

The Need for More Aboriginal-run Refuges

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Aboriginal Communities across Australia continue to be devastated by the impacts of family violence. Aboriginal women fleeing violence are too often forced into homelessness by systems lacking appropriate supports. Aboriginal children are being removed from their families and communities by state bodies at rates that have only increased since Kevin Rudd's apology to the Stolen Generations. The two main justifications for the removal of Aboriginal children from their families by Child Protection (CP) are identified as homelessness and family violence. This has been the case for generations, children removed from family and community not because they are neglected or unloved, but because of systemic, social, and economic barriers compounded by a lack of cultural responsiveness by many mainstream services.

At Elizabeth Morgan House Aboriginal Women's Service (EMH), we see a constant stream of women and their families who are trapped in a system whereby, if they make the difficult decision to leave their violent relationship, they and their children will most likely be faced with homelessness. But if they stay in the relationship, they remain in significant danger. In either circumstance, CP would most likely become involved.

Victoria's Aboriginal population is growing, yet EMH remains the only high-security refuge for Aboriginal women in the state, with accommodation for just four families at one time, not nearly enough to accommodate the referrals received. In regional Victoria, there are currently two low-security refuges for Aboriginal families, with a new high-security refuge set to open in 2022. While this is a necessary and welcome step, it will not ensure all Aboriginal women and

children fleeing violence have access to safe and culturally appropriate accommodation and support.

Refuges are intended as safe places for women and children in imminent danger, one of the steps in the journey from an abusive environment to safe and independent living. But suitable accommodation is only one element in ensuring the refuge stay will help an Aboriginal woman and her family transition to safe, independent living. Aboriginal women placed in culturally inappropriate or unsafe refuges are more likely to return to their abuser. These adverse experiences can often compound Aboriginal women's negative feelings towards mainstream services, thus reducing the chances these women would seek support from like services in the future.

Aboriginal women are more likely than non-Indigenous Australian's to be misidentified by police as perpetrators of violence, with Australia's National Research Organisation for Women's Safety (ANROWS) highlighting that mandatory arrest policies for family violence fail to contextualise the differing circumstances in which women are statistically likely to use violence, namely in self-defence or in retaliation.¹ Research has also shown an increase in perpetrators committing 'systems abuse', wherein a person who uses violence manipulates the legal system and thus the outcome of an intervention order. The intersection of criminalisation and homelessness is well documented. People experiencing homelessness are at greater risk of bail denial and imprisonment, and vice-versa: half of all women exiting prison expect to be homeless upon release. Misidentification is directly linked to homelessness. Criminalisation further isolates women from many services and can compound homelessness

and family violence. A widening of the scope of ACCO-run refuges would provide women greater access to services that understand and attempt to mitigate the intersecting systemic impacts that compound homelessness for Aboriginal people.

Aboriginal-run refuges are broader in their scope of expertise than many mainstream organisations, recognising the strengths of the intersectionality of experiences, not merely the barriers. More Aboriginal-run refuges would see women released from incarceration given more opportunities for interim housing while simultaneously being supported to locate stable homes. Aboriginal women fleeing violence and/or who have been incarcerated need safe transitions into long-term housing to prevent having to return to their abuser, or being at risk of homelessness or criminalisation.

The over-incarceration of Aboriginal women is directly leading to homelessness. EMH has seen countless women experiencing violence confess to, and be convicted of crimes actually committed by the person using violence against them, yet another way abuse is perpetrated through systemic manipulation. Women often have no option other than to return to the person using violence against them, as there is a lack of access to transitional and other social housing. Crisis response accommodation is required, as women exiting prisons need addresses for bail and parole purposes, and to complete community corrections orders; or they are at risk of being resentenced.

The campaign *Homes not Prisons* is calling for the Victorian Government to cease expansion of the Dame Phyllis Frost Centre and

reassign funding to the expansion of public housing, recognising that more than half of women exiting prison expect to be without a home upon release.² Aboriginal women who have been incarcerated should not be imprisoned again due to inadequate housing opportunities.

The intersection of harmful and pervasive systemic barriers which enable homelessness, family violence, child removals and over-incarceration to persist among Aboriginal communities and people are yet to be dismantled. Ensuring women have access to immediate culturally-specific accommodation in times of family violence crisis is a crucial step providing Aboriginal women with spaces for genuine healing, rather than reinforcing and continuing negative cycles due to lack of support services.

There must be more refuges for Aboriginal women run by Aboriginal organisations. Aboriginal-run refuges are better equipped to provide people supportive, culturally appropriate responses, informed and influenced by a deep understanding of family violence as it impacts Aboriginal families. Professor Marcia Langton addressed The National Summit on Women's Safety in September, calling for a separate plan for Aboriginal women, saying:

*'Nobody listens to us. They talk over the top of us, they tell us what we are going to have in our communities, and no one listens to the women in the communities, the women in the towns, the women in the suburbs who have to deal with all those young women and older women and children fleeing from violence.'*³

This is not just the case for Aboriginal women. Aboriginal children's voices have long been, and continue to be disregarded, and attempts to assimilate Aboriginal cultures and communities in Australia have always begun with the indoctrination of children.

