



AASW

**Australian Association
of Social Workers**

*Submission to the Commissioner
for Children – Tasmania*

*Re: Family and Domestic Violence – Its
Impact upon Children and Young People in
Tasmania*

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Introduction

Who we are

The Australian Association of Social Workers (AASW) is the professional body representing over 10,000 social workers throughout Australia. We set the benchmark for professional education and practice in social work and have a strong voice on matters of social inclusion, social justice, human rights and issues that impact upon the quality of life of all Australians.

The social work profession

The social work profession is committed to the pursuit of social justice, the enhancement of the quality of life, and the development of the full potential of each individual, group and community in society. Principles of social justice, human rights, collective responsibility and respect for diversities are central to the profession and are underpinned by theories of social work, social sciences, humanities and Indigenous knowledge.

The social work profession is committed to maximising the wellbeing of individuals and society. We consider that individual and societal wellbeing are supported by socially inclusive communities that emphasise principles of social justice and respect for human dignity and human rights, including the right to be part of a loving and understanding family.

Understanding family violence

The AASW takes the view that family violence is predominantly, but not exclusively, 'violence against women'. The phrase 'violence against women' can be understood as an overarching term that encompasses all forms of gender-based violence, which is rooted in the unequal place of women in society. Violence against women is mostly perpetrated by men and is 'the most pervasive, yet least recognized human rights abuse in the world'.¹ Violence against women is 'recognised by the UN as a violation of women's rights and freedoms...especially concerning their entitlements to equality, liberty, integrity and dignity in political, social, economic, cultural and civic life'.²

While family violence disproportionately affects women, it is important to acknowledge that children and young people's exposure to family violence is widespread in Australia. We note in particular that according to Australia's National Research Organisation for Women's Safety, 61% of Australian women who have experienced intimate partner violence reported having children in their care when the violence occurred.³ In this context child abuse and neglect is a serious problem in Australia, with high prevalence and profound long-term effects. Types of child abuse and neglect in the context of family violence can include emotional abuse, emotional and physical neglect, physical abuse, sexual abuse and exploitation. There are complex interlocking contributing factors leading to child abuse and neglect that makes this area one of the most demanding of fields of practice.

The social work profession supports and enacts the United Nations Declaration on the Rights of the Child, particularly Principle 9, which states that 'The child shall be protected against all forms of neglect, cruelty and exploitation'⁴ and therefore identifies the effects of family violence on children and young people as primarily a rights-based issue.

¹ United Nations Population Fund n.d., Gender equality: Ending widespread violence against women, retrieved 6 August 2014, <http://www.unfpa.org/gender/violence.htm>

² UN, 1993, as cited in VicHealth, 2011, Preventing violence against women in Australia: Research summary

³ Australia's National Research Organisation for Women's Safety, 2014, Violence against women: Key statistics. Retrieved 6 August 2014, <http://www.anrows.org.au/sites/default/files/Violence-Against-Australian-Women-Key-Statistics.pdf> based on data from the ABS Personal Safety Survey 2012

⁴ <https://www.humanrights.gov.au/convention-rights-child>

The AASW welcomes this inquiry as it focuses on children and young people, whose unique experiences of family violence are sometimes overlooked.

Our submission

Social workers are employed in a broad range of roles and organisations and have the capacity to support the primary, secondary and tertiary prevention, early intervention and crisis response of family violence. The AASW has worked extensively in the field of family violence advocating for rights of women and children.⁵ Therefore, the AASW welcomes the opportunity to contribute to this inquiry *Family and Domestic Violence – Its Impact upon Children and Young People in Tasmania*.

The AASW's response was developed in consultation with our members, many of whom have extensive experience in the field.

