

Horizons

Research report

Women, disability and violence

Barriers to women getting justice

Easy Read

ANROWS

AUSTRALIA'S NATIONAL RESEARCH
ORGANISATION FOR WOMEN'S SAFETY

to Reduce Violence against Women & their Children

Horizons Research Report: Women, disability & violence
Monash Gender and Family Violence
Easy Read version
March 2018

Monash
Gender and
Family Violence



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What this report is about

- It is about women, disability and violence
- The report was written by researchers from the Gender and Family Violence Program at Monash University, and People with Disability Australia on behalf of Disabled People's Organisations Australia
- It was paid for by Australia's National Research Organisation for Women's Safety (ANROWS)
- This is written in **easy read** from a longer report
- The longer report can be found on this website <https://www.anrows.org.au/publications/horizons/women-disability-and-violence-barriers-accessing-justice-final-report>

This is what some words in the report mean:

Human rights: all people are treated fairly and equally

Violence can mean:

- Physical violence – hurting a person’s body
- Domestic violence – being hurt by someone you live with
- Emotional violence – threatening a person or making them scared
- Sexual violence – touching a person in a sexual way or making a person have sex when they don’t want to

Barriers: problems that stop a person getting what they need

Legal Justice: when a person can tell their story in a court of law

Personal Justice: finding safety, getting away from violence, getting support

What we already knew

- women with disability experience more violence than other women
- they have many barriers that stop them telling someone about the violence
- these barriers stop them getting support, information and services
- if there are too many barriers women may not ask for help at all
- women with disability have a hard time getting justice when they experience violence
- violence against women with disability is not talked about

This means that terrible violence can and has happened to many women.

What we did

- we talked to 22 women with disability living in NSW and 14 living in Victoria
- we talked to some women in groups. We talked to some women on their own
- we also talked to people who support women with disability
- then we read all the information to understand what is happening for women with disability who experience violence
- and to find out what helps women to become safe

Many women wanted to tell their stories to make things better for other women.

Women did say it is hard to tell their stories, but they believe their stories need to be told.

What these women told us helps us to understand what is happening for other women with disability too.

We thank the women who told their stories.

They were brave.

We also thank the people who helped the women to tell their stories.

What we asked the women

- why did you want to come and talk to us today?
- who would you tell if someone was violent to you, hurt you? Who have you told?
- what do you want people to say, or do, if you tell them this happened to you?
- when you told someone about the violence, did they do what you wanted them to do?



What we found out

Most of the women:

- had experienced domestic, family and other violence
- were hurt at home, out in the community or at services
- feel unsafe in their daily lives
- say the effects of violence last a very long time
- have no help to recover from the effects of violence
- feel it is hard to get justice

Some of the women were still experiencing violence.

Some people think that it is too hard for women with disability to talk about the violence.

This is what 2 of the women said:

One woman said 'well I was so glad to be able to fess up [about the violence] because you're living a lie and living in danger was no good'

The other woman said 'well, you've got to talk about it to make people aware of what does go on. There's lots of things that goes on that people would never believe'

Women told us about

Violence when they were children

- most of the women had experienced violence as children. They were not safe
- this violence happened in their family, in their home, or at out of home care
- some women also experienced sexual violence
- the women said it was hard to get help to stop the violence
- they were often told not to tell anyone. They were told they would be in trouble
- the women said the violence affected them even when they grew up
- because the women had not been safe as children, it is hard for them to believe they can ever be safe
- they did not have help to talk about what happened to them
- they did not have support to report the violence

One woman said, 'I experienced violence as a young child and as a young adult...it still has affected my life and affected choices I've made. And it never leaves you'

Violence by carers

- many women talked about being hurt by carers
- sometimes this was by their partner or family when care was at home
- some women were hurt by carers who are paid to look after them
- carers had a lot of power and women had little or no control



One woman said, 'felt about running away, getting away, but didn't know where to go -just going but I didn't know where to go'

No control of their own money

- many women said their money is kept from them
- sometimes the disability allowance and carer pension is the only money families have
- some women are too worried about losing the support they need to say anything about what is happening to them

One woman said, 'I was so sick. He was on carer's support. Me and a girlfriend, who was also really sick, we used to say, mate, it should be called abuser's support pension'

It can be hard for women to know they are not safe if violence is a part of their everyday life. They think it is normal.

If women are never safe, it can be hard for them to understand what violence is.

When women realise they don't have to live with violence or controlling behaviour, it is an important step for them.

