



JESUIT SOCIAL SERVICES

SUBMISSION

To the Victorian Royal Commission into Family Violence

May 2015

For further information, contact:

Julie Edwards, CEO, Jesuit Social Services

Tel: 03 9421 7600 Email: jss@jss.org.au

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Jesuit Social Services

Jesuit Social Services is a social change organisation with a vision of building a just society. We work to build a just society where all people can live to their full potential - by partnering with community to support those most in need and working to change policies, practices, ideas and values that perpetuate inequality, prejudice and exclusion. Our service delivery and advocacy focuses on the following key areas:

- justice and crime prevention - for people involved with the criminal justice system
- mental health and wellbeing - for people with multiple and complex needs and those affected by trauma, suicide, and complex bereavement
- settlement and community building - for recently arrived immigrants, refugees, displaced people and disadvantaged communities
- education, training and employment - for people with barriers to sustainable employment.

Introduction

Jesuit Social Services welcomes the opportunity to contribute to the Victorian Royal Commission into Family Violence. Jesuit Social Services views the development of safe and supportive environments for all citizens as integral to a healthy, productive and just society.

While our services are not family violence specific, the impact of family violence is present across all our programs, which include participants who have experienced violence and those who use violence, as well as with people who are *both* victims and perpetrators of violence. This diversity of work has meant we have direct experience of the gaps in responses to family violence.

Our programs include work with:

- men exiting prison, including serious violent offenders and sex offenders, some of whom use violence against their family members
- women exiting prison, who have typically experienced abuse and violence from intimate partners, as well as often having experienced abuse and neglect as children; many also have children of their own
- young people with co-existent mental health and substance abuse problems, many of whom have either been subject to or have witnessed family violence
- children and young people in the youth justice system, many of whom have experienced family violence, and some of whom use violence in their families or with intimate partners
- children who have experienced violence in the home, and
- newly arrived migrants, refugees and asylum seekers, some of whom are struggling with issues of violence in the home.

This work continues to highlight the far-reaching and traumatic impact of family violence on individuals. We see first-hand the consequences of family violence on people's mental health and

substance use, the connections between alcohol and substance use and violence occurring, and the contribution that family violence makes to homelessness. Working in the justice context, we also observe how family violence is part of a context that directly and indirectly contributes to criminal behaviour.

We provide this submission with the hope that it will add to the knowledge about how the justice system and services can work in a more integrated and coherent way to prevent violence against women and children and to keep them safe.

Whilst we commence our submission with an examination of the broad social and cultural context in which family violence occurs and the need for change, much of our discussion focuses on the vulnerabilities and particular experiences of our client groups with respect to family violence. Through this lens we explore the gaps and opportunities for better responding to perpetrators of family violence, examine the issues faced by women exiting prison, the rationale for greater intervention with young people and lastly the family violence issues as they pertain to our work with asylum seeker communities.

A full description of our programs is provided as an appendix (**Appendix 1.**).

Addressing the social and cultural context of family violence

As the RCFV Issues Paper identifies family violence can be used by any member of a family against another, however violence is far more likely to be used by men against women and children. We know that many factors can either exacerbate or lessen family violence¹ but that inequality between men and women is a key determinant. This inequality both creates conditions which encourage violence to occur, and also makes it more difficult for women and children to escape violence.

The 2013 National Community Attitudes Towards Violence Against Women Survey (NCAS) found that most people see violence against women as due to some men being unable to manage their anger, and that one in five believes that there are circumstances in which women bear some responsibility for violence.² This indicates a disturbing level of acceptance of gendered violence in our community and reflects a context in which aggressive forms of masculinity are not only tolerated but rewarded and celebrated in our society.

While there have been very positive signs of cultural change in Australia, including community education campaigns to prevent family violence and strong leadership from male leaders such as former Police Commissioner Ken Lay, there is still a long way to go to change entrenched attitudes that contribute to, and excuse violence.

¹ VicHealth, 2006 *Preventing Violence Before It Occurs* At <https://www.vichealth.vic.gov.au/media-and-resources/publications/preventing-violence-before-it-occurs>

² VicHealth, *National community attitudes towards violence against women survey*, 6 September 2014. At <https://www.vichealth.vic.gov.au/media-and-resources/publications/2013-national-community-attitudes-towards-violenceagainst-women-survey>

Changing these attitudes and creating a more equal society that better values women and promotes respectful non-violent behaviour is critical to preventing family violence.

1. Recommendation: Addressing the cultural context of family violence

Jesuit Social Services recommends the Victorian Government develop a whole of community family violence prevention strategy to tackle the societal and cultural factors that contribute to family violence that includes:

- targeted, age-specific and culturally relevant approaches for Aboriginal Victorians and CALD communities
- respectful relationships curriculum in Victorian schools, and
- a robust evaluation process to measure the extent of cultural change and inform the development of subsequent strategies as required over time.

