

SAFETY AND JUSTICE

It is a basic right of all people to feel safe in our workplaces, educational institutions, public places and homes. However, women and girls' experiences of these places may be quite different experiences than those of men and boys.

Violence against women

Violence against women is **any act of gender based violence** that causes, or could cause, **physical, sexual or psychological harm or suffering**, including **threats** of harm or **coercion**, in **public or in private life**.¹

Since the age of 15, **one in three women** in Australia has experienced physical violence and **one in five** has experienced sexual violence. Some women are at an even higher risk of experiencing violence:

- Women with a disability are more likely to experience violence. For example, **90 per cent** of Australian women with an intellectual disability have been subjected to sexual abuse.²
- Aboriginal and Torres Strait Islander women **are five times as likely** to experience physical violence, and **three times as likely** to experience sexual violence, than other Australian women.³
- Women from culturally and linguistically diverse and new and emerging communities who experience violence can **face significant difficulties and barriers**, including a lack of support networks, language barriers and a lack of knowledge of their rights and Australia's laws.



¹ United Nations (UN), *Declaration on the Elimination of Violence against Women*, 20 December 1993.

² Salthouse, S. and Frohmader, C., 2004, *Double the odds – domestic violence and women with disabilities*, Women With Disabilities Australia, Paper was presented to the Home Truths Conference, Sheraton Towers, Southgate, Melbourne.

³ Our Watch, 2014, *Reporting on Family Violence in Aboriginal and Torres Strait Islander Communities*, September 2014. Available at https://www.ourwatch.org.au/MediaLibraries/OurWatch/Images/ourwatch_reporting_on_a-ts_family_violence_aa_v1.pdf

The rate and experience of violence

Both men and women in Australia experience violence. The perpetrators of this violence, against both women and men, are overwhelmingly male and the violence is likely to have more severe impacts on female than male victims.

Men in Australia largely experience violence at the hands of other men and most likely in a public place. Women are most likely to experience violence in their home, at the hands of a current or former male partner.

Sexual violence

As sexual assault is an under-reported crime, it is challenging to collect accurate data. The National Crime and Safety Survey 2002 found that **80 per cent** of women who had been sexually assaulted had not reported the most recent incident to the police.⁴

The overwhelming majority of victims of sexual assaults are women and women are more likely to be sexually assaulted by someone known to them rather than a stranger.⁵ While women of all ages are at risk of being sexually assaulted, children and young people are more likely to experience sexual violence.

In the 2014-15 financial year, **2 010 sexual assaults** were reported to Tasmania Police, with **80 per cent** perpetrated against women and **70 per cent** committed in residences.⁶

In 2014, **80 per cent** of female victims of sexual assault in Tasmania reported being assaulted by someone known to them, compared to **14 per cent** who reported being assaulted by a stranger;⁷ and **74.8 per cent** of sexual assaults recorded were against women or girls under 35 years of age.

Across Australia, **12 per cent** of women reported that they had been sexually abused before the age of 15, with over **90 per cent** knowing their perpetrator.⁸



⁴ Australian Bureau of Statistics, 2004, *Sexual Assault in Australia: A Statistical Overview (2004)*, Catalogue 4523.0, ABS, Canberra.

⁵ Centres Against Sexual Assault (CASA) Forum, 2016, *Fact Sheet: Statistics about sexual assault*, CASA, Melbourne.

⁶ Department of Police & Emergency Management, 2015, *2014-15 Crime Statistics Supplement*, Department of Police & Emergency Management, Hobart.

