

# Submission to the National Aboriginal and Torres Strait Islander Family Safety Plan consultation

**Victorian Aboriginal Child and Community Agency**

*October 2024*



**VACCA**

VICTORIAN ABORIGINAL CHILD  
AND COMMUNITY AGENCY

Connected by culture

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## **Acknowledgments**

We acknowledge the Traditional Owners of the lands across Victoria that we work on, and pay our respects to their Elders, both past and present and to their children and young people, who are our future Elders and caretakers of this great land.

We acknowledge the Stolen Generations, those who we have lost; those who generously share their stories with us; and those we are yet to bring home.

We acknowledge the Aboriginal children and young people who have been placed in out of home care in Victoria over VACCA's 45-year history. Your stories remain with us forever. We recognise you, your dignity and identity as proud Aboriginal and Torres Strait Islander children and young people. We acknowledge your trauma and your resilience, and we will fiercely fight for your future.

We acknowledge all Aboriginal and Torres Strait Islander individuals, families, and communities impacted by family violence and recognise their strength and resilience. We also acknowledge all those who have lost their lives to family violence and the families and communities impacted by these losses.

## **Note on Language**

We use the term 'Aboriginal' to describe the many Aboriginal and Torres Strait Islander Peoples, Clans and Traditional Owner Groups whose traditional lands comprise what is now called Australia.

We use the term 'Indigenous' as it relates to Indigenous peoples globally as well as in the human rights context.

The terms 'First Peoples' and 'First Nations' are employed in the Australian context, by recognising that Aboriginal and Torres Strait Islander peoples are the First Peoples/First Nations of this land, it directly relates to their inherent un-ceded sovereignty.

Within the family violence context, VACCA has adopted the language of 'person experiencing family violence' and/or 'affected family member' for 'victim survivor' and 'user of violence' for 'perpetrator'. While accountability for the person using violence remains paramount, this better reflects the complexity and nuance so common in family violence situations.

## **Note on case stories shared**

The names used in each case story are not the real names of the community members we support, all case stories shared have been de-identified, to protect their identity of community we provide services to.

## **Contact**

We welcome the chance to discuss this submission in more detail. For further information, please contact Sarah Gafforini, Director, Office of the CEO via [sarahg@vacca.org](mailto:sarahg@vacca.org).

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## About VACCA

Established in 1976, the Victorian Aboriginal Child and Community Agency (VACCA) is the lead Aboriginal child and family support organisation in Australia, and the largest provider of Aboriginal family violence, justice support and homelessness services in Victoria. We work holistically with children, young people, women, men, and families to ensure they have the necessary supports to heal and thrive. We do this by advocating for the rights of children and providing everyone who walks through our doors with services premised on human rights, self-determination, cultural respect and safety. At VACCA, we have developed Aboriginal evidence, model and practice approaches that underpin every aspect of our work.

As an Aboriginal Community-Controlled Organisation (ACCO), our Aboriginality distinguishes us from mainstream services and enables us to deliver the positive outcomes we achieve for our people. We provide support services to over 4,500 children and young people, and their families and carers each year. VACCA provides support services for Stolen Generations through Link-Up Victoria, which has been in operation since 1990. Across our six regions, we deliver over 80 programs tailored to the needs of the communities we serve including child and family services, child protection, family violence and sexual assault supports, youth and adult justice supports, early years, education, homelessness, disability, alcohol and other drugs (AOD), cultural programs and supports for Stolen Generations. We employ over 1100 staff, making us one of Victoria's biggest employers of Aboriginal people, with over 350 Aboriginal staff working in family violence supports.

VACCA is guided by Cultural Therapeutic Ways, our whole-of-agency approach to our practice of healing for Aboriginal children, young people, families, community members and carers who use our services. The framework acts at the intersection of cultural practice with trauma and self-determination theories. The aim of this practice is to integrate Aboriginal culture and healing practices across the organisation and guide our service delivery approach to be healing, protective and connective.

### **Our family violence footprint**

VACCA's approach to family violence is holistic and inclusive of the whole family. Our Family Violence services support Aboriginal women, men, young people and children to heal from their experiences of trauma and family violence and move forward with their lives. Our family violence service footprint includes but is not limited to: Outreach Services, Case Management, Therapeutic supports, Men's Behaviour change programs, supports for adolescents who use violence, Sexual Assault Counselling Services together with a range of early intervention, prevention and community awareness raising programs like Deadly Lovin' (healthy and respectful relationships), camps, and groups. VACCA is part of 11 Support and Safety Hubs (The Orange Doors) across the state which help women, children, men and young people experiencing family violence to access culturally safe and Aboriginal led supports. Our Orana Gunya refuge supports Aboriginal women and their children escaping or experiencing family violence. We also provide an accommodation and diversion program for users of violence, as well as two Koorie Women Diversion Programs aimed at keeping women out of prison and out of households where family violence is present.

## Recommendations

1. That the Family Safety Plan focuses on the needs and experiences of the following priority groups:
  - Aboriginal children
  - Aboriginal women
  - Aboriginal young people who experience and/or use violence
  - Aboriginal people who experience sexual violence
  - Aboriginal people who experience coercive control
  - Aboriginal people who experience financial abuse
  - Aboriginal and non-Aboriginal people who use violence
  - Elders experiencing abuse
  - Aboriginal people with disabilities
  - Rainbow mob/LGBTIQA+ communities
  - Aboriginal people who experience family violence and mental health and/or AOD as co-occurring issues
  - Aboriginal people experiencing housing stress and homelessness due to family violence
2. For the Family Safety Plan to adopt the language of 'person experiencing family violence' and/or 'affected family member' for 'victim survivor' and 'user of violence' for 'perpetrator'.
3. For the Family Safety Plan to align with existing national, state and territory frameworks, such as Dhelk Dja and Nargneit Birrang, with consideration as to how priorities and funding will be allocated between frameworks.
4. For the establishment of a national Aboriginal Family Violence Prevention Peak body to lead, coordinate and design culturally appropriate healthy respectful relationships education, as well as engage with Aboriginal men and boys and wider Aboriginal community to build awareness around healthy respectful relationships. Central to this is also building the capacity and competency of the workforce in understanding healthy and respectful relationships education its role in prevention.
5. For all Australian governments to commit to eliminating systemic racism with a focus on schools, hospitals and health care settings as key prevention settings.
6. For a national commitment to healthy and respectful relationship education that is culturally informed. This includes cultural awareness training for facilitators of the healthy and respectful education package and for education packages to be culturally targeted and inclusive for Aboriginal children, young people and adults.

7. For ongoing, flexible funding for ACCOs to design, deliver and evaluate family violence prevention and early help programs across both the child and family, and family violence sectors.
8. For investment in programs that are culturally embedded and help to build resilience, connection, and opportunities for healing for children and young people impacted by family violence.
9. For the Family Safety Plan to focus on increasing community awareness and education around the issue of Elder abuse.
10. For the Family Safety Plan to acknowledge racism and cultural drivers of violence perpetrated against Aboriginal women, children and young people by non-Indigenous men and to coordinate efforts to address this with the broader *National Plan to End Violence against Women and Children 2022-2032*.
11. For the Family Safety Plan to include investment for programs working with Aboriginal young people and men and boys who experience and/or use violence. Programs should balance healing and accountability, be therapeutic and culturally centred, focus on behaviour change, provide intensive case management for the whole family, work on addressing the root causes of violence and restore relationships and family safety.
12. The Family Safety Plan must direct investment toward strengthening and expanding age-appropriate healthy and respectful relationships and therapeutic adolescent family violence programs to reflect the diverse identities, language and platforms used by adolescents and young people.
13. For the Family Safety Plan to focus on the intersection of family violence and homelessness and unique experiences of Aboriginal children, young people, women, Elders and men as well as be aligned with actions under the forthcoming *National Housing and Homelessness Plan*. This includes proportional investment in Aboriginal-led transitional and crisis accommodation and support services as well as long term housing options.
14. For the establishment of national guidelines and legislation for information sharing interstate and across sectors that work with people affected by family violence drawing on the MARAM framework.
15. For the Family Safety Plan to specifically reference Aboriginal Data Sovereignty Principles in efforts to address issues related to data sharing, generation and ownership.

