



Queensland
Family & Child
Commission

Policy Submission

Domestic and Family Violence Perpetrator Strategy

September 2023

Telephone: 07 3900 6000
Reference: TF23/662– D23/11461

Women's Safety and Violence Prevention
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Submitted via email: ConsultationOWVP@justice.qld.gov.au

Dear Women's Safety and Violence Prevention team

The Queensland Family and Child Commission (QFCC) welcomes the opportunity to provide a submission to inform the development of a Queensland domestic and family violence perpetrator strategy. The QFCC is a statutory body responsible for influencing change that improves the safety and wellbeing of Queensland's children and their families. Under the *Family and Child Commission Act 2014*, the QFCC has been charged by government to review and improve the systems that protect and safeguard Queensland's children and young people.

Domestic and family violence is a serious, complex and widespread issue. In recent years a lot of effort has gone into understanding, preventing and responding to it. The QFCC commends the Women's Safety and Justice Taskforce and the Queensland Domestic and Family Violence Death Review and Advisory Board for their efforts on this important issue. It is imperative that as a society we continue to shine a spotlight on domestic and family violence and work towards a Queensland that sees an end to this behaviour.

Domestic and family violence have serious impacts for children. This includes any child who experiences family violence in their home regardless of the extent to which they witness such violence. Proximity to an event is not the measure of impact for these children. Over the last two years the QFCC and the Child Death Review Board have published three reports relating to system responses to violence within families and red flags for parents who take the lives of their children. These reports are referenced in our submission, and we encourage you to consider them during the development of the strategy.

If you or your officers have any queries in relation to this submission, they may contact our team via strategicpolicy@qfcc.qld.gov.au.

Yours sincerely



Luke Twyford
Principal Commissioner
Queensland Family and Child Commission
23 September 2023

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Background

Experiencing violence can have a wide range of detrimental impacts on children's development, mental and physical health, behaviour and wellbeing.¹ Young people exposed to domestic and family violence may learn that violence is an appropriate way to resolve conflict in their relationships and carry this belief through into adulthood. Research reported by the Australian Institute of Criminology suggests that young people exposed to domestic and family violence are more likely to become victims or perpetrators of domestic and family violence themselves later in life.² This is particularly concerning in light of the recently released Australian Child Maltreatment study³ which reported exposure to domestic violence (39.6%) was the most commonly identified category of child maltreatment.

A critical part of developing the strategy must be elevating the voices of young people and their families with lived experience to ensure their experiences, needs, and desires are reflected in policy and practice. Our submission is informed by five one-on-one in-depth interview responses from QFCC Youth Advocates.

The QFCC's commitment to Aboriginal and Torres Strait Islander children and their families

The QFCC has made an explicit commitment to Aboriginal and Torres Strait Islander children, young people and their families and to embed culturally safe and responsive design, practices and delivery in our work. We recognise that self-determination, healing, dignity and respect are all fundamental elements needed to improve outcomes and relationships.⁴ Aboriginal and Torres Strait Islander women experience disproportionate rates of violence, and violence that is often more severe. Preventing this violence must be a priority for the Queensland domestic and family violence perpetrator strategy. It requires us to address the many complex drivers of this violence — not only gender inequality but also the ongoing impacts of colonisation and racism.

The QFCC acknowledges and supports the Australian Human Rights Commission's *Wiyi Yani U Thangani (Women's Voices) report 2020*,⁵ which sets out the collective rights, needs and aspirations of Aboriginal and Torres Strait Islander women and girls across Australia. This report will provide guidance in relation to the priorities for First Nations women, girls, and communities in Queensland particularly around domestic and family violence.

The QFCC has also made submissions to the Senate Inquiry into Missing and Murdered First Nations Women and Children, and we encourage you to engage with that inquiry. Our submission is available on our website at:

<https://www.qfcc.qld.gov.au/sites/default/files/2023-01/QFCC%20Submission%20to%20Senate%20Inquiry%20into%20Missing%20and%20Murdered%20First%20Nations%20Women%20and%20Children%20Committee.pdf>

Focus area: Primary prevention

Primary prevention action starts with addressing the gendered drivers of violence against women and other forms of discrimination. We need to see a whole of population approach that seeks to prevent violence before it occurs – through addressing the social norms, practices and structures (key drivers) that cultivate violence against women and families or create the context for violence against women and families to occur.

