



Save the Children
Australia

Submission

National Children's Commissioner's Examination of Children Affected by Family Violence in Australia

Save the Children Australia

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About Save the Children

Save the Children is a leading independent international organisation for children and child rights. Our vision is of a world in which every child attains the right to survival, protection, development and participation. Our purpose is to inspire breakthroughs in the way the world treats children and to achieve immediate and lasting change in their lives. We work towards this vision in more than 120 countries across the globe.

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1. Introduction and summary

Save the Children Australia welcomes the opportunity to provide this submission to the National Children's Commissioner as part of the Commissioner's Examination of children affected by domestic and family violence, which will inform the Children's Rights Report to be tabled in Parliament at the end of 2015.

Save the Children is a leading independent emergency relief and development organisation for children in Australia and overseas. Save the Children has offices in every Australian State and the Northern Territory and provides education and child protection programs for disadvantaged children at more than 150 sites around the country. In 2014, Save the Children's Australian programs reached more than 34,000 children and adults to create positive, long-term change.

Our suite of family and parenting support, early education and care, and youth support programs provide a continuum of support from early intervention and prevention to tertiary intervention. For more than 30 years Save the Children has operated domestic and family violence accommodation services in Queensland, which in 2014 supported 208 children and mothers from 58 families. These services are specifically child focused, recognising that family violence can have a range of negative impacts on children that need to be addressed through appropriate care responses. Domestic and family violence is an underlying issue for families engaging with all of our programs across Australia.

As a child rights organisation, Save the Children provides domestic and family violence services that promote security, safety and wellbeing for the family but that also focus specifically on children's developmental needs and on creating an environment that enables children to access appropriate support and care. Through our experience working in this area with a child-focussed approach, Save the Children has observed a gap at national level in relevant frameworks to address this issue for children. As such Save the Children is calling for a national framework for the implementation of child-focused domestic and family violence services and appropriate guidance for supporting the care and wellbeing of children impacted by domestic and family violence.

In addition, better alignment between the existing National Plan, national affordable housing strategies and the National Partnership Agreement on Homelessness is also required to improve access to safe and secure housing for women and children escaping family violence. We also advocate for improved alignment across Commonwealth, State and Territory jurisdictions of plans and responses that seek to prevent violence against women and children, as well as improved coordination between jurisdictions by Police and Child Protection authorities.

Save the Children commends efforts at all levels of government to reduce and prevent domestic and family violence in Australia. In this regard, we recognise the *National Plan to Reduce Violence against Women and their Children 2010-2022*, which was endorsed by COAG in 2011 (the National Plan). We also acknowledge the June 2014 release of the Second Action Plan of the *National Plan to Reduce Violence against Women and Children* in Parliament House (Second Action Plan). At its launch, the Hon Kevin Andrews MP, Minister for Social Services, and Senator the Hon Michaelia Cash, Minister Assisting the Prime Minister for Women, both stated that there is no place for violence against women and children in Australia. The Second Action Plan's key priorities include:

- Whole of community action to prevent violence;
- Improving our understanding of the diverse experiences of violence;
- Supporting innovative services and integrated systems;
- Improving perpetrator interventions; and
- Continuing to build the evidence base.

These are important steps forward. However, there remain some areas for improvement. Save the Children recommends that the Commonwealth Government should build upon primary prevention efforts, including: focusing on practical programs to influence the attitudes and behaviour of men and boys; and better perpetrator interventions to reduce re-occurrence of domestic and family violence. We also need more education and training for those who come into contact with women and children who are subjected to domestic and family violence, including cultural awareness training to respond to family violence in Aboriginal and culturally and linguistically diverse (CALD) communities. This includes for example building on the education and training efforts of Save the Children's Registered Training Organisation and partnerships with the CEO Challenge in Queensland, which directly influence the awareness of frontline community workers and corporate supporters of programs to address Domestic and Family Violence and its impact on children, families and communities.

Save the Children recognises that these and other needed measures will have a financial cost. In our 2015 Budget Submission¹, Save the Children welcomed the Government's commitment of \$100 million over the forward estimates to tackle family violence presumably under the National Initiatives to improve the safety and wellbeing of women and children. However, given the scale of the challenge, Save the Children called on the Government to, at a minimum, double this funding commitment to support the escalation of this issue through the Council of Australian Governments.

While the Federal Budget unveiled in May 2015 did not provide this additional funding, save the Children does welcome the \$30 million announced in March 2015 to be dedicated towards a national awareness campaign to stop family violence. Save the Children notes however that to date the Federal Government has only dedicated \$16.7 million towards this campaign².

