings are now held in 12 locations across South Australia, including all policing areas within metropolitan Adelaide. Implementation in the remaining regions will be completed by the end of 2013. Multidisciplinary training for professionals to improve the consistency and responsiveness in the handling of family violence cases is also being promoted across the South Australian health sector. In rural South Australia, Rural Rape and Sexual Assault Response Teams have been established to improve consistency and responsiveness in the management of sexual assault in rural areas.

57. In the Northern Territory, the Alice Springs Transformation Plan (a joint Australian and Northern Territory Government initiative) is funding a three-year project in Alice Springs to trial an integrated service response to domestic and family violence by government and non-government agencies, through a shared Family Safety Framework.

The project has been adapted from the South Australian model. Specialist support staff have been placed in Northern Territory Public Hospital emergency departments to support and facilitate referrals for patients who have experienced domestic and family violence. Aboriginal and Torres Strait Islander women are by far the primary users of these services. The Crime Victims Services Unit (CVSU) of the Northern Territory Department of Justice provides financial assistance to victims of crime who have suffered financial loss or injury as a result of a violent act that occurred in the Northern Territory. The CVSU also manages the Victims' Register. Victims of violent crimes may be provided with certain information about offenders who are sentenced to a term of imprisonment in the Territory. Information includes notification of parole applications and hearings, and release dates. The Northern Territory Department of Justice funds non-government organisations to provide crisis and other counselling to victims of crime across the Northern Territory. Counselling may be undertaken face-to-face and/or by phone, in consultation with other service providers such as Sexual Assault Referral Centres and family violence counselling services, to ensure clients are receiving the most appropriate counselling and support. The Northern Territory Department of Children and Families also provides funding for a range of counselling and support services accessed by women affected by domestic and family violence. The Northern Territory Government also provides specialist sexual assault services for adult and child victims of sexual assault through four Sexual Assault Referral Centres.

58. In Victoria, the Family Violence Risk Assessment and Risk Management Framework is designed to help professionals and practitioners working in a wide range of fields (including community services, courts and the health sector) to identify risk factors associated with family violence and respond consistently and appropriately to people experiencing family violence. Support services are provided to women and children experiencing family violence through over 70 partnerships of organisations across Victoria. Service responses include women's refuges, outreach services for women and children, case management for men who use violence, assistance to access private rental accommodation and social and community housing.

59. The Victorian Government funds 36 agencies to provide counselling and support services to women who have experienced family violence. Service delivery elements include risk and needs assessments, safety planning, individual counselling, family-based therapy and group therapy. Funding has also been allocated for 12 regionally-based coordinators to contribute towards the effective governance and integration of the family violence system. These coordinators have been successful in bringing together over 200 organisations across the state to establish clear and consistent pathways for information-sharing, communication and consultation across the sector, in order to provide an integrated, responsive service to women who experience family violence. The Victorian Government has also funded the establishment and ongoing operation of six sexual assault multidisciplinary centres that co-locate specialist responders—police, sexual assault support services and child protection—to provide collaborative and integrated responses to sexual assault. Nurses will also be introduced to provide specialised health services that respond to victim survivors' immediate and long-term needs arising from their experiences of sexual assault.

60. In Western Australia, 22 Domestic Violence Case Management and Coordination Services have been funded to provide planned and goal directed interventions that assist women to deal with the harmful effects of family and domestic violence, provide client-focussed support responses that ensure clients are kept safe through safety planning and ensure clients are assisted to find solutions through provision of information, advocacy, short-term support and provision of referral to longer-term support if required. Seventeen Family and Domestic Violence Case Management and Coordination Services have been funded to provide support for agencies to monitor and manage domestic violence cases with a focus on high-risk cases through integrated case management and coordination. Under the Criminal Investigation Act 2006 (WA), qualified nurses and midwives are also able to

undertake forensic procedures on people who have been victims of recent sexual assault. Training of nurses and midwives in rural and remote areas is being undertaken across the state. This will assist in increasing the access for all women in gaining an appropriate crisis response and improve their ability to report domestic violence offences.

61. In Queensland, several initiatives have been implemented with a specific focus on delivering integrated responses to domestic and family violence. The Breaking the Cycle of Domestic and Family Violence Trial in Rockhampton is one example. This integrated service delivery model bridges the justice and human service systems by linking the legal and community support responses, thereby providing a more holistic and timely response to the needs of people affected by domestic and family violence. The Helping Out Families Initiative is a further example of an integrated response to vulnerable families with children at risk of contact with the statutory child protection system. As part of this family support initiative, funding has been allocated to enhance domestic and family violence services to provide specialist support to vulnerable individuals and families. This is in recognition that a significant number of families at risk of entering the statutory child protection system have experienced domestic and family violence.

62. In the Australian Capital Territory, the Family Violence Intervention Program (FPIV) brings together Australian Capital Territory Policing, the Domestic Violence Crisis Service, Victim Support Australian Capital Territory, the Australian Capital Territory Office of the Director of Public Prosecutions, Australian Capital Territory Corrective Services with Relationships Australia (Canberra & Region), the Victims of Crime Coordinator, and Legal Aid Office (Australian Capital Territory). Core components of the FVIP include pro-arrest, pro-charge and presumption against bail, early provision of victim support, pro-prosecution, co-ordination and case management and rehabilitation of offenders. The Australian Capital Territory Sexual Assault Reform Program Wraparound approach is a coordinated response to victims of sexual assault reporting, or considering reporting, to the Australian Capital Territory Police. The project comprises Canberra Rape Crisis Centre and the Service Assisting Male Survivors of Sexual Assault, Australian Federal Police, Victim Support Australian Capital Territory, Forensic Medical Sexual Assault Care and Australian Capital Territory Office of the Director of Public Prosecutions. The Wraparound is a mobile counselling and support service that responds to the victim at the time of initial presentation to police or forensics/medical services. It also brings together the agencies in monthly meetings to exchange information and to provide support and a coordinated case management service to victims for the duration of their engagement with the criminal justice system.

63. In Tasmania, Integrated Case Coordination (ICC) meetings are attended by the Police Victim Safety Response Team (VSRT) representative, Police Prosecutions Family Violence Solicitor, Family Violence Counselling and Support Service (FVCSS), Court Support and Liaison Service (CSLC), Child Protection and Special Needs Workers. Combining individual incidents of family violence into 'cases' enables a response based on the history of the offender and victim rather than just focusing on the latest incident. The case also includes the history of violence with other partners. ICCs determine an appropriate course of action for each case beyond the initial response from Police and assign a Case Coordinator. Generally the Case Coordinator is the service provider who is most likely to have ongoing contact with the victim. Where the level of risk to the victim remains high, case coordination remains with the VSRT until the offender is apprehended and then allocated to CSLS or FVCSS. ICCs can close cases if all matters associated with the case have been finalised and there has been no reported family violence related activity for a period of three months. The unanimous agreement by all ICC members is required before a case can be closed. The operation of the ICC process is supported by a Case Coordination Manual.

### Primary prevention measures

64. The Australian Government recognises the importance of identifying the nature and extent of attitudes that perpetuate violence against women and the need for effective measures, including education and public information programs, to overcome these attitudes. The National Plan has a strong focus on primary prevention initiatives in a concerted effort to modify social and cultural patterns of conduct with a view to achieving the elimination of prejudices that contribute towards violent behaviours. This will help to ensure Australia's compliance with Article 5 of CEDAW, the CEDAW Committee's General Recommendation No. 3 and Paragraphs 24 (d), (e), (f) and (t) of General Recommendation No. 19.

65. The best way to uphold women's rights to live free of violence is to prevent the problem before it occurs. This is the focus of the primary prevention activities occurring across Australia. These efforts are aimed at having a long term impact on the prevalence of violence against women. At the national level there are four main strands to the primary prevention efforts focusing at different levels—across the community as a whole through social marketing, through local community activities, in education settings and through workplaces. Different approaches are being utilised in order to engage people within those settings.

#### The Line

66. The Line is a A\$17 million innovative social marketing initiative. It targets young people at an age when they are forming their ideas about relationships and are more likely to be interested in the issues. It encourages respectful relationships and seeks to bring about change to the attitudes and behaviours which support violence. It encourages young people to discuss and debate relationship behaviours and issues. Based on extensive research, the campaign uses media and language young people relate to.

67. The Line's key messages are:

- Australia has zero tolerance towards violence against women and children—violence and disrespectful behaviour is not acceptable;
- Respect is the basis of all good relationships;
- Verbal abuse, sexual bullying, controlling behaviour and harassment are all forms of disrespect and violence; and
- Help is available if you experience violence, or if you need help to stop being violent.

68. At the centre of the Line are its website and Facebook page. Advertising in traditional media, such as radio and magazines, and online advertising on search engines is designed to attract people to the website. There are public relations activities to encourage people to engage with the campaign and to get the message across. The campaign website also provides contact details for a range of services, such as 1800 MYLINE (1800 695 463), a professional counselling line funded by the Government to assist young people. It provides free, confidential and professional counselling 24 hours a day, seven days a week.

69. The Line also includes specific elements to help ensure it is accessible and relevant to young Indigenous people. This has a strong community focus, engaging leaders within communities as well as young people on issues of violence within relationships. Resources reflecting Indigenous culture have also been developed to support schools and other organisations working with young Indigenous people. The resources focus on issues raised by young Indigenous people and their families about respect within relationships. A range of activities have also been designed to engage Culturally and Linguistically Diverse young people with the initiative, along with translation of material into a number of languages.

70. Since its launch in June 2010, the Line's Facebook page has evolved from people waiting to comment on the blog and poll topics to fans creating their own content and generating their own peer discussion. As at June 2012, the Facebook page has over 71,000 fans and there has had nearly 600,000 unique visitors to the website who have viewed over 1.9 million pages. Since the launch of The Line (June 2010), tracking research indicates good progress. While recognising that social change takes time, there are early indications young people are thinking about their attitudes and behaviours, and what it means to be in a respectful relationship.