Effectively responding to family violence in the community

Responses to family violence in Victoria at present primarily focus on family violence victims with a limited set of services in place to support women and children to leave violence. In the justice system, civil intervention orders are the most common tool used. Often the criminal justice system is not involved until orders are breached.

This system of responses has serious flaws:

- The response to women and children is severely under-funded and is consequently rationed to a small minority of those affected, and often for very short periods of time.
- Intervention orders frame family violence as a conflict between two parties, rather than as criminal behaviour of one party towards another. And yet the violent behaviour of men who use violence against intimate partners or family members is generally not particular to a single relationship or time; violence commonly continues beyond the period of an order, either in the current relationship or in subsequent ones.
- Civil processes do not enable perpetrators to be systematically identified and responded to in any consistent way with therapeutic interventions that might support behaviour change.
- Intervention orders are very commonly breached, often without a police or justice system response (although Victoria Police have made important improvements to processes in recent years).
- Programs that do exist to address male behaviour are limited in availability and quality, and are often voluntary.

Jesuit Social Services sees each of these problems playing out in the community with devastating consequences. We work with some adolescents and adult men who use violence in intimate relationships, or in their families, but are not always able to engage them in purposeful processes that could change this behaviour.

Where our participants do agree to work towards change they face long waiting lists for the specialist programs available; and commonly suitable programs are not available – either because they're not age appropriate or culturally safe, or are not able to engage with participants with cognitive impairments or an ABI. In other cases, participants strongly resist engaging in discussion around violence in family relationships, and there are no means to force this engagement.

We also work with young people who have themselves experienced family violence, and often other forms of abuse and neglect, and who themselves are beginning to use violence in family relationships or with intimate partners. The lack of suitable responses to this intergenerational violence given the vulnerability of this group, and potential for ongoing harm is particularly concerning.

Much stronger responses are needed to help children who experience violence to recover from trauma, including a stronger focus on supporting continuity of schooling. Too often we see vulnerable children in the youth justice system who have been moved through multiple schools as they escape violence, breaking their connections with supportive adults, such as teachers, and seriously compromising their education.

We also work with women exiting prison, the majority of whom have experienced family violence, and many of whom also *return* to situations of family violence after leaving prison. These women, and their children, are often particularly vulnerable, both because of poverty and a lack of affordable housing options, which limit their choices about where to live, and also because their conditions of parole, and history of contact with police and the justice system, can make them hesitant to seek police assistance.

Our work with women and children who have experienced violence has reinforced the critical importance of strengthening programs that provide options for women and children to escape violence, including housing.

2. Recommendation: Strengthening programs that keep women and children safe

Jesuit Social Services recommends that the Victorian Government:

- strengthen programs that provide options for women and children to escape violence, including by investing in safe affordable housing for women and children escaping violence
- invest in programs that support children who experience violence to recover from trauma
- prioritise responses to family violence that enable children to maintain continuity in education

Alongside this essential strengthening of responses to women and children, we also see that much more needs to be done to systematically respond to perpetrator behaviour.

A systemic focus on family violence perpetrators

Jesuit Social Services supports the arguments raised in the recent Centre for Innovative Justice (CIJ) report for a more proactive and systemic approach to family violence perpetrators that both holds family violence perpetrators to account and specifically addresses recidivism with therapeutically focused interventions.³

The CIJ report highlights the many missed opportunities in the current system:

‘From the respondent churned through the court system who does not understand the basis of a protection order, to the man sitting on a behaviour change waiting list with his motivation waning; from the individual jailed for a family violence assault who receives no rehabilitation, to the man who cannot be located by police when an arrest needs to be made and who ultimately commits the unthinkable – too often the detached operation of the conventional court process serves to propel perpetrators away and cement isolation, rather than keep them within reach of effective intervention.’⁴

Our experience with men who use violence, but who don’t seek to change their behaviour, indicates that an effective systemic approach *would* require use of the justice system to mandate engagement in programs to change behaviour and in programs to address contributors to violence, such as alcohol and substance misuse. In such a system, there should be a graduated and evidence based spectrum of interventions to identify and address problematic behaviour, and to track progress and respond to repeat offending.

The creation of an evidence-based spectrum of justice system responses should be distinguished from simplistic, knee-jerk responses that aim to punish people, separate from any evidence of what works to change behaviour. In this spectrum, prison should only be used as a *last* resort to respond to serious recidivist behaviour as it is unlikely to have any impact on reducing violent offending, and in fact can often make it worse.

