

## **Abuse and violence in family and other carer relationships**



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*Baptcare Social Policy Position Paper*

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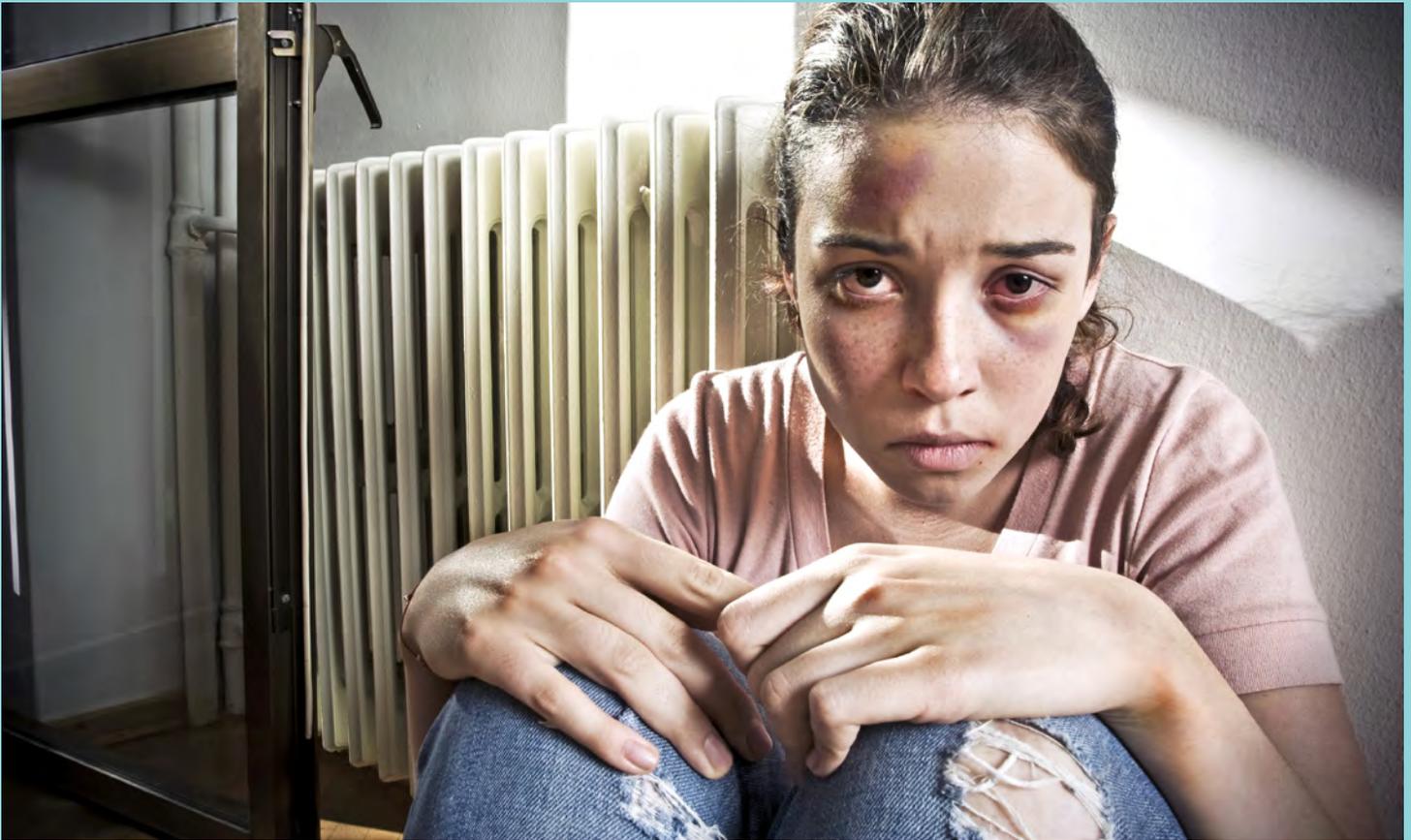
**Abuse and violence  
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*March 2016*

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## Preface

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This Baptcare Social Policy Paper examines the issue of abuse and violence in caring relationships, with particular reference to Baptcare's vulnerable client groups as well as the wider Australian society.

Drawing on research and experience from across Australia - but with particular emphasis on Victorian and Tasmania where Baptcare works - this Paper examines abuse and violence in family and other carer settings. It focuses on family violence with an emphasis on the vulnerability of women, children, people with disabilities and the aged. It examines a range of types of abuse including physical, sexual, emotional, social, spiritual, and financial abuse.

This Paper seeks to draw attention to the cost to individuals, families and the community of domestic abuse and violence; and to challenge society and the church to take action against attitudes perpetuating both acceptance or apathy.

This Paper outlines Baptcare's stand against abuse and violence as an Aged Care and Family and Community Services (FACS) agency of the Baptist Union of Victoria (BUV). It includes our organisational commitments to being a safe and supportive workplace and to providing safe, person-centred and empowering care in the community.

## About Baptcare Social Policy

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Baptcare proactively responds to human need to create positive change through advocacy, a diverse range of services and community engagement. As such, Baptcare has a critical stake in current philosophical, political and policy debates that directly affect disadvantaged people in Australia – in particular those in Victoria and Tasmania. We recognise the manner in which governments, the community sector, churches and local communities understand disadvantage is crucial in determining solutions.

Recognising the inherent dignity and equality of all people – regardless of their circumstances – Baptcare advocates with and for those who have a limited voice in Australian society or indeed are rarely heard at all. We engage in research and advocacy on issues central to the needs of people with whom we work. We draw on evidence from our own research and from external sources, from the services we run, and from the people for whom we provide services.

Baptcare's Social Policy Platform is a part of our commitment towards:

- Increasing community understanding of social issues and concerns,
- Developing policy that is focused on solutions,
- Strengthening community relationships and building social inclusion,
- Improving programs and services for clients, and
- Demonstrating our mission, vision and values.

## Message from the Chief Executive

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Over the past few decades, the issue of familial abuse and violence in the home and other caring facilities has been on the agenda of the Australian government, the medical profession, workplaces, family and community agencies, schools, sporting and other clubs, and local communities.

We can no longer disregard the impact of family violence on our families and on our community. Currently, too many families are struggling unsupported with the impact of family violence, mental illness and trauma.

Acknowledging that the Commonwealth and State governments are currently focused on budget restraint, Baptcare urges governments to continue to support their strategies for family and domestic violence and child protection reform.

We particularly urge investment in early intervention; support for families to improve parenting; prevention and recovery programs in family violence; and more collaborative approaches between sectors. Baptcare is also making its own contribution by providing a range of family and community support services across Victoria and Tasmania.

As long as society considers family and domestic violence purely as private matters, we will not come to terms with the importance of promoting a zero tolerance against it, across the entire community.

A serious commitment to positive action today will help build a more resilient, safe and healthy Australia for our future.

A handwritten signature in black ink, appearing to read 'Graham Dangerfield'.

Graham Dangerfield  
Chief Executive

# Abbreviations, acronyms and glossary

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**ABS** – Australian Bureau of Statistics

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**Abuse** – A violation of an individual’s human rights resulting from the actions of another person. Abuse violates a person’s basic right to feel safe. It is a controlling behaviour or action which frightens or intimidates and can be illegal. It can occur at any time and be subtle to extreme.

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**BUV** – Baptist Union of Victoria

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**Carers** – People with a formal or informal caring role eg personal care attendants, home help, case managers, social workers, doctors and nurses, drivers, foster carers, relatives caring for vulnerable people.

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**Community visitors** – Are volunteers from a range of occupations and backgrounds who are appointed on the recommendation of the Public Advocate to visit the residential services of disability service providers to ensure that residents have the same rights and opportunities as any other member of the community.

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**Disability** – Disability results from the interaction between persons with physical and other impairments and the surrounding attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others. In Australian public policy, ‘disability’ is often defined more narrowly as any limitation, restriction or impairment which restricts a person’s ability to undertake every day activities and which has lasted or is likely to last for at least six months.

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**Domestic violence** – A pattern of violence and/or abuse which takes place in close interpersonal relationships such as between spouses and intimate partners, family relationships, relatives and kin, formal and informal carer relationships. The aim is to exert power and control. May include physical and sexual assault, and psychological, verbal and emotional abuse that aim to cause harm or threaten. DV is also referred to as ‘intimate partner violence’ and ‘family violence’.

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**Elder abuse** – Elder abuse is mistreatment of an older person that is committed by someone in a relationship of trust - such as a partner, family member, friend or carer. Elder abuse may be physical, social, financial, psychological or sexual and can include neglect.

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**Emotional abuse** - Occurs when a person acts to control another person’s behaviour and cause them emotional harm or fear; often by manipulation, intimidation, verbal abuse, or actions to isolate them from supportive others.

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**FACS** – Family and Community Services division at Bapcare

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**Family violence** – See Domestic Violence

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**Financial or economic abuse** - The use of coercive, deceptive or unreasonably controlling behaviour to withhold or threaten to withhold financial support for reasonable living expenses to someone dependent on the abuser and/or the denial of reasonable financial autonomy or access to a person’s legitimate assets and income.

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**Neglect** – Intentionally or negligently failing to take care of a person’s physical, psychological or financial wellbeing in breach of a duty of care.

