



ROYAL COMMISSION
INTO DOMESTIC, FAMILY
AND SEXUAL VIOLENCE

Domestic, family and sexual violence

Issues paper

July 2024



Acknowledgement of Country

The Royal Commission into Domestic, Family and Sexual Violence (the Commission) acknowledges the traditional countries and Nations throughout South Australia on which the Commission will conduct this inquiry.

The Commission acknowledges all Aboriginal people across South Australia who are the Traditional Custodians of the land and waters and of the oldest continuous living culture on Earth. We pay our respects to Elders past, present and emerging.

The Commission acknowledges and honours the work of Aboriginal people to end domestic, family and sexual violence. The Commission will work in genuine, formal partnership with Aboriginal people and will listen to the advice and expertise of Aboriginal people, their communities and their organisations.

A note on language

The Commission uses the term 'Aboriginal' to refer to people who identify as Aboriginal, Torres Strait Islander, or both Aboriginal and Torres Strait Islander.

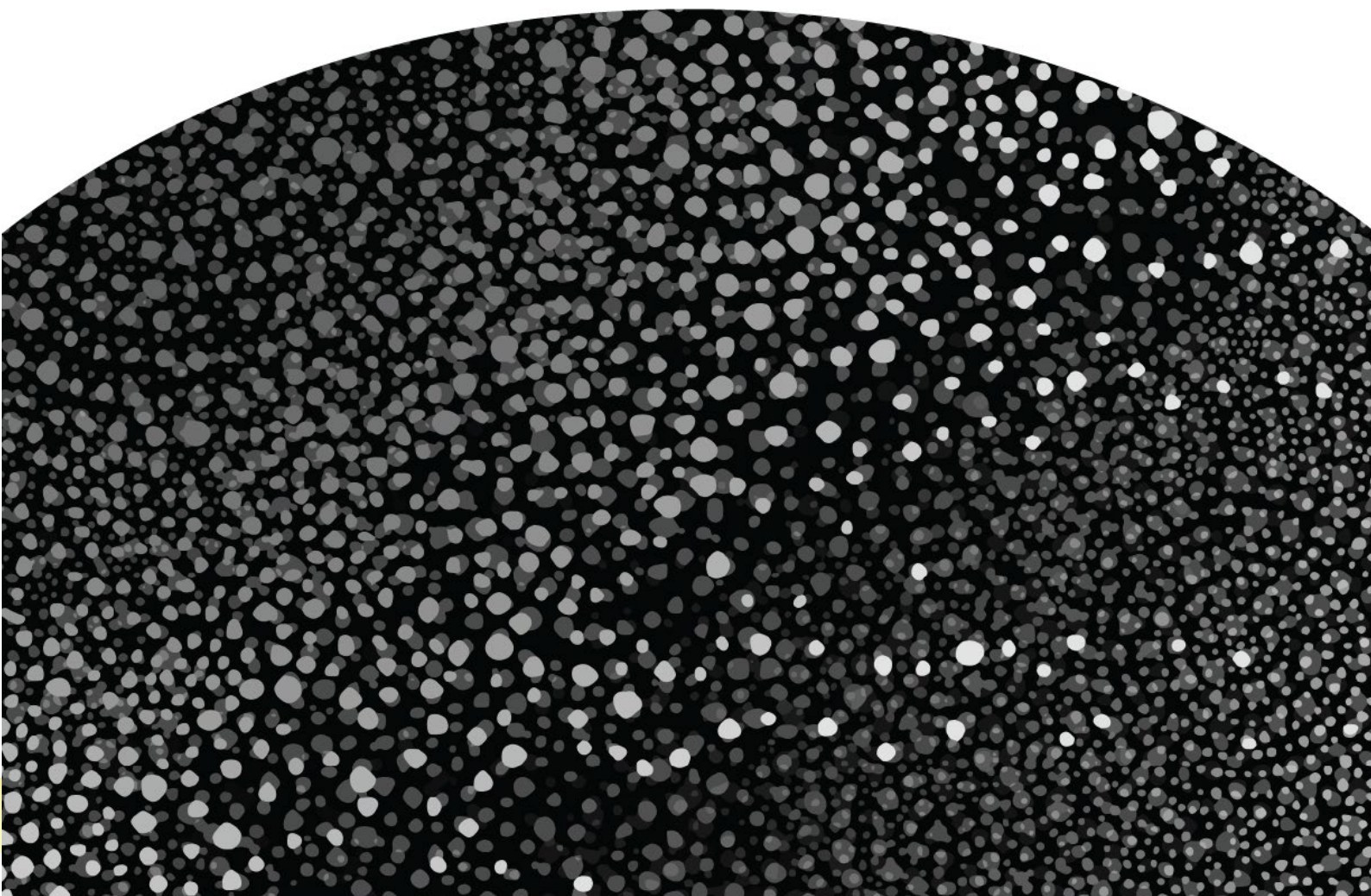


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Introduction

The World Health Organisation describes violence against women as an epidemic.

