



Office for Women
Department of the Prime Minister and Cabinet
Australian Government
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National Strategy to Achieve Gender Equality

Sexual Assault Services Victoria (SASVic) welcomes the opportunity to provide a brief submission informing the development of the first National Strategy to Achieve Gender Equality (the Strategy).

SASVic is the peak body for specialist sexual assault and harmful sexual behaviour services in Victoria. We work to promote the rights, recovery and respect for victim survivors and other people impacted by sexual violence and harm. We seek to achieve this by working collectively to address the attitudes, systems and structures that enable sexual violence to occur. SASVic members bring over 30 years of feminist practice and specialist expertise to the task of reforming system responses to sexual violence and harmful sexual behaviours.

A gendered intersectional lens

Evidence shows that overwhelmingly, men perpetrate violence against women (VaW) and members of diverse communities, such as lesbian, gay, bisexual, trans, intersex, and queer (LGBTIQ+) people in Australia.¹ This pattern is reflected in the prevalence and gendered nature of sexual violence in Australia. Women are more likely than men to experience sexual violence.² Men are more likely to perpetrate sexual assault and workplace sexual harassment.³ Sexual violence also occurs across a person's lifespan from childhood, adolescence, adulthood, senior years, and up to their death,⁴ which we elaborate on later in discussing the continuum of sexual violence. More than 1 in 4 people in Australia have experienced child sexual abuse: girls are twice as likely than boys to experience

¹ Michael Flood et al., *Who uses domestic, family and sexual violence, how, and why?: The state of knowledge report on violence perpetration* (Brisbane: Queensland University of Technology, 2022), <https://apo.org.au/node/321473>, Adam O. Hill et al., *Private lives 3: The health and wellbeing of LGBTIQ people in Australia* (Melbourne: Australian Research Centre in Sex, Health and Society, La Trobe University, 2020), <https://www.latrobe.edu.au/arcs/hs/work/private-lives-3>, p.76, D Callander et al., *The 2018 Australian Trans and gender diverse sexual health survey: report of findings* (Sydney: The Kirby Institute, University of New South Wales, 2019), <https://kirby.unsw.edu.au/report/2018-australian-trans-and-gender-diverse-sexual-health-survey-report-findings>.

² Australian Bureau of Statistics, "Personal safety, Australia: Rates of physical and sexual assault, family and domestic violence, economic and emotional abuse, stalking, sexual harassment, and childhood abuse", accessed March 17, 2023, <https://www.abs.gov.au/statistics/people/crime-and-justice/personal-safety-australia/latest-release#sexual-violence>.

³ Australian Human Rights Commission (AHRC), *Respect@Work: National Inquiry into sexual harassment in Australian workplaces* (Sydney: AHRC, 2020), <https://humanrights.gov.au/our-work/sex-discrimination/publications/respectwork-sexual-harassment-national-inquiry-report-2020>.

⁴ Refer to The National Plan 2022, p.40, on how violence affects women throughout their life. Commonwealth of Australia (Department of Social Services), *The National Plan to End Violence against women and children 2022-2032* (Canberra: Commonwealth of Australia, 2022), https://www.dss.gov.au/sites/default/files/documents/10_2022/national_plan_accessible_version_for_website.pdf.

such violence.⁵ Older women experience sexual assault in a range of relationships and contexts, like in the home, in-home support, institutional and organisational care, and retirements villages.⁶ The prevalence of sexual violence is concerning, unacceptable and preventable.

Achieving gender equality and addressing intersecting forms of inequality is necessary to prevent all forms of gender-based violence. There is an established evidence base that articulates how gender inequality and intersecting forms of inequality and discrimination create a context for violence against women, Aboriginal and Torres Strait Islander women and their children, and women and girls with disabilities.⁷ Multiple forms of inequality, including colonisation and ableism, intersect to shape and negatively compound peoples' experiences of violence.

SASVic notes that the discussion paper discusses how gendered factors combine and impact us across the life course, which we support.⁸ A long-term, comprehensive and gendered intersectional approach is imperative to prevent VaW, children and young people (CYP), and members of diverse communities in all settings where they live, learn, work and play. This should also be reflected in the Strategy's co-design process, which should involve members of diverse communities, specialist services, and victim survivors.

Recommendation:

- 1) Use a whole-of-life approach to achieving gender equality.
- 2) Use a gendered intersectional lens to achieve gender equality in all settings. This should also be reflected in the Strategy's co-design process, which should involve members of diverse communities, specialist services, and victim survivors.