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**Office of the Public Advocate** – This is the office responsible for promoting and protecting the rights of people with a disability in Victoria, as established under the Guardianship and Administration Act 1986. The Office of the Public Advocate is an independent statutory agency reporting to the Victorian parliament.

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**Perpetrator** – The term used to designate a person who acts in an abusive or violent way towards another person. They may be a perpetrator of physical, sexual, psychological, emotional, spiritual or financial abuse.

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**Psychological abuse** – Behaviour that torments, intimidates, harasses or threatens another’s wellbeing.

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**Religious or spiritual abuse** – Coercive, deceptive or dominating behaviour aimed at controlling another’s beliefs, behaviour, way of worship, or involvement in their religious community. It includes the use of religious teaching to justify other forms of abuse such as physical or sexual assault, emotional or financial abuse, etc.

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**Sexual abuse** – Sexual assault, as well as verbal or non-verbal behaviours that coerce a person sexually without their consent or prevent them from making a free decision on sexual and reproductive matters.

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**Violence** – Behaviour that is physically, sexually, emotionally, psychologically or economically abusive; or threatening or coercive or dominating in order to cause someone to feel fear for themselves or another person.

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**Violence-induced disability** – A health condition, trauma or disability directly caused by an incident of violence.

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# The reality of family violence

## Introduction

Recent instances of high profile assaults resulting in deaths of children and women have raised the issue of violence in Australian society to new levels of community debate. Concern over violence in our streets and other public spaces has led to changes in liquor licensing hours in some inner city areas to combat public brawls in the early hours of the morning, new penalties for ‘Coward’s Punch’ king hit attacks and community debate over the parole system for violent offenders. Police have also attempted to curb the distribution of Ice (methamphetamine) which causes violent rage impacting our hospitals and emergency services.

“Last year, tragically, one woman per week lost her life as a consequence of violence; this year we are tracking at two women per week.”

**Hon Fiona Richardson MP, Minister for the Prevention of Family Violence, Victorian Legislative Assembly, 26 May, 2015.**

As concern over violence in the public sphere has been increasing, recent demonstrations of the violence and abuse in the domestic sphere that have traditionally remained a hidden problem have alarmed many Australians. Several key events have uncovered the reality of Domestic or Family Violence, increased community awareness and intensified public policy discussions – particularly in Victoria. These have included the murder of Luke Batty by his father and the selection of his mother (Family Violence campaigner Rosie Batty) as 2015 Australian of the Year; the Victorian Royal Commission into Family Violence; and increased media coverage of women losing their lives to violence at the rate of one per week across Australia. There is increasing understanding that ‘stranger danger’ is but one aspect of the violence affecting women.

Indeed the Australian Bureau of Statistics (ABS) 2012 *Personal Safety Survey* found that three-quarters of the sexual assaults suffered by women were perpetrated by a man known to them<sup>1</sup>.

It is this context and Baptcare’s concern about the increasing incidence and impact of family violence affecting a range of vulnerable groups within our communities that is driving the writing of this Social Policy Paper.

**Domestic or Family Violence** can be understood as violence perpetrated within domestic or intimate interpersonal relationships. It is perpetrated in the main against women – and their children – by their male current or former partners, and can also include violence against their property and pets<sup>2</sup>. In its broader context, the *Victorian Family Violence Protection Act 2008* extends this understanding to include abuse by a ‘family member’ who could be a person’s child (including an adult child), sibling, someone in an extended kinship relationship, a person recognised as family within different cultural meanings, a dependent, and those whose relationship is based on providing formal or informal care<sup>3</sup>.

In examining the issue of Family Violence, Baptcare is critically concerned about the level of abuse suffered by women and their children from their most immediate family members – male spouses, partners and fathers – with the resultant effects of trauma, family breakdown, a significant impact on health and well-being that often leads to child protection issues, out-of-home care for children, homelessness, poverty and disadvantage. Baptcare is also concerned about the less publicised incidence of elder abuse perpetrated on vulnerable seniors by adult children, spouses, and carers. People with disabilities (especially women) is another group that is particularly vulnerable to violence and abuse. As an agency of the Baptist Union of Victoria (BUV), and a leader within Victoria and Tasmania’s faith communities, Baptcare also takes a stand against spiritual abuse

<sup>1</sup> ABS Personal Safety Survey 2012, Table 1; in ABS, 2013

<sup>2</sup> DVIRC [Domestic Violence & Incest Resource Centre], 2006

<sup>3</sup> Parliament of Victoria, 2014, *Family Violence Protection Act 2008*. Incorporating amendments as at 2 Nov 2014

that seeks to provide a religious justification for control and other forms of abuse and violence.

This Social Policy Paper examines domestic or family violence in its broad sense, that is, *a pattern of violence and/or abuse taking place in interpersonal relationships primarily between spouses and intimate partners, family members, relatives and kin, formal and informal carer relationships*.

These are the most important relationships where we should expect trust, support and protection. Therefore, violence and abuse in these areas of our lives is a betrayal of trust of the most basic kind.

## Naming violence and abuse

Violence' is a strong word. It is defined as the use of physical force to hurt, damage or kill<sup>4</sup>. Therefore, we usually equate 'violence' with physical and/or sexual assault. Yet the concept of 'family violence' is much broader. It refers to "a systematic pattern of power and control exerted by one person (usually a man) against another (often a woman)<sup>5</sup>, involving a variety of physical and non-physical tactics of abuse and coercion"<sup>6</sup>.

The key aspects of this definition are the concepts of power, control and coercion. Family violence may start as a one-off event, but it develops into a systematic pattern of the use of abuse to engender fear.

The deliberate use of coercion [the practice of persuading someone to do something by using force or threats<sup>7</sup>] aims to keep victims of family violence trapped and powerless. Thus it can be argued that family violence is best understood as a form of hostage-taking.<sup>8</sup>

Because of the recognition that coercive tactics can be broader than physical assault, there are a variety of 'non-physical' tactics that are still considered family violence under the law.

<sup>4</sup> Oxford University Press, 2015. Oxford English Dictionary definition, viewed 5 May 2015, [www.oxforddictionaries.com/definition/english/violence?q=Violence](http://www.oxforddictionaries.com/definition/english/violence?q=Violence)

<sup>5</sup> Statistics show that the majority of perpetrators are men and the majority of victims of violence are women. Where men and boys are the victims of violence, the majority of their attackers are still male.

<sup>6</sup> Flood, 2011, p4

<sup>7</sup> Oxford University Press, 2015. Oxford English Dictionary definition, viewed 5 May 2015, <http://www.oxforddictionaries.com/definition/english/coercion>

<sup>8</sup> Stark (2009) cited in Fisher, 2011

Section 5 (1a) and (2d) of the *Victorian Family Violence Protection Act 2008*, defines family violence as behaviour that is:

- (1a) (i) physically or sexually abusive; or
  - (ii) emotionally or psychologically abusive; or
  - (iii) economically abusive; or
  - (iv) threatening; or
  - (v) coercive; or
  - (vi) in any other way controls or dominates.. and causes [a] family member to feel fear for the safety or wellbeing of that family member or another person";
- (2d) unlawfully depriving a family member of... liberty, or threatening to do so".<sup>9</sup>

Among the Australians surveyed by the Australian Bureau of Statistics 1 in 6 women and 1 in 19 men reported they had experienced physical or sexual violence from a current or former partner.

(Source: ABS, 2013)

Family violence also includes behaviour that causes a **child** to hear or witness or otherwise be exposed to the effects of the above behaviour (including children overhearing threats of physical abuse, having to comfort or provide assistance to a family member who has been physically abused by another family member, cleaning up after violence, or being present when police attend a violent incident)<sup>10</sup>.

The definition of family violence also incorporates deliberate damage to property and injuring or killing a family pet or other animal of significance; where these actions are aimed at controlling, dominating or coercing a family member<sup>11</sup>.

All of the above behaviours do not even need to be carried out. It is enough that the intent is to **threaten** in order to dominate or coerce.

<sup>9</sup> Parliament of Victoria, 2014. *Family Violence Protection Act 2008* – Section 5, (1),(a), & (2) (a), (b), (d)

<sup>10</sup> Parliament of Victoria, 2014. *Family Violence Protection Act 2008* – Section 5, (1),(b)

<sup>11</sup> Parliament of Victoria, 2014. *Family Violence Protection Act 2008* – Section 5, (1),(b)

Indeed, the *Victorian Family Violence Protection Act 2008* states that: “To remove doubt, it is declared that behaviour may constitute family violence even if the behaviour would not constitute a criminal offence”<sup>12</sup>.

Understanding this broad definition of family violence helps us to sidestep the traps of downplaying or excusing controlling actions which are subtle or seem innocuous on the surface. It reminds us that coercion can also be exercised through the micro regulation of everyday life<sup>13</sup> (such as controlling how someone dresses, cares for their children, performs sexually, who and where they socialise, or how they spend money).

### Types of violence and abuse

Domestic or family violence involves a range of types of abuse consisting of specific behaviours or actions that fall under each of the following categories. These behaviours can be named for what they are as they are discussed in the workplace, within one’s social circles, in community discussions, in programs working with vulnerable groups in society, and in debates on public policy.