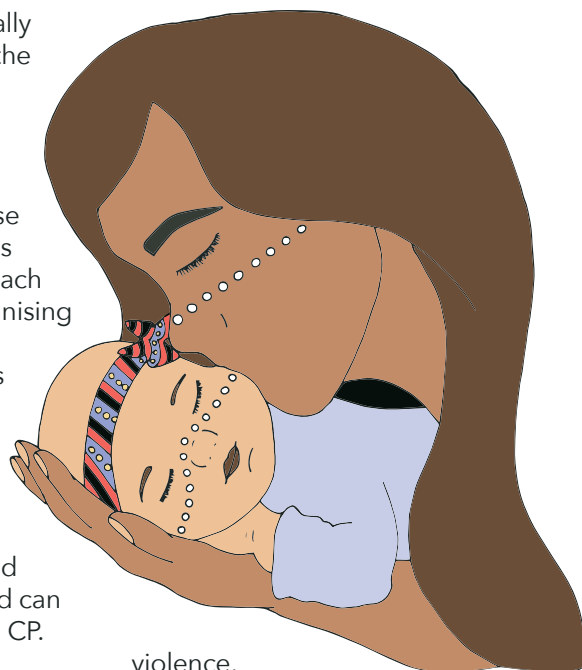
To help reduce rates of homelessness for Aboriginal women, EMH believes it essential for resources to be committed to establishing and operating more Aboriginal-

run refuges, where safe, culturally embedded, holistic healing is the primary goal. There must be appropriate accommodation options for families as well for as single women fleeing violent relationships. EMH's case management structure nurtures and upholds the strengths of each Aboriginal woman while recognising and seeking to reduce and challenge the systemic barriers so many Aboriginal women experience. Women are often prevented from receiving fair responses in the legal system which in turn impacts their chances of accessing stable and affordable accommodation and can lead to increased scrutiny from CP.

Brotherboys, sistergirls, and other LGBTQA + Aboriginal Australian's are subject to various harmful and intersecting barriers that prevent them from accessing services, and are often re-victimised and re-traumatised by the system, experiencing homophobia and other forms of discrimination in addition to racism. There is a lack of research into the extent to which these barriers impact individuals, but as a Rainbow Tick Accredited organisation, EMH recognises the urgent need for additional safe, empathetic, and healing refuges for Aboriginal people who identify as LGBTQIA+ or gender diverse and are fleeing violence.⁴

Brotherboys, sistergirls, and other LGBTQIA+ Aboriginal people should not be forced to choose between services that will recognise their Aboriginal cultures and communities, or that will recognise their gender or sexual identity. Aboriginal people fleeing violence need the option to access inclusive refuges which are aware of, responsive to, and appreciative of their multifaceted identities and individual strengths.

Aboriginal women do not have enough places to go when fleeing violence. By establishing more Aboriginal-run refuges that provide holistic care, with a focus on healing, we create more avenues for women to live lives free from violence, without doing so at the expense of an individual woman's culture and Community. While mainstream services frequently view 'Community' as a potential risk to a woman fleeing



violence, Aboriginal services have a deeper understanding of the potential strengths of communities and the importance of maintaining these cultural connections to heal.

The un-reconciled legacy of nearly 250 years of Western government policies and agendas has formed deeply entrenched systemic barriers for Aboriginal people. Barriers are so embedded, that to combat them, Aboriginal people and communities must be allowed at the forefront of the conversation and governing of communities. EMH maintains that more resources directed to creating and maintaining Aboriginal-run women's refuges will equate to more promising prospects for Aboriginal women fleeing violence to find and sustain safe accommodation, while simultaneously upholding cultural importance and working towards holistic healing for individuals.

Endnotes

1. Nancarrow H, Thomas K, Ringland V and Modini T 2020, *Accurately identifying the 'person most in need of protection' in domestic and family violence law* (Research report, 23/2020). Sydney: ANROWS.
2. <https://homesnotprisons.com.au/#open-letter>
3. Aboriginal and Torres Strait Islanders experiences of family, domestic and sexual violence, recorded 06/09/2021, video recording, Department of Social Services, National Summit on Women's Safety 2021 <blob:https://socialservicesgovau.webcastcloud.com/78f22745-262b-4d67-a029-32e4fc98f98b>
4. Rainbow Tick, Rainbow Health Victoria, LaTrobe University and Australian Research Centre in Sex, Health and Society, year unknown <https://www.rainbowhealthvic.org.au/rainbow-tick>