Individual behaviours we are seeking to prevent need to be understood not only at an individual level but at a societal level. This means that any activities to address violence cannot only focus on the individuals who are perpetrating violence; we must also address the social structures, norms and practices that influence individual attitudes and behaviours which lead to violence. Primary prevention must use a range of approaches across multiple settings: policy, program, institutional and legislative responses in the places where we live, work, learn and meet. It requires all kinds of individuals and communities to act on the underlying causes in everyday places, to promote respect and equality and to reject violence in all its forms.

Targeting the structures, norms and practices at a society, community, organisation and individual level, in both universal and more tailored ways, will ensure that the prevention message reaches everyone and is consistently reinforced in all settings.

Coordinated, long-term effort

Preventing domestic and family violence is a complex challenge. It involves education, rehabilitation, a recognition of intergenerational patterns of violence, and a focus on working with perpetrators and potential perpetrators. Only by tackling all of these issues can we bring about substantial and lasting changes. Primary prevention must have a long-term agenda – strategies need to be scalable across population groups and in a range of settings and be matched by resourcing and investment models that support longer term effort.

This change must occur at multiple levels – Commonwealth and State governments, the criminal and family law systems, the non-government and private sector, community organisations and services, and within families and individuals. To make a real and tangible difference, the many agencies and services that interact with perpetrators need to work together as part of an integrated system with a shared understanding of purpose.

Challenging social norms

The underlying drivers of violence against women are well known, and we have a good understanding of what will work to challenge those drivers. These are the actions individuals, communities, organisations and institutions can take to prevent this violence from occurring in the first place. There are a range of settings in which inequalities and violent behaviour are shaped. At a whole of population level, we need to address factors that lead to or condone violence. This is summarised effectively by Our Watch:⁶

Challenge condoning of violence against women. This can look like:

- Not laughing at sexist jokes
- Supporting and believing victims when they speak up
- Media focussing on the accountability of the perpetrator, rather than the behaviour of the victim

Promote women's independence and decision-making. This can look like:

- Men and women sharing decisions about household finances
- Workplace policies that encourage women from all backgrounds into leadership
- Universal access to affordable childcare
- When we uphold women's rights and freedoms, we show that they are valued.

Challenge outdated and harmful gender stereotypes and roles. This can look like:

- Men and women sharing housework equally
- Workplaces that enable fathers to take parental leave and be primary carers
- Encouraging men to study caring professions like nursing or childcare
- Giving people the freedom to be themselves builds a culture where everyone thrives.

Support men and boys to develop healthy masculinities and positive, supportive relationships. This can look like:

- Teaching boys that it's ok to express their emotions safely, including sadness
- Consent education in schools
- Making male-dominated spaces inclusive for everyone
- When men and boys are free from harmful masculine stereotypes, they are more likely to enjoy healthy, respectful relationships.

Young people told us:

"The psychology going into things needs to be better communicated—how you were raised, what you saw growing up, how your parents were – understanding that that contributes majorly to what you experience and how you behave."

Widespread prevention messages

Primary prevention requires social and cultural change. There are several key settings in which prevention activities and messages need to occur in order to effectively reach the whole population, engage both individuals and organisations, and change attitudes, practices and systems in relation to gender equality, relationships and violence. These settings include:

- education and care settings for children and young people
- universities, TAFEs and other tertiary education institutions
- workplaces, corporations and employee organisations
- sports, recreation, social and leisure spaces
- health, maternal and child health, family and community services
- community organisations
- faith-based and cultural contexts
- media
- popular culture, advertising and entertainment
- public spaces, transport, infrastructure and facilities
- legal, justice and corrections contexts
- the online environment.

Together these settings make up many of the places where people live, work, learn, socialise and play, and where social and cultural norms are created and reflected. They present opportunities for significant influence over the social norms, organisational practices and institutional structures that drive individual attitudes and behaviours.

Young people told us:

“In rural areas a lot of people are set in their ways about how women and men are meant to act. I think there needs to be a lot of education around how to respectfully navigate relationships with other people, whether it’s an intimate partner, or your children or your parents.”

