

Committee Secretary
House of Representatives Standing Committee on Social Policy and Legal Affairs
PO Box 6021
Parliament House
Canberra ACT 2600

23 July 2020

Dear Committee Secretary

Inquiry into family, domestic and sexual violence.

Families Australia is a national, peak, not-for-profit organisation that strives to improve the wellbeing of Australian families, especially those experiencing the most vulnerability and marginalisation. Families Australia does this by providing policy advice to the Australian Government and Parliament on behalf of more than 800 member organisations around Australia. In addition, Families Australia convenes the 250 member National Coalition on Child Safety and Wellbeing (National Coalition), the primary voice for the community and research sectors on the *National Framework for Protecting Australia's Children 2009–2020* (National Framework). The National Coalition was established by Families Australia in 2007.

Families Australia appreciates the opportunity to provide a submission to the Parliamentary Inquiry into family, domestic and sexual violence. This submission addresses items (c), (f), (i) and (k) in the Inquiry Terms of Reference:

(c) The level and impact of coordination, accountability for, and access to services and policy responses across the Commonwealth, state and territory governments, local governments, non-government and community organisations, and business.

(f) The adequacy of the qualitative and quantitative evidence base around the prevalence of domestic and family violence and how to overcome limitations in the collection of nationally consistent and timely qualitative and quantitative data including, but not limited to, court, police, hospitalisation and housing.

(i) The impact of natural disasters and other significant events such as COVID-19, including health requirements such as staying at home, on the prevalence of domestic violence and provision of support services.

(k) An audit of previous parliamentary reviews focussed on domestic and family violence.

This submission focusses on the needs of children and young people who experience family, domestic and sexual violence. While there has, quite rightly, been a heavy policy, research and programmatic focus on the rights and needs of women as victims and survivors of family, domestic and sexual violence, including women who have children, this focus has resulted in a failure to recognise and respond to the needs of children and young people as victims and survivors **in their own right**.

Recognising the needs of children and young people and supporting will enable a longer term focus on their experiences and needs in relation to recovery from trauma while complementing investments in services that focus on the integral role of parenting and the importance of strong parent-child relationships in supporting children to thrive.

National policies to reduce violence against women **and their children** must work more cohesively with other relevant national policy agendas, such as the successor plan for the National Framework, to build this recognition and drive service delivery responses. Continuing to see children and young people as secondary within adult focused systems and services will continue to perpetuate service system failures and do little to address the intergenerational cycle of violence.

For these reasons, the phrases ‘...and their children’ and ‘...in their own right’ have been bolded for emphasis. We also use the term children and young people wherever possible outside of formal references, as a more inclusive term for individuals aged up to 18 years.

(c) **The level and impact of coordination, accountability for, and access to services and policy responses across the Commonwealth, state and territory governments, local governments, non-government and community organisations, and business.**

There is a need to better link national policy agendas to deliver a systems approach

There is insufficient coordination across policy agendas at the national level, in particular in relation to the *National Plan to Reduce Violence against Women and their Children 2012-2022 (National Plan)* and the *National Framework for Protecting Australia’s Children 2009-2020*. This has a detrimental flow-on effect into programs, service delivery and practice, fragmenting responses and perpetuating siloed approaches. National leadership is required to better link policy agendas, leverage investments by all levels of governments, hold all stakeholders accountable and help drive a shift towards system-level, integrated approaches.

Linkages across national policy agendas will help to actualise a coherent, systems approach. The issues are complex and cross sectoral and require policy responses that are broad in scope, ranging from prevention via universal platforms, through to actively enabling effective, specialist and tertiary level responses. Actions that recognise and respond to the specific needs of children and young people, as victims and survivors of family, domestic and sexual violence, must be included. Adult-focussed services must be a particular focus.

The National Plan seeks to achieve a reduction in family, domestic and sexual violence against women **and their children**. Under the Fourth Action Plan, *priority action five* seeks to improve service responses to victims and survivors of family, domestic and sexual violence. There is no reference to children and young people in the actions under this priority. The Fourth Action Plan does include, as one of its principles that, where children are involved, responses must be age appropriate, child-centred, and tailored to their specific needs and stages of development. How this principle is to be applied in practice, and any ‘compliance’ measured, is unclear.

The National Framework seeks to deliver a substantial and sustained reduction in child abuse and neglect over time and recognises family, domestic and sexual violence as one, if not the, key risk factor and contributor to child maltreatment. While the Fourth Action Plan of the National Framework includes a priority action to reduce the over-representation of Aboriginal and Torres Strait Islander children in child protection systems it does not include any other action, beyond research, in relation to service delivery responses specifically targeting children and young people experiencing family, domestic and sexual violence.

Given the complexity of issues that frequently coexist with family, domestic and sexual violence, a systems approach is required that includes, but extends beyond, statutory child protection and family violence services. This can only be delivered by better linking national policy agendas including the National Plan and National Framework and extending to health and mental health, alcohol and other drug, housing and homelessness, education, justice, employment and the broader suite of social services.

National policy agendas must recognise children and young people as victims and survivors of family, domestic and sexual violence in their own right

The effects of family, domestic and sexual violence on children and young people are wide-ranging and include poorer physical and mental health, poorer social and economic functioning, and higher mortality¹. Children with six or more adverse childhood experiences (mainly forms of abuse and neglect) can expect to live 20 years less than children experiencing none². The social and economic consequences of child abuse include drug and alcohol abuse, involvement in crime and violence, lower educational attainment, poor employment outcomes, and unstable housing³.

