



OUR NATIONAL CRISIS: Violence against Women & Children

Kate Fitz-Gibbon; Monash University Publishing, 2024; 87 pages; \$19.95 (paperback)

Our National Crisis: Violence against Women and Children is a book whose existence is simultaneously vital and regrettable: the former because domestic, family and sexual violence are ‘old problems that are showing no sign of abating’ (p 13); the latter because ‘the killing of women by men’s violence ... is inherently preventable’ (p 1).

Published four years after *Our National Shame: Violence against Women* (Monash University Publishing, 2021), two changes to the title – from ‘shame’ to ‘crisis’, and the addition of ‘and children’ – reflect two major shifts in the national conversation about violence in Australia. Forging the nexus between shame and crisis, Fitz-Gibbon observes that

[t]he extent of men’s violence against women and children in Australia is a national crisis, and our inaction to date in responding to it in all its forms is our national shame (p 76).

She asks, ‘Is this really the best we can do?’ (p 35).

Fitz-Gibbon ‘deliberately’ begins by describing several Australian cases of women killed by their male intimate partners – their bodies ‘disposed of in a bin, in a car, on a deserted property, in their own home where they had every right to feel safe’ (p 3). Contextualising these individual cases are shocking data evincing a global problem: that, on average, one woman is killed every 11 minutes. Yet Fitz-Gibbon expresses concern that, as a community, we are becoming (or worse, have become) ‘desensitised to women’s deaths’ (pp 5–6).

The book neatly synthesises excerpts from Fitz-Gibbon’s research interviews with victim-survivors, key

findings of published studies, and reports of cases that garnered considerable mainstream media attention (such as Luke Batty, Jill Meagher, Hannah Clarke and her children), to expose the icy depths of our national crisis – that women’s deaths are but the ‘tip of the iceberg’ (p 6). Written in the first person, *Our National Crisis* captures Fitz-Gibbon’s resolve for ‘absolute change and a safer Australian community’ (p 76). Fitz-Gibbon appropriately acknowledges her positionality, noting that her book predominantly addresses white women’s experiences of male intimate partner violence, and men’s violence against children.

The recognition of children as victim-survivors of family violence in their own right appears at various points in the book. Seeking to address children’s status as ‘invisible, without a voice’ (p 71), Fitz-Gibbon appeals for services and systems to listen to children and to recognise their distinct and diverse safety, support and recovery needs. This appeal echoes my own recent research with children who have experienced family violence, as well as various national frameworks, plans and strategies for children and young people’s wellbeing and safety. Yet, as Fitz-Gibbon rightly observes, political rhetoric rarely translates into the ‘substantive political will and long-term government funding’ (p 72) required to provide a trauma-informed, age-appropriate, whole-of-system response.

Fitz-Gibbon’s ire and despair at systemic failings and political inaction are palpable, yet so is her determination for meaningful reform. The focus on recovery and healing in Australia’s *National Plan to End Violence against Women and Children 2022–2032* is taken to represent a ‘pivotal shift’ that invites a ‘reimagined and expanded response’ to support victim-survivors to not only ‘survive’, but to ‘thrive’ beyond their experiences of violence (p 45). Fitz-Gibbon’s ‘wish list’ (p 37) reinforces the repeated calls of researchers and advocates for better resourcing, more specialist domestic and family violence-informed training, coordinated system responses, and shared understandings of how to effectively identify, assess and respond to risk. Fitz-Gibbon also urges caution in seeking punitive solutions, for the criminal justice system is a ‘blunt tool, reactive by nature’, with reforms commonly having disproportionate, harmful impacts on marginalised groups, particularly First Nations communities (p 37).

