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## WWDACT Position Statement 1

### Prevention of Violence against Women\* with Disabilities

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#### Our Position:

- Women\* with disabilities have the right to freedom from all forms of violence.
  - All forms of violence are blatant violations of basic human rights.
  - WWDACT opposes all forms of violence in all settings across the ACT.
  - Violence against women\* with disabilities must be understood in context of intersections between gender and disability.
  - Violence is preventable. There is an urgent need for prevention programs in the ACT informed by human rights frameworks and intersectional frameworks.
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#### Key Points:

1. In Australia, compared to their peers, women, girls, feminine identifying, and non-binary people with disabilities experience higher levels of all forms of violence more intensely and frequently and are subjected to such violence by a greater number of perpetrators.<sup>i</sup>
2. Women\* with disabilities experience the same forms of violence that all women\* experience, such as family and domestic violence and sexual assault. They also experience forms of violence unique to the intersection of gender and disability.<sup>ii</sup>
3. Violence against women\* with disabilities includes physical, sexual, psychological, and economic violence and abuse as well as institutional violence, chemical restraint, forced or coerced sterilisation, forced contraception, forced, or coerced psychiatric interventions, medical exploitation, withholding of or forced medication, violations of privacy, forced isolation, restraint, denial of freedom of choice, denial of essential care, humiliation, and harassment.<sup>iii</sup>

## Understanding violence against women\* with disabilities

Although violence is experienced by people from all sections of the community, the extent, nature, and dynamics of violence are not distributed evenly.<sup>iv</sup> The extent and severity of violence is usually higher among groups of women\* experiencing multiple forms of disadvantage, as is the case for women\* with disabilities. The prevalence of this violence is testimony to the lack of prevention strategies and pathways safety\afforded to women\* with disabilities by current policy, services, and systems.

Gender-based violence and disability-based violence intersect to increase the risk of violence against women\* with disabilities. Experiences of violence are also shaped by factors such as age, culture, and location.

When women\* with disabilities seek help to end violence they often need the services of two large uncoordinated systems: violence prevention and disability services. Both systems require improvements to support women\* with disabilities. This has been recognised through recent reforms and inquiries such as the Royal Commission into Family Violence and inquiries into abuse in disability services.<sup>v</sup>

It is critical that all efforts to prevent violence against women\* with disabilities recognises that this violence includes physical, sexual, psychological, and economic violence and abuse as well as institutional violence, chemical restraint, forced or coerced sterilisation, forced contraception, forced or coerced psychiatric interventions, medical exploitation, withholding of or forced medication, violations of privacy, forced isolation, seclusion and restraint, deprivation of liberty, denial of provision of essential care, humiliation, and harassment.<sup>vi</sup>

Some women\* with disabilities live in settings that increase their exposure to and risk of violence. Closed institutions and residential supported living settings lead to institutional violence. Institutional violence includes all 'practices of humiliation, degradation, neglect, and abuse inflicted upon institutional residents, regardless of intention or circumstance'.<sup>vii</sup> Women\* with disabilities in institutional settings are subjected to inherent power discrepancies with carers and staff holding more if not all power.<sup>viii</sup>

Factors that can contribute to violence against women\* with disabilities include:

- Low income / lack of economic independence
- Place of residence (e.g., residential supported living)
- Unemployment and underemployment
- Dependence on others for care needs (e.g., when an abuser is also a carer)
- Perceived lack of credibility (e.g., a woman\* with disability is less likely to be believed than her abuser)
- Communication barriers (e.g., Women\* with cognitive disabilities, women\* who use AUSLAN)
- Inequitable access to the criminal justice system
- Lack of access to crisis accommodation and support services (e.g., if a woman\* with disability wants to escape domestic violence, crisis services may not be able to meet accessibility needs)

The effects of violence on women\* with disabilities are 'profound, long-term and wide ranging'.<sup>ix</sup> Exposure to different types of violence over extended periods of time and multiple episodes of violence has been found to have cumulative impacts.<sup>x</sup> In addition to ongoing trauma, women\* with disabilities are overly represented in the prison and child protection systems due to poor access to justice.<sup>xi</sup>

Women\* with disabilities in Australia face challenges in accessing justice in relation to experiences of violence. Avenues to seek justice - including the prevention of further violence, everyday safety, and consequences for perpetrators – are lacking. Justice services and pathways often do not effectively support the access of women\* with disabilities. Usually, economic security, housing stability and care support services are not readily accessible to women\* with disabilities seeking to escape violence.<sup>xii</sup>

