

# North Australian Aboriginal Family Violence Legal Service



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# North Australian Aboriginal Family Violence Legal Service



## Who are we?

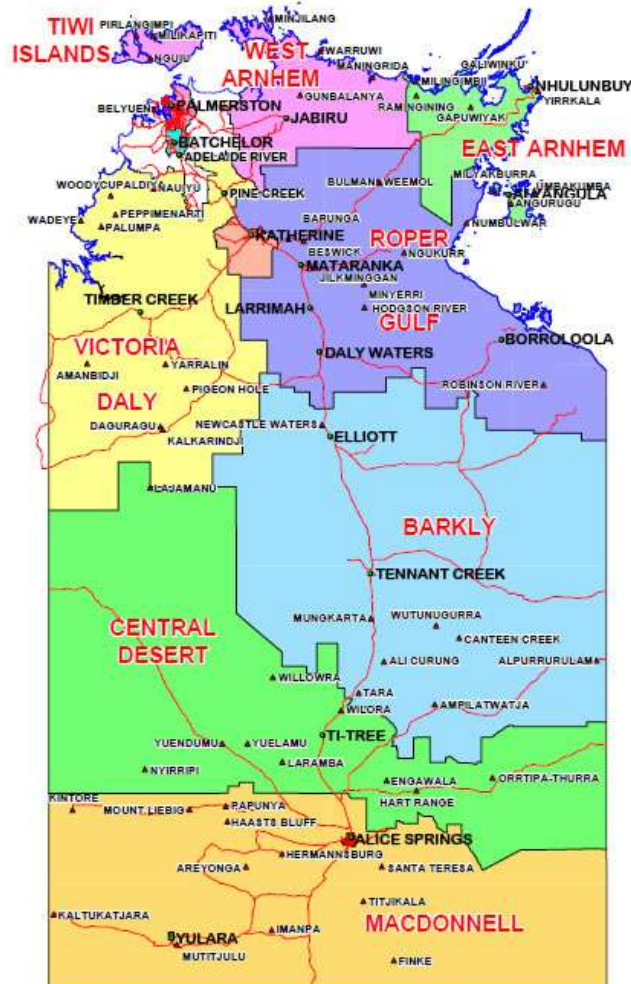
NAAFVLS is an Family Violence Prevention Legal Service

The Family Violence Prevention Legal Service (FVPLS) program was established and is overseen by the Australian Government Attorney General's Department to provide culturally appropriate legal services and assistance to Indigenous victim survivors of family violence or sexual assault to prevent, respond to and reduce the incidence of family violence and sexual assault.

NAAFVLS is an incorporated Aboriginal controlled organisation.

The NAAFVLS management committee comprises of 100% indigenous membership with both male and female members.

# North Australian Aboriginal Family Violence Legal Service



## Tiwi Island Shire

Milikapiti  
Wurrimiyanga  
Pirlamgimpi

## West Arnhem Shire

Gumbulanya  
Jabiru  
Maningrida

## East Arnhem Shire

Angurugu  
Galiwinku  
Gapuwiyak  
Umbakumba  
Yirrkala  
Ski Beach

## Roper Shire Council

Borrooloola  
Jilkminggan  
Beswick/Wulgularr  
Burunga  
Ngukurr  
Numbulwar  
Minyerri  
Urapunga

## Central Desert Shire

Lajamanu

## Victoria Daly Shire

Timber Creek  
Wadeye  
Kalkirindiji  
Daly River

## Family Violence in Remote Communities

- Prevalence
- Risk Factors
- Support Services

*“Too many families, too many kids are getting hurt. Maybe we should protest.”*



## REPORTING

- Personal & Community Views
- Fear & Distrust of the Criminal Justice System

*"If I run away he's going to do something to hurt himself and family is going to blame me."*

- Responses to Disclosure

*"Just tell me the fucking truth!"*

## **MANDATORY REPORTING**

- S 124A – Reporting domestic violence

*"They don't report because they get blamed. They worry about safety for themselves. It's anonymous but in this community everyone knows and points the finger. People are smart and put one and one together."*

## **Criminal Justice Responses**

***... the victim's perspective***

***"I want to drop those charges"***

- Understanding the process
- Following the matter through court
- Victim participation at court
- Repercussions of imprisonment

## **Dealing With FV – What Can We Do Better?**

- Awareness of victim's obstacles/challenges
- Alternatives responses
  - ✧ DV as a health issue
  - ✧ Holistic family responses
  - ✧ Culturally inclusive responses



# *CASE STUDY*

The Uncooperative Victim

*Pathways to Victim Protection*

# BACKGROUND

## C1 – IDENTITY

Aboriginal woman age 19 living in the  
Greater Darwin Region.

## D1 – IDENTITY

Aboriginal male aged 24  
Relationship for 5 years

# *CYCLE OF VIOLENCE*

## HISTORY OF RELATIONSHIP

- 4 years of extreme physical abuse
- Geographically & socially isolated
- C1 unable to remove herself

# *CYCLE OF VIOLENCE*

## Victim Considerations

- Fear
- Family & friends
- Threats & repercussions
- Resignation to situation

# *CYCLE OF VIOLENCE*

## Catalyst for Change

- D1 was imprisoned for other criminal offences
- 6 months later C1 sought protection



# *D1's Criminal Justice Pathway*

## Convictions

- Stealing
- Property damage
- Engage in Conduct Contravening DVO  
(Breach DVO)

# *C1's Pathway*

## Victims Register

- Benefits
- Eligibility

## *C1's Pathway*

### Missed Opportunities – Victim's Register

- C1 not provided with info on eligibility
- No sentence of imprisonment for Breach DVO
- Charge of Aggravated Robbery not pursued

## *C1's Pathway*

### Arrest & Breach of DVO

- C1 did not report assault
- C1 did not participate in court process
- Mandatory sentencing provisions not enlivened

## *C1's Pathway*

### Missed Opportunities

- DVO not reviewed
- Appropriate charges not pursued
- C1 not approached at later date
- Referrals not provided



## *What Can We Do Better*

- Awareness of victim considerations
- Approachable when victim is ready
- Referral services
- Exercise options under DV legislation
- Facilitate alternative pathways for victims and defendants

*Questions*

*Thank you...*