16. For Australian governments to undertake the data development commitments outlined under Target 13 of *the National Agreement on Closing the Gap* to ensure nationally consistent data on the prevalence of family violence.
17. For the Family Safety Plan to focus on recruiting an Aboriginal workforce, including promoting alternative pathways, and balancing the need for qualifications with the vast spiritual, cultural, community and lived experience of Aboriginal people.
18. For the Family Safety Plan to include a clear definition and distinction between Aboriginal and western approaches to family violence, and for definitions to support a shared understanding and/or language of what is included as family violence across mainstream CSOs and ACCOs.
19. For the Family Safety Plan to articulate that the delivery of culturally appropriate family violence support services is a cultural right and must be appropriately resourced.
20. For the Family Safety Plan to include the expansion of Aboriginal sexual assault therapeutic programs.
21. For the Family Safety Plan to include specific accountability and reporting measures and outcomes that ensure mainstream and government services provide trauma-informed, culturally safe and strengths-based supports.
22. For the Family Safety Plan to include national guidelines and requirements for government and mainstream sectors to undertake mandatory trauma and cultural awareness training.
23. For the family law system to be rights-based and centred on the best interests of children, including for an Aboriginal child's right to safety as well as their cultural rights being upheld and respected.
24. For family violence legislation to be consistent across jurisdictions to better protect people affected by family violence, including definitions and offences related to family violence, coercive control and sexual harm.
25. For the Family Safety Plan to have an Aboriginal-led evaluation, oversight, implementation and monitoring approach for its implementation, including specific roles and responsibilities for the cross-jurisdictional delivery. The proposed Aboriginal Family Violence national peak could be the body that supports evaluation, implementation and monitoring of the Plan.



26. For Aboriginal-led definition and development of success measures in measuring the outcomes of the Family Safety Plan, including interim performance indicators.
27. For the Family Safety Plan to take an intersectional approach centred on lived experience and for the relevant specific cohorts to be involved in the design of policy and implementation of services.
28. For the Family Safety Plan to include funding for ACCOs to build their capacity to be responsive to the specific needs of the Rainbow mob/LGBTQIA+ people, including to deliver specialised training for family violence workers.
29. For the Family Safety Plan to include a focus on the intersection between family violence, AOD use and mental health issues, ensuring funding is provided for services that meet community needs and provide a multi sector response to ensure holistic, trauma informed, family centred therapeutic supports, as well as choice of pathways to healing.

## Introduction

VACCA welcomes the opportunity to provide a submission to the National Aboriginal and Torres Strait Islander Family Safety Plan (Family Safety Plan) consultation. The Family Safety Plan is the first of its kind and the product of decades of work by Aboriginal advocates, organisations and communities. VACCA has been calling for the development of an Aboriginal-led standalone national Aboriginal plan to address family violence for some time. We therefore commend the Department of Social Services on engaging SNAICC to facilitate the consultation process and the policy design process to develop the Family Safety Plan under the guidance of the National Aboriginal and Torres Strait Islander Family Safety Steering Committee (Steering Committee). A process such as this centring on Aboriginal-led design and decision-making will contribute to a self-determined Family Safety Plan that prioritises the approaches and solutions we know work in our communities, while also ensuring greater accountability and onus on Australian governments to deliver on their collective commitments under the *National Agreement on Closing the Gap* Target 13.

VACCA's response to this consultation is based on our unique position as an ACCO providing a suite of services across the state supporting children, young people, families and community members. VACCA also has the largest family violence footprint in Victoria, with our suite of services ranging from prevention through to tertiary. We believe that all children have a right to feel and be safe and live in an environment that is free from abuse, neglect and violence. As such, our vision is for an Australia where women, children, young people, families and communities are safe and free from violence, and those affected by violence are provided safe spaces and pathways to heal and recover. We are committed to promoting and upholding the rights of Aboriginal children to maintain and celebrate their identity and culture, recognising that connection to culture is critical for children's emotional, physical and spiritual wellbeing and development.



## What the data tells us

Aboriginal peoples and communities continue to be impacted disproportionately by family violence. It is difficult to accurately determine the prevalence of family violence across society due to barriers to underreporting, culturally inappropriate assessment tools, the poor identification of Aboriginal status at the point of police involvement, as well as a fear of involving state authorities, such as criminal justice and child protection systems.<sup>1</sup> Due to these factors, some studies have estimated that family violence against Aboriginal women is underreported by as much as 90 per cent.<sup>2</sup>

The latest National Aboriginal and Torres Strait Islander Health Survey indicated that 67 percent of Aboriginal people aged 15 and over who had experienced physical harm reported the user of violence was a former or current intimate partner or other family member.<sup>3</sup> In 2024, there were 5,930 Aboriginal people identified as an 'affected family member' during family violence incidents attended by Victoria Police, compared with 85,652 non-Indigenous Victorians, this equates to Aboriginal people in Victoria making up 7 per cent of this cohort when the Aboriginal population make up just 1 per cent of the broader Victorian population.<sup>4</sup> Aboriginal women are also 25 times more likely to be injured or killed as a result of family violence than non-Aboriginal women.<sup>5</sup> This data shows a significant and disproportionate representation of Aboriginal people in family violence and demonstrates that this is a national crisis of epidemic proportions.

## Impact of colonisation and the intersection of gender and oppression

The intersection of Aboriginality and gender creates unique risks of family violence for women and children. As such, key drivers of family violence for Aboriginal communities include the impacts of colonisation, intergenerational trauma, Stolen Generations, systemic disadvantage and poverty, structural oppression, racism, misogyny, the rise of far-right political ideologies and violation of Aboriginal women and children's rights, within the context of societal indifference toward their well-being. Colonial attempts to dispossess Aboriginal peoples of their lands, used as a means of eroding sovereignty and economic prosperity, and to dismantle structures of kinship through the forcible removal of Aboriginal children.

Another persistent stereotype seen throughout colonial representations of Aboriginal family life is that violence is inherent to Aboriginal culture. While family violence disproportionately affects Aboriginal families, it is crucial to understand that family violence is not part of Aboriginal culture. What is often missing in conversations about family violence is the fact that both historical and contemporary violence against Aboriginal women, children and young people is perpetrated by non-Indigenous men.<sup>6</sup> Indeed, research has found that the vast majority of Aboriginal women in Victoria

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<sup>1</sup>Australian Institute of Family Studies. (2016). *Family violence prevention programs in Indigenous communities*. [Weblink](#)

<sup>2</sup>Willis, M. (2011). *Non-disclosure of family violence in Australian Indigenous communities*. Canberra, ACT: Australian Institute of Criminology. [Weblink](#)

<sup>3</sup>ABS (2019). National Aboriginal and Torres Strait Islander Health Survey. [Weblink](#)

<sup>4</sup>Crime Statistics Agency. (2024). *Family incidents by Aboriginal and Torres Strait Islander status*. [Weblink](#); Australian Bureau of Statistics. (2021) Census of Population. [Weblink](#)

<sup>5</sup>State of Victoria. (2017). *Balit Marrup: Aboriginal social and emotional wellbeing framework 2017-2027*. [Weblink](#)

<sup>6</sup>Watson, I. (2009). Aboriginality and the violence of colonialism. *Borderlands*, 8(1).

have non-Indigenous partners – 85 per cent of Aboriginal women in Melbourne, 67.9 per cent in Shepparton and 82.4 per cent in Bendigo.<sup>7</sup> It can therefore be inferred that given the high prevalence of violence experienced by Aboriginal women, it is likely that the person responsible is non-Aboriginal. VACCA Family Violence practitioners indicate that this data is also reflective of their experience.

### **Socioeconomic determinants of health and poverty**

Economic exclusion, poverty, substance misuse, and insecure housing, are all drivers of violence against Aboriginal women and children. Family violence undermines equitable participation leading to social isolation; and serves as a contributing factor to family breakdown and the erosion of social cohesion across the broader Aboriginal community. It also limits Aboriginal people's access to resources and opportunities across society and economy.

