

Mainstreaming Crisis Accommodation Responses to Indigenous Family Violence

LITERATURE REVIEW

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LITERATURE REVIEW

1. Introduction

The past fifteen years have seen a plethora of reports concerning the extent of violence associated with Indigenous people, with most reports occurring over the last six years since the advent of the Commonwealth programme *Partnerships Against Domestic Violence*. In common with the statistics associated with the Australian community in general, it is recognised that violence concerning Indigenous people remains under-reported and that it is therefore difficult to establish reliable data.

However, it is also agreed that, despite the difficulties inherent in collecting data of this nature, the statistics that do exist are “sufficient to demonstrate the disproportionate occurrence of violence in the Indigenous communities of Australia and the traumatic impact on Indigenous people” (Memmott et al 2001:6)

In a literature review on *Violence in Indigenous Communities*, Memmott and his colleagues reached the following conclusions:

1. that violence is perceived by many people, both Indigenous and non-Indigenous, as a major problem in Indigenous communities
2. that the incidence of violence in Indigenous communities and among Indigenous people is disproportionately high in comparison to the rates of the same type of violence in the Australian population as a whole
3. it is apparent that rates of violence are increasing, and the types of violence are worsening in some Indigenous communities and regions. (Memmott et al 2001:6)

Blagg (2000) also reported that Indigenous people are significantly over-represented in victimisation statistics, and are 4.6 times more likely to be the victims of violent crime than non-Indigenous people. Moreover, three-quarters of all these victims are women. The extent of the violence is such that Aboriginal women are 12 times more likely to be the victims of assault than non-Aboriginal women. Blagg concluded that “Aboriginal women are in a rare category in being more at risk of violence than their men - criminological orthodoxy suggests that males are generally at greater risk of violence than women in a given population” (Blagg 2000:12).

In terms of violence against women - and incidents of domestic violence more specifically - Ferrante et al (1996) suggest that “Aboriginal women living in rural and remote areas are one and a half times more likely to be a victim of domestic violence than those living in metropolitan areas, and 45 times more likely to be a victim of domestic violence than the non-Aboriginal population” (cited in Gordon 2002:47). A recent study of *Domestic Violence in Regional Australia* found that “of all female SAAP domestic violence clients in 1997-98, 21% were Indigenous women; this is a

significant proportion given that in 1996 Indigenous Australians comprised just over 2% of the total Australian population” (WESNET 2000: 9).

Similar figures have been collated by the Women’s Domestic Violence Crisis Services Victoria over the period 2001-2002. WDVCS found that 4.4% of their clients identified as Indigenous, even though they represent only 0.5% of the Victorian population (WDVCS 2003).

In New Zealand, higher prevalence rates of violence for the Maori population have also been reported. For example, in 1999 the National Collective of Women’s Refuges reported that 44% of their clients were Maori (Cram et al 2002: 1). In addition, the 1996 Women’s Safety Survey found:

- Maori women were significantly more likely than non-Maori women to report that they had experienced controlling behaviour by their partners.
- Maori women were significantly more likely than non-Maori women to report that they had experienced at least one act of physical or sexual abuse by their partner and that they had experienced 10 or more types of violence.
- 28% of Maori women [compared with 10% of non-Maori women] with current partners reported experiencing at least one act of physical or sexual abuse in the past 12 months (Cram et al 2002: 1)

A similar story can be found in North America. In the United States, for example, American Indians “experience per capita rates of violence which are more than twice those of the U.S. resident population (Native American Circle 1998: 12).

In Canada:

a 1989 study by the Ontario Native Women’s Association found that 8 out of 10 Aboriginal women in Ontario had personally experienced family violence. Of those women, 87% had been injured physically and 57% had been sexually abused. In some northern Aboriginal communities, it is believed that between 75% and 90% of women are battered (Health Canada 1996: 3).

Although there is a high level of agreement among researchers about the disproportionate incidence of violence in Indigenous communities, the use of these figures has not been unproblematic. A number of reports examined for this review made mention of the fact that violence was often seen by White society as inherent to Aboriginal culture and thus contributed to the perception that it is treated less seriously by White authorities (See Lucashenko 1996:382; Jonas 2002). The situation

has not been helped by media reports whereby the figure of '45 times' the level of domestic violence has frequently been extrapolated to apply to Indigenous people as a whole (The Age 8/6/2002; ABC News 15/1/03).

