



## **Royal Commission on Domestic, Family and Sexual Violence – Issues Paper #1** *August 2024*

### **Introduction**

The Youth Affairs Council of South Australia (YACSA) is the peak body representing young people aged 12 to 25 years as well as the non-government services that support them. YACSA is a member-based organisation, our policy positions are independent and not aligned with any political party or movement. We aim to achieve meaningful improvements in the quality of young people's lives. YACSA advocates for the fundamental right of all young people to contribute to aspects of community life, including decision-making processes that impact them, and we recognise the unique challenges young people face when engaging in decision-making processes.

Domestic, family and sexual violence (DFSV) is a significant concern for young people, and they should be recognised as priority stakeholders. Young people should be recognised as victim-survivors as well as perpetrators of DFSV, and the increased risk young people experience should be considered throughout the Royal Commission.

YACSA maintains that governments, institutions, workplaces, and the community play a vital role in instigating and supporting social and cultural change to prevent violence before it starts and that, as identified by Australia's National Research Organisation for Women's Safety, we note that young people are agents of change in ending violence against women and children and should be prioritised as such<sup>i</sup>.

### **Young people in context**

Young people across South Australia today are experiencing vastly different circumstances to older generations. Economically, socially, environmentally and civically young people are increasingly facing difficult issues while also not feeling represented by governments that have enacted policies which have directly exacerbated disproportionate impacts of global events experienced by young people<sup>ii</sup>. The 'generation bargain' of transferring resources, liabilities, rights, obligations and inequalities between each generation has been broken. Despite a substantial time of economic growth in Australia young people are now reported as being the first generation in Australia since federation to have a lower standard of living than the previous generation<sup>iii</sup>. Policy decisions on the economy, environment and other areas have led to young people experiencing distinctive challenges not experienced by previous cohorts and this context must be recognised whenever considering young people and decisions that impact them and their lives.

### **Young people and DFSV**

DFSV remains an endemic issue in Australia. National data demonstrates severe rates of DFSV but, as research indicates that many victim-survivors do not officially report their experiences, available data does not necessarily show the full extent of DFSV nor does this data demonstrate the far reaching and long-term impacts on predominantly women, children and young people<sup>iv</sup>. In Australia it is

estimated that one in six women have experienced violence (either physical or sexual) perpetrated by a current or former partner<sup>v</sup> and an average of one woman is killed per week<sup>vi</sup>. These statistics indicate Australia experiences more prevalent DFSV than North America or Western Europe<sup>vii</sup>.

Young people are not only at greater risk of experiencing violence but are also impacted by DFSV when witnessing, intervening in and perpetrating violence themselves. Previous assumptions that young people would develop better understandings of and attitudes towards gender inequality and DFSV have not been realised in some areas and young people can lack an appropriate understanding of DFSV and continue to hold misinformed attitudes that act as a driver of DFSV<sup>viii</sup>. This is vital context to consider as young people are experiencing a stage where expressions, values and understandings can be influenced by exposure to DFSV and attitudes that support it<sup>ix</sup>. Currently there is evidence to indicate a concerning decline in the proportion of young people that understand DFSV is most likely to be perpetrated by men and nearly a quarter of young people report holding the belief that DFSV is not common<sup>x</sup>. Additionally, exposure to family violence and problematic family relationships or circumstances are criminogenic risk factors that contribute to young people's risk of engagement with the youth justice system. Systematic review in 2021 showed 90 per cent of young people involved with the youth justice system reported exposure to traumatic events<sup>xi</sup>. Further a 2022 article showed 94 per cent of young people involved with the youth justice system in South Australia were known to child protection at the time with many experiencing emotional abuse, family violence, sexual abuse and physical abuse<sup>xii</sup>.

Existing initiatives to prevent and intervene on and respond to DFSV as well as support those impacted by DFSV that are targeted to young people remain limited across South Australia. While effective programs exist, youth sector organisations have difficulty evaluating programs and meeting need due to funding limitations.

### **Prevention – what causes DFSV, what works to prevent DFSV and what initiatives exist**

Attitudes towards and understandings condoning gender inequality and DFSV are strong indicators for acceptance and perpetration of DFSV<sup>xiii</sup>. These attitudes and understandings can influence responses to DFSV, impact family and friend support, and affect perpetrators as much as victim-survivors. Aligning with stereotypical gender roles and views of masculinity and femininity, due to personal acceptance or societal pressure, is a driver that impacts young people as they are at a stage of development where understanding can be influenced by exposure to DFSV and attitudes that support it<sup>xiv</sup>.

Another driver of DFSV is male dominance in decision-making which has a long and entrenched history in Australia, especially South Australia. 'Critical mass theory' suggests when women represent a substantial proportion of legislators then policy matters traditionally considered to be 'women's issues' like DFSV can be more effectively promoted, decided and implemented<sup>xv</sup>. The United Nations states 30 per cent is the minimum proportion of women legislators needed in Parliament to influence debates and policy to the benefit of women as a population<sup>xvi</sup>. South Australia did not reach critical mass until mid-term in 2021 when the Hon Heidi Girolamo MLC filled a vacancy left by the retiring Hon David Ridgeway MLC, which saw women's representation rise to 30.4 per cent<sup>xvii</sup>. As of July-2024 women represent approximately 41 per cent of South Australian Parliament's elected representatives (50 per cent of the Legislative Council and 36 per cent of the House of Assembly). While the representation of women in South Australian Parliament has increased in recent years, evidence shows that young women (18 to 24 years) continue to report that they don't consider entering politics as Australian politics is not an equal or safe space<sup>xviii</sup>.