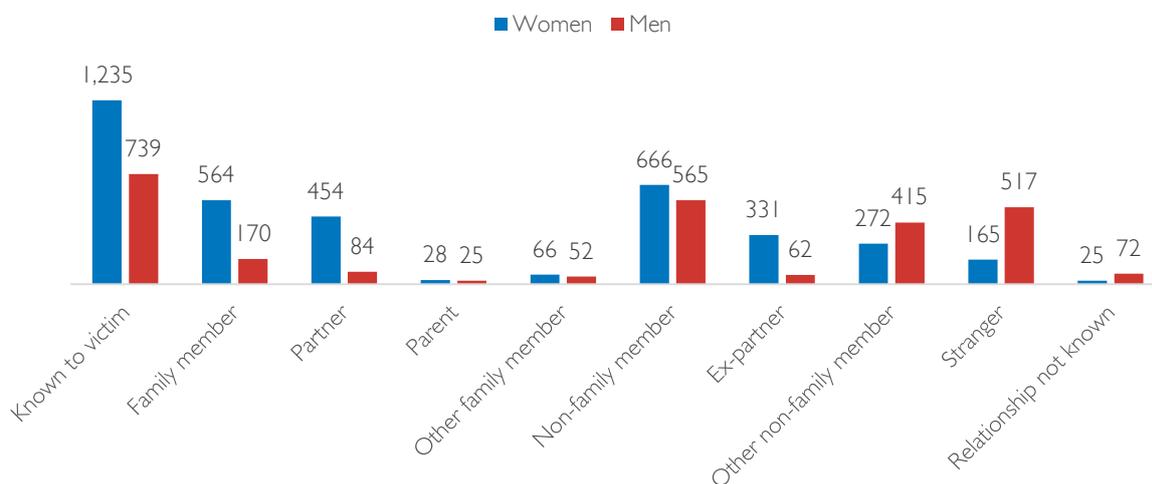
⁷ Australian Bureau of Statistics, 2014, *Recorded Crime - Victims, Australia*, cat no 4510.0, Table 12, ABS, Canberra.

⁸ Australian Centre for the Study of Sexual Assault, 2012, *The nature and extent of sexual assault and abuse in Australia*, Australian Institute of Family Studies, Melbourne.

Assault

In Tasmania, women and men experience assault at a similar rate. In 2014, there were **2 756** reported victims of assaults and **52 per cent** of victims were female.⁹ What differs between women and men is how they experience assault. Women are more likely to be assaulted by someone they know, while men are more likely to be assaulted by a stranger.

Figure 1: Relationship of victim to the perpetrator of their assault by sex in Tasmania in 2014



Date source: Australian Bureau of Statistics, 2014, Recorded Crime - Victims, Australia, Catalogue 4510.0, Table 24, ABS, Canberra.

Domestic and family violence

Domestic and family violence is a pattern of abusive behaviour in an intimate relationship or other type of family relationship where one person assumes a position of power over another and causes fear.

- In Australia, on average, **more than one woman a week** is killed by a current or former partner.¹⁰
- Intimate partner violence is the **leading contributor to death, disability and ill-health** in Australian women aged 15 to 44 years. Experiencing violence creates a higher health burden for women than more easily recognised risk factors such as obesity and smoking.¹¹
- Domestic and family violence is the **principle cause of homelessness** for women and their children.¹²

⁹ Australian Bureau of Statistics, 2014, *Recorded Crime - Victims, Australia*, Catalogue 4510.0, Table 24, ABS, Canberra.

¹⁰ Bryant, W and Cussen, T. 2015, *Homicide in Australia: 2010–11 to 2011–12 National Homicide Monitoring Program Report*, Australian Institute of Criminology, Canberra. http://www.aic.gov.au/media_library/publications/mr/mr23/mr23.pdf

¹¹ Victorian Health Promotion Foundation, 2004, *The health costs of violence: Measuring the burden of disease caused by intimate partner violence*, Melbourne.

¹² Australian Institute of Health and Welfare (AIHW), 2012, *Specialist Homelessness Services Collection: March quarter 2012*. Catalogue. HOU 265, Canberra.

In Tasmania, family violence is defined by the *Family Violence Act 2004* (Tas) and includes a range of violent behaviours committed by a person directly or indirectly against their spouse or partner.

From 2005 to 2015, in Tasmania, **82.2 per cent** of family violence offenders were male and **87.8 per cent** of victims were female.¹³

In the 2014-15 financial year, Tasmania Police recorded **2 615 family violence incidents** (under the *Family Violence Act 2004* (Tas), and **1 810 family arguments** (events not classified as family violence).¹⁴

Reporting of family violence has increased in the last two years from **2 414** incidents in 2013/14 and **2 283** in 2012/13. However, the level remains lower than the **2 693** incidents recorded in 2010-11.

As with other forms of violence, domestic and family violence is an under-reported crime. The 2012 Personal Safety Survey indicates that **58 per cent** of women who had experienced violence from a current or former partner had never contacted police and **24 per cent** had never sought any advice or support.¹⁵

Further information about domestic and family violence is available at http://www.dpac.tas.gov.au/divisions/csr/policy/Policy_Work/family_violence



¹³ Unpublished data provided by the Department of Justice.