Lucashenko has highlighted the problems and dilemmas brought about by an ethnocentric perspective on Indigenous violence and its exploitation by some Indigenous men. On the one hand, some traditionally-oriented Aboriginal women are said to consider domestic violence traditional behaviour under certain circumstances. On the other hand, many Aboriginal women have challenged men claiming traditional law as a defence in court. In the Northern Territory, for example, some groups of Aboriginal women "are now saying that they are being subjected to three types of law: 'white man's law, traditional law, and bullshit traditional law'" (Lucashenko 1996: 382-3).

Determining whether or not Indigenous societies expressed violence towards their women prior to colonisation remains highly problematic as these were essentially oral cultures. As Hamby has written of American Indians:

Some authors believe that domestic violence has been present for a long time, while others assert it dates after the introduction of Western European influences. Many state that while domestic violence did occur prior to Western contact, it was rare and severely sanctioned...Assessments of native cultures before Western contact are difficult because of the lack of written or visual records, and oral histories have received insufficient attention. It is likely that, as in other areas, there was considerable variability among tribes, and that unrecognised cultural differences account for some of the disagreement". (Hamby 2000: 653).

Whilst not discounting the impact of colonisation, Native American Circle, an Indigenous advocacy and domestic violence service provider, has argued:

it is nevertheless erroneous to blame Euro-Americans or non-Indian Christians for all of the anti-social, violent or negative behaviours displayed by some native people today...For example, jealousy and possessive attitudes are two of the most conspicuous traits of a battering personality. These traits are *universally* common to battering persons of all genders, races and origins. Furthermore, it would be inaccurate to state that batterers of Native American origin only *learned* these behaviours when Euro-American values, traditions and behaviours were forced upon them because history provides us with examples that showcase the extreme consequences of violent jealousy in several indigenous cultures. (Native American Circle 1998: 28).

The above quotations illustrate that Indigenous people are not homogeneous and should not be treated as such because to do so perpetuates the notion of non-Western people as unambiguously “other”. Moreover, the disagreements in the literature further suggest that there is significant diversity of opinion and points of tension around the whole issue of domestic violence and Indigenous people. Among the points of tension that will be explored below are: the use of the term ‘family violence’ over ‘domestic violence’; the role of feminist analyses; and the precedence accorded to colonisation as the causal factor in Indigenous violence. These tensions are not, of course, mutually exclusive; they have been separated out in this review for the purposes of clarity.

2. Domestic Violence or Family Violence?

One of the key points of difference and tension relates to terminology. Most researchers concur that Indigenous people prefer the term ‘family violence’ to the more common use of ‘domestic violence’ in mainstream society (eg Bagshaw et al 2000; Blagg 2000; Memmott et al 2001).

As Blagg (2000) reports:

The term [family violence] has been adopted by indigenous peoples in post-colonial societies such as Canada, the United States of America, New Zealand and Australia to describe a distinctive constellation of harmful, violent and aggressive behaviours. The story of indigenous family violence is inextricably linked to the violence of colonialism and its legacy. The traumatic impact of the original ‘founding violence’ continues to send shock waves through indigenous communities. (Blagg 2000:2).

This emphasis on family violence is seen to differ from that of domestic violence in a number of respects, involving:

- rejection of ‘criminalisation’ as the main strategy to deal with family violence;
- less reliance on an explicitly feminist analysis and explanation of violence within intimate relationships;
- greater stress on the impact of colonialism, trauma, family dysfunction and alcoholism as primary causes;
- a view which sees male violence less as an expression of patriarchal power than as a compensation for lack of status, esteem and value;
- greater stress on the impact of family violence on family as a whole, rather than just women and children; and
- emphasis on a range of potential perpetrators, including husbands, sons, grandsons and other male kin. (Blagg 2000:3)

Similar analyses of family violence and the impact of colonisation can be found in the international literature. A Canadian paper on *Family Violence in Aboriginal Communities: An Aboriginal Perspective* defined family violence as including physical abuse, psychological violence, sexual abuse, child sexual abuse, incest, financial abuse and spiritual abuse. This paper also traced the origins of Indigenous family violence: “as a consequence to colonization, forced assimilation, and cultural genocide; the learned negative, cumulative, multi-generational actions, values, beliefs, attitudes and behavioural patterns practised by one or more people that weaken or destroy the harmony and well-being of an Aboriginal individual family, extended family, community or nationhood”. (Health Canada 1996: 1-2).

