

Briefing paper for Auckland Council Sexual and domestic violence and disability

Currently, within sexual and domestic violence services, there is very little service provision for disabled women or women with disabled children. There is also limited understanding of the diverse needs of disabled women in sexual and domestic violence services and of domestic and sexual violence in the disability sector.

Disabled women include women with physical disability, mental health problems, intellectual disability, brain injuries and chronic illnesses that result in disability.

“Someone’s experience of disability may be obvious or hidden, serious or mild, singular or multiple, stable or degenerative, constant or intermittent. Disability can be caused by accident, illness, trauma, a genetic condition, aging or by birth. It can affect a person’s mobility, senses, moods and the way their brain functions.”ⁱ

Disability is related to sexual and domestic violence in two ways.

1) Disabled people are more likely to be abused both as children and adults than non-disabled people. It is not possible to give reliable statistics as the numbers vary according to study design, the population studied, methodology etc. However, the consensus is that “Violence against women with disabilities has been identified as not only more extensive than amongst the general population but also more diverse in nature than for women in general.”ⁱⁱ

2) Domestic violence can result in short and long term disability including acquired brain injury, mental health problems, blindness, hearing loss and muscular skeletal injuries. Deliberate neglect and abuse can cause chronic illness and loss of function (mental and physical) which results in long-term disability. Sexual violence is strongly associated with mental health problems and could also result in physical disability and brain injury as a result of physical attacks associated with the sexual violence.

In New Zealand domestic violence legislation, domestic violence is defined as occurring between people who live in a domestic relationship – not necessarily a sexual relationship. For disabled people the relationships that this can include are much wider, as disabled people are reliant on a range of people to support them. This is explained in the booklet *Domestic violence and disabled people*.ⁱⁱⁱ

“People who experience disability may rely on a variety of people to provide them with assistance. Some of these people are family and friends; others are paid caregivers and staff from agencies that people who experience disability use. Family violence is abuse of one person by another in a domestic relationship and under New Zealand law, it is child abuse when children witness or hear violence between adults.

The domestic violence act defines a domestic relationship as

- a spouse or partner
- a family member
- someone that you ordinarily share a household with
- a close personal relationship

There does not need to be a sexual relationship.

In your family this could be your husband, wife, brothers and sisters, parents, aunts, uncles, grandparents, in laws, boyfriends and other people living in the same household, for example in a flat or institutional setting.

People who are not covered by the Domestic Violence Act, but could still abuse you are: your home help, taxi driver, medical personnel such as nurses, doctors and therapists, care givers, interpreters, teachers, social workers, counsellors and the range of staff in hospitals and other institutions.”

This describes the complexity of the relationships and the higher risk of sexual and/or domestic violence that a disabled person is exposed to.

Building the Evidence (2008) is a research project undertaken in Victoria to understand how women with disabilities are recognised and responded to in policy and service provision for domestic violence. Their findings included that:

- “Family violence sector standards and codes and guidelines say little about how to support women with disabilities
- Most services do not routinely collect data on disability and family violence
- Most family violence workers consulted had minimal or no training in supporting women with disabilities
- Little is known about the help-seeking experiences of women with disabilities experiencing violence
- Family violence and disability services need:
 - sustained collaboration with each other that includes specialist advice, secondary consultation and education about women with disabilities experiencing violence
 - education from women with disabilities
 - to undertake risk assessment and to respond appropriately
- Family violence services must
 - improve physical access
 - Provide information in accessible formats...
 - Provide secure, affordable crisis, supported and permanent accommodation...
 - Provide more intensive case management and post-crisis support is needed”^{iv}

These are all issues have been identified as being of concern in New Zealand.

There are two groups in New Zealand that have the specific aim of bringing these two sectors together to improve the understanding of both sectors about the relationship between these disability and abuse and to ensure that service provision is accessible and appropriate for all women – not just those who are not disabled. These groups are DVD and DCAV.

DCAV – the Disability Coalition Against Violence - is a national organisation started by DPA¹ and the National Network of Stopping Violence Services. The group works

¹DPA is an umbrella organisation representing people with all types of impairments

primarily at government level lobbying for awareness and change to prevent violence against disabled people.