2. Responding to the Terms of Reference

- a. **What are the definitional issues in relation to family and family violence affecting children?**

¹ Save the Children, *Federal Government Budget Submission 2015*, See: https://www.savethechildren.org.au/__data/assets/pdf_file/0007/73159/Save_Good-Beginnings_2015-Budget-Submission.pdf

² DSS Portfolio Budget Statement, p25 (program + department expenses).

Save the Children believes that the term ‘family violence’ accurately reflects the reality that the effect of violence within a family or household is not limited to the perpetrator and direct target, but is also felt strongly by others in the family - including children.

However, there is a systemic lack of understanding by professionals of the psychological, developmental, behavioural, health and socioeconomic impacts of family violence on children, and their link to the intergenerational transmission of violence and re-victimisation. The primary factor in children’s social and emotional wellbeing is that their primary carer is safe and supported.

There is a need for tailored approaches to reduce and eliminate domestic and family violence in different communities. In Save the Children’s experience, there is a strong connection between domestic and family violence and the child protection system in remote communities. As well as issues such as unemployment, unhealthy lifestyle, lack of education, and overcrowded households, there is also a connection between family violence and community violence (several families fighting each other). Both of these connections require specific approaches to fully address the complex causes and influencers of family and domestic violence in remote areas.

Save the Children recognises that there are many factors that are attributable to these connections and recommends approaches that build on families’ and communities’ strengths and are based in strong research methodology. We are aware of situations where parents’ perceived failure to comply with services or directives (e.g. mothers who have not left a violent relationship) have resulted in children entering the statutory child protection system. We know that there are many reasons that people do not leave violent relationships, and that fear of the violence escalating after separation is often part of this. Save the Children applauds programs and approaches that hold people who have used violence accountable for their behaviour, rather than punitive approaches that hold the victim of violence accountable for the behaviour of others.

b. 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?

Access Economics has estimated that approximately 1.6 million Australian women have experienced family violence in some form in their lifetime.³ The ‘Not Now, Not Ever’ report from the Special Taskforce on Domestic and Family Violence in Queensland (2015) estimates that more than one million Australian children are affected by family violence.⁴

Any intentional act of violence perpetrated against another person is serious and unacceptable; it is also against the law. However, violence against women and their children is often considered a private issue.⁵ It is for this reason that the United Nations Population Fund has stated that family violence is ‘the most pervasive, yet least recognised human rights abuse in the world.’⁶

³ Sydney Morning Herald, “Time to Act on Domestic Violence”, 7 March 2014. Available at <http://www.smh.com.au/comment/smh-editorial/time-to-act-on-domestic-violence-20140307-34cqt.html>

⁴ Special Taskforce on Domestic and Family Violence in Queensland, *Putting an End to Domestic and Family Violence in Queensland*, 2015. See: <http://www.qld.gov.au/community/getting-support-health-social-issue/dfv-read-report-recommendation/index.html>

⁵ Australian Women’s Health Network, *Health and the Primary Prevention of Violence Against Women*, Position Paper 2014.

⁶ Australian Women’s Health Network, *Health and the Primary Prevention of Violence Against Women*, Position Paper 2014.

In Australia, one woman dies every week from family violence. Homicide statistics indicate that women are more likely to be killed by their current and former male partners than by anyone else.⁷ The main reasons reported by men for killing their female partners are 'desertion'; the ending of a relationship; and jealousy.⁸ Pregnancy is a time of increased risk of violence. Some studies place the frequency of violence during pregnancy at 42%, with 17-20% of women experiencing family violence for the first time while pregnant.⁹

Family violence is present in more than half of all notifications made to Child Protection. In Queensland, incidents occurred within the previous 12 months in 35% of households with substantiated child protection concerns.¹⁰ There is increasing evidence that physical, sexual and emotional abuse of children is more likely to occur in a home where one adult is violent towards the other than in non-violent homes.

A 1998 Queensland Taskforce found that children were present when a violent incident took place in a domestic situation about 85-90 % of the time. The National Crime Prevention Survey found that one in four young Australians admitted having witnessed physical violence against their mother and/or step-mother. 42% of Indigenous young people reporting having witnessed violence against their mother or stepmother, compared with 23% of all children.¹¹

In Save the Children's work in remote communities, our program staff work with children who are often exposed to violence and intergenerational fighting within and between families. Staff report that even in 'dry' communities, alcohol use and overcrowded homes contributes to worsening situations for children and families. Violence between families continues for long periods of time, often impacting on children's attendance and safety at school. Children have been witnessed roaming the streets at night, avoiding home because of the violence, and recently incidents involving children petrol sniffing have spiked. Schools advise that they are struggling to manage children's behaviour and that violence at school, against other children and staff, has escalated. Even when the perpetrator of violence is removed, the violence often continues between families and the fear of retribution causes ongoing concern for women and children who have experienced violence.