In Australia, it is a national emergency.

Recent incidents and horrific deaths have exposed the prevalence of domestic, family and sexual violence in our community. Preventing and responding to domestic, family and sexual violence is a complex and shared responsibility.

The Commission has been asked to inquire into four key areas:

-  **Prevention:** How South Australia can facilitate widespread change in the underlying drivers of family, domestic and sexual violence.
-  **Early intervention:** How South Australia can improve effective early intervention through identification and support of individuals who are at high risk of experiencing or perpetrating domestic, family and sexual violence.
-  **Response:** How South Australia can ensure best practice response to domestic, family and sexual violence through the provision of services and supports.
-  **Recovery and healing:** How South Australia can embed an approach that supports recovery and healing through reducing the risk of re-traumatisation and supporting victim-survivors to be safe and healthy.

The overarching focus for the Commission is to examine existing policies, legislation, administrative arrangements, system structures and funding levers in South Australia so that the Commission can develop recommendations about what needs to change.

Recommendations will be directed at designing a domestic, family and sexual violence system to better meet the needs of those who interact with it, and which is capable of delivering the generational change required to bring an end to domestic, family and sexual violence.

To achieve this, the Commission will need to hear from anyone whose advice and ideas may assist the Commission's inquiry.

The Terms of Reference asks the Commission to have particular regard to the views and experiences of:

- victim-survivors and those with lived experience of domestic, family and sexual violence
- Aboriginal people, their communities and their organisations
- Culturally and Linguistically Diverse communities
- LGBTQIA+ community
- people living with a disability
- children and young people
- older South Australians
- people living in regional and remote communities
- experts, service providers and leaders in domestic, family and sexual violence
- medical professionals including mental health providers
- police and the legal sector, including those involved in court administration and victim support.

Making a submission

The purpose of this Issues Paper is to seek initial responses to the issues raised and the questions asked in the paper. You may also wish to share ideas or other information without responding to the questions raised.

Submissions in response to this Issues Paper are sought by **Friday 16 August 2024**.

All other submissions are sought by **Friday 27 September 2024**. It is important to note that these later submissions can also respond to the issues raised and questions asked in this Issues Paper, together with any other matter relevant to the Commission's Terms of Reference.

Information about how to provide your written submission to the Commission is available on the Commission's website.

Written submissions will not be the only opportunity to share your views with the Commission. The Commission's website sets out all of the other ways the Commission will speak to and hear from people whose advice and ideas will assist the Commission's inquiry.

The Commission will also release an online *Share With Us* tool later this year. *Share With Us* will invite anyone who has interacted with the domestic, family and sexual violence systems in South Australia to respond to questions about those systems and will also invite users to provide any other information they want to share by leaving an audio or written message.

Share With Us will be developed in consultation with the domestic, family and sexual violence sector to ensure it provides a trauma-informed way to share advice and ideas with the Commission. *Share With Us* will be anonymous.

Language used in this paper

Domestic and family violence includes all forms of violence that can occur within relationships.

This includes intimate partner violence (commonly referred to as domestic violence), violence perpetrated between family members and in family-like settings (including carer relationships and Aboriginal and Torres Strait Islander kinship relationships), coercive and controlling behaviour and sexual violence.

Sexual violence includes any sexual activity where a person is forced, coerced or manipulated into undertaking that activity. Such activity can include sexual assault, rape, sexual harassment and intimidation or making a person watch or engage in pornography. Sexual violence does not have to be physical and can include unwanted sexualised comments and intrusive sexualised questions.

This Issues Paper uses the term ‘victim-survivor’ to refer to people who have experienced, or are currently experiencing, domestic, family and sexual violence, in acknowledgment of their strength and resilience.

This term is intended to also include children and young people who have witnessed or have been exposed to violence against a parent or guardian, together with children and young people who have directly experienced domestic, family and sexual violence.

This Issues Paper uses the term ‘perpetrator’ to refer to people who have committed domestic, family and sexual violence against another person.