Children and young people play a key role in breaking intergenerational cycles of family, domestic and sexual violence as part of a broader prevention agenda and attitudinal change, but also because their own experiences can impact into adulthood. As the numbers of women experiencing family, domestic and sexual violence continue to increase, so too are the numbers of children and young people. In many settings however, children and young people experiencing family, domestic and sexual violence continue to be seen as secondary or are not visible at all. A [recent article](#) published by the ABC presents the experience of one young person growing up with family, domestic and sexual violence. He expresses his view that "...in family violence, kids go unvoiced." It is significant that only one of this Inquiry's Terms of Reference refers to children and yet a significant number of children and young people are victims and survivors⁴.

Former National Children's Commissioner, Megan Mitchell, has previously called for a move away from seeing the needs of children only in the context of the needs of the parent escaping family and domestic violence, to one of responding to children **in their own right** and addressing their specific therapeutic needs⁵. Such an approach would be additional to those that work with women and their children together. There is significant evidence that positive outcomes for mother and child can be achieved by restoring and repairing the mother/child relationship disrupted by the father's abuse. For some children and young people experiencing family, domestic and sexual violence however, their individual needs may extend beyond those that can be met by better supporting parents. Considering their needs as victims and survivors in their own right will enable a more holistic and timely assessment of need and service response.

Ms Mitchell's key findings and recommendations from a national investigation into the impact of family and domestic violence on children, conducted in 2015, are still relevant and should be revisited through this Inquiry. [62 submissions](#) were received by the Australian Human Rights Commission (AHRC) to inform the findings in the report. An [update of progress](#) against the report's recommendations provided on the AHRC website indicates progress has been made against three from a total of 16.

The Final Report of the Council of Australian Governments Advisory Panel on Reducing Violence against Women and their Children (the COAG Advisory Panel) also recommended that children and young people be recognised as victims of violence against women⁶. The Panel recommended:

¹ World Health Organization and International Society for Prevention of Child Abuse and Neglect (2006); Gilbert, R., Spatz Widom, C., Browne, K., Fergusson, D., Webb, E. and Janson, J. (2009); Wang, CT & Holton, J (2007); Cited in *Queensland Child Protection Commission of Inquiry (2013). Taking Responsibility: A Roadmap for Queensland Child Protection*. Accessible at <http://www.childprotectioninquiry.qld.gov.au/publications/index.html>.

² Ibid.

³ Ibid.

⁴ Noble-Carr, D., Moore, T., & McArthur, M. (2020). *Children's experiences and needs in relation to domestic and family violence: Findings from a meta-synthesis*. *Child & Family Social Work*, 25(1), 182-191. Accessible at <https://onlinelibrary.wiley.com/doi/full/10.1111/cfs.12645>

⁵ Australian Human Rights Commission (2015). *All I want is a life free from violence*. Accessible at https://humanrights.gov.au/sites/default/files/AHRC_Summary_Childrens_Rights_Report_2015.pdf.

⁶ COAG Advisory Panel on Reducing Violence against Women and their Children. Final Report (2015).

Research should also be carried out to improve trauma-informed responses to protect children and support them to build resilience, heal and rebuild relationships. (Page vii)

Research, and the design and delivery of services specifically for children and young people, should actively involve children and young people. (Page vii)

Only a small number of projects have been commissioned that specifically focus on the needs of children and young people as victims and survivors of family, domestic and sexual violence **in their own right**. It is unclear to what extent any recommendations or findings from these projects have been implemented.

The Royal Commission into Family Violence conducted by the Victorian Government in 2015 recognised children and young people as victims. Of the 227 recommendations, only seven reference children and/or young people. The Queensland Government commissioned the Queensland Child Protection Commission of Inquiry (QCPCI) that also recognised children and young people as victims. The report includes one reference to specialist counselling services for children including sexual abuse counselling, funded by the Queensland Government. We were unable to locate further details about these services. Other references to services to meet the needs of children and young people are made in the context of family and parenting support; safety responses such as statutory child protection and specialist family violence services; and other youth and adult-focussed services such as drug and alcohol and mental health services.

What the data tells us

The Australian Institute of Health and Welfare publishes annual national data provided by State and Territory Government departments responsible for child protection on numbers of children and young people up to age 17 who are exposed to, or experiencing emotional abuse that includes exposure to family violence⁷. In its most recent report released in March 2020, between 2014–15 and 2018–19, the rates of children who were the subjects of substantiations for emotional abuse were the highest of all types of abuse or neglect, and showed the greatest increase of all types of abuse or neglect (from 3 to 5 per 1,000 children) over this time⁸. AIHW data found that emotional abuse and neglect were the most likely types to co-occur.

Using figures identified through 2018 Recorded Crime—Victims data and the AIHW National Hospital Morbidity Database, for the 6 States and Territories that had assault data available, around 3,900 assaults against children aged 0–14 in 2018 were considered family violence. More than half of these (55%) were for children aged 10–14. Except for Tasmania, rates of assault for children aged 10–14 were double or more the rates of children aged 0–9 for all states and territories⁹. A report published by the Australian Institute of Criminology analysed data from Tasmania and Victoria that showed that 17% of ambulance attendances for victims of other family violence (not intimate partner) were to children and youth under the age of 18 years and also found that the same group was the aggressor in 31% of aggressor-related other family violence attendances¹⁰.

Accessible at

<https://www.coag.gov.au/sites/default/files/communique/COAGAdvisoryPanelonReducingViolenceagainstWomenandtheirChildren-FinalReport.pdf>

⁷ AIHW (2020). *Child Protection Australia*. Accessible at <https://www.aihw.gov.au/reports/child-protection/child-protection-australia-children-in-the-child-protection-system/contents/introduction>

⁸ AIHW (2020). *Australia's Children*. Accessible at <https://www.aihw.gov.au/reports/children-youth/australias-children/contents/justice-and-safety/children-exposed-to-family-violence>

⁹ Ibid.

