



Western NSW Community Legal Centre Inc

10 March 2021

The Hon Ms Natalie Ward MP
Chair, Joint Select Committee on Coercive Control
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Chair and Committee Members

RE: JOINT SELECT COMMITTEE ON COERCIVE CONTROL – RESPONSE TO QUESTION TAKEN ON NOTICE

Western NSW Community Legal Centre Inc (**WNSWCLC**) and Western Women's Legal Support (**WWLS**) thank the Committee for the opportunity to give evidence to the Inquiry into Coercive Control in Domestic Relationships on 22 February 2021. Our response to the question we took on notice is set out below.

Question from the Hon Trish Doyle MP, Deputy Chair: In your experience and view, which cohorts of victim-survivors do you feel we need to focus on in terms of that experience in Western NSW that is very particular to a lack of or gaps in service?

The regional and remote gap in family and domestic abuse support mechanisms and services is affecting all victim-survivors in Western NSW. All of the women we assist (regardless of age, ethnicity, cultural background or education level) report the same struggles in accessing support and escaping violence as a result of geographic isolation and a lack of services.¹ We urge the NSW Government to provide additional funding to address the issue of coercive control, and family and domestic abuse more generally, in Western NSW at a broad level rather than focusing on specific groups within that cohort. However, if we did have to identify

¹ For more details on the challenges faced by victim-survivors in regional, rural and remote areas see our written submission to the Committee dated 11 February 2021.

specific groups, culturally and linguistically diverse and Aboriginal and Torres Strait Islander peoples are especially vulnerable and in need of additional, trauma-informed and culturally-appropriate support.

Family and domestic abuse in RRR regions generally

While data is sparse on the true prevalence and impact of family and domestic abuse in regional, rural and remote communities, we know that:

- 50% of recorded domestic violence related assaults in NSW occur outside the Metropolitan Sydney Region; and 44 of the top 50 local government areas for highest rates of domestic violence related assaults are in regional, rural or remote areas (47 of the top 50 being outside Metropolitan Sydney).²
- People in remote and very remote Australia are approximately 24 times more likely to be hospitalised for family or domestic abuse than people in major cities.³
- The last 15 years has seen a dramatic increase in the number and rate of recorded domestic violence related assaults in many Western NSW towns⁴:
 - in Dubbo, the rate of domestic violence related incidents increased by over 30% from 946.8 incidents per 100,000 people in 2005 to 1,258.5 incidents per 100,000 people in 2020;
 - in Broken Hill, the rate increased by 102% from 636 incidents per 100,000 people in 2005 to 1,285.5 incidents per 100,000 people in 2020; and
 - in Coonamble, the rate increased by 135% from 1,417 incidents per 100,000 people in 2005 to 2,964.6 incidents per 100,000 people in 2020.
- Given difficulties that victim-survivors face in accessing services and support and the failure of the criminal justice system to effectively respond to coercive control, we suspect that the rates of coercive control are significantly higher than those of physical violence.

The above data demonstrates a doubling of the rate of family and domestic abuse in some Western NSW towns in the last 15-year period and yet there has been no

² Data for period April 2019 to March 2020. Source: NSW Bureau of Crime Statistics and Research, *Domestic Violence Statistics in NSW* (April 2020) <https://www.bocsar.nsw.gov.au/Pages/bocsar_pages/Domestic-Violence.aspx>. Penrith (25th), Blacktown (31st) and Campbelltown (38th) were the only Sydney LGAs in the top 50 for highest rates of domestic violence in NSW. Maitland (40th), Port Stephens (45th) and Central Coast (50th) were also in the top 50.

³ Australian Institute of Health and Welfare, 'Family, domestic and sexual violence in Australia: continuing the national story' (2019) 101.

⁴ For 2005 statistics see: NSW Ombudsman, *Domestic violence: improving police practice* (December 2006). For 2020 statistics see: NSW Bureau of Crime Statistics and Research, *Domestic Violence Statistics for NSW* (September 2020) <https://www.bocsar.nsw.gov.au/Pages/bocsar_pages/Domestic-Violence.aspx>.

equivalent increase in funding of family and domestic abuse services. Services are being expected to help more clients with less resources. To effectively address coercive control as well as physical forms of family and domestic abuse, the NSW Government must ensure that the sector is properly resourced and that all victim-survivors in regional, rural and remote communities have timely access to trauma-informed and culturally-appropriate assistance.