The Commission acknowledges the national Domestic, Family and Sexual Violence Commission’s decision to use the term ‘people with lived experience’ rather than ‘victim-survivor’ and the term ‘person who uses violence’ rather than ‘perpetrator’.¹

¹ The Domestic, Family and Sexual Violence Commissioner’s Strategic Plan 2023-26 states that:

“We recognise and respect the terminology used by people who identify as victims and/or survivors of domestic, family and sexual violence...Where people are comfortable being described in such terms, we will do so. We also recognise that there are many people who may have experienced domestic, family and sexual violence but do not identify with the terminology of victim-survivors. The Commission recognises that there are many perspectives of the experience of domestic, family and sexual violence, and in using the term ‘people with lived experience’ we seek to be inclusive of the breadth of experiences.”

“The phrase ‘people who use violence’ refers to the individual who uses domestic, family and sexual violence to cause harm to another. People who use violence are sometimes referred to as a ‘perpetrator’ at legal and policy levels. The term perpetrator aims to hold people who use violence accountable for their behaviour, and we respect the broad use of this term in the sector. The term can also be alienating and a barrier to healing and recovery for some people who use violence. The Commission chooses to use the term ‘people who use violence’ where possible.”

Language matters – and the Commission is open to hearing from people with views about these terms, and any others, that the Commission might choose to use in further papers and in the Commission’s final report.

The Commission acknowledges that not all people prefer or use the terms and acronyms used in this Issues Paper.

This Issues Paper also refers to the “domestic, family and sexual violence systems” in South Australia. This is intended to refer to the broad range of government agencies, non-government and private sector organisations, and community-led organisations who have a role in preventing and responding to domestic, family and sexual violence. These agencies and organisations include:

- specialist domestic, family and sexual violence services
- Aboriginal Community Controlled Organisations
- housing services, including services operating in the private rental market
- police, courts and correctional services
- child protection services
- health services, including services operating within the private health system
- financial services
- local government

This is not an exhaustive list. Preventing and responding to domestic, family and sexual violence is a shared responsibility. This necessitates a domestic, family and sexual violence system with many participants across all different sectors.

Where to find help

This paper references domestic, family and sexual violence. If you or someone you know has experienced this, there are support services that can help.

1800 800 098 | [South Australian Domestic Violence Crisis Line](#) | A statewide service offering assistance to women experiencing domestic violence in South Australia by providing information, counselling and safe accommodation options.

1300 766 491 | [Men's Referral Service](#) | A men's family violence telephone counselling, information and referral service. It provides support and referrals for women and men seeking information on behalf of their male partners, friends or family members and workers in a range of agencies seeking assistance for their clients who are men.

(08) 8226 8777 or 1800 817 421 | [Yarrow Place](#) | Yarrow Place Rape and Sexual Assault Service is an inclusive service, including medical and counselling services, for anyone in South Australia who has been sexually assaulted.

1800 737 732 (24 hours) | [1800RESPECT](#) | National sexual assault, domestic and family violence counselling service, available 24/7.

(08) 8377 7822 | [KWY Aboriginal and Torres Strait Islander Family Services](#) | KWY provide group services and support in domestic and family violence, child protection, youth work, kinship care, disability, mentoring, Aboriginal education outcomes and perpetrator intervention.

1800 003 038 | Nunga Mi:Minar provides support for Aboriginal and Torres Strait Islander women and their children escaping family violence by providing an immediate safety response, accommodation and material assistance, advice, information and advocacy.

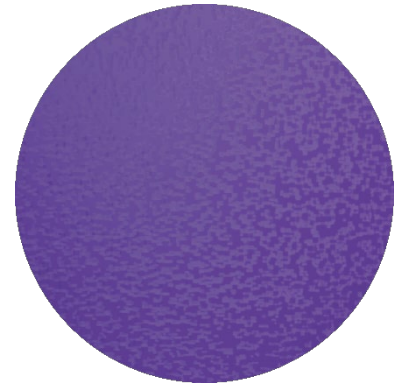
1300 366 424 | [Legal Services Commission](#) | Free legal advice and support to all South Australians. They also operate the Women's Domestic Violence Court Assistance Services, which supports women to apply for, vary or revoke and intervention order.

In an emergency, please call 000.

Issues

PREVENTION

The Terms of Reference require the Commission to consider how South Australia can facilitate widespread change in the underlying social drivers of domestic, family and sexual violence by addressing the attitudes and systems that drive all forms of family violence, and particularly violence against women and children, to stop it before it starts.



