



AASW

.....
**Australian Association
of Social Workers**

*Submission to the Australian
Human Rights Commission
Roundtable on Children affected
by Family and Domestic Violence*

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Introduction

The Australian Association of Social Workers (AASW) welcomes the opportunity to make a submission to the Australian Human Rights Commission (AHRC) with regard to the following questions about how children are affected by family and domestic violence:

- *What are the definitional issues in relation to family and domestic violence affecting children?*
- *What do we know about the prevalence and incidence of family and domestic violence affecting children, including who is involved in family and domestic violence events?*
- *What are the impacts on children of family and domestic violence?*
- *What are the outcomes for children engaging with services, programs and support?*
- *What are the outcomes for children of public policy approaches and educational campaigns targeting family and domestic violence?*

Definitional issues

The AASW takes the view that family violence is predominantly, but not exclusively, ‘violence against women’. Although acknowledging other forms of violence, the predominant societal issue is one of violence against women, which is rooted in the unequal place of women in society.

The phrase ‘violence against women’ can be understood as an overarching term that encompasses all forms of gender-based violence. It includes, but is not limited to:

*physical, sexual and psychological violence occurring in the family such as assault, sexual abuse of female children..., marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation; physical, sexual and psychological violence occurring within the general community including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere; trafficking in women and forced prostitution; and physical, sexual and psychological violence perpetrated or condoned by the state, wherever it occurs.*¹

Prevalence and incidence

As stated in the invitation to make a submission to AHRC, children’s exposure to family and domestic violence is widespread in Australia. We note in particular that according to Australia’s National Research Organisation for Women’s Safety, 61% of Australian women who have experienced intimate partner violence reported having children in their care when the violence occurred.²

The AASW also is concerned about the strong relationship between domestic and family violence and homelessness. During 2011–12, 34% of clients seeking assistance from specialist homelessness agencies were escaping domestic or family violence: 28% of these clients were children aged under 15 years.³ A related issue is that of housing affordability, as a recent study has noted:

*housing affordability is one of the key issues women are forced to confront when deciding whether or not to leave a violent relationship. The prospect of high rents and scarce housing supply may even be causing women and children to remain in dangerous situations.*⁴

¹ WHO, 1997, *Violence against women: Definition and scope of the problem*. Retrieved 5 August 2014, <http://www.who.int/gender/violence/v4.pdf>

² Australia’s National Research Organisation for Women’s Safety, 2014, *Violence against women: Key statistics*. Retrieved 6 August 2014, <http://www.anrows.org.au/sites/default/files/Violence-Against-Australian-Women-Key-Statistics.pdf> based on data from the ABS Personal Safety Survey 2012.

³ Australia Institute of Health and Welfare, 2013, *Australia’s welfare 2013*, p. 302, <http://www.aihw.gov.au/WorkArea/DownloadAsset.aspx?id=60129544075>

⁴ Wendt S, 2015, ‘How housing affordability hurts women and kids fleeing violence’, *The Conversation*, <https://theconversation.com/how-housing-affordability-hurts-women-and-kids-fleeing-violence-40306>

Impacts on children

Violence against women impacts on the health and wellbeing of their children, as children exposed to violence have higher rates of anxiety, depression, trauma, hyper vigilance, challenging behaviours, attachment and developmental disorders, and social and learning difficulties than the general population, although it must be noted that some children are not impacted in this way. There is evidence that children who are exposed to family violence are not adept at regulating their aggression and may perpetuate the cycle of violence.⁵ Other studies have shown that a proportion of children whose mothers experience partner violence will themselves experience ill effects of this violence over the course of their lives.⁶

Trauma associated with domestic violence often lasts a lifetime for the victim. Social workers in this field frequently see women who have been traumatised by the experience of domestic violence who have gone through the crisis domestic violence service system yet continue to have to deal with the effects of the abuse for many years. Many experience ongoing mental health issues but do not have the resources to seek therapeutic support. This in turn often affects the parent–child relationship as the effects of the damage done by the perpetrator on this parent-child relationship can continue for many years if left unchecked. The AASW supports a systems response that incorporates medium-to-long-term trauma counselling for survivors and their children so they can rebuild their lives and integrate their experience of trauma without devastating long-term effects.

Outcomes for children engaging with services, programs and supports

The intersection between child protection and domestic violence

When domestic violence issues are referred to the child protection system the mother is often made responsible for protecting the children. Child protection systems often emphasise the behaviour of the mother as the issue that puts children at risk, rather than the abusive behaviour of the perpetrator, which places the children at risk.⁷⁸ Women victims of violence often bear the full force of official surveillance and judgement of their competence as a mother, with the perpetrator of that violence disappearing from public scrutiny.⁹¹⁰¹¹ The perpetrator is not held accountable for his violence, escaping any scrutiny or accountability. Rather than taking this opportunity to engage with the perpetrator and hold him to account for his violence the system misses a unique window to intervene and force him to deal with his behaviour and return the family to safety.

A study conducted in Queensland that explored domestic violence in the context of child protection found when interviewing workers that ‘...the misunderstanding of domestic violence often leads child protection officials to hold nonviolent mothers responsible for ending the violence’ and that ‘male perpetrators of violence were sometimes judged to be satisfactory fathers, just not good husbands’.¹² Such misunderstandings of domestic violence ultimately lead to poor outcomes for children and unsustainable and unsafe plans in the child protection field.