The additional vulnerability of culturally and linguistically diverse and Aboriginal and Torres Strait Islander peoples is considered below.

Culturally and linguistically diverse victim-survivors

Unfortunately, there is very limited data on the prevalence of family and domestic abuse among culturally and linguistically diverse communities, especially those in regional, rural and remote areas. However, WWLS has recently been assisting a number of women from diverse backgrounds on Regional Work and/or Partner/Spousal Visas to escape family and domestic abuse.

These women are especially vulnerable due to the following complex circumstances:

- Their presence in Australia is conditional on their husband/partner's visa which makes women very reluctant to report coercive control and/or violence perpetrated by their husband/partner over fear they themselves will face deportation.
- Social and cultural norms and significant violence in their country of origin have normalised the coercive and/or violent behaviour of their spouses leading to underreporting. Some clients from culturally and linguistically diverse communities also have very distorted views of how police will respond due to the socio-political climate in their home countries (i.e. in countries where rape in marriage is not a crime).
- Language and cultural barriers prevent victim-survivors from accessing support, from reporting violence and from escaping abuse. We have had clients from culturally and linguistically diverse communities report that their partners take significant measures to ensure they do not learn English to enforce reliance and maintain control.
- When women have migrated to Australia they also frequently report having no family or friends in the town and, in some cases, not knowing anyone in Australia other than their partner. The absence of this support makes it much more difficult to escape abuse.

Aboriginal and Torres Strait Islander victim-survivors

Western NSW represents approximately two per cent of NSW's total population but is home to over 10.5% of NSW's Aboriginal and Torres Strait Islander peoples. Again, data on the specific prevalence and impact of family and domestic abuse among Aboriginal and Torres Strait Islander communities in Western NSW is limited, but we know that:

- in NSW, an Aboriginal or Torres Strait Islander woman is 3.4 times more likely to experience physical violence and 2.9 times more likely to experience sexual violence than a non-Aboriginal or Torres Strait Islander woman; and
- across Australia, an Aboriginal or Torres Strait Islander woman is 32 times more likely to be hospitalised due to family or domestic violence related assaults than a non-Aboriginal or Torres Strait Islander woman.⁵

Our Aboriginal and Torres Strait Islander clients often report the following concerns about accessing support, demonstrating their particular vulnerability:

- significant historical and present fear (arising from successive government policies of colonisation, dispossession and child removal) that reporting family and domestic abuse will result in child removal and/or homelessness;
- historic distrust between Aboriginal and Torres Strait Islander peoples and police and government agencies;
- varying family and kin networks within Aboriginal and Torres Strait Islander communities, with kinship obligations and loyalties compelling some women to stay in an abusive situation. Other women report fear of retaliation from kin relations if they attempt to leave; and
- a lack of appropriate support services located on Country and a reluctance to leave Country to access support.

Unfortunately, in recent decades, NSW Government policies and practices have failed to reduce family and domestic abuse in Aboriginal and Torres Strait Islander communities. The NSW Government must therefore change its approach to the issue and support community-led solutions by funding local Aboriginal owned, led and trusted organisations.

Regional hearings of the Inquiry

During our oral evidence to the Committee, the Committee revealed that it will be conducting site visits to regional areas as part of the Inquiry. WNSWCLC and WWLS invite the Committee to visit Dubbo and other towns in our service region. If

⁵ Australian Government Productivity Commission, *Overcoming Indigenous Disadvantage: Key Indicators 2016*, (2016) 4.12.

required, we are able to facilitate meetings between the Committee and local victim-survivors and/or community organisations. In coming days, we will also be meeting with our Aboriginal Law Reform Working Group, made up of Aboriginal community representatives including local elders, many of whom would welcome the opportunity to give evidence to the Inquiry.

Please do not hesitate to contact the writer on [REDACTED] or at [REDACTED] if you have any questions or require further information.

Yours Faithfully

Western NSW Community Legal Centre
Western Women's Legal Support

Per:

[REDACTED]

Hannah Robinson
Policy/ Law Reform Solicitor