## Stats and Facts:<sup>1</sup>

- Women with disabilities in Australia identify the right to live free from all forms of violence as the most urgent and unaddressed human rights issue they face.<sup>xiii</sup>
- Women with disabilities experience all types of violence at higher rates, with increased severity and for longer than other women.<sup>xiv</sup>
- Violence against women with disabilities is more extensive and more diverse in nature than violence against women in general.<sup>xv</sup>
- Since the age of fifteen 36% of women with disabilities report experiencing violence by an intimate partner compared to 21% of women without disabilities.<sup>xvi</sup>
- Women with disabilities are 40% more likely to experience of domestic violence than women without disabilities.<sup>xvii</sup>
- 90% of women with intellectual disabilities have been subjected to sexual abuse; 68% have been abused before they turn eighteen.<sup>xviii</sup>
- In mental health inpatient services, one survey found 45% of women experienced sexual assault and more than 80% feared of being abused while an inpatient.<sup>xix</sup>
- Women with disabilities experiencing violence often face barriers to accessing domestic and family violence services.<sup>xx</sup>
- 20% of women with disabilities report a history of unwanted sex compared to 8.2% of women without disabilities.<sup>xxi</sup>
- 21% of women with disabilities report feeling 'very unsafe' after dark, compared to 8% of men with disability and 4.5% of people without disability.<sup>xxii</sup>
- Women and girls with disabilities in Australia are 'more exposed to practices, which qualify as torture or inhuman or degrading treatment, including state sanctioned practices such as forced sterilisation, forced abortion, and forced contraception'.<sup>xxiii</sup>
- 85% of women with mental health related disabilities report feeling unsafe during hospitalization; 67% report experiencing sexual or other forms of harassment during hospitalization; and 45% report experiencing sexual assault while an in-patient.<sup>xxiv</sup>

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<sup>1</sup> Unless specified, it is unclear if these statistics and facts include gender diversity.

## Want to Learn More?

### Women with Disabilities ACT

- WWDACT Response to the Royal Commission Issues Paper on Group Homes (2020)
- WWDACT Submission on the Inquiry into the Crimes (Consent) Amendment Bill 2018 (2018)
- WWDACT Submission to the Justice and Community Safety Directorate: Sexual Assault Guidelines – Restorative Justice Referrals February 2018 (2018)
- WWDACT Submission to Discussion Paper: Domestic and Family Violence – Policy Approaches and Responses (2017)

### Women with Disabilities Australia

- WWDA Position Statement 1: The Right to Freedom from All Forms of Violence (2016)
- Preventing Violence against Women and Girls with Disabilities: Integrating a Human Rights Perspective (2015)
- ‘Stop the Violence: Addressing Violence Against Women and Girls with Disabilities in Australia – Background Paper’. (2013)

### Women with Disabilities Victoria

- Violence against women with disabilities
- Position statement – violence against women with disabilities (2014)

### People with Disabilities Australia

- Women With Disability and Domestic and Family Violence: A Guide For Policy and Practice (2015)

### ANROWS

- Women, disability and violence: Barriers to accessing justice (2019)

## What can you do?

Only 4 in 10 Australians are aware of the greater risk of violence experienced by women\* with disabilities.<sup>xxv</sup> This devastating lack of awareness reflects broader societal problems around the discrimination against, segregation of, and poor representation of women\* with disabilities. You can help by learning and talking openly about violence against women\* with disabilities.

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<sup>i</sup> Frohmader, Carolyn, Leanne Dowse, Aminath Didi (2015) *Think Piece: Document for the Development of the National Framework to Prevent Violence Against Women* [https://wwda.org.au/wp-content/uploads/2015/04/Think-Piece\\_WWD.pdf](https://wwda.org.au/wp-content/uploads/2015/04/Think-Piece_WWD.pdf)

<sup>ii</sup> Frohmader, Carolyn, Leanne Dowse, Aminath Didi (2015) *Think Piece: Document for the Development of the National Framework to Prevent Violence Against Women* [https://wwda.org.au/wp-content/uploads/2015/04/Think-Piece\\_WWD.pdf](https://wwda.org.au/wp-content/uploads/2015/04/Think-Piece_WWD.pdf) ; Manjoo, R. (2012) Report of the Special Rapporteur on violence against women, its causes and consequences. United Nations General Assembly, UN Doc No. A/67/227. ; Dowse, L., Soldatic, K., Didi, A., Frohmader, C. and van Toorn, G. (2013) Stop the Violence: Addressing Violence Against Women and Girls with Disabilities in Australia. Background Paper. Hobart: Women with Disabilities Australia ; Frohmader, C. (2014) 'Gender Blind, Gender Neutral': The effectiveness of the National Disability Strategy in improving the lives of women and girls with disabilities. Prepared for Women With Disabilities Australia (WWDA), Hobart, Tasmania. ISBN: 978-0-9585268-2-1. ; Swift, K. (2013) Women with disabilities and violence: Challenges and visions in the Asia Pacific Region. Presentation at the CSW57 Side Event, 8 March 2013, United Nations.