#### Community Action Grants

71. Community Action Grants (CAGs) support communities in reducing violence against women. Funding of A\$3.75 million over three years has been provided to 17 community and sporting organisations to engage community members in a range of primary prevention activities. The 17 projects include activities which strengthen the community, increase awareness in the community and encourage community responsibility in reducing violence against women.

72. These projects prioritise support to communities identified as particularly vulnerable, including culturally and linguistically diverse (CALD) communities, older women, women with disabilities, and gay and lesbian communities. The projects encourage community action to reduce violence in groups which often experience high levels of violence, and that may not be reached by existing approaches.

73. Across Australia, four projects have been funded for CALD communities, two for women with disabilities, one for older women and one to reduce violence for gay and lesbian women. Three of these projects work specifically with Indigenous participants. In addition, two of the three projects being run by national sporting bodies include specific activities for Indigenous participants.

#### Respectful Relationships

74. Respectful Relationships is a primary prevention strategy that seeks to prevent sexual assault and domestic and family violence through education. The program works through a series of projects designed to test out different approaches in school and non-school settings. These projects work with young people (particularly young men) to raise their awareness of ethical behaviour, to develop protective behaviours, and to develop their skills in conducting respectful relationships. Since 2009, 28 projects in total have been funded across Australia.

#### Australian Curriculum and Respectful Relationships

75. Education plays an important role in helping to building strong ethical behaviours within relationships, working with boys and girls as their awareness and interest in relationships develops. In support of this, work has commenced on incorporating respectful relationships into the Australian Curriculum. In early 2012, the Australian Curriculum, Assessment and Reporting Authority (ACARA) released a paper on the Health and Physical Education curriculum including aspects on the development of respectful relationships. The curriculum will cover all primary and secondary school ages and reflect age appropriate issues and concepts. The draft curriculum will be developed over the second half of 2012 for national consultation during 2013 with a view to finalising the curriculum by the end of 2013.

#### White Ribbon Workplaces Program

76. The White Ribbon Foundation is currently engaging Australian businesses and industrial organisations to establish a national workplace approach to prevent and reduce violence against women. The Foundation is developing a pilot model for a national workplace recognition and accreditation program, the first of its kind.

77. The Program aims to create long-term sustainable change in attitudes to violence and to implementing prevention strategies through the workplace. The Program, funded by the Australian Government, will be designed as an awareness, early intervention and prevention program specifically for workplace settings. The Program will work to increase the knowledge and skills of staff and managers to address issues of violence against women, whether they experience that violence within the workplace or outside, and will encompass large, medium and small-scale workplaces.

State and territory primary prevention measures

78. Similar to The Line, a primary prevention program named Don't Cross the Line is underway in South Australia. The campaign aims to change community attitudes, increase awareness for workers who respond to perpetrators and victims, encourage a culture of perpetrator accountability and highlight the work (including legislative reforms) being undertaken by the South Australian Government. The campaign focuses on respectful relationships by targeting young people and includes a website ([www.dontcrosstheline.com.au](http://www.dontcrosstheline.com.au)) and media campaign. The South Australian Government also provides Community Education Grants aimed at organisations which work with groups who are unlikely to be reached through a mainstream domestic violence community education campaign, such as young Aboriginal and Torres Strait Islander people, young people living in rural and remote communities, young people from newly emerging communities and young people with a disability.

79. In Victoria, the Local Government Preventing Violence Against Women in Our Community Program aims to develop and implement prevention programs in Victoria. This initiative supports local governments to drive attitudinal and behavioural change across a range of settings and services in communities. By working with community organisations, schools, workplaces, sporting clubs and local media, a 'whole of community model' will be delivered to prevent violence against women. In addition, Community Crime Prevention Program grants of A\$7.2 million over three years will support primary prevention and early intervention focused partnership projects across community service organisations and local government aimed at reducing violence against women and their children. This includes dedicated funding of A\$2.4 million for programs specifically developed by Indigenous communities. The Victorian Government also grants the Eliminating Violence against Women Media Awards (the EVAs), recognising best practice in accurate and responsible reporting of family violence and sexual assault.

80. In Queensland, the Queensland Department of Communities, Child Safety and Disability Services coordinates the annual Domestic and Family Violence Prevention Month. This event is held each May to raise awareness of domestic and family violence across the Queensland community. Small grants are provided to community organisations to implement awareness-raising and prevention activities at a grass roots level to support the aims and objectives of the Month.

81. The Northern Territory Government has funded a multi-media social marketing campaign targeting men who use violence in domestic and family relationships and education programs aimed at preventing domestic violence, family violence and sexual assault.

**Criminal justice responses to domestic violence**

*"The Committee recommends that the State party take appropriate measures, including specific legislative measures criminalising acts of domestic violence, prosecution acts of domestic violence and punish the perpetrators of such acts."*

*"The Committee requests the State party to include under the Committee's follow-up procedure referred to in paragraph 50 of the present concluding observations*

*available information [...] on the conviction and the sanctions imposed on perpetrators... ”*

#### Criminalisation and prosecution of domestic violence

82. As stated previously, states and territories carry primary responsibility for legislative measures to criminalise, prosecute and punish perpetrators for acts of domestic violence. Each state and territory has enacted legislation to criminalise domestic violence and sexual assault, has a police force mandated to investigate these crimes and a prosecution service to prosecute these crimes on behalf of the community in a court of law. In accordance with Article 2 of CEDAW and Paragraphs 24 (b), (r) and (t) of the CEDAW Committee’s General Recommendation No. 19, the legislative provisions, enforcement agencies and mechanisms for prosecution seek to give adequate protection to all women against domestic violence on an equal basis with men and respect their integrity and dignity.

83. In the Australian Capital Territory, a range of legislative instruments are in place to address domestic and family violence, including the Domestic Violence and Protection Orders Act 2008 (ACT). The Crimes Legislation Amendment Bill 2012 (ACT) will strengthen the Sexual Assault Reform Program evidence provisions for giving evidence in sexual and violent offences and the giving of victim impact statements in such cases.

84. In Western Australia, the Bail Act 1982 (WA), the Criminal Code 1913 (WA), the Criminal Investigation Act 2006 (WA) and the Restraining Orders Act 1997 (WA) act to criminalise domestic violence. There is a presumption of imprisonment on a third conviction for a breach of a restraining order within a two year period. In extreme cases of sexual or physical assault, victims automatically obtain a life-long restraining order against the offender. Where an offence such as grievous bodily harm occurs in a family and domestic relationship, in the presence of a child, or the offence also constitutes a breach of a violence restraining order, it is considered a circumstance of aggravation and carries a maximum penalty of 14 years imprisonment.

85. In New South Wales, the Crimes (Domestic and Personal Violence) Act 2007 (NSW) sets up the legislative framework to address domestic and personal violence. The Act creates specific criminal offences relating to domestic violence, stalking and intimidation, and breaching of domestic violence orders. These offences carry maximum penalties of imprisonment. The Act contains an operative provision that allows for many offences proven against a person to be recorded as a domestic violence offence. Any offence described under this provision would carry the maximum allowable penalty under the relevant Act. Further, The New South Wales Police Force has certain powers relating to search entry and seizure that are contained in the Law Enforcement (Powers and Responsibilities) Act 2002 (NSW). These provisions empower the police not only to take action in situations where domestic violence is suspected, but also to take preventative action against potential acts of domestic violence.

86. In Queensland, protection for victims of violence is provided through the Domestic and Family Violence Protection Act 1989 (Qld). The Act provides for the court to make domestic violence orders that prevent a person from engaging in behaviour that amounts to domestic violence as defined under the Act. The court has broad powers in relation to making orders and the breach of a domestic violence order is a criminal offence. Additionally, the Penalties and Sentences Act 1992 (Qld) sets out detailed sentencing principles for courts when they are sentencing offenders for any criminal offence, including an offence that involves domestic violence.

87. In South Australia, the Criminal Law Consolidation Act 1935 (SA) criminalises acts that constitute domestic violence. In addition to criminal offences such as assault, assault causing actual or grievous bodily harm, intent to do grievous bodily harm, indecent assault, rape or attempted murder, there are a number of offences specifically aimed at domestic violence. These include assault charges with more severe penalties if domestic violence is

involved and the offence of stalking. This Act and the Evidence Act 1929 (SA) were amended in 2008 to provide a clearer definition of sexual offences, amend judicial warnings in relation to children's evidence and provide special arrangements for vulnerable witnesses. Further, the Intervention Orders (Prevention of Abuse) Act 2009 (SA) came into force in December 2011 to improve the system of restraint and intervention for domestic violence and to give police more power to intervene at the time of an incident. Interim and final intervention orders are ongoing and may not be made for a specific term.

88. In Tasmania, the Family Violence Act 2004 (Tas), came into effect in March, 2005. The principal factor is the 'primacy of the safety of the victim' and it uses a pro-arrest, pro-prosecution strategy to realise this principle. Police can enter premises, conduct searches, seize weapons and evidence and make arrests without a warrant in circumstances where they suspect family violence has occurred. The Act applies to spouses and partners (including ex-spouses/partners, lawful and common law arrangements), and persons aged 16 years and older where there is evidence of a significant relationship. A person charged with a family violence offence will not be granted bail unless their release will not adversely affect the safety, well-being and interests of a victim or affected child. The Act uses two types of orders to protect adult and child victims of family violence—Police Family Violence Orders and Family Violence Orders. These orders restrain and manage the behaviour of the person to whom they apply. When determining the sentence for a family violence offence, a court or judge may consider any aggravating factors such as a child being present or on the premises at the time of the offence, if the affected person was pregnant and if any rehabilitation program assessments have been undertaken by the offender. Tasmanian Police have also established Victim Safety and Response Teams to enhance the safety of victims by implementing strategies to minimise risk and maximise safety for victims, providing case coordination of families where there is a significant ongoing risk of violence, assessing applications to vary Police Family Violence Orders, managing offenders at large, following up on breaches of protective orders, conducting safety audits, liaising with regard to upgrades and security issues, gathering evidence to support the prosecution of offenders as required, and overseeing the use and application of the initial risk assessment process.

