

Appendix 1

Focus group invitation

Stopping family violence

Not Just Court: Aboriginal Families, Courts and AVOs

? **Have you, or someone close to you, experienced police, courts and AVOs**

✓ **If you have then please join our discussion group for Aboriginal women**

29 January 2001

Meeting Room, Riverina Juvenile Justice Centre

Facilitators...

Daphne Munro,
Community Representative Aboriginal Justice Advisory Council
Kerrie O'Sullivan
Co-ordinator Court Assistance Scheme
Elizabeth Moore
Lecturer in Social Welfare, Charles Sturt University

10.00 am Yarn up ...

- Talk about facts, myths, fears and safety
- Do you think AVOs stop conflict in Aboriginal families?
- What do you think works or doesn't work?
- Could court work better?
- What more would help families to stop violence?
- What do you think about some ideas from other places?

12 mid day Lunch

About the discussion group

- ✓ With about 15 women, everyone will be free to talk
- ✓ We will not record names and other personal information
- ✓ We will record all the ideas
- ✓ We will provide participants with a summary of the ideas
- ✓ We will pass the ideas to the NSW Aboriginal Justice Advisory Council and Violence Against Women unit and ask them to use your ideas to shape changes to laws, policies and services

Call Daphne or Kerrie before 23 January 2001 on 6921 6227 to tell them you are coming. Leave a message if not answered, and your address if you want transport.

About the project

This project is supported by the NSW Attorney-General's Department's Aboriginal Justice Advisory Council (AJAC), Violence Against Women Unit (VAW) and Local Courts Division.

It involves working with community workers at three chosen rural and remote locations in NSW to hold talks with small groups of people who have experienced the system for taking out apprehended violence orders (AVOs) through court, as a way to stop violence in Aboriginal families. At each location talks will be held with a group of people who have personal experience of AVOs and court. A separate group will be held to talk with workers, both Aboriginal and non-Aboriginal, who have been involved with AVOs and Aboriginal family violence through police, courts and other relevant welfare services.

The talks aim to find out what Aboriginal people with experience of family violence, and workers, think about:

- i) How effective are court processes.
- ii) Whether other measures such as mediation or conferences might be used as well as, or instead of, court proceedings.

At the talks we will talk about the AVO process and describe some other ideas that have been tried in communities elsewhere, or that are not specifically for Aboriginal people, to get local people's opinions about whether and how they might work in the places visited.

The views obtained from this study will be submitted for consideration of the NSW Attorney-General's Aboriginal Justice Advisory Council (AJAC), the Violence Against Women (VAW) Unit and Local Courts in their work toward improving laws, policies and services that might better assist in reducing family violence in Aboriginal communities.

We hope you will support this project by giving your trust, time and ideas.



Winsome Matthews
Chairperson
NSW Aboriginal Justice Advisory Council



Elizabeth Moore
Lecturer
Charles Sturt University

January 2001

Appendix 2

Focus group agenda and ground rules

Yarn up for Aboriginal women! **Stopping family violence**

Not Just Court: Aboriginal Families, Courts and AVOs

29 January 2001

Meeting Room, Riverina Juvenile Justice Centre, Wagga Wagga

Facilitators...

Daphne Munro,
Community Representative Aboriginal Justice Advisory Council
Kerrie O'Sullivan
Co-ordinator Court Assistance Scheme
Elizabeth Moore
Lecturer in Social Welfare, Charles Sturt University

- | | | |
|----------|------------------------------------------------------------|-----------|
| 10.00 am | Welcome and introductions | Daphne |
| 10.10 | About the project | Elizabeth |
| 10.20 | Yarn up - ground rules | Daphne |
| 10.30 | Yarn up on AVOs | |
| | 1. Family violence facts, myths, fears and safety | |
| | 2. Do AVO's stop family violence? | |
| | 3. Cops and court - what works and doesn't work? | |
| | 4. Could AVOs/court work better? | |
| 11.00 | Yarn up on additional responses | |
| | 5. Not just court - additional justice responses | |
| | ♦ Mediation | |
| | ♦ Restorative justice | |
| | 6. What other things could help families to stop violence? | |
| 12.00 pm | Close and appreciation | |

Ground rules

- ✓ Facilitators will guide the discussion - giving information and asking questions