¹⁰ Scott D., Heilbronn C., Coomber K., Curtis A., Moayeri F., Wilson J., Matthews S., Crossin R., Wilson A., Smith K., Miller P., Lubman D. (Australian Crime Commission 2020). *The feasibility and utility of using coded ambulance records for a violence surveillance system: A novel pilot study*. Accessible at https://www.aic.gov.au/sites/default/files/2020-05/ti595_feasibility_and_utility_of_using_coded_ambulance_records_for_a_violence_surveillance_system.pdf

These statistics are of great concern and are continuing to track in the wrong direction. We know however, that estimates based on child protection data vastly underestimate the extent of the problem and, by extension, the social, emotional and economic costs for children, young people and families, on Australian society and on the economy¹¹. The Productivity Commission calculated the total recurrent expenditure on child protection, care services, family support services and intensive family support services alone in 2018-19 was \$6.5 billion nationally - a real increase of 9.5% from 2017-18¹².

Notifications made to other organisations, such as the police or non-government welfare agencies, are included in AIHW data **only if** these notifications were also referred to departments responsible for child protection. The number of children and young people exposed to family, domestic and sexual violence and not notified at all, is unknown although findings from the Longitudinal Study on Australia's Children (LSAC) indicate that by the time children enter adolescence, more than **one in three** are in families where parents had reported Inter Parental Conflict (IPC). IPC is persistent for one in four of these children (reported as occurring both currently and in the past)¹³.

According to results from the [National Personal Safety Survey \(2016\)](#), 49% of victims of family, domestic and sexual violence by a current partner had children in their care at some time during the relationship and approximately 27% reported that these children had witnessed the violence. 61% of victims of violence by a previous partner also reported having children in their care at some time during the relationship and 36% said that these children had witnessed the violence. Indigenous young people are more likely to report having witnessed domestic violence than non-Indigenous groups.

Feedback from consultations on the successor plan to the National Framework

Families Australia, on behalf of the National Coalition and in partnership with SNAICC – National Voice for Our Children, recently led a series of national consultations on the successor plan for the National Framework that will come to end this year. Families Australia was strongly supported by State and Territory government officials through these consultations. The final report is currently being considered by the Minister for Families and Social Services, the Hon. Anne Ruston and the Minister for Families and Children, the Hon. Michelle Landry MP and has not yet been publically released. Summaries of jurisdictional consultations are available on the [Families Australia website](#).

A persisting theme to emerge through the consultations was for stronger linkages between the National Framework and the National Plan. Stakeholders called for specific actions to embed the principle '*Where children are involved, responses must be age appropriate, child-centred, and tailored to their specific needs and stages of development*' into policy and practice. They noted the significant variations across jurisdictions and across systems within jurisdictions in terms of the service responses from child protection and family violence systems to the needs of children and young people as victims and survivors **in their own right**. This echoes research by the Australian Institute of Family Studies (2014) that identified a significant need for better integration of services for children (and young people), including better communication and integration between family violence services and other systems including the child protection system, the state-based justice system, family support systems such as those that deliver maternal and child health services, and the education system¹⁴.

¹¹ Australian Child Maltreatment Study. Accessible at <https://www.australianchildmaltreatmentstudy.org/>

¹² Productivity Commission (2020). *Report on Government Services*. PC, Canberra. Accessible at <https://www.pc.gov.au/research/ongoing/report-on-government-services/2020/community-services>

¹³ Kaspiew, R., Horsfall, B., Qu, L., Nicholson, J. M., Humphreys, C., Diemer, K., Dunstan, J. (2017). *Domestic and family violence and parenting: Mixed method insights into impact and support needs: Final report*. (ANROWS Horizons 04/2017). Sydney: ANROWS. Accessible at <https://www.anrows.org.au/project/mixed-method-insights-into-impact-and-support-needs/>

¹⁴ AIFS CFCA (2015). *Children's exposure to domestic and family violence - Key issues and responses*. Accessible at <https://aifs.gov.au/cfca/publications/childrens-exposure-domestic-and-family-violence/conclusion>.

Overwhelmingly, participants in the consultations expressed a level of frustration that the two plans appeared to be operating in relative isolation. This was in spite of the strong intersections between family, domestic and sexual violence and the safety and wellbeing of children and young people; the commonality of many of the risk factors; and the need for trauma informed, therapeutic responses for both women **and their children**.

Responding to the intersections between child protection and family violence systems

The intersections between child protection and family violence systems are a prominent policy issue. A study by the Institute of Child Protection Studies (ICPS) at the Australian Catholic University (2020) sought to better understand the service system responses to children and young people exposed to domestic and family violence who come to the attention of a statutory child protection service in Queensland¹⁵.

Alcohol and other drug use and being a young parent (aged 14 to 21 years) emerged as key risk factors for family, domestic and sexual violence. The findings highlighted the barriers to children and young people accessing child-centred, trauma-informed services that meet their needs. It also highlighted limitations in the capacity and capability of child protection workers. The study found that referrals specifically for direct services for children and young people seemed to be the exception. Although it was expected that there may have been referrals to child-centred services such as supported playgroups, child care, or other therapeutic services to address trauma or other needs, this did not appear to be a strong theme. Rather, the focus was on services offered to the parents and the view that parents accessing services supported the needs of the children or young people in their care¹⁶.

The report draws a number of conclusions and implications for policy and service delivery, in particular, addressing the ideological, structural and practice differences between the child protection and family violence sectors that have created tensions that hinder collaboration. The *PATHways and Research In Collaborative Inter-Agency practice* (the PATRICIA Project)¹⁷, developed a practice framework to inform the child protection and domestic and family violence collaborative interface. This Framework relates specifically to the way in which domestic and family violence and child protection services work together to make decisions about referrals and who should respond to them and while this is welcome, the focus is on safety outcomes. What action has been taken in response to implementing the recommendations for policy and practice emerging from the whole project is not known.