Despite this apparent unanimity over terminology, the WA *Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities* found that during their consultations “a number of Aboriginal women said that they preferred the term ‘domestic violence’ because they believed the violence in those intimate relationships should be seen as separate from (although not necessarily unrelated to) the violence that occurs in communities - including violence between family groups or between men within that community” (Gordon 2002: 29). As one Aboriginal community member stated: “I would prefer to see family/domestic violence called ‘Violence against women’, ‘Family Violence’ makes it sound nice!” (ibid).

Blagg also cautions that:

While it is crucial that service delivery agencies listen carefully to and respect Aboriginal women’s preference for the term ‘family violence’ over ‘domestic violence’, it is also crucial that the use of this term does not obscure the fact that indigenous women bear the brunt of family violence. Moreover, it should also be borne in mind that Aboriginal women suffer significantly greater injuries in the process. So, while it is certainly the case that all members of Aboriginal families may be subject to violence, Aboriginal women are subjected for (sic) considerably more violence than other members. The problems with the term ‘family violence’ is that it can potentially lead to the conclusion that all are equally victimised by violence, or that indigenous women are as responsible as men for violent incidents. (Blagg 2000: 12).

3. Feminism

This dispute around terminology is itself a reflection of the relevance of feminism and feminist theory for Indigenous women. As one report has argued: “Family violence within Indigenous communities is thought to be intrinsically linked to the legacy of colonialism, which represents collective suffering of a people, rather than simply

identifying a discrete social problem or one specific set of power relationships” (PADV Bulletin No 6, 2001:4). One such set of power relationships is, of course, that of patriarchy.

Although some commentators accept that feminist theory has some relevance, the concept of patriarchy in particular, and gender theory in general, is seen as too limited to convey the full extent of Indigenous women’s experience.

Aboriginal women do not have purely gendered experiences of violence, rendering them powerless under men. Like Aboriginal men, they have experienced the effects of colonisation and the consequences that followed. To focus on socially constructed gender roles espoused by feminist theories only, is to ignore the colonial conditions that also create a sense of powerlessness for Aboriginal and Torres Strait Islander men as well as women” (Aboriginal and Torres Strait Islander Women’s Task Force on Violence 1999:58).

It is for this reason there is general agreement in the literature that “domestic violence within indigenous communities cannot be seen in isolation from issues such as drugs and alcohol, mental health, sexual health and child protection - or the broader socio-economic issues of unemployment, housing, finance, education and alcohol abuse” (Broken Hill & Menindee Rural Crisis Intervention Projects 2001:9).

However, there are voices raised in dissent against this interpretation. Although Lucashenko agrees that the role of the state - particularly the violence it has wrought upon Indigenous people - is a critical issue, it is an “easy, though legitimate, target for accusations of racist violence. Yet, it could be argued that on the level of everyday life, it is simply safer to blame the state for its violence than to point the finger at individual men doing the bashing, raping, and child molesting that is wreaking havoc in Aboriginal families across the nation” (Lucashenko 1996: 386).

Lucashenko goes on to argue that:

Feminism has been portrayed successfully by some Aboriginal men as a conspiracy of White women and so that avenue of intellectual exploration sometimes has been shut to Black women...Black women have been torn between the self-evident oppression they share with indigenous men - oppression that fits uneasily (if at all) into the framework of White feminism - and the unacceptability of those men’s violent, sexist behaviours toward their families. Forced into a false dichotomy - are you feminist or Black? - Aboriginal women have, much of the time, been silenced about issues of crucial concern (ibid:387).

In effect, Lucashenko suggests that a lack of analysis of hierarchies of oppression and power invites a “politics of victimhood”, which leaves the question of contemporary power structures unexamined.

These debates are themselves somewhat reminiscent of those earlier debates within feminism when working-class women challenged the portrayal of women by middle-class feminists - in which patriarchal oppression was accorded theoretical precedence over class. Indeed, much work was subsequently undertaken by feminist historians who stressed the interconnectedness of gender and class (and later race). This work not only showed that the division of the world into separate spheres - the public and the private - itself represented an ideological construct reflecting the philosophical foundations of liberalism, socialism and feminism, but it also showed that women were not blank sheets upon which these ideologies were inscribed but rather possessed agency and the capacity for struggle.

To a large extent, the question of agency, and hence also an understanding of the politics of change, lies at the heart of this sometimes unhelpful debate over the relative priorities of race and gender. Nevertheless, in any study of Indigenous women and domestic or family violence it will be important to attend to these differences in perception as this will clearly have an impact upon Indigenous women’s use of mainstream domestic violence services. (This is discussed further below).