<sup>iii</sup> Frohmader, Carolyn, Leanne Dowse, Aminath Didi (2015) *Think Piece: Document for the Development of the National Framework to Prevent Violence Against Women* [https://wwda.org.au/wp-content/uploads/2015/04/Think-Piece\\_WWD.pdf](https://wwda.org.au/wp-content/uploads/2015/04/Think-Piece_WWD.pdf) ; Women With Disabilities Australia (WWDA)(2010) Assessing the Situation of Women with Disabilities in Australia: A Human Rights Approach. Women With Disabilities Australia, Rosny Park, Tasmania. ; Women With Disabilities Australia (WWDA) (2004) Submission to the South Australian Government's Discussion Paper: "Valuing South Australia's Women: Towards A Women's Safety Strategy For South Australia". Rosny Park, Tasmania: Women With Disabilities Australia.

<sup>iv</sup> Women with Disabilities Victoria. Fact Sheet 3: Violence against women with disabilities. Victoria: Women with Disabilities Victoria, undated. Accessed 7 September 2021. [https://www.wdv.org.au/wp-content/uploads/2019/07/fact-sheet-3\\_Jul19\\_P2.pdf](https://www.wdv.org.au/wp-content/uploads/2019/07/fact-sheet-3_Jul19_P2.pdf)

<sup>v</sup> Frohmader, Carolyn, Leanne Dowse, Aminath Didi (2015) *Think Piece: Document for the Development of the National Framework to Prevent Violence Against Women* [https://wwda.org.au/wp-content/uploads/2015/04/Think-Piece\\_WWD.pdf](https://wwda.org.au/wp-content/uploads/2015/04/Think-Piece_WWD.pdf) ; Women With Disabilities Australia (WWDA)(2010) Assessing the Situation of Women with Disabilities in Australia: A Human Rights Approach. Women With Disabilities Australia, Rosny Park, Tasmania. ; Women With Disabilities Australia (WWDA) (2004) Submission to the South Australian Government's Discussion Paper: "Valuing South Australia's Women: Towards A Women's Safety Strategy For South Australia". Rosny Park, Tasmania: Women With Disabilities Australia.

<sup>vi</sup> Frohmader, Carolyn, Leanne Dowse, Aminath Didi (2015) *Preventing Violence against Women and Girls with Disabilities: Integrating a Human Rights Perspective*. Available: [https://wwda.org.au/wp-content/uploads/2015/04/Think-Piece\\_WWD.pdf](https://wwda.org.au/wp-content/uploads/2015/04/Think-Piece_WWD.pdf) ; Manjoo, R. (2012) Report of the Special Rapporteur on violence against women, its causes and consequences. United Nations General Assembly, UN Doc No. A/67/227. ; Dowse, L., Soldatic, K., Didi, A., Frohmader, C. and van Toorn, G. (2013) Stop the Violence: Addressing Violence Against Women and Girls with Disabilities in Australia. Background Paper. Hobart: Women with Disabilities Australia ; Frohmader, C. (2014) 'Gender Blind, Gender Neutral': The effectiveness of the National Disability Strategy in improving the lives of women and girls with disabilities. Prepared for Women With Disabilities Australia (WWDA), Hobart, Tasmania. ISBN: 978-0-9585268-2-1. ; Swift, K. (2013) Women with disabilities and violence: Challenges and visions in the Asia Pacific Region. Presentation at the CSW57 Side Event, 8 March 2013, United Nations.

<sup>vii</sup> WWDA (2016) Proceedings from the WWDA National Forum of Women and Girls with Disabilities, Melbourne, (forthcoming).