Respectful relationships in schools

Schools are also important settings for challenging stereotypes and addressing attitudes and beliefs about gender and power that perpetuate family violence and abuse. Schools can be catalysts for generational and cultural change, as they are both places of learning for students and places of work for adults. By explicitly examining power relations and challenging traditional gender roles and stereotypes in classrooms and in policies and processes within the school workplace, cultural change can be shaped.

We believe that tackling abusive behaviour and narrow attitudes towards gender, power and violence should be embedded in the culture of the school and addressed continually, rather than as standalone programs that are implemented in isolation.

Young people told us:

“For young people, healthy relationships and having those norms need to be set up much, much earlier in life. Because of how adaptive your brain is when you’re young and what you’re exposed to at vulnerable points in your life can imprint on someone.”

“One-off events at school should be the starting point not the end point of these discussions.”

Aboriginal and Torres Strait Islander responses

There are a number of misconceptions about violence against Aboriginal and Torres Strait Islander women and families that need to be challenged in a primary prevention model. For prevention to be effective, it’s not only what we do that’s important, but also how we do it.

Prevention work should be guided by these principles⁷:

- self-determination: community ownership, control and leadership
- trauma-informed practice and practitioner self-care
- healing focused
- holistic
- prioritising and strengthening culture
- using strengths-based and community strengthening approaches
- adapting to different community, demographic and geographic contexts
- addressing intersectional discrimination
- non-Indigenous organisations working as allies in culturally safe ways.

Focus area: Early intervention and response

Over the last 18 months, the QFCC and the Child Death Review Board (the Board) have conducted three reviews into domestic and family violence, with a particular focus on the red flags leading up to a child's death. Domestic and family violence is present in most cases reviewed by the Board. While domestic and family violence is often not directly associated with the deaths of children reviewed by the Board, reviewing system responses to them and their families offers opportunities to explore improvements needed. The reviews and their main findings are summarised below:

Taking lives study

A QFCC system review completed following the death of a child prompted the QFCC to explore the concept of 'red flags' to identify children who are at risk of fatal assault or neglect by a parent—an act known as filicide. A red flag is an act or intention (such as injury, threats of harm or death) or accumulation of risk factors likely to adversely affect a child's immediate safety. During 2020–21, the QFCC worked with researchers from the University of Queensland to develop an evidence base for red flags using data from the Queensland Child Death Register. This project identified several risk factors that, when occurring together, may indicate a child is at increased risk of filicide:

- a recorded threat to kill a child
- domestic and family violence
- repeated contact with the child protection authorities
- presence of a new male partner (or stepfather), especially for children aged 0–4 years
- illicit drug or alcohol misuse by parents or caregivers
- parent or caregiver with a severe mental health disorder
- recent separation (within the last 12 months)
- extended hospitalisation of the child.

The final report *Taking Lives: A Queensland study on parents who kill their children*⁸ was released as a system-wide resource. It summarises the main findings of the study and raises awareness on filicide risk factors across the broad range of professionals working with children and families

Reviewing the child protection system's response to violence within families

The Board undertook a review⁹ of system responses to domestic and family violence using the collective findings and reflections identified through reviews completed by service delivery agencies and the Board. This review was based on the experiences of 43 children and young people who came before the Board. All were known to the child protection system and had experienced domestic and family violence within their family or household.

Coercive control was observed in cases where other forms of violence were used (for example, threats to kill the children if the other parent left, isolating the other parent or excessive monitoring causing the other parent to become fearful). Domestic and family violence is often co-reported with concerns about parental alcohol and other drug use and mental health issues in reports of child abuse or neglect.^{10,11}

The Board observed recurring commentary in agency review reports about the invisible nature of much domestic and family violence, with reference to incorrect assumptions that 'absence of evidence equalled evidence of absence'—that is the lack of evidence was incorrectly used to determine that violence had not occurred or did not result in harm. This was demonstrated where decisions to close interventions or not act in response to new concerns about violence were justified on:

- a lack of police callouts in relation to violence
- limited history of reported incidents, or a lack of new or recent incidents
- no reported evidence that children had been physically harmed by incidents

Moreover, there was evidence of non-physical forms of violence not being considered in cases where the system over-relied on the absence of evidence of physical violence (such as bruises on children or reports of physical violence to police). However, of the cases where physical forms of violence were not identified, there were significant concerns about other controlling behaviours, such as stalking and harassment, kidnapping children, verbal and emotional abuse and destruction of property.