Responses

1. How are Tasmanian children and young people affected by family and domestic violence and what are their needs?

- 1.1. Violence against women impacts on the health and wellbeing of their children, as children exposed to violence have higher rates of anxiety, depression, trauma, hyper vigilance, challenging behaviours, attachment and developmental disorders, and social and learning difficulties than the general population, although it must be noted that some children are not impacted in this way.^{6,7} There is evidence that children who are exposed to family violence are not adept at regulating their aggression and may perpetuate the cycle of violence.⁸ Other studies have shown that a proportion of children whose mothers experience partner violence will themselves experience ill effects of this violence over the course of their lives.⁹
- 1.2. Children and young people are affected by family violence in far more broad and complex ways than is currently recognised at a policy level. The overt focus on children hearing and witnessing overt acts of physical violence, does not acknowledge the negative impact that the coercive and controlling actions that perpetrators can have. Children bear witness and are deeply intertwined in the daily manifestations of these coercive behaviours, which can have significant short- and long-term emotional impacts.
- 1.3. Understanding cumulative harm is crucial in order to appreciate the experiences and needs of children and young people. Cumulative harm 'refers to the effects of patterns of circumstances and events in a child's life, which diminish a child's sense of safety, stability and wellbeing. Cumulative harm is the existence of compounded experiences of multiple episodes of abuse or "layers" of neglect. The unremitting daily impact on the child can be profound and exponential, covering multiple dimensions of the child's life.'¹⁰
- 1.4. Several authors refer to family violence as having a core of coercive control that may or may not include physical violence.¹¹ Unpacking coercive control means acknowledging that children and young people are being subjected to a pattern of conduct rather than incidents of family violence or physical violence. Coercive control is complex and refers to the relentless tactics used to keep control, whether by disregarding, obstructing or overwhelming the legitimate

⁵ For more information about our position please visit our website <https://www.aasw.asn.au/>

⁶ Humphreys, C 2007. Domestic violence and child protection: Challenging directions for practice. Issues paper 13. Sydney: Australian Domestic & Family Violence Clearinghouse

⁷ Bedi, G & Goddard, C 2007. 'Intimate partner violence: What are the impacts on children?' *Australian Psychologist* 42(1), 66–77

⁸ Schechter, DS, Zygmont, A, Coates, SW, Davies, M, Trabka, KA, McCaw, J, Kolodji, A & Robinson, JL, 2007. 'Caregiver traumatization adversely impacts young children's mental representations of self and others', *Attachment & Human Development*, 9(3), 187-205

⁹ VicHealth, 2014, op cit.

¹⁰ http://www.dhs.vic.gov.au/__data/assets/pdf_file/0012/589665/cumulative-harm-conceptual-overview-part1.pdf

¹¹ Pitman, T 2016. Living with Coercive Control: Trapped within a Complex Web of Double Standards, Double Binds and Boundary Violations. *British Journal of Social Work*, bcw002.

needs and rights of all members of the family, including children.

- 1.5. Trauma associated with family violence often lasts a lifetime for the victim. Social workers in this field frequently see mothers who have been traumatised by the experience of family violence.. Many experience ongoing mental health issues but do not have the resources to seek therapeutic support. This in turn often impacts the parent–child relationship as the effects of the damage done by the perpetrator on this parent-child relationship can continue for many years if left unchecked.
- 1.6. The AASW supports a systematic response that incorporates medium-to-long-term trauma counselling for children and young people, which recognises their own unique needs and experiences of family violence.

2. What are the outcomes for children and young people engaging with services, programs and support in Tasmania?

- 2.1. The AASW has particular concerns regarding the intersection between child protection services and family violence. When family violence issues are referred to the child protection system the mother is often made responsible for protecting the children. Child protection systems often emphasise the behaviour of the mother as the issue that puts children at risk, rather than the abusive behaviour of the perpetrator, which places the children at further risk.^{12,13}
- 2.2. Central to improving child protection services is the better incorporation of a professional social work workforce who has the skills necessary to better understand the complexities of family violence. Particularly AASW Accredited Social Workers who can demonstrate advanced training and knowledge in child protection interventions.
- 2.3. Engaging with support services can have improved outcomes for children and young people, but these services need to be staffed by highly trained and skilled practitioners.
- 2.4. Support services need to be underpinned by a greater understanding of a child's experience of family violence. The neglect, abuse and coercive control strategies of the perpetrator can continue post-separation, and sometimes in more subtle forms, which services may not be able to clearly identify.
- 2.5. Members have identified that there are inappropriately long waiting lists for most services in Tasmania. These services are addressing only part of the problem of family violence. This is partly because of the lack of clarity of the definitions and also the complexity of behaviours that children may exhibit and are likely to experience in the course of their life due to the tactics used within coercive control.