One woman said, 'I am only newly accepted to the fact that there's violence against me in my home...thanks to my advocate...but with some talks I've had with them, they've shown me that no, it's not acceptable, it's not right, and it is a form of domestic violence'

Many women have problems being safe every day

- having a safe home, enough money, and care and support is often hard for women to get
- many women must find their own safe place
- some women are facing violence and threats from neighbours. It's hard to get help when this happens
- even women who are in a safe place now do not feel that it will last

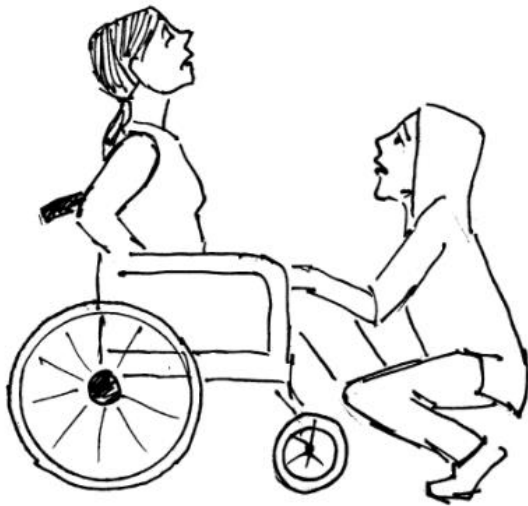
For many women we talked to, even the basic human right of being safe is not always possible.

One woman said, 'nobody will come to me and say, "what do you need to keep yourself safe"?''

Another woman said, 'where do I feel safe? – Nowhere'

The women said that:

- we need to listen to what they tell us and believe them
- sometimes when they tell their stories they know they are not believed
- some women said they needed to have a way of showing they were telling the truth to be believed, to get proof. This was very hard for women to get
- when they have told their stories and not been believed they may not want to tell someone again
- when they are not believed because of their disability, age or culture, it is hard for them to get justice



Listening to and believing women is a first step towards them getting justice.

One woman said, 'First of all they need to believe you. Second they should give you choices of where to go from there'

Another woman said, 'people need to listen, it is extremely important to have a voice'

There was little support for women when they needed it

- it is harder for women to leave a violent person when they need that person for their care
- this can make the violence last longer than it does for other women
- having no support means they must stay in relationships and places that are unsafe or violent
- if they do try to get help to become safe, they are often not believed
- often services they go to for support let them down. This means they cannot be safe

One woman said, ‘...when it did go to the police.... somebody should’ve asked when he was removed from the house, ok, we’ve taken your carer, what are your immediate needs right now? What do you need? Do you need someone to come in and help you get the kids up?’

Problems for women with children



- 14 of the women we talked to are mothers
- if a mother with a disability tells someone that she is being hurt, people may believe she can't look after her children
- most of the women we talked to have had their children taken away from them. Sometimes for a while and sometimes forever
- the fear of having their children taken away stops many women from telling someone they are not safe
- the women told us about things they did to be able to take good care of their children
- some did parenting courses, spoke to counsellors and had education

However, this does not always protect women or their relationships with their children if there is violence.

One woman said, 'at no point did anybody say, "there are services that can help you to be independent. You won't lose the children, they can go with you". None of these things were ever explained to me'

What the women said they want

- for people to understand their needs
- to know what to do when violence happens
- to have information about what choices they have
- to have control of their choices
- to be helped to do what they choose
- to have time to talk to someone who can help them make decisions and heal

One woman said, ‘... didn’t take into account all the other things that all the other concerns that I had for – from the disability’s point of view into account. “would you like to go to a refuge?” well Jesus is it going to be accessible? What happens to my children? Am I going to end up in care?’

Getting Justice

There are important laws that say violence against women is wrong. And there are lots of laws to protect people with disability.

But there are many barriers to getting justice for women with disability when violence happens to them.

This is because:

- trying to get justice is hard
- women with disability have more problems getting justice than other women
- it is harder to get people to listen to their stories and believe them
- even if they are believed they may not know what steps to take next

Only once women are safe can they think about getting justice.

Personal Justice

Many women who escape violence feel they have personal justice if they are believed and they are safe.

Also, if they get support for themselves and their children.

For some women personal justice is enough. It is not about the person who hurt them being punished.

It is about them finding ongoing safety and having a life free from violence.

One woman said, 'well I've told a couple of welfare people and they didn't do anything first. Then I started telling the ones looking after me now, and then I told my disability advocate, and she started doing something about it'

To help women get personal justice they need:

- to understand what is happening to them
- to know their rights
- to know how to get help
- to get support to tell their stories
- to be heard and believed
- to get help to change things
- to believe the violence is not their fault
- to know what justice is

For some women even when they tell their stories and are believed the violence does not stop.

If women experiencing violence **are** believed, but not helped, they think that their lives do not matter.

For other women, getting legal justice is very important.

Legal Justice

Legal justice means that a person can tell their story in court.