Perhaps as a more nuanced interpretation, we also need to understand that the ambivalence expressed by Indigenous women between their collective racial identity with their menfolk and their separate identity as women may fall within the area of subjectivity.

The oral historian, Luisa Passerini, refers to subjectivity as a symbolic activity which is “sufficiently elastic to include both the aspects of spontaneous subjective being contained and represented by attitude, behaviour and language, as well as other forms of awareness such as the sense of identity, consciousness of oneself, and more considered forms of intellectual activity” (Passerini 1975: 85).

Passerini speaks of subjectivity as embodying a paradox:

I believe that there must be, at the level of subjectivity, a coexistence of coercion and freedom, of inheritance and critique. A new form of consciousness can only establish itself through an act of critique, of detachment, of opposition to the existing ideas and attitudes. Yet it could not exist without them...consciousness is a problematic potentiality, never guaranteed, yet nevertheless possible. Here is a clue to the ambivalence of ‘needs’, which always combine both a reference to the full potential in

human nature and, on the other hand, a partial acceptance of the existing order which denies their realisation. (Passerini 1982: 75).

The ambivalence of 'needs' referred to by Passerini could easily be transposed to the dilemmas faced by Indigenous women between their solidarity with men in their collective experience of the violence of colonisation and the violence they experience at the hands of their own men in their own communities. Here, understandings of racial and gendered violence and oppression commingle uneasily as both an expression of a partial reality and as a critique of that reality.

4. The Causes and Consequences of Violence

The literature on the causes and consequences of violence also represents another point of tension for Indigenous women and is intimately connected with the debates over the relative merits of feminist analyses.

Most commentators trace the origins and effects of violence in Indigenous communities back to 1788 and the subsequent experience of colonisation. These causal factors have been many and various and have been generally acknowledged to have involved:

- marginalisation and dispossession;
- loss of land and traditional culture;
- breakdown of community kinship systems and Aboriginal law;
- entrenched poverty;
- racism;
- alcohol and drug abuse;
- the effects of institutionalisation and removal policies; and
- the 'redundancy' of the traditional Aboriginal male role and status, compensated for by an aggressive assertion of male rights over women and children. (Blagg 2000: 5-6).

Other commentators have included additional factors such as:

- loss of spirituality
- loss of languages
- loss of traditional economies
- poor health
- high imprisonment
- removal of children
- paternalism (Memmott2001: 10-23).

The sheer scale of these effects means that they are still being felt today and, indeed, many of these traumatic events are within the living memory of Indigenous people.

Other post-colonial societies have documented similar effects of colonisation on their Indigenous people. A recent report on domestic violence and Maori women found that:

Battering is more than individual men against individual women. Broadly speaking, it can be viewed as a culturally supported practice. Dominant readings of Christian theology, certain aspects of capitalism and an androcentric British legal tender system, together with the process of colonisation, have played a role in maintaining the subordinate position of women and implicitly, sometimes explicitly, condoning violence against them...Many Maori people argue that domestic violence is but a microcosm of what is experienced by indigenous peoples following colonisation. Ani Mikaere argues that colonisation has been instrumental in the undermining of tikanga [justice] Maori (Cram et al 2002: 4-5).

In this perspective, colonisation is seen as having “restructured the gender relationships in colonised groups, to exemplify the structural relations of the colonisers” (Aboriginal and Torres Strait Islander Women’s Task Force on Violence 1999: 60). An example of this restructuring is that all too often White society’s knowledge of Indigenous women is mediated by Indigenous men who have been granted positions of power within Indigenous-controlled organisations such as ATSIC.

Given the scale of this destruction, some commentators have referred to Indigenous communities as ‘traumatised’, resulting in post-traumatic stress disorder (Aboriginal and Torres Strait Islander Women’s Task Force on Violence 1999). Memmott and his colleagues have devised a three-fold typology comprising: precipitating causes (one or more events triggering a violent episode); situational factors (such as combinations of alcohol abuse, unemployment and welfare dependency); and underlying factors (historical circumstances).

In turn, both the long-term and on-going effects of this violence wrought upon Indigenous people are said to have an impact upon how Indigenous women perceive, react to and report violence against themselves. For example, in relation to the reporting of domestic violence, Indigenous women are said to be reluctant because of their previous contact with the police and justice systems, their fear of what happens to male members of their families when they are imprisoned and their fear that reporting will destroy the family unit and bring tensions to their extended family.