¹⁴ Department of Police and Emergency Management, 2015, *Annual Report 2014-15*, available at www.police.tas.gov.au.

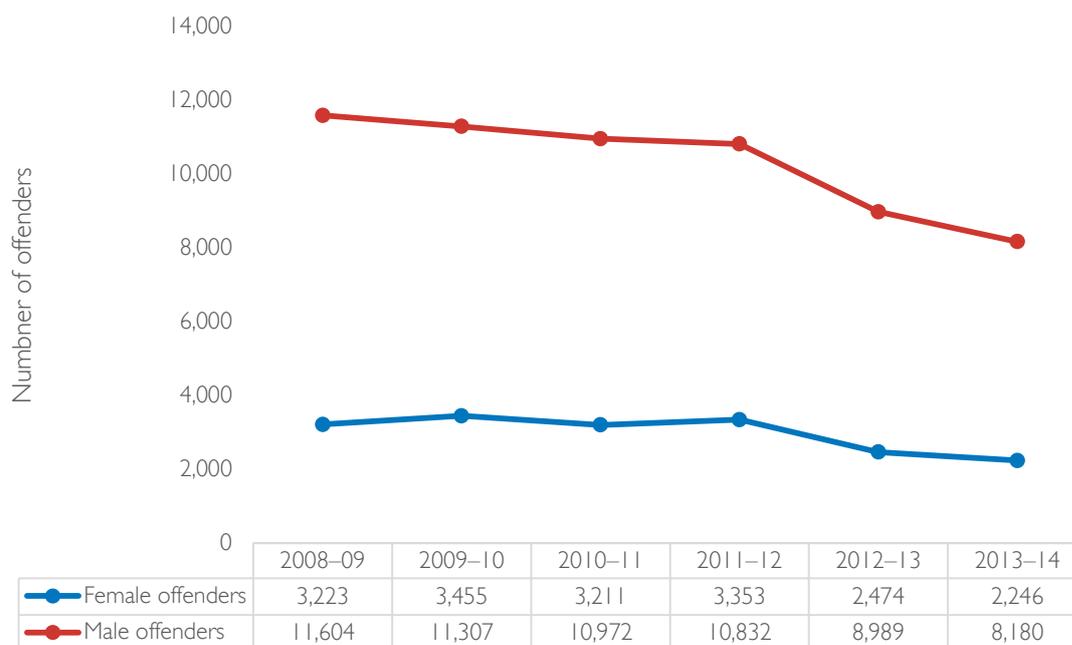
¹⁵ Australian Bureau of Statistics (ABS), 2012, Personal Safety Survey, Catalogue 4906.0, ABS, Canberra.

Crime and incarceration

Crime

In the 2013-14 financial year, there were **10 426** offenders in Tasmania; **2 246 (21.5 per cent)** were women and **8 180 (78.5 per cent)** were men. The average age for female offenders was **28.9 years old**, and the average age for male offenders was **30.3 years old**.¹⁶

Figure 2. Male and female offenders in Tasmania, 2008-9 to 2013-14



Data source: Australian Bureau of Statistics 2014, Recorded Crime - Offenders, 2013-14 Catalogue 4519.0, Table 8, ABS, Canberra

Incarceration

Tasmanian women are less likely than Tasmanian men to be in either full-time custody or community-based corrections. A higher proportion of female offenders are in community-based corrections rather than full-time custody, compared to the proportion of men in full-time custody as opposed to community-based corrections.

In the September quarter of 2015, there were **36 women (7.2 per cent)** in full-time custody. In community-based corrections, there were **430 (22.6 per cent)** women.¹⁷

¹⁶ Australian Bureau of Statistics 2014, *Recorded Crime - Offenders, 2013-14*, Catalogue 4519.0, Table 8, ABS, Canberra.

¹⁷ Australian Bureau of Statistics 2014, *Prisoners in Australia, 2015*, Catalogue 4517.0, Table 13, ABS, Canberra.

Discrimination

“Employment discrimination against women and girls has flow on effects to other areas of public life. The woman who is forced to leave employment because of a lack of workplace flexibility is the woman who will have less superannuation at retirement age. The organisation that denies promotion to women because of a perception that men are better suited to senior positions is the organisation that fails to make good use of the available talent pool. The company that has not adopted diversity, as a business imperative is the company that has lower productivity and higher staff turnover. Ending discrimination is a basis for shared prosperity. It must be on everyone’s agenda.”