### **Lack of appropriate services**

The absence of culturally safe and inclusive, trauma-informed, effective, and coordinated service support across the child and family, justice, housing and family violence sectors can reinforce vicious cycles of poverty. VACCA practitioners have reported that this can often exacerbate a range of mental health issues for families with complex needs, thus increasing the likelihood of anti-social behaviour and family violence. Lack of appropriate services also means that disclosure of family violence remains particularly challenging for Aboriginal families as many are hesitant to use mainstream services due to a well-founded fear that their children may be removed. VACCA practitioners note that this is also due to systems abuse being used against them by the system through entrenched racism, as well as by the user of violence. When families are unable to access the supports, they need to address immediate safety concerns, promote accountability and behaviour change amongst users of violence, and enable healing, there are significant risks that violence will escalate. The families VACCA works with have also reported poor experiences in mainstream crisis accommodation suggesting the need for more culturally safe programs and refuges such as our Orana Gunyah program (discussed further below).

### **Misidentification**

Aboriginal women are at greater risk of misidentification as users of violence, and VACCA has seen several cases where police have responded to a client as the aggressor, rather than as an affected family member. In a 2021 review, the Victorian Family Violence Implementation Monitor found high rates of misidentification among Aboriginal women. Between 2016 and 2020, nearly 80 per cent of Aboriginal women who were identified by police as the respondent in family violence incidents had also been previously recorded as a victim-survivor (compared with nearly 60 per cent for all female respondents).<sup>8</sup> Research by the Family Violence Reform Implementation Monitor also indicates that

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<sup>7</sup> Brown, Lily. (2019, November 25). Why we need to educate journalists about Aboriginal women's experience of family violence. *The Conversation*. [Weblink](#)

<sup>8</sup> Crime Statistics Agency (2020): Magistrates' Court Data Tables 2019–20, Table 4. Outcome of FVIO applications by gender of respondent, July 2015 to June 2020.

police continue to lack adequate training to understand family violence, signs of trauma and abuse (including the prevalence of acquired and traumatic brain injuries) and self-defence, that they do not adequately look at the history of family violence incidents for the parties involved, nor their history of prior offending, and instead treat the incident at 'face value'.<sup>9</sup> This shows a level of misunderstanding about what family violence looks like for Aboriginal women and their children and we believe this directly attributes to the high number of Aboriginal women in custody, as well as a high number of children being removed from their families unnecessarily. Accurately identifying the primary aggressor is also crucial to keeping the affected family members safe and so that users of violence are held accountable for their choice to use of violence.

## Key priorities and actions

**Question 1: What are the key priorities and actions the Family Safety Plan should focus on to create real and sustainable change for Aboriginal and Torres Strait Islander families?**

**Question 2: If there were no barriers, how would your community address FDSV?**

In identifying the key priorities and actions VACCA would like to see in the Family Safety Plan, consultation questions 1 and 2 addressed together. VACCA promotes the need to adopt a holistic approach to address the causes and impacts of family violence. If we treat family violence as a law-and-order matter, a matter only of legal compliance, or only a health matter, we will not achieve lasting improvements. The solutions are complex, multi-faceted and require a long-term focus and commitment to address. As such, the Family Safety Plan should be reflective of such an approach, with a particular focus on the systemic reform required.

The Family Safety Plan must focus on the needs and experiences of the following priority groups, each of these is discussed in more detail throughout the submission:

- Aboriginal children
- Aboriginal women
- Aboriginal young people who experience and/or use violence
- Aboriginal people who experience sexual violence
- Aboriginal people who experience coercive control
- Aboriginal people who experience financial abuse
- Aboriginal and non-Aboriginal people who use violence
- Elders experiencing abuse
- Aboriginal people with disabilities
- Rainbow mob/LGBTIQA+ communities
- Aboriginal people who experience family violence and mental health and/or AOD as co-occurring issues

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<sup>9</sup> Family Violence Reform Information Monitor, 'Acknowledging the complexity of the family violence incidents police attend, police practice and processes are contributing to misidentification'. [Weblink](#)



- Aboriginal people experiencing housing stress and homelessness due to family violence

## **Language**

To better reflect the complexity and nuance so common in family violence situations, VACCA recommends the Family Safety Plan adopt the language of 'affected family member' and 'user of violence' rather than the 'victim/perpetrator' binary. We contend that this must be done while still holding users of violence to account. This can better ensure that experiences of stigma don't prevent people using violence from accessing support, as well as acknowledging that sometimes people using violence have also been 'victims' themselves, especially where adolescents are using violence in the home. While we advocate for a shift in language, we maintain that people who perpetrate violence must be held accountable for their behaviour through restorative, healing and family-centred approaches. We also note that in cases of sexual violence or coercive control, this language should not absolve the responsibility for such actions. It should balance accountability and healing and work with the person in a therapeutic way so that they can be rehabilitated and safely returned to the community. A shift in language also recognises the strength of many Aboriginal people impacted by family violence who do not merely want to be viewed through their experience of family violence as 'victims'.

## **Alignment to existing frameworks and accountability**

The *National Agreement on Closing the Gap* Target 13 commits all Australian governments to addressing family violence for Aboriginal peoples. The target speaks to reducing family violence and abuse against Aboriginal women and children by at least 50 per cent by 2031. 'Closing the Gap' is also a cross-cutting priority of the *National Plan to End Violence against Women and Children 2022-2032* (National Plan). The Family Safety Plan must be aligned to the existing national frameworks with consideration as to how priorities and funding will be allocated and aligned.

While these frameworks are in place to drive action around family violence, there is currently no line of sight of funding from Commonwealth to states and territories. Strong monitoring and accountability mechanisms should be central to the development of the Family Safety Plan, as the existing National Plan and *Aboriginal and Torres Strait Islander Action Plan* have no effective accountability mechanisms built in. Key to ensuring accountability in delivering on family violence reforms is an Aboriginal-led oversight, implementation, evaluation and monitoring approach for the Family Safety Plan. Roles and responsibilities for implementation and monitoring must be clearly articulated for the cross-jurisdictional delivery. A central aspect to the accountability and monitoring of the Family Safety Plan is the need to define and develop Aboriginal success measures, including interim performance indicators.

The family violence priorities and commitments of state and territory jurisdictions must also drive the development of the Family Safety Plan. Victoria has a strong Aboriginal governance around family violence through the Dhelk Dja Koorie Caucus and the *Dhelk Dja: Safe our Way – Strong Cultures, Strong Peoples, Strong Families* (Dhelk Dja Partnership Agreement). The Dhelk Dja Koorie Caucus is the state-wide authorising Aboriginal body for family violence service delivery and reform in Victoria and collectively leads the implementation of the Dhelk Dja Partnership Agreement and

*Dhelk Dja 3 Year Action Plan 2023-2025*. The Dhelk Dja Partnership Agreement is Victoria's 10-year Aboriginal family violence agreement which commits the Victorian Government and Aboriginal services to work together and be accountable for ensuring Aboriginal people, families and communities are thriving and free from family violence. The priorities and commitments of relevant and intersecting state and territory jurisdictions, such as Dhelk Dja Partnership Agreement and *Nargneit Birrang - Aboriginal holistic healing framework for family violence*, must also be considered and included in the Family Safety Plan.

## **Prevention**

The Family Safety Plan must have a concerted focus on the prevention of family violence for Aboriginal communities. This includes a coordinated, national approach to Aboriginal family violence prevention to drive reform and advocacy at the community and program level.

### **Establishment of a national Aboriginal Family Violence peak body with a focus on prevention**

The recent Commonwealth rapid review of approaches to prevent gender-based violence recommended for the development of a national, coordinated and co-designed approach to engaging with men and boys, and on healthy masculinities and violence prevention, including establishing intersectional, family violence-informed advisory mechanisms with multi-disciplinary expertise, as well as the establishment of an Aboriginal and Torres Strait Islander Men's Advisory Body.<sup>10</sup> While VACCA supports this recommendation, in order to see lasting change and improvement in the safety and wellbeing of Aboriginal communities, we need to build programs through Aboriginal primary prevention initiatives that are culturally appropriate and sensitive. The establishment of a national Aboriginal Family Violence peak body with a focus on prevention could lead the work required to coordinate and design culturally appropriate education programs on healthy respectful relationships and on preventing and responding to harmful behaviours, as well as be able to engage with Aboriginal men and boys in culturally strengthened ways.