The first factor, reluctance to deal with the police and justice system, stems not only from what is perceived to be the institutionalised racism of police members but also the knowledge that many police display considerable cultural ignorance and do not understand Indigenous women's reluctance to follow through on initial complaints of violence. In addition, many Indigenous women found that the police may either side with the male perpetrator or suggest that somehow the violence was deserved. Hilary Astor summed this up: "The law has been an instrument in the oppression of Aboriginal people far more than it has been a resource for them" (Astor 1996).

The second factor - fear of imprisonment - is well-founded and has been well-documented in the *Royal Commission into Aboriginal Deaths in Custody*. As Patrick Dodson stated: "The likelihood of death or injury in custody has cultural and social repercussions, which are more likely to dissuade Aboriginal women from seeking police intervention in a situation of domestic violence" (Dodson 1991: 381).

The third factor - destruction of the family unit - is both grounded in the past whereby policies of separation and segregation tore Indigenous families and tribes apart and also in the present where women who have reported acts of violence can find themselves exposed to acts of violence and retaliation from the perpetrator's family and accusations of betrayal of the community.

As a Northern Territory report on Aboriginal family violence stated:

many Aboriginal women only reported the incident when the situation became chronic. That situation is compounded by the fact that cultural obligations make women more vulnerable by existing social mores. The women have very strong ideas of right and wrong in maintaining the family unit and they will put up with the husband's deviance at great cost to themselves. Aboriginal women stated that they also take responsibility for their husband's violent acts and find the community blaming them, which is then internalised. (cited in Blagg 2000: 9).

In addition, in some of the literature it has even been suggested that: "In some communities [family violence] has reached a level that women expect to be bashed and, in fact, do not think that their 'bloke' loves them unless he belts them" (PADV Bulletin No 6: 2).

The effect of these analyses is to suggest that Indigenous women may condone violence in their communities, suffer it in silence or collaborate in their own oppression. Yet, to accept this would be to engage in the politics of victimhood which Lucashenko earlier argued served to obscure the analysis required for a transformational politics. Acceptance would also deny the many initiatives that

Indigenous women have developed in their communities and their increasingly vocal statements about the unacceptability of violent behaviour.

This is not to deny that the factors outlined above are impacting upon the lives of many Indigenous women but rather to suggest that research into their lives needs to be cognisant of these differing and frequently contradictory positions in the literature.

Moreover, if colonisation is to be seen as the major causal factor in indigenous violence, according to Emma LaRocque:

it has taken perhaps its greatest toll on women...While all Aboriginal people are subjected to racism, women further suffer from sexism. Racism breeds hatred of Aboriginal peoples; sexism breeds hatred of women. For Aboriginal women, racism and sexism constitute a package experience (LaRocque 1994: 73).

5. Access to Services

All of the tensions outlined above have implications for Indigenous women's access to services. Two points need to be made here. First, the majority of the literature focuses upon Indigenous women in rural and remote communities and is frequently concerned as much with the *quantum* of service provision as it is with the *appropriateness* of service provision. It is, therefore, difficult to gauge to what extent the findings also apply to Indigenous women living in urban settings.

The second point is that, as with the material already discussed, the literature is highly contradictory suggesting that considerable further research needs to be undertaken in this area.

A key question raised in the literature is whether Indigenous women use mainstream domestic violence services.

Blagg (2000) reported that in the north of Western Australia the communities stated that non-Aboriginal responses "only made matters worse". In the metropolitan area "there was considerable concern expressed about the suitability of women's refuges and a perception that policies and attitudes were racist in some refuges". Whilst women in the southeast were reported as feeling "alienated from domestic violence agencies, which, they believed, did not function in a way that was responsive to their particular needs".

More specifically, Blagg found:

Indigenous women reported that they found the policies of some refuges restrictive; communal living with non-Aboriginal women intimidating; routines and rules, particularly those relating to children, excessive; and that they experienced racist attitudes both from non-indigenous workers in refuges and, more commonly, from non-indigenous clients...Aboriginal participants believed that refuge policies tend to conform with culturally dominant conceptions of the nuclear family and to penalise extended indigenous family units (Blagg 2000: 23-24).

Bagshaw and his colleagues similarly recorded that “when Aboriginal women do seek help, they are more inclined to approach culturally appropriate specialist services, not generic services. One service provider reported that most Aboriginal women refuse referral to a mainstream shelter if the Aboriginal Women’s Shelter is full and will decide to return to the violent family situation instead” (Bagshaw et al 2000: 135).