At times, agencies' records included vague comments about 'domestic and family violence being a worry' or reference to 'domestic violence incidents.' These statements did not differentiate the type of violence used or determine accountability.

Key findings from the report include:

- There are missed opportunities to hold offending parents accountable and address the risk their behaviours pose to children when the offending parents are not included in investigations or interventions.
- Domestic and family violence supports and services play a key role in supporting parents and children, however uptake was low. There are multiple individual and organisational barriers which can inhibit service uptake and engagement.
- Culturally- and trauma-informed pathways and service provision are needed to enhance support for First Nations families.
- 'Fatherhood' can be a significant motivator to encourage fathers to accept accountability and facilitate behaviour change, however fathering practices are not well embedded in men's behaviour change programs and there is limited formal evidence about the effectiveness of programs in improving outcomes for children.
- There are gaps in system responses to children and young people which recognise and respond to their violent or aggressive behaviours in the context of intergenerational experiences of domestic and family violence and trauma.

Listening to children's voices

The Board case analysis revealed occasions where the voice of the child and their needs were at times lost in a system heavily focused on responding to their parents. Children were not always interviewed as part of investigations when they were of an age appropriate to be interviewed, despite their experiences of domestic and family violence. This denied children the right for their experiences to be heard and their needs to be identified. It also impacted the quality of information gathered to inform safety and risk assessments.

Where children were interviewed, there were, on occasion, critical errors with the way in which interviews were undertaken. For example:

- children were interviewed in the home with the offending parent present, impacting the ability of children to respond freely and openly
- assessments were based on only one or very limited interviews in the family home, rather than trying to engage with a child at school or another place of safety
- agencies focused on enquiring about the mother's presentation and coping ability with minimal questions about the children's experience of home-life and what they had witnessed.

In the absence of specific disclosures of violence by children, agencies must pay attention to what a child and young person's behaviours might be telling them and be curious about what might be preventing a child from speaking up. This was not always evident across cases.

Developing a system-wide approach to identify, respond to and share information about red flags (acts or intentions likely to adversely affect the safety of a child) specifically where there is a threat by a parent to murder their child, will help to prevent loss of life for children—particularly infants, who cannot speak up for themselves.

QFCC Child and Youth Participation Framework

Article 12 of the UNCRC states that all children have the right to have a say in all matters that affect them and be heard. Participation in decision-making is a right for all children and young people, not a privilege. To give full expression to young people's rights to participate, all organisations, both government and non-government, should offer meaningful avenues to have young people's voices heard. The *QFCC Child and Youth Participation Framework*¹² provides an overarching structure for an approach that affirms child rights across all our work. It outlines how we give children and young people genuine opportunities to participate in decision making, to give full effect to the realisation of their rights.

Young people told us:

"People need to understand and be encouraged that if you are seeing any behaviour that doesn't seem quite right, it's about calling it out."

"We need to have conversations at high school to talk about what's okay and what's not okay while people are still young and still forming your ideas on how relationships should go."

"We need more programs and options towards mental health and wellbeing for men. Specific domestic and family violence mental health services – mental health services like headspace are only to 25, so there are less options outside of this age range. We also need more and different kinds of therapy – not just talking therapy, but hands on therapy."

"There was a sign at our local shopping centre that everyone saw, and everyone were talking about it. It was aimed at men with the message 'if you think you're at risk of becoming violent to your partner, here is some information.' It reached a lot of people – it's such an old-fashioned way of doing something, but in rural areas I think that's a way to reach people."

"We should be linking into community sport – things like that – if you've got issues with pent up aggression or how to express yourself or if you feel like you aren't responding to situations appropriately, those things can be really helpful. We should explore or promote more accessible options – every town has some sort of volunteering, men's shed or some kind of sport. These could be a good way of disseminating information too."

"I have ADHD – people like me – our chances of being abusive or being abused is ridiculously high. I think we should keep in mind managing neurodivergence and intellectual disability. Actually making sure any contributing factors are managed because you're doing the same thing. Strategies that work for neurotypical people won't necessarily work for neurodivergence – our brains aren't wired the same way."