Research shows that prison cultures only reinforce male aggression and gendered attitudes and do little to reduce the ongoing risk that men who use violence present to their families or to the community.⁵ Numerous studies also indicate that imprisonment can increase the risk of further violence once they are released.⁶

3 Centre for Innovative Justice Report, *Opportunities for Early Intervention: Bringing perpetrators of family violence into view*, RMIT University, Melbourne, March 2015. At <http://mams.rmit.edu.au/r3qx75qh2913.pdf>

4 Ibid.

5 Dr M Salter, ‘Managing Recidivism Amongst High Risk Violent Men’, *Australian Domestic & Family Violence Clearinghouse, Issues Paper No. 23*, January 2012. At http://www.adfvc.unsw.edu.au/PDF%20files/IssuesPaper_23.pdf

6 Babcock JC & Steiner R 1999, ‘The relationship between treatment, incarceration, and recidivism of battering: A program evaluation of Seattle’s coordinated community response to domestic violence’, *Journal of Family Psychology*, vol. 13, issue 1, pp. 46-59; Kupers TA 2005 ‘Toxic Masculinity as a Barrier to Mental Health Treatment in Prison’, *Journal of Clinical Psychology*, Vol. 61(6), 713–724 (2005)

When perpetrators are given a prison sentence there needs to be an individualised evidence-based intervention put in place during and post imprisonment to reduce their risk of ongoing violence post imprisonment with the aim to ensure the safety of victims once the perpetrator is released.

A proactive and systemic approach to family violence also needs to be effectively integrated with social services working with both perpetrators and victims to promote safety and reduce family violence offending. Programs need to be matched to offender characteristics, with a greater intensity of interventions targeted to those with greater risk of reoffending.⁷

Our research and experience working with family violence perpetrators has identified the following characteristics for effective responses.

Key elements for effective interventions and programs

The evidence supports:

- early intervention to identify and respond to young people who have experienced family violence and are at risk of becoming perpetrators
- intervening at the early stages of violence, when men are most likely to be receptive to changing their behaviour
- an integrated strategy that provides ongoing monitoring and supervision of perpetrators by a range of services – police, courts, corrections and community – working in a coordinated way
- matching program intensity to the risk level of different perpetrators, and to their motivation and readiness to change
- investment in quality evidence-based programs delivered by fully trained and experienced practitioners
- approaches that are individualised and based on a full, thorough and expert assessment and involve an engaged relationship between the worker and the perpetrator
- approaches that are based on a clear understanding of the role that gender and aggressive forms of masculinity plays in family violence
- investing to meet demand rather than rationing services
- ongoing involvement of the victim in programs for perpetrators to both maximise their safety and to enable a full picture of offending and risks of escalation to be assessed, and
- also addressing the mental health, substance abuse and housing issues of perpetrators.

Men's Behaviour Change Programs

The creation of a system with a much stronger focus on male behaviour change would necessitate significant expansion of men's behaviour change programs. Currently, Jesuit Social Services staff are

7 Day A, Chung D, O'Leary P & Carson E 2009, 'Programs for Men who Perpetrate Domestic Violence: An Examination of the Issues Underlying the Effectiveness of Intervention Programs', *Journal of Family Violence* (2009) 24:203–212.

often unable to secure a place in a program where men agree to participate, or they face long wait times, or cannot identify a suitable program, for example for men with intellectual disability, or for young men.

An expansion of these programs should include creation of a diversity of tailored programs to better respond to people from different cultural backgrounds, to young people, and to people with varied cognitive abilities. Not only do one-sized-fits-all approaches to delivering programs fail to engage people with different needs, but they also risk a negative impact – for example putting an impressionable teenager in a program with adult men using violence in family relationships provides him with exactly the wrong role models, and risks normalising and entrenching behaviours and attitudes.

New programs should also be developed and delivered based on established minimum standards for behaviour change programs, such as the No to Violence (a male family violence prevention organisation) minimum standards currently used in Victoria, and processes put in place to provide adequate monitoring of programs to ensure they are meeting standards.

High risk offenders require targeted intensive individualised responses

In 2012 the Australian Domestic and Family Violence Clearinghouse conducted a review of the evidence into high risk family violence offenders. The review found that a number of studies have identified a subset of perpetrators who are highly recidivist and who either don't respond to standard interventions or are inappropriate targets of standard community-based interventions⁸.

These men represent a very high risk to family members. They are commonly identified as having a set of interlocking problems relating to mental health, substance abuse and socioeconomic disadvantage that pose barriers to intervention and treatment. In addition they tend to be men who lack social connections. The research has also found that they tend to have previous criminal offences, be less motivated to change, and be more likely to drop out of programs.⁹

A number of possible interventions are proposed to deal with high risk offenders.¹⁰ These programs have a number of key elements in common including:

- ongoing criminal justice system engagement including longer term judicial involvement to provide consistent and ongoing pressure on highly recidivist offenders to change their behaviour¹¹
- sanctions that are both punitive and re-integrative, and mandated engagement in rehabilitative programs, and
- a more intensive approach including multi-agency responses to provide monitoring and surveillance and cross-agency sharing of information to mitigate the escalation of risk.¹²

8 Salter, above note 5

9 Ibid

10 Centre for Innovative Justice Report, above note 3

11 Ibid.

The research also identifies that interventions can only be successful if they are addressing other factors in the lives of people using violence:

‘Crucially, research suggests that anti-recidivism initiatives are unlikely to be successful unless they are coupled with social welfare policies designed to address housing, employment, health and other difficulties that are prevalent in the lives of serious domestic violence offenders and victims.’¹³

3. Recommendation: An integrated response to family violence perpetrators

Jesuit Social Services recommends that the Victorian Government:

- creates an integrated response to family violence perpetrators that harnesses the powers of the justice system to:
 - identify perpetrators at an early stage including those at risk of perpetrating violence
 - mandate their engagement in an escalating series of evidence-based program responses in which intervention intensity is matched to increased risk and recidivism, and
 - engage high risk offenders in intensive and long-term programs
- invests in a diversity of men’s behaviour change programs tailored to meet the needs of different cultural communities, ages and cognitive abilities as part of an overall integrated response to family violence causation and prevention, and
- develops an accreditation framework and a robust monitoring and evaluation regime for men’s behaviour change programs.

Effectively responding to perpetrators of family violence in prisons

Prisons present a number of challenges in the overall response to family violence. Victorian prisons have become seriously overcrowded after a long period of rapid growth in imprisonment not accompanied by growth in rehabilitative programs. Consequently there is only limited access to programs.

Even where men have access to programs, there is only a small number of low intensity specific men's behaviour change programs offered in prison. These programs are voluntary and often based on anger management models. The programs are also generally targeted to those serving 12 months or more, and those assessed as moderate to high risk of violent offending. As family violence perpetrators tend to serve shorter sentences and may not have committed an offence that puts them in the moderate to high risk category, this reduces the likelihood of their participation.

12 Centre for Innovative Justice Report, above note 3

13 Salter, above note 5

The prison environment is also not an ideal culture to support behaviour change around gendered violence, as male prison cultures generally reinforce male aggression and gendered attitudes.¹⁴

However, it is likely that there are many men in prisons who use violence in family relationships. Although detailed Victorian data is not currently available, overseas jurisdictions have attempted to estimate the prevalence of family violence perpetrators as part of the corrections population. One US study found that one in three male prisoners acknowledged using violence against a female partner.¹⁵ Other studies have found similar rates.¹⁶

The prison population is also likely to include men who are high risk family violence offenders as these men are more likely than lower risk offenders to have previous criminal offences,¹⁷ and share other characteristics that are common among prisoners, including having a set of interlocking problems relating to mental health, substance abuse and socioeconomic disadvantage that pose barriers to intervention and treatment.¹⁸ Studies have also found that intimate partner violence is more likely to be severe or life threatening if the perpetrator is also violent outside the home, uses drugs and is unemployed.¹⁹ In addition, research has consistently found that men with a criminal history, who fail to abide by court orders, are more likely to commit repeat family violence offences.²⁰

Despite that the prison environment is a problematic environment for delivery of programs around behaviour change, the likely presence of large numbers of men in the prison population who use violence in family relationships, including high risk offenders, makes it unavoidable that prisons play a role in delivery of therapeutic behaviour change programs.

Traditionally, the Victorian Corrections pathway, from reception into prison through to post-release has not routinely or consistently identified men who use violence in their intimate relationships.²¹ Information about family violence offending has generally only been available if the prisoner is serving a sentence for an offence against a family member, and even then this information is not consistently shared across relevant agencies. In our work with people released from prison in the north and west of Melbourne it is rare for the referral from prison to include information about risk around family violence, even though a critical element of this program is identifying appropriate accommodation and a focus on family and community connection for the person released.

14 Flood, M & Pease, B 2006, *The Factors Influencing Community Attitudes in Relation to Violence Against Women: A Critical Review of the Literature*. Melbourne: Victorian Health Promotion Foundation

15 Robert White et al 'Extent and Characteristics of Woman Batterers Among Federal Inmates,' *International Journal of Offender Therapy and Comparative Criminology* 46, no. 4 (2002): 412-426.

16 Dutton, D.G, & Hart, S. D 1992, Risk markers for family violence in a federally incarcerated population. *International Journal of Law and Psychiatry*, 15, 101–112.

17 Salter, above note 5

18 Ibid.

19 Department of Human Services, 2012, *Victorian Family Violence Risk Assessment and Risk Management Framework and Practice Guides 1-3 Edition 2*, Victorian Government, www.dhs.vic.gov.au

20 Campbell JC et al. 2003, 'Assessing risk factors for intimate partner homicide', *National Institute of Justice Journal*, issue 250, pp.14-19

21 Centre for Innovative Justice, above note 3

In recent years the Victorian Department of Justice's Offending Behaviour Program has introduced initiatives to improve screening and assessment for family violence perpetrators, improve communication with police, training for their staff, and delivery of group programs that are both prison and community based.²² While these improvements are welcome it is unclear what proportion of men who use violence in family relationships have been engaged in programs, and what the effectiveness of these programs has been.