Robin Banks, Tasmanian Anti-Discrimination Commissioner

Gender discrimination occurs when a person is treated unfairly or denied the same opportunities as others on the basis of their sex. It may involve, for example, thinking that certain jobs are specifically for men or paying a man more for doing exactly the same tasks. It may include denying a person the option to work part-time when they have caring responsibilities or preventing a woman from breastfeeding in public.

Tasmania’s *Anti-Discrimination Act 1998* enables individuals to make complaints regarding discrimination on the basis of gender and related characteristics including family responsibilities and breastfeeding in areas of public life such as employment. It also makes sexual harassment and related offensive conduct unlawful.

Gender-related complaints data provides an indicator of areas of continued inequality for women and girls, and is useful as a means of tracking progress toward gender equality.

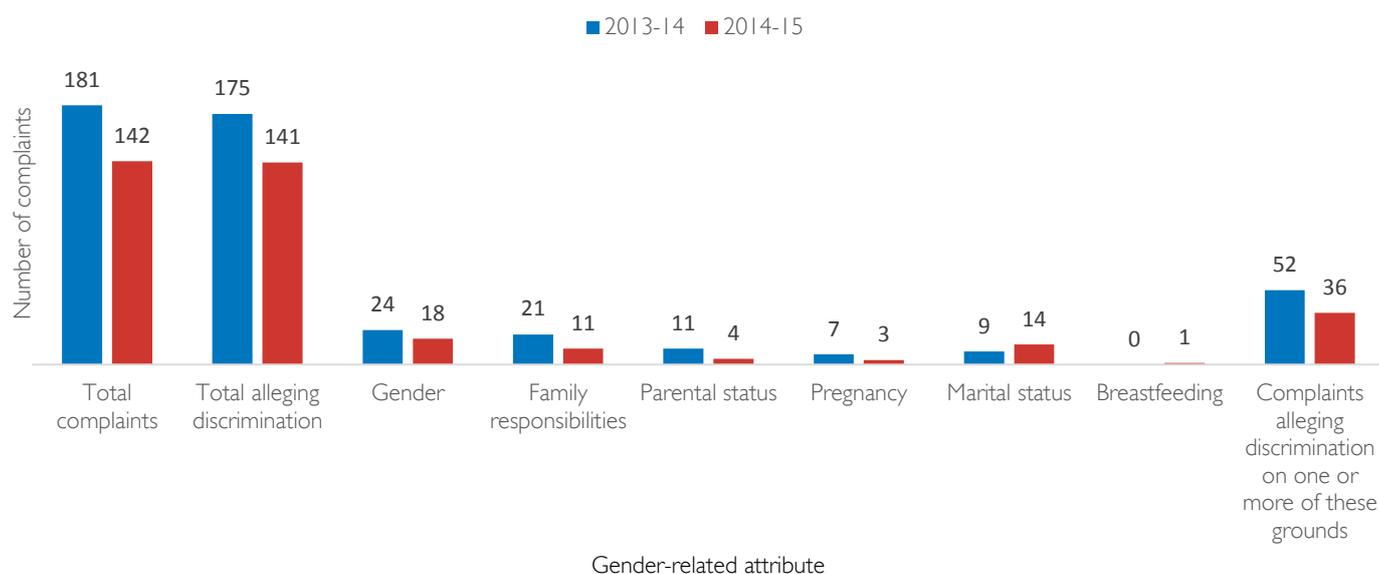
Discrimination complaints

In 2014-15, **25.3 per cent** of complaints made to the Anti-Discrimination Commissioner alleged discrimination on the basis of one or more gender-related attributes or personal characteristics (gender, family responsibilities, parental status, breastfeeding, pregnancy and/or marital status).

This represented a slight decrease in the proportion of gender-related complaints in previous years. Complainants may identify one or more attribute as the basis on which they believe they have been discriminated against.¹⁸

¹⁸ Unpublished data provided by Equal Opportunity Tasmania.