Media commentary has highlighted the need to 'shift the deeply rooted culture of male violence – violence towards women, children and other men.'¹² Unlike generalised male violence, family violence involves sustained patterns of power and control over another person. This culture of violence in our society needs to be addressed as a matter of government priority. The death rates should be met with a legislative response and media backlash commensurate with the recent

⁷ Anthony Morgan and Hannah Chadwick, Key Issues in Domestic Violence, Australian Institute of Criminology, Research in Practice, Summary Paper No7, December 2009, p. 1.

⁸ Department of Communities, Child Safety And Disability Services. 2012. *Domestic and family violence and its relationship to child protection*. Practice Paper Revised. Brisbane: QLD

⁹ *Putting an End to Domestic and Family Violence in Queensland*, 2015, p.142.

¹⁰ Ibid.

¹¹ Ibid.

¹² Catherine Lumby, *No country for young men: notions of gender must evolve*, Sydney Morning Herald (3 January 2014). Available at: <http://www.smh.com.au/comment/no-country-for-young-men-notions-of-gender-must-evolve-20140102-307rg.html>

“coward’s punch” campaign. Those who perpetrate family violence must also be held accountable for their actions. At the same time, support should be given to enable families to make decisions that are in the best interests of their children.

c. What are the impacts on children of family violence?

The impact of family violence on children is underestimated and largely misunderstood. Family violence can have profound negative impacts on children, including psychological and behavioural impacts (e.g. depression, substance abuse, school difficulties), health and socio-economic impacts (e.g. family violence continues to be the leading cause of homelessness for children) and the intergenerational transmission of violence (e.g. ‘children’s exposure to family violence may result in attitudes that justify their own use of violence and boys who witness violence are more likely to approve of violence’).¹³

Many studies confirm that witnessing violence as children is one of the strongest indicators for men’s use of violence later in life. For example, research indicates that men in India who witness intimate partner violence in their homes as children are three times more likely to be reported as a perpetrator of intimate partner violence as adults.¹⁴ These figures highlight the vulnerability of children to the intergenerational transmission of family violence.¹⁵

Government agencies and others dealing with cases of family violence need a better appreciation of the immediate and lifelong impacts of such violence on children. The Queensland Family Violence Taskforce estimated that children were present at 80-85 per cent of family violence incidents, and that in 50 per cent of these cases, the child was also injured during the incident.¹⁶ This can have far reaching consequences given a developing brain is most vulnerable to the impact of traumatic experiences during childhood; exposure to extreme trauma will change the organisation of the brain, resulting in difficulties in dealing with stresses later in life.¹⁷

The broader impact of family violence on communities is also significant. In 2009, KPMG estimated that violence against women and their children cost the Australian economy \$13.6 billion annually and this was expected to rise to \$15.6 billion by 2021.¹⁸

¹³ Richards, K ‘*Children’s Exposure to Domestic Violence in Australia*’ (2011), Trends and Issues, No 149.

¹⁴ Contreras, M., Heilman, B., Barker, G., Singh, A., Verma, R., & Bloomfield, J. (2012). *Bridges to Adulthood: Understanding the Lifelong Influence of Men’s Childhood Experiences of violence* Analyzing Data from the International Men and Gender Equality Survey. Washington, DC and Rio de Janeiro: International Center for Research on Women (ICRW) and Instituto Promundo. For further information see - <http://www.icrw.org/publications/bridges-adulthood>

¹⁵ Contreras, M., Heilman, B., Barker, G., Singh, A., Verma, R., & Bloomfield, J. (2012). *Bridges to Adulthood: Understanding the Lifelong Influence of Men’s Childhood Experiences of violence* Analysing Data from the International Men and Gender Equality Survey. Washington, DC and Rio de Janeiro: International Center for Research on Women (ICRW) and Instituto Promundo.

¹⁶ See Marian James, 1994, *Domestic Violence as a Form of Child Abuse: Identification and Prevention*, Australian Institute of Family Studies, Issues in Child Abuse Prevention Number 2, available at <http://www.aifs.gov.au/nch/pubs/issues/issues2/issues2.html#witness> and The Community Services Centre for Parenting and Research discussion paper 2002: *Domestic violence and its impact on children’s development*, available at http://www.community.nsw.gov.au/docswr/assets/main/documents/dv_paper.pdf

¹⁷ The Community Services Centre for Parenting and Research discussion paper 2002: *Domestic violence and its impact on children’s development*, available at http://www.community.nsw.gov.au/docswr/assets/main/documents/dv_paper.pdf

¹⁸ KPMG, *The Cost of Violence against Women and their children*, Safety Taskforce, Department of Families, Housing, Community Services and Indigenous Affairs, Australian Government (2009), p4.

