

Aboriginal Community Controlled
Culturally Safe
Prevention of Family Violence
Legal Services and Holistic Support
Cultural and Wellbeing Workshops
Policy and Advocacy



21 March 2024

Senate Standing Committees on Legal and Constitutional Affairs
PO Box 6100
Parliament House
Canberra ACT 2600

Crimes Amendment (Strengthening the Criminal Justice Response to Sexual Violence) Bill 2024

Government provided less than three weeks for Djirra to consider the Bill. However, we provide in principle, agreement to the Crimes Amendment (Strengthening the Criminal Justice Response to Sexual Violence) Bill 2024 (“Bill”). While we welcome the amendments, we hold concerns that they do not go far enough and especially in providing culturally safe support to Aboriginal and Torres Strait Islander people who experience family violence and sexual violence. The Senate should incorporate an additional amendment to give effect to this.

To deliver on the intended aims of the Bill, Government must ensure that specialist family violence services like Djirra are adequately resourced to provide critical culturally safe supports to Aboriginal and Torres Strait Islander women who have experienced family violence and sexual violence.

Djirra is an Aboriginal Community Controlled Organisation with over 20 years’ experience accompanying Aboriginal and Torres Strait Islander women, and their children, on their individual journeys. We find solutions through Aboriginal and Torres Strait Islander women sharing their stories, journeys, and experiences. Djirra celebrates women’s strength and resilience. We are committed to a future without family violence including sexual assault. We use our on the ground experience of working at the frontline of Aboriginal women and children’s safety to inform policy and law reform and advocate for systemic change.

The criminal justice system can be distressing and retraumatising for victim-survivors. As the Senate knows, the criminal justice system is largely ineffective at prosecuting offenders of sexual violence and assault. The reforms proposed in the Bill offer a positive step towards improving this system and promoting the safety and agency of victim-survivors.

However, we urge the Government to recognise that this Bill only addresses a limited number of the recommendations outlined in the 2017 Final Report of the Royal Commission into Institutional Responses to Child Sexual Abuse (“Royal Commission”). The Royal Commission exposed systematic failures that disproportionately affect Aboriginal and Torres Strait Islander women and children, so Government must prioritise implementation of the remaining recommendations.

In our support of the Bill, we reiterate that real change for Aboriginal women will only occur when there is increased commitment from Government to invest in broader systemic change and our self-determination.

In order to improve experiences of the justice system for Aboriginal people who experience family violence and sexual assault, the Bill should be more specific and recognise the barriers that our women face when they are forced to navigate the justice system. The Bill should provide for Aboriginal women being given the choice to access culturally safe, holistic, specialist family violence services like Djirra to support their participation in the justice system. This is self-determination.

The Government must also consider the broader context of the National Plan to End Violence Against Women and Children 2022-23, noting that Djirra continues to call for a dedicated Standalone Plan for addressing violence against Aboriginal women and children. We call upon Government to prioritise implementing the remaining recommendations of the Royal Commission, and commit to:

1. Increased investment in culturally safe specialist family violence services such as Djirra that prioritise Aboriginal women and children's safety.
2. The timely development and implementation of a Standalone Aboriginal and Torres Strait Islander Action Plan to End Violence Against Women and Children that includes dedicated funding for Aboriginal-led family violence prevention and legal services.
3. Investing in specialist Aboriginal community-controlled organisations that operate in Victoria which too often are overlooked and not prioritised, because Victoria is deemed too urban and does not fit the criteria for rural and remote.

These measures are crucial for improving safety and access to justice for Aboriginal and Torres Strait Islander women who have experienced family violence and sexual assault. We also welcome continuing to engage with the Senate on this legislation and other priorities relevant to Aboriginal women and children's safety.

Yours sincerely,

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CEO