DVD – the Domestic Violence and Disability Working Group - are an Auckland group concerned with raising awareness of the relationship between disability and sexual and domestic violence and improving service provision for abused disabled women. They have run a number of hui and workshops in Auckland about disability and sexual and domestic violence.

DVD support the initiative for Auckland Council to have a policy and programme of action to address sexual and domestic violence in the city. This is consistent with UNCRPD² Article 16 “Freedom from exploitation, violence and abuse”³

In order to ensure that the needs and voices of disabled women and children are heard in this discussion and the formation of policy and practice we suggest:

- That disabled people be leaders in the ongoing development of these initiatives
- That relevant Auckland Council staff attend training with DVD about the relationship between disability and abuse
- That Council fund research into the relationship between the sexual/domestic violence sector and the disability sector and how to encourage collaboration for the wellbeing of clients
- That Council’s policy and activities promote community wide changes in the attitudes and behaviours that limit opportunities for disabled people to live lives without abuse
- That the Council increase the levels of knowledge and information available to the Auckland community on the link between sexual/domestic violence and disability
- That the Council widen it’s older person’s policy and strategy to include the risk of violence for those with disabilities and their organisations
- A recent report, *Finding Safety. Provision of specialised domestic violence and refuge services for women who currently find it difficult to access mainstream services*⁴ makes a number of recommendations about service provision for disabled women. Council could play a crucial role in brokering these relationships and providing funding for cross sector workers.

The recommendations include:

- “Domestic violence services and women’s refuges be available to women escaping all forms of violence including that associated with sexual violence, sex work, trafficking, FGM⁴ and underage and forced marriage.

— physical, sensory, intellectual, psychiatric and neurological, acquired at any stage of life - the families of people with disability, disability advocacy organisations and disability service providers.

² United Nations (2006) United Nations Convention on the Rights of Persons with Disabilities. United Nations, New York. Accessed from <http://www.un.org/disabilities/documents/convention/convoptprot-e.pdf> on February 10, 2012

³ *ibid*

- Women are housed and offered services regardless of age, and age appropriate services are offered by all services.
- All refuges have fully accessible accommodation available for women with physical disabilities or those with disabled children
- Specialised refuge services be established for women with mental health and drug and alcohol problems associated with sexual and domestic violence
- Good quality housing is made available for women to move to after refuge or when escaping violence
- Women-only drug and alcohol and mental health inpatient services, staffed by women, are available to women in all regions
- Domestic violence training and training about the mental health effects of domestic violence be incorporated into the initial and ongoing professional development training of all health, legal, therapeutic and social service professionals including psychologists, psychiatrists, mental health and drug and alcohol service staff, judges, lawyers, court staff, police, social workers, therapists and counsellors.
- Long-term adequate funding is provided by government to the educational institutions and NGOs that provide this education.
- All services involved in responses to abused women, including clinical and NGO mental health and drug and alcohol services are be encouraged to develop polices about partnership development and memorandums of understanding (MOUs) in local areas
- Service user groups are convened and involved in the development of all services designed to address violence against women and to keep women safe”

⁴ Female genital mutilation

References

- ⁱ Domestic Violence and Disability Working Group. (2010) Domestic violence and disabled people. It's Not OK Campaign. Ministry of Social Development, Wellington.
- ⁱⁱ Howe K, (2000) Violence Against Women With Disabilities - An Overview of the Literature. Women with Disabilities Australia. Accessed from www.wwda.org.au on December 10, 2011
- ⁱⁱⁱ Domestic Violence and Disability Working Group. (2010) Domestic violence and disabled people. It's Not OK Campaign. Ministry of Social Development, Wellington.
- ^{iv} Healey, L, Howe K, Humphreys C, Jennings C, Julian F. (2008) Building the Evidence. Victorian Women with Disabilities Network Advocacy Information Service, Melbourne
- ^v Finding Safety. Provision of specialised domestic violence and refuge services for women who currently find it difficult to access mainstream services: disabled women, older women, sex workers and women with mental illness and/or drug and alcohol problems as a result of domestic violence. (2011) Deborah Hager 2010 Winston Churchill Fellow. Accessed January 23, 2012 from [http://www.communitymatters.govt.nz/vwluResources/WCMFReport10Hager/\\$file/WCMFReport10Hager.pdf](http://www.communitymatters.govt.nz/vwluResources/WCMFReport10Hager/$file/WCMFReport10Hager.pdf)