Focus area: Systemic reform

Taking lives study

The QFCC's review identified that agencies do not always identify or adequately respond to known threats towards infants. At times, agencies hold inaccurate and unhelpful assumptions and attitudes about families, which can mean the importance of warning signs are downplayed, processes are not followed and information is not shared quickly (or, in some cases, at all). Occurrences of domestic and family violence and concerns for the welfare of infants can be dismissed as 'relationship' or 'parenting arrangement' issues. This can lead to infants and their families not being monitored or helped when they should be. This must stop.

Firstly, we must develop a system-wide approach for responding when a parent threatens to murder their child and help agencies to immediately prioritise their efforts towards protecting the lives of children. Secondly, we need to understand the influence of assumptions and attitudes on agencies' decisions and actions for children and families—assumptions and attitudes relating to domestic and family violence and family law issues. We can then work to eliminate the adverse effects of this for families across the child and family support system.

Perpetrator accountability

Historically, parental responsibility for protecting children and preventing violence has been placed on mothers due to gendered perceptions of women as primary carers.¹³ More recently, a focus on 'holding perpetrators accountable' has dominated policies and practices designed to reduce or prevent domestic and family violence, such as the rollout of the Safe and Together model throughout Queensland.

However, perpetrator accountability is not well defined.¹⁴ Generally, accountability can be operationalised by the child protection system through:

- language used to describe behaviours and violence
- referrals to supports or interventions
- actions (legal or procedural) taken in response to perpetrators' behaviours.

The Board's review of the child protection system's response to violence within families showed that in three-quarters of the sample cases, a male caregiver was considered to be the primary perpetrator of violence (74.4 per cent of cases). While there was some evidence of female caregivers, both caregivers, subject children and other family or household members (such as grandparents) perpetrating violence, this was less common.

The case analysis highlighted recurring issues with the system holding offending parents accountable. This was directly identified by review agencies or the Board in over half of the cases. This was observed through:

- offending parents not included in investigations, ongoing interventions or referrals to secondary services despite their ongoing presence in the household and responsibility in caring for their children

- actions or decisions which did not consider the offending parents' role in parenting and consideration of the impact of their use of violence on the household
- no follow-up with offending parents who had left the household or were not present when agencies responded to the violent incidents
- over-reliance on offending parents agreeing to address violence, without interventions or supports put in place by the system.

In the absence of engagement with offending parents, more focus is typically placed on non-offending parents. This was evident through the case analysis in circumstances where agencies relied on non-offending parents as the only parent responsible for the protection of the children and their ability to address the violence and protect the children, without addressing the threat posed by offending parents. While observed infrequently across the sample this also meant that at times agencies adopted approaches that did not hold offending parents accountable for using violence against the other parent and children. Where agencies adopted gender-based language to discuss domestic and family violence and assign blame to non-offending parents, review reports accurately reflected the need to strengthen frontline workers' understanding of violence and training in models such as Safe and Together.

Focus area: Data collection, monitoring and evaluation

The QFCC would like to see policy makers, researchers and practitioners track population-level progress of family violence prevention to help understand how collective prevention effort is contributing to shifts in culture, attitudes and behaviour over time. Additionally, the Queensland Government does not collect data on attendance rates, completion rates, and waiting lists for perpetrator rehabilitation programs. It also does not know how many perpetrators reoffend after rehabilitation efforts. Without this, it cannot have confidence that rehabilitation programs are reducing the risk of domestic and family violence.¹⁵

Improved data collection is needed to better understand the impacts of domestic and family violence on children and young people, particularly those who are Aboriginal and Torres Strait Islander, culturally and linguistically diverse, living with a disability, identify as LGBTQIA+ or from rural and remote areas.

Young people told us:

"We need to get some multicultural organisations to help with research to see the disparities that might exist in CALD communities, because there is definitely going to be underreporting. I know in my own community, no one would come forward about domestic and family violence. A lot more can be done about the stigma and shame of reporting in these communities, and the cultural and religious influences surrounding it."

"There needs to be more research into why women use domestic and family violence. There are lot of research out there around why men do it, but not much surrounding why women do it."

"We should be keeping track of offenders over time to see if they are truly rehabilitated and who is likely to reoffend and observed what they typical patterns are. Understanding the trajectory of that behaviour over a lifetime – you need to know the problem to be able to fix it, right?"

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