Figure 3. Complaints of discrimination by gender-related attribute, Tasmania, 2013-15



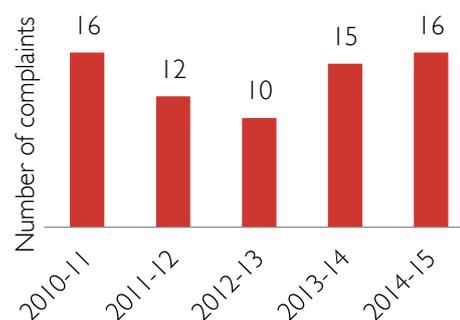
Data source: Unpublished data provided by Equal Opportunity Tasmania

Sexual harassment

Sexual harassment is sexualised behaviour that makes a person feel offended, humiliated, intimidated, insulted or ridiculed in circumstances where it could have been anticipated by the offender that the person to whom the actions were directed would feel that way. It includes uninvited physical contact; displaying unwelcome sexual images; making comments with sexual connotations; gesturing, staring or leering in a sexual way and stalking or paying unwanted attention to a person.

In 2014-15, **11.3 per cent** of complaints made to the Anti-Discrimination Commissioner alleged sexual harassment. This represents an increase in complaints received than in previous years, in which the number of sexual harassment complaints had begun to fall. This may, in part, be a result of the increased number of complaints made by or on behalf of women and girls, which increased to **48.1 per cent** of all complaints in 2014-15, a significant increase from 2012-13 when only **36.2 per cent** of complainants were female.¹⁹

Figure 4. Complaints made to the Tasmanian Anti-Discrimination Commissioner alleging sexual harassment, 2010-11 to 2014-15



Data source: Unpublished data provided by Equal Opportunity Tasmania

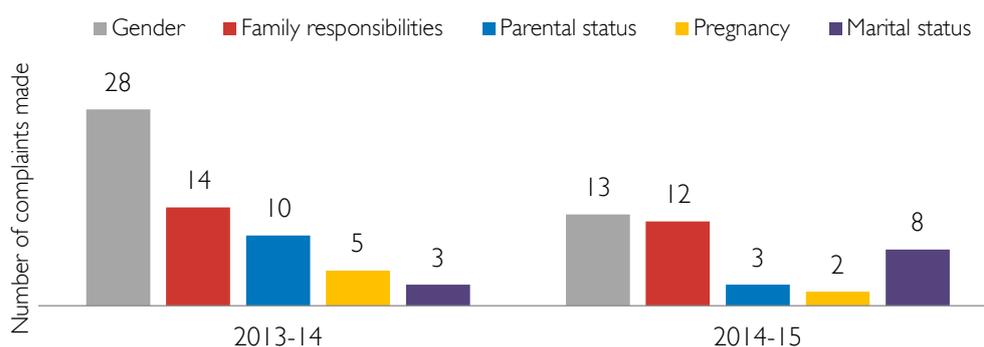
¹⁹ Unpublished data provided by Equal Opportunity Tasmania

Offensive conduct

Data for 2014-15 showed a slight decrease in the proportion of complaints that alleged offensive conduct on the basis of gender or a gender-related attribute.

Offensive conduct is behaviour that offends, humiliates, intimidates, insults or ridicules another person on the basis of their gender or other protected attributed. The behaviour can take many forms including speaking and/or writing, printing or displaying inappropriate and discriminatory messages.²⁰

Figure 5. Gender based offensive conduct complaints to the Tasmanian Anti-Discrimination Commission, 2013-15



Data source: Unpublished data provided by Equal Opportunity Tasmania.

Area of activity

The *Anti-Discrimination Act 1998* prohibits discrimination and related conduct in a range of situations including employment; education and training; the provision of facilities, goods and services; accommodation; membership and activities of clubs; the administration of Tasmanian laws and Tasmanian Government programs; and in awards, enterprise agreements or industrial agreements made under Tasmanian industrial law.

In 2014-15, the predominant area of activity identified in gender-related complaints was employment. This is consistent with the findings in previous years, which also saw issues related to employment form the basis for the majority of gender-related complaints. Balancing paid work and family responsibilities remains a major challenge for many women. With many women continuing to have primary responsibility for undertaking unpaid caring responsibilities, creating workplaces that support women in these roles is critical to achieving gender equality.²¹

²⁰ Unpublished data provided by Equal Opportunity Tasmania

²¹ Ibid.

If you or someone you know is impacted by family violence, call the **Safe At Home Family Violence Response and Referral Line** on **1800 633 937** or visit www.1800respect.org.au.

In an emergency, always call 000.

If you wish to contact Equal Opportunity Tasmania (the office of the Anti-Discrimination Commissioner), call **1300 305 062** or **(03) 6165 7515**.

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