



Our reference: 2022/0275~0027

Senator the Hon Kim Carr
Chair of References Committee
Senate Legal and Constitutional Affairs Committee
PO Box 6100
Parliament House

Via website: PARLIAMENT of AUSTRALIA

Dear Senator Carr

RE: OCC submission - Senate Inquiry into missing and murdered First Nations women and children

The Northern Territory Office of the Children's Commissioner (OCC) welcomes the opportunity to make a submission on this Inquiry and seeks to provide information relating to the Inquiries' terms of reference (a, d, e and f). This submission will address the following themes; the prevalence of domestic, family and sexual violence (DFSV) in the NT (including issues with national data reporting), children's experiences of domestic and family violence (DFV) and the necessity for a needs-based funding model for DFSV.

Prevalence of DFSV in the NT

The Northern Territory has the highest rate of domestic violence in Australia, at a rate 18 times higher than other jurisdictions.¹ Aboriginal women in the Northern Territory are recorded as having the highest rates of victimisation in the world.² Many Aboriginal girls are not exempt from this with lived experience shaped by coercive and controlling behaviour enforced with violence, non-consensual sex and isolation combined with rigid gender identities, emotional and cultural inequalities.³

The Northern Territory is unique to other parts of Australia with the smallest and youngest population spread across a large land mass – 1% of Australia's population across an area one sixth of the nation.⁴ Thirty percent of the Northern Territory population is Aboriginal, the largest proportion in all of Australia, made up of many different and distinct groups, each with their own culture, customs, language and lore. Forty percent of the Northern Territory population live in remote or very remote and 80% of this cohort are Aboriginal people.⁵

In the Northern Territory, 91% of sexual assault victims are Aboriginal women and girls, with 51% of these victims under 19 years of age.⁶ This aligns with the proportion of victims of DFSV who are Aboriginal, which was 89%.⁷ Of those victims of DFSV, Aboriginal women are 40 times more likely than non-Aboriginal women to be hospitalised for family-violence related assaults.⁸ In total, the rate of sexual assaults in the Northern Territory is almost 50% higher than the next highest jurisdiction.⁹



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Children's experience of DFV

Within child protection frameworks, children's experience of DFV is captured under emotional harm and/or neglect. During 2021-22, 60% of substantiated notifications to Territory Families, Housing and Communities identified DFV as a contributing factor.¹⁰

In 2020-21, the OCC conducted a review of children who experienced multiple substantiations of harm. The review considered child protection histories of 35 children between the ages 0-4 years. The OCC found 97% of children had at least one substantiation of harm related to DFV, 46% of children had more than one substantiation of harm related to DFV and 37% had a parent incarcerated for DFV offences.¹¹

Children and young people have told the OCC that seeing and knowing about violence in the community worries them.

"Boring here, everything is dead...dogs everywhere, a lot of violence, people drinking, kids smoking and doing stuff at a very young age. Muddy houses, stealing, all that. A lot of old people do card gambling game – causes heaps of problems"* (Aboriginal girl, 13 years)

"(It's) not safe because of the violence. In school it's safe. There's violence on the street in community." (Aboriginal girl, 11yrs)

"Change community, make it a good place and make everyone like each other" (Aboriginal boy, 11 yrs)

"Grog makes kids not come to school. Too much fighting is a problem. Parents are fighting, kids too much watching the violence" (Aboriginal girl, 11 yrs)

Aboriginal girls' exposure to, or experience of, violence contributes to detrimental outcomes in their development and behaviour, physical and mental health, housing, educational attainment, social participation in adulthood and a future safeguarded from further victimisation.¹² Childhood is a vulnerable life period and reinforcing factors or intersectional drivers of violence make this an especially critical time for preventative and protective measures.

Needs-based funding model

Stakeholders in the Northern Territory have advocated for sustainably funded, culturally safe and Indigenous-led initiatives to produce successful and sustainable change. More generally, the Northern Territory service landscape is limited and struggles to offer a wide range of suitable and effective services and interventions, especially to Aboriginal women and children.