Currently, ACCOs are undertaking the advocacy and policy change work required to achieve structural change, alongside service delivery. However, given the complexity of the challenge we face, there is clearly a need for a coordinated, national approach to Aboriginal family violence prevention, with elected membership from across the country. For example, the national body could be modelled on SNAICC. The governance structure of SNAICC has representation from Aboriginal child and family organisations from each jurisdiction where they can come together and develop shared advocacy goals and policies to help inform national policy and programming. It is crucial for a National Aboriginal Family Violence Peak to have a clear role and accountability on how they will build and support ACCO capacity across the national, state and local level. In addition to undertaking advocacy and policy work, VACCA believes that the peak body should have a strong focus on research and data, similar to ANROWS, to ensure the production of evidence around the

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<sup>10</sup> Campbell, E., Fernando, T., Gassner, L., Hill, J., Seidler, Z., & Summers, A. (2024). *Unlocking the Prevention Potential: Accelerating action to end domestic, family, and sexual violence*. [Weblink](#)

effectiveness of culturally safe prevention and intervention services is undertaken in alignment with the principles of Aboriginal data sovereignty.

### **Community prevention**

The increased public awareness of the prevalence and impacts of family violence in recent years has improved reporting and attitudes towards violence against women and children, however, systemic racism and stigma remain as a barrier to addressing family violence for Aboriginal communities. As such, all Australian governments must commit to eliminating systemic racism with a focus on schools, hospitals and health care settings as key prevention settings. Key to this is a national approach to healthy and respectful relationship education, including cultural awareness training that unpacks unconscious biases and racism.

### **Investment in prevention programs**

We know that investment upstream in prevention programs across the lifespan from early childhood right through to adulthood is key to preventing family violence before it starts. This includes ongoing, flexible funding for ACCOs to design, deliver and evaluate family violence prevention and early help programs across both the child and family, and family violence sectors.

VACCA welcomes the inclusion of establishing Aboriginal Men's Wellness Centres with programs that focus on education around respectful relationships and other skills in the *Aboriginal and Torres Strait Islander Action Plan 2023–2025*. However, we argue that action is needed much earlier in a person's lifespan and therefore recommend a dedicated focus on programs that deliver respectful relationships for Aboriginal children and young people as central to the prevention of family violence. The Family Safety Plan must include investment in age-appropriate, culturally based and community-led educational opportunities that build positive and healthy relationships for Aboriginal children and young people.

An example of this is Deadly Lovin' – a program for 12–17-year-old Aboriginal young people to support conversations about healthy respectful ('deadly') relationships, aiming to prevent the cycle of family violence and improve the understanding of healthy respectful relationships and consent. VACCA was funded through Dhelk Dja in 2021 to develop a Healthy Respectful Relationships Learning Module in partnership with Cultural and Equity Initiative (CEI). The need for a culturally responsive healthy respectful relationships package came about through our experience in delivering our Deadly Culture Camps using mainstream healthy respectful relationships materials. It was clear that the mainstream materials were not appropriate to the needs of our children and young people, and as such, VACCA developed Deadly Lovin'. When delivering Deadly Lovin' at our Culture Camps, practitioners tailor the content to the age and experiences of each young person. While healthy and respectful education materials were developed for Aboriginal young people in camp settings, this demonstrated the need to have a broader package designed specifically with Aboriginal young people in mind.



To date, 45 VACCA staff members have been trained in the Deadly Lovin' program to support Aboriginal young people connected with our services in group settings to improve their understanding of healthy respectful relationships. This training enhances and supports program staff skills and knowledge in working with adolescents to support practice. With funding due to end for Deadly Lovin', VACCA would like to see the expansion of this training to build the capacity of the ACCO sector to engage Aboriginal children and young people in the prevention of family violence.

### **Aboriginal children and young people affected by family violence**

Given the role exposure to violence plays in the future use of violence, the key to prevention of family violence is a dedicated focus on Aboriginal children and young people affected by family violence. Research has shown that family violence can have long-term and significant impacts on infants (including in utero), children and young people. These impacts exist regardless of whether children have been directly subjected to family violence, but also if they witness abuse or violence toward their parent or carer or they are exposed indirectly to the effects the violence has on their living environment. Exposure to family violence can result in a range of detrimental impacts on development, mental and physical health, housing, and overall wellbeing.<sup>11</sup>

In responding to the needs of Aboriginal children and young people affected by family violence, significant investment is required in programs that are culturally embedded and help to build resilience, connection, and opportunities for healing for children and young people impacted by family violence. An example of such a program is VACCA's Aboriginal Children's Healing Team (AHT). This is an integrated therapeutic care model involving a multidisciplinary team of practitioners experienced in working specifically with traumatised children and their families in out-of-home care. The also provides training and support regarding understanding how to appropriately respond to children's experience of trauma, and their associated developmental, attachment and behavioural needs. However, this service is only funded to support children in the northern region who are living in out-of-home care. The model combines culturally grounded, family-centred, and trauma-informed approaches, theories of trauma, neurobiology and an understanding of attachment and resilience which facilitates the appropriate response to children's complex traumas. Importantly, the clinical work done by the AHT is firmly grounded in culture where lived experience is valued in addition to qualifications - a cultural clinical care model.

### **Elder abuse**

VACCA works with many Elders who are experiencing family violence within their immediate family, from their children and/or grandchildren. Given the central role that Elders play as caregivers within their families and communities, they are often focused on caring for and supporting those around them, and do not necessarily identify abusive and controlling behaviours as being forms of family violence. Whilst specialised family violence services should be inclusive of and responsive to the unique needs of Elders, it is also important that social and community programming, such as Elders' Groups and the supports already available through Link-Up and the Aboriginal Community Elders

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<sup>11</sup> WHO (World Health Organization) 2016. [Violence against children fact sheet- external site opens in new window](#). Geneva: WHO. Viewed 1 May 2019.

Services Inc (ACES), have staff with the training, resources, referral pathways to identify and support Elders who might disclose experiences of abuse to them.

Analysis of the National Aboriginal and Torres Strait Islander Survey showed that 16 per cent of survey participants aged 45 and over had experienced physical violence in the last 12 months, and that although Aboriginal people aged 50 and over were proportionally lower than the total population (2 per cent) they experienced a proportionately greater representation in hospitalisations for non-fatal assault (17 per cent), as victims of family and domestic violence (11 per cent) and as victims of homicide (5 per cent).<sup>12</sup> Disclosure of Elder abuse remains challenging for Aboriginal families as many are hesitant of utilising mainstream services due to a well-founded fear of involvement by statutory systems. It is important that Elders have access to appropriate, culturally safe, and supportive services that are responsive to their specific needs and operate from a trauma-informed understanding, recognising the ongoing consequences of colonisation and associated trauma for Aboriginal people. VACCA contends that the Family Safety Plan must have a significant focus on increasing community awareness and education around the issue of Elder abuse as key to prevention efforts.

## **Early intervention**

### **Aboriginal young people who experience and/or use violence**

Research demonstrates that exposure to traumatic violent experiences for children and young people can often lead to young people themselves using violence in the home.<sup>13</sup> VACCA believes young people who use and/or experience violence require therapeutic intervention. As such, the Family Safety Plan must have a concerted focus on this group as key to prevention and early intervention efforts.

As discussed above, healthy and respectful family relationship programs are necessary in assisting young people and the whole family to heal and build positive relationships. In addition, VACCA also runs the 'Deadly Choices' - Adolescents Using Family Violence Program which supports young people aged 12 to 17 years that are using family violence in the home. Deadly Choices provides therapeutic and whole family interventions to support young people, their family members or their carers. It does this through flexible, targeted and earlier interventions to reduce the use of family violence in the home, preventing further escalation of violence and potential involvement with youth justice, out of home care or criminal justice systems.

Youth workers identify goals with the young person, family and care team that aim to create safer homes, build young people's understanding of healthy relationships, empower the young person to make safer and better decisions, address trauma, support emotional regulation, strengthen

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<sup>12</sup> Qu, L., Kaspiew, R., Carson, R., Roopani, D., De Maio, J., Harvey, J., Horsfall, B. (2021). *National Elder Abuse Prevalence Study: Final Report*. (Research Report). Melbourne: Australian Institute of Family Studies

<sup>13</sup> Fitz-Gibbon, K., Meyer, S., Boxall, H., Maher, J., & Roberts, S. (2022). Adolescent family violence in Australia: A national study of prevalence, history of childhood victimisation and impacts (Research report, 15/2022). ANROWS. Retrieved from [Weblink](#)

connection with community and their culture and support the young person to develop boundaries and to feel safe themselves, noting they have often experienced violence themselves. The Family Safety Plan must focus on therapeutic programs as these and direct investment toward strengthening and expanding age-appropriate respectful relationships and therapeutic adolescent family violence programs.