To get legal justice women need:

- help to find the right person to tell about the violence
- help with the legal system and other services
- more support from workers
- trained legal people who can talk about what women with disability can do
- help with how to tell their stories in court
- people to talk to on the phone out of hours
- the legal system to work faster

one woman said, 'he is the only person in my entire time of services that has said, "no, you need to keep going with this, because how can you live with that injustice, how can you?" but to have it, you can imagine having a real person say that.....'

another woman said, 'After many hours on the stand as a primary witness there was no chance to debrief or even have some safe quiet space to calm down..... I was just put on a plane. And mid-flight I had a severe panic attack as a result'.

Going to the Police



- if women want legal justice, they will have to talk to the police
- some of the women we talked to had good experiences with the police. Some women did not
- some police did not believe women when they said they experienced violence
- or they thought it was too hard to get legal justice because a woman has a disability
- going to the police does not always mean that a woman will get justice

One woman said 'the police were good. They weren't aggressive.... they didn't rush me'.

But another woman said: 'Basically the police in the past, they haven't said these words but it's basically "you go away, you stop expecting us to respond or we will charge you"'

When women go to the police they need:

- to take a support person with them
- the police to listen to them and believe them
- the police to talk with them in a way they understand
- the police to communicate with them before they go to court
- the police to look after them even if they need help often

For Aboriginal women with disability it can be even harder to go to the police.

The police can have attitudes about Aboriginal people that make it very hard for these women to tell their stories and be believed

One woman said, 'I was in tears thanking that police officer [who believed her] ...' Do you know what, you have done the justice, you have done it''

Going to Court

For women with disability, being able to tell their story in court is a way for them to get justice.

But when women feel that their stories are not heard or believed they are left feeling worse.

All women are worried about going to court to tell their stories. Women with disability may find it even harder.

These are some of their worries:

- they worry about how to tell their stories in court
- they are not given enough time to tell their stories
- they are not believed
- it is hard to understand what people in court are saying
- legal words and papers are too hard
- they do not get enough support
- people don't think they can make their own decisions
- they are not treated like other people in court because of their disability

One woman said, 'yeah, as if to say that you've made all this up. That's what they're trying to do. At one stage I thought I was really tough, I'd be able to handle it.....but I've got a feeling I would have cracked eventually through it because they've got a sneaky way of doing it'

Because of these things:

- women worry about going to court
- some women decide not to go for legal justice
- some women choose to read out to the court how the violence affected their lives. This meant they could tell their stories in a safe way



- women with disability are often seen as not able to tell their stories in court so they don't get the same rights as other people

In the past there has been other research done about court and women with disability.

That research talked about changes that should happen to make it easier for women to tell their stories.

Those changes have not happened.

Talking to Service Providers

- we also talked to 18 service providers, some working in disability and advocacy services
- and some working in domestic and family violence services and legal services

We asked them these questions:

- what do you do in your job?
- what do you think stops women from telling someone about violence?
- what stops women with disability from getting justice?
- do you know of any programs to help these women?
- what could be changed to make it easier for women to get justice?

This is what we found out from them

What stops women telling their stories:

- many women with disability are not seen as being able to tell the truth or understand what has happened to them
- workers don't have enough time to spend supporting women to tell their stories
- services don't have enough money. This means that women can't get the support they need
- workers don't understand women with disability and the violence they experience

One worker said 'In general, it's about making people aware that people with disabilities have a different experience when it comes to family violence and they need that extra support'

About women being safe

- people need to listen to what women say happened to them and believe them
- people need to listen to what women say they want to happen next
- it is important for women to have advocates and supporters when they are experiencing violence
- there is not enough safe housing for women
- women are often already in public housing which makes it hard to have somewhere else to go

One worker said: 'it takes a woman up to 7 times to leave family violence. With a person with disability I believe it's up to 14 because it's a really difficult decision to make'

What stops women from getting justice

- people have different ideas about disability and violence, so women's needs are not well understood
- some services do not understand the needs of women, or what problems they might have getting justice
- the justice system is hard for women to use
- it is hard for women to find lawyers to help them
- there are not enough advocates to help the police, and the courts, understand what women need
- women with disability need more proof that violence happened to them because their stories are not believed
- some services don't know the 'right thing to do' to support women, so they do nothing
- for women living in group homes we often call violence that happens to them a 'challenging behaviour' so do not deal with it properly
- if group homes do find out about violence they don't tell the police and manage it themselves

End

Talking to these 36 women has helped us to understand what happens for women with disability when they experience violence.

It is very worrying that in many of the stories the women told us, no one did anything to stop the violence.

This is what we now know

- we need to listen to the voices of women with disability, believe them and do something about what they tell us
- women with disability have many problems in being safe and secure every day. These problems can take a long time to work out
- women need better ways of getting justice. They need support to understand what they can do
- people who work in the justice system need support to understand and communicate with women with disability who experience violence
- violence services and disability services have problems about how to work together

The reports and projects that talk about what needs to happen for women with disability who experience violence have not changed things.

Because of this, women with disability still do not have the supports they need to be safe and find justice.