**Physical violence** includes the use of physical force, assault, and injuries that may or may not require medical attention. It can include actions such as restraining, shoving, shaking, hitting, biting, burning, strangulation, and other direct assaults. It also includes the use of weapons, driving dangerously, assault of children, imprisonment or locking a victim out of the home, and even sleep deprivation<sup>14</sup>.

**Sexual violence** includes rape and any form of forced sexual activity or sexual degradation, any sexual activity engaged in without freely giving consent (including when the victim is not able to give consent due to being unconscious, intoxicated, having cognitive limitations that mean they are not able to understand the implications, or if a minor), preventing contraception against a woman’s wish, forced sex without protection against pregnancy or sexually transmitted disease, or making someone perform any sexual act unwillingly<sup>15</sup>.



While nearly all Australians surveyed in the 2013 National Community Attitudes Survey on Violence Against Women believed that smashing objects, threats of harm to others, and forced sex are examples of violent physical abuse; less than half of all women and less than a third of men recognised that controlling a partner by denying money is also a serious abuse issue.

(Source: Diemer 2014, VicHealth, 2014)

**Emotional abuse** is language or actions that deliberately attack a person’s sense of self-worth: including persistent criticism, deliberate humiliation, constant blaming, verbal abuse, and periods of silence or withdrawal used as a punishment<sup>16</sup>.

**Psychological violence** strikes at a victim’s mental state seeking to deliberately undermine mental health and do harm. It includes threats and intimidating behaviour that cause fear. Examples include threatening harm or removal of children, stalking or persistent monitoring of a person’s whereabouts, harassment, bullying personally or via use of technology, and even attacks on family pets.

<sup>12</sup> Parliament of Victoria, 2014. *Family Violence Protection Act 2008 – Section 5, (3)*

<sup>13</sup> Fisher, 2011

<sup>14</sup> Tasmanian Government, 2014. Jewish Taskforce Against Family Violence, 2015. White Ribbon Australia, 2013.

<sup>15</sup> Tasmanian Government, 2014. White Ribbon Australia, 2013.

<sup>16</sup> Tasmanian Government, 2014. Jewish Taskforce Against Family Violence, 2015. White Ribbon Australia, 2013.



Psychological abuse can also include the threat of self-harm or suicide being used to blackmail and control another<sup>17</sup>.

**Social abuse** aims to isolate a person from outside supports. Actions can include deliberately alienating a victim's family and friends, moving to locations out of reach of former supports and where the victim does not know anyone, forbidding or physically preventing the victim from leaving the home on their own or at all, and limiting outside contacts (even health and community services personnel).

**Economic or financial abuse** aims to keep someone financially dependent on the abuser. It can include taking control of all cash, bank accounts, and other assets; including forcing a victim to hand over deeds to property, stocks and bonds, etc. It is usually accompanied by rationing of access to cash or credit cards so that the victim does not have enough money for any independent action or even cannot adequately pay household bills.

A victim may be forced to hand over wages or even be threatened with incidents that would have them fired from employment. Financial abuse can result in what is referred to as 'sexually transmitted debt'.

**Religious or spiritual abuse** includes preventing someone from practicing their religion, forcing them to do things which go against their beliefs, imposing a religious practice on them against their will, preventing access to their chosen faith community, persistent denigration of their cultural or religious background, or using religious or cultural traditions as a justification for violence or abuse<sup>18</sup>.

All of these types of abuse and violence are part of a reinforcing cycle of power and control<sup>19</sup>.

<sup>17</sup> Jewish Taskforce Against Family Violence, 2015 White Ribbon Australia, 2013.

<sup>18</sup> Tasmanian Government, 2014. Jewish Taskforce Against Family Violence, 2015. White Ribbon Australia, 2013.

<sup>19</sup> Pence & Paymar, 1986; reproduced in White Ribbon Australia, 2013, p3.

## The community cost of abuse

Family violence is a crime, particularly when it includes physical or sexual assault. The significance of this can be seen in the crime figures.

During 2013-14 in Victoria, the increase in the number of crimes against persons was primarily driven by a rise in family violence incidents (up by 5.7 per cent), with 4 in 10 assaults having a domestic context<sup>20</sup>. An even greater increase in the number of rapes recorded as perpetrated as part of family violence (up by 15.6 per cent) meant that a third of all Victorian victims were sexually assaulted by someone in their family circle<sup>21</sup>. Nine out of 10 were female victims. Harassment offences are also on the increase in Victoria. In 2012-13 a quarter of these were family violence cases<sup>22</sup>.

Property damage as part of family violence also increased over the past few years (up 9.4 per cent in 2013-14), at the same time as other instances of property damage were decreasing.

In Victoria in 2013-14, Family Violence incidents accounted for 41.7 per cent of offences against persons and 34.3 per cent of rapes.

(Source: Victoria Police, 2014)

It is unclear whether the rate of domestic or family violence is itself increasing or whether the cause of the upswing is due to more incidents being reported to police. Anecdotal evidence from Domestic Violence agencies suggests both trends may be at play. Regardless, Victoria Police submitted 60,550 family violence incidence reports in 2012-13 and 65,393 in 2013-14<sup>23</sup>. Of these, police attendance led to charges being laid against one or more parties involved in the case of 29,403 incidents in 2013-14<sup>24</sup>.

These crime statistics represent the human cost of assault, harassment and rape; as well as the toll in terms of time and stress on the police services across Australia.

**Every 2 minutes** somewhere in Australia police attend a domestic violence incident.

**Each day** more than 650 family violence incidents and domestic assaults will occupy the police across the country.

**This week** 4,600 incidents are expected to be reported to police.

**In a year** nearly 240,000 incidents are likely to occur given past experience in 2013-14.

(Source: State and Territory crime figures for Family violence incidents, assaults, and police attendance for 2013-14.)

**Social cost:** In its submission to the Victorian Royal Commission into Family Violence, the Victorian Council of Social Services [VCOSS] – the peak body for community service agencies in Victoria – asserted that family violence is a communal problem as it is a leading cause of:

- homelessness for women and children
- poorer physical and mental health
- unemployment, poverty and disadvantage
- disability and death of women aged 15-44 years
- children being placed in out of home care<sup>25</sup>.

“Violence against women is not OK; it is not acceptable. It is a major issue for every police agency across Australia and internationally. It is also not just a policing problem: violence against women is a public health problem; it is an education problem. Police cannot stop family violence on our own.”

**Former Victorian Police Chief Commissioner, Ken Lay.**

(Source: Our Watch. [www.ourwatch.org.au/News-media-\(1\)/News-Media/Ken-Lay's-legacy](http://www.ourwatch.org.au/News-media-(1)/News-Media/Ken-Lay's-legacy))

<sup>20</sup> Victoria Police, 2014

<sup>21</sup> Victoria Police, 2014

<sup>22</sup> Victoria Police, 2014

<sup>23</sup> Victoria Police, 2014.

<sup>24</sup> Victoria Police, 2014

<sup>25</sup> VCOSS, 2015



The Victorian Government's Action Plan to address violence against women and their children also recognises that family violence is a complex social and economic problem that affects all Victorians<sup>26</sup>.

According to KPMG (2009), by 2021, the costs associated with domestic and family violence, including sexual assault, is projected to rise to \$15.6 billion (up from \$13.6 billion per year).

In the 2015-16 Victorian State Budget just over \$80 million has been allocated to respond to the challenge of family violence via community services and the justice system<sup>27</sup>.

In recognition of the scale of the family violence problem facing the state, the Tasmanian Government allocated \$16 million in the 2015-16 Tasmanian State Budget for its whole-of-government approach aimed at responding to family violence.

Across the nation, governments are recognising that the individual and community costs of family violence and abuse cannot be ignored. Through the National Plan to Reduce Violence against Women and their Children, state and federal governments have agreed to a whole of community plan for prevention, intervention, and support.

<sup>26</sup> State of Victoria, 2012

<sup>27</sup> Premier of Victoria, 2015

## Impact of family violence on children

After more than two decades of research internationally and in Australia there is ample evidence that children of all ages (from infants to teenagers) experience serious adverse impacts when they are witnesses to or victims of violence in their home<sup>28</sup>.

Even if they are not the direct victims of violence themselves, children may be threatened with harm as part of an abuser's strategy to control the family, may witness frightening displays of verbal abuse and destruction of property, or witness violence against a parent or sibling – leading to a climate of fear.

“He was throwing things at the wall at 2 o'clock in the morning... smashing things... My little 7 year old (she was the timid one) she wasn't in her bed... and the wardrobe was just opened a tiny bit... I opened the wardrobe door and there she was, shaking with fear, just crying. I said “what are you doing in the wardrobe?” and she said ‘mum, I am frightened.. daddy's going to kill you and then daddy's going to kill me.’”

Eileen (Source: Edwards, 2004, p31)

Indeed children who witness family violence can experience the same level of harm as children who are themselves physically abused<sup>29</sup>.

The White Ribbon Foundation cites a survey of young Australians aged 12 to 20 years which found that one in four participants was aware of domestic violence against their mothers or step-mothers at the hands of their fathers or step-fathers<sup>30</sup>. This finding is alarming.

Experiencing family violence undermines a child's psychological and emotional health, social and cognitive development.

<sup>28</sup> Australian Domestic & Family Violence Clearinghouse, 2011.