Whilst these responses indicate that mainstream domestic violence agencies may be *inadequate* for the task of meeting the needs of Indigenous women this does not necessarily mean that such services are not *utilised* by Indigenous women, as the figures presented at the beginning of this review suggest. Of course, high usage rates may also mean that mainstream services are the only option available for many Indigenous women.

In relation to the barriers to service access, the *Aboriginal and Torres Strait Islander Women’s Task Force on Violence* delineated the following issues with respect specifically to the justice system:

- personal experiences with the justice system;
- inability to make informed decisions because of the lack of appropriate advice and information at both individual and Community levels;
- culturally-linked shame and fear and Community attitudes towards violence;
- limited education (both cultural and mainstream);
- Community distrust of the justice system;
- formality of the legal system and associated services;
- lack of knowledge of legal rights, processes and procedures;
- lack of Indigenous family support workers;
- lack of cultural awareness, sensitivity and compassion among justice system personnel and legal service providers;
- few Indigenous personnel (in particular Indigenous women) within the justice system; and
- little confidence in the confidentiality, support and empathy offered in accessing programs and services. (Aboriginal and Torres Strait Islander Women’s Task Force on Violence 1999: 235-236).

The issue of confidentiality is raised in the literature as a significant barrier to service access. This appears to be a particularly problematic area for Indigenous women, although it has also been raised as an issue for women in rural and remote areas more generally. (WESNET 2000: 17). With regard to Indigenous women, specifically, the following quotation illustrates how deleterious a lack of confidentiality in small communities can be.

I went to our legal service to see if they could help me with my son's court appearance the next day. I had a private interview with their solicitor but they said they couldn't help us. The next day in court the other party's legal defence used the confidential things I'd told the legal office the day before against my son. How confidential was that? (Aboriginal and Torres Strait Islander Women's Task Force on Violence 1999: 236).

Anecdotal evidence presented by WDVCS suggests that it is this very lack of confidentiality within Indigenous communities and Koori-specific services in Victoria that may help to explain indigenous women's disproportionate use of mainstream services relative to their population share.

This evidence is supported by findings in WA (despite Blagg's findings, also in WA) in relation to the development of memorandums of Understanding between the Department of Community Development and the Kimberley Aboriginal Communities in 1998. The Draft MOU acknowledged "that some communities wished to be able to deal with a non-Aboriginal person on some issues of confidentiality" (Gordon 2002: 320).

Indeed, the *Inquiry into Response by Government Agencies to Complaints of Family Violence and Child Abuse in Aboriginal Communities* noted "the need for both Aboriginal and non-Aboriginal staff to fulfil particular roles in delivering services to the Aboriginal community" (Gordon 2002: 462). The Inquiry went on to argue that: "Aboriginal officers should not be put into roles and positions for which they are not trained or experienced enough to fulfil, merely on the basis that the client is 'Aboriginal' and therefore an Aboriginal service provider is required" (Gordon 2002: 462).

Whether Indigenous women would prefer to deal only with Indigenous service providers or non-Indigenous service providers will relate both to context and to individual preference. Given the contradictions presented in the literature, this is clearly an area which requires further research. However, it does highlight the fact that, as much of the literature stresses, there can be no 'one size fits all' approach to the diversity of the Indigenous community.

6. Key Elements of Good Practice

Given the plethora of reports already noted, it is hardly surprising that there is considerable unanimity as to what is required to assist Indigenous communities in combating domestic violence. Indeed, it is noted in a number of the reports examined for this review that Indigenous people believe that the time for endless inquiries is long past and the time for implementation long overdue.

According to Memmott and his colleagues, the following elements constitute best practice in relation to Indigenous violence generally:

- an understanding of the complex social and psychological factors related to various forms of violence in Indigenous communities;
- an understanding that the approach must be holistic and have its roots in the community;
- a community focus on providing culturally sensitive treatment to those who use violence;
- the involvement of communities in control of judicial and other matters to increase cohesion so communities can learn how mainstream systems operate such as Police and Courts;
- collaborative approach involving Police, judiciary, local councils and corrective services; and
- responses to alcohol misuse must be integrated into models to address family violence (Memmott cited in PADV Bulletin No 6: 4).

