



VICTIM SURVIVORS' ADVISORY COUNCIL

GENDER EQUALITY BILL SUBMISSION

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*This submission is dedicated to victim survivors of family violence
and the lives of those who have been lost to family violence.*

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Introduction

The Victim Survivors' Advisory Council ('VSAC') is the world's first committee comprising victim survivors of family violence informing an expansive reform agenda for a family violence system.

VSAC informs the Victorian state government, the national family violence sector and the Australian community's understanding of family violence.

VSAC is created as an initiative of the Victorian Government, following the Royal Commission into Family Violence which made a specific recommendation that the voices and views of victim survivors should be captured in the service design and reform of the family violence system.

Recommendation 201

The Victorian Government and agencies that respond to family violence identify and develop safe and constructive ways to ensure that the voices of victims are heard and inform policy development and service delivery [within two years].

Foreword

The Victim Survivors' Advisory Council ('VSAC') includes representatives from a variety of age groups, cultural and socioeconomic backgrounds who share the traumatic lived experience of family violence.

As victims of family violence we have been betrayed of our personal power, our voices and our safety. There is great power in the lived experience of victims and survivors and that sharing our stories is important.

Silencing victims protects the perpetrator, condones their behaviour and robs victims and survivors of their dignity. This is the time to hear our voices and break the silence.

The Victorian Government has recognised that by working together we can create systems that support people who are affected by family violence.

We know what it's like to be ignored. We know what it's like to experience system shortcomings. We know what it's like to be victim blamed.

Yet the painful reality of the family violence which we have endured is that it can happen to anyone, regardless of their cultural, ethnic and socio-economic background. We know this. We feel this.

At the Victim Survivors' Advisory Council, we are leading the way. Our most vulnerable days are behind us and we are driving cultural change. Some voices have been permanently silenced. To those who have died through family violence, our community apologises for failing you. We do this work in your honour.

We endeavour to be representative of all ages, genders and demographics, from children, adolescents, and young people, Australia's First Peoples, to culturally and linguistically diverse communities, people with a disability, LGBTIQ+ communities, and elders.

Our drive, passion and voices are jointly dedicated to contributing as a powerful group to ending family violence.

Historically, victims of family violence have been failed by systemic shortcomings and cultural attitudes that have enabled our plight and caused us to suffer silently.

That stops now. Our voices represent all of us—those impacted by family violence, and those for whom the system must improve to keep us safe.

We are the Victim Survivors' Advisory Council and we are here to make a difference. The Victim Survivors' Advisory Council brings the strength, resilience and lived experiences of victim survivors to our reforms.

The Victim Survivors' Advisory Council:

- Contributes meaningfully to family violence reform by involving its members – service users and victim survivors – in the family violence reform program.
- Provides an ongoing voice for victims of family violence in the design of services
- Places service users at the centre of family violence reform and service design
- Advises how family violence reform initiatives will impact on people who use services
- Considers and provides advice on specific issues requested by the Family Violence Committee of Cabinet/or the Family Violence Steering Committee
- Ensures that advice to the Government reflects the diversity of the family violence experience
- Ensures the Government's response to the recommendations of the Royal Commission into Family Violence meets the expectations of victim survivors and the community.

Gender Inequality in the Family Violence Context

In reading this submission, it is vital to preface VSAC's view on gender equality and its link to family violence, especially violence committed against women and children, in the appropriate sociocultural and socio-political context.

It is our view that family violence, and violence against women, must be examined in the context of shifting social relations and gender inequality. We submit that institutionalised and structural inequality between genders is the reason for systemic discrimination against women, from the narratives of the courtroom to boardrooms in the workplace, from community centres to the opportunities afforded to young women and girls in education.

As such, VSAC proposes that this submission be read with respect to the lens in which is written – that is, to view the need for gender equality and legislative provisions advocating for gender equality, as part of a robust human rights framework.

This submission has been authored by the following VSAC members:

- Tarang Chawla
- Liana Papoutsis
- Nicole Lee
- Layla Alwan
- Philip Cleary

We welcome the opportunity for ongoing interaction and the opportunity to discuss this submission and our lived experience of gender inequality in action in detail.

Responses

This submission focuses on the questions as below.

QUESTIONS 1 & 2

What do you think are the critical actions necessary for the success of gender equality legislation? What other activities should the government undertake to support this legislation?

Background

It is necessary that gender equality legislation operates within an appropriate human rights framework and brings with it an acute understanding of how power imbalances and gender inequality create a social context in which family violence exists and is perpetuated.