Children and young people outside child protection and family violence systems

While a focus on children and young people within statutory child protection systems is critical, significant numbers of children and young people exposed to family, domestic and sexual violence are not in the child protection system. It can be assumed a high proportion of children and young people who have, or are, experiencing psychological harm and trauma as a result of family, domestic and sexual violence are not receiving adequate support to address their individual needs. As a consequence, these experiences are adversely impacting their development and opportunities for participation, and contributing to the intergenerational cycle of violence. This is likely to be even more pronounced for groups such as children and young people from migrant or refugee backgrounds, those with disability and Aboriginal and Torres Strait Islander children and young people, particularly those in rural and remote locations. There is a need to further understand the needs of these groups, what - if any - services they are accessing and what outcomes are being achieved.

¹⁵ Cahill, A., Stewart, J., Higgins, D. (2020). *Service system responses to children and young people in the statutory child protection system who have experienced or witnessed family violence*. Canberra: Institute of Child Protection Studies, Australian Catholic University. DOI: 10.26199/5e2fc4dd37b96. Accessible at https://www.acu.edu.au/-/media/feature/pagecontent/richtext/about-acu/institutes-academies-and-centres/icps/docs/service-system-responses-in-statutory-child-protection_family-violence_feb2020.pdf?la=en&hash=43E90FEDE58C5838DDE52DFC889498CE

¹⁶ Ibid.

¹⁷ Connolly, M., Healy, L. and Humphreys, C. (2017). *The Collaborative Practice Framework for Child Protection and Specialist Domestic and Family Violence Services: Key findings and future directions*. (ANROWS). Accessible at https://d2rn9gno7zhxgq.cloudfront.net/wp-content/uploads/2019/02/19024349/Patricia_Compass.pdf

In reality, multiple systems intersect around the needs of women **and their children** experiencing family, domestic and sexual violence and consideration must be given to developing and implementing effective models of child-centred collaboration to support outcomes.

Gaps in service provision for children and young people as victims and survivors in their own right

Gaps in services available for children and young people exposed to, or experiencing, family, domestic and sexual violence have been identified in the research. For example:

- A study into violence prevention and early intervention for mothers and children with disability found that many mothers interviewed in the study had difficulty accessing services they were entitled to, and had to navigate multiple service systems. Although referrals and other supports for their children are often sought by mothers, children were not a target group for support¹⁸.
- ICPS identified a gap in specialist services for children and young people in the statutory child protection service in Queensland: long waiting lists; a lack of age appropriate services for young children; and/or lack of ongoing support beyond a short-term response, such as that provided through mental health or hospital services¹⁹.
- The QCPCI report identified counselling services for Aboriginal and Torres Strait Islander children as a gap in relation to mental health support²⁰
- The QCPCI recommended a stocktake of current family intervention and support services in order to identify what services are out there and what is missing²¹.

A service stocktake and gap analysis across all jurisdictions, including the Commonwealth, would enable a better understanding of the national picture and inform a national policy response.

The need for better integration of services and responses

An integrated cross-sector approach is cited as best practice for working with children and young people, and families affected by domestic violence, given that, in cases of domestic violence the safety of children is interwoven with that of the adult victim/survivor²². While the family violence and child protection service systems have undergone some reform to help drive a more integrated, multisectoral approach, fragmentation and responses driven by crises persist. While some State and Territory governments are introducing systems and approaches to better integrate services and drive a family-centred approach inclusive of children and young people, these efforts are still developing and continue to face hurdles.

For example, Family Safety Victoria (FSV) is establishing 17 support and safety hubs throughout the state in response to a recommendation of the Victorian Royal Commission into Family Violence²³. These hubs aim to provide a more holistic view of clients' needs by bringing together workers from specialist family violence services, family services, Aboriginal services, and services for men who use violence. A recent review of the five hubs currently operating in the state by the Victorian Auditor General's Office included a finding that:

'A key challenge for FSV has been the conflicting views of stakeholders about how hubs should operate, and the level of service integration required. For example, specialist family violence services have argued that the expanded role of child and family services in hubs has diluted the focus on women victim survivors.

¹⁸Robinson, S., valentine, k., Newton, B. J., Smyth, C., & Parmenter, N. (2020). *Violence prevention and early intervention for mothers and children with disability: Building promising practice* (Research report, 16/2020). Sydney: Accessible at <https://www.anrows.org.au/publication/violence-prevention-and-early-intervention-for-mothers-and-children-with-disability-building-promising-practice/>

¹⁹ Ibid.

²⁰ Queensland Child Protection Commission of Inquiry (2013). Op Cit.

²¹ Ibid.

²² Cahill, A., et.al (2020). Op. Cit.

²³ Victorian Government (2016). *Royal Commission into Family Violence Final Report*. Accessible at <http://rcfv.archive.royalcommission.vic.gov.au/Report-Recommendations.html>

In contrast, child and family services practitioners consider that hubs are too focused on family violence, at the expense of child wellbeing²⁴.

While efforts are underway to resolve this issue, it gives further weight to the importance of strong and effective mechanisms at policy, program and practice levels that will actively bring sectors together and enable effective collaboration to meet the needs of both women **and their children**. This was also an area of focus under the National Framework Second Action Plan 2012-15²⁵.

The need for scaling up investments

Supporting the implementation of the National Framework, funds from a comparatively limited budget were allocated by the Commonwealth and State and Territory governments in activities that sought to build the capacity and capability of adult focussed services to adopt child-centred approaches. For example, the Building Capacity Building Bridges (BCBB) project²⁶ committed \$1 million over three years to build workforce capacity around the needs of children and young people and strengthen collaboration between adult-focused and child and family-focused services to change the way clients with multiple needs experience the service system. Despite its positive evaluation²⁷, there is little evidence that it has been implemented at scale. Similarly, the Child Aware Local Initiative that grew out of BCBB remained a one-off pilot that ceased in 2016, despite its low cost and positive evaluation²⁸. Child Aware Principles and a Good Practice Guide were also developed by AIFS to help social services – including adult-focussed services – to put the needs, views and aspirations of children and young people at the centre of action however, it is not known what level of uptake and impact these resources have had²⁹.