Continuum of sexual violence

Sexual violence can be and is often regarded as a sub-category of other forms of gendered violence, such as family violence, VaW and child sexual abuse. These categorisations create an authorising policy environment that names problems and allocates resources to address these problems, as seen in Government work on institutional child sexual abuse, VaW, workplace sexual harassment, and sexual assault. While it is important to highlight the connections and overlaps, it is equally important to understand the limits in framing sexual violence as such. For example, family violence recognises sexual violence committed in family relationships. However, it cannot account for sexual violence in other settings like workplaces and aged care facilities or violence used by a known person who is

⁵ Divna Haslam et al., *The prevalence and impact of child maltreatment in Australia: Findings from the Australian Child Maltreatment Study brief report* (Brisbane: Queensland University of Technology, 2023), <https://www.acms.au/>, p.17.

⁶ Rosemary Mann et al., *Norma's Project: A research study into the sexual assault of older women in Australia* (Australian Research Centre in Sex, Health and Society, La Trobe University, 2014), <https://apo.org.au/node/40334>, p.16.

⁷ Kimberlé Crenshaw, "Mapping the margins: Intersectionality, identity politics, and violence against women of color", *Stanford Law Review* 43, no.6 (July 1991): 1241-1299, <https://blogs.law.columbia.edu/critique1313/files/2020/02/1229039.pdf>, and OurWatch, "Change the Story", accessed March 17, 2023, <https://www.ourwatch.org.au/change-the-story/>.

⁸ The discussion paper is right to discuss the gender pay and superannuation gap. Another point for consideration is the impact of university fee changes on women, gender diverse, regional, low-income, and Aboriginal and Torres Strait Islander students who study humanities, arts and social sciences, particularly on the HECS debt. See Australian Council of Deans of Arts, Social Sciences and Humanities (DASSH), *Advancing equity in a knowledge economy: University Accords Submission* (Greenway: DASSH, 2023), <https://dassh.edu.au/wp-content/uploads/2023/04/DASSH-Accord-Submission-April-2023-FINAL.pdf>, Sarah Hill, "University fee changes could see young women saddled with more debt for decades to come", *Women's Agenda*, July 6, 2020, <https://womensagenda.com.au/latest/university-fee-changes-could-see-young-women-saddled-with-more-debt-for-decades-to-come/>, Universities Australia, *Response to the Australian Universities Accord Panel discussion paper* (Deakin: Universities Australia, 2023), <https://www.universitiesaustralia.edu.au/submission/response-to-the-australian-universities-accord-panel-discussion-paper/>, p.17, and Gabriella Marchant and Evan Young, "How HECS and HELP debts have helped entrench women's economic disadvantage", *ABC News*, March 4, 2023, <https://www.abc.net.au/news/2023-03-04/hecs-help-debt-women-economic-disadvantage/101890892>.

outside the family. Violence against women captures sexual violence against women but overlooks the specific experiences of men, boys and CYP, and sexual harassment overlooks other forms of sexual violence. It is important that the Strategy reflect the continuum of sexual violence to address the fact that sexual violence is often seen as a sub-category of other forms of gendered violence.

There are two meanings of the continuum.⁹ The first is a basic typical character underlying different events of sexual violence: perpetrators, mainly men, use different forms of abuse to control victim survivors. Evidence shows that dominance, power, and control are central to men's use of violence.¹⁰ Constraints on consent include threats, intimidation, and fear. The second meaning is a continuous series of elements or events that pass into and out of one another and that cannot be easily differentiated. This allows victim survivors to name the range of sexual violence they experience. Due to the prevalence of men's sexual violence, women and girls understand individual incidents in relation to a continuum of related experiences. The continuum can account for a wide range of acts, including sexual slavery, enforced sterilisation, stealthing and reproductive coercion. Sexual violence can occur as a form of family violence and child abuse, as well as in many settings, such as schools and workplaces.¹¹

The Strategy should ensure all forms of sexual violence and harm that occur in or outside or adjacent to family violence and child abuse are clearly kept in scope. Understanding sexual violence as a continuum provides an important foundation for addressing sexual violence, showing the enabling link between the common types, such as sexual violence in the context of family violence, or street and workplace sexual harassment, and rarer types, such as rape committed by strangers. For example, girls and young women's experiences of public sexual harassment often teaches them that men's violence will not be taken seriously, undermining their confidence in reporting other forms of sexual violence, such as in intimate partner relationships. Recognising the continuum of violence highlights the importance of responding to all forms of sexual violence.¹² Supposed inane acts of sexual violence, such as cat calling, have a chilling effect on women and girls' participation in society and create the impression on victim survivors and perpetrators that perpetrators can act with impunity. Responses to sexual violence have limited value if they do not adequately address the continuum as well as the social context of gender equality and intersecting forms of inequality.