89. In Victoria, the Family Violence Protection Act 2008 (Vic) is the primary piece of legislation addressing family violence. The Act has three primary purposes: to maximise safety for children and adults who have experienced family violence, to prevent and reduce family violence to the greatest extent possible, and to promote the accountability of perpetrators of family violence for their actions. A number of other Acts contain specific provisions relating to family violence, including the Crimes Act 1958 (Vic) and the Residential Tenancies Act 1997 (Vic).

90. In the Northern Territory, the Domestic and Family Violence Act 2007 (NT) is an important instrument for the prosecution of domestic and family violence. The objects of this Act are to ensure the safety and protection of all persons who experience or who are exposed to domestic violence, to ensure people who commit domestic violence accept responsibility for their conduct and to reduce and prevent domestic violence. In March 2009 the Northern Territory became the only jurisdiction in Australia to mandate all adults to report domestic and family violence to police if they believe someone has suffered or is likely to suffer serious physical harm under the Act.

91. In line with Paragraph 24 (b) the CEDAW Committee's General Recommendation No. 19, a number of jurisdictions also have law enforcement operating procedures tailored to respond to crimes of this nature. The New South Wales Police Force has a set of Domestic and Family Violence Standard Operating Procedures, describing New South Wales Police Force methodology for responding to, investigating and managing incidents of domestic and family violence. In Queensland, in cases where breaches of a domestic violence order may also constitute offences under the Criminal Code 1899 (Qld), the Queensland Police Service's Operational Procedures Manual requires police officers to

consider charging the Criminal Code offence as well as the breach offence, where there is sufficient evidence to do so. In Victoria, the Victoria Police Code of Practice for the Investigation of Family Violence (revised in 2010) outlines step-by-step processes for police responses to reports of family violence. It emphasises the seriousness of family violence, strengthens police procedures, and promotes referrals and partnerships with specialist services. In all cases, police are required to make a referral to an appropriate agency such as a domestic violence service.

Justice support services for victims of domestic violence

92. The Australian Government is committed to ensuring that civil and criminal justice systems in all jurisdictions protect women who have been victims of violence, remain accessible and responsive to their ongoing safety and respect their integrity and dignity, in accordance with Paragraph 24 (b) of the CEDAW Committee's General Recommendation No. 19.

93. National initiatives including the Family Violence Prevention Legal Service support victims of family violence to access the legal system. State and territory funded legal aid services also provide access to justice for victims of domestic violence. For example, Legal Aid New South Wales provides the Women's Domestic Violence Court Assistance Program, which assists women experiencing domestic violence to obtain legal protection through an Apprehended Domestic Violence Order and provides referral information to assist them with their other legal and social welfare needs.

94. A number of initiatives have been undertaken by the Commonwealth Attorney-General's Department (AGD) to improve the legal framework and practice of those who work with people who have been exposed to family violence. This includes the AVERT Family Violence Training Package, which targets lawyers, judicial officers, counsellors, and other professionals working in the family law system, to improve levels of understanding about the dynamics of family violence and the handling of family violence cases. There is also the Coordinated Family Dispute Resolution Pilot, which aims to achieve safe and sustainable post-separation parenting outcomes in families where there is or has been family violence.

95. In addition, the Family Law Pathways Networks are coordinated networks for professionals working within the family law system, including professionals from a range of services such as the Family Court, Federal Magistrates Court, Legal Aid Commissions, Community Legal Centres, Family Violence Prevention Legal Services, family relationship services, Family Relationship Advice Line, family lawyers, Child Support Agency, and Centrelink. Their main aim is to support the development of a co-ordinated family law system in Australia that focuses on information sharing and working collaboratively on a local community level. Networks are funded to establish and maintain strong links with locally based service providers and agencies working in areas associated with the family law system, in particular mental health, drug and alcohol services, family violence, child protection and Indigenous and CALD services. Networks are also responsible for developing and maintaining appropriate referral mechanisms between locally based organisations operating as part of or alongside the family law system, as well as developing and maintaining a shared understanding of key organisations in the family law system. This also includes developing and maintaining awareness of products, services and training available to members.

96. In November 2011, the Australian Government announced the agreement of State and Territory Police Ministers to support a new nationally coordinated scheme for domestic and family violence orders (DVOs). Under that agreement, all states and territories will automatically recognise each other's domestic and family violence orders. The national scheme was a commitment under the National Plan. It enables persons protected by an order to move across state and territory borders and remain covered. The Government has been leading a Working Group to draft model automatic mutual recognition legislation to

give effect to the National DVO Scheme. The model legislation is expected to be finalised in 2012. Individual governments will then have responsibility for enacting the model legislation in their own jurisdictions. Concurrently, the Working Group is also exploring the use of CrimTrac's National Police Reference System as an information sharing capability for DVOs.

97. A number of state and territory justice agencies also have specialist support services available to victims of crime to support them through what can be an arduous court process.

98. The Australian Capital Territory Family Violence Intervention Program (FVIP) is a coordinated interagency response to criminal family violence matters. Support to clients has involved relevant agencies focusing on each victim's safety and keeping each other abreast of each victim's needs, ensuring that each victim is given timely information on how their matter is progressing through the criminal justice system, and offering independent advocacy and other support for each victim at court. Since FVIP commenced, from 1998–99 to 2005–06, there was a 464 per cent increase in family violence matters handled by the Office of the Australian Capital Territory Director of Public Prosecutions and the number of defendants convicted of a domestic violence offence in the Australian Capital Territory trebled between 1998 and 2006.

99. In Queensland, a network of court support services are funded to assist aggrieved persons who have court proceedings before a Magistrates Court in relation to domestic and family violence matters. These services work closely with courts and police in order to maximise the best possible outcomes for people affected by domestic and family violence who seek protection through the court.

100. In the Northern Territory, the Witness Assistance Service establishes contact with witnesses and victims of a crime, providing them with information to assist with court preparation, support in court processes, including assistance with victim impact statements, and providing post-court follow-up in traumatic experiences. In 2010–2011, the Witness Assistance Service assisted approximately 1500 clients. The Community Justice Centre of the Northern Territory also provides mediation for court mandated Personal Violence Orders. The Crime Victims Services Unit of the Northern Territory Government provides financial assistance in certain circumstances to victims of crime who have suffered financial loss or injury as a result of a violent act and also manages the Victims' Register. Victims of violent crimes or other legitimately concerned persons may be provided with certain information about offenders who are sentenced to a term of imprisonment in the Territory. Information includes notification of parole applications and hearings, and release dates.

#### Sentencing and sanctioning of perpetrators of domestic violence

101. Preventing and reducing violence against women requires strong laws that are effectively administered and hold perpetrators to account. The criminal laws in each state and territory detailed above provide for the sentencing and sanctioning of perpetrators of domestic violence who are taken before the courts. Maximum penalties in many jurisdictions include imprisonment. Domestic Violence Orders or Restraining Orders can also be awarded against perpetrators to protect victims, for which penalties will be incurred if breached. The independent judiciary determines sentencing in line with the criminal laws.

102. A number of jurisdictions have a range of perpetrator intervention programs in place for perpetrators of violence against women. These programs strengthen perpetrator intervention responses, in accordance with Paragraph 24 (r)(iv) of the CEDAW Committee's General Recommendation No. 19. 'Perpetrator interventions' include a broad range of responses for perpetrators, including legal responses and rehabilitation programs, for which the primary objective is to ensure the safety of women and their children. This is supported by research that shows the likelihood of recidivism may be reduced by addressing the underlying causes of offending behaviour. The Government is currently

working closely with states and territories to develop best practice guidelines in this area. The Government has committed A\$3 million to support research on perpetrator interventions, and A\$4.6 million to expand the number and standard of perpetrator intervention responses through a once-off reward/incentive payment to jurisdictions to promote best practice perpetrator intervention programs.

103. As an example of perpetrator interventions, in New South Wales there are currently a range of men's domestic violence behaviour change group programs provided by government agencies as well as non-government services. They may be delivered in custodial settings, by welfare groups and by counselling services. These agencies provide a valuable service to men seeking to change their abusive behaviour. The New South Wales Government is in the process of introducing minimum standards for men's domestic and family violence behaviour change group programs.

104. The Queensland Government will implement the Domestic and Family Violence Protection Act 2012 (Qld) from September 2012. The new legislation allows the court to issue a voluntary intervention order to a respondent that includes referral to an approved provider for assessment of suitability to attend an intervention program and/or counselling. The aim of the intervention is to increase the respondent's accountability for domestic violence, help participants to change their behaviour and increase the safety, protection and wellbeing of aggrieved parties.

105. In Victoria, 31 community service organisations are funded to deliver Men's Behaviour Change Programs throughout the state. Delivered in accordance with standards by trained facilitators with professional supervision and accountability, these programs provide an intervention to bring about change in attitude and behaviour and arrest the cycle of violence. Risk assessments, impacts on children and partner contact and safety planning, are essential components of the program.

106. The Northern Territory Department of Justice provides services to prevent re-offending and rehabilitate offenders. There are two programs currently on offer to perpetrators of domestic and family violence. A Violent Offender Treatment Program (VOTP) is conducted in both Alice Springs and Darwin prisons. This is an offence-specific treatment program that takes 6 to 12 months for violent offenders to complete. An Indigenous Family Violence Offender Program is also conducted in both Alice Springs and Darwin prisons and is provided by program facilitators employed by Northern Territory Community Corrections to deliver in various other locations across the Northern Territory.

#### Reform of laws criminalising, prosecuting and sentencing domestic violence

107. The Australian Government demonstrates an ongoing commitment to its international human rights obligations, as referred to in Paragraphs 24 (b), (r) and (t) of the CEDAW Committee's General Recommendation No. 19, through law reform efforts aimed at improving protection of all women against domestic violence.