Many of these significant investments continue to be lost once funding ceases. Although there are examples of good practice across sectors that focus on the needs of children and young people, they are often location based with limited availability. There are a number of resources and tools developed for use by practitioners more broadly however, it is not clear how widely these tools have been integrated into practice, in what sectors and with what results. A workforce development stream is needed to enhance the quality and consistency of service delivery and improve outcomes.

A critical role for the successor plans for the National Framework and National Plan

A national policy agenda that recognises children and young people as victims of family, domestic and sexual violence **in their own right** and that coordinates appropriate responses across sectors is needed to address the

²⁴ Victorian Auditor General's Office, May 2020. *Managing Support and Safety Hubs*. Accessible at https://www.audit.vic.gov.au/sites/default/files/2020-05/20200527-Support-Safety-Hubs-report_0.pdf

²⁵ Australian Government Department of Social Services (2012). *Protecting children is everyone's business. National Framework for Protecting Australia's Children 2009-2020 Second Three Year Action Plan 2012-15*. Accessible at <https://www.dss.gov.au/our-responsibilities/families-and-children/programs-services/protecting-australias-children>

²⁶ University of South Australia (2013). *Protecting and Nurturing Children: Building Capacity, Building Bridges*. Accessible at <https://www.unisa.edu.au/research/Australian-Centre-for-Child-Protection/Training-and-Coaching/Protecting-and-Nurturing-Children-Building-Capacity-Building-Bridges/#:~:text=Protecting%20and%20Nurturing%20Children%3A%20Building%20Capacity%20Building%20Bridges%20was%20a,when%20vulnerable%20families%20seek%20assistance.>

²⁷ Gibson, C., Francis, H., McDougall, S., Arney, F., Grauwelman-Smith, R., Parkinson, S. (2015). *The Evaluation of the Protecting and Nurturing Children: Building Capacity, Building Bridges Initiative*. Accessible at <https://m.library.unisa.edu.au/siteassets/epi-server-6-files/global/eass/research/accp/2015-final-evaluation-report-bcbb-27th-feb-2015.pdf>

²⁸ Australian Centre for Child Protection and Families Australia (2016). *Child Aware Local Initiative Report*. Accessible at <https://familiaustralia.org.au/wp-content/uploads/2018/04/FINAL-CALI-Review-Report.pdf>

²⁹ Hunter, C. Price-Roberston, R. (2014). *The good practice guide to Child Aware Approaches: Keeping children safe and well*. Accessible at <https://aifs.gov.au/cfca/publications/good-practice-guide-child-aware-approaches-keeping-children-safe-and-well>

current service and capability gaps and shortfalls. This is a critical role for the successor plans for the National Framework and National Plan.

Continuing to engage and better coordinate effort and investment across all jurisdictions will maximise leverage, reduce fragmentation, improve efficiency and deliver better outcomes. There must be a clear and logical delineation of responsibilities and identification of synergies between both plans.

The successor plan to the National Framework due to commence in 2021 provides a key opportunity for action to improve responses for children and young people in, or at risk of entering, child protection systems who have experienced family, domestic and sexual violence. The Commonwealth, State and Territory governments and the non-government sector must work together to drive this change. Further attention must also be given to improving service responses to children and young people outside the child protection system who are experiencing violence by building the capacity of workers in mainstream as well as specialist/specialised services to identify, respond and treat earlier, and more effectively. While there have been some investments made under the National Framework to build workforce capability around the needs of children and young people, it is not clear what level of uptake and how broadly these tools are being utilised³⁰. It is also not clear how funding agreements for service providers by Commonwealth, State and Territory governments are being used to better leverage these investments. Funding agreements provide a useful tool to help embed research and evidence into practice and drive more consistent approaches.

The National Plan must play a similar, complementary role to improve responses and outcomes for children and young people in the family, domestic and sexual violence service sector. Apparent tensions between some sectors in relation to service delivery and expertise will need to be addressed as part of this process³¹.

Evaluations of the National Framework Third and Fourth Action Plans and the Fourth Action Plan of the National Plan may identify opportunities for both successor plans to work more effectively and coherently together into the future.

While it is encouraging to see that the Prime Minister has announced women's safety will continue to be a priority under the recently announced National Federation Reform Council, it is essential that the safety and wellbeing of children and young people, including in the context of family and domestic violence policy, is recognised as an important priority.

The role of the National Office for Child Safety

The National Office for Child Safety (NOCS) was established within the Department of the Prime Minister and Cabinet to lead the development and implementation of national priorities recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse. Given its remit includes working across governments and sectors, to deliver national policies and strategies to enhance children's safety and reduce future harm to children³², consideration could be given to any role NOCS could play as part of a joined up approach to policy to recognise children and young people as victims and survivors of family, domestic and sexual violence **in their own right**.

³⁰ Australian Catholic University (2018). *Kids Central Toolkit*. Accessible at <https://www.acu.edu.au/about-acu/institutes-academies-and-centres/institute-of-child-protection-studies/kids-central-toolkit>

³¹ Australian Women Against Violence Australia (2019). Media release. *\$10 million for 'Specialised Family Violence Services': why are women's safety advocates so concerned about it?* Accessible at <https://awava.org.au/2019/04/15/blog/10million-for-specialised-fvservices-why-are-womens-safety-advocates-so-concerned>

³² Australian Government Department of the Prime Minister and Cabinet. Website. Accessible at <https://pmc.gov.au/domestic-policy/national-office-child-safety>

Elevating the voices of children and young people and other key stakeholders

The voices of children and young people with lived experience must be elevated into policy, program and service delivery along with other key stakeholder representatives including Aboriginal and Torres Strait Islander women, children and young people, and families; women and children and young people from migrant and refugee backgrounds and those experiencing disability. The unique perspectives of mothers whose children have been removed by child protection authorities as a result of domestic, family or sexual violence must also be included. These experiences cross child protection, family violence, homelessness, legal and family support systems and provide useful insights into how systems can work more effectively together to deliver better outcomes.