Recommendation:

- 3) Address the continuum of sexual violence experienced by women, CYP, and members of diverse communities.

Leveraging existing strategies using a gendered intersectional lens

The Strategy is an opportunity to leverage and build upon existing strategies using a gendered intersectional lens. The significance of existing strategies and their relationship to gender equality

⁹ Liz Kelly, *Surviving sexual violence* (Minneapolis: University of Minnesota, 1988).

¹⁰ Michael Flood et al., *Who uses domestic, family and sexual violence, how, and why?*, pp.45-46.

¹¹ Refer to The National Plan 2022, p.22, for example.

¹² It is important to distinguish between approaches in responding to adult perpetrators and CYP who use problematic and harmful sexual behaviours (HSBs). CYP exhibiting problematic and HSBs often present with experiences of trauma, family instability, and cognitive and learning impairments. Evidence shows that labelling and responding to CYP as 'sex offenders' and adult perpetrators does not consider their age and developmental stage and undermines their motivation for change. See Antonia Quadara et al., *Good practice in responding to young people with harmful sexual behaviours* (Sydney: ANROWS, 2020), <https://www.anrows.org.au/publication/good-practice-in-responding-to-young-people-with-harmful-sexual-behaviours-key-findings-and-future-directions/>, and Elena Campbell, *Adolescents using family violence: MARAM practice guidance project 2022: review of the evidence base* (Melbourne: Centre for Innovative Justice RMIT University, 2022), <https://cij.org.au/research-projects/download-publications-here/>.

and ending VaW and CYP must be indicated in developing the Strategy. The discussion paper names three strategies:

- *National Plan to End Violence Against Women and Children 2022-2032: Ending gender-based violence in one generation*
- *Respect@Work: Sexual Harassment National Inquiry report*
- *National Women's Health Strategy 2020-2030*

Other relevant strategies include those targeted at preventing and responding to sexual assault, online safety, and violence and discrimination towards CYP and members of diverse communities, such as:

- *National Agreement on Closing the Gap*
- *National Strategy to prevent and respond to Child Sexual Abuse 2021-2030*
- *Safe and Supported: The National Framework for Protecting Australia's Children 2021-2031*
- *National Plan to respond to the abuse of Older Australians (Elder Abuse) 2019-2023*
- *Work plan to Strengthen Criminal Justice Responses to Sexual Assault 2020-2027*
- *2023-2030 Cyber Security Strategy*
- *National Action Plan to Combat Modern Slavery 2020-2025*
- *National Agreement on Closing the Gap*
- *Australia's Disability Strategy*
- *National Youth Policy Framework*

The Strategy must use a gendered intersectional lens to clearly map and explain how it will complement and leverage existing strategies and policies at the national level.

Equally important is the need for the Strategy to identify and address gaps in existing policies to ensure that women, CYP and members of diverse communities are safe from sexual violence and treated without discrimination. The Strategy should be clear about whether initiatives are new or existing, amount and length of funding, and lapsing policies. Forthcoming strategies and action plans, such as the *LGBTIQ+ Health and Wellbeing Action Plan*, *Aboriginal and Torres Strait Islander Action Plan to end violence against women and children* and any arising from the Royal Commission into violence, abuse, neglect, and exploitation in disability services, should be considered over the timeframe of the Strategy.

Recommendation:

- 4) Use a gendered intersectional lens to clearly map and explain if and how the Strategy will complement and leverage existing strategies and policies at the national level.
- 5) Use a gendered intersectional lens to address gaps in existing policies to contribute to gender equality and ending sexual violence.
- 6) The Strategy should be clear about whether initiatives are new or existing, amount and length of funding, and lapsing policies. Forthcoming strategies should also be considered over the timeframe of the Strategy.