⁵ Schechter DS, Zygmunt A, Coates SW, Davies M, Trabka KA, McCaw J, Kolodji A., Robinson JL, 2007, ‘Caregiver traumatization adversely impacts young children’s mental representations of self and others’, *Attachment & Human Development*, 9(3), 187-205

⁶ VicHealth, 2014, op cit.

⁷ Humphreys C, 2007, ‘Domestic violence and child protection: Challenging directions for practice’, *Australian Domestic Violence Clearinghouse Issues Paper 13*, Sydney, NSW: Australian Domestic Violence Clearinghouse UNSW.

⁸ Douglas H & Walsh T, 2010, ‘Mothers, domestic violence, and child protection’, *Violence Against Women*, 16(5), 489-508.

⁹ O’Hagan K, 1997, ‘The problem of engaging men in child protection work’, *British Journal of Social Work*, 27:25-42.

¹⁰ D’Cruz H, 2002, ‘Constructing the identities of responsible mothers, invisible men in child protection practice’, *Sociological Research Online*, Vol. 7, No. 1.

¹¹ Laing L, 2003, ‘Domestic violence in the context of child abuse and neglect’, *Australian Domestic Violence Clearinghouse Topic Paper*, Sydney, NSW: Australian Domestic Violence Clearinghouse UNSW.

¹² Douglas, op.cit. pp. 490, 494.

A similar confusion often exists within the system that responds to domestic violence. The tragic murder of Luke Batty by his father in Victoria highlights the need for any domestic violence response to include an understanding of the perpetrator's role as an abuser and a parent. The prevailing understanding of post-violence parenting is traditionally understood through a lens of post-separation dynamics. This is frequently referred to as 'high conflict divorce' and fails to recognise the misapplication of this understanding to domestic and family violence settings.¹³ There is mounting evidence that points to the urgent need for those perpetrators who have a history of violence to be mandated to attend parenting as well as male behaviour change programs. Furthermore, care should be taken when there are high levels of threats and violence to limit the contact between the violent parent and any children.

Another recent Queensland study of violent men's perceptions of themselves as fathers, uncovered a disturbing picture of what these men understood as good fathering. A number of violent men who were involved in men's behaviour change programs were interviewed. The study found that they continued to blame their partners for their violence. These men did not display any insight into their behaviour nor the impact it may have had on the partner or the children. Instead they were self-absorbed and felt a sense of entitlement. All but one of the fathers believed they had been and were good fathers to their children while at the same time minimising the impact of their own violence. Their perception of themselves as good fathers was directly related to their ability to economically provide for the children and did not relate to support, nurture or care.¹⁴

Outcomes of public policy for children

At the highest level, public policy needs to lead to wide attitudinal and behavioural change in society. To date public policy has failed children affected by family and domestic violence. However, change at this level is possible.

To be successful there are some consistent lessons we can take from programs that have addressed similar issues in the past. The AASW would like to draw the AHRC's attention to the seatbelt and drink-driving campaigns. There are those in our community who remember in childhood when no one had seat belts in their cars and it was common for people to drink alcohol and drive home. This behaviour is now overwhelmingly unacceptable and criminalised. There were many changes that occurred in our community that shifted these attitudes and behaviours moving from being acceptable to unacceptable.

The key ingredients to this wide attitudinal and behavioural change in society include the following:

- A zero tolerance position taken by governments and policy makers that was bipartisan so that changes of governments did not interfere with its staged progress.
- Laws changed over time to make it unacceptable behaviour and consistent messages from all government and policy makers about definitions and the unacceptability of the attitudes and behaviour where highlighted in the media.
- Swift and immediate sanctions for breaches of the laws without fear or favour when implemented.
- Those sanctions were meaningful and acted as deterrents.
- A systematic media campaign reinforcing the messages about appropriate attitudes and behaviours was rolled out over time.¹⁵
- A systematic media campaign about the unacceptability of the attitudes and behaviour that the community wanted extinguished rolled out over time.¹⁶

¹³ Bancroft, L. & Silverman, JG. (2002). *The batterer as Parent: Addressing the impact of domestic violence on family dynamics*, Thousand Oaks: Sage.

¹⁴ Bosly, F. (2012). *'I wouldn't want my kids around him': How men who use violence in their intimate relationships perceive themselves as fathers*, Doctoral dissertation, University of Queensland: St Lucia QLD.

¹⁵ An Australia example that could be greatly extended at <http://www.ourwatch.org.au/>


¹⁶ A Canadian example can be seen at <https://www.youtube.com/watch?v=tevkM-vPqLY>

- Once the attitude and behaviour change occurred for a significant proportion of the community then there were ongoing media campaigns to remind the community (e.g.,the holiday reminders of to avoid drink-driving and to use seatbelts).

Conclusion

The AASW shares the concern of the AHRC that the impacts on children of domestic and family violence are significant. The AASW further believes that this is an issue that must be addressed at a number of levels. At the highest level family and domestic violence is rooted in the unequal place of women in society. At a public policy level there is a need for leadership in regard to behavioural and attitudinal change. Finally there are some practical issues that need to be urgently addressed at the interface between the child protection and domestic violence response systems.

Submitted for and on behalf of the Australian Association of Social Workers Ltd



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