Within the community, we know that some groups are more likely to experience family violence. For example, the Second Action Plan has highlighted:

*'Indigenous women are 31 times more likely to be hospitalised due to family violence related assaults than other women. Women with a disability are more likely to experience violence and the violence can be more severe and last longer than for other women. A recent survey of 367 women and girls with disability found that 22 per cent had been affected by violence the previous year. Women from culturally and linguistically diverse (CALD) and new and emerging communities who experience violence can also face significant difficulties, including a lack of support networks, language barriers, socio-economic disadvantage, and lack of knowledge of their rights and Australia's laws.'*¹⁹

In Western Australia, Save the Children works with women and children from Aboriginal, refugee and migrant backgrounds living in complex family situations that involve family violence. For refugee and migrant women with resettlement challenges, it can be difficult to leave a home in which violence is a factor, due to the lack of affordable housing options and difficulty navigating the rental system. This can result in women feeling that they have no choice but to remain in abusive situations.

In many cases, victims of family violence do not want the relationship to end or the perpetrator to be jailed – they just want the violence to stop. In some communities, family violence is so common that it is accepted as part of everyday life. As outlined in the March 2015 report of the Special Taskforce on Domestic and Family Violence, the lack of support services, concern about confidentiality and access to the justice system makes it difficult, if not impossible, for women and children to escape the violence.²⁰ Our staff have reported challenges for some families when imprisonment does occur, particularly when mum is left with the sole responsibility and cost involved in raising the children. Our staff report that the needs of the children when it comes to family violence are forgotten unless they are at physical risk.

The impact of family violence on children is extensively outlined in the Victorian Government Department of Human Services' "Practice Guidelines: Women and children's family violence counselling and support programs"²¹ and Queensland's No Violence website²² and report²³. These impacts include: depression, anxiety, trauma symptoms, developmental delay, regression, increased aggression, lower social competence, temperament problems, low self-esteem, the presence of pervasive fear, mood problems, shame, guilt, anger, antisocial behaviour, loneliness, peer conflict

¹⁹ Commonwealth Government, *Second Action Plan 2013-2016: Moving Ahead* (2014), p. 5.

²⁰ Special Taskforce on Domestic and Family Violence, "Not Now, Not Ever: Putting an End to Domestic and Family Violence," March 2015, page 6. Available at <http://www.thepremier.qld.gov.au/newsroom/domestic-and-family-violence-taskforce-report.aspx>

²¹ http://dhs.vic.gov.au/data/assets/pdf_file/0009/581256/practice-guidelines-women-and-children-fv-counsell-support.pdf

²² <http://www.noviolence.com.au/>

²³ Special Taskforce on Domestic and Family Violence in Queensland, *Putting an End to Domestic and Family Violence in Queensland*, 2015. See: <http://www.qld.gov.au/community/getting-support-health-social-issue/dfv-read-report-recommendation/index.html>

and associated school difficulties, impaired cognitive functioning, increased likelihood of substance abuse, and the impact of separation from families²⁴.

d. What are the outcomes for children engaging with services, programs and support?

Save the Children's accommodation services for women and their children escaping family violence provide a child-focused approach to service delivery, which holds the safety and wellbeing of the child at the core of programming. Our family violence services are based around a child rights framework, a gendered analysis of family violence and an understanding of the immediate and long-term physical and emotional harm suffered by children.

Save the Children is of the view that a child-focused approach to service delivery is essential to ensure the best possible outcomes for children and their parents who have been affected by family violence. We provide individual, needs-based service delivery which recognises that each family has different issues and requirements. There is a strong emphasis on supporting and empowering women, children and young people to build on their own resources, recognising that individuals are capable of contributing to their own recovery. In our refuges, children can attend programs and receive direct education and support in relation to family violence. They have the chance to be in a stimulating environment where they feel safe. Additionally, they learn that violence is unacceptable and that they are valued members of society.

Save the Children's child-focused and strength-based approach addresses the impacts of family violence experienced by both women and their children, which assists with whole-of-family recovery. This approach to service delivery could be implemented nationally by accommodation providers and other family violence support services. Alongside this, there should be nationally consistent practice standards for working with children affected by family violence. We note that while our Queensland services utilise the *Practice Standards for working with women affected by Family violence*, there needs to be a coordinated approach to addressing children's unique needs.