108. In 2008–2009, the National Council to Reduce Violence against Women and their Children commissioned the Australian Government Solicitor to undertake a comparative analysis of the laws relating specifically to domestic violence in Australia as part of its Time for Action series. The Domestic Violence Laws in Australia Report identifies that over the past several decades, governments at the Commonwealth, state and territory levels have taken significant steps in response to domestic violence through legislative measures. This report considers that the law can do much to discourage domestic violence by making it a crime, attaching penalties to those crimes that punish and deter offenders and by establishing protection order regimes designed to protect and assist the victims of domestic violence. As a consequence, numerous projects have been undertaken at both the Commonwealth and state and territory levels of government to continue to build our legal system and laws in a way that effectively responds to the safety and wellbeing of women. The National Plan is also committed to enhancing justice responses, including reform to

both the Commonwealth and state and territory legal systems and laws to improve outcomes for women experiencing violence and abuse.

109. The Commonwealth AGD is also considering the recommendations of the Family Violence: a National Legal Response inquiry by the Australian Law Reform Commission (ALRC) and New South Wales Law Reform Commission. AGD is also coordinating the Government response to the ALRC report on Family Violence and Commonwealth Laws. The first report undertook a comprehensive review of the interaction of state and territory family/domestic violence and child protection laws with the Family Law Act 1975 (Cth) and relevant Commonwealth, state and territory criminal laws. The second report examines the legislative arrangements across the Commonwealth (excluding the Family Law Act) that impact on those experiencing family or domestic violence and sexual assault and whether those arrangements impose barriers to effectively supporting those adversely affected by these types of violence.

110. On 30 May 2012, the Australian Government introduced legislation into the Commonwealth Parliament to criminalise forced marriage and harbouring a victim, and to strengthen the existing provisions criminalising forced labour and organ trafficking. The legislation ensures the broadest range of slavery and people trafficking-related behaviours are comprehensively criminalised. The legislation will strengthen the available criminal sanctions for perpetrators of these crimes, and in doing so strengthen protections for trafficked and enslaved people, including women. The amendments will also improve the ability of all individuals, including women, to access reparations where they are the victims of a Commonwealth offence such as people trafficking and slavery.

111. During 2010, the Queensland Government undertook a comprehensive review of the Domestic and Family Violence Protection Act 1989 (Qld). The review resulted in the development of new legislation that reflects contemporary understandings of domestic and family violence, particularly regarding the types of relationships and behaviours covered by the legislation and maximum available penalties. The resulting Domestic and Family Violence Protection Act 2012 (Qld), commencing in September 2012, contains a number of key amendments that will contribute to greater protection for people who experience violence and places greater responsibility for the use of violence on perpetrators. In 2010, amendments were also made to the Criminal Code 1899 (Qld) to provide for a manslaughter conviction (in place of murder) in relation to killing in an abusive domestic relationship.

112. An independent review was also conducted of the Family Violence Act 2004 (Tas) in 2008. A number of legislative amendments have been identified and it is envisaged these amendments will be finalised towards the end of 2012.

113. The Domestic and Family Violence Amendment Act 2009 (NT) mandates that all Northern Territory adults must report domestic and family violence to police if they believe someone has suffered or is likely to suffer serious physical harm. This amendment also extended the definition of domestic and family violence to include economic abuse and intimidation. The Domestic and Family Violence Amendment Act 2010 (NT) gives police the power to detain a person for the purpose of applying to vary a domestic violence order (DVO) in urgent circumstances; gives police the power to detain an intoxicated person until such time as they are no longer intoxicated and can be properly served with a DVO; and clarifies that police have the power to make a 'police DVO'. This amendment allows police to make a police DVO where there is the threat of imminent harm to a person, or where it may not be possible to get to a Court (for example, in a remote location). The Criminal Justice Legislation Amendment Act 2011 (NT) further repealed section 42 of the Criminal Code which excused a spouse from criminal responsibility for offences committed against their spouse's property (for example, arson or criminal damage), except where they were separating or there was an intention to defraud or injure some other person. The repeal of section 42 brings the Northern Territory into line with most other states and territories and

means property offences between spouses will be dealt with on the same basis as if the victim and offender were not married.

114. In addition, legislative reform and practice reform has occurred across multiple jurisdictions in this area to better enable justice agencies to respond to victims of domestic violence and to avoid the high level of attrition of victims in the criminal justice system. Ensuring effective justice responses is a key outcome area of the National Plan. The Government will support improvement of sexual assault victims' access to justice through research on the impacts of "victim-focused" court practice reforms around Australia since 2000. This research will identify which reforms and approaches in the last ten years are "victim-focused", which of these are particularly promising, how such reforms have been taken up by legal actors and the cultural, organisational, and institutional factors that enable or inhibit victim-focused reforms from changing court practices. Developing knowledge about these issues will help inform and support future efforts to improve the capacity of the justice system to respond to the needs of victim/survivors pursuing legal redress, and to strengthen the organisational capacity of the system to translate reforms into practice.

#### **Number and nature of reported cases of domestic violence**

*"The Committee requests the State party include under the Committee's follow-up procedure referred to in paragraph 50 of the present concluding observations available information on the number and nature of reported cases of domestic violence..."*

115. Domestic violence is recognised as being widespread throughout the Australian population. The Australian Bureau of Statistics' Personal Safety Survey 2006 found that one in three Australian women have experienced physical violence since the age of 15, and almost one in five have experienced sexual violence. However, the data collected by states and territories in the area of violence against women is generally not comparable across jurisdictions and does not allow for a comprehensive understanding at a national level. Variations in data estimates across Australia are affected by differences in what is captured, counted and reported across states and territories. It is also important to recognise this data is derived from reporting of incidents, which does not necessarily reflect prevalence.

116. The Australian Government is committed to enabling the compilation of statistics and research on the extent, causes and effects of domestic violence and complying with Paragraphs 24 (c) and (v) of the CEDAW Committee's General Recommendation No. 19. Accurate reporting of cases of domestic violence is contingent upon building a strong evidence and research base. Under the National Plan, a key national initiative to develop a data collection and reporting framework is an important step in helping to ensure there is an evidence base able to support and inform the work of governments and communities into the future. This will include comprehensive data on the number of cases, prosecution and punishment of perpetrators. While this is a long-term goal, work to develop this framework has commenced.

117. The Australian Government has committed A\$6.9 million over four years to the development of a National Centre of Excellence (NCE). The NCE will administer a national research agenda in the area of violence against women which reflects the research priorities of the Commonwealth, state and territory governments, and will lead to the significant advancement of capabilities and knowledge of violence against women and their children.

118. Another major contribution to building the evidence base is two national surveys, to be conducted in four year cycles. These are the Australian Bureau of Statistics will conduct the Personal Safety Survey in 2012, with results available in 2013, and the next National Community Attitudes Survey, which is planned for 2014. These surveys will provide a much-needed evidence base for future policy development to prevent domestic and sexual violence. The Australian Institute of Criminology's National Homicide Monitoring

Program also researches domestic violence-related homicides, risk factors and interventions. Monitoring domestic violence-related homicide issues is used to inform ongoing policy development in this area.

119. Through face-to-face, one-on-one interviews, the Personal Safety Survey collects information about women's experiences of violence and provides overall picture of the prevalence of violence against women in Australia. The survey collects information about physical and sexual violence, and identifies where this has been perpetrated by a partner or former partner. The 2012 survey has been expanded to identify other forms of violence such as harassment via text message and the internet and emotional abuse, information about the fear and anxiety victims experienced and the help they sought. With an expanded sample for the survey, information about women's experience of violence will be able to be disaggregated to state and territory level for the first time.

120. The Australian Institute of Criminology's National Homicide Monitoring Program also researches domestic violence-related homicides, risk factors and interventions. Monitoring domestic violence-related homicide issues is used to inform ongoing policy development in this area.

121. At the state level, the South Australian Government has established the role of Domestic Violence Senior Research Officer, located within the Coroner's Court, to identify domestic violence issues and contexts and relevant service systems and investigate the adequacy of system responses. This advice forms part of the Coronial brief and builds the capacity of the Coronial Inquest to explore and inquire into system responses to domestic violence. It also recommends improvements with a preventative focus. The Victorian Family Violence Database also acts as an important tool for government and stakeholders developing evidence-based policy for family violence. Data sources and analysis in the database include family violence incidents reported through courts, police and human services, health and housing agencies. The Department of Health in Western Australia is implementing the *Western Australia Strategic Plan for Family and Domestic Violence 2009-2013* to ensure that there is consistent collection of data. This includes the pending introduction of a new data collection system for regional sexual assault services in the state.

## **Disadvantages Faced by Indigenous Women**

### **Paragraph 41**

*"The Committee reiterates its previous recommendation that the State party adopt and implement targeted measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25, to improve indigenous women's enjoyment of their human rights in all sectors, taking into account their linguistic and cultural interests. It urges the State party to implement specific strategies within the National Plan to address violence against Aboriginal and Torres Straits Islander women, including funding culturally appropriate indigenous women's legal services in urban, rural and remote areas of Australia. It recommends that the State party pay particular attention to ensuring access to quality education, including post-graduate education, vocational training, adequate health and social services, legal literacy and access to justice".*

122. In developing policies and programs to promote the human rights of Aboriginal and Torres Strait Islander women, careful consideration is given to Australia's obligations under key international human rights instruments. In addition to the obligations contained in CEDAW, the Australian Government also considers the application of the Convention on the Elimination of all forms of Racial Discrimination (CERD). The Government has also expressed support for the United Nations Declaration on the Rights of Indigenous People

and co-sponsored the first stand-alone resolution on Indigenous women agreed to at 56th Session of the Commission on the Status of Women in February 2012.

**Targeted measures to improve Aboriginal and Torres Strait Islander women's enjoyment of their human rights**

*“The Committee reiterates its previous recommendation that the State party adopt and implement targeted measures, including temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation No. 25, to improve indigenous women's enjoyment of their human rights in all sectors...”*

123. The Australian Government is taking measures in all fields, including social, economic and cultural, to ensure the full advancement of Indigenous women's human rights. Domestic legislation enables special measures to be taken in certain circumstances to promote substantive equality or achieve equality of opportunity for marginalised groups. In accordance with Article 4 of CEDAW, the Australian Government adopts special measures where appropriate. For example, some of the Government programs and policies under Stronger Futures are intended to be special measures within the meaning of the Racial Discrimination Act 1975.