Research suggests that even while in prison, men who use violence in their family or with intimate partners are continuing to subject their female partners or ex-partners to controlling and abusive behaviour.²³ The CIJ report noted that family violence was not only going unaddressed among the prisoner population, but being perpetuated in these settings – with prisoners often breaching intervention orders from within custody.²⁴

Addressing these challenges necessitates reform on multiple levels.

4. Recommendation: Integrating prisons and Youth Justice Centres into a continuum of response to family violence

Jesuit Social Services recommends that the Victorian Government include prisons and Youth Justice Centres within the integrated continuum of response to family violence perpetrators proposed above and ensure that:

- information around risk assessments and previous program engagement transfers into and out of detention or prison from, and to, others engaging the person in therapeutic work
- therapeutic programs delivered within detention or prison are part of a continuum of programs linked to the justice system rather than being developed in isolation
- imprisonment is reserved as a 'last resort' within a continuum of responses to family violence to enable prisons to focus on working intensively with high needs offenders, rather than simply warehousing people without achieving any positive rehabilitative outcomes
- victims are engaged in safety planning for release
- both men and women leaving detention or prison have access to appropriate accommodation options, and
- the therapeutic capacity of detention or prisons is enhanced by:
 - changing cultures that reinforce the same values around male aggression, dominance and control that contribute to family violence, and
 - expanding the diversity and availability of men's behaviour change programs within detention or prison and introducing a robust monitoring and evaluation framework.

22 Department of Justice, Targeted programs branch, presentation to the No to Violence Conference, 2012.

23 Bobbitt, Campbell & GL Tate 2011, 'Safe Return: Working Toward Preventing Domestic Violence When Men Return from Prison', *Federal Sentencing Reporter*, Vol. 24, No. 1, Sentencing Within Sentencing (October 2011), pp. 57-61

24 Centre for Innovative Justice, above note 3

Women in the corrections system

Women who experience family violence are often vulnerable to becoming involved in the justice system; most directly, where women are pressured to engage in criminal activity, and indirectly where women use substance abuse or gambling as a way to cope with the abuse, which in turn may lead them to engage in criminal activity to fund addictions.

Family violence is prevalent in the history of many women in prisons, but is often compounded by other issues including:²⁵

- histories of childhood victimisation, particularly sexual abuse
- re-victimisation as adolescents and adults, such as sexual assault and family and domestic violence (e.g., Corston, 2007; Gelsthorpe, 2010; Ogloff, Davis, Rivers, & Ross, 2006; Salisbury & Van Voorhis, 2009)
- mental disorders such as borderline personality disorder, major depression and post-traumatic stress disorder
- intellectual and cognitive impairments
- substance abuse and dependency
- housing instability
- primary care for dependent children
- low educational attainment, and
- minimal employment histories compared to male prisoners.

Aboriginal women in prison tend to have even higher levels of vulnerability than other women, and are significantly over-represented.²⁶

In our experience at least half of the women referred into our post-release support programs return to an abusive partner largely because there are no appropriate and affordable housing options, and they lack other social or economic supports. This places women's safety at very serious risk, as well as significantly increasing the risk of their reoffending.

Women with the complex needs identified above, and particularly ex-prisoners, may be very hesitant to involve police in supporting their safety. They may have been subject to discrimination and poor treatment from authorities in the past; use behaviour or language that authorities interpret as contributing to the violence; be using illegal drugs or engaged in other criminal activity

25 Australian Institute of Family Studies, *Addressing women's victimisation histories in custodial settings*, Last modified 24 November, 2014 <http://www.aifs.gov.au/acssa/pubs/issue/i13/i13b.html>

26 Victorian Equal Opportunity and Human Rights Commission, 2013, *Unfinished business, Koori women and the justice system*, http://www.humanrightscommission.vic.gov.au/media/k2/attachments/Unfinished_business_-_Koori_women_and_the_justice_system.pdf

and fear being charged; or fear alerting child protection to their situation. They also face the risk of retaliation from their partner or ex-partner if they involve police.

The corrections system also inadvertently makes it difficult for women exiting prison to stay safe. Women need to demonstrate they have safe housing in order to be eligible for parole; but there are almost no affordable accommodation options for them to exit to. In our experience many women say they have safe housing in order to gain parole, even when they know they may return to a situation where they will be at risk of violence. Women then become trapped in a situation where escaping the violence risks breaching their parole.

Many women leaving prison are also reuniting with children or attempting to reunite with them. The lack of housing and support for most women exiting prison makes this process of reunification extremely difficult, and places children at risk. Inflexible parole conditions increase the challenges for women with children, forcing them to prioritise meeting their conditions over responding to the needs of their children.

Given these extreme vulnerabilities far more needs to be done to provide safe and secure housing options for women leaving prison, and support for women reuniting with children. Investment and reform is also needed to identify and appropriately support women experiencing family violence who are at risk of contact with the justice system; and to ensure that the vulnerability of women with complex needs and histories of trauma are responded to appropriately.

