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The absence of women involved in the criminal justice system from Australia's national discussion on preventing family and domestic violence

TO THE EDITOR: The Standing Committee on Social Policy and Legal Affairs recently completed its inquiry and final report into family, domestic and sexual violence in Australia.[1] This comprehensive report made 88 recommendations to inform Australia's next National Plan to Reduce Violence Against Women and their Children (National Plan).

The report explores violence victimisation in diverse communities (eg, Indigenous people, people with a disability). However, consideration of women involved in the criminal justice system is conspicuously absent. Many women involved in the criminal justice system are victim-survivors of family, domestic and sexual violence. Estimates suggest that between 70% and 90% of women in prison in Australia have been victims of violence.[2] In addition, our previous research found that women released from prison are 16 times more likely to die from violence compared with women of the same age in the Australian population.[3]

However, the only mention of women involved in the criminal justice system as victim-survivors in the report is in the subsection discussing Indigenous people which acknowledges that Indigenous women experience disproportionate levels of violence victimisation and incarceration. While Indigenous women should be a priority group for violence prevention, and are over-represented in prisons in Australia, this was a critical missed opportunity to address the over-representation of victim-survivors in the criminal justice system. For many Indigenous and non-Indigenous women, their offending is connected to previous experiences of violence victimisation.[2] Victim-survivors are also being funnelled into the criminal justice system due to inappropriate criminal justice responses to family and domestic violence.[4]

As noted in the report, the current National Plan (2010–2022)[5] has not been successful in reducing violence against women, and as such, this type of violence remains a prominent and all too common issue in Australia. Women involved in the criminal justice system should be among the priority groups for national violence prevention strategies. The next National Plan should address the health and social needs of these women, which are often drivers of both criminal justice involvement and violence victimisation (eg,

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mental health, housing, financial independence). Trauma-informed criminal justice responses that recognise the impact of traumatic experiences on health and behaviour, such as pre-arrest diversion to mental health or family violence services,[6] are also needed. Without this, women who are victim-survivors of violence will continue to be criminalised due to a misunderstanding of the impacts of family, domestic and sexual violence on their health, lives and behaviour.

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