

## **Response to Letter from the Special Rapporteur on Violence against Women, its Causes and Consequences of 3 November 2021**

The Australian Government has zero tolerance to violence against women and their children and the [National Plan to Reduce Violence against Women and their Children 2010-2022](#) outlines Australia's long-term strategy to connect the important work that all Australian governments, community organisations and individuals are taking to prevent and address violence against women and children. A new National Plan to end violence against women and children is currently under development, to be in place at the completion of the current plan in mid-2022.

As part of this important work, Australia is committed to developing the national evidence base to gain a better understanding of the circumstances and drivers surrounding violence against women and their children. Under the *National Plan to Reduce Violence against Women and their Children*, all Australian governments are committed to the development of a National Data Collection and Reporting Framework, led by the Australian Bureau of Statistics (ABS).

Australia provides the following data in response to the letter from the Special Rapporteur on Violence against Women, its Causes and Consequences, dated 3 November 2021, in six requested areas. The data comes from the following datasets:

- Australian Bureau of Statistics
  - [Recorded Crime – Offenders, 2020](#)
  - [Recorded Crime – Victims, 2020](#)
- Australian Institute of Health and Welfare
  - [Family, domestic and sexual violence in Australia: continuing the national story 2019](#)

### **1. Response on additional steps taken to create a national femicide watch and/or femicide observatory on violence against women**

In Australia, Homicides<sup>1</sup> are not identified as 'gender-related' in administrative data but we note that the following statistics can be provided.

- In 2019, there were 68 female Murder victims in Australia and 122 female victims of homicide and related offences<sup>2</sup>
- In 2020, there were 74 female Murder victims in Australia and 133 female victims of homicide and related offences<sup>3</sup>
- Between 2018 and 2019, the number of victims of homicide and related offences in Australia increased by 11 per cent (40 victims) to 415 victims. This was the first national increase in four years<sup>4</sup>
- Between 2019 and 2020, the number of victims of homicide and related offences in Australia decreased by 5 per cent to 396 victims<sup>5</sup>

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<sup>1</sup> In administrative data collated by the Australian Bureau of Statistics, the term Homicide is considered to include Murder, Attempted Murder and Manslaughter, but excludes Driving causing death and conspiracy to murder. [1234.0 - Australian Standard Offence Classification \(ASOC\), 1997 \(abs.gov.au\)](#)

<sup>2</sup> [Australian Bureau of Statistics, Victims of Crime, Australia, 2019](#)

<sup>3</sup> [Australian Bureau of Statistics, Victims of Crime, Australia, 2020](#)

<sup>4</sup> [Australian Bureau of Statistics, Victims of Crime, Australia, 2019](#)

<sup>5</sup> [Australian Bureau of Statistics, Victims of Crime, Australia, 2020](#)

More detailed data tables are available for download from [the ABS website](#) (data included in this submission are from tables 2 and 29).

**2. On new measures taken including research and studies undertaken to analyse femicide or gender related killings of women. If available, include copies of such studies.**

In 2019, the Australian Institute of Health and Welfare (AIHW) published [Family, domestic and sexual violence in Australia: continuing the national story](#). The study explored violence against women, including among statistically vulnerable groups such as Aboriginal and Torres Strait Islander women, women with disability, LGBTQI+ people. The study found one woman is killed every eleven days in Australia<sup>6</sup>.

Australia's National Research Organisation for Women's Safety ([ANROWS](#)) was established in 2014 as an initiative of the National Plan by the Australian Government and all state and territory governments. ANROWS is tasked with building, translating and disseminating the evidence base to inform policy and practice on women's and children's safety. The commissioned projects currently underway include pathways to intimate partner homicide<sup>7</sup>. The purpose of intimate partner homicide research is to describe the nature and course of intimate partner relationships that culminate in the male-perpetrated homicide of a female partner. It aims to examine the combination and sequencing of characteristics, behaviours and events that could foreshadow fatal outcomes<sup>8</sup>.