<sup>viii</sup> Women with Disabilities Victoria. Fact Sheet 3: Violence against women with disabilities. Victoria: Women with Disabilities Victoria, undated. Accessed 7 September 2021. [https://www.wdv.org.au/wp-content/uploads/2019/07/fact-sheet-3\\_Jul19\\_P2.pdf](https://www.wdv.org.au/wp-content/uploads/2019/07/fact-sheet-3_Jul19_P2.pdf)

<sup>ix</sup> Dowse, L., Soldatic, K., Didi, A., Frohmader, C. and van Toorn, G. (2013) Stop the Violence: Addressing Violence Against Women and Girls with Disabilities in Australia. Background Paper. Hobart: Women with Disabilities Australia. Available online at: [http://wwda.org.au/wp-content/uploads/2013/12/STV\\_Background\\_Paper\\_FINAL.pdf](http://wwda.org.au/wp-content/uploads/2013/12/STV_Background_Paper_FINAL.pdf)

<sup>x</sup> Stimpson & Best; cited in Elman, A. (2005). *Confronting the Sexual Abuse of Women with Disabilities*. Harrisburg, PA: VAWnet, a project of the National Resource Center on Domestic Violence/Pennsylvania Coalition Against Domestic Violence.

<sup>xi</sup> Commonwealth, Royal Commission into Violence, Neglect and Exploitation of People with Disability. Research Report: Nature and extent of violence, abuse, neglect and exploitation against people with disability in Australia. Centre of Research Excellence in Disability Health (CRE-DH), 2021. Accessed 7 September, 2021.

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<https://disability.royalcommission.gov.au/system/files/2021-03/Research%20Report%20-%20Nature%20and%20extent%20of%20violence%2C%20abuse%2C%20neglect%20and%20exploitation%20ag-ainst%20people%20with%20disability%20in%20Australia.pdf>

<sup>xii</sup> Brownridge, D. (2006) 'Partner violence against women with disabilities: Prevalence, risks and explanations', *Violence against Women*, vol. 12, no. 9, pp. 805–22.

<sup>xiii</sup> Australian Law Reform Commission (ALRC) (2010) *Family Violence — A National Legal Response. ALRC Final Report 114*. Accessed online January 2013 at: <http://www.alrc.gov.au/publications/family-violence-national-legal-response-alrc-report-114>

<sup>xiv</sup> Victorian Mental Illness Awareness Council (VMIAC), 'Zero Tolerance for Sexual Assault: A safe admission for women', 2013.

<sup>xv</sup> McGowan, Jasmine and Karla Elliott, 'Targeted violence perpetrated against women with disability by neighbours and community members' *Women's Studies International Forum*, 76:2019. <https://www.sciencedirect.com/science/article/abs/pii/S0277539519300640>

<sup>xvi</sup> Robinson, Sally, Patsie Frawley and Sue Dyson, 'Access and Accessibility in Domestic and Family Violence Services for Women with Disabilities: Widening the Lens' *Violence Against Women* April 27, 2020 <https://journals.sagepub.com/doi/abs/10.1177/1077801220909890>

<sup>xvii</sup> Commonwealth, Royal Commission into Violence, Neglect and Exploitation of People with Disability. Research Report: Nature and extent of violence, abuse, neglect and exploitation against people with disability in Australia. Centre of Research Excellence in Disability Health (CRE-DH), 2021. Accessed 7 September, 2021. <https://disability.royalcommission.gov.au/system/files/2021-03/Research%20Report%20-%20Nature%20and%20extent%20of%20violence%2C%20abuse%2C%20neglect%20and%20exploitation%20ag-ainst%20people%20with%20disability%20in%20Australia.pdf>

<sup>xviii</sup> Violence, Abuse, Exploitation and Neglect Against People with Disability in Australia Available Data as at March 2019 *Compiled by Carolyn Frohmader, for and on behalf of Disabled People's Organisations Australia (DPO Australia)*.

<sup>xix</sup> Violence, Abuse, Exploitation and Neglect Against People with Disability in Australia Available Data as at March 2019 *Compiled by Carolyn Frohmader, for and on behalf of Disabled People's Organisations Australia (DPO Australia)*.

<sup>xx</sup> Violence, Abuse, Exploitation and Neglect Against People with Disability in Australia Available Data as at March 2019 *Compiled by Carolyn Frohmader, for and on behalf of Disabled People's Organisations Australia (DPO Australia)*.

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<sup>xxii</sup> Violence, Abuse, Exploitation and Neglect Against People with Disability in Australia Available Data as at March 2019 *Compiled by Carolyn Frohmader, for and on behalf of Disabled People's Organisations Australia (DPO Australia)*.

<sup>xxiii</sup> Violence, Abuse, Exploitation and Neglect Against People with Disability in Australia Available Data as at March 2019 *Compiled by Carolyn Frohmader, for and on behalf of Disabled People's Organisations Australia (DPO Australia)*.

<sup>xxiv</sup> Violence, Abuse, Exploitation and Neglect Against People with Disability in Australia Available Data as at March 2019 *Compiled by Carolyn Frohmader, for and on behalf of Disabled People's Organisations Australia (DPO Australia)*.

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