Good outcomes for children engaging with services, programs and support will depend on the high skill and knowledge of services/workers and whether they follow best practice guidelines. The National Plan to Reduce Violence Against Women and their Children included recommendations that promote:

- ongoing emotional and practical support
- group work
- individual therapy
- advocating for and protecting the child
- empowering the caregiver
- coordinating with child protection agencies

²⁴ Ibid, page 77.

According to the Victorian Government Department of Human Services “Practice Guidelines: Women and children’s family violence counselling and support programs”, 2008, outcomes for women and children expected from counselling and support services include:

- improved safety and identification of options to protect future safety
- a decrease in the effects of trauma and improved emotional and physical health
- an improved ability to express feelings constructively
- greater understanding of resources and supports available to them
- an ability to challenge power, control and gender issues inherent in violent relationships
- a reduction in isolation and improved social networks.

Indigenous communities may include additional outcomes such as recovery and healing for the individual, the family and the community²⁵. The Crime Research Centre (University of Western Australia), in its 2001 report, *Young Australians and Domestic Violence*, found that a consistent and large body of research into young people and domestic and family violence suggests that intervention during adolescence, to challenge traditional gender roles and prevent violent behaviours from becoming normalised, is pivotal in the overall task of domestic and family violence prevention.

Additional outcomes for children and young people include:

- improved health in attachment relationship with parent/s and carers
- improved social interaction and behaviour
- improved resilience
- strengthened relationships with caring adults, other children and the community

This is the ideal scenario: what every victim of family violence should be able to expect.

In Save the Children’s program experience, although there has been an increase in awareness of the impact of family violence on children and the importance of protecting children, the practical considerations of how this is achieved is still developing in some communities. Supporting localised responses has enabled communities to start to develop strategies to meet the needs of their families. Continued support will enable communities to address ongoing concerns that are held across justice, health, education and community sectors.

Our program staff report increased collaboration and trust between agencies which is beginning to see improved outcomes for women and children. In some locations, however, lack of services, limited after-hours supports, and/or concerns about confidentiality prevents people experiencing family violence from accessing information and support. In these circumstances a range of informal support, including family and friends assisting the victims to safely leave the community or moving the victims to other family members has helped to protect mothers and their children.

A commitment to building evidence-based programs specific to the needs of children who have experienced family violence, and provision of training in their use as well as the provision of family violence training, will ensure local communities will have increased access to information and resources to address the needs of children and their families. In our experience, it is the lack of

²⁵ Department of Families, Housing, Community Services and Indigenous Affairs National Plan to Reduce Violence against Women and their Children: Progress Report 2010-2012.

awareness of family violence and/or the assumption that specialist intervention is required that prevents community workers from identifying and responding appropriately.

Homelessness and housing

Family violence is one of the leading causes of homelessness for women and their children.²⁶ In our experience, there is inadequate access to housing for women and their children escaping family violence. Indeed, in many respects, the current system operates in a way that effectively punishes the women leaving violent relationships. Under our current system, women and children generally have no rights or options, legally or in practice, to remain in the family home and for the perpetrator to be required to leave. There should be options to assist women and children in a way that does not force them to leave the family home, if it is safe and in the best interests of the child for them to stay there. Holding perpetrators accountable for their actions means that where appropriate, they should be forced to leave the home and be provided with access to housing. The NSW Staying Home Leaving Violence program helps women and children escaping family violence to remain safely in their homes.²⁷ This program could be implemented nationally.

Some of the additional practical problems we see in the current system include:

- For women and children living in Department of Housing properties, when they escape a violent situation they need to leave the residence and the perpetrator often remains. The mother and children are then required to reapply for housing, which means they return to a long waiting list (of months or sometimes years).
- For women and their children living in private rental properties it can often be difficult to be removed from the lease after fleeing a family violence situation. How to respond to the situation is often at the real estate agent's discretion and often an intervention order is required as proof of family violence. This is not always practicable.
- Women can also become liable for property damage that has been caused as a result of the perpetrator's violence. This can cause them to be blacklisted and affected by poor tenancy history, which can impact on their ability to escape family violence situations.
- Women and their children who leave a family owned residence also experience barriers. For example, they are often not eligible for Legal Aid and cannot access community or public housing lists.