124. In partnership with states and territories, the Government is making an unprecedented effort to bring about long-term positive outcomes for Indigenous Australians, with more than A\$5.2 billion in funding for employment, education, and health services. These measures will have flow-on effects for Indigenous women specifically. Details of these measures are described below.

125. In December 2007, COAG agreed to a partnership between all levels of government to work with Indigenous communities to Close the Gap in Indigenous disadvantage. The Closing the Gap strategy aims to improve the general circumstances of Indigenous Australians and enable the enjoyment of human rights through seven key strategic areas for action—early childhood development, education and training, healthy lives, economic participation, safe and supportive communities, and governance and leadership. The COAG reform agenda is implemented through National Agreements, National Partnerships and other intergovernmental agreements. Under the National Indigenous Reform Agreement, all Australian governments have shared responsibility for Closing the Gap in Indigenous disadvantage across six key areas—life expectancy, child mortality, access to early childhood education, literacy and numeracy, educational attainment and economic participation. Each year, the COAG Reform Council reports on the performance of Commonwealth, state and territory governments against the targets of the National Indigenous Reform Agreement. Further, the Government is accountable to the Australian people through the Prime Minister's Closing the Gap report, which is tabled in Parliament annually.

126. The Government will also continue to support specific initiatives to empower Indigenous women in political and public life, including the Indigenous Women's Grants, the development of the COAG Select Council on Women's Issues's national approach to Indigenous women's leadership, the National Aboriginal and Torres Strait Islander Women's Alliance (NATSIWA) and the National Congress of Australia's First Peoples. These are important steps to ensuring Indigenous women, on equal terms with men, are fully able to exercise their right to participate in the formulation of government policies, the implementation of government policies, and non-governmental organisations and associations concerned with the public and political life of the country, in accordance with Article 7 of CEDAW.

127. The Australian Government offers Indigenous Women's Grants which provide small grants to eligible organisations across Australia that work to enhance the leadership skills of Indigenous women in a range of areas. These include parenting skills, living skills,

pathways to educational and employment opportunities, personal development, social and networking opportunities, and local leadership in governance issues. The Government also funds NATSIWA, as one of the six National Women's Alliances, to ensure that the voices of as Indigenous women are heard in advocacy and decision-making. Over the following year, the COAG's Select Council on Women's Issues will be developing a national approach to promote the leadership of Indigenous women in governance and decision-making for communities and in organisations.

128. As part of the Stronger Futures in the Northern Territory approach, which includes legislation, the Australian Government is delivering additional support to help close the gap on Indigenous disadvantage in the Northern Territory. The A\$3.4 billion commitment over 10 years will continue funding to make communities safer and families and children healthier. The approach builds on evidence over the past five years that a range of measures have improved community safety and wellbeing, and that women in particular have reported benefits from measures such as alcohol restrictions, additional police and safe houses for women.

129. The National Congress of Australia's First Peoples was established to provide all Aboriginal and Torres Strait Islander people with a voice in policy development and program delivery. The National Congress was formally launched on 2 May 2010 following years of work to establish a new national Indigenous representative body. The National Congress provides leadership in advocating for the recognition of the status and rights of Aboriginal and Torres Strait Islander peoples as First Nations peoples. One role of the National Congress is to formulate advice to ensure that Aboriginal and Torres Strait Islander people contribute to and play a lead role in policy and program development on issues that affect them, and that an Indigenous perspective is provided on issues across government. To ensure effective gender representation, the structure of the National Congress includes two co-chairs, one of whom must be female. Women also have equal representation on the National Congress' Ethics Council, which oversees the body's ethical standards and membership appointments.

130. In accordance with Article 2(c) of CEDAW, the Government has established legal protection of the rights of women, including Indigenous women, on an equal basis with men and ensured through competent national tribunals and other public institutions the effective protection of Indigenous women against any act of discrimination. For example, the Government will continue to ensure that the Australian Human Rights Commission is empowered and funded to resolve complaints of discrimination, including against Indigenous women, ensuring it is accessible and equitable to all. The Government will develop legislation which will consolidate Commonwealth anti-discrimination laws to remove unnecessary regulatory overlap, address inconsistencies across laws and make the system more user-friendly. It will also consider the design of the compliance regime and complaints processes, including for Indigenous women. The Government has also established the Parliamentary Joint Committee on Human Rights, which has been charged with examining and reporting to Parliament on the compatibility of bills and legislative instruments with Australia's human rights obligations under seven core human rights treaties, including CEDAW. The committee is able to examine existing legislation and conduct broad inquiries into matters relating to human rights as referred to it by the Attorney-General.

#### **Consideration of linguistic and cultural interests**

*“The Committee reiterates its previous recommendation that the State party adopt and implement targeted measures, [...] taking into account [Aboriginal and Torres Strait Islander women's] linguistic and cultural interests.”*

131. The Australian Government views genuine engagement with Indigenous people as a foundation for the protection of their human rights and effective implementation of

Australia's obligations under CEDAW. During 2011, the Government undertook extensive consultations with Aboriginal people in the Northern Territory to hear their views on future approaches to addressing the high levels of disadvantage being experienced, particularly in remote communities. The consultations were structured so as to ensure that women in communities had an opportunity to participate in an environment in which they felt comfortable. In some locations, separate men's and women's meetings were held and whole-of-community discussions were generally supplemented with discussions in small and family groups.

132. The Government also recognises that respect for language and culture is an essential part of resetting our relationship with Indigenous Australians and ensuring that Indigenous women can participate in the life of the nation as well as access essential services on an equal basis to men. Under the Closing the Gap National Indigenous Reform Agreement all governments agreed on six core service delivery principles for designing and delivering services for Indigenous people—including that services should be physically and culturally accessible to Indigenous people. This is of particular concern to women in the health context. The Service Delivery Principles for Indigenous Australians, agreed by the Council of Australian Governments (COAG) provide that all government agencies are required to make provision for Indigenous interpreters in the services and programs they fund and deliver to enable equitable access to services. COAG has agreed that the Government should develop a national framework, working with the state and Northern Territory governments, for the effective supply and use of Indigenous language interpreters. During 2012, the Government will work with states and territories to develop a National Indigenous Interpreters Framework. Governments will work with the Indigenous interpreting sector and other stakeholders to develop the Framework.

133. In addition, the Australian Government provided funding for Indigenous interpreting through the Closing the Gap in the Northern Territory National Partnership Agreement (involving A\$8.085 million dollars over three years to 2011–12 for the professional development, training and accreditation of interpreters in the Northern Territory) and funding to support free access to interpreters for Northern Territory law, justice, health agencies and Government-funded legal assistance service providers. Under the Stronger Futures in the Northern Territory strategy continued ongoing support is being provided to the Northern Territory Aboriginal Interpreter Service to help local Aboriginal people better access services.

134. The Government also provides funding for interpreter and translation services under the Remote Service Delivery National Partnership. The Government has employed Indigenous interpreters in major policy consultations such as Stronger Futures in the Northern Territory, Indigenous Constitutional Recognition and Remote Service Delivery. For example, in the Stronger Futures consultations, where possible both female and male interpreters were booked for community meetings in recognition of cultural protocols.

135. The Government notes that Laurie Baymarrwangga, an extraordinary elder from the island of Murrungga in East Arnhem Land, Northern Territory, has been recognised as Senior Australian of the Year 2012. Mrs Baymarrwangga has shown extraordinary commitment to maintaining the cultural and biological integrity, and the environment of her beloved Crocodile Islands and ensuring younger generations continue to keep their heritage alive. Speaking no English, she initiated the Yan-nhangu dictionary project. Her cultural maintenance projects include the Crocodile Islands Rangers, a junior rangers group and an online Yan-nhangu dictionary for school children.

136. At a state level, the New South Wales Aboriginal Languages Program aims to revitalise Aboriginal languages across the State. Funding of A\$1.2 million over three years was announced in 2011.

### Strategies to address violence against Aboriginal and Torres Strait Islander women

*“It urges the State party to implement specific strategies within the National Plan to address violence against Aboriginal and Torres Strait Islander women...”*

#### Australian Government strategies

137. The Australian Government takes the view that the protection of women—including in remote communities—is a fundamental human rights obligation which must be at the forefront of its policies and practices, including in the context of addressing Indigenous disadvantage.

138. Strategies within the National Plan to Reduce Violence Against Women and their Children

2010–2022 (the National Plan) to address domestic violence against Aboriginal and Torres Strait Islanders and increase Indigenous community safety will also enable Aboriginal and Torres Strait Islander women to enjoy their human rights. The National Plan builds on COAG’s commitments under the Closing the Gap framework, which is working to help close the gap on life expectancy and life opportunities between Indigenous and non-Indigenous Australians. The National Plan also recognises the importance of fostering the leadership of Indigenous women within communities and Australian society more broadly. One of the measures of success of the Plan is that there will be an increase in the proportion of Indigenous women who are able to have their say within their communities on important issues, including violence.

139. The Indigenous Family Safety Agenda, launched in July 2010, provides a coherent policy framework to address alcohol abuse, provide a more effective police presence, strengthen social norms against violence and coordinate support services to aid the recovery of people who experience violence. The Indigenous Family Safety Agenda is supported in part by the Indigenous Family Safety Program, which in 2011–12 provided approximately A\$7 million for 32 projects to deliver a broad range of services across Australia including family counselling, education and awareness training, men’s and women’s programs, and advocacy support and referral for victims of family violence across Australia.