The following case studies demonstrate that working therapeutically with young people who either use or experience violence and supporting them to set boundaries, develop and achieve goals, and address previous trauma and violence, can help end cycles of violence, build up young people's confidence and connection to culture, as well as have positive flow on effects to their whole family.

### **Case study: Harry**

Harry\* is a 15 year old boy who was referred to Deadly Choices due to having thoughts about hurting his family. To understand Harry's story, it is important to know that he grew up around family violence. Harry's dad was abusive to his mum which led to Harry having paranoid thoughts.

At the time of entering the program, Harry had poor mental health, was withdrawn and struggled with school attendance. Concerned about his paranoid thoughts, Harry's mum didn't feel comfortable leaving him home alone with his younger brother, which meant she had to stay home and couldn't work, adding financial pressure to the family.

Harry wanted to stop these thoughts from happening and sought help to get better. Our Deadly Choices staff worked long term with Harry to help build trust and rapport. They developed violence prevention and emotional regulation strategies tailored to his needs, including sessions on setting boundaries to help address his previous experiences of family violence.

Harry has come a long way with the support of our Deadly Choices staff. He is now able to babysit his younger brother, has stable mental health, and improved self-esteem and confidence. Harry is attending school, has made strong friendships and has a social network. His mum is now able to go to work which means the family is no longer experiencing financial stress.

*\*Names have been changed or omitted to protect the privacy of our clients and staff.*



### **Case study: Adam**

Adam\* is a 16-year-old young person who was referred to the program due to using violence with his stepfather. When first coming to the Deadly Choices program, Adam was couch surfing and had minimal knowledge of his culture and mob. He also had multiple recent interactions with police, including criminal charges around weapons possession and assault. Adam had a positive relationship with his mother, but due to incidents with his stepfather, he could only see his mum when the stepdad wasn't home.

After consistent engagement with Deadly Choices, Adam identified several goals with his youth worker and was motivated to take the steps to make positive changes. He was supported by program brokerage to complete his first aid course, white card and traffic management course. His youth worker transported him to a town 90 minutes away for a meeting with an Aboriginal owned business that offered him a job working in traffic management.

Adam was also referred to a counsellor to address his trauma and has now attended 6 sessions with plans to continue. The youth worker also supported Adam to sign up to a local gym which he now attends regularly. Through the gym, Adam connected with a new friend who encouraged him to join a local football club.

Adam has safety planned with his youth worker around boundary settings with his stepfather and now can spend quality time with his mother without feeling unsafe.

Adam is now in a romantic relationship, and with the healthy and respectful relationship education provided through Deadly Choices, he can recognise behaviours or beliefs within the relationship that aren't healthy and has a strong ability to challenge himself and reflect to change where necessary.

To support and strengthen his connection to his mob and culture, Adam has also been yarning with a local Aboriginal man who is providing a 10-week cultural mentoring program which is supporting him to learn about his mob and practice traditional culture.

*\*Names have been changed or omitted to protect the privacy of our clients and staff.*

### **A focus on users of violence**

To break the cycle of violence, the Family Safety Plan must focus on users of violence, including both Aboriginal as well as non-Aboriginal users of violence. As discussed earlier, often the violence perpetrated against Aboriginal women, children and young people by non-Aboriginal men remains invisible, and as such, it is crucial for the Family Safety Plan to acknowledge racism and cultural drivers of violence and coordinate efforts to address this with the National Plan. This must include dedicated

investment in restorative and behaviour change programs to ensure the safety of Aboriginal women, children and families.

Aboriginal approaches to addressing family violence recognise the importance for services and responses to be tailored to the unique needs of all members of the Aboriginal community, inclusive of Aboriginal men and boys who use violence. Aboriginal-led holistic approaches aim to address the identified and complex needs for people using violence across mental health, drug and alcohol, connection to community, and the need for therapeutic support which enable behaviour change. A key example is VACCA's Bayside Aboriginal Access Point where we have a 'Journey Walker' for men who walks alongside people who use violence to understand what they need from the service system. rather than funnelling through to mandated and rigid programs which are narrow in focus.

VACCA also provides Men's Therapeutic Case Management in two regions, with recurrent funding as well as Family Violence Therapeutic Group Work to support boys experiencing violence. VACCA would like to see an investment across Victoria for Men's Case Management, Men's Therapeutic Individual, Family and Men's Therapeutic Group Work. Through the delivery of our Beyond Survival Program, which works with Aboriginal men in prison, we know that many users of violence are also themselves affected by violence. It is therefore crucial for services and supports to work therapeutically with men, especially in the prison setting, to address the root causes of violence, stop the cycle of re-offending and support reintegration into their family and community. Beyond Survival operates through yarning circles to support healing and connection with community and culture, regular visits to prisons from Elders and strong Aboriginal men from the community and support to re-connect with family and the Aboriginal community on release from prison.

The Family Safety Plan must include investment for prevention and intervention programs working with men and boys that use and have experienced violence. This work should balance healing and accountability, focus on behaviour change, be culturally centred, provide intensive case management with family at the centre, work on addressing the root causes of violence and restoring relationships. We also acknowledge that different approaches may be required towards men who repeatedly use extreme violence, so that accountability and healing are balanced, they have access to supports to ensure appropriate rehabilitation and community safety. Ongoing commitment from state and federal governments is needed to fund this important early intervention work long term.

### **Aboriginal people who experience sexual violence**

Research reveals an extensive intersection between experiences of sexual and physical violence by an intimate partner, with Aboriginal people of all ages and genders disproportionately over-represented in this cohort.<sup>14</sup> There are significant barriers for Aboriginal women and children to report incidents of sexual violence. The lack of cultural safety and systemic racism and bias that both clients and staff report, make the criminal justice system inaccessible. This reflects a failure of the

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<sup>14</sup> Temple, J. B., Wong, H., Ferdinand, A., Avery, S., Paradies, Y., & Kelaheer, M. (2020). Physical violence and violent threats reported by Aboriginal and Torres Strait Islander people with a disability: cross sectional evidence from a nationally representative survey. *BMC Public Health*, 20, 1-12.

system to protect those most vulnerable and provides limited opportunity for not only justice but healing for all parties. There is an identified need for improved service responses across sectors inclusive of family violence and sexual assault systems but also the health, housing and education systems, Child Protection, police, and justice systems.

Regardless of which service a person engages in, including family violence, there should be a minimum basic assessment of whether sexual violence is an issue and what culturally appropriate safety measures should be in place. The sexual assault system, family violence and ACCOs must also adopt collaborative practice, linking families into culturally specific services that are able to respond to the needs of the entire family, and responsive to the specific experiences of sexual violence. VACCA practitioners note that a gap remains across the state for ACCO providers in each region which is a barrier for community members who wish to access culturally responsive sexual assault services. There is an urgent need for adequate resourcing and investment in ACCOs to respond to the needs of Aboriginal children and families who have experienced sexual abuse or are at risk of sexual exploitation; and to build our capacity and responses.<sup>15</sup> Unlike the sexual assault system, ACCOs are uniquely placed with strong ties to their communities and therefore with sufficient resourcing are best positioned to provide tailored, culturally strong programs with a focus on early intervention and prevention programs and specialised staff training.

There are significant issues with reporting of sexual violence due to lack of cultural safety and bias in the mainstream sexual assault system. In response, VACCA recommends for the expansion of Aboriginal sexual assault therapeutic programs such as VACCA's 'Nowunun Murrumbunrunner Yearkun (NMY) - Healing Our Spirit'. This program is a unique, therapeutic, and healing service response to the diverse needs of Aboriginal children, young people, women and men who are victim-survivors of sexual assault. The distinctive feature of the program is the integration of a specialist sexual assault service within an Aboriginal cultural healing context. The service supports 62 sexual assault survivors (women, children adolescents and men). We know that there is significant complexity that clients are presenting with having multi-faceted issues and complexity across family groups. NMY is available in the southern and western suburbs of Melbourne, however these services need to be available across the state. There is a clear need for culturally appropriate healing programs such as these to be a key priority in the Family Safety Plan and for funding to be ongoing and expanded.