Perhaps reflecting the ‘wicked’ nature of the problem, the book flitters between issues – from the impacts of the COVID-19 pandemic, evolving understandings of coercive control and intimate partner financial abuse, to victim-blaming (the ‘why didn’t she just leave?’ catchcry),

'stranger danger', and media reporting of men's violence against women. Notwithstanding the effective use of headings, these topic leaps detract from a unified narrative. Yet the book is highly accessible in language and length. Indeed, Fitz-Gibbon reminds us that, in the time it will take to read (between 60 and 90 minutes), at least five women worldwide will die from men's violence (p 6). The book makes easily digestible the findings of select contemporary academic research on domestic, family and sexual violence, as well as the urgent action required to acknowledge and shine a 'fierce light' on the 'distressing reality' (p 6).

The book pre-empts a question that the individual reader may ask: 'So, *what can I do?*' The 'short answer' is that 'everyone has a role to play', through 'small acts' like calling out disrespect towards women, and 'well-informed bystander interventions' like telephoning the police (pp 63–5). The following take-away message reinforces the value of listening to, hearing and believing victim-survivors of domestic, family and sexual violence (p 66):

[I]f someone discloses their experience of abuse to you, it is absolutely OK to feel nervous as to how that conversation will play out. You are not expected to suddenly become a specialist family violence counsellor, nor is it your personal responsibility to keep that individual safe. But you can say 'I believe you' and 'I'm sorry this has happened to you'. You may be the first person that individual has ever told, and just confirming that they have been believed is incredibly powerful.

At the macro level of federal government policy and investment, Fitz-Gibbon concludes with a compelling point: not only is there a moral argument for taking the safety of women and children seriously, but also an economic one. If the inherent value of women's and children's lives provides insufficient impetus to act now – if we must place a dollar value on men's violence against them – then the disparity between the cost of the crisis and the federal government funding committed to addressing it is, according to Fitz-Gibbon, 'unexplainable and inexcusable' (p 74). Indeed, the issue of domestic, family and sexual violence garnered minimal attention in the 2025 federal election campaign. Where are the votes in keeping women and children safe and alive?

Addressing gender inequality and other forms of oppression as root causes of men's violence against women necessitates 'cultural, structural and systemic changes across society' (p 57). While such changes might appear 'ambitious' and feel 'far from achievable', as Fitz-Gibbon reminds us, 'the elimination of all forms of violence against women and children must be the end goal' (p 76). Should a third iteration of this book emerge in a few years' time, let us hope that its title has again transformed – from 'crisis' to something that conveys progress towards this end goal. For, as Fitz-Gibbon urges, 'We must act now to change this – all of us'.

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PLAIN LANGUAGE FOR LAWYERS: A Practical Guide to Clear Communication

Michèle M Asprey; The Federation Press, 5th ed, 2024; 352 pages; \$89.95 (paperback)

Written from deep inside the legal profession, and deep inside the plain language world, the 5th edition of this most useful book often reads as though it is inside the mind of its primary intended readers – lawyers.

Indeed, it frequently feels as though we are inside the mind of a writer who wants to adopt a plain style, but who has concerns about whether plain language is legally precise, technically accurate, and just, 'you know, safe'. To be sure, those concerns are as legitimate as they are familiar.

Happily, Asprey understands and respects those concerns. Better still, her 20 years of experience as a commercial lawyer in Sydney, Australia, and her 30+ years of experience as a plain language advocate and practitioner equip her to provide the reassurance her lawyer readers need.

But this book is not just for lawyers. It is an excellent introduction for anyone inspired by, or curious about, plain language. It covers:

- Why plain language matters.
- How to write in plain language.
- How to respond to concerns shared by cautious writers.
- How courts have reacted to plain language (favourably).
- What is happening globally in the plain language world.
- ... Many more interesting and relevant topics.

Of course, the book urges us to think about the design of our documents and to test our documents on readers. It guides us about how to do those things. And it tells us we have a duty to do those things.

Asprey states her purpose. She wants to 'explain the basic principles' of plain language writing. To show how we 'can make them work for us'. She acknowledges that, for many people, this 'means a significant change' and she adds 'it is this change that I am writing about'.