This includes the way that numerous institutions have historically operated and grappled with the cultural change necessary for the advancement of gender equality. Structural gender inequality spanning decades has presented myriad legacy issues which are still an impediment to the proper advancement of gender equality.

What does successful Gender Equality Legislation look like?

VSAC submits that for the legislation to succeed, government must be clear and succinct with respect to defining what the success of the legislation looks like. It is our view that success of gender equality legislation within a human rights framework will be a significant, measurable reduction of family violence and violence supportive attitudes within the Victorian community.

VSAC's rationale behind this is supported by the current empirical evidence base which suggests that gender inequality is a precondition for the existence of family violence and structural equality will have positive outcomes in our collective effort to eradicate violence against women and children in our communities.

Gender Equality for the many, not just the few

VSAC notes that the proposed gender equality legislation will not reach all Victorians. We welcome that this legislation will extend to local government and various public entities within 12 months of the commencement of the Bill, and, in particular, that it will extend to Universities established by a Victorian Act of Parliament.

However, it is crucial that government take steps to engage with the broader community outside of the public service sector and government spheres. This can be achieved in various ways. VSAC submits that the gender equality legislation must also co-exist alongside:

- Leadership by the Victorian Government
- Genuine engagement with boys and men
- Strategic Partnerships, especially with the media
- Addressing unconscious bias
- Framing the issue within a human rights framework
- Increasing public understanding of the significance of gender equality in addressing violence against women

Strengthening the Purpose of the Legislation

VSAC submits that it is necessary to strengthen the link between how this legislation will permeate throughout society. We submit that the guiding principles underpinning the legislation could be further elucidated in the proposed Bill.

It is crucial to place the legislation in a context of how it will work within popular cultural settings in practice and not simply as a mechanism of government that does not reach the general population.

QUESTION 4

Do you agree that these are the critical principles and actions that should underpin the legislation? What should be added, or needs to be changed?

VSAC submits that the critical principles and actions that underpin the legislation are an excellent first step. However, we submit that the proposed legislation must be expanded upon.

The current rationale in favour of gender equality will benefit the wider community at large, however the absence of diversity within the proposed legislation is cause for concern. It is vital that the proposed Bill, as an instrument intended to advance gender equality, is properly reflective of the diversity of lived experiences of the Victorian community.

QUESTION 12

It is clear that the impact of gender inequality is compounded by the way that gendered barriers interact with other forms of disadvantage and discrimination. What is needed to ensure that the advice of the Ministerial Council is considered in other policy areas that may compound or contribute to gender inequality?

The lived experience of VSAC members typifies the various ways that gender inequality intersects with other forms of disadvantage. For example, people from culturally and linguistically diverse (CALD) backgrounds, people living with a disability, LGBTIQ+ communities, Aboriginal and Torres Strait Islander communities, Elders, and other groups, are subjected to other forms of disadvantage in addition to engrained gender inequality and gendered barriers.

Among some CALD communities the gender inequality is so engrained as to prevent a female victim survivor from access to various necessary services, such as banks, Centrelink, Medicare and Legal Aid. The resources necessary for women to empower themselves are structurally removed through the exercise of severe examples of gender inequality. It is crucial that such structural abuse is identified and forms part of the remit of the proposed Gender Equality Bill.

For people living with a disability the intersection of gendered barriers coupled with the discrimination and disadvantage of cumulative disempowerment results in serious consequences for such individuals. VSAC feels strongly that recognising an individual's experience of gender inequality is often compounded by other forms of disadvantage. VSAC submits that the proposed Gender Equality Bill must go further in addressing the way that patriarchy, misogyny, systemic disadvantage and discrimination intersect with gendered barriers.

VSAC submits that it should be a dedicated requirement of the proposed legislation that diversity and intersectionality is embedded as a foundation within the Gender Equality Bill. For example, Part III proposes that the Minister must ensure there is a State Gender Equality Plan. It is VSAC's view that a diversity and intersectionality lens ought to be a cornerstone of such a plan.

Closing Remarks

The proposed Gender Equality Bill is an admirable step to address overarching gender inequality and providing actions for achieving equality.

However, as this submission makes clear, the Bill extends only to a subsection of the entire Victorian community and it must be expanded to be more inclusive, diverse and representative of the general population.

VSAC is proud to advocate for equality for all individuals. We remain hopeful that the Government will take our views on board and further refine the proposed Bill for the benefit of all Victorians.