<sup>29</sup> Findings of a review of 118 studies. Kitzmann, K.M., Gaylord, N.K., Holt, A.R. & Kenny, E.D. (2003) ‘Child witnesses to domestic violence: a meta-analytic review’, *Journal of Consulting and Clinical Psychology*, vol 71, issue 2, pp339-352; cited in Australian Domestic & Family Violence Clearinghouse, 2011, p3.

<sup>30</sup> Flood & Fergus, 2010.



The effects of family violence can include a child developing any one or more of the following: distress and anxiety, sadness and depression, social problems, confusion, anger, aggressive behaviour, hyperactivity, eating problems, sleep disturbances, increased irritability and crying, hyperactivity, poor concentration and academic delays, PTSD (post-traumatic stress disorder) and unwanted remembering of trauma events<sup>31</sup>.

These impacts are not restricted to the period when the child lives with the abuser. Violence often continues during and after separations. A study of 161 Australian women who ended violent relationships found that three-quarters experienced post-separation violence, including problems with abuse during child contact arrangements<sup>32</sup>. Longer term there is concern about the impact on children and youth of the modelling of violent behaviour in intimate relationships.

In the wider social context, organisations working on this issue observe that a disturbing number of young people are exhibiting attitudes which normalise and are even supportive of violence, leading to abuse in schools and dating relationships<sup>33</sup>.

While the majority of Australian young men believe that violence against women is unacceptable, it is young males that hold the worst attitudes regarding intimate partner violence as legitimate behaviour<sup>34</sup>.

### Adolescents as perpetrators – an unacknowledged issue

As Domestic Violence is most often ‘intimate partner violence’, one problem that can be overlooked in community discussions is the issue of violence in the home being perpetrated by adolescent children. Yet this can be a significant problem, as evidenced by the fact that in Victoria during 2010-11, around eight per cent of family violence incidence reports to police and 16 per cent of intervention orders related to violence perpetrated by adolescents<sup>35</sup>.

Adolescent violence in the home can conform to the same family violence pattern of recurrent abusive behaviour that threatens, injures and creates fear in other family members in order to coerce and control. It can include physical, verbal, emotional, financial, psychological and sexual abuse; as well as damage to property and pets. It may be perpetrated against parents, other siblings and extended family.

Sometimes the impact of family violence by adult perpetrators has been part of the instigation of this cycle of violence. Some studies have found that half of teenagers who commit violence against their parents have witnessed family violence or have experienced child abuse at a younger age, with the impact of this also likely to be part of the dynamic that leads to females making up a third of violent and abusive adolescent perpetrators (unlike adult violence which is very predominantly a male phenomenon)<sup>36</sup>. The victims of adolescent violence are still primarily women – especially single mothers.

31 Bagshaw, 2007; Carpenter & Stacks, 2009; Edleson, 1999; Hambly et al 2010; Humphreys & Mullender, 1999; Kitzmann et al 2003; Laing, 2000; Zerk, Mertin & Proeve, 2009 – cited in Australian Domestic & Family Violence Clearinghouse, 2011, p 4

32 Humphreys & Thiara, 2011; cited in Australian Domestic & Family Violence Clearinghouse, 2011, p 7.

33 Flood & Fergus, 2010.

34 Flood & Fergus, 2010.

35 Victoria Police 2011 Corporate Statistics – Family Violence Incident Report; Horsburgh, 2012.

36 Hong et al 2012, Howard 2011, Routt & Anderson, 2011; cited in Horsburgh, 2012.

They are faced with the irony of having to carry out the role of primary care givers for their abusers, as well as struggling with guilt and blame and a sense of parental responsibility.

Domestic violence services that are oriented toward adult partner violence often cannot provide what is needed in tackling adolescent violence, particularly as most refer to programs focussed on men's behaviour change which are inappropriate to minors of both sexes and particularly to adolescent girls. Often it is programs focussing on working with vulnerable families and youth in strength-based approaches and in dealing with the legacy of trauma, that can provide vital support – but these programs are typically overstretched. Adolescent violence in the home is an issue that relates equally to the youth justice, family welfare and family violence sectors and cooperation between these three sectors is needed to bridge service delivery gaps so that of all members of these families receive the help they need<sup>37</sup>.

### Housing and support

Empowerment for families caught in cycles of family violence must include provisions to tackle the need for physical safety, financial assistance to leave, the challenge of safe affordable housing, and employment or other stable income.

State governments face the challenge of strengthening policies that enable victims of family violence to access safe affordable housing. This should include measures to allow them to remain safely within the family home when they wish to do so. To note, the decrease in public housing options available for those families who cannot or do not wish to remain in the home – and the safety and suitability of public housing stock remains a concern.

A quarter of people seeking help from specialised homelessness services cite domestic and family violence as the main reason for their housing crisis (AIHW, 2012). This is particularly true of women who present to agencies with their children.



Public housing is one option for women and children needing to resettle after domestic or family violence. However, a national study on the relationship between family violence and homelessness found that many women were concerned about the location and perceived lack of safety in public housing due to fear for their children's safety (Chung, 2000). Community housing was identified as one under-utilised long-term affordable option for women resettling after family violence.

*“You make it your home and he shouldn't be able to force me out, he shouldn't be able to make me leave something that I've had in my life for eight years just because he can't control himself.”*

*Jennifer (Source: Edwards, 2004, p26)*

More funding is also needed for crisis and transitional housing. With most families, there is a need for separation payments for women leaving violence, rental subsidies for those who have to rely on the private rental market, and mortgage assistance for low income families<sup>38</sup>. Still need to rely on case management services from aged care providers. While supportive of the transparency in the new system, Baptcare is concerned that itemised costing of care services may discourage vulnerable people from taking up case management.

<sup>37</sup> Horsburgh, 2012

<sup>38</sup> Braaf & Barrett Meyering, 2011.

# People living with disabilities

“We recognise that disability in itself does not necessarily make a person vulnerable. However, some people with disability may be more vulnerable to abuse due to their specific circumstances including isolation, mobility constraints, dependence, lack of community relationships and language or communication barriers.”

**Senate Submission by United Voice**  
(Source: United Voice, 2015, p12)

Domestic abuse and violence are behaviours that aim to intimidate, trap and control. Those who have less power and independence in life can be targeted by abusive perpetrators and can be at greater risk of being unable to avoid or escape an abusive relationship.

## At a greater risk

People living with a disability can find themselves in the situation where their disability limits their physical, cognitive, psychological or social options for self-protection and autonomy in life. They may be dependent on others for intimate personal care needs (such as washing, toileting and dressing) and these situations may be targeted by opportunistic predators.

Men who use violence often target victims who they perceive as less powerful, such as women who are unable to communicate to others what has happened to them and those with restricted physical movement<sup>39</sup>. Indeed such perpetrators may use the woman’s disability as a weapon of control. This can include deliberately manipulating situations to make the woman and other people around her question her physical and mental competence, and even her ability to manage her finances<sup>40</sup>.

As a result, those with a disability or living with a mental illness are twice as likely to be physically and sexually abused as members of the general population<sup>41</sup>.

Louise is in her mid-40s and lives in Melbourne. Louise identifies as having cerebral palsy but states her main impairment is osteoarthritis and she now uses a walking frame. Louise enjoys travelling and is active in the disability rights community. Louise experienced violence from her sister whom she lived with, who was also her care provider.

“It was a case of.. ‘you’ll never be able to look after yourself’..you could never have a life of your own because you’re disabled’.. then she’d make me feel guilty ‘after all I’ve done for you’..for a long time I didn’t realise that I was a victim of abuse.. I read something in the paper.. about psychological abuse and it started ringing alarm bells in my head, but then you automatically go into denial.”

**Louise (Source: Woodlock et al, 2014, p 32)**

Indeed the United Nations recognises that globally women and girls with disabilities are often at greater risk of violence, abuse, neglect, maltreatment or exploitation - both within and outside the home<sup>42</sup>.

A major concern is for those who have an intellectual disability, those who are non-verbal or have great difficulty in communicating, and those with no family or other informal support people<sup>43</sup>.

Limited life experience, lack of understanding of rights, complete dependence on care-givers and highly compliant attitudes also raises the risk level<sup>44</sup>.

<sup>39</sup> Women with Disabilities Victoria, 2013

<sup>40</sup> Domestic Violence Resource Centre, 2010

<sup>41</sup> Government of SA, 2015

<sup>42</sup> United Nations Convention on Rights of People with Disabilities, Preamble. United Nations, 2006

<sup>43</sup> Government of SA, 2015

<sup>44</sup> Australian Disability Professionals, 2013

Overall, compared to women in the general community, women living with disabilities:

- experience violence at higher rates and more frequently
- tend to be subjected to violence for significantly longer periods of time
- experience violence at the hands of a greater numbers of perpetrators
- have fewer pathways to safety<sup>45</sup>.

For people with disabilities, domestic or family violence may occur at the hand of an intimate partner but it may also be at the hand of a sibling. This may particularly occur when a sibling inherits the role of care-giver on the death of an older parent and has not done this by free choice or does not have the skills and motivation necessary.