Having established her audience and her purpose, Asprey argues clearly and firmly for the change she seeks. Yet this book is no polemic. She deals deftly, politely, and respectfully with the exact concern a reader might have at the very step she is writing about. There it is: that being in the mind of her reader.

The book's refrain is 'consider your reader'. She encourages us to drop the defensive guard that most writers – not just lawyers – have about their writing. And she supports us in doing that.

And she does so engagingly and entertainingly. Even her table of contents is entertaining. Indeed, the style is almost enthusiastic. At about page 50, I heard my inner voice say: 'Reading this is almost as useful, informative, and uplifting as attending a plain language conference.' How I do love a plain language conference.

Asprey has a gift for linking her ideas, chapters and sub-chapters in a way that draws us on through her

text. Her linking material gives us steady reminders of where she has taken us, what is coming next, how that material fits into what we have just read, and why it is important.

Beyond English

After 30 years in the plain language world, I am convinced that the issues addressed in this book are similar across many languages. Although the examples Asprey provides and the words she analyses are in English, the central theme and argument of her book will be valid and useful for people writing in other languages.

New in this edition

This 5th edition delivers on its new subtitle, *A Practical Guide to Clear Communication*. There is new material on AI, email, texting, emojis, social media, and on defamation and gender issues. The plain language vocabulary is updated. New ‘problem’ words are discussed. The chapter on ‘Interpretation’ has been rewritten. Also, the cases, legislation, urls and index are thoroughly updated.

The quibbles

I barely quibbled with anything. Perhaps, the discussion on using ‘around’ for ‘about’ reads a bit like a pet peeve. But nothing else does. And, being averse to pet peeves, perhaps I’m being judgy.

The three members of the International Plain Language Federation are Clarity, PLAIN, and the Center for Plain Language. But in the book (p 304), the Centre is replaced by the US government’s Plain Language Action & Information Network. That’s the only error I spotted.

A personal note

In 1991 or 1992, when I heard about the first edition of this book, I was a bit jealous. It sounded like a book I had thought I might try to write. Pathetically, it took me a few years to read it. When I did, I remember – in a more mature moment – thinking: ‘Hmm, I should have read this straight away.’ So should most everybody.

Give a copy to your favourite lawyers. Hey, even your least favourite lawyers will benefit from discovering the benefits of plain language. Give a copy to the legal team in your organisation. Leave a copy in reception. Also, read it yourself. You’ll likely find it invigorating and empowering. I did.

Towards a plain language library

Michèle Asprey’s *Plain Language for Lawyers: A Practical Guide to Clear Communication*, would make an excellent first book for a lawyer’s, or legal team’s, plain language library. You could pair it with Joseph Kimble’s equally excellent *Writing for Dollars, Writing to Please: The case for plain language in business, government, and law* (Carolina Academic Press, 2nd ed, 2023).

What a great gift for anyone interested in plain language, especially lawyers or law students. For their next couple of presents, you could give them:

- A usage book by Bryan Garner, focussed on legal writing, *Garner’s Dictionary of Legal Usage* (Oxford University Press, 3rd ed, 2011).
- A thorough academic analysis of just how poor much traditional legal writing is, in Professor David Mellinkoff’s *The Language of the Law* (Little Brown & Co, 1963).

Your recipients will be grateful. In time, so will their clients, colleagues and even opponents. And the world will be a better place for the growing commitment to plain, efficient and effective writing.

Any questions?

The main body of the book finishes with a chapter headed ‘Any Questions?’ What a good idea. The chapter works as a summary, likely removes any remaining concerns, and tells us where to start.

Christopher Balmford is a former lawyer, past president of Clarity International, and was previously a board member of the International Plain Language Federation. He was the Convenor of the ISO working group that developed its plain language standard, published in 2023, and currently runs Words and Beyond, an Australian plain-language consultancy.