More research is needed that engages directly with children and young people. While it is acknowledged that this may present additional challenges in terms of ethics approvals, resources and time frames, it is not sufficient for the needs and views of children and young people experiencing family, domestic and sexual violence to be represented through adults. Children and young people must be participants in research **in their own right**.

Recommendation 1

That governments commit to strengthen coordination of effort under the successor plans for the National Plan and the National Framework through specific complementary actions and a coherent narrative that recognises the distinct but connected experiences of women and of children and young people.

Recommendation 2

That children and young people are consistently recognised as victims of family, domestic and sexual violence **in their own right** in all policy, programs, service delivery and practice, with voices, views and agency of their own. This must include those focused on adult service delivery and be cross-sectoral, including family, domestic and sexual violence; maternal and child health; health and mental health; alcohol and other drug; housing and homelessness; education; justice; disability; migrant and refugee services; child protection and family support.

Recommendation 3

That consideration is given to what role the incoming National Children's Commissioner and State and Territory Children's Commissioners and Guardians could play in supporting the recognition of children and young people as victims of family, domestic and sexual violence **in their own right** in policy, programs, service delivery and practice.

Recommendation 4

That consideration is given to what role, if any, the National Office for Child Safety and can play in supporting the development and implementation of national policy that recognises children and young people as victims of family, domestic and sexual violence **in their own right**.

Recommendation 5

That the safety and wellbeing of children and young people is a priority under the National Federation Reform Council.

Recommendation 6

That there is a specific focus in planning, policy and programs on how to build cross-sectoral capacity and service collaboration that enables the implementation of holistic, child-focussed, ongoing support to ameliorate trauma and help break intergenerational cycles of violence and associated disadvantage.

Recommendation 7

That the voices of children, young people, women, community elders and those with lived experience of family, domestic and sexual violence are included in the design and implementation of policy, program, service delivery, and practice development.

Recommendation 8

That robust monitoring and evaluation of policy, program, service delivery and practice complements investments in research and research translation activities to drive effective implementation and continuous improvement in services for children and young people.

Recommendation 9

That the successor National Plan, working in tandem with the successor plan for the National Framework, continues to support the implementation of place-based, community led approaches to reduce family, domestic and sexual violence against women **and their children**, particularly in Aboriginal and Torres Strait Islander communities.

Recommendation 10

That Governments conduct a stocktake and gap analysis of support services available across all jurisdictions for women **and their children**, and for children and young people, who are experiencing family, domestic and sexual violence to identify what therapeutic services are provided for children and young people **in their own right**.

Recommendation 11

That the results of this gap analysis inform future funding decisions and service delivery reforms to improve outcomes for children and young people, including the establishment and implementation of models of care based on service integration and cross-sectoral collaboration.

Recommendation 12

That the Committee consider the findings and recommendations of the Australian Human Rights Commission Report (2015) *All I want is a life free from violence* in its deliberations.

- (f) [The adequacy of the qualitative and quantitative evidence base around the prevalence of domestic and family violence and how to overcome limitations in the collection of nationally consistent and timely qualitative and quantitative data including, but not limited to, court, police, hospitalisation and housing.](#)

Investment in national level data sets is required to help understand the scale of family, domestic and sexual violence in Australia and track progress over time

Noting the limitations of AIHW child protection, crime and hospital data as a true estimate of children exposed to domestic and family violence, the Australian Child Maltreatment Study (ACMS), funded by the National Health and Medical Research Council, is seeking to identify how many Australians in the general population have been exposed to each of the five types of child abuse and neglect including exposure to domestic violence. The ACMS will use computer assisted telephone interview surveys to interview 10 000 every day Australians (including 5000 young people aged 16-24) about their historical childhood exposure to maltreatment.³³ This will supplement prevalence data provided through the Personal Safety Survey administered by the Australian Bureau of Statistics (ABS). This survey, administered to adults over 18 years of age, includes a question about men's and women's experiences of witnessing violence between a parent and partner **before the age of 15**³⁴. These data projects will provide valuable information to help inform public debate about violence and the further development of policies and programs aimed at reducing the prevalence of violence.

³³ Matthews, B. et.al. (2019). *Australian Child Maltreatment Study*. Accessible at <https://www.australianchildmaltreatmentstudy.org/>

³⁴ Australian Bureau of Statistics (2016). *Personal Safety Survey*. Accessible at <https://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4533.0~2018~Main%20Features~Personal%20Safety%20Survey~24>

Opportunities to build on data development work already underway

The National Data Collection and Reporting Framework (DCRF) developed by the Australian Bureau of Statistics (ABS) will be a significant step towards improving the organisation and consistency of data about experiences of family, domestic and sexual violence assuming it is on track to be operationalised in 2022³⁵.

Former National Children's Commissioner, Megan Mitchell, also made a number of recommendations in relation to data in her report, mentioned previously to ensure data collected on violence against women includes information on children and young people and their experiences as direct and indirect victims of violence. She noted that, where appropriate, specific data on diverse groups of children and young people should be collected³⁶.

Families Australia notes the AIHW is undertaking a range of activities to improve the identification and collection of family, domestic and sexual violence in a number of the data collections for which it is custodian: National Non-Admitted Patient Emergency Department Care; Specialist Homelessness Services; National Perinatal Data Collection; and the Child Protection National Minimum Data Set. AIHW is a key stakeholder in the National Framework in relation to data development and has identified a number of data gaps and opportunities to improve data collections, including outcomes data. These recommendations could be considered by the Committee³⁷.