As well as suffering violence in the home, it is distressing that people with disabilities or mental illness are also abused within institutional settings that are supposed to treat, heal, care and protect. Volunteer visitors in Victoria's Community Visitors' Scheme reported 287 incidents of abuse, neglect and assault within the mental health and disability service sector in 2013-14 – up 37 per cent on the previous year<sup>46</sup>. Their view was that this is an understatement as many incidents go unreported.

Many adults with disabilities fall through a gap in the system of protective legislation. Child protection legislation and mandated reporting cover disabled children under 18 years of age and the Aged Care Act (1997) aims to provide protection for older people residing in residential aged care, including disabled seniors. However, other disabled people are not afforded added protection recognising their vulnerability.

A greater rate of abuse is compounded by a lower instance of criminal sanctions to hold perpetrators accountable. This is particularly true where a victim has a cognitive impairment or intellectual disability.

Indeed, one study found that 40 per cent of crimes against people with mild or moderate intellectual disability and 70 per cent of crimes



against people with severe intellectual disability were not reported to the police<sup>47</sup>.

It is believed that perpetrators may target people with intellectual disabilities believing that there is less likelihood of being caught and of a subsequent successful prosecution.

*"I saw a worker hitting and verbally abusing clients. When I reported it, all that happened was that the worker was moved to another house and put on as a casual. It promotes a culture of encouraging people to not speak up when the employer just simply sweeps the problem under the rug and moves the trouble maker on."*

**Disability Support Worker, WA.**  
(Source: United Voice, 2015, p13)

In light of perpetrators feeling safer in targeting the disabled, Tasmania's Anti-Discrimination Commissioner has called for greater weight to be given to these offences, stating *"it is my view that actions which exploit the vulnerability of those with disability should form the basis of enhanced criminal offence provisions"*<sup>48</sup>.

<sup>45</sup> Domestic Violence Resource Centre, 2010

<sup>46</sup> Victorian figures included in the Senate Submission by the SA Community Visitors Scheme. Government of SA, 2015

<sup>47</sup> French, Dardel & Kelly, 2009

<sup>48</sup> Office of the Anti-Discrimination Commissioner Tasmania, 2015, p20

## Protection and inclusion – a right and responsibility

Recognising society's responsibility to ensure that all citizens have equal rights in life, the United Nations' Convention on the Rights of People with Disabilities (2006) includes the obligation on Australia as a signatory to ensure that people with disabilities:

- have the right to individual autonomy and independence, including the freedom to make their own choices and participate in decision-making about programs directly affecting them (Preamble)
- can control their own financial affairs and are not arbitrarily deprived of their property (Article 12)
- are not subjected to cruel, inhuman or degrading treatment or punishment (Article 15)
- are protected, both within and outside the home, from all forms of exploitation, violence and abuse, including gender-based abuse (Article 16)
- have the right to live independently and be included in the community, with services responsive to their needs (Article 19)
- can be personally mobile to enjoy the greatest possible independence (Article 20)
- enjoy family life as they choose and control their own fertility (Article 23)
- can access the education, health care (including reproductive health), work, housing, and the artistic and cultural expression they desire for their own dignity and self-worth (Articles 24,25,27, 28, 29)<sup>49</sup>.

For people living with disabilities, the intrusion of abuse and violence into their lives limits or destroys their ability to exercise the basic human rights listed above.

While the UN Convention on the Rights of People with Disabilities has not been fully incorporated into Australian law, the spirit and intent of the Convention is reflected across state and federal legislation.

For example, the Human Rights and Equal Opportunity Commission Act 1986, the Commonwealth Disability Discrimination Act 1992, the Mental Health Act 2009, and state government legislation such as the Tasmanian Disability Services Act.

Abuse and violence is also a further disabling factor. While we often tend to see 'disability' as a specific physical, cognitive or psychological difficulty a person may experience, the United Nations defines 'disability' as a much more fluid concept. 'Disability' *"results from the interaction between persons with impairments and the attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others"*<sup>50</sup>.

For example, people with the same physical impairment may have different levels of 'disability' in their lives depending on their family environment, housing, workplace, transport, and the community environment around them. The addition of abuse and violence perpetrated in the family and communal environment raises the barriers hindering a disabled person's full and effective participation in life and society.

In this context, society must tackle the issue of abuse and violence if we are to discharge our responsibility to provide protection and to facilitate equal opportunity and participation in communal life. Family violence is also the biggest single cause of early death and disability among Australians<sup>51</sup>.

<sup>49</sup> United Nations, 2006

<sup>50</sup> United Nations Convention on the Rights of People with Disabilities, Preamble, e. United Nations, 2006, [www.un.org/disabilities/convention/conventionfull.shtml](http://www.un.org/disabilities/convention/conventionfull.shtml)

<sup>51</sup> Domestic Violence Resource Centre Vic, 2010



It is a rarely recognised fact that a substantial number of disabilities occur from this source, particularly Acquired Brain Injury (ABI). This is a little understood cost to the community.

Providing protection to people – especially women – with disabilities is both a responsibility of government, services, and the community and it is also a necessity. Certainly consumers of disability services have the right to be free of the fear of and reality of abuse.

Key organisational values which underpin the prevention of abuse in disability programs are:

- a commitment to human rights
- a view of people with disabilities as valued individuals
- respect for the dignity and rights of consumers
- a commitment to the security, welfare and safety of service consumers as an essential value<sup>52</sup>.

<sup>52</sup> Department of Communities, 2010

## People with disabilities in the migrant community

The vulnerability of people from culturally diverse backgrounds is of particular concern as the rate of disability among Victoria's migrant population (22 per cent) is higher than the general population. Of these, more than 27,000 disabled people from non-English speaking backgrounds are living in supported accommodation facilities and domestic supported settings.

Due to the stigma surrounding disability in many cultures (including those who interpret disability as a punishment for past sins) combined with the additional cultural stigma attached to being a victim of physical and sexual abuse, many people from a migrant background are reluctant to complain about abuse. Extended family members who are confided in may have little knowledge of a victim's rights under Australian law, complaint processes, nor about support available. Where abuse occurs in institutional settings, victims are more likely to share with staff and volunteers who understand their language and culture. More research is needed about the issues faced by migrants with disabilities.

# Vulnerable seniors and elder abuse

“Older persons should be able to live in dignity and security and be free from exploitation and physical and mental abuse.”

– United Nations Principles for Older Persons 1991, Principle 17.

‘Elder abuse’ is the term often used for family violence effecting older people. It is mistreatment of an older person by someone with whom the victim has a relationship of trust, such as a spouse, partner, adult child, other family member, friend or carer. Elder abuse may be physical, social, financial, psychological or sexual and can include neglect. It is thought to affect up to five per cent of Australian seniors<sup>53</sup>.

Family violence aimed at older people includes many aspects in common with other victim groups; however there are some aspects for which older people are particularly at risk. One of these is ‘neglect’ – which occurs when someone is deprived of the basic necessities of life (such as sufficient food and liquids, clothing, medicines and medical treatment, safe housing) and may even include abandonment. Active neglect is the deliberate withholding of basic care, whereas passive neglect is failure in duty of care due to lack of knowledge or ability or due to carer stress and is unintentional and without malice<sup>54</sup>.

Social abuse of older people may take the form of confining a senior to their home or even just their room, preventing them from answering the door or the telephone, depriving them of access to transport, and restricting their access to personal care workers and support services. Financial abuse is a particular danger as many older people have accumulated assets over their lifetime.

Financial abuse may take the form of a family member selecting aged care services based on lower costs in order to ‘not the spend their inheritance,’ taking a loan with promise of repayment which they fail to fulfil;



using a senior’s credit card without consent or with forced consent; forcing changes to a will or other legal document; sale of property or assets without permission; and demanding cash from a senior’s pension or bank account<sup>55</sup>.

## Elder abuse in an ageing society

By the 1980s, elder abuse was already recognised as an under-reported form of societal violence<sup>56</sup>, yet today it remains an underestimated problem within our communities. Addressing this issue is imperative as the rate of ageing peaks between 2011 and 2021 when the ‘baby boomer’<sup>57</sup> generation reaches senior years, as Australians live longer, and as the number of particularly vulnerable senior’s increases with the rise in the numbers living with dementia<sup>58</sup>.

A society that values older citizens has a duty to provide protection and support to older people to ensure they can live safely and with dignity whether in their own home in the community or in residential care.

This requires a balance between promoting the right of seniors for self-determination and independent living and recognising the need to protect those who are vulnerable.

<sup>53</sup> Aged Care Branch DHS, 2009; Lowndes et al, 2009.

<sup>54</sup> Senior Rights Victoria [www.seniorsrights.org.au/you-rights](http://www.seniorsrights.org.au/you-rights)

<sup>55</sup> Senior Rights Victoria [www.seniorsrights.org.au/you-rights](http://www.seniorsrights.org.au/you-rights)

<sup>56</sup> Aged Care Branch DHS, 2009

<sup>57</sup> ‘baby boomers’ were born between 1945 and 1965.

<sup>58</sup> DHHS, 2012

Tasmania – with the fastest ageing population of any Australian state, where one in four people will be aged over 65 by 2021 – has recognised the importance of this with the development of a government response to elder abuse articulated in practice guidelines for both government and non-government agencies working with seniors<sup>59</sup>.

