



## STRATEGIC OBJECTIVE D

# VIOLENCE AGAINST WOMEN

### STRATEGIC OBJECTIVES D

**Objective D.1** Take integrated measures to prevent and eliminate violence against women.

**Objective D.2** Study the causes and consequences of violence against women and the effectiveness of preventative measures.

**Objective D.3** Eliminate trafficking in women and assist victims of violence due to prostitution & trafficking.

*' (113). The term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. Accordingly, violence against women encompasses but is not limited to the following:*

*(a) Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;*

*(b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;*

*(c) Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs.*

*(115). Acts of violence against women also include forced sterilization and forced abortion, coercive/forced use of contraceptives, prenatal sex selection and female infanticide.'*

*(Beijing Platform for Action (BPFA))*

### OVERARCHING CONCERNS

Despite positive government actions and the development of *'The National Plan to Reduce Violence against Women'*, sexual violence, assault, abuse and bullying of women and girls continues and is prevalent across all social groups and geographic areas of Australia. Female perpetrators of violence are growing. The impact on children witnessing domestic, partner and family violence is not often measured and often goes unsupported. Lack of adequate housing means greater risk of abuse for many women and girls, and lack of crisis emergency housing for those who leave is a key barrier for women facing abuse and violence. Violence against women and girls with disability and older women in institutional and age care settings is a grave concern.

Bullying in the school environment by girls towards girls is increasing. ICT related violence is a disturbing new phenomenon. 'Happy slapping' incidences, where an act of violence takes place, is videoed on a mobile phone, instantaneously uploaded to the internet and sent out through social networking sites and mobile phones, is a particularly disturbing new violent

phenomenon, often leading to social isolation and in some extreme cases, suicide. Teachers' support and school protocols are lacking in this area.

Women with disabilities continue to experience both high levels of domestic, relationship and family violence, sexual assaults and, have high levels of unmet needs in terms of access to domestic violence, sexual assault and related community support services. For some refugee and CALD women and girls, violence embedded in the practice of Female Genital Mutilation (FGM) is of great concern.

Indigenous communities are disproportionately impacted by violence. Children are being socialised in an environment where violence is perceived as an acceptable and legitimate way in which to deal with emotional or social discord. This is perpetuated through generational behaviours and social responses. In rural, remote and indigenous communities, living in a close knit community where perpetrators of violence live side-by-side with those in authority, combined with lack of police, inadequate housing, a culture of silence, lack of transport and, infrastructure, impunity of sexual offenders, a lack of trust in the police and reporting systems, stigmatisation, intimidation and fear of retribution or public alienation, result in a lack of security and safety for women and girls and impunity for offenders of violence. Rural and remote women and girls have less access to police, medical and education services. Rapes often do not get reported and, shame associated with being affected by violence is especially affecting the mental health of girls and youths. The reported lack of police response time to incidences of domestic and family violence is a cause for concern, especially when children call to report the incidences happening in their home.

Lesbians continue to be persecuted due to their sexuality. Despite changes in the discrimination laws in Australia, women in same sex partnerships suffer high incidences of violence, either by their partner, or via homophobic perpetrators. Anger management courses for women are scarce and lesbians often face discrimination in seeking crisis accommodation.

Women's services supporting those who have experienced family and sexual violence are under pressure. There remains a lack of services which are culturally and linguistically appropriate in the area of domestic violence. There is not enough adequate shelter for women escaping violence and existing shelters are at capacity. The threats to continuation of funding for such shelters provide a constant stress for the workers and, a lack of security for women and girls. Lack of coordinated services and the impact of competitive tendering process are resulting in a lack of quality support for women and girls affected by violence and, in some cases, women's refuges being managed and staffed by men.

There is a perception that the criminal justice system is not working for many women who live with violence. There is also a perception that Family Courts do not take into account the impact of violence in family and return children to access with a violent parent. Women from refugee and migrant communities are not always aware of their rights and services with regards to domestic violence.

Sexual harassment is prevalent in the workplace without exception. Bullying of women by women is also a strongly noted barrier to advancement in the workplace. Lack of reporting due to fear of losing their jobs or not getting a good reference is commonplace.