The importance of local level data

Local level data is particularly important to support place-based approaches and provide evidence supporting the scaling up of programs and initiatives or the discontinuation of those that are not working. Local level data can also be a very powerful tool to support cross-sectoral collaboration and integrated approaches, additional to policies, infrastructure and workforce training and development initiatives to drive cultural change.

AIHW has contracted [Turning Point](#) under the National Suicide Surveillance Project to support the development of a National Ambulance Surveillance System for Overdose and Suicidal Behaviour. Ambulance data provide geographic coordinates that can provide details of family, domestic and sexual violence at a local level. It also captures events that are not attended by police³⁸. Surveillance data on injury, suicide, mental health, alcohol and drug can all feed into a better understanding of the complexities of family violence and the impact on children and young people.

The need to track medium and long-term outcomes for children and young people, as well as women

Data linkage opportunities should also be leveraged to track long-term outcomes for victims and survivors, including children and young people, across education, employment, health, housing and justice. Despite their intersectionality with family, domestic and sexual violence and the importance of tracking outcomes for children and young people who are victims and survivors of family, domestic and sexual violence, this data is not sufficiently linked and children and young people continue to fall through the cracks. It is not sufficient to rely on child protection data linkage as a single means of tracking outcomes as this captures only a limited number of children and young people.

Investment in ongoing, collaborative data development work must continue over the long term, noting the vital role of accurate and timely statistics in developing and implementing effective policies and programs.

³⁵ Australian Bureau of Statistics (2014). *Foundation for a National Data Collection and Reporting Framework*. Accessible at

<https://www.abs.gov.au/ausstats/abs@.nsf/Lookup/by%20Subject/4529.0.00.003~2014~Main%20Features~The%20Foundation%20for%20a%20National%20Data%20Collection%20and%20Reporting%20Framework~3>

³⁶ Australian Human Rights Commission (2015). Op. Cit.

³⁷ AIHW (2020). *Family, domestic and sexual violence in Australia 2019*. Accessible at <https://www.aihw.gov.au/getmedia/b0037b2d-a651-4abf-9f7b-00a85e3de528/aihw-fdv3-FDSV-in-Australia-2019.pdf.aspx?inline=true>

³⁸ Scott et. al. (2020). Op Cit.

This work must be appropriately resourced as a shared responsibility by Commonwealth, State and Territory governments, and informed by relevant experts and key stakeholders across sectors so as to strengthen the evidence base. It must also be seen as contributing to breaking the cycle of violence by informing the design, and helping to measure the effectiveness of, services for children and young people.

Recommendation 13

The data capability and expertise of both the ABS and AIHW should continue to be leveraged including on methods to support the capture of local level data, including surveillance data.

Recommendation 14

That data collected on violence against women includes information on children and young people and their experiences as direct and indirect victims of violence. Where appropriate, specific data on diverse groups of children and young people, and on associated risk factors such as mental health, alcohol and other drug and justice system involvement, should be collected.

Recommendation 15

That there are appropriate levels of investment in data linkage projects to track and report on long-term outcomes for victims and survivors of family, domestic and sexual violence including children and young people.

Recommendation 16

That qualitative and survey data includes children and young people as contributors **in their own right**.

- i) **The impact of natural disasters and other significant events such as COVID-19, including health requirements such as staying at home, on the prevalence of domestic violence and provision of support services.**

Evidence emerging from frontline services

There is emerging evidence that domestic and family violence frontline services are experiencing increasing case numbers and complexity since the outbreak of the COVID-19 pandemic³⁹.

A heightened risk of witnessing or experiencing high levels of conflict or violence in the home is almost certain to be one of the adverse impacts of this pandemic on children and young people⁴⁰. The Australian Institute of Criminology recently reported on the findings from an online survey of 15,000 women about their experience of domestic violence during the initial stages of the COVID-19 pandemic⁴¹. In summary:

- For many women, the pandemic coincided with the onset or escalation of violence and abuse.
- Two-thirds of women who experienced physical or sexual violence by a current or former cohabiting partner since the start of the COVID-19 pandemic said the violence had started or escalated in the three months prior to the survey.
- Many women, particularly those experiencing more serious or complex forms of violence and abuse, reported safety concerns were a barrier to help-seeking.

³⁹ Prime Minister, Minister for Foreign Affairs and Women, Assistant Minister for Health, Minister for Families and Social Services (29 March 2020). Media release. *\$1.1 billion to support more mental health, Medicare and domestic violence services*. Accessible at <https://www.pm.gov.au/media/11-billion-support-more-mental-health-medicare-and-domestic-violence-services-0>

⁴⁰ Human Rights Watch (2020). *COVID-19's devastating impact on children: Governments should mitigate harm, protect most vulnerable*. April 9. Accessible at: <https://www.hrw.org/news/2020/04/09/covid-19s-devastating-impact-children>

⁴¹ Boxall, H., Morgan, A. and Brown, R. *The prevalence of domestic violence among women during the COVID-19 pandemic*. Australian Institute of Criminology (July 2020). Accessible at <https://www.aic.gov.au/publications/sb/sb28>

- Significantly:
 - 54.7 percent of respondents had **at least one child with their partner** (average 2.1 children);
 - 40.5 percent had **at least one child living with them**, either full time or part time (average 1.8 children which equates to an averaged total of 6,075 children); and
 - 3.6 percent said they were pregnant at the time of completing the survey

In addition, school, child care, and maternal and child health shutdowns, along with widespread self-isolation by grandparents, mean there have been fewer eyes on children and young people to ensure they are safe.

For young parents aged between 14 and 21 years this is particularly concerning given the research evidence that young parents in this age cohort are already at increased risk of family, domestic and sexual violence.