The impacts of intergenerational trauma, ongoing socio-economic inequality and institutional racism have contributed to diminished trust and uptake of non-Aboriginal focused policies and services from non-Aboriginal organisations. For these reasons, it remains critical to strengthen funding, capacity building and culturally appropriate program and policy design and evaluation with Aboriginal Community Controlled organisations (ACCOs).

Good practice in the domestic and family violence prevention space is evidence-based, community driven and contextually relevant. The OCC supports the work of the Tangentyere Council in Central Australia, an ACCO dedicated to self-determination, service provision and community leadership.



The Tangentyere project “Mums Can Dads Can/Girls Can Boys Can” debunks gender and social norms through a targeted educative approach for Aboriginal children and communities.¹³ A recent evaluation of this project conducted by Australia’s National Research Organisation for Women’s Safety (ANROWS) found:¹⁴

- Need for greater funding and training for primary prevention and the domestic and family violence sector in the Northern Territory.
- Prevention measures in the Northern Territory must be accessible, explicit and challenge highly entrenched attitudes, such as the justification of violence, jealousy,¹⁵ and the misconception that traditional Aboriginal cultures inherently condone violence against women and children.
- The Northern Territory workforce, including schools, hospitals and police, requires comprehensive ongoing training programs on the drivers of violence against women and children, particularly how to identify, respond to and support domestic and family violence victims and survivors through trauma-informed responses.

National data reporting

The Australian Bureau of Statistics (ABS) only collates and publishes data about the prevalence of Aboriginal and Torres Strait Islander victims of crime for NSW, QLD, SA and NT. The ABS website states that, for 2021, “Indigenous status data for other states and territories is not of sufficient quality and/or does not meet ABS standards for national reporting”.¹⁶ The OCC recommends that steps be taken to ensure that each jurisdiction has the capacity to record and publish data showing the prevalence of crime inflicted upon Aboriginal and Torres Strait Islander people. This will better inform responses to positively impact on the current prevalence of missing and murdered First Nations women and children.

In conclusion, the OCC remains concerned about the serious detrimental impact of domestic, family and sexual violence Aboriginal women and girls witness and experience in the Northern Territory. Effective measures to address this complex issue requires whole-of-community support and evaluation for programs and policy specific to the needs of the Northern Territory. These actions should be progressed in line with Closing the Gap priority reforms to ensure Aboriginal people most affected are leading actions and ensuring service provider accountability to their communities.

Yours sincerely,

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A/Children’s Commissioner

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¹ Territory Families, *Domestic, Family and Sexual Violence Reduction Framework 2018-2028 – Safe, respected and free from violence* (2017) 13 <[Domestic,-Family-and-Sexual-Violence-Reduction-Framework.pdf \(nt.gov.au\)](https://www.nt.gov.au/domestic-family-and-sexual-violence-reduction-framework.pdf)>.

² Territory Families, *Domestic, Family and Sexual Violence Reduction Framework 2018-2028 – Safe, respected and free from violence* (2017) 18 <[Domestic,-Family-and-Sexual-Violence-Reduction-Framework.pdf \(nt.gov.au\)](https://www.nt.gov.au/domestic-family-and-sexual-violence-reduction-framework.pdf)>; Kerr, J. (2016) 'A descriptive analysis of the characteristics, seriousness and frequency of Aboriginal intimate partner violence in the Northern Territory, Australia: a strategy for targeting high harm cases, Submitted in part fulfilment of the requirements for the Master's Degree in Applied Criminology and Police Management, 2016, unpublished.

³ Territory Families, *Domestic, Family and Sexual Violence Reduction Framework 2018-2028 – Safe, respected and free from violence* (2017) 18 <[Domestic,-Family-and-Sexual-Violence-Reduction-Framework.pdf \(nt.gov.au\)](https://www.nt.gov.au/domestic-family-and-sexual-violence-reduction-framework.pdf)>.

⁴ Northern Territory Government, Menzies School of Health and Research, *Story of our children and young people 2021* (2021) 11 <https://cmc.nt.gov.au/data/assets/pdf_file/0020/1061372/story-of-our-children-and-young-people-2021.pdf>.