Seniors Rights Victoria suggests some key factors that can initiate, allow or excuse elder abuse. Whereas family violence towards younger people is believed to be caused by sexism against women, family violence against older people arises from ageism producing negative social attitudes towards the aged<sup>60</sup>.

Negative views of ageing, the devaluing of older people, and ageist stereotypes can form a negative foundation of attitudes that downplays the rights and value of seniors. Carer stress arising out of the inability to cope with a senior's care needs, frustration or ignorance can also precipitate family violence and abuse. A history of family violence by an abusive spouse may carry on from earlier years into old age.

### Those most at risk

Studies suggest that the majority (over 75 per cent) of victims of elder abuse family violence are female and poor; though older men are also vulnerable as can be even more dependent on their carers<sup>61</sup>. Seniors with some form of decision-making disability are also more likely to be abused (around 75 per cent of cases)<sup>62</sup>.

Older people with few social networks are also more at risk – the homeless; those isolated from family, neighbours and community; and those migrant seniors without English skills who are wholly dependent on family. Also particularly vulnerable are seniors who are physically frail or suffering a chronic illness, those with dementia who may be confused about their finances and belongings, and those who exhibit challenging behaviours such as aggression which may provoke abuse and violence<sup>63</sup>.



Anecdotal evidence suggests that there are particular difficulties in reducing the incidence of elder abuse and tackling individual cases. These include:

- the difficulty of convincing a victim that this abuse and family violence should be regarded as a crime
- the fact that many perpetrators are close family members (including adult children) with all the family dynamics that this entails
- that the starting premise must always be that older people be presumed to have the capacity to self-protect and make independent decisions, until there is evidence questioning this
- that until incapacity or an inability to self-protect is established, intervention without consent cannot be carried out<sup>64</sup>.

One of the main difficulties is the fact that adult sons and daughters are the most common perpetrators of this type of family violence, sometimes in concert with another person (for example, a son and daughter-in-law or an abusive spouse and adult child colluding in the abuse).

<sup>59</sup> DHHS, 2012

<sup>60</sup> Seniors Rights Victoria *Online Elder Abuse Tool Kit*

<sup>61</sup> DHHS, 2010

<sup>62</sup> DHHS, 2010

<sup>63</sup> Benevolent Society, 2013

<sup>64</sup> Office of the Public Advocate & University of SA, 2011

## The impact of financial abuse

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As aged care moves to consumer-directed care, the financial abuse of seniors will become an increasing concern. An investigation of the calls to Queensland's Elder Abuse Protection Unit Helpline in 2006-07 found that the most common issues identified by 38 per cent of callers were psychological and financial abuse. Complaints about financial abuse were more than three times the rate of complaints of physical abuse and nearly five times the rate of reporting of neglect<sup>65</sup>. Overall it is estimated that up to five per cent of Australian seniors have experienced financial abuse, with rates likely to be higher in particularly vulnerable groups<sup>66</sup>.

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A Victorian older woman had a carer for 15 years. The carer induced the woman to buy her gifts and took her to a lawyer to have her will changed in their carer's favour. The case was referred to the Public Advocate but, by the time action was taken, the assets were reduced to just \$45,000.

(Source: Lowndes, 2009, p12)

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Older women are at greatest risk of financial abuse (with disability an added risk factor). Abusers are most commonly family members, particularly adult sons. Family attitudes of entitlement (particularly when a Will has set up expectations) can result in financial abuse.

While the amounts of money involved may be small, the relative importance may be large due to the meagre savings and assets of many older Australians. The impact is also heightened because older people do not have the capacity to recover from a financial loss. The psychological impacts are also worrying as victims have a greater level of psychological distress and depression than their peers<sup>67</sup>.

When financial abuse and exploitation are undertaken deliberately, this is a criminal activity (theft, fraud). At the other end of the spectrum is the unwise, careless or negligent handling of finances which causes unintended and inadvertent

financial mismanagement. Both can leave older people financially disadvantaged or even destitute.

## Community approach

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There is a need for a community approach to the issue. The Victorian Department of Health and Human Services has outlined a range of activities to be implemented concurrently to promote the best outcomes for older Australians<sup>68</sup>.

As well as aged care and health workers identifying and responding to individual instances of elder abuse, the Department encouraged a multi-agency cooperative approach on the issue. In addition, older people need to be empowered via increased awareness of their rights (legal, financial and social) and the provision of advice and support to act on these rights<sup>69</sup>.

There must also be increased community awareness of elder abuse across the country. It is hoped that this will increase the ability of community groups – such as neighbourhood houses, service clubs, and churches – to support seniors suffering from elder abuse family violence.

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“Community networks are fundamental in helping older people to safeguard their lives as they age.. a number of community groups could be instrumental in early recognition of harm to older people. Community houses, communities of faith, special interest and service groups and the like, all have the potential to support and protect vulnerable people.”

(Office of the Public Advocate & University of SA, 2011, p67).

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## Baptcare's response

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Baptcare has developed a range of policies and procedures to uphold the safety of individuals and children who have experienced or are experiencing family violence or elder abuse. The primary concern of these policies and procedures is the safety of women, children, people with disabilities, older people and asylum seekers.

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<sup>65</sup> Lowndes et al, 2009

<sup>66</sup> Lowndes et al, 2009

<sup>67</sup> Lowndes et al, 2009

<sup>68</sup> Department of Health, 2012

<sup>69</sup> Department of Health, 2012

# Shifting community attitudes

“As human beings, we are all ‘creatures of habit’. If we do something often enough we do it without thinking. If we see something often enough we cease to see it. If we hear something often enough we stop listening and if we think something often enough we think it without question.

This habitual way of seeing, listening, thinking and doing is in us all. It exists at a community, government, bureaucracy, management and employee level and affects not only the decisions we take, but also how we make them.

Additionally, we usually only ever neglect or abuse the rights of those we see as having less power than we have and we tend not to get involved in trying to stop or prevent abusive or neglectful behaviour unless it is happening to a loved one. Put simply, ‘habits of practice’ allow good people to do not so good things.”

**Victorian Mental Illness Awareness Council (Source: Victorian Mental Illness Awareness Council, 2013, p2)**

## Role of the government

Governments across Australia concerned about the increasing incidence of domestic and family violence are taking steps to prevent and ultimately eliminate this type of violence. The Queensland Government Special Task Force on Domestic and Family Violence (2015), The current Victorian Royal Commission into Family Violence, along with the work of the Council of Australian Governments (COAG Advisory Panel on Reducing Violence against Women), the Second Action Plan and the Senate Finance and Public Administration Reference Committee on Domestic Violence in Australia point to a collective determination towards building a momentum for a sustained effort at all levels of government to act to prevent this unacceptable crime against women and their children from continuing.

The Senate Finance and Public Administration Reference Committee on Domestic Violence in Australia in its 2015 report recognised that in order to stop domestic and family violence, there is a need for a coherent, strategic and long term effort by all levels of governments and the community.

The Committee heard that the areas which will make a real difference are:

- Understanding the causes and effects of domestic violence
- The need for cultural change which involves prevention work to change attitudes and behaviours towards women
- A national framework and ensuring ongoing engagement with stakeholders
- Early intervention measures
- Effective data collection to ensure programs and policies for women, their children and men are evidence-based
- Coordination of services
- More information sharing between stakeholders
- Better legal responses/enforcement to hold perpetrators to account
- Sufficient and appropriate crisis services; and
- Providing long term support to victims of domestic and family violence.

As long as society regards family and domestic violence purely as private matters, we will not come to terms with the importance of promoting a zero tolerance against it across the entire community.



### The role of workplaces

White Ribbon Australia sees schools and work - places as playing a vital role in providing forums for discussions that can contribute to changing community attitudes. *“Workplaces are just as much party of society [as home life] so to drive real and lasting and sustainable change, workplaces must be a part of the process...”* - White Ribbon Foundation.

Increasing community awareness of the importance and urgency of tackling violence against women has led to increased corporate awareness of the role that workplaces can play in bringing cultural change. Workplaces are community spaces where the issue of domestic violence (in all its forms) can be discussed and people educated about the issues. Diversity Council Australia recommends that employers:

- Adopt a formal violence against women or domestic violence policy
- Provide access to paid domestic violence leave
- Develop a safety plan for employees experiencing domestic violence
- Mainstream flexible work
- Support and train managers and supervisors to respond appropriately

- Engage men as active bystanders
- Ensure EAP programs have experience and knowledge of domestic violence issues.

### Faith-based organisations

The faith-based sector includes churches and organisations such as Baptcare, usually having a community service focus. Baptcare supports the community awareness efforts within the Baptist Unions of both Victoria and Tasmania.

Baptcare’s Pastoral Care Program provides Chaplains and Pastoral Care Workers across our aged care, disability, family services and asylum seeker programs. Baptcare, along with The Salvation Army, Brimbank City Council, the Brimbank and Maribyrnong Interfaith Network, the Maribyrnong City Council and Spiritual Care Australia have organised the ‘Spiritual Care and Family Violence’ forum in September 2015 – a forum for Chaplains and Pastoral Carers in the community sector to consider the impact of family violence, appropriate spiritual care and the potential for healing and growth as they work with affected individuals and families.