140. A number of other Australian Government initiatives are also aimed at reducing violence against Aboriginal and Torres Strait Islander women, including the Indigenous Healing Foundation, Indigenous Parenting Support Services, Family Relationships Services and the Respectful Relationships Program. Legal services specifically aimed at addressing violence against Aboriginal and Torres Strait Islander women include the Indigenous Family Violence Prevention Legal Services Program and the Commonwealth Community Legal Services Program. Details of these programs are provided below. The Government is also investing A\$600,000 to establish a cross-border family violence information and intelligence initiative based in Alice Springs. This will be run by police and will facilitate and encourage information sharing between agencies and service providers to tackle domestic violence.

141. In 2011–12, the Commonwealth AGD funded ten prisoner through care projects in New South Wales, Queensland, Western Australia, South Australia, Tasmania, and Northern Territory totalling A\$3,390,767. These projects support the rehabilitation of Indigenous offenders while incarcerated, and provide post-release support to assist with their integration back into the community. Many of these offenders have been involved in violent behaviour and offences, and addressing this behaviour directly also assists victims, many of whom are Indigenous women and children. In 2011–12 the AGD administered one year funding of A\$1.14 million for seven early intervention and prevention initiatives aimed at reducing family violence through indirect and direct group work.

142. On 13 February 2009, the first anniversary of the National Apology to Australia’s Indigenous Peoples, and in particular the Stolen Generations, the Government announced the establishment of a Healing Foundation to address trauma and healing in Indigenous

communities, with a strong focus on the unique needs of Stolen Generations. The Healing Foundation funds strong, community-based healing programs to address the effects of trauma, training and education initiatives that build the skills of communities and workers to deal with trauma, and research into the benefits of Indigenous healing. Evidence from Australia and Canada indicates that healing is needed to overcome the trauma of removal, the impact of colonisation and the associated intergenerational effects. In the 2009–10 Budget the Government provided A\$26.6 million over four years to establish the Foundation. The Healing Foundation model was created following a national consultation, co-chaired by an Aboriginal woman, with Aboriginal and Torres Strait Islander people.

143. The Government is working in partnership with Aboriginal and Torres Strait Islander communities and leaders, state and territory governments and non-governmental organisations to address Indigenous community safety, with A\$6.1 billion (28 per cent of total Indigenous specific expenditure in that year) provided in 2008–09. Initiatives include drug and alcohol programs, community policing initiatives, youth diversion programs, violence reduction and victim support programs, offending and juvenile justice measures, housing, employment and training initiatives, and efforts that build leadership capacity and the reinforcement of positive social behaviours.

144. All 29 Remote Service Delivery (RSD) priority communities have committed to undertake community safety planning activities through their Local Implementation Plans. Community safety planning aims to ensure that local knowledge guides actions to assist police, service providers and communities tackle the causes and consequences of safety together through processes the community owns. Community safety planning is at different stages across RSD sites and is being monitored by State, the Northern Territory and Commonwealth Governments.

145. For example, in Mornington Island and Doomadgee, integrated, local level community safety planning is being undertaken in a partnership between local communities, research organisations, the Queensland State Government and the Commonwealth. Training was provided to local Indigenous people to discuss their communities' perceptions of safety and options to resolve these concerns. This process assisted communities to identify mechanisms to better integrate relevant existing programs under a broader community safety planning process to advance Local Implementation Planning commitments in a more streamlined manner. Learnings from this action-based research planning process are being utilised as best practice case study examples to inform safety planning in other Remote Service Delivery sites and across Australia.

#### Stronger Futures in the Northern Territory

146. Aboriginal people in the Northern Territory, including Aboriginal women and girls, still face unacceptable levels of disadvantage. Efforts by the Australian and Northern Territory Governments over the past five years to reduce levels of disadvantage have resulted in the delivery of more housing, employment, and additional health, educational and community safety services to Aboriginal people. Much more however remains to be done. Too many children are not attending school, and alcohol-fuelled violence continues to devastate lives and families.

147. Stronger Futures in the Northern Territory responds to the issues that Aboriginal people identified as the most urgent during the consultations held in 2011 in 100 communities and town camps. Since late 2007, the Australian Government has undertaken three successive consultations with Indigenous people in remote Northern Territory communities. Each of the successive consultations has involved an unprecedented number of communities and individuals participating in meetings, to have their say and influence the policy proposals.

148. Additionally an independent survey of 1,300 residents in remote Northern Territory communities was commissioned by the Australian Government to help provide the

Australian Government with further information about the views of Aboriginal people in the Northern Territory. This survey found that the majority of people surveyed considered their communities and services had improved and were safer.

149. The Australian Government's 10 year Stronger Futures funding commitment of A\$3.4 billion will continue the provision of programs and services that are critical to help address disadvantage, particularly in remote areas of the Northern Territory. This funding is over and above the substantial investment the Australian Government is already making in the Northern Territory towards addressing Indigenous disadvantage.

150. The Stronger Futures commitment includes an investment of A\$583.4 million in education. This will enable 200 additional teachers to continue to be employed in remote community schools. The Australian Government will maintain and expand its strategies to build the skills and qualifications of teachers, including in teaching English as a second language and helping children cope with hearing issues and learning difficulties. Importantly, the Australian Government will work to develop better career pathways for Aboriginal people in the education sector. The Australian Government will also continue to support the School Nutrition Program which provides meals each day to around 5,000 students in remote Territory schools, helping to improve their concentration, health and school results.

151. The Australian Government will spend A\$713.5 million over 10 years to continue to provide essential funding for primary health care services in remote communities, involving more than 250 full-time staff in 80 clinics; and hearing checks and follow-up services and preventative oral health services. The Australian Government will support the Remote Area Health Corps which meets short-term workforce shortages, and the Mobile Outreach Plus program that provides counselling and education for children, families and communities experiencing trauma from child abuse and neglect.

152. The Australian will be investing A\$619.3 million over the next 10 years in making communities safer. This will fund the continued employment of 60 additional Northern Territory police officers working in 18 remote communities, and will enable four new permanent police complexes to be built. Support will be provided for the continued operation of community night patrols which provide a valuable service in 80 communities, as well as the operation of the Substance Abuse Intelligence Desks and Dog Operations Unit which play a vital role in controlling illicit drugs. The Australian Government will also provide A\$75.6 million to support the development and implementation of local alcohol management plans that give communities greater capacity to deal with problems caused by alcohol.

153. The Australian Government will help support families by continuing to fund playgroups, crèches, youth workers and safe houses in communities at a cost of A\$442.4 million over the next decade. The Australian Government will significantly increase the number of Communities for Children sites which provide services including early learning and literacy programs, parenting and family support programs and child nutrition advice. The Government will continue to fund two mobile child protection teams as well as additional Remote Aboriginal Family and Community Workers who provide intensive parenting support and education services to prevent children at risk from being placed in out-of-home care.

154. The Australian and Northern Territory Governments have also agreed on a 10 year funding commitment to support the continued provision of municipal and essential services to outstations and homelands. The Government will be providing A\$206.4 million over 10 years and the Northern Territory Government will provide A\$15 million in 2012-13, which will go directly to supporting the services that are fundamental to living a healthy and safe life, such as power, water, sewerage and road maintenance.

155. Complementing this investment, the Stronger Futures legislation will help the Australian Government work in partnership with Aboriginal people to deal with the issues they have told the Australian Government are the most urgent. The legislation continues and improves measures aimed at tackling alcohol abuse, supporting food security, additional restrictions on the supply of sexually explicit and very violent material in remote communities, and continued prohibitions on the consideration of customary law in bail and sentencing decisions which support the rights of Aboriginal women and girls to equal treatment. The Australian Government will work with Aboriginal people in the Northern Territory to continue to tackle alcohol abuse and the damage it causes. The Australian Government will also work with Aboriginal people to ensure that children go to school every day to get a good education, and that parents play their part in making this happen. The Stronger Futures legislation repealed the Northern Territory National Emergency Response Act 2007 on 16 July 2012.

156. Careful consideration was given to Australia's obligations under the key human rights instruments, including CEDAW, through the development of the Bills and the wider suite of measures contained in the Stronger Futures package. For example, policy intention is that the tackling alcohol abuse measure, including restriction of alcohol consumption, is a 'special measure' within the meaning of Article 4(1) of CERD. Consistent with the Committee on the Elimination of Racial Discrimination's General Recommendation No. 32, this special measure is designed to 'secure to disadvantaged groups the full and equal enjoyment of human rights and fundamental freedoms.' This measure is required to combat the disadvantage resulting from alcohol abuse that is faced by Aboriginal people in the Northern Territory, particularly women. By reducing the effect of alcohol-related harm, the measure helps Australia meet its human rights obligations to Indigenous women, including obligations to take all appropriate measures to eliminate discrimination against women and to take appropriate measures to modify or abolish existing practices which constitute discrimination against women (Articles 2(e) and (f), CEDAW) and to take all appropriate measures to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men (Article 3, CEDAW).

157. An independent evaluation of the NTER was released in late 2011 and found Aboriginal people living in remote communities in the Northern Territory felt safer and received better levels of government services than they had four years before. It also found that improving school enrolment and attendance and providing employment opportunities are key challenges that need to be addressed in the future. One of the major segments of the evaluation report was the Community Safety and Wellbeing Research Study, which incorporates the views and experiences of 1300 Aboriginal people from 16 communities. Much of the work in this study was done by local Aboriginal people who were trained in research practices. Almost three out of four people surveyed as part of this study said that their community is safer now than it was three years ago. People also said that services had improved in their communities under the NTER, with around half of the people interviewed strongly agreeing that services had improved. This included services from schools, Centrelink, police and community stores. Overall, the evaluation shows that outcomes have improved for Aboriginal people in the Northern Territory across health, employment, and safety.

158. This has been confirmed through recent consultations and surveys. Women are now feeling safer, are better fed and clothed, are getting a better night's sleep, and there is less inappropriate pressure placed on income support recipients to hand over money to others for spending on alcohol, drugs and gambling. People feel that this is due to the combined effects of measures such as income management, alcohol restrictions, community stores licensing, an increased police presence and the operation of night patrols in remote communities, and the availability of new safe houses where women and children in particular can shelter from violence.