There is a clear need to improve the housing options for women and their children escaping family violence. Accordingly, the Commonwealth should consider development of a national affordable housing strategy, 'which includes all sections of the housing market, employs a broad range of policy levers and involves both long and short term solutions.'²⁸ Improved access to accommodation and adequate funding of specialist services that provide vital emergency support for women and children

²⁶ Homelessness Australia, *Homelessness and Women*, Factsheet 2011-2012. See <http://www.homelessnessaustralia.org.au/UserFiles/File/Fact%20sheets/Fact%20Sheets%202011-12/Homelessness%20&%20Women%202011-12%288%29.pdf>

²⁷ For further information see:

http://www.community.nsw.gov.au/docs_menu/for_agencies_that_work_with_us/our_funding_programs/shlv.html

²⁸ Equality Rights Alliance, *Submission of the Equality Rights Alliance to the Finance and Public Administration Committee Inquiry into Domestic Violence in Australia*, 31 July 2014 and ACOSS Housing and Homelessness - http://www.acoss.org.au/policy/housing_homelessness/

escaping family violence is essential and should be included as a performance indicator within the National Partnership Agreement on Homelessness.²⁹ In this regard, we concur with the submission of the Equality Rights Alliance and reiterate that:

*'No strategy to address violence against women (and their children) can be entirely successful in an environment of poor housing affordability. There is a critical need for Commonwealth-level housing policy to address housing affordability as a necessary corollary of any Commonwealth plan to address violence against women (and their children).'*³⁰

e. What are the outcomes for children of public policy approaches and educational campaigns targeting family and family violence?

Save the Children's experience over three decades of supporting women to protect themselves and their children has demonstrated that there is no one-size-fits-all solution to issues of family violence. There are many complex issues, including why women may not leave a violent relationship.³¹ However, in our view, there needs to be a greater focus on primary prevention that seeks to create *lasting cultural change* through education, awareness raising and promoting equality in our society. A primary prevention approach to eliminating family violence 'is about changing the attitudes and behaviours that lead to some men abusing power by socially, emotionally or physically controlling or being violent against women.'³² As part of a primary prevention approach, we need to address the 'structural barriers of gender inequality and gender role socialisation, and the norms that ignore, condone or support violence against women.'³³ Unless we start taking a primary prevention approach to eliminating family violence in our community, the work of Save the Children and many other organisations to support women and their children will remain reactive not preventative.

A key element of a primary prevention approach should be the education of men and boys; in schools, in sporting clubs, in culturally-appropriate settings and through community based programs. These programs can work to prevent violence and abuse, support men and boys to have improved relationship, parenting and social skills, and ensure that men and boys hold each other to account when violence is being used in any aspect of their lives.

Save the Children's Deadly Blokes and Kids Program (deadly meaning 'awesome') uses music, storytelling and dance to engage Aboriginal and Torres Strait Islander male caregivers to build strong relations with their children and families, reducing the likelihood of family violence and child abuse and neglect.

²⁹ Equality Rights Alliance, *Submission of the Equality Rights Alliance to the Finance and Public Administration Committee Inquiry into Domestic Violence in Australia*, 31 July 2014.

³⁰ Equality Rights Alliance, *Submission of the Equality Rights Alliance to the Finance and Public Administration Committee Inquiry into Domestic Violence in Australia*, 31 July 2014.

³¹ Edwards, R., 2004, *Staying Home Leaving Violence: Promoting Choices for Women Leaving Abusive Partners*, Australian Domestic and Family Violence Clearinghouse, Sydney.

³² Australian Women's Health Network, *Health and the Primary Prevention of Violence Against Women*, Position Paper 2014.

³³ Ibid.

Save the Children's Future Parents Program (FPP) provides young people aged 12-19 years with an opportunity to develop skills to keep themselves and children in their care safe. Each course, delivered over 20 hours, increases young people's understanding of domestic and family violence and child abuse, and connects young people to support workers and agencies in their community. Save the Children trains and supports local workers to deliver the FPP courses, thereby increasing both the community's knowledge of family violence and the awareness of child aware approaches to addressing family violence in each location.

The Men's Family violence Offender Education and Intervention Program is a joint project between the Gold Coast Family violence Prevention Centre and the Department of Corrective Services: Probation and Parole Gold Coast. The program has been operating since 2000, it runs for 24 weeks and is based on the Duluth Model that looks at challenging men to take responsibility for their abusive behaviour and to work towards changing their behaviour and forming respectful relationships with their partners. The men have all been mandated by the courts to attend the group as a sentencing option for breaching a family violence protection order.³⁴

The Safe and Together Model, proposed by David Mandel, asserts that perpetrator programs need to focus on the goals of safety, self-determination and greater satisfaction for women and children, so that even when talking about working with perpetrators, the focus remains on outcomes for victims and children. It is not about becoming advocates for perpetrators, it is about non-judgemental engagement with them about their behaviours.³⁵

The White Ribbon and other campaigns have helped to engage men and boys in prevention and awareness raising activities but are mostly limited to a week or month a year. Whilst this is a positive start, these campaigns need to be resourced as ongoing awareness-raising exercises to sustain the momentum, highlight the impacts of family violence, and focus on prevention strategies which encourage help-seeking behaviours by men and women. A national focus on primary prevention is needed, including ongoing investment in programs targeted towards the changing attitudes and behaviour of men and boys, which are embedded in school curricula, sporting clubs and community activities.