5. Recommendation: Addressing vulnerability among women prisoners

Jesuit Social Services recommends that the Victorian Government:

- increase access to affordable, safe and secure housing for women exiting prison and at risk of family violence
- provide specialised support for women exiting prison to assist their safe reintegration into community
- provide programs in both prisons and communities to work with mothers and children who have experienced family violence, and
- identify and appropriately support women experiencing family violence who are at risk of contact with the justice system.

Children, young people and family violence

Many of the children and young people Jesuit Social Services works with have been subject to or have witnessed family violence, and some of these have gone on to use violence in the home or in intimate relationships themselves. Children and young people who have experienced, or who use violence have particular issues and vulnerabilities that need to be addressed with age appropriate approaches.

Children and young people experiencing family violence

Children and young people are vulnerable in situations of family violence, both to the impact of witnessing violence, and to becoming victims of sexual, emotional or physical violence themselves. These experiences can have serious consequences for their development, and can leave children and young people with limited skills and attributes to support non-violence, and with negative and pejorative attitudes to women.²⁷

In order to minimise risk to children and young people it is critical that space is created in any assessment of risk in families for children and young people to have their voice heard.

Youth-focused and family support services have a specialised and critical role to play in providing support to children and young people experiencing or perpetrating family violence. Young people also need access to a diversity of appropriate and affordable supported housing options to provide safe accommodation where they cannot remain with family.

Young people using violence

Research indicates that the most significant determinant for adolescent violence in the home is a child's and mother's experience of family violence.²⁸ This is supported by the experience of Jesuit Social Services in working with young people who use violence following histories of victimisation. Yet despite the cycle of harm played out across generations, not enough is being done to support children and young people's safety, and to respond early to children and young people at risk of becoming perpetrators themselves.

In the words of one Jesuit Social Services Youth Justice Community Support Service Coordinator this year:

We are currently coming across a number of young men who are perpetrating family violence either with family members (mum) or with their partners (females).

We recently had a worker trying to find a men's behaviour change program and was calling all services who ran this type of program with the young man to make a referral.

²⁷ Howard J, 2011, *Adolescent violence in the home – the missing link in family violence prevention and response*, Domestic and Family Violence Clearinghouse, September 2011

²⁸ Ibid

All places contacted had waiting lists of over three months and were all targeted at adult males. There were no youth specific male behaviour change programs.

The young men we work with who perpetrate this violence have all had histories of witnessing and often experiencing family violence as a child.

The experience related above is not uncommon. Adolescent violence in the home comprises 7 per cent of all family violence incident reports to police, and 15 per cent of intervention orders.²⁹

This highlights serious gaps in the response to family violence; both in terms of a lack of early intervention to appropriately protect and support children who witness and experience violence as a child; and in terms of timely access to appropriate behaviour change programs.

The importance of supporting children and young people to change behaviour before these behaviours become entrenched is highlighted by research that demonstrates that childhood and adolescence is a period in which people are more likely to be responsive to interventions and therefore programs are more likely to be successful.³⁰

These responses need to be focused on approaches that are evidence-based, focused primarily on behaviour change, and which also support young people to address issues associated with their own histories of trauma. Simply imprisoning young people who use violence places them at risk of being subjected to further traumatising experiences of violence, and being inducted into cultures which reinforce male aggression.

International evidence indicates that there is scope to use restorative justice programs to redress harm by children and young people who use violence, help them understand the impact of their violence on others, and achieve behavioural change.³¹ This is reinforced with Jesuit Social Services experience delivering the Youth Justice Group Conferencing program, often with young people who have been convicted of violent offences. There is scope to expand the use of restorative justice to young people who use violence in the home, and in out of home care settings.

In addition to delivering restorative justice programs for young people using violence, it is also necessary to take preventative steps, including to change young people's attitudes and to support education around respectful relationships as evidence shows that violence-supportive attitudes are already well established in adolescence, and patterns of physical and sexual violence are evident in some young people's intimate relations.³²

29 Department of Justice Victoria, *Measuring Family Violence in Victoria*, Victorian Family Violence Database, Volume 5, Eleven Year Trend Analysis 1999 – 2010

30 Mulroney, 2003, *Topic Paper: Australian Prevention Programmes for Young People*, Australian Domestic and Family Violence Clearinghouse 2003.

http://www.adfvc.unsw.edu.au/PDF%20files/prevention_progs_young.pdf

31 Howard, above note 27

32 Mulroney, above note 30

6. Recommendation: Providing child and youth focused responses to family violence

Jesuit Social Services recommends that the Victorian Government:

- ensure children and young people are heard in risk assessments around family violence
- invest in specialist youth and family services to support children and young people who have experienced or witnessed family violence
- expand access for young people to a diversity of appropriate and affordable supported housing options to provide safe accommodation where they cannot remain with family
- invest in quality respectful relationships curriculum in schools
- expand the use of restorative justice approaches to redress harm by children and young people and help them understand the impact of their violence on others, and
- increase access to child and youth focused therapeutic programs for children and young people using violence.