Violence against women, children and young people

Australia has a National Plan to End Violence Against Women and Children [the National Plan] – how could the strategy contribute to ending violence and supporting the Plan?

As recommended, the Strategy should use a gendered intersectional lens to strengthen and address gaps in existing policies to contribute to gender equality and ending sexual violence. We sincerely hope that the National Plan will be adequately resourced to meet its vision of ending gender-based violence in one generation. The National Plan includes: addressing structural barriers, for example, by strengthening the specialist sector; safe, affordable and accessible housing; improving service systems and eliminating systems abuse; addressing economic barriers like improving social security; and prevention as a focus area, which align with SASVic priorities. Below, we reiterate the importance of investing in the specialist sector and addressing barriers for victim survivors on temporary visas.

Investing in the specialist sector

SASVic recognises that the Strategy is a primary prevention or ‘upstream’ intervention to address violence against women.¹³ However, specialist sexual assault and harmful sexual behaviour services are managing the ‘downstream’ effects or crisis of gender inequality.¹⁴ Further, as Federal and state or territory governments rightly place gender equality in the national spotlight, there will be increased awareness and disclosures of sexual violence in the community. Victim survivors and CYP with problematic and harmful sexual behaviours require ready access to specialist information, resources and supports. Many of our member services already have long waitlists and are experiencing significant workforce shortages in the face of rising demand. Investing in the specialist sector must be a priority, as the Victorian Law Reform Commission (VLRC) *Improving the justice system response to sexual offences* report recommendation 5 states.¹⁵ As the VLRC report states, the sector is ‘at the heart of Victoria’s response to sexual violence’.¹⁶ We note that strengthening the specialist sector and building the workforce is part of the National Plan. The National Plan recognises that the sector is overwhelmed and undervalued and there are challenges attracting, retaining and developing the workforce. The Strategy can support this by investing in the development, growth and sustainability of specialist sexual assault and harmful sexual behaviour services.

Recommendation:

- 7) The Strategy support the National Plan by investing in the development, growth and sustainability of specialist sexual assault and harmful sexual behaviour services.

Addressing barriers for victim survivors on temporary visas

The National Plan recognises the barriers that face women and children victim survivors from culturally diverse, migrant and refugee backgrounds, including temporary visa holders. We would like to draw attention to the importance of addressing barriers for victim survivors on temporary visas, due to our observation that the National Plan can benefit from detail in addressing barriers specifically for this group. We note that the 5-year action plan may include such detail. Temporary visa holders have limited access to essential services like health and income support. The *Respect@Work* report provides examples of how employers sexually assault workers on temporary

¹³ Refer to The National Plan 2022, p.67, for example.

¹⁴ Refer to *Changing the landscape* for an explanation of the differences between approaches. Our Watch and Women with disabilities Victoria, *Changing the landscape: A national resource to prevent violence against women and girls with disabilities* (Melbourne: Our Watch, 2022), <https://www.ourwatch.org.au/resource/changing-the-landscape/>, p.22.

¹⁵ VLRC, *Improving the justice response system to sexual offences: report* (Melbourne: VLRC, 2021), <https://www.lawreform.vic.gov.au/publication/improving-the-justice-system-response-to-sexual-offences-report/>.

¹⁶ VLRC, *Improving the justice response system to sexual offences*.

visas and threaten to revoke their visas if workers report sexual assault and seek support. Changes to immigration law, establishing processes to encourage reporting of sexual violence without fear of implications on visa status, and broadening access to essential services would dramatically reduce barriers for victim survivors on temporary visas. Perpetrators would then be less able to misuse visa conditions to sexually abuse workers. A right to safety and respect should not be hindered by visa status.

Recommendation:

- 8) The Strategy strengthen the National Plan by addressing barriers to safety for victim survivors, particularly victim survivors on temporary visas, unless the 5-year action plan does so.

A gender equal Australia

What would a gender equal Australia mean for you, your family, and community?

Children and young people (CYP)

A gender equal Australia must take a whole-of-life approach and recognise the continuum of sexual and gender-based violence and include an adequate focus on CYP. While the discussion paper discusses impacts of inequality, such as gendered stereotypes on CYP, the Strategy can benefit from having dedicated focus on CYP to align closely with the National Plan. SASVic notes that Women's Economic Equality Taskforce and 6 National Women's Alliances will be informing the development of the Strategy. As gender equality affects CYP, CYP voice and perspectives are crucial in shaping the Strategy. Australian National Research Organisation for Women's Safety Limited (ANROWS) also discusses implications of findings on young Australians' attitudes to VaW and gender equality for policy that are valuable in shaping the Strategy.¹⁷

Recommendation:

- 9) Establish a CYP Advisory Group consisting of members of diverse ages and communities and use an evidence-based approach to inform the development of the Strategy.