159. Additionally, the previous legislated requirement for internet filters and audits of publicly funded computers which applied in the Northern Territory has not been continued in its present form. It is being replaced with a non-legislated measure requiring all Commonwealth funding agreements to require funded organisations to take steps to minimise inappropriate use of publicly funded computers. This measure is intended to help protect women and children from inadvertent exposure to sexually explicit and very violent material.

#### State and Territory strategies

160. There are a number of state and territory initiatives focused on reducing the incidence of violence against women generally and ensuring all victims of violence receive adequate support, detailed in the response to Paragraph 29. These include specialist domestic violence court models, reforms to the management and prosecution of sexual assault cases, funding services that provide assistance and counselling to survivors of domestic and family violence and sexual assault, and primary prevention measures. A number of these programs contain strategies specifically directed towards Aboriginal and Torres Strait Islander women. For example, recent reform of the domestic violence support and accommodation sector in South Australia has resulted in all domestic violence services having a minimum 20 per cent target for Aboriginal women.

161. In Victoria, the Strong Culture, Strong Peoples, Strong Families ten-year plan to address Indigenous family violence across Victoria was launched in 2008 and continues to be primary policy platform for addressing this issue. It is a community led strategy that operates in partnership across government and has a number of specific objectives and actions that are incrementally being implemented over the life of the plan. The Indigenous Family Violence Partnership Forum has just endorsed the Monitoring and Evaluation Framework which will guide the continued reporting of achievements against the plan and inform on progress across all objectives and actions. The Victorian Government has also funded the Aboriginal Family Violence Prevention Legal Service Victoria to partner with police and Aboriginal communities to develop protocols for police responding to instances of family violence in Aboriginal communities.

162. In New South Wales, the Tackling Violence Program aims to create a cultural shift about domestic violence. An early intervention and prevention program, it works with local rugby league clubs to promote changed attitudes and behaviours to domestic violence in New South Wales. The education component of the program was developed in partnership with Mudgin-Gal Aboriginal Women's Corporation and is co-delivered by high-profile Aboriginal rugby league players. In 2011, Tackling Violence operated in 14 communities with a high proportion of Aboriginal people and high rates of domestic violence. In 2012, the program is expanding to 18 communities and will work with 22 rugby league clubs.

163. In South Australia, the Yarrow Place Rape and Sexual Assault service employs Aboriginal Sexual Assault workers to provide counselling to Aboriginal people who have experienced sexual assault or abuse. Yarrow Place also provides training and community education regarding issues of sexual violence in Aboriginal communities.

164. In Queensland, a recent review of Aboriginal and Torres Strait Islander Domestic and Family Violence Counselling Services by the Department of Communities, Child Safety and Disability Services highlighted the need to enhance the capacity of Indigenous-specific services to work with men who perpetrate domestic and family violence as well as supporting victims. Three services have received additional funds to work with perpetrators and to provide a more holistic response to families affected by domestic and family violence. This work is implemented within a framework where victim safety is prioritised.

165. In the Northern Territory, the Indigenous Family Violence Offender Program (IFVOP) is conducted in both Alice Springs and Darwin prisons. The Program is provided by facilitators employed by Northern Territory Government Community Corrections to

deliver in various other locations across the Northern Territory. This program was provided with A\$0.2m in 2009-2010 to expand the program. The broad objectives of this program, and those similar, are to reinforce the view that family violence is unacceptable. These programs also challenge the attitudes and behaviours that lead to violence and abuse being used in relationships, aim to develop offenders' capacity to accept responsibility for the violence committed, and provide offenders with skills and strategies to cease violent behaviours in a culturally appropriate manner. As at 31 March 2012, a total of 25 programs have been delivered across the Northern Territory in urban, regional and remote communities. A DVD has been developed about the IFVOP called A Better Way, available in English, Arrente, Yolgnu Matta and Kriol

**Measures to fund culturally appropriate legal services and improve access to justice and legal literacy for Aboriginal and Torres Strait Islander women**

*"It urges the State party to implement specific strategies within the National Plan to address violence against Aboriginal and Torres Strait Islander women, including funding culturally appropriate indigenous women's legal services in urban, rural and remote areas of Australia".*

*"It recommends that the State party pay particular attention to ensuring... legal literacy and access to justice."*

166. The Australian Government recognises that culturally appropriate legal services, access to justice and legal literacy for Indigenous women are critical to ensuring the legal systems in all Australian jurisdictions give adequate protection to Indigenous women and respect their integrity and dignity, in compliance with Article 2(c) of CEDAW and Paragraph 24 (b) of the CEDAW Committee's General Recommendation No. 19.

167. The Commonwealth Attorney-General's Department (AGD) administers funding (A\$19.8 million in 2011-12) to 14 organisations under the Indigenous Family Violence Prevention Legal Services Program. The overarching objective of the program is to provide holistic, culturally appropriate legal services and assistance to victims and survivors of family violence or sexual assault, and to prevent, respond to and reduce the incidence of family violence and sexual assault. The funding is used to provide legal assistance, advice, information, support and referral services, community engagement and family violence prevention activities. These services are delivered in 30 high need rural and remote locations (as identified by the Crime Research Centre of Western Australia). The regional model of service delivery adopted is aimed at building stronger, more resilient organisational and managerial structures that better support the organisations to provide more effective and consistent services to the target Indigenous communities they help.

168. The AGD also administers the Community Legal Services Program, which provides funding (A\$4.926 million in 2012-13) to community legal centres, including Women's Legal Services, Indigenous Women's Projects and Rural Women's Outreach Services, for example:

- A\$3.067 million will be provided to 11 Women's Legal Services. These services provide legal information, advice and casework to women, offering state-wide services through telephone advice lines. They also undertake community legal education and law reform activities in relation to family law, violence against women and children, discrimination, and employment.
- A\$1.151 million will be provided to eight community legal centres for Indigenous Women's Projects. This funding is provided to help address the particular legal service needs of Indigenous women.
- A\$0.707 million will be provided to eight generalist community legal centres for rural women's outreach services. This funding enables the employment of rural women's outreach lawyers to assist women in rural and remote areas, particularly

where isolation is exacerbated by factors such as disability, age and domestic violence.

169. Prior to this, a further A\$3 million in one off funding was provided in 2009–10 for legal assistance services to enhance assistance for family violence matters. A\$1.56 million of this was allocated to Women’s Legal Services and Indigenous Women’s Projects funded under the Commonwealth Community Legal Services Program. A\$1.44 million was allocated to Indigenous Family Violence Prevention Legal Services. The purpose of the funding was to assist these services to:

- Lodge victim’s compensation claims, including helping pay for associated upfront costs such as medical reports;
- Provide legal and related support to victims to ensure their rights are protected; and
- Increase the awareness of services and related legal issues through improved resources and community legal education initiatives.

170. In the May 2010 Budget, the Government announced additional ongoing funding for Women’s Legal Services and Indigenous Women’s Projects funded under the Commonwealth Community Legal Services Program to continue this important work (totalling A\$986,490 in 2011–12).

171. The AGD also administers the Legal Assistance and Policy Reform Program. The objective of the program is to deliver culturally sensitive, appropriate, accessible, equitable, efficient and effective legal assistance and related services to Indigenous Australians so that they can fully exercise their legal rights as Australian citizens. Aboriginal and Torres Strait Islander Legal Services (ATSILS) achieve this by working collaboratively in an integrated way with other Indigenous and non-Indigenous service providers. ATSILS provide a range of legal assistance services in family law and can assist victims of family violence to obtain domestic violence orders.

172. A number of state and territory justice agencies also provide culturally appropriate legal services, legal literacy and access to justice services for Aboriginal and Torres Strait Islander women. Legal services specifically for Aboriginal and Torres Strait Islander women operate in New South Wales, Queensland, the Northern Territory, South Australia and Tasmania. These services can include specialist legal officers, outreach solicitors, community workers to provide support and coordination for legal centre staff, community legal education and law reform efforts. Specialist court staff are also employed in New South Wales, Victoria and South Australia to provide support and advocacy for Aboriginal and Torres Strait Islander women.

### **Education of Aboriginal and Torres Strait Islander women**

*“It recommends that the State party pay particular attention to ensuring access to quality education, including post-graduate education, [and] vocational training...”*

173. Indigenous women’s access to education and training on an equal basis with men (Article 10, CEDAW) is a fundamental human right to which the Australian Government is deeply committed. Australian statistics indicate that Indigenous women and girls are more engaged in formal education than Indigenous men and boys. According to the Australian Bureau of Statistics, 51.3% of Indigenous girls who started secondary school completed Year 12 in 2011 as compared with 46.1% of Indigenous boys. Given this, most of Australia’s policies and programs targeting Indigenous education are not targeted at women. However, the following policies and programs illustrate how the Australian Government is ensuring Indigenous women have access to quality education and training in accordance with Australia’s obligations under CEDAW.

#### School education

174. The Australian Government is committed to Closing the Gap on Indigenous disadvantage, including in terms of educational attainment. The Australian Government joined with other governments in developing the Aboriginal and Torres Strait Islander Education Action Plan 2010–2014 (the Education Action Plan). The Education Action Plan builds on commitments by governments made through COAG to introduce substantial structural and innovative reforms in early childhood education, schooling and youth as outlined in national partnership agreements between the Commonwealth and the states and territories. These reforms are designed to improve outcomes for all Australian students by increasing access to quality early childhood education, lifting attendance, improving literacy and numeracy achievement, addressing disadvantage in low socio-economic status school communities, improving teacher quality and increasing the number of young people attaining a Year 12 or equivalent qualification.

175. The Education Action Plan outlines how governments will work together to achieve the Closing the Gap targets. The Education Action Plan identifies agreed outcomes, targets and performance indicators as well as national, systemic and local level actions in six priority domains. Evidence shows these domains will contribute to improved outcomes in Aboriginal and Torres Strait Islander education.

176. Priority domains are:

- Readiness for school;
- Engagement and connections;
- Attendance;
- Literacy and numeracy;
- Leadership, quality teaching and workforce development; and
- Pathways to real post-school options.