- ✓ Topics will be family violence, police, courts and ideas about change
- ✓ Talk about things you have seen, heard or experienced yourself
- ✓ Confidentiality cannot be guaranteed - no personal private details
- ✓ An audio recording will be made, not written notes
- ✓ Anonymity will be protected - no participant names
- ✓ Tape can be paused - just ask Elizabeth
- ✓ Please try to talk as loud and clear as you can
- ✓ One person talks at a time, so don't interrupt wait until a speaker has finished
- ✓ Be respectful and polite and don't use angry or aggressive language or behaviour
- ✓ Ask speaker to explain if you don't understand, or feel offended by what they said
- ✓ Take time out if you need it
- ✓ If something makes you distressed ask Kerry or Daphne for support, during or after the meeting (give cards out)
- ✓ Anything else?

What will happen to the information?

- ✓ Elizabeth will summarise all the information, problems and suggestions
- ✓ Daphne and Kerry will provide participants with a summary through CAS
- ✓ Elizabeth will pass the information to the NSW Aboriginal Justice Advisory Council and Violence Against Women unit and ask them to use it to shape changes to laws, policies and services

This project is supported by Charles Sturt University and the NSW Attorney-General's Department's Aboriginal Justice Advisory Council (AJAC), Violence Against Women Unit (VAW) and Local Courts Division.

Appendix 3

Family violence – forms and impacts

Physical violence and homicide

He got jealous because I was playing softball. Got home from softball and he split my head open... Once she had the boy in her hand. Now, one of them even hit the baby - like, went to hit her, missed her and hit the baby. (wi1493-1499)

(I've been) stabbed through the hand and through my leg - through my leg in the same place, twice – and then a knife went through my hand. And he burnt me with a cigarette, that was when I asked him for a smoke, he just jumped on the bed and put the smoke out on my face. (bi163-168)

Sexual assault

That's like the rape in marriage or rape in relationships. Women are not aware that that's an offence. They think it's their duty. (dp739-741)

There's a lot of family violence, and it's extending right through down to the children, to our elders. It's physical, mental, social, and financial. There's sexual abuse going on in relationships. It's not very often it's strangers; it's in the immediate family but it's being condoned. (dp65-70)

There is a lot of sexual assault going on, too, with teenage children. (bp125)

Verbal abuse

...verbal violence is probably just ingrained, it is totally accepted. I got quite a shock when I first came to Bourke. The language - I'd never heard such words – and little kiddies, ...- you hear it all the time. I mean, ..you can just hear this bad language - everywhere you go. I don't know about in the schools, but just in the street - it's everyday language – and not just swearing language, there's an awful lot of descriptive acts of what they're going to do to people - - -, you're totally shocked. They even swear about dead people.

I was at the pool, and like the kids, eight and nine-year-olds - descriptive sexual acts - they were abusing each other, ... It affects everyone. (bp137-177)

...(male relative) is an alcoholic and he swears at (his wife) something bad, and (the young girls they are bringing up) - they're both 11 and 12 this year, and they're around that mental and verbal abuse, and I keep telling (the wife) either he's got to be sent away or you've got to move away from him, to save these two girls, because they're going to grow up thinking that they're little molls or little sluts, (bi411-421)

Put them down, put the parents down: "Your father, he was no good. He was an idiot." They say if you shame the parent you shame the child, and I believe that. You never shame the parent in front of the child, and that's exactly what they do. (wi114)

Mental and emotional torture

... he was playing around, he took it out on me. .. I was mentally and verbally abused, - it was just torture, you know? Because I knew, and I just got sick of it. That's why I took off.

...mental abuse is always the worst because - - a broken bone or a black eye, you'll have a scar but - - it does heal up. Whereas the mental abuse ... really eats away at you, at your gut. (bi389-406)

- you have to include the children in that, ..if they're not being physically abused they're emotionally abused because they're witnessing the violence against their mother or their father... (bp104-112)

...it's like a mental torture and (the children) suffer at school. They can't learn. (wi34)

Social abuse

...I asked them to help. I said, "Look, this man's moved in." I could ask for a refuge because he knocked me around. Well, I've got away from him, and then when I moved into this house he moves in. He used to lock me in the house while he went to work. Now, he'd like be getting his money. He'd come home - and I was only getting like fortnightly payments back then. That was just enough to feed me and my kids. He used to bash me for my money. I never went out. I had no life. Like mum said, I was starting to lose my memory and things.