Trafficking in women and children has received considerable attention from the Australian government, both nationally and regionally and there is a new visa category that supports trafficked women. Women are able to access this support irrespective of the visa they hold or whether they are able or willing to assist police with investigations. However, slipping through the net appears to be 'internet brides,' who are brought in under partner visas and then exploited for sexual slavery.

Media responsibility in the promotion and vindication of violence through sport and sporting personalities is a blatant promotion of violence towards women. Lack of positive role models and young people looking to sports stars as role models of how to behave exacerbate this issue.

## GAINS

- ✿ Appointment of an 11 member National Council (2008) to provide advice on the development of an evidence-based National Plan to Reduce Violence against Women and their Children. On 29 April 2009, the Council presented its report, 'Time for Action', to the Prime Minister in Canberra.
- ✿ A whole-of-government strategy has involved the establishment of a new high level Women's Interdepartmental Committee (IDC) to take forward a broad whole of government program of work and progress agreement on issues ranging from violence to new ways of working across government, and improving economic outcomes for women.
- ✿ In light of the unacceptable and increasing numbers of substantiated cases of child abuse and neglect, the Australian Government presented a discussion paper 'Australia's children: Safe and well – A National Framework for Protecting Australia's Children' (May 2008).
- ✿ The Minister for the Status of Women has identified the importance of partnering with men to achieve gender equality. Positioning men to show leadership on gender equality within a partnership requires a new way of thinking that requires a conceptualisation of issues as shared problems. This new approach is reflected in the involvement of men as White Ribbon Ambassadors in initiatives to reduce violence - men's role of not silent, not violent.
- ✿ \$1.1 million dollars was allocated for 'respectful relationships funding' for NGO projects to be implemented from January 2010. This funding is for projects in 2010 to assist in taking forward the National Plan to Reduce Violence against Women and their Children (Nov 2009).
- ✿ Australia ratified the *United Nations Convention against Transnational Organized Crime* in 2004 and its supplementary *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* in 2005.
- ✿ On 1 July 2009 the Government implemented changes to the *Support for Victims of People Trafficking Program* (the Program) and the *People Trafficking Visa Framework* (the Visa Framework). These changes mean that victims of trafficking in Australia now have access to a more flexible support framework for themselves and their families. Women are able to access this support irrespective of the visa they hold or whether they are able or willing to assist police with investigations.
- ✿ People Trafficking Guidelines for NGO's launched (March 2009).
- ✿ Increased advertising against domestic violence.

## GAPS

- ✿ National Action Plans are setting the way ahead, however, integrated measures and services for women and girls are lacking and the current trend is a steep rise in violence against women and girls.
- ✿ Services and resourcing of women and child friendly crisis support is critically in short supply.
- ✿ Indigenous women and women with disabilities continue to suffer disproportionately high rates of violence compared to other Australians.
- ✿ Lack of adequately resourced and safe women friendly support services for women and children experiencing violence.
- ✿ Extreme lack of emergency and crisis housing which is now at critical levels.
- ✿ Current workplace reporting processes of sexual harassment and bullying in the workplace is not working for women.
- ✿ There is a perception that the criminal justice system is not working for women who live with violence. There is a perception that Family Courts do not take into account the impact of violence in families and return children to access with a violent parent.
- ✿ Women in same-sex partnerships continue to suffer from violence due to their sexuality.
- ✿ Female Genital Mutilation of young women in resettlement remains an issue.

## EMERGING ISSUES

- ✿ ICT related violence especially with young girls.
- ✿ Reported lack of police response to call outs for domestic, relationship and family violence, especially in indigenous, rural and remote areas.
- ✿ ICT related cases of women migrating as "internet brides" and being placed into sexual slavery.

## SUGGESTED UN LANGUAGE FOR KEY PRIORITY AREAS FOR ACTION

- ✿ Calling on governments to intensify efforts in practical terms to prevent all forms of violence against women and girls, to provide protection and services to the survivors, investigate, prosecute and punish the perpetrators of violence against women and girls, and engage men and boys, as well as community and faith-based organisations in eliminating violence against women.