We know young people are being heavily impacted by COVID-19 in relation to social restrictions, job loss, disruptions to education and training and concerns for their future. There is anecdotal evidence that some children and young people who have been living in situations of ongoing family, domestic and sexual violence are seeking advice from helplines specifically for management strategies. As a result of restrictions imposed under COVID-19 these children and young people have been unable to use their usual management strategy - that is, to remove themselves from the environment or violence.

Reliable quantitative and qualitative data will be essential to understand the full scale of impact of COVID-19 on the rate and severity of family, domestic and sexual violence. AIHW is compiling data on the use of mental health services and from the various crisis help lines, as well as data on the use of homelessness services to help inform the broader COVID-19 response. They are also working closely with the Children and Families Secretaries Group⁴² on data that will assist in understanding interdependencies between the economic and social impacts of COVID-19 and child abuse and neglect⁴³. There is also a need to consider data sources that may be 'atypical' to identify family, domestic and sexual violence such as ambulance and injury surveillance data.

What the media and some of our stakeholders are saying

Families Australia conducted an environmental scan on the emerging impacts of COVID-19 with a particular focus on children and young people across media, with some State and Territory government officials and a select number of National Coalition members.

Some State and Territory government officials expressed some concerns that, given the clear correlation between unemployment and underemployment and other disadvantage, they may see substantiated notifications for families new to child protection systems as a result of COVID-related job loss and economic stressors. They are also concerned about the likely escalation in both incidence and severity of family, domestic and sexual violence, as well as increasing numbers of children, young people and families who were not previously considered vulnerable, now falling into this category.

National Coalition members who are service providers expressed concerns about the impact of increasing demand for services specifically for children and young people in the context of limited services already being available and long waiting lists. They were also concerned that, given previous recessions tell us [recovery may be slow](#) and some parents will experience prolonged unemployment and underemployment, many women **and their children**, and children and young people, will continue to be at risk. [SNAICC – National Voice for our Children](#) has expressed a concern that over the course of the lockdowns vulnerable Aboriginal and Torres Strait Islander children are being lost in the child protection system. They suspect this may continue through the recovery period.

⁴² Commonwealth, state and territory ministers responsible for children and families meet to discuss and progress areas of shared interest outside the formal National Federation Reform Council system.

⁴³ AIHW (March 2020). *How the AIHW is assisting the COVID-19 response*. Accessible at <https://www.aihw.gov.au/news-media/news/2020-1/march/covid-19>

The need for service responses beyond family violence, child protection and mental health

While there have been increased investments in family violence and mental health services for children and young people as a result of the COVID-19 pandemic, ongoing, age-appropriate psychological and emotional support, particularly for younger children up to age 12 years, beyond a safety or parenting-focussed response must be considered.

Whilst the negative impacts of the COVID-19 pandemic are cause for concern, there have also been some positive developments. These are evident in changes to policies and practice across jurisdictions to overcome barriers to service delivery for at-risk groups, imposed by physical distancing and social isolation requirements.

For example, some jurisdictions are updating practice guidelines to require workers to have more frequent contact with young people leaving care through SMS, phone and/or telehealth and closer monitoring of their safety and wellbeing. Some are providing young people with in-camera technology to facilitate visual contact and as a means of assessing health and wellbeing. The use of online tools and apps including self-assessment questionnaires has also emerged as an effective way to engage with young people leaving care and provide opportunities for them to express their concerns.

The pandemic has also highlighted the importance of collaboration between service providers and child protection workers – as well as communication and collaboration with children and families – and the need for this to continue as standard practice.

Further research is required to understand the impacts of COVID-19 on women **and their children**, and on children and young people, to inform policy, service delivery and practice responses in the medium to long term and any future disaster preparedness strategies. This should include research that targets children and young people directly. The National Children's Commissioner could be engaged to undertake some of this work, building on the 2015 report, *All I want is a life free from violence*. There are a range of academic institutions with relevant expertise that could also be considered to contribute to this research.

Recommendation 17

That national and jurisdictional policy responses to the impact of COVID-19 on women and their children who have, or are, experiencing family, domestic and sexual violence extend beyond the shorter-term safety and child protection responses.

Recommendation 18

That the capacity and capability of mainstream as well as specialist service providers is enhanced to meet the ongoing needs of women **and their children**, and children and young people **in their own right**, noting the complexity of issues is likely to have increased. The role and capacity of Specialised Family Violence Services in meeting the needs of children and young people **in their own right** should be further explored.

Recommendation 19

That the role of technology is leveraged to help improve access to appropriate support and treatment services for children and young people experiencing family, domestic and sexual violence, particularly those in regional, rural and remote locations.

Recommendation 20

That collaboration between service providers and child protection workers – as well as communication and collaboration with children and young people, and families – established during the COVID-19 pandemic continue as standard practice.

Recommendation 21

That learnings and innovations from the COVID-19 pandemic for women **and their children**, and children and young people **in their own right** are shared across all jurisdictions and with the non-government sector and considered in policy, program and practice.

Recommendation 22

That quality, ethical research is undertaken to help understand the impacts of COVID-19 on women **and their children** and children and young people who are at risk of, or experiencing, family, domestic and sexual violence to inform appropriate policy responses and preparations for future natural disasters and significant events.

k) An audit of previous parliamentary reviews focussed on domestic and family violence.

Research undertaken by Families Australia in the preparation of this submission has exposed the inadequacy of current policy and services to meet the needs of children and young people who are experiencing or escaping family, domestic and sexual violence, with or without a parent, **in their own right**. This includes services provided by statutory child protection authorities. An audit of previous parliamentary reviews must include a review of all previous findings and recommendations that address the specific therapeutic and ongoing support needs of children and young people, not as secondary through services for the non-offending parent, but as victims and survivors **in their own right**.

Recommendation 23

That an audit of previous parliamentary reviews include a specific focus on recommendations to address the specific needs of children and young people as victims and survivors of family, domestic and sexual violence **in their own right** and that the Inquiry consider what, if any, action has been taken in response to these recommendations.

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