

## *Sexual Violence Consultation Framework*

### **1. What are the problems related to sexual violence in your community and in the NT that the Framework should consider?**

As a long term resident of the Northern Territory, sexual violence is an everyday norm in my life, the lives of my family and friend and the communities with whom I work. This includes:

- the normalisation of sexual violence and harassment through the media and actions of public figures i.e. NT News coverage of sexual violence cases where the survivor engaged in sex work;
- legislation which continues to silence survivors of sexual violence (i.e. legislation which prohibits media organisations from publishing sexual violence survivors telling their stories using their own names) or fails to consider the needs of survivors (i.e. Residential Tenancies Act) ; and
- systems response fail to respond to and meet the needs of those who have experienced sexual violence (i.e. Work Safe's lack of consideration and action on matters relating to sexual harassment) and those using sexual violence (i.e. lack of funding of appropriate housing services to ensure compliance with parole conditions and access to Community Rehabilitation programs to prevent recidivism).

Yet despite the NT's weak system response to sexual violence, I can recall a longstanding and vehement public discourse which purportedly sought to reduce sexual violence in the Northern Territory. I reflect, however, that this rhetoric is inherently racialized. The most visible examples of this being the NT Intervention. As Konishi (2011) has chronicled, the NT Intervention and accompanying rhetoric constructed Aboriginal men as predators and paedophiles. This served to silence and Other Aboriginal communities and peoples, especially Aboriginal men (Konishi, 2010). Furthermore, the interventions which allegedly sought to promote safety, placed Aboriginal children and their families by further disempowering and crucially, legally, structurally and financially penalising Aboriginal peoples in remote Aboriginal communities (Coghlan, 2012).

I also note the universality of the co-opting of concerns relating to sexual violence in the NT, especially against children, to marginalise and Other a range of communities. For example, the current *Anti-Discrimination Act* of NT enshrines discrimination against LGBTQI staff in religious education institutions. This discrimination is direct decedent from legislation that explicitly linked homosexuality to paedophilia.

The Framework should, therefore, consider:

- Law and policy reform to ensure protection, effective intervention and prevention

- Whole of government responses to ensure that reforms do not occur in silos
- Practice reform to ensure that the services (including universal and specialist Government and non-Government services) that engage with those who experience or use sexual violence address promote safety i.e. through the use of training
- Community views and attitudes towards sexual violence

In addition, the framework must be informed, reference and seek to address the history of NT Intervention informed responses to sexual violence, the harm it has caused and must actively seek to ensure that the framework is not co-opted to further entrench experiences of marginalisation experienced by many communities, especially Aboriginal communities, across the NT. I propose that this occurs through:

- ensuring the accountability of the Framework to local communities, especially Aboriginal communities, most impacted by sexual violence;
- inclusion of measures and actions that promote (not limit) the self-determination of Aboriginal peoples; and
- other measures as identified by Aboriginal cultural authorities and communities in the NT.

### Action area 1: Preventing sexual violence

#### **2. What can be done to prevent sexual violence in your community and across the NT?**

As previously discussed, there are a range of actions that can prevent and respond to sexual violence in my community and across the NT. This includes:

- government commitment to legislation and policy reform to address the drivers of sexual violence (i.e. overcrowding) ;
- government commitment to for reform to be led by communities, especially Aboriginal communities, in accordance with Local Decision Making;
- conscientious culture changes across the NT to prevent sexual violence and to challenge the normalisation of sexual violence;
- effective interventions with those who use sexual violence to prevent re-offending;
- resourcing of sexual violence prevention programs;
- privileging the voices of those with lived experience with sexual violence; and
- reducing the stigma of experiencing sexual violence

#### **2. What are the key elements of a successful sexual violence prevention program?**

Successful sexual violence prevention programs are developed within local communities to meet the needs and serve the aspirations of that community.

Research suggests that successful prevention programs:

- considers the drivers of sexual violence within that community and moves beyond universalist assumptions;
- highlights and promotes the cultural and community strengths that promote/ ensure safety;
- is accessible to participants/ recipients and uses language to discuss sexual violence/ healthy sexual relationships used by the community;
- delivery is culturally appropriate and informed;
- acknowledges and grapples with the complexity of sexual violence (i.e. normalisation of sexual harassment, internalised racism/ sexism);
- occurs across the NT (not just in urban regions)
- engages with a range of individuals (not just young men) and is not solely a primary prevention program; and
- promotes and facilitates healing for survivors of sexual violence and their families and communities.

#### **4. Where should sexual violence prevention program be delivered e.g. youth detention centres, schools?**

As previously stated, local communities should be resourced and supported to delivery sexual violence programs as they deem appropriate.

In addition, I would also support the delivery of sexual violence prevention programs, which accord with the elements outlined above, in the following settings:

- schools and other services/ systems that engage with young people (i.e. youth detention centres); and
- in a range of public events to further promote culture change within the NT.

#### **5. Who should deliver sexual violence prevention program?**

As previous stated, I support the delivery of sexual violence prevention programs within communities by communities. I also support the resourcing (fiscal and otherwise) of prevention programs to ensure that our most vulnerable communities are not alone in carrying the burden of preventing and responding to sexual violence.