To do this, the Commission needs to examine what drives domestic, family and sexual violence. This may be different in different communities and in different contexts. In the case of violence against women, research has shown that the drivers include gender inequality and attitudes that condone disrespect towards women.²

The Commission also needs to examine what has, or has not, worked in terms of initiatives directed at preventing domestic, family and sexual violence. The Commission wants your views about this, together with your ideas about how widespread change can be achieved to stop violence before it starts.

For these questions, and for all other questions set out in this Issues Paper, you may want to explain the context of your response, for example, if you are providing a response from the perspective of a particular community or group of people, or from your own personal experience.

You might wish to answer the following questions when considering your response.

1. What causes domestic, family and sexual violence?
2. What works, or will work, to prevent domestic, family and sexual violence?
3. What existing initiatives are directed at addressing the attitudes and systems that drive domestic, family and sexual violence? Are they effective?

² See page 34 of the National Plan to End Violence against Women and Children 2022-2032 and the gendered drivers of violence against women as outlined in Our Watch. (2021). *Change the story: A shared framework for the primary prevention of violence against women in Australia* (2nd ed.). Melbourne, Australia: Our Watch.

EARLY INTERVENTION

The Terms of Reference require the Commission to consider how South Australia can improve effective early intervention through identification and support of individuals who are at high risk of experiencing or perpetrating family violence and preventing the reoccurrence of such violence.



The Commission needs to examine how the domestic, family and sexual violence systems, and other systems including those external to government, can identify individuals who are at high risk of experiencing or perpetrating violence. This requires the Commission to understand the types of information that, if properly captured, shared and understood, might allow for interventions to reduce this risk.

You might wish to answer the following questions when considering your response.

4. What systems, including systems outside of government, receive information which may allow for the identification of individuals who are at high risk of experiencing or perpetrating domestic, family and sexual violence?
5. What is needed to allow for this information to be used by government and specialist domestic, family and sexual violence services?
6. What interventions should be considered to manage the risk of a person who is identified as being at high risk of experiencing or perpetrating domestic, family and sexual violence?

RESPONSE

The Terms of Reference require the Commission to consider how South Australia can ensure best practice response to domestic, family and sexual violence through the provision of services and supports such as crisis support, health services, police intervention and a trauma-informed justice system.

The Terms of Reference state that best practice responses will hold people who use violence to account, intervene in and address existing violence, and support victim-survivors experiencing violence.

In the context of this section of the Issues Paper, the term 'response' refers to the responses a victim-survivor or perpetrator should receive once the use of violence against a person, or by a person, becomes known to domestic, family and sexual violence systems.

The Commission needs to examine what best practice responses look like across all areas of the domestic, family and sexual violence systems.

This includes understanding what best practice means in terms of the crisis response, health response, police response and justice response as well as best practice responses for victim-survivors (including victim-survivors who are children) and perpetrators.

You might wish to answer the following questions when considering your response.

7. What are the barriers to reporting domestic, family and sexual violence to police or seeking support from domestic, family and sexual violence services?
8. What are the elements of a best practice crisis response which will meet the needs of:
 - a. a victim-survivor?
 - b. a victim-survivor who is a child?
 - c. a perpetrator (acknowledging that one need is to hold a perpetrator to account for their use of violence)?
9. What are the elements of a best practice health response?
10. What are the elements of a best practice police response?
11. What are the elements of a best practice justice system response?
12. Taking into account your response(s) to questions 8 to 11, which elements are already in place in the domestic, family and sexual violence systems in South Australia?

RECOVERY AND HEALING

The Terms of Reference require the Commission to consider how South Australia can embed an approach that supports recovery and healing through reducing the risk of re-traumatisation, and supporting victim-survivors of domestic, family and sexual violence to be safe and healthy to be able to recover from trauma and the mental, physical, emotional and economic impacts of violence.



The Commission needs to understand what victim-survivors (including victim-survivors who are children) need to recover and heal from violence, and how those needs should be met.

You might wish to answer the following questions when considering your response.

13. Acknowledging that every victim-survivor will have different needs depending on their personal circumstances, are there universal needs that will arise for all victim-survivors?
14. What are the best practice approaches to supporting a victim-survivor to recover from trauma and the mental, physical, emotional and economic impacts of violence?
15. Taking into account your response to question 14, what best practice approaches are already in place in the domestic, family and sexual violence systems in South Australia?



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