# Baptcare's response

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**In its every day work, Baptcare supports vulnerable families and children impacted by the trauma of family violence, people with disabilities who are at risk of experiencing abuse and violence from family and formal carers, and frail and vulnerable older people facing abuse. These client groups locate the concern of Domestic or Family violence at the centre of Baptcare's advocacy mandate.**

## **A theological response**

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Baptcare is the welfare agency of the Baptist Union of Victoria (BUV) and as such is embedded within the Baptist denomination. Baptists take seriously the teaching of the Bible as it relates to contemporary social and political issues, as well as decades of Christian thought and action for justice in the world.

Baptcare is aware that the issues of spiritual abuse and religious justifications of the status quo in violent households have, on occasions, led to victims of family violence feeling unsupported and even oppressed by theological teachings. Baptcare is supportive of the widening of the theological debate to issues of gender-based violence – that is, violence inflicted by men on women and girls, highlighting the fact that violence against women is an expression of power inequalities between women and men.

As the aged care and community services agency of the BUV, our mission and values arise out of a Christian philosophy of the intrinsic value and inherent equality of all people as God's creations (Genesis 1:26, James 3:9). Baptcare's position and response to family and domestic violence is consequently driven by principals that acknowledge the inherent dignity and equality of all people, regardless of circumstance, the equality of opportunity, safety and consistency for outcome for all, and consistency between word and deed.

Our inspiration is Jesus, who in his daily interactions within a deeply patriarchal society responded to women, children and the marginalised. He admonished the powerful and oppressive and taught with startlingly positive feminine imagery validating the disenfranchised, acknowledging their humanity and giving them respect and a voice in their community. (Matthew 23:37, Mark 5:21-42, John 8:1-11).

## **Our vision and mission response**

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**Our vision: Communities where every person is cherished.**

At Baptcare we dream of an Australia inhabited by diverse communities where every person is cherished. We aspire to be supporting and strengthening communities. We work with many different types of people within communities – such as the families of our clients, foster carers, care support teams and the government.

The Baptist tradition holds to the historic faith common to all mainstream Christian denominations that rather than arising by chance, all men and women were created by Divine loving intention and, in some mysterious way, reflect the nature of God. This implies that there is something remarkable and precious about every person and that all are innately worthy of love and respect.

**Our mission: Partnering for fullness of life with people of all ages, cultures and beliefs and circumstances.**

At Baptcare we partner with you, your family and wider network to enable you to be all you are and can be.

Jesus said that his mission could be summed up as follows "I come to give life – life in all its fullness." His life demonstrates that this includes belonging, celebration, good health, a home, family and friends and a meaningful purpose to life. Jesus treated people as physical, emotional, rational and spiritual beings and fullness of life is found in embracing life in all these dimensions.

The Baptist tradition of Christianity is founded upon a desire for freedom. While confidently holding on to our heritage and core beliefs, we wholeheartedly support freedom of choice and conscience for others.

More than a simple acceptance of difference this implies a positive appreciation of others, regardless of faith, ethnicity, gender or background. It also suggests an openness to change and a readiness to hear the prophetic, reforming voice of tomorrow. We embrace the richness of working with diverse groups of people of all ages, cultures, beliefs and circumstances.

At Baptcare we act on our values through socially inclusive programs for children, families, and people with disabilities. And given Baptcare's experience as an aged care provider and our awareness of disadvantaged seniors, Baptcare are committed to equity of outcomes for all people in our community and this motivates us to provide support to the most vulnerable and marginalised. We place the wellbeing of our clients and their right to self-determination at the forefront of our work. We recognise the spiritual aspect of wellbeing through our provision of pastoral care and chaplaincy services for vulnerable people within the community.

Baptcare's support for individuals and families who are struggling with the impact of family or domestic violence is undertaken in the context of our work in family support and community services. Our Practice Framework: Family and Community Services (Baptcare 2012) recognises the importance of families, carers and the network of significant others around an individual.

We believe that connection to parents, siblings and other relatives is a vital source of identity for children. We regard family of origin and family of creation as playing a key role in an individual's sense of wellbeing and belonging. We aim to support families through strengths-based approaches. In working with adults, Baptcare's casework models acknowledge that loss of family relationships can be a source of pain and that restoration of positive family relationships is a powerful motivation to change.

## **Our service provision response**

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### **Tasmania**

In Tasmania, Baptcare and Mission Australia manage the state-wide centralized intake and assessment service called Gateway. This service offers families with children aged from birth to 18 years easy access to a single entry point for family support and disability services. This service is designed to access family and disability support needs and provide referral to a range of partner agencies supporting vulnerable families in a variety of ways.

Collaboration is an important element of the Gateway system. Baptcare works in partnership with a group of family support providers to offer in-home family support and practical parenting assistance.

Integrated Family Support Services (IFFS) offers practical parenting assistance and strategies, casework and case management services for vulnerable families and works in partnership with a co-located community-based Child Protection worker if there are serious concerns about a child's safety. These services provide early intervention in three main ways – early in a child's life, early in the identification of problems such as family violence and early in the process of identifying those at risk.

Other Baptcare programs work directly with vulnerable young Tasmanians. The Targeted Youth Support System program (TYSS) works with youth who have highly complex needs, have suffered abuse and trauma, are at risk of homelessness, may be suffering from addiction, they may be young parents and may live in problematical family situations. Workers provide support and aim to build on the strengths and resilience present in the lives of these young people.



Baptcare also provides support and advocacy for adult Tasmanians with mental health issues who are transitioning out of acute care and need to re-establish themselves in the community via the MICare program. MICare is offered as a collaborative case management service between Baptcare and Tasmania's Mental Health Services.

Across both Tasmania and Victoria, Baptcare offers Pastoral and Spiritual Care to any resident, client and their families from all walks of life. Pastoral Care gives special attention to wholistic well-being of a person and the web of relationships that provide meaning, belonging, healing and resilience in the challenges they face. Our Pastoral care workers offer companionship and support in times of crisis, loss and major transition and are also skilled in facilitating meaningful rituals and services where appropriate.

## Victoria

In Victoria, Baptcare provides a range of tailored services to children, youth and families requiring specialised support across Melbourne's Northern and Western regions and in Bendigo.

Our Familiest First program provides early intervention when children are at risk of needing child protection. Baptcare works with families to prevent children being placed outside of the home when there is a crisis. The family and Baptcare caseworker work together to develop goals that address the problems which are placing the child

at risk. This also includes involvement in the Parenting Assessment Skills Development Service (PASDS). Baptcare is the only agency providing PASDS in Melbourne's western suburbs. This program focuses exclusively on families with children up to three years old.

Baptcare's Integrated Family Services Program (IFSS) is a broad-based program of in-home support to families with children from birth to 18 years of age. IFSS workers offer practical support to vulnerable families including information, advice, and opportunities to develop skills in parenting and household management. They work alongside families to achieve their identified goals. Baptcare offers support when families are confronted by family or domestic violence, mental health, relationship issues and social isolation. Integrated Family Service workers also liaise with aboriginal and other culturally and linguistically diverse workers to ensure Baptcare provides culturally relevant services.

Baptcare also runs several parenting programs in Victoria. These include in the Northern and Western regions of Melbourne, parents of school-age children can access the Tuning into Kids and Tuning into Teens programs. These are opportunities for parents to gain a greater understanding of their child, improve communication, help their child to learn and manage their emotions, prevent the onset of



behavioural problems, and teach their child to deal with conflict. In the Moonee Valley municipality, Baptcare provides the Positive Parenting Program which assists parents to better understand their child's behaviour, create positive relationships, increase their competence in managing common behaviour problems and developmental issues, and reduce parenting stress.

Baptcare provides an avenue for members of the community to be a part of a positive early intervention in the lives of families via the Home-Start volunteer program in Bendigo. Our volunteers visit vulnerable families each week for two hours to provide practical and emotional parenting support and assistance to access services. Support is provided to any family with a child under the age of five where they are experiencing difficulties, are exhausted, or are socially isolated and lonely. They may be single mums or dads, parents with new babies and toddlers.

This is a way that those who have been supported in their own parenting experiences can in turn support others who may be struggling.

Baptcare assists children whose family situations have broken down due to family violence, mental illness, drug and alcohol or other pressures.

We assist via our Kinship Care program which supports children who are living with a family member, friend or friend of the family or someone in the young person's community. Kinship care can help children and young people maintain connections with family. Baptcare also oversees Foster Care where children in vulnerable situations receive respite, short-term or long-term care with individuals and families who have the capacity and desire to provide a safe and nurturing alternate home.

Baptcare also liaises with churches to encourage compassionate and family-oriented volunteers to participate as foster carers and as volunteers in the Home-Start program. We believe that church communities can provide vital friendship, mentoring and practical support to vulnerable parents as well as nurturing play in learning environments for children.

## Baptcare's Advocacy Response

**Through the delivery of services to children, families, people with disabilities, older people and asylum seekers, Baptcare has developed a deep understanding of domestic violence and experience working with:**

- Children who have witnessed and experienced family violence
- Young people who have been exposed to violence, some of whom are using violence
- Women who have experienced violence from partners, ex-partners, and children and young people in their care
- Adult men who are using violence in their families, some of whom are also dealing with trauma as a consequence of experiencing violence themselves as children.