New migrants, family violence and settlement services

Jesuit Social Services delivers Settlement Services to humanitarian entrants and migrants who have been in Australia for less than five years. Our program has been operating on the Flemington public housing estate for over ten years and was extended to St Albans in 2010.

Newly arrived communities face a range of difficulties related to settlement and the vulnerability of women and children in these communities to family violence is well established.³³ Women in newly arrived communities are often isolated from family, unaware of the services available to them, financially dependent, and lack understanding of the legal systems and ways to seek help in a new country. Additional barriers such as cultural norms, rigid gender roles, limited English language, and the importance ascribed to family, along with the stigma of divorce often increases immigrant women's vulnerability to abusive relationships.

Settlement services have an important role to play for newly arrived women experiencing family violence as they are often the first source of ongoing contact with an agency for a newly arrived person. This means it is important that Settlement Services know how to respond to families in this situation, including how to encourage awareness raising and help seeking.

Our Settlement Services program has initiated a number of activities to address family violence with the Vietnamese speaking community – including:

- running a monthly women's group that provides a safe space for women to discuss a range of issues – and inviting guest speakers to discuss family violence

33 VicHealth, 2006 *Preventing violence before it occurs: A Framework and background paper to guide the primary prevention of violence against women in Victoria*, <https://www.vichealth.vic.gov.au/media-and-resources/publications/preventing-violence-before-it-occurs>

- delivering information workshops for both men and women—including information around Australian laws around family violence
- encouraging and supporting informal social events that can help encourage networks of support and break down women's isolation, and
- employing staff who are trained and knowledgeable about family violence and culturally knowledgeable and therefore able to design and adapt family violence related activities
- providing individual support to women in their own language including information about family violence, along with referral to appropriate specialist family violence services, and
- building and maintaining strong links and referral pathways with specialist family violence services.

As a result of our approach 20 to 30 per cent of participants in this program seek help in relation to family violence.

This level of need indicates that Settlement Services have an important role to play supporting women and children around family violence. In order to respond to this need in the community Settlement Services need to more consistently demonstrate an understanding of family violence and be able to respond and provide referral to specialist services where required.

Effective approaches to addressing violence in culturally and linguistically diverse communities would also need to include culturally appropriate 'cultural change' campaigns, as well as men's behaviour change programs that are culturally appropriate for men from diverse backgrounds.

7. Recommendation: Providing culturally appropriate support around family violence

Jesuit Social Services recommends that the Victorian Government:

- proactively engage Settlement Services and other culturally specific services in integrated approaches to responding to family violence
- ensure cultural change campaigns are tailored to be effective in different cultural contexts
- invest in men's behaviour change programs that are culturally appropriate for men from diverse backgrounds

Summary of our recommendations

1. Recommendation: Addressing the cultural context of family violence

Jesuit Social Services recommends the Victorian Government develop a whole of community family violence prevention strategy to tackle the societal and cultural factors that contribute to family violence that includes:

- targeted, age-specific and culturally relevant approaches for Aboriginal Victorians and CALD communities
- respectful relationships curriculum in Victorian schools, and
- a robust evaluation process to measure the extent of cultural change and inform the development of subsequent strategies as required over time.

2. Recommendation: Strengthening programs that keep women and children safe

Jesuit Social Services recommends that the Victorian Government:

- strengthen programs that provide options for women and children to escape violence, including by investing in safe affordable housing for women and children escaping violence
- invest in programs that support children who experience violence to recover from trauma
- prioritise responses to family violence that enable children to maintain continuity in education.

3. Recommendation: An integrated response to family violence perpetrators

Jesuit Social Services recommends that the Victorian Government:

- creates an integrated response to family violence perpetrators that harnesses the powers of the justice system to:
 - identify perpetrators at an early stage including those at risk of perpetrating violence
 - mandate their engagement in an escalating series of evidence-based program responses in which intervention intensity is matched to increased risk and recidivism, and
 - engage high risk offenders in intensive and long-term programs
- invests in a diversity of men's behaviour change programs tailored to meet the needs of different cultural communities, ages and cognitive abilities as part of an overall integrated response to family violence causation and prevention, and
- develops an accreditation framework and a robust monitoring and evaluation regime for men's behaviour change programs.

4. Recommendation: Integrating prisons and Youth Justice Centres into a continuum of response to family violence

Jesuit Social Services recommends that the Victorian Government include prisons and Youth Justice Centres within the integrated continuum of response to family violence perpetrators proposed above and ensure that:

- information around risk assessments and previous program engagement transfers into and out of detention or prison from, and to, others engaging the person in therapeutic work
- therapeutic programs delivered within detention or prison are part of a continuum of programs linked to the justice system rather than being developed in isolation
- imprisonment is reserved as a 'last resort' within a continuum of responses to family violence to enable prisons to focus on working intensively with high needs offenders, rather than simply warehousing people without achieving any positive rehabilitative outcomes
- victims are engaged in safety planning for release
- both men and women leaving detention or prison have access to appropriate accommodation options, and
- the therapeutic capacity of detention or prisons is enhanced by:
 - changing cultures that reinforce the same values around male aggression, dominance and control that contribute to family violence, and
 - expanding the diversity and availability of men's behaviour change programs within detention or prison and introducing a robust monitoring and evaluation framework.