I reckon this is not uncommon. The women not only fall victim of the physical but it's the financial stuff. They will take all their money, use their credit cards, put the woman in debt and then clear off, leaving the woman with all this debt and being unable to access services. (wi1294-1309)

Financial abuse

And (she) gets away from (the abuse) by going ... out of town on meetings, going to the club to press (electronic gambling machines), - but it's not stopped, because she's still got to go home to it. It's a two-way situation. While she's doing that, that's why he drinks. While he drinks, she goes away. (Bi429-436)

When the money that is yours is taken away from you and gambled, money coming into the family to feed and clothe the kids is taken and spent, probably on grog or gambling, someone in the family steals money or food. (bi451-455)

What about old people in the families? Sometimes they have their own money and, you know, they're staying with the family and it doesn't get to them.

I think there's been a bit of an increase in some of the younger kids actually getting into our older people and thieving off the aunts and uncles and grandparents because it's a way of them being able to get money. (bi457-465)

I know a lot of elders (whose families) actually get (the elder's) pension money ... and once they've taken that money they want to throw them out. To me there should be something done ... There are more and more being victims of this too. You don't hear of any support for the elders. (wp1882-1890)

Impacts on children

I believe that the people who are committing the violence against each other really have no idea what effect it's having on their children. - I don't think anybody has got through to them that, "If you could stop the violence then your children don't have to become violent when they grow up." (bp1171-1181)

And they see that the parents are fighting between each other, but the first thing the parents say is, "The kids went to bed. They had a feed last night. They went to bed. They didn't get hit." They're not realising the emotional impact that that's having on the children. (dp145-151)

They probably don't see them in the room with thepillows over their ears and that frightening feeling when dad's smashing the furniture in the house and things like that. You know, I've seen it myself. I've seen it first-hand. (dp152-157)

But think about what all this violence and stuff is doing to our kids. Your seven kids - - - That's the accepted thing and we've got to break that cycle. That's the scary part, it's going right down the line.

It's not just with partners, it's with brothers and sisters - slapping one another, throwing things at one another - it's not normal. (wi1606-1630)

If they're not cowed down to a point where they just want to cringe every time someone comes in, they'll fight back, and the way they'll fight back is violence with violence, that's why it's got to be stopped.

They see it as an accepted thing because the adults are getting away with it now and they think, "Well, he got away with it. He did that to me. I'll do it to somebody else."

Because they think that's the way of life, you know - "Oh, well, it happened to my mother and it happened to me, so this may be the way that it has to go, to get through life." (wi150-174)

You'll probably find that their children witnessed that event and they'll be stabbing their partners in 10 years' time. (bp1161-1163)

But because (female victim's) son is old enough now, we think he's getting his own back for all the wrong (the father's) done to (her) because (her) son is starting to get into his father. ... we say, that's payback time, and (the father) doesn't say anything when (his son) approaches him, because he knows how he's treated (his wife) over all these years (bi253-263)

What really worries me ... we've got so many great young kids that have so much potential, and ... on a Friday and Saturday night you can guarantee they'll end up in a fight, and I'm just waiting for the time when a tragic - I just pray it doesn't happen - you pick up the paper and one of them's killed someone. Great kids without alcohol; as soon as you mix the alcohol they're kicking someone ... (wp739-752)

... it's a common thing now, you hear about all these young kids thieving. See, a lot of them are breaking in to get a feed, - when we read (police recorded) facts about kids breaking and enter - you'll read that this and this was taken out of the fridge, because they're hungry. They haven't got money to buy a feed, and because they've already started smoking cigarettes or marijuana, well, they'll steal like a Nintendo 64 to sell it to buy that (drug) plus a feed, if there's no food in that person's fridge... (bi470-485)

Appendix 4

Case Study – Survival and Rehabilitation

Well, the only way I could get away was to wait for a payday, not say anything, just put the kids in the car, and go. I didn't say a word to anyone, only to mum, and I took off for two weeks, and when I did ring him he said, "Have you got another boyfriend?" I said, "No." I said, "I'm at a refuge with the kids," and we were talking about – why I left him, all of his problems and that, because it was really, really bad violence with us, but then it sort of settled down, and then when I came back he totally changed because he knew that if he kept going he'd lose me forever. So it stopped and it changed and I've never seen a better person, - - (bi206-220)