Domestic violence damages families, children, individuals and costs the nation more than 9 billion every year. More must be done to break the cycle of violence and to protect women, children, people with disabilities and elder persons from emotional, physical and financial abuse.

**Baptcare is actively engaged to reduce instances of violence and better support those who have been affected by violence:**

- Supports the advocacy efforts of several peak bodies on behalf of Australians affected by domestic or family violence and elder abuse.
- Advocates on behalf of clients experiencing or are at risk of experiencing abuse and violence. It strives to achieve this through service delivery programs where practice includes:
  - a culture of listening, belief and support when clients/residents disclose abuse
  - the naming of abuse for what it is – including elements of criminality
  - a clear articulation of Baptcare's zero tolerance to abuse of clients by staff
  - ensuring Baptcare's procedures relating to 'incident reports' are best practice across all sites
  - advocacy for clients suffering domestic abuse and violence, including linking them with external advocacy services mandated to give advice and clarify legal rights (e.g. Domestic Violence Victoria, Seniors Rights Victoria, and Advocacy Tasmania which includes the Tasmanian Elder Abuse Helpline).

In addition to our staff's commitment to advocating for individual clients, there are various systemic advocacy actions Baptcare undertakes or could undertake to increase the overall protection of particularly vulnerable client groups. These actions include:

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**1 The endorsement of the *Interagency Guideline for Addressing Violence, Neglect and Abuse (IGUANA)***

These practice guidelines were developed to assist organisations working with adults who are at risk of abuse, violence and neglect due to cognitive impairment, communication difficulties, mental illness or other traits (Developed by the Victorian Office of the Public Advocate).

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**2 The need to broaden the working with vulnerable people background check in line with the Australian Capital Territory (ACT) *Working with Vulnerable People (Background Checking) Act 2011*.**

Currently, there is not a consistent national approach to protecting vulnerable people. In Victoria, police checks are mandatory for working with children, but they are not compulsory for working with vulnerable adult groups. Nevertheless, some organisations have instituted a compulsory police check and staff working with organisations receiving funding from the Commonwealth Government are required to undergo a Police Check. Where the Police Check reveals a prospective employee has a serious criminal or court record, organisations must not employ them.

The ACT *Working with Vulnerable People (Background Checking) Act 2011* has tighter rules governing the granting of a **Working with Vulnerable People Registration**. The Registration is mandatory for anyone working /volunteering with children or adults who have a physical, intellectual or mental disability, the homeless, socially or financially disadvantaged, experiencing difficulty communicating in English or is otherwise vulnerable. This Act requires an assessment of whether the prospective worker /volunteer / contractor poses an unacceptable risk of harming a vulnerable person either sexually, physically, emotionally or financially.

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**3 The expansion of the Disability Workers Exclusion Scheme to include all disability workers, including those in the non-government sectors**

The Disability Worker Exclusion Scheme is a Victorian Government initiative designed to protect Victorians with disability living in group homes by ensuring that people who pose a threat to the health, safety or welfare of people with a disability are excluded from working in disability residential services in Victoria.

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**4 Baptcare is providing input to government inquiries, the Victorian Royal Commission on Family Violence and is joining in broader family violence advocacy campaigns.**

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**5 Baptcare undertakes continues improvement in organisational culture and corporate social responsibility through workforce planning, human resource policies, staff education, change in workplace culture and clear policy positions on family violence.**

Corporate social responsibility on family violence could be further strengthened by seeking workplace accreditation through an organisation such as White Ribbon Australia. This recognises workplaces that are taking active steps to prevent and respond to violence against women. In 2015, there will be 90 organisations (mainly government, unions, and large NFP organisations) going through the White Ribbon Australia Workplace Accreditation Program.

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# Baptcare's Policy Response

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**Addressing the national issue of family and domestic violence and elder abuse will require a commitment to action from all communities. Baptcare sees the following as a place to start in this long-term effort.**

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## 1 Baptcare

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- 1.1 Baptcare affirms that all Australians should be free of fear and reality of family violence and abuse.
  - 1.2 Baptcare calls on all members of society to tackle issues of abuse and violence if we are to discharge our responsibility and provide protection and to facilitate equal opportunity and participation in communal life.
  - 1.3 Baptcare assures our Baptist stakeholders that we affirm our faith basis and the spiritual dynamics of grace through our hospitality, core values and mission, and zero-tolerance to violence or abuse for our consumers.
  - 1.4 Baptcare recognises and publically endorses the Interagency Guideline for Addressing Violence, Neglect and Abuse (developed by the Office of the Public Advocate in Victoria) and ensures its practice policies and organisational procedures are in line with this guideline.
  - 1.5 Baptcare is committed to holistic, person-centered, evidence-based, inclusive practice.
  - 1.6 Family services and aged care are at the core of Baptcare's work. We recognise the importance of families, carers and the network of significant others around the individual. We aim to support, preserve and work towards positive family relationships using strengths-based and trauma-informed approaches. We recognise the importance of resilient, functioning families in giving children the foundations of good health.
  - 1.7 Baptcare is committed to early intervention strategies to support individuals and families impacted by domestic and family violence issues, abuse, and the impact of trauma.
  - 1.8 Baptcare acknowledges that the impact of professional services can be disempowering and that only through genuine efforts to enable people to actively participate in their own health care, and contribute to decision-making, can recovery take place from the trauma of family violence and abuse.
  - 1.9 Baptcare is committed to collaborative approaches, working with other organisations involved with clients and their families to produce optimal outcomes for clients affected by family violence and abuse.
  - 1.10 Baptcare supports calls for a state-wide approach to mandatory Working with Vulnerable Peoples' checks and registration, in line with the ACT and Tasmanian legislation.
  - 1.11 Baptcare ensures all pre-employment checks in its disability programs include a check of the Disability Worker Exclusion List.
  - 1.12 Baptcare is committed to improving workplace culture by developing and maintaining relevant family violence policies and staff education.
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## 2 Commonwealth and state governments

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- 2.1 Support calls for the Federal Government to undertake a national community awareness campaign aimed at preventing and stopping family violence. This should include culturally and linguistically appropriate campaigns for indigenous and migrant communities. This should also illustrate the negative impact that experiencing and witnessing family violence can have on a child's brain development.
  - 2.2 Fund research into the extent and nature of family violence in Indigenous communities as well as family violence issues faced by migrants with disabilities.
  - 2.3 Expand financial support for care givers with dependent children who are affected by family or domestic violence. This should include more funding directed towards crisis and transitional housing.
  - 2.4 The Victorian Government should consider expanding the Disability Worker Exclusion scheme to cover ALL disability programs across the community.
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## 3 Community organisations

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- 3.1 Church family programs should provide welcoming, safe and socially inclusive spaces where people impacted by family and domestic violence or abuse can find personal support and solace and model positive life skills and parenting practices.
  - 3.2 Not-for profit organisations, community groups and churches should engage with young men and fathers impacted by family violence and trauma, to provide personal support and mentoring.
  - 3.3 Not-for-profit organisation's, local councils, community groups, churches, schools and workplaces to promote 'family violence literacy' in order to increase community understanding of family or domestic violence and abuse, appropriate 'first response' actions when early signs of family violence and abuse issues are identified, and how to support resilience in individuals and families.
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## 4 Financial institutions

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- 4.1 Baptcare calls on banks and other financial institutions to work with agencies with domestic violence programs to provide alternatives for debt relief incurred via family violence.
  - 4.2 Baptcare calls on banks and other financial insitutions to address situations of linked financial debt; for example, where a victim of violence is forced to remain financially tied to their aggressor through debt agreements with the bank which cannot be cancelled without mutual agreement.
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## Conclusion



**We can no longer disregard the impact of violence on our families and on our community. If we wish to live in a healthy, strong and compassionate society, we must acknowledge and act upon the suffering and disadvantage faced by people affected by family or domestic violence.**

Strong resilient families raising strong resilient children within strong resilient communities – this should be the aim of governments, family and community services agencies such as Bapcare, churches, community groups and those concerned about the future of Australian society.

Currently, too many families are struggling unsupported with the impact of family violence, mental illness and trauma. Children's development is impaired and delayed. Parents are struggling with isolation, depression and a lack of coping and parenting skills. Bapcare has committed concerted action to assist individuals and families to develop more positive functioning strategies.

We also urge community groups, religious communities and churches to take seriously the positive impact that volunteer support and mentoring can make in the lives of vulnerable families struggling with family or domestic violence.

Despite acknowledging that governments are currently focused on budget restraint, Bapcare urges the Commonwealth and the governments of Victoria and Tasmania to continue to support their strategies for family and domestic violence and child protection reform. We particularly urge investment in early intervention; in support for families to improve parenting; in prevention and recovery programs in family violence; and in more collaborative approaches between sectors. We believe that programs to intervene early are preferable to inaction leading to more severe situations later in a child or adult's life.

As long as society regards family and domestic violence purely as private matters, we will not come to terms with the importance of promoting a zero tolerance against it across the entire community. A serious commitment to positive action today will help build a more resilient, safe and healthy Australia tomorrow.

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**Baptcare proactively responds to human need to create positive change through advocacy, a diverse range of services and community engagement. Baptcare supports children, families, people with a disability, financially disadvantaged people and asylum seekers, and provides residential care and community care for older people. Baptcare works across Victoria and Tasmania.**

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