5. Recommendation: Addressing vulnerability among women prisoners

Jesuit Social Services recommends that the Victorian Government:

- increase access to affordable, safe and secure housing for women exiting prison and at risk of family violence
- provide specialised support for women exiting prison to assist their safe reintegration into community
- provide programs in both prisons and communities to work with mothers and children who have experienced family violence, and
- identify and appropriately support women experiencing family violence who are at risk of contact with the justice system.

6. Recommendation: Providing child and youth focused responses to family violence

Jesuit Social Services recommends that the Victorian Government:

- ensure children and young people are heard in risk assessments around family violence
- invest in specialist youth and family services to support children and young people who have experienced or witnessed family violence
- expand access for young people to a diversity of appropriate and affordable supported housing options to provide safe accommodation where they cannot remain with family
- invest in quality respectful relationships curriculum in schools
- expand the use of restorative justice approaches to redress harm by children and young people and help them understand the impact of their violence on others, and
- increase access to child and youth focused therapeutic programs for children and young people using violence.

7. Recommendation: Providing culturally appropriate support around family violence

Jesuit Social Services recommends that the Victorian Government:

- proactively engage Settlement Services and other culturally specific services in integrated approaches to responding to family violence
- ensure cultural change campaigns are tailored to be effective in different cultural contexts
- invest in men's behaviour change programs that are culturally appropriate for men from diverse backgrounds.

Appendix 1: Our Programs

Corrections Victoria Reintegration Program

Jesuit Social Services delivers post-release support to people exiting prison in the north and west of Melbourne as part of the Corrections Victoria Reintegration Program (CVRP).

The CVRP program provides voluntary, targeted post-release support for up to 12 months to high risk/complex needs and high profile offending men and women. Support provided uses an individually tailored, case management approach that addresses key domains including; housing and material supports, assistance with family reunification, day-of-release support, referral to specialist services (such as drug and alcohol counselling employment/training programs, supported accommodation) and 24/7 after hours emergency assistance and referral service.

Youth Justice Community Support Services

The Youth Justice Community Support Program provides intensive case management for young people aged 10-21 engaged with the justice system. Our approach brings together agencies currently supporting Youth Justice clients to work alongside statutory Youth Justice Case Managers to:

- achieve a reduction in the rate, severity and frequency of re-offending
- enable young people to make an effective transition to adulthood, and
- develop young people's capacity for economic, social and cultural participation

Youth Justice Group Conferencing

Youth Justice Group Conferencing is a sentencing option based on restorative justice principles that aims to balance the needs of young people, victims and the community by encouraging dialogue in a controlled and structured way between individuals who have offended, their victims and the wider community. Young people who can be referred to Youth Justice Group Conferencing include young people aged 10 to 17 (at the time of offending) who have:

- pleaded guilty or have been found guilty of offence(s) that do not include homicide, manslaughter, sex offences; and
- appeared in court on a previous occasion and have committed offence(s) serious enough to warrant a supervisory order (primarily a probation order) to be considered by the court; or
- have committed offence(s) serious enough to warrant a supervisory order on their first appearance; and
- consented to participate; and
- been assessed as suitable by a DHHS Youth Justice Officer.

Referral to the program is made by a Magistrate in any of Victoria's Children's Courts, under section 414 of the Children, Youth and Families Act 2005.

Next steps

Next Steps is a Homelessness Innovation Action Project that aims to prevent homelessness for highly vulnerable young people 16-24 who intersect with the youth justice or adult justice systems. Next Steps delivers intensive, multi component case management support that addresses the issues of homelessness and offending, incorporating therapeutic elements and links to training, vocational and employment services.

Based in Carlton, Dillon House, is the supported accommodation component of Next Steps, and provides temporary, short- term or transitional 24 hour supported accommodation for young people involved in corrections or the youth justice system.

Settlement Services

Jesuit Social Services has provided settlement services to asylum seeker communities on the Flemington public housing estate for over ten years and in St Albans since 2010. Services focus on supporting people from migrant backgrounds to integrate into Australian society while keeping in touch with their cultural backgrounds.

The program follows a strengths-based approach, acknowledging and building on participant and community skills and knowledge. The program conducts a number of activities within a community development framework including:

- casework and referrals to help strengthen participant's ability and confidence to access support services and develop independence
- information sessions designed to provide increased knowledge and understanding of issues facing participants
- basic skills training and work experience opportunities to volunteers as part of a volunteers program
- community advocacy to strengthen relationships between police, leaders in the community and community members, and
- Homework Club on the Flemington housing estate for primary and secondary school students.