177. Following a comprehensive consultation process, the Education Action Plan was endorsed by COAG in May 2011 and was launched by Education Ministers in June 2011. The Australian Government and state, territory and non-government education authorities have been working closely together to progress actions under the Education Action Plan with Education Ministers reporting annually on progress.

178. A copy of the Education Action Plan is available at [www.mceecdya.edu.au/mceecdya/atsieap\\_action\\_plan\\_201014\\_press\\_release,33444.html](http://www.mceecdya.edu.au/mceecdya/atsieap_action_plan_201014_press_release,33444.html). Annual reports are also accessible from this website.

179. Under the Education Action Plan, education providers have nominated around 900 'Focus Schools' with high Aboriginal and Torres Strait Islander enrolments, where extra effort is required to lift student outcomes. Having Focus Schools is one of the mechanisms used to assure Ministers that the benefits of national reforms are reaching those students most in need.

180. The Australian Government is investing \$30 million to the end of Term 1, 2014 to provide additional support to specially selected Focus Schools. The Focus School Next Steps Initiative will use proven approaches to lift the school attendance, classroom engagement and academic achievement of over 9000 Aboriginal and Torres Strait Islander students in 101 Focus Schools. Education providers were asked to identify Focus Schools to participate in the initiative on the basis of greatest relative need for additional Australian Government funding support.

181. Activities funded under this initiative will be tailored to meet the specific needs of each participating school and be endorsed by local Aboriginal and Torres Strait Islander community members.

182. Further to this, the Sporting Chance Program was established in 2007 to deliver projects that use sport and recreation as a vehicle to increase the level of engagement of Aboriginal and Torres Strait Islander students in their schooling and to improve their educational outcomes. The program has two elements—59 School-based Sports Academies for some 6,000 secondary students and five Education Engagement Strategies for some 6,000 primary and secondary school students. The Government is providing A\$43 million from 2009 to 2012 to support the program. The program has been implemented with providers working together with schools, education authorities, sporting bodies, businesses and community groups. The program operates in Western Australia, the Northern Territory, Queensland, New South Wales, Victoria and South Australia. In 2011, a total of 2,228 Indigenous secondary school girls participated in the school-based sports academy element of the program. The Sporting Chance Program has experienced significant success, having a direct impact on the Closing the Gap target for Year 12 attainment as a consequence of improved school attendance and engagement by participating students.

183. At the state and territory level, a number of measures are in place to encourage educational attainment by Indigenous women. For example, the Victorian Government is working in partnership with the Victorian Aboriginal Education Association Incorporated to improve education and training opportunities and pathways for all Aboriginal children and young people through the Wannik strategy for government school education and the Wurreker strategy for vocational education and training. Engagement by Aboriginal girls is specifically targeted through the Wannik Dance Academies which have been in operation in three locations in Victoria since 2010. The Northern Territory Government funds the Girls at the Centre program, that aims to assist Indigenous girls in Central Australia to attend and fully participate at school, successfully transition to attend and fully participate at school, successfully transition to senior years schooling and develop life and career plans and goals.

#### Higher education

184. On 14 April 2011, the Australian Government announced a review that will examine how to ensure Australia has a higher education system in which Aboriginal and Torres Strait Islander people share equally in the life and career opportunities that a quality higher education sector can provide. The review is being directed by a Panel chaired by Professor Larissa Behrendt, Professor of Law and Indigenous Studies and the University of Technology, Sydney. The review will report its findings to the Australian Government within 12 months.

185. The Government is also working to improve financial literacy and money management skills for people living on the Anangu Pitjantjatjara Yankunytjatjara (APY) Lands. The Government is providing A\$1.22 million over three years for a Financial Wellbeing Service in Amata and Mimili, to help people build their money management skills, provide one-on-one support including financial counselling, and financial literacy education.

186. In the Australian Capital Territory, the Priorities Support Program supports access for Aboriginal and Torres Strait Islander women to quality vocational education and training. This program provides funding for women in equity and target groups, including Aboriginal and Torres Strait Islander women. The funding supports vocational education and training courses which provide real opportunities for women to have their skills recognised and to move back into the workforce or to change careers. It does this through the provision of recognition of prior learning, gap training for existing workers and the up-skilling of women not currently in the workforce who may require extra skill sets in addition to their previous work experience.

187. In New South Wales, scholarships encourage and support Aboriginal and Torres Strait Islander people to become secondary or primary teachers in New South Wales public schools. Scholarships range from one year to five years in duration. Currently there are 200

Aboriginal women undertaking teacher education training as part of the Teacher Education Scholarship Program. As at May 2012, 136 Aboriginal and Torres Strait Islander women who have participated in the scholarship program have been appointed to schools since the commencement of the Teacher Education Scholarship Program in 2002. Vocational programs such as the Women on Boards and Committees also assist with the promotion of Indigenous women in leadership positions and focuses on the skills, knowledge and confidence required to effectively serve on bodies such as Land Councils and other community organisations. These skills may enable Indigenous women to participate in political and public life in accordance with Article 7 of CEDAW, and in doing so improve Indigenous women's enjoyment of their human rights in all sectors.

188. In South Australia, there are a number of programs that target a halving of the gap between Aboriginal and non-Aboriginal employment by 2018. An important aspect of achieving this target is to increase the accessibility of training for all Aboriginal people, including women. There are programs that provide support and appropriate learning options, training programs for communities on the APY Lands, and supported engagement learning and employment pathways in regional areas.

### **Health and social services for Aboriginal and Torres Strait Islander women**

*“It recommends that the State party pay particular attention to ensuring... adequate health and social services...”*

189. The Australian Government is committed to the provision of adequate health and social services to ensure Indigenous women have equal access to health care services, in compliance with Article 12(1) of CEDAW. Health and housing for Aboriginal and Torres Strait Islander people are dedicated areas of focus under the Australian Government's efforts to Close the Gap on Indigenous disadvantage. The Australian Government is investing A\$1.2 billion in Indigenous health in 2011–12 through both mainstream and complementary Indigenous-specific programs, some of which specifically target Aboriginal and Torres Strait Islander women.

190. In accordance with the objectives of Article 12(2) of CEDAW, the provision of appropriate services in connection with pregnancy is a priority for Indigenous health services. The Council of Australian Governments National Partnership Agreement on Indigenous Early Childhood Development includes funding for the New Directions Mothers and Babies Services Program. The program aims to increase access to maternal health care for Aboriginal and Torres Strait Islander women through providing access to antenatal care, information about baby care, nutrition and parenting, monitoring of developmental milestones, immunisation status and infections, and health checks for Indigenous children before starting school. At January 2012, funding had been approved for 80 services to provide children and maternal health services.

191. The National Partnership Agreement on Closing the Gap on Indigenous Health Outcomes is addressing chronic disease risk factors such as smoking, improving chronic disease management and follow-up in primary care. It is also increasing the capacity of the primary care workforce to deliver effective health care. The Indigenous Chronic Disease Package includes a range of measures to improve access to health care, such as assistance with the cost of Pharmaceutical Benefits Scheme (PBS) medicines for Aboriginal and Torres Strait Islander patients living with, or at risk of, chronic disease. The cost of medicines has been identified as a significant barrier to improved access to medicines for Aboriginal and Torres Strait Islander people.

192. The Australian Government has made mental health a priority. It is investing A\$2.2 billion over five years in mental health reforms to improve the lives of Australians affected by mental illness, including Aboriginal and Torres Strait Islander women. The continuation and expansion of Australian Government funded rehabilitation and treatment services has increased access to substance misuse services for Aboriginal and Torres Strait Islander

people in all States and Territories. These services include residential rehabilitation, non-resident transitional aftercare and well-being centres.

193. In 2012, the Australian Government will progress development of a National Aboriginal and Torres Strait Islander Health Plan to give new energy to the Australian Government's commitment to close the gap in Indigenous health outcomes. The plan will be comprehensive, targeting not only health-specific activity but also the social determinants of health such as education and employment.

194. A number of Australian Government initiatives are aimed at increasing life expectancy and health outcomes for Aboriginal and Torres Strait Islander women through preventing, responding to and reducing the incidence of family violence and sexual assault. These strategies were described above under 'Strategies to address violence against Aboriginal and Torres Strait Islander women'.

195. Initiatives are also underway at the state and territory level to ensure adequate and culturally appropriate health and social services for Aboriginal and Torres Strait Islander women. In Western Australia, the draft Western Australian Women's Health Strategy 2012–2015 has been developed and will be endorsed in 2012. The Strategy prioritises family and domestic violence for the Department as well as the health and wellbeing of Aboriginal and Torres Strait Islander women, who are at greatest risk of adverse health outcomes across almost all areas.

196. In South Australia, a key initiative of the Women's Health Action Plan is to improve the cultural responsiveness of health programs and services to meet the needs of Aboriginal women. The Aboriginal Family Birthing Program has been developed within the Children, Youth and Women's Local Health Network (CYWLHN) and Country Health SA Local Health Network. Under this Program, a number of Aboriginal Women have been trained as Maternal Infant Care Workers to provide culturally appropriate support services to pregnant Aboriginal women across the state. The CYWLHN also convenes the annual Aboriginal Young Women's Statewide Gathering. This Gathering provides a safe environment for young Aboriginal women in a range of activities, including providing advice and a consultation mechanism for cross-Government services. Women's Health Statewide Services have also hired Aboriginal female traditional healers to enhance the Aboriginal profile within the service, to ensure culturally appropriate care services are provided to Aboriginal women, and to serve as a key community engagement initiative.

197. In the Northern Territory the Strong Women, Strong Babies, Strong Culture Program is a bi-cultural, community development program that respects and supports the Aboriginal way of promoting good health in women and babies. Aboriginal women deliver the program to Aboriginal women, combining traditional Aboriginal and current western knowledge. Aboriginal grandmothers and identified younger women use the program to promote strong women and strong babies by supporting and passing on traditional ways to pregnant mothers and keeping the Grandmothers Law alive.

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