The Australian Government recognises that an important foundation for ending violence is a strong evidence base. The Australian Government is providing \$30.0 million over four years for national research and surveys on family, domestic and sexual violence, including for Australia's National Research Organisation for Women's Safety (ANROWS), the Personal Safety Survey and the National Community Attitudes towards Violence against Women Survey. The Government is also providing \$31.6 million over five years for the Australian Bureau of Statistics to develop and conduct a new dedicated Aboriginal and Torres Strait Islander survey on safety and violence.

In 2021, The Australian Institute of Criminology (AIC) released a [Statistical Report on Homicide in Australia for 2018-19](#). The report noted that intimate partner homicide is the most prevalent homicide type in Australia, comprising 21 per cent of all homicide incidents. Women were the victims in 73 per cent of intimate partner homicides in 2018-19.<sup>9</sup>

**3. On recent developments related to good practices and challenges in implementing an evidence-based response to the prevention of femicide**

A key focus of Australia's National Plan is to focus on primary prevention to stop violence before it starts, which requires focus on the drivers of gender-based violence. While there is no single cause of violence against women and children, gender inequality sets the stage for such violence to occur. Our Watch, which is Australia's national centre of excellence for primary prevention, was established to lead efforts to prevent violence and drive change in the culture, behaviours and power imbalances that lead to violence against women and children. [Change the Story version 2](#), which was

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<sup>6</sup> Bricknell S & Doherty L 2021. Homicide in Australia 2018-19. Statistical Report no. 34, Australian Institute of Criminology

<sup>7</sup> Department of Social Services, [Research on Fourth Action Plan Priorities](#)

<sup>8</sup> ANROWS, [Pathways to intimate partner homicide](#), 2020

<sup>9</sup> AIC, [Statistical Report on Homicide in Australia for 2018-19](#), p. 4

published by Our Watch in November 2021, builds on Australia’s world-leading approach to primary prevention articulated in the first version of Change the Story, which was released in 2015.

The next National Plan to end violence against women and children will include a focus on the prevention of violence against women, with the intention to instil long-term cultural and systemic change, and reduce the occurrence of intimate partner homicide. A National Summit on Women’s Safety was held in September 2021. . These consultations with victim-survivors of violence, subject matter experts, and frontline workers are informing the development of the next National Plan<sup>10</sup>.

As part of the 2021-22 Budget, the Australian Government announced \$1 million over three years to resource an Aboriginal and Torres Strait Islander Advisory Council on family, domestic and sexual violence (Advisory Council), as part of its \$1.1 billion investment to prevent and respond to violence against women and their children over the next four years. The Advisory Council will work in genuine partnership with government to guide the underpinning policy and implementation measures under the next National Plan and the implementation of the National Agreement on [Closing the Gap Target 13](#) – to reduce the rate of all forms of family violence and abuse against Aboriginal and Torres Strait Islander women and children by at least by 50%, by 2031, as progress towards zero.

The creation of the Advisory Council along with a dedicated Aboriginal and Torres Strait Islander Action Plan reflects Government recognition of unique circumstances in which Aboriginal and Torres Strait Islander women and children experience violence. It also reflects the need for community-led, culturally-safe and healing-informed responses.

The next National Plan will also be informed by the House of Representatives Standing Committee on Social Policy and Legal Affairs’ report on its inquiry into family, domestic and sexual violence. The Committee’s report explored the predictors of severe physical violence and homicide of women by an intimate partner, specifically coercive control and other controlling behaviour<sup>11</sup>. Evidence presented in the Inquiry Report was provided by public submissions and hearings from individuals and organisations with an interest in preventing and responding to violence against women.

#### **4. On recent jurisprudence or case law on femicide**

[The National Domestic and Family Violence Bench Book](#) includes an online case database containing case summaries of mostly higher court decisions in domestic and family violence related proceedings in the High Court of Australia, Family Court of Australia, Federal Circuit Court of Australia and the courts of the states and territories. Where the judgment transcript is open access, the citation is linked to its external host.

[The Australian Institute of Family Studies](#) lists resources relating to domestic violence and family law in Australia, including the homicide of women by an intimate partner.