Education and training for mainstream services and agencies is also necessary. Save the Children deals daily with women and children who have received inadequate and inappropriate responses when seeking assistance from mainstream agencies. This demonstrates the urgent need for increased training and community awareness of signs and symptoms of, as well as appropriate responses to, family violence. Some examples of inappropriate responses to violence against women that our clients have shared are set out below.

³⁴ Andrew Day, Patrick O'Leary, Donna Chung and Donna Justo, October 2009, Domestic Violence - Working with Men; Research, practice experiences and integrated responses, Federation Press, NSW, pp 23-34.

³⁵ David Mandel and Associates LLC, 2013, Safe and Together, *Shifting the paradigm: the intersection of domestic violence, child maltreatment and safety and well being*. Available at <http://endingviolence.com/our-programs/safe-together/safe-together-overview/downloadable-reports/>.

Retrievals are not common practice for our refugees as women are too frightened to return to the property and access their belongings. Disappointingly, both of the retrievals that have been attempted this year have been unsuccessful because the Police have told our staff that they need evidence of the woman's name on the lease in order to act. This advice has come from two different Police stations, and demonstrates a significant lack of understanding by the Police of the effects of power and control in violent domestic relationships.

One of our refuge clients advised that the Police attended one of the family violence incidents perpetrated by her ex-partner, but that she was too scared to respond to their questions. The Police failed to recognise that she was unable to detail the violence at that point and placed her at increased risk as they removed the perpetrator and dropped him off a few kilometres away from the caravan park they resided in. The perpetrator simply walked back to the caravan that night.

Another client of our refuge experienced many years of abuse in which she was regularly and repeatedly violently assaulted by her partner. The violence included multiple blows to her head and suffocation. On one occasion she was pinned down by him over the kitchen sink and managed to grab a knife, reach behind her and stab him. Initially, she went into prison and her child was removed from her. After she got out, she was unable to speak about the incident and had nowhere to go. No support was offered to her to find alternate accommodation. Due to her lack of appropriate places to stay, and the concern (held by the Police) that she would return to the home, she was remanded in custody for three months waiting for her case to be heard. During that time she had limited contact with Legal Aid. There was limited information given to her about her case, when she could have her bail application heard again or any other matters affecting her future. Meanwhile she was hearing stories about other women being held on remand for up to three years before their (similar) cases went to court. Her child remains in the care of the Department.

As mentioned above, Aboriginal and CALD women and children experience higher rates of family violence and there is a need for flexible and responsive programs that respect the specific needs of these vulnerable groups. Accordingly, there should be improved cultural competency training for key service providers. Programs to address family violence also need to be culturally appropriate and recognise the barriers to accessing services that exist for many people from culturally diverse backgrounds.

f. What are the surveillance and data gaps/needs in relation to children affected by family and family violence?

To effectively prevent violence against women and their children, we need to take a coordinated and consistent approach across jurisdictions. There should be improved alignment between Commonwealth and State and Territory plans and responses, including regular and transparent reporting across jurisdictions as to progress towards established key indicators. In addition, efforts should be made to improve coordination by Police and Child Protection authorities across State and Territory borders, so that the concerns of a victim of family violence can be followed up in one State even if the perpetrator resides in another State. The current system does not facilitate cross-border collaboration and the result can be non-action by Police in cases of family violence.

A client is harassed, stalked and intimidated on a daily basis by her former partner who lives in another state (2 hours away). Despite repeated harassment and violations of an existing intervention order, because the perpetrator is in another state Queensland Police are unable to serve an order for breach. As a result of constant threats to the victim's life and the lives of her children, the family lives in constant stress.