Measuring progress

When building the evidence base and assessing progress, where should we focus? What accountability and reporting mechanisms would you prioritise?

Building on key studies to reflect the continuum of sexual violence

We recognise the challenges in collecting data about sexual violence and commend the important work that organisations, such as ANROWS, undertake in building evidence about violence against women and children.¹⁸ We note that ANROWS has a national research agenda, which includes sexual violence, and that the 2021-2024 sexual harassment research program was established to contribute to the evidence base. As discussed, SASVic recognises that sexual violence occurs along a continuum. The evidence base must reflect the continuum experienced by women, CYP and members of diverse communities that occurs in or outside or adjacent to family violence and child abuse. The Australian

¹⁷ Violeta Marticorena Politoff et al, *Young Australians' attitudes to violence against women and gender equality: Findings from the 2017 National Community Attitudes towards Violence against Women Survey (NCAS)* (Sydney: ANROWS, 2019), <https://www.anrows.org.au/talking-about-dv/>, 28-29.

¹⁸ AIHW, *Family, domestic and sexual violence data in Australia* (Sydney: Australian Government, 2022), <https://www.aihw.gov.au/reports/domestic-violence/family-domestic-sexual-violence-data/contents/about>.

Institute of Health and Welfare (AIHW) identify notable data gaps, such as the experiences of Aboriginal and Torres Strait Islander people and members of diverse communities.¹⁹ Addressing the data gaps, such as those identified in the AIHW publication, and building on key studies, such as the *Personal Safety Survey*, *NCAS*, *Australian Child Maltreatment Study*, *Private Lives 3*, *Nature and extent of violence, abuse, neglect and exploitation against people with disability in Australia* is a useful starting point to gather and build evidence about sexual violence. The evidence base should also include working with states and territories to strengthen the use of service system data.

Recommendation:

- 10) The evidence base addresses data gaps, builds on key studies and reflects the continuum of sexual violence experienced by women, CYP and members of diverse communities. The evidence base should also include working with states and territories to strengthen the use of service system data.

Knowledge translation and exchange (KTE)

While building the evidence base is important, it is equally important that evidence has practical implications for policy and practice. SASVic especially appreciates resources such as fact sheets, webinars and infographics, as they support capability building and advocacy. KTE must be part of building the evidence base and funded as part of the national research program. As specialist sexual assault and harmful sexual behaviour services ensures that knowledge translation occurs in a meaningful and effective way, it is imperative that they are resourced to implement KTE strategies.

Recommendation:

- 11) Fund knowledge translation and exchange as part of the national research program, which includes resourcing the specialist sector to implement KTE strategies.

Accountability and reporting mechanisms

Success of the Strategy is dependent on the scope and quality of monitoring and evaluation. A monitoring and evaluation framework with a gendered intersectional lens must be developed to track and report on the implementation and impact of the Strategy. The framework should build on and align with any indicators and reporting processes for relevant strategies, such as the National Plan and the *National Strategy to prevent and respond to child sexual abuse*. The framework must be coordinated, and findings shared for continuous improvement.

Recommendation:

- 12) Implement a monitoring and evaluation framework with a gendered intersectional lens that builds on and aligns with indicators and reporting processes for relevant strategies. The framework must be coordinated, and findings shared for continuous improvement.

SASVic would like to thank the Australian government for the work you have and are doing to contribute to gender equality. We emphasise the importance of a gendered intersectional lens that recognises the spectrum of sexual violence that women, CYP and members of diverse communities experience and social context of inequalities that the Strategy should reflect. We look forward to

¹⁹ AIHW, *Sexual assault in Australia* (Sydney: Australian Government, 2020), <https://www.aihw.gov.au/reports/domestic-violence/sexual-assault-in-australia/contents/summary>.

working with you in future tranches of reform to promote the rights, recovery and respect for victim survivors and other people impacted by sexual violence and harm.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Amy Webster', with a stylized flourish at the end.

Dr. Amy Webster
Manager, Policy, Advocacy & Research
Sexual Assault Services Victoria