

Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability
By email: DRCEnquiries@royalcommission.gov.au, cc: Camilla.Gebicki@royalcommission.gov.au

Friday 5 March 2021

To Whom It May Concern

Re: *Issues paper – Violence and abuse of people with disability at home*

Domestic Violence NSW (**DVNSW**) thanks the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability for the opportunity to provide a response to the *Issues paper – Violence and abuse of people with disability at home*. Please accept this letter as DVNSW's submission.

DVNSW is the peak body for specialist domestic and family violence services in NSW, providing a representative and advocacy function for over 80 specialist domestic and family violence services across NSW, and the women, families and communities they support.

DVNSW has an enduring relationship with People With Disability Australia (PWDA), most recently as a partner on the Building Access Project, a longitudinal project on building capacity in the NSW domestic and family violence specialist sector to better respond to women and girls experiencing domestic and family violence. Through this relationship, DVNSW has worked to address the issues faced by women with disability who are victim-survivors of violence, and how the specialist domestic and family violence sector in NSW can respond effectively.

DVNSW strongly supports the submission of People With Disability Australia (PWDA), and endorses their key recommendations.

We would like to highlight – as outlined in the submission prepared by PWDA – that:

[...] women and girls with disability experience significantly higher levels of all forms of violence, more intensely and frequently, and are subjected to violence by a greater number of perpetrators.ⁱ Their experiences of violence last longer, result in more severe injuries, and they are far less likely to receive service support to address violence.ⁱⁱ Women and girls with disability are often not believed when reporting sexual assault and other forms of violence, are often denied the right to legal capacityⁱⁱⁱ and effective access to justice,^{iv} and they have considerably fewer pathways to safety.^v

There is a lack of expertise and a range of structural barriers within domestic violence, sexual assault and women's crisis services that prevent appropriate responses to support women with disability.

The intersection of gender, disability and violence requires recognition. Domestic Violence NSW is especially concerned that:

- women with disability do not feel safe in their homes – be that a private home or a group setting;
- women with disability that are victim-survivors of violence face a multitude of barriers to accessing the justice system to report these crimes, and are discouraged – or prevented – from reporting, including being diverted to administrative processes such as civil and administrative tribunals;
- under resourced specialist domestic and family violence services often lack expertise in assisting women with disability, or do not have the capacity or funding to adequately support women with disability;
- mainstream disability services often do not understand how to appropriately respond to domestic and family violence and sexual assault;
- nationally, legal and policy definitions of domestic and family violence are limited and as a result do not include violence and abuse by support workers, unpaid carers, housemates, co-residents and wider First Nations kinship networks, that is, the perpetrators of violence against women with disability;
- police and the judiciary do not adequately understand disability or domestic and family violence, and how the two intersect in a criminal act; and that
- crisis support and accommodation for women with disability experiencing violence is limited, or does not exist.

We welcome the Royal Commission’s investigation into violence and abuse of people with disability at home, and urge the Commission to **respond to the recommendations of PWDA**.

We are relying on the Royal Commission to make **recommendations that recognise the impact of violence on women with disability**, and how all Australian jurisdictions should improve laws, policies, structures and practices to ensure women with disability have access to appropriate supports and services, and are safe at home.

Yours sincerely



Delia Donovan
Chief Executive Officer, DVNSW

ⁱ Women With Disabilities Australia (WWDA) [‘WWDA Position Statement 1: The Right to Freedom From All Forms of Violence’](#). WWDA, September 2016, Hobart, Tasmania. ISBN: 978-0-9585268-6-9.

ⁱⁱ Women With Disabilities Australia (WWDA) [‘Improving Service Responses for Women with Disability Experiencing Violence: 1800RESPECT’](#); Final Report. ISBN: 978-0-9585268-5-2.

ⁱⁱⁱ United Nations General Assembly, Human Rights Council (2013) Report of the Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Juan E Méndez; 1st February 2013; UN Doc. A/HRC/22/53.

^{iv} Women With Disabilities Australia (WWDA) [‘WWDA Position Statement 1: The Right to Freedom From All Forms of Violence’](#). WWDA, September 2016, Hobart, Tasmania. ISBN: 978-0-9585268-6-9.

^v Dowse, L., Soldatic, K., Didi, A., Frohmader, C. and van Toorn, G. (2013) [Stop the Violence: Addressing Violence Against Women and Girls with Disabilities in Australia](#). Background Paper. Hobart: Women with Disabilities Australia.