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<sup>10</sup> National Safety Summit 2021, [Statement from delegates](#)

<sup>11</sup> Parliament of the Commonwealth of Australia, [Inquiry into family, domestic and sexual violence](#), p. 158

**5. On data, if available, on:**

- a. Intimate partner femicides / homicides of women**
- b. Family-related femicides / homicides of women**
- c. Other femicides / gender-related homicides of women**

5a. The ABS collects data on Family and Domestic Violence (FDV).<sup>12</sup> The data derives from two variables:

- Relationship of the offender to the victim<sup>13</sup>; and/or
- A FDV flag<sup>14</sup>

Statistics

- In 2020, there were 145 (revised figure) family and domestic violence (FDV) related homicide victims recorded, an increase of 12 per cent (15 victims) from 2019.<sup>15</sup>
- In 2019, there were 130 victims of family and domestic violence related homicide recorded, a decrease of 7 per cent from 2018.<sup>16</sup>
- In 2020, 37 per cent of homicide offences were family and domestic violence related. This reflects an increase from 31 per cent in 2019.<sup>17</sup>
- In 2020, there were 86 female victims of family domestic violence related homicide recorded, an increase of 8 per cent (6 victims) from 2019.
- In 2019, there were 80 female victims of family and domestic violence related homicide recorded, an increase of 10 per cent (7 victims) from 2018.
- In 2020, 65 per cent of homicide offences involving female victims were family and domestic violence related. In 2019, the figure was 66 per cent.

5b. In 2018-19, 83 per cent of female victims of homicide in Australia had a domestic relationship or known association with the offender<sup>18</sup>. The majority of these relationships to the primary offender were intimate partner, approximately 35 per cent, while other family members consisted of less than 5 per cent of primary offenders<sup>19</sup>. In relation to Aboriginal and Torres Strait Islander homicide

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<sup>12</sup> [Australian Bureau of Statistics, Victims of family and domestic violence-related offences, 2020](#). Also; Family and Domestic Violence (FDV) is defined as: "An offence involving at least two persons who were in a specified relationship at the time of the offence; or where the offence was determined by a police officer to be family and/or domestic violence related as part of their investigation."

<sup>13</sup> Ensuring it falls within a specified family or domestic relationship.

<sup>14</sup> Police officers record the FDV flag when they have determined an offence or incident to be FDV-related as defined by the relevant state or territory legislation under which they operate. This differs across the states and territories of Australia (in areas such as legislation, policy, screening tools, risk assessment frameworks, professional judgment).

<sup>15</sup> [Australian Bureau of Statistics, Victims of family and domestic violence-related offences 2020](#)

<sup>16</sup> [Australian Bureau of Statistics, Victims of family and domestic violence-related offences 2019](#)

<sup>17</sup> [Australian Bureau of Statistics, Victims of family and domestic violence-related offences 2019](#); [Australian Bureau of Statistics, Victims of family and domestic violence-related offences 2020](#)

<sup>18</sup> Australian Institute of Criminology, [Homicide in Australia 2018-19](#), p. 12

<sup>19</sup> Australian Institute of Criminology, [Homicide in Australia 2018-19](#), p. 13

victims, family violence rather than intimate partner violence is preferred as the term covers the extended family and kinship relationships in which violence may occur<sup>20</sup>.

5c. In 2019-20 the stranger homicide rate in Australia was 0.13 per 100,000. This compares to the rates of domestic and acquaintance homicide in 2018–19 of 0.30 per 100,000 and 0.33 per 100,000 respectively. Intimate partner homicide remains the most prevalent homicide type in Australia.<sup>21</sup>

The Australian Domestic and Family Violence Death Review Network was established in 2011 to identify, collect, analyse and report data on domestic and family violence-related deaths across Australia. The Network published the inaugural [Australian Domestic and Family Violence Death Review Network Data Report \(2018\)](#) in May 2018 which provided national data with respect to all intimate partner homicides that occurred in a domestic violence context between 2010 and 2014. ANROWS and the Network are working in collaboration to update the *Australian Domestic and Family Violence Death Review Network Data Report 2018* to include intimate partner homicide data from July 2010 to June 2018.

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<sup>20</sup> Australian Institute of Health and Welfare, [Family, domestic and sexual violence in Australia: 2019](#), p. 2

<sup>21</sup> Australian Institute of Criminology, [Homicide in Australia 2018-19](#), p. 3