#### **6. What words should be used when we talk about people who have experienced sexual violence and people who commit sexual violence?**

There is a need for systems responses to sexual violence (including use of language) to be informed by communities that are most impacted by sexual violence. In accordance with my

feminist values, I would support the use of neutral language if there is a preference for such language from Aboriginal peoples and communities.

### **Action area 2: Responding to children and young people who have experienced sexual violence**

There is a need for a holistic, culturally informed and evidence informed response to children who have experienced sexual violence or intervention with children who use sexual violence. Holistic responses need to consider and address the underlying drivers of sexual violence and work to ensure safety from further sexual violence and promote healing (both for children that use sexual violence and receive). This may include addressing domestic and family violence, overcrowding, drugs and alcohol.

I also acknowledge that healing occurs in connection to others and in community. It is therefore, critical that local communities are empowered and appropriately resourced to support children and young peoples in their healing.

### **ACTION AREA 3: Responding to adults who have experienced sexual violence**

#### **11. What can be done to support and respond to adults who have experienced sexual violence in your community and across the NT?**

As stated above, healing and recovery occurs in connection to others and community. Communities must therefore be empowered and resourced to promote safety and support survivors to recover from their experiences of sexual violence. I believe this should be foundational to the Framework.

Consultations conducted as part of the family and sexual violence sector's submission to the Victims of Crime review identified that a range of therapeutic and practical supports are sought by adults who have experienced sexual violence. This includes;

- access to support animal;
- travel costs to support return to Country;
- fiscal support;
- parenting support programs to provide support to women whose children were conceived through rape;
- access to a range of allied health therapies;
- housing security improvements; and
- specialist counselling and case management.

Furthermore, there is a need for the skilled provision of services where disclosures occur. This need is especially acute in specialist services where there is an intersection with sexual violence i.e. DFV services, mental health services, AOD services or in systems which a high proportion of sexual violence survivors are engaged such as Corrections (both men and women). A skilled provision of services may include:

- Skilled listening to identify and hear disclosures of sexual violence;
- Skilled responding to disclosures of sexual violence; and
- Referral and access to specialist sexual violence supports (including but not limited to counselling) that are accessible and appropriate.

#### **ACTION AREA 4: Responding to adults who commit sexual violence**

##### **12. What can be done to respond to adults who commit sexual violence in your community and across the NT?**

I support the consideration of interventions and supports for those who use sexual violence including:

- funding of specialist (and other relevant) behaviour change programs targeted at men who use sexual violence or are at risk of using sexual violence;
- greater consideration of sexual violence in the provision of services to men who also use DFV;
- skilled provision of services that keep women and children's safety at the centre and listen for, identify and respond to use of sexual violence; and
- further research to inform and evaluate service delivery and responses to those who use sexual violence

As previously, intervention and response systems and services must be culturally safe and accessible for Aboriginal peoples, and be accountable to Aboriginal communities.

For those have used sexual violence and are engaged with the justice system:

- access to a range of rehabilitation and intervention programs (as alternatives to, during and post incarceration);
- access to services and supports to promote compliance with parole conditions and prevent recidivism; and
- provision of skilled parole services in accordance with best practice

#### **ACTION AREA 5: Strengthening the systems that respond to sexual violence**

##### **13. How can we strengthen the systems that respond to sexual violence in your community and across the NT?**

Whilst there are many pockets of strong and appropriate systems responses to sexual violence, there is potential for improvement. Most importantly there is a need for service

and systems design and delivery to be accountable, informed by and led by survivors. Reform and review must also be to be led by and informed by Aboriginal communities and cultural authorities to promote the safety of Aboriginal peoples who may have experienced sexual violence.

I have also observed that there is a need for:

- greater integration of sexual violence awareness and response into universal and intersecting specialist services (i.e. mental health, DFV); and
- Greater coordination of service delivery so survivors don't need to retell their story.

#### **14. What kind of changes does the justice system need to make to respond better to sexual violence?**

The Northern Territory is one of the two remaining jurisdictions that prevent media from publishing the survivors of stories under their real name. I strongly support the removal of this legislation to ensure that the voices of survivors can be heard. To retain the legislation is to continue to disempower and silence survivors of sexual violence to benefit of those who use sexual violence.

There is also a pressing need to reform the justice system to ensure that the system places survivors at the centre of their work. Drawing from the work conducted in the journey mapping conducted by Richmond (2018) and the DFSV sector submission to the Review of Victims of Crime it is evident there is a pressing need for the following reforms:

- review and reform of court processes to promote the safety of survivors (this includes reform of processes to ensure court and legal processes do not re-traumatise survivors and consideration of the cultural safety) and promote the capacity of survivors to exercise control (through the provision of timely information and continuity of contact with a support/ advocate within the system to ensure survivors are not lost within the system);
- provision of culturally informed sexual violence training for those who work in the justice system to ensure that the voices and stories of survivors are heard; and
- funding and provision of evidence-informed behaviour change intervention programs for those who use sexual violence to reduce recidivism.

Finally, there is an urgent need for the reform of the justice system to promote the safety of Aboriginal and Torres Strait Islander peoples engaged in the justice system and establishment of mechanisms to ensure the accountability of the justice system to Aboriginal communities and cultural authority as identified in the Aboriginal Justice Agreement consultations.