### **Building the Aboriginal workforce**

To reform institutions and systems, it is important that the Family Safety Plan specifically addresses the barriers to strengthening and building the capacity of the Aboriginal workforce. The *Aboriginal and Torres Strait Islander Action Plan 2023-2025* commits to supporting ACCOs with existing or emerging family, domestic and sexual violence programs through Commonwealth administered grants. These grant rounds cover a range of areas including building workforce capacity, meeting existing demand and innovation to meet emerging issues. While this is important for building the

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<sup>15</sup> Davis, M. (2019). Family is culture: Final report- Independent review into Aboriginal out-of-home care in NSW, Sydney: Family is Culture.



Aboriginal workforce, significant issues remain with recruiting Aboriginal people into the workforce due to barriers related to minimum qualifications.

In Victoria for example, the mandatory minimum qualifications required to become, or remain employed, as a specialist family violence practitioner puts the Aboriginal workforce at a disadvantage and does not appropriately recognise cultural expertise and knowledge. The requirement outlines ten years (or five years for people without a cultural or lived experience exemption) to work toward achieving a bachelor's degree equivalency, whilst working in a stretched sector. Furthermore, these positions are not particularly well-paid, and the higher qualification level does not result in an increased salary.

As such, the Family Safety Plan must include a focus on recruiting an Aboriginal workforce. This includes promoting alternative pathways and balancing the need for qualifications the vast spiritual, cultural, community and lived experience of Aboriginal people. VACCA also recommends for a national fee waiver for social work degrees so that Aboriginal people can access them more equitably.

### **Intersection of family violence and homelessness**

The intersection of family violence and homelessness and unique experiences of Aboriginal children, young people, women, Elders and men must be a priority area in the Family Safety Plan, given family violence is one of the main reasons contributing to these groups entering homelessness.<sup>16</sup> There are a number of complex and compounding reasons why individuals, in particular women and children, are forced to remain in unsafe housing, with a key issue being no alternative, affordable accommodation. For children and young people, family violence is the leading cause of homelessness and can have a detrimental impact on their life trajectory, affecting their educational, physical, mental and emotional wellbeing and development.<sup>17</sup>

Aboriginal Elders have a wealth of knowledge in cultural practices, protocols and lore, they are the connection between our ancestors that have come before us, to impart cultural knowledge to the next generation. However, the data and our practice experience show that Elders face financial hardship, financial stress and homelessness at a higher rate than non-Aboriginal people aged 50 and over.<sup>18</sup> We know that Elder abuse is a significant contributor to these experiences, as captured in the case study below.

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<sup>16</sup> Closing the Gap Clearinghouse (AIHW & AIFS). (2016). Family violence prevention programs in Indigenous communities (Resource sheet no. 37). Produced by the Closing the Gap Clearinghouse. Canberra: AIHW & Melbourne: AIFS. [Weblink](#)

<sup>17</sup> DiNicola, K., Liyanarachchi, D., & Plummer, J. Out of the shadows: Domestic and family violence: A leading cause of homelessness in Australia. Mission Australia.

<sup>18</sup> AIHW. (2019). Insights into vulnerabilities of Aboriginal and Torres Strait Islander people aged 50 and over. Australian Government. [Weblink](#)

### Case study: Marie

Marie\* is an Aboriginal Elder in her 60s living in regional Victoria. She is also a member of the Stolen Generations. Her adult son was using violence against her at home. He was coercive and controlling with her money and forced her to transfer ownership of the family home to him. He then proceeded to kick her out of her home, forcing her to live in her car. Marie also lost her job due to the impact of COVID-19 on tourism and is not yet eligible for the pension. To cope with the stress and anxiety of all of this, Marie sometimes smokes yandri (marijuana) which helps her relax.

Marie sought help from a mainstream family violence service provider because she lived in regional area where there were no ACCO-delivered services. She was hoping to access family violence crisis accommodation, but during the intake process, the housing worker asked her about drug use, and Marie became quite heightened and left the appointment.

Marie has since moved to Melbourne to stay with a friend where she connected with VACCA's Wilam Support Service. Our staff engaged Marie in a culturally centered, trauma informed way, sensitive to her experiences of intergenerational trauma and family violence, as well as being non-judgmental of her drug use. Wilam Support Service supported Marie to apply for Elder-specific housing through the Aboriginal Community Elders Services (ACES). Marie was also referred to the Victorian Aboriginal Health Service (VAHS) and has seen significant improvement to her mental health and wellbeing and reduced her drug use. Within a few months of being referred to Wilam Support Service, Marie was successfully housed in ACES permanent respite care.

All ACCOs collaborated to provide the best care and support for Marie to help her secure permanent and stable accommodation, as well as to support her mental health and wellbeing following experiences of Elder abuse.

*\*Names have been changed or omitted to protect the privacy of our clients and staff.*

Aboriginal men who use violence have also been identified as a key group which require transitional housing. The provision of appropriate supported housing and wrap around supports such as Men's Behaviour Change and AOD programs for users of violence means that women, children and families no longer need to be displaced and leave their homes when experiencing family violence, as well as ensures users of violence have access to support that addresses their use of violence and helps heal families.

The correlation between family violence and homelessness for Aboriginal women and children has in the past remained a hidden issue as Aboriginal women are apprehensive to approach mainstream services due to fear that if they disclose the presence of family violence, their children may be

removed. Yet, when access to an Aboriginal specific, culturally appropriate, and wrap-around response is available there is an increase in the number of Aboriginal women and children seeking assistance. A culturally safe response supports women's willingness to come forward, fosters empowerment and allows women to see a positive future for themselves and their children. VACCA's Orana Gunyah program is one example of community-led service delivery embedded in Aboriginal self-determination and the rights of women and children. It supports Aboriginal women and children, women with Aboriginal children or carers with Aboriginal children fleeing family violence. All clients that seek refuge receive full therapeutic and case management, including administrative support to complete public, social and private rental housing paperwork. Since its conception, Orana Gunyah Outreach has supported 370 women and 527 children. The crisis accommodation aspect of the program has housed 139 women with children, and while some have returned to the situation they left, most have moved to other refuges, to stay with kin or acquired public housing or a private rental. Orana Gunyah is only in one of VACCA's regions, we know there is community need for crisis accommodation across all VACCA regions, VACCA recommends that the federal government fund Aboriginal led family violence crisis accommodation across all regions.

VACCA has ongoing concerns about the lack of crisis, transitional, and social housing stock available for Aboriginal people experiencing family violence. Despite recommendations 13 to 20 of the *Royal Commission into Family Violence* and extensive advocacy from ACCO and mainstream family violence organisations calling for investment in crisis, transitional, and long-term housing stocks, this remains an area of acute need.

The intersection of family violence and homelessness and unique experiences of Aboriginal children, young people, women, Elders and men must be a priority area in the Family Safety Plan, as well as aligned with actions under the forthcoming *National Housing and Homelessness Plan*. This must result in significant and proportional investment in Aboriginal-led transitional and crisis accommodation and support services as well as long term housing options.

### **Data sharing guidelines and Aboriginal Data Sovereignty**

Access to family violence data has consistently been raised as a significant issue at the federal, state, and local level. Without the timely and responsive provision of disaggregated family violence data from governments, Aboriginal organisations and communities do not have the opportunity to understand issues or effectiveness of programs and interventions occurring in their communities. Data sharing is also essential for ensuring safety and connecting affected family members to support services. For example, VACCA advocates for women to be notified by each state and territory's corrections systems when a man who has previously used violence against them is released from prison so that they can access support and put safety measures in place. As such, national guidelines for information sharing across sectors that work with people affected by family violence are needed for consistency and to rectify delays or ineffectiveness of current processes.

In Victoria, the Family Violence Multi-Agency Risk Assessment and Management Framework (MARAM) was designed to increase the safety and wellbeing of people experiencing violence by



supporting relevant services to identify, assess and manage family violence risk.<sup>19</sup> It sets out the key principles and elements to embed into policies, procedures, and practices, so that organisations who work with children and families have the skills required to identify the level of family violence risk and respond appropriately. While many challenges remain with the implementation of MARAM into practice, the Federal Government could draw on this model and develop national guidelines for information sharing across sectors that work with people affected by family violence.

The Family Safety plan must also include Aboriginal Data Sovereignty principles in efforts to address issues related to data sharing, generation and ownership. Data Sovereignty is a rights-based framework surrounding the ownership, control, management, and acquisition of data.<sup>20</sup> In the Aboriginal context, this actualises as a form of self-determination where Aboriginal communities, organisations and individuals have access to data about Indigenous people and with the ability to makes decisions pertaining to them that are in the best interest of community.