HOUSING: The Great Australian Right

Kevin Bell; Monash University Publishing, 2024; 96 pages; \$19.95 (paperback)

In this book, Monash University Adjunct Professor and former Victorian Supreme Court Judge, Kevin Bell brings a human rights perspective to current debates concerning housing in Australia. As an expert in international human rights law, and author of several leading judgments interpreting the *Charter of Human Rights and Responsibilities Act 2006* (Vic), Bell is well placed to discuss these topics. He argues that ‘[g]overnment is responsible for creating a system that fulfils the need for a decent home across the entire cycle of peoples’ lives, and for all living generations’ (p 4). He urges a ‘shift in the values underpinning the housing system towards recognising a decent home as the “Great Australian Right”’ (p 3). Significantly, he calls for a system-wide approach, involving four interconnected parts: home ownership, private rental housing, social housing and homelessness.

Home ownership, Bell highlights, is increasingly unaffordable for younger Australians, due largely to rising purchase prices and stagnant wages. However, Bell notes that home ownership remains the preferred form of housing in Australia. This leads to a discussion of private rental housing, which Bell rightly describes as ‘disastrous’ (p 8). This is due to rising rents, poor legal protections and low vacancy rates (particularly for cheaper rentals). ‘Where is the dignity’, he asks, ‘in living with insecurity of

tenure, excessive rent increases and even substandard housing?’ (p 12).

Social housing, which includes public and community housing, is in significant decline in Australia with demand greatly exceeding supply. Government policy has been to provide rental assistance rather than to invest in public housing. Homelessness, which includes inadequate, dangerous and insecure housing, is rising and totalled over 120,000 on Census night in 2021. Contrary to popular myths, homelessness is not due primarily to personal fault but is ‘a failure for which government is responsible’ (p 18).

Bell argues that housing policy has failed because ‘government has pushed housing valued as a commodity for producing private wealth ahead of housing valued as a home’ (p 19). Instead, he argues that we should value a decent home as a human right. At 96 pages, this short book can be read in a few hours, and it provides a highly readable summary of Australian history and government housing policy. Bell argues that a ‘new way of thinking must be adopted, one that applies human rights to understanding the problem’ (p 36).

Bell’s ‘right to a decent home’ is a combination of two previously separate provisions – freedom from unlawful and arbitrary interference with the home (an uncontroversial civil and political right), and the right to adequate housing (a more controversial economic, social and cultural right). Surprisingly, Bell conflates these rights, despite their very different origins and continuing debate concerning the political legitimacy of enforcing economic, social and cultural rights. However, perhaps this is appropriate, given the book’s practical focus. This issue emerges when the book discusses freedoms and entitlements (pp 57–8), which mirror the notion of positive and negative rights.

The book usefully summarises the various aspects of decent housing, as articulated in various international instruments. Indeed, the book may inform the public regarding the scope, nature, limits and importance of the various rights. It supports the recommendation by the UN Special Rapporteur on the Right to Adequate Housing in 2006 for Australia to adopt a comprehensive and coordinated housing policy based on respect for human rights. Bell argues that this must have legislative backing, as it does in Canada (pp 66–8).

In contrast to ‘private market’ values, Bell argues that ‘human-centred’ values should be primary (p 51). He mentions the ‘neoliberal age’ (p 26) without explaining the term or seeking to counter the powerful economic rationalist perspectives that neoliberalism supports. Bell perhaps assumes that rational arguments will persuade readers to adopt a more compassionate, human-centered approach. However, this runs contrary to the competitive individualism which pervades modern politics and political debate. In this debate, government intervention in markets (including housing markets) restricts individual liberty and inevitably leads to inefficiencies.

Bell rightly highlights the weaknesses of residential tenancy law, which favours landlords over tenants. The book only briefly mentions recent amendments in Victoria, however, which prevent eviction unless this is reasonable and proportionate. Along with the *Charter*, this has been used to prevent arbitrary evictions.

Overall, the book presents a compelling argument for a new, human-centered approach to tackling housing issues and homelessness in Australia.

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