He's more involved with the community now and he's had domestic violence – he's been to these workshops, he's got certificates, he's been to child sexual abuse workshops and had training. So he realises now how it affected us and doesn't do it any more. And when he's angry he'll walk outside, yes, so it's totally changed. (bi222-228)

I feel so safe. It's only fear for myself when he's not there, now. Whereas before when he was there I was afraid, because I used to be asleep and he used to come home and wake me up and it'd just start at 3 o'clock in the morning, things like that. But now it's just so good, yes. We do everything for our kids, you know, help them out, and we talk to (a female relative experiencing family violence) about things, you know, because my partner is (her husband's) nephew – but we take (her) in every now and again when she walks away from him and that. She comes down home and we talk to her about things, but my partner has been a support for her by going to speak to her partner saying, "Look, it's got to stop. You know you can't keep doing this." (bi238-252)

(I'm aware of the harm that verbal abuse can do to children) because my son's starting to get called "fatso" and things like that and he keeps saying, "Mum, am I going to lose weight?" He's only six. And I said, "Yes, son, when you get older you'll lose all that, you'll be a big, strong man, you know, like dad," and it builds his confidence up then, when I say good things to him. And I've got a son that's got really, really red hair, and his skin is the same colour – it's real dark, like real nice, eh, like (name suppressed's) boy, and he hates it when people call him "Redfella" or "Red chook" and that, and he wants me to dye his hair all the time – you know, blond or black or dark brown or something, and I said, "Son, you should be proud of your hair. It's a real pretty colour. Don't take notice of what other people say." (bi336-352)

Well, you know, personally, I wouldn't – I wouldn't use the service here, I went to Dubbo to protect me and my family because I just really didn't want everybody to know my business. Because I was battered enough without having to contend with it in a small town. Yes. See, at the time I left, I was working for the court – Court Assistance and the courthouse - so I used the DV worker through my job at the refuge, to get through the other refuges to leave. I didn't actually stay here and no-one knew - only the DV worker. (bi712-728)

Personally I'm glad somebody told me about an AVO because I don't believe that I would be here sitting telling you my story. It made a difference. I mean, I had to use it – to go back and put different things in it – you know? It stopped him – you know, gave him a chance to look at his actions, but it stopped him from coming in and stalking me or all the other things that he did. But then it forced me to sort of put things in place, too, to ensure my safety. And had that happened 10 years prior – you know, I guess I would be a stat.

I went through a lot of unnecessary pain, distress - -that could have been avoided had it happened earlier - - -

And – at last I felt I'd be – you know, somebody's listening, there's something I can put in place to protect me - - and my children, and prior to that - - -

WS: There is a positive thing – yeah - - -

WCAS: And again the more women that come out and survive it and tell it that are positive role models - - - saying, "Okay, I don't want to put up with that kind of crap any more" and - - -

WS: That's right, they don't have to put up with it.

WCAS: Yeah, and that's the thing. We have women who have been in relationships, you know, got out of those relationships and grown and are there, but what we need as well is some women who have been in those relationships and seen the man change to show that – whereas at the moment this has been the only thing that's happening, women - - -

Well, I'm one of them. Took off for two weeks and had him changed just like that. There was no violence whatsoever. I didn't know what an AVO was until I got with him when I was 20, and - - - I went in 99, July 99. Two and a half years.

Like, I didn't know what an AVO was until I got in this role that I'm in. I had four relationships and they were all bad. The last bloke broke my jaw in four places, the other three – just constant beatings, beatings, beatings, and putting me down and all this, and I kept blaming myself – “Oh, must've been – must be me.” But it wasn't until I got into this job and I built my self-esteem and confidence back up and I said, “No, it's not me.” And I went and got an AVO on the sly and nice as pie – nice as pie. So if it takes that little bit of paper with their name and your name on it, and you know their rights and responsibilities, it should be, “Go for it.”

WS: You never wanted him to go to gaol?

No, because then he'd be with all his mates. He's with his mob – six months, 12 months – I'd rather him go in the rehab - so the next woman on his hit list - - is going to have a better quality of life than I did.