Stanley et al have argued that: “If interventions are to be effective, a number of factors need to be recognised”. These factors include:

- a stronger commitment on the part of government to addressing Indigenous violence;
- a preparedness to devolve power and decision-making to the Indigenous community;
- a willingness to adequately resource interventions over time; and
- Indigenous community participation and ownership. (Stanley et al 2002: 43).

These elements primarily relate to service systems as a whole and to Indigenous violence generally. By contrast, there have been very few evaluations or in-depth analyses of programs operating on the ground. One such program is the Apunipima Family Violence Advocacy Project in Cape York (since closed because of a lack of funding).

Among their findings, based on their experience of service delivery, were the following key elements:

- Investment in building strong relationships between non-Indigenous agencies and Indigenous people is needed before the service is seen as a safe and helpful place to go.
- Service delivery is more successful if it is flexible enough to be delivered, when necessary, outside the strict scope of the service.
- The myth that Indigenous workers are the only ones to provide adequate services no longer has credence in Aboriginal communities. Women who are survivors of family violence often feel more confident talking to a non-Indigenous ‘stranger’, maybe because she/he has no close links in the community.
- New workers, whether non-Indigenous or Indigenous ‘insiders’ or ‘outsiders’, must develop trusting relationships with the community...If they are Indigenous and related to people in the community, workers must demonstrate the ability to distinguish sensitively between the professional and the personal.
- Workers in services in Indigenous communities must always be training someone to take their place when they leave, to avoid gaps in service provision.
- Sound, appropriate training is essential for workers in Indigenous-based organisations, backed-up by long-term, effective, professional support and mentoring.
- Strong partnerships are crucial and protocols/guidelines for effective service delivery are needed across agency boundaries.
- Services should involve Indigenous workers and community members in the design and development of programs from their inception. (Myles & Naden 2002: 30-31).

With regard to mainstream services providing inclusive services to Indigenous people, the following, additional, elements have been identified in a number of reports:

- the importance of cultural-awareness training;
- the need to employ more than one Indigenous worker both to ensure a more comprehensive service and to avoid the well-documented problem of worker burn-out; and
- the importance of understanding the specific cultures of Indigenous people in specific geographic areas - in other words, Indigenous culture is not monolithic.

The Australian literature shares many points of similarity with the overseas literature as well as some points of difference. In New Zealand, for example, Cram and her colleagues identified three overarching principles to guide service delivery:

- Te reo Maori me ona tikanga - the valuing of tradition and culture and the recognition of the importance of ritual and ceremony.

- Kaupapa Maori solution - the programme needed to come from a Maori base - which is holistic - as opposed to an individualistic western model.
- Individual and collective healing. (Cram et al 2002: 123-4).

Cram's work further stressed the importance of services being run by Maori for Maori.

In his review of funded projects in Canada, Hart found that "the need to build services that are culturally appropriate to the people who are being served" was paramount. (Hart 1997: 12). Hart defined culture as:

the collective characteristics of a community's way of life: its perceptions and values, the beliefs and customs - both ritualistic and informal - that flow from them and the language that expresses them...When the service, or the organization offering it, does not culturally reflect the community it is meant to serve, an additional stress is created". (Hart 1997: 12).

As with the Maori analysis provided by Cram and her colleagues, Hart goes on to argue that "the services themselves need to be designed by Aboriginal people to make them work as a reflection of the culture of the host community and the belief system found there". (ibid).

These sentiments are not necessarily at odds with those expressed in the Australian literature. The preference for Indigenous owned and run services has been recognised in Australia too and is reflected in the establishment of Elizabeth Hoffman House, for example. The sheer diversity of Indigenous people - a fact acknowledged throughout the literature - means there will be no one model of good practice. The challenge for mainstream agencies will, however, lie with their capacity to adapt their service delivery in ways that make them culturally appropriate.

7. Key Questions

This literature review ultimately raises more questions than it provides answers. Given that the major focus of much of the literature is upon rural and remote Indigenous communities where services overall are scarce, it is difficult to extrapolate the findings to urban Indigenous people.

Whilst it is evident that Indigenous women are using mainstream domestic violence services, the research does not indicate in detail why this may be occurring. The issue of confidentiality has been identified but we do not know to what extent lack of choice plays a major role as well. Nor do we know whether common gender experiences override common racial experiences under certain circumstances.

As a consequence, we also do not know how responsive mainstream services are generally to the needs of Indigenous women. Are Indigenous women using mainstream services despite their lack of cultural responsiveness and understanding?