⁵ Australian Bureau of Statistics, *Aboriginal and Torres Strait Islander Remoteness in Australia* (2021) <<https://phidu.torrens.edu.au/current/graphs/atsi-sha/remoteness/nt/indigenous.html>>

⁶ Territory Families, *Domestic, Family and Sexual Violence Reduction Framework 2018-2028 – Safe, respected and free from violence* (2017) 19 <[Domestic,-Family-and-Sexual-Violence-Reduction-Framework.pdf \(nt.gov.au\)](https://www.nt.gov.au/domestic-family-and-sexual-violence-reduction-framework.pdf)>; ABS (2016) 4510.0 Recorded Crime – Victims. 2013-15.

⁷ Territory Families, *Domestic, Family and Sexual Violence Reduction Framework 2018-2028 – Safe, respected and free from violence* (2017) 19 <[Domestic,-Family-and-Sexual-Violence-Reduction-Framework.pdf \(nt.gov.au\)](https://www.nt.gov.au/domestic-family-and-sexual-violence-reduction-framework.pdf)>; ABS (2017), 4510.0 Recorded Crime – Victims, 2014-16.

⁸ Territory Families, *Domestic, Family and Sexual Violence Reduction Framework 2018-2028 – Safe, respected and free from violence* (2017) 19 <[Domestic,-Family-and-Sexual-Violence-Reduction-Framework.pdf \(nt.gov.au\)](https://www.nt.gov.au/domestic-family-and-sexual-violence-reduction-framework.pdf)>; 8 Ramamoorthi, R., Jayaraj, R., Notaras, L. and Thomas, M. (2015) 'Epidemiology, aetiology, and motivation of alcohol misuse among Australian Aboriginal and Torres Strait Islanders of the Northern Territory: a descriptive review', *Journal of Ethnicity in Substance Abuse*, 14 (1), 1-11.

⁹ Territory Families, *Domestic, Family and Sexual Violence Reduction Framework 2018-2028 – Safe, respected and free from violence* (2017) 13 <[Domestic,-Family-and-Sexual-Violence-Reduction-Framework.pdf \(nt.gov.au\)](https://www.nt.gov.au/domestic-family-and-sexual-violence-reduction-framework.pdf)>; ABS (2017), 4510.0 Recorded Crime – Victims, 2014-16.

¹⁰ Office of the Children's Commissioner Northern Territory, *Annual Report 2021-22* (Report, 2022) 33.

¹¹ Office of the Children's Commissioner Northern Territory, *Annual Report 2020-21* (Report, 2021) 37.

* Dead in this context refers to boring, dull, and unexciting.

¹² AIHW, *Australia's Children*, Children exposed to family violence (2020) <[Australia's children, Children exposed to family violence - Australian Institute of Health and Welfare \(aihw.gov.au\)](https://www.aihw.gov.au/australias-children/children-exposed-to-family-violence)>.

¹³ Tangentyere Council, *Girls Can Boys Can project and resources* (2021) <<https://www.tangentyere.org.au/girls-can-boys-can>>.

¹⁴ Australia's National Research Organisation for Women's Safety, *Safe, Respected and Free from Violence": An evaluation of primary prevention projects* (2021) <<https://www.anrows.org.au/project/safe-respected-and-free-from-violence-an-evaluation-of-primary-prevention-projects/>>.

¹⁵ Territory Families, *Domestic, Family and Sexual Violence Reduction Framework 2018-2028 – Safe, respected and free from violence* (2017) 30 <[Domestic,-Family-and-Sexual-Violence-Reduction-Framework.pdf \(nt.gov.au\)](https://www.nt.gov.au/domestic-family-and-sexual-violence-reduction-framework.pdf)>.

¹⁶ Australian Bureau of Statistics, <<https://www.abs.gov.au/statistics/people/crime-and-justice/recorded-crime-victims/latest-release#aboriginal-and-torres-strait-islander-victims-of-crime>>, accessed 6 December 2022.