Save the Children supports the concept of a nation-wide consistent family violence order and encourages the development of improved relationships and sharing of information between State and Territory Police and Child Protection agencies. We therefore welcome the commitment by the Commonwealth and all States and Territories to the Second Action Plan and new funding committed to:

- CrimTrac to develop and test a prototype for a National Family violence Order (DVO) Scheme, to strengthen the identification and enforcement of DVOs across state and territory borders.
- The next steps in developing a national data collection and reporting framework by building a more consistent basis from which to gather, analyse and use data on all aspects of violence against women and their children. This includes \$300,000 for the Australian Bureau of Statistics to augment data sets on victims and offenders.

Save the Children also welcomes funding to expand 1800RESPECT, Australia's first national professional telephone and online counselling service.

As noted above, whilst these are significant steps, our programs team in both urban and remote settings have reported there remains a need to prevent violence from occurring in the first place and better coordination and monitoring of responses in line with best practice standards. In particular, recommendations include:

- Programs for children from vulnerable / minority groups, including children and young people with disabilities or whose caregivers have a disability and are experiencing DFV, children and young people from Indigenous or Culturally and Linguistically Diverse backgrounds, and children and young people who identify as Lesbian, Gay, Bisexual, Transgender, Intersex and Questioning (LGBTIQ).
- Accountability of services to follow best practice guidelines in working with common monitoring and evaluation tools to track outcomes for children's health and wellbeing following engagement with services.

Further, following the recommendations of the Carmody Inquiry, QLD police are no longer required to report when children are present in DFV police call outs to child protection authorities, unless they specifically assess the child to be at risk. Our program staff have many instances of situations where the police response has underestimated the impact for both women and children, and where police have failed to accurately assess the risk for children.

In the locations that we work, staff have identified frequent instances of under-reporting of family violence within the community due to fears of statutory intervention. Staff have also reported that mothers continue to be held accountable for the violence and its impact on children, rather than the perpetrator of violence being held responsible.

As such, Save the Children also recommends the development and implementation of guidelines for community organisations, schools, police and health services for inclusion of domestic and family violence best practice information in induction and ongoing training, which would address the lack of confidence and awareness experienced by many workers.

3. Recommendations

Save the Children makes the following recommendations for strengthening our national approach to reduce and prevent violence against women and their children:

1. Develop and promote a strong primary prevention approach to eliminate family violence in our society, noting that:
 - a. The focus of such an approach is to prevent violence from occurring in the first place and requires challenging social norms and changing cultures that operate to make gender-based violence acceptable;
 - b. There are successful primary prevention public health examples that illustrate how cultural change can be influenced over time;
 - c. It should include a positive, community building and strengths-based approach;
 - d. A primary prevention approach is separate to but does not replace secondary and tertiary interventions, which require ongoing funding, improvement and implementation.

2. Double the current funding commitment from \$100m to \$200m over the forward estimates, to support the escalation of attention to family violence through to the Council of Australian Governments. Funding should be directed to:
 - a. Implementation of national programs to educate and work with men and boys to prevent violence and abuse, as well as supporting men and boys to have improved relationship, parenting and social skills;
 - b. Implementation of programs to support more perpetrator interventions to ensure they reach men who voluntarily seek help, as well as those ordered by the court to participate.
 - c. Harmonisation at national level of various existing measures to address family violence, including intervention order arrangements, standards for measures against perpetrators and approaches to online harassment.
 - d. Support an evidence-based, large scale media campaign to raise awareness of the issue and motivate behaviour change

3. Create a national framework for child-focused family violence services. The focus should be on safety, security and wellbeing, but also equally on the child's developmental needs and on creating an environment that enables children to access appropriate supports (not only counselling). For example, if a mother is receiving counselling for domestic/family violence, the service provider should also consider the psycho-social support, health and development needs of her children.
4. Develop nationally consistent practice standards for working with children affected by family violence.
5. A comprehensive roll-out of nationally recognised, accredited training (including DV-alert and specialist training provided by Registered Training Organisations) for people whose work may bring them into contact with situations of family violence – e.g. lawyers, judges and the Police throughout Australia. There should also be improved cultural competency training for key service providers.
6. Provide options to assist women and children in a way that does not force them to leave the family home, if it is safe and in the best interests of the child for them to stay. For example, expand services such as the NSW Staying Home Leaving Violence program.
7. Develop a national affordable housing strategy that is linked to the National Plan and covers all sections of the housing market.
8. Include the improvement of housing options and funding of specialist support services for women and children escaping family violence as performance indicators within the National Partnership Agreement on Homelessness.
9. Alignment across Commonwealth, State and Territory jurisdictions of plans and responses that seek to prevent violence against women, including regular and transparent reporting across jurisdictions as to progress towards established key indicators.
10. Implementation of a nationally consistent family violence order.
11. Improved coordination and sharing of information between State and Territory Police and Child Protection agencies.