Many systemic and deep-rooted issues affect Aboriginal peoples and organisations capacity and capability to generate, collect and store data. VACCA believes that such issues can be addressed by building an Aboriginal evidence base in line with the principles of data sovereignty. In doing so, ACCOs should receive long-term funding to build culturally appropriate violence prevention and response measures. We also support the idea that these are created and curated by Aboriginal peoples. We hold that the Family Safety Plan should specifically reference Aboriginal Data Sovereignty Principles to ensure the approach is culturally safe and community led. In this regard, ACCOs should be involved in the consultation, design, delivery, and evaluation of future studies, to contribute from our expertise and ensure that the voices of Aboriginal children, women, men and families are embedded in the process. In building the Aboriginal evidence base, adequate funding is also required for ACCOs to conduct evaluations of programs and demonstrate the Aboriginal point of difference and effective interventions and practices. This can also support with future funding bids.

Another key element to progressing Aboriginal Data Sovereignty is the requirement for Australian governments to undertake the data development commitments outlined under Target 13 of *the National Agreement on Closing the Gap* to ensure nationally consistent data on the prevalence of family violence. This requires a significant focus given little progress has occurred since the inception of the *National Agreement on Closing the Gap* as found by the Productivity Commission.

## Culturally appropriate and holistic service provision

### **Question 3: What does culturally appropriate and holistic service provision look and feel like?**

As discussed in the examples of Aboriginal approaches to family violence throughout this submission, culturally appropriate and holistic service provision means culture at the fore front of

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<sup>19</sup> Victorian Government. (2021). *MARAM and information sharing*. [Weblink](#)

<sup>20</sup> Lovett, R., Lee, V., Kukutai, T., Cormack, D., Rainie, S. C., & Walker, J. (2019). Good data practices for Indigenous data sovereignty and governance. *Good data*, 26-36.

service delivery, and a child's rights, family focused, trauma-informed and therapeutic approach is taken.

In international law, the right to culture is articulated in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Indigenous rights are recognised as collective rights that are derived from the unique legal status of Indigenous peoples as distinct communities. The UNDRIP also recognises the rights of Indigenous families and communities "to retain shared responsibility for the upbringing, training, education and wellbeing of their children, consistent with the rights of the child."<sup>21</sup> This means that Aboriginal communities have a distinct right under international law to provide services and supports specific to their community's needs.

For Aboriginal peoples, the best interests of the child cannot be separated from their collective cultural rights. Connection to culture and community is fundamental for our children and young people's wellbeing, being strong in their identity and knowing who their mob is and who their family are. Being connected to culture creates a sense of belonging and assists in creating a strong sense of identity. When connection to culture is broken, families and communities are weakened, and Aboriginal people are at threat of being lost not only to their culture but also to themselves.<sup>22</sup> Being immersed in one's culture equips people with the confidence and knowledge to develop and function within your culture and community and the broader society; drawing strength and contributing to the survival and development of their history and culture.

Additionally, Aboriginal approaches to family violence are holistic and inclusive of the whole family, they still hold people who are using violence to account, but also recognise the impacts of colonisation, intergenerational trauma, Stolen Generations, and experiences of family violence on both affected family members as well as on those who use violence. This differs from western centric and mainstream conceptualisations of family violence which often treat individuals in isolation from each other. Within such colonial representations is also a persistent stereotype that violence is inherent to Aboriginal culture, whilst both historical and contemporary violence against Aboriginal women and children by non-Aboriginal men remains invisible. For the Family Safety Plan to present the point of a difference, VACCA recommends it include a clear definition and distinction between Aboriginal and western approaches to family violence.

The delivery of culturally appropriate support services from prevention to response of family violence goes to fulfill cultural rights, as well as ensure Aboriginal communities are receiving support appropriate to their needs, making services more accessible and culturally safe. This should be articulated in the Family Safety Plan and include specific long-term resourcing to the cultural right of delivering services.

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<sup>21</sup> UN General Assembly. (2007). United Nations Declaration on the Rights of Indigenous Peoples : resolution / adopted by the General Assembly, 2 October 2007, A/RES/61/295 [Weblink](#)

<sup>22</sup> SNAICC. (2012). Healing in practice: Promising practices in healing programs for Aboriginal and Torres Strait Islander children and families. Fitzroy, Victoria: SNAICC.

Another key example of culturally appropriate and holistic service provision is VACCA's Community Protecting Boorais (CPB) program. This is an Aboriginal-led alternative to child protection reports for a small number of reports in Northern Metropolitan Melbourne. CPB provides an Aboriginal-led response to families that is grounded in culture, self-determination, and cultural and child rights. All new reports are still received by the Child Protection intake, however if it is decided there is need for further follow up, the CPB team is engaged to undertake the work with the family. VACCA's practitioners gather information, work with the family and the child, engage support services and if the child is at serious risk, make the application to the Children's Court if required to protect the child. CPB ensures an enhanced commitment to children's belonging to family and community, to cultural connections and safety, it is a self-determined alternative to the Court and, uses culturally safe language to that is cultural, that families understand, is positive, and relational and humanising. Through CPB, if VACCA engages with families experiencing family violence, we can refer them and work together with our Therapeutic Family Violence programs in a family-focused, culturally safe way to address protective concerns, stop the violence and connect the family to healing supports.

## **Improving mainstream and government responses**

***Question 4: How can governments and mainstream services best support Aboriginal and Torres Strait Islander people (including workforce and clients), services and solutions?***

### **Mainstream and government service gaps**

There are a number service system and legislative gaps within the government and mainstream systems disproportionately impacting Aboriginal people experiencing family violence that must be addressed in the Family Safety Plan. These include lack of culturally safe responses in mainstream systems, the misidentification of the affected family member (discussed earlier in this submission), as well as a fear of involving state authorities, such as criminal justice, child protection and Family Law systems – all of which are barriers to Aboriginal peoples' who have experienced family violence coming forward and seeking support.

Government services often focus on deficit and punitive approaches that ignore the social, historical and cultural aspects of family violence. Healing rather than punishment, must be at the centre of our approaches. To make inter-generational change, Aboriginal peoples and families must be supported to heal through culturally safe, trauma informed responses and interventions. Recognising the importance of culture in responding to physical, mental, emotional and spiritual wellbeing in the context of their family and community but also their history of grief, loss and trauma.

A key service gap is the way the statutory child protection system responds to Aboriginal women who are experiencing family violence, often resulting in removing their children. Through VACCA's practice experience, we know that the child protection system penalises women who are found to have been in contact with their partner who uses violence, by suggesting that women have failed to keep their children safe. However, this places the onus of responsibility on the person affected by family violence rather than the person using violence, and ignores the challenges women face in



fleeing, including the insidious nature of coercive control, lack of accommodation, culturally safe supports, and the potential for isolation from family and community.<sup>23</sup>

Children and young people experiencing family violence are often subject to two intersecting legal systems, the child protection system and the family law court. Significant issues have been identified in relation to child protection and the family law system being able to achieve effective and timely outcomes that are in the best interest of children experiencing family violence. The Australian Law Reform Commission (ALRC) inquiry identified that some of these issues were due to divided legislative regimes and court structures and processes that address different aspects of matters impacting on families – a federal regime that deals primarily with parenting and property matters and state and territory regimes that are responsible for child protection and family violence laws.<sup>24</sup> This has also been raised by VACCA staff who are often working with families at the intersection of multiple court systems. VACCA staff have also expressed concern that children’s voices are not being heard and respected by these systems, and often do not have input into the decisions being made about their wellbeing.

VACCA’s position is that the family law system must be rights-based and centred on the best interests of children. This includes an Aboriginal child’s right to safety as well as their cultural rights being upheld and respected. It is VACCA’s contention that the key to this approach is to effectively resource Family Dispute Resolution (FDR) processes, case management and mediation that is child-centred, culturally appropriate, trauma-informed and aims to resolve conflict and create new positive relationships within families. In cases where there is family violence present, a trauma-informed approach is central, ensuring that the safety of children and affected family member is central to any decisions made by the court. This should also be coupled with an understanding of the trauma and coercion placed on the affected family member, as well as the gender implications if the affected family member is a mother.