The literature does highlight the fact that it is impossible to generalise about Indigenous women's needs. The type of service required, how those services are designed, governed and delivered – and by whom – will be determined by both context and place, as well as individual preferences. This will need to be a key question for the project when conducting interviews with Indigenous women.

8. Bibliography

ABC News Online, *Government Highlights Indigenous Domestic Violence*. 15/1/2003. <http://abc.net.au> 20/1/2003.

Bagshaw, D., Chung, D., Couch, M., Lilburn, S. & Wadham, B., *Reshaping Responses to Domestic Violence*. University of South Australia, Adelaide 2000.

Blagg, H., *Crisis Intervention in Aboriginal Family Violence*. University of Western Australia, Perth 2000.

Bone, P., One year on, has much changed? *The Age* June 8th 2002.

Broken Hill & Menindee Rural Crisis Intervention Projects, *Community Solutions to Aboriginal Family Violence*. Department for Women, Sydney 2001.

Cram, F., Pihana, L., Jenkins, K. & Karehana, M., *Evaluation of Programmes for Maori Adult Protected Persons under the Domestic Violence Act 1995*. Ministry of Justice, Wellington 2002.

Cultural Perspectives, *Attitudes to Domestic and Family Violence in the Diverse Australian Community*. Partnerships Against Domestic Violence, Canberra 2000.

Dodson, M., "The Rights of Indigenous Peoples in the International year of the Family". *Family Matters* No. 37 April 1994.

Dodson, P., *Regional Report of Inquiry into Underlying Issues in Western Australia I*. Royal Commission into Aboriginal Deaths in Custody. AGPS, Canberra 1991.

Gordon, S., *Inquiry into Response by Government Agencies to Complaints of Family Violence & Child Abuse in Aboriginal Communities*. Government of Western Australia 2002.

Hamby, S., "The Importance of Community in a Feminist Analysis of Domestic Violence among American Indians". *American Journal of Community Psychology* Vol. 28, No. 5 2000.

Hart, R., *Beginning a Long Journey*. Health Canada, Ottawa 1997.

Health Canada, *Family Violence in Aboriginal Communities: An Aboriginal Perspective*. Health Canada, Ottawa 1996.

Jonas, W., *Family Violence in Indigenous Communities: Breaking the Silence?* Talk at the launch of the UNSW Law Reform Journal 8 (1), Sydney. July 25th 2002.

LaRocque, E., *Violence in Aboriginal Communities*. Health Canada, Ottawa 1994.

Lucashenko, M., "Violence Against Indigenous Women. Public and Private Dimensions". *Violence Against Women* Vol. 2, No. 4 December 1996.

McTimoney, D., *A Resource Guide on Family Violence Issues for Aboriginal Communities*. Health Canada, Ottawa 1993.

Memmott, P., Stacy, R., Chambers C. & Keys, C., *Violence in Indigenous Communities*. Attorney-General's Department, Canberra 2001.

MetaEvaluation, Partnerships Against Domestic Violence Bulletin No. 6, April 2001.

Myles, H & Naden, D., *The Story of Apunipima's Family Violence Advocacy Project*. Partnerships Against Domestic Violence, Canberra 2002.

North American Circle Ltd, *Domestic Violence, Sexual Assault & Stalking Prevention & Intervention in Rural Native American Communities: Training, Research & Education programs*. 1998.
<http://www.vaw.umn.edu/FinalDocuments/namain.asp>. 21/1/03.

Passerini, L., "Work Ideology and Working Class Attitudes to Fascism" in P. Thompson, ed., *Our Common History. The Transformation of Europe*. Pluto Press, London 1982.

Passerini, L., "Work, Ideology and Consensus under Italian Fascism". *History Workshop Journal* No. 8, Autumn 1979.

Robertson, B., *The Aboriginal and Torres Strait Islander Women's Task Force on Violence Report*. The State of Queensland 1999.

Stanley, J., Kovacs, K., Tomison, A. & Cripps, K., *Child Abuse and Family Violence in Aboriginal Communities - Exploring Child Sexual Abuse in Western Australia*. Australian Institute of Family Studies, Melbourne 2002.

Thorpe, R & Irwin, J., eds., *Women and Violence. Working For Change*. Hale & Iremonger, Sydney 1996.

Women's Domestic Violence Crisis Service of Victoria, *What's love got to do with it?* WDVCS, Melbourne 2003.

Women's Services Network (WESNET), *Domestic Violence in Regional Australia. A Literature Review*. Partnerships Against Domestic Violence & Department of Transport & Regional Services, Canberra 2000.