3. How can Tasmanian services and organisations best respond to the needs of children and young people affected by family and domestic violence?

- 3.1. Services can best respond by being fully aware of the circumstances and dynamics of family violence, irrespective of whether this includes incidents of physical violence. In this respect, it is important that services review their assessment frameworks and broaden their criteria for eligibility, so that more children and young people can access services.
- 3.2. Providing age-appropriate information to children and young people is of significant importance, as they need to better understand the extent of what they are experiencing. This is pivotal step in giving them the support necessary to improve their self-esteem, sense of safety, and a space to focus on their own needs, rather than those of the father, or even their mother.
- 3.3. The experience of coercive control denies the child agency, autonomy or equality and it is of concern that post-separation parenting arrangements can continue that experience in the guise

¹² Humphreys, C 2007. 'Domestic violence and child protection: Challenging directions for practice', *Australian Domestic Violence Clearinghouse Issues Paper 13*, Sydney, NSW: Australian Domestic Violence Clearinghouse UNSW.

¹³ Douglas, H & Walsh, T 2010. 'Mothers, domestic violence, and child protection', *Violence Against Women*, 16(5), 489-508.

of their father's right to access. For truly effective policy and practice, more knowledge is needed on how the 'wide variety of acts and behaviours perpetrated by one person against another operate together and reflect on each other'.¹⁴

4. How are the views of children and young people considered and taken into account in
a) legal processes where family and domestic violence is an issue
b) family and domestic violence related research
c) the design and delivery of services

- 4.1. Members have raised concern regarding legal processes that do not take into account the needs and concerns of children and young people because of the rights of the father to access.
- 4.2. There is a significant need for an increase in the education and training around family violence for all court workers, including magistrates, who continue to be unaware of the many ways in which perpetrators attempt to control their victims through the court processes. In being unaware of these tactics, magistrates and judges can be compliant in the continuing abuse.
- 4.3. Research is not always focused on the voice of the child but on the voice of adults. Unfortunately, this means that the experience of children and young people within families affected by family or domestic violence is not fully understood or embraced. Young people are victimised and negatively affected, but also often play a very positive role in the family in response to their father's abuse. For example, young people are quite capable of protecting their siblings, standing up for their mother, caring for pets, learning the best techniques to keep themselves as safe as possible. Children and young people demonstrate resilience and fortitude and creativity, which can sometimes be overlooked.

5. What opportunities exist for improvement? Are you aware of any innovative programs or services that could be adopted in Tasmania?

- 5.1. As stated previously, broadening an understanding of the complexity of family and domestic violence so that those affected by it are eligible for immediate, professional and age appropriate responses. Currently, services are focused on physical violence and are not aware of the nuances of children's and young people's experiences, especially in relation to neglect.

6. Do you have anything else you would like to contribute concerning the impact of family and domestic violence on Tasmanian children and young people?

- 6.1. The AASW believes that at the highest level, public policy needs to lead to wide attitudinal and behavioural change in society. To date public policy has failed to fully acknowledge children affected by family and domestic violence. This is an area of public policy that needs continued effort and attention.

Conclusion

The AASW shares the concern of the Commissioner that the impacts on children of domestic and family violence are significant. The AASW believes that this is an issue that must be addressed at a number of levels, but central to this is an acknowledgement and greater understanding of how children and young people experience family violence.

**Prepared in collaboration with AASW Tasmania and submitted
for and on behalf of the Australian Association of Social Workers Ltd**

¹⁴ Wangmann, JM 2011. 'Different types of intimate partner violence: an exploration of the literature', Sydney, Australian Domestic & Family Violence Clearinghouse, UNSW



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