It is also VACCA’s contention that family violence legislation be consistent across jurisdictions to better protect people affected by family violence, including definitions and offences related to family violence, coercive control and sexual harm.

As discussed above, key to ensuring government accountability in delivering on family violence reforms is an Aboriginal-led oversight, implementation and monitoring approach for the Family Safety Plan. The proposed Aboriginal Family Violence national peak body could be the body that supports evaluation, implementation and monitoring of the Plan.

### **Embedding cultural safety in mainstream service delivery**

Ensuring that mainstream and government services are more trauma-informed, culturally safe and strength-based is essential for increasing safety. As such, one way of improving mainstream and government responses is through embedding a cultural lens in mainstream service delivery. Since

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<sup>23</sup> Langton, M., Smith, K., Eastman, T., O’Neill, L., Cheesman, E., & Rose, M. (2020). Improving family violence legal and support services for Aboriginal and Torres Strait Islander women (ANROWS research report, 25/2020). [Weblink](#)

<sup>24</sup> Australian Law Reform Commission (2019). Family Law for the Future — An Inquiry into the Family Law System: Final Report. Commonwealth of Australia. [Weblink](#)

the development of MARAM in 2018, VACCA has undertaken significant work and advocacy to ensure that a cultural lens is embedded across all aspects of this framework. In addition, we have advocated consistently for the need for, and then been funded to develop resources and adapt tools to embed, a cultural lens in the screening, assessment, and management of family violence risk across VACCA. This includes the development and adaption of training tools and resources for adults and children who have experienced violence. As implementation of MARAM has progressed, VACCA has seen the involvement of ACCOs increase and occur at an earlier stage, which we see as fundamental to the successful implementation of MARAM. Instead of Aboriginal involvement being perceived as an 'add-on', we have observed an increased recognition of the need to partner with Aboriginal organisations. This has provided the opportunity for a cultural lens to be embedded in more meaningful and substantive ways. As the suite of tools under MARAM expands and develops, there will also be a need to consolidate and develop training, tools and resources for practitioners who work with all members of the family impacted by family violence.

VACCA also delivers a program aimed at strengthening cultural safety in the Support and Safety Hubs (The Orange Doors). The project is funded in all 18 Safety Hubs across the state, with VACCA successfully implementing the project within 9 of the Hubs and holding the state-wide coordinator role. Each Hub has a Cultural Safety Project Lead (CSPL) who visits, to deliver 4 days of localised training during staff induction periods, spread out over 6 months, as well as drop-in sessions for cultural yarns and activities to keep the conversations at the forefront. The training is mandatory for all staff at all levels. The CSPL also conduct full assessment and action plans alongside the Hub leadership group, creating subsequent action plans in all areas of systems, governance and operations, to take a holistic approach to cultural safety, ensuring it is everyone's business to contribute.

Systems and structures must have a greater understanding of the complexity and social, historical and cultural aspects of family violence. This means taking a trauma-informed, culturally safe and strength-based approach centred on healing, including for national guidelines and requirements for mandatory trauma and cultural awareness training for the mainstream sector. In making mainstream workforces more culturally safe, VACCA calls for social workers to be registered under the Australian Health Practitioner Regulation Agency so that they are required to undertake cultural awareness training, given AHPRA are looking at making cultural awareness training a competency requirement for registration.

## **Intersectional needs**

### ***Question 5: How should the service system respond to the intersectional needs of Aboriginal and Torres Strait Islander people and communities?***

In responding to this question, VACCA first and foremost wants to highlight that Aboriginal people do not see themselves as intersections, but as a whole people with different needs. This means that all systems and services must be inclusive, free from bias and designed with an understanding of the varied needs of different families and communities. There are cohorts that require a tailored approach, including LGBTQIA+ people, people living with physical disabilities, intellectual disabilities,

acquired brain injuries (ABI), people experiencing an intersection of mental health and AOD, and more. It is crucial for an intersectional approach to be centred on lived experience and for the relevant specific cohorts to be involved in the design and implementation of services.

### **Rainbow mob/LGBTQIA+ communities**

We know that LGBTQIA+ Aboriginal community members are at an even greater risk of violence and abuses, and their specific needs and experiences must be at the centre of Australia's commitment to address family violence. Despite the establishment of several initiatives, including the development of community education materials, the establishment of a state-wide LGBTQIA+ Family Violence Inclusion Advisor position, and funding for the Rainbow Door, VACCA believes that there is ongoing work that needs to be done to ensure that Rainbow mob experiencing violence are safe and supported.

We know that LGBTQIA+ members of the Aboriginal community experience additional barriers in accessing family violence supports, including fear of being misgendered or experiencing other unsafe practices, as well as experiences of discrimination and a lack of understanding of the dynamics of family violence within LGBTQIA+ relationships. Despite this, there is currently no specialist funding provided to ACCOs, to deliver specialised family violence services to Rainbow mob. Whilst VACCA holds Rainbow Tick Accreditation, we know that there are many ACCOs which have yet to receive theirs, and that this is primarily an issue of resourcing. The Family Safety Plan should include provisions for ACCOs to be funded to build their capacity to be responsive to the specific needs of the LGBTQIA+ people. For example, ACCOs could be funded to design and deliver specialised training for family violence workers to support them in delivering inclusive and safer services to LGBTQIA+ members of the Aboriginal community.

### **People with a disability**

The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability raised concern about the alarming rates of family violence and sexual violence experienced by women and girls with disability, including 40 per cent of women with disability having experienced physical violence after the age of 15 (compared to 26 per cent for women not living with disability).<sup>25</sup> It also highlighted that close to 50 per cent of women living with cognitive disability or psychological disability had experienced sexual violence (compared to 16 per cent of women not living with disability).<sup>26</sup> The correlation between family violence and ABIs has been well documented, with the potential for ABIs to contribute to the use of family violence cases, both increasing the risk that one might use violence but also that one might experience it.<sup>27</sup> Additionally, the rise in public awareness of neurodiversity has meant that we have also seen an increase in the number of neurodiverse

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<sup>25</sup> The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, 'Alarming rates of family, domestic and sexual violence of women and girls with disability to be examined in hearing' October 2021. [Weblink](#)

<sup>26</sup> Ibid.

<sup>27</sup> Lansdell, G. T., Saunders, B. J., Eriksson, A., & Bunn, R. (2022). Strengthening the connection between acquired brain injury (ABI) and family violence: the importance of ongoing monitoring, research and inclusive terminology. *Journal of family violence*, 37(2), 367-380.; Monahan, K. (2018). Commentary: intimate partner violence, traumatic brain injury, and social work: moving forward. *Social Work*, 63(2), 179-181



women being diagnosed, who have previously been an invisible cohort.<sup>28</sup> This has clear practice implications for how the family violence system responds to Aboriginal neurodiverse women experiencing family violence. As such, services must take an intersectional approach that considers a person's disability diagnosis and presentation of neurodiversity, in addition to being trauma-informed, culturally appropriate, and therapeutic. It is also crucial for the Family Safety Plan to include a focus on people with Aboriginal people disability, and a distinction between the different needs of people with a physical disability compared to those with intellectual disabilities or ABIs, given each group has specific and unique needs.

### **Mental health and alcohol and other drugs**

Through VACCA's practice experience, we are seeing an increasing number of Aboriginal women being denied access to family violence crisis accommodation because they have AOD dependency. This has a significant risk for both women and their children, leaving them with no option but to return to violent situations or face homelessness. The sector has a duty of care to ensure that those fleeing violent situations can access services that meet their needs in a trauma informed, culturally safe and therapeutic approach. It is VACCA's contention, and this is shared by the Victorian Alcohol and Drug Association, that we are faced with a systemic issue that is causing further harm to women and children fleeing family violence. The policy and practice approach of family violence crisis support and refuge services, who are denying service based on AOD use, are failing to meet the needs of clients as a result. These services intrinsically show a lack of understanding about the intersection between family violence, AOD use and mental health issues. We must ensure that our services meet community needs and provide a multi sector response to ensure holistic, trauma informed, family centred therapeutic supports and interventions.

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<sup>28</sup> Russell, G., Stapley, S., Newlove-Delgado, T., Salmon, A., White, R., Warren, F., ... & Ford, T. (2022). Time trends in autism diagnosis over 20 years: a UK population-based cohort study. *Journal of Child Psychology and Psychiatry*, 63(6), 674-682.