- ✿ Calling on governments, civil society, the private sector, media and the entire UN system to join forces in addressing the global pandemic of violence against women and girls and to achieve, the adoption and enforcement of national legislation in line with international human rights standards (including the eradication of female genital mutilation); the adoption and implementation of multi- sectoral national action plans; the provision of long-term non discriminatory crisis-accommodation; the establishment of data collection and analysis systems; the establishment of national and local awareness-raising campaigns and increase systematic efforts to address sexual violence in conflict situations.
- ✿ Calling on governments to develop early intervention programs for national curriculum and broader education programs for parents, children and teachers that address the issues of violence at an early age.
- ✿ Urging governments, intergovernmental bodies, corporations, international finance institutions and development agencies to be guided by the UN Declaration of the Rights of Indigenous Peoples (UNDRIP) and the Convention on the Rights of Persons with Disabilities (CRPD) as a framework for development and to prevent economic displacement and subversion of rights and violence against indigenous women and girls and women with disability.
- ✿ Calling on governments to abolish discriminatory laws and practices, discriminatory customary laws, particularly personal laws which adversely affect the rights of women and to prevent and subversion of rights and violence against women with disabilities, lesbian, gay, bisexual and transgender people and indigenous women.
- ✿ Calling on governments, UN bodies, intergovernmental agencies and companies to address and develop measures, including legislation and guidelines, to combat ICT-related violence and exploitation of women.
- ✿ Calling on governments to create or strengthen institutional mechanisms so that women and girls can report acts of violence, including bullying and workplace harassment, in a safe and confidential environment free from penalties or retaliation and to file charges.
- ✿ Calling on governments to take appropriate measures to ensure that all efforts aimed at combating trafficking in persons are gender and child sensitive, including in actions to address the factors that increase vulnerability to being trafficked, such as poverty and gender inequality, and to eliminate the demand that fosters all forms of exploitation of women and girls that leads to trafficking, and where women and girls are identified in situations of exploitation take all appropriate measures to remove them from harm and protect them without delay.
- ✿ Calling on governments, inter-governmental departments, civil society and media organisations to develop, consistent with freedom of expression, regulatory mechanisms, including voluntary ones, that promote balanced and diverse portrayals of women by the media and international communications systems that promote increased participation by women and men in production and decision making.

## UN REFERENCES

### BPFA

Strategic Objective D1 Action 121 (l) (k) ; Action 124 (a) (b) (c) (e) (g) (h) (i) (k) (l) (n) (m) ;  
 Action 125 (a) (b) (d) (e) (j); Action 126 (a) (b) (d)  
 Strategic Objective D.2 Action 232 (d)  
 Strategic Objective D.3 Action 130 (b) (d) (e)  
 Strategic Objective F.6 Action 180 (c)  
 Strategic Objective I.1 Action 230 (e) (g) (n)  
 Strategic Objective I.2 Action 232 (g) (h) (n) (o) (p)  
 Strategic Objective L.5 Action 281 (i)

### B+5 OD

B+5 IV Action 52, 55, 59, 69 (a) (b) (c) (d) (e) (h), 70 (a) (b) (c), 72 (u), 82 (a) (j) (k), 98 (a)(d)

### CEDAW

CEDAW understanding of discrimination included VAW: '*...discrimination includes gender-based violence, that is, violence that is directed against a woman because she is a woman or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty. Gender-based violence may breach specific provisions of the Convention, regardless of whether those provisions expressly mention violence*'.

Trafficking: Article 6

FGM : Article 12

### MDGs

While not explicit in the MDG's the understanding is that working towards the MDGs will reduce violence against women; and preventing violence against women will contribute to achieving the MDGs.

### Reference in other documents

E/ESCAP/BPA/2009/CRP.1 para 41, 42, 43, 44, 51, 52, 53

### CSW Outcomes Documents 2005 – 2009

E/CN.6/2006/15 para 15, 17 (r) (f)

E/CN.6/2007/9 para 13 (g) (h) (i), 14.9 (b) (c)(d) (e) (g) (j) , 14.10 (a) (b)

E/CN.6/2008/11 para 21 (a) (t) (u) (y)

E/CN.6/2009/15 para 15 (e)