Utilising opportunities to effectively challenge DFSV-condoning attitudes and understandings at an individual and community level is an identified priority internationally<sup>xxix</sup>. Recognition of persistent gender inequality in Australia is vital context for efforts to effectively prevent DFSV. The Federal Government first considered DFSV to be a national crisis after persistent efforts by advocates throughout the 1970s and 1980s<sup>xxx</sup>. While the recognition gained for DFSV shifted it to the public sphere, effort since has not always involved consideration of gender inequality. For example, in 2004 under then Prime Minister John Howard, the Federal Government launched the 'Violence Against Women: Australia Says No' campaign which took a gender-neutral approach to addressing DFSV. The campaign diluted efforts to address drivers of DFSV and instead focused on individualising responsibility<sup>xxxi</sup>. Approaches like this can undermine understanding of the direct connections of DFSV and broader societal context of gender inequality. Thus, increased discourse and wider consideration of DFSV has improved efforts to address the issue at a Federal and State level, but it remains a concern<sup>xxxii</sup>. Policy reform has occurred nationally, however, when DFSV is approached by legislators holding a misinformed understanding of gender inequality and the power imbalance of DFSV, policy debate and decisions can act as a barrier to addressing DFSV in practice<sup>xxxiii</sup>. A non-intersectional un-gendered approach to DFSV risks proliferating an understanding that DFSV is more about individual actions of perpetrator and/or victim-survivors, and less an issue of control and power underpinned by structural inequalities in society that drive men's use of violence<sup>xxxiv</sup>. Intersectional and gendered determinants of DFSV must be recognised within legislative debate and decision at a substantial level to effectively address DFSV<sup>xxxv</sup>.

Current evidence demonstrates that respectful relationships education can shift understandings and attitudes on gender inequality and other drivers of DFSV effectively when a whole-of-school approach is adopted, a professional learning strategy is developed, a long-term approach and funding is available, and a program is evaluated to identify improvements<sup>xxxvi</sup>. Recent national evaluation further recommended improvements be made to program quality and program evaluation models and that the Federal Government work with State and Territory Governments to fund the development of best practice learning available to education departments as well as non-government schools<sup>xxxvii</sup>. Evidence also shows that primary prevention focusing on young people needs to be co-designed with young people, engage young people on a longer-term basis and enable development of a trusting relationship between peer educators and young people<sup>xxxviii</sup>.

Respectful relationships education is grounded in a gender-based framework, based on evidence that demonstrates that gender inequality is a primary driver of DFSV. Research demonstrates interactive, action-based peer-to-peer learning within a school, sport or recreational clubs, youth-based organisations and on social media are most effective in shifting young people's attitudes<sup>xxxix</sup>. ANROWS has demonstrated young people highly value peer-to-peer education on respectful relationships and the positive impacts of this delivery method<sup>xxx</sup>. From this work, evaluation has identified the need to fully fund and embed prevention within an educational setting to develop long-term peer-to-peer learning.

Improving understandings of consent and sexual violence is important among young people. Specific myths about the perpetration of sexual violence remain consistent with approximately 26 per cent of young people not agreeing to some degree that 'women are more likely to be raped by someone they know than by a stranger'<sup>xxxi</sup>. Recent findings from a survey of secondary students found many young people who experienced unwanted sexual activity reported it first occurred within an intimate relationship, with most experiencing verbal pressure or agreeing because they were concerned about negative outcomes<sup>xxxii</sup>. There is a clear need to improve education available to young people in school with less than 25 per cent of young people in secondary school reporting their most recent relationships and sexuality education was 'very to extremely relevant' to them<sup>xxxiii</sup>.

Primary prevention activity like the peer-to-peer program 'R4Respect' has reported success with 84 per cent of young people having improved understanding of respectful relationships<sup>xxxiv</sup>. Another effective primary prevention program currently operating in South Australia is the 'Power to End

Violence Against Women'. Within a school setting the program aims to challenge attitudes, beliefs and behaviours that are drivers of DFSV. With a focus on concepts like bystander intervention, gendered constructs and power within relationships the program raises young male students' awareness of their ability and responsibility to consider and modify everyday attitudes and behaviours that drive DFSV<sup>xxxv</sup>. However, while respectful relationships education has seen improvement in understandings and attitudes in the past decade, more efforts are needed especially targeting young people<sup>xxxvi</sup>. Primary prevention delivered by non-government organisations is limited by short-term and restricted funding<sup>xxxvii</sup> which impacts organisations' ability to incorporate the latest evidence and expand programs to meet emerging needs.

### **Early intervention – what systems could identify young people at risk, what is needed for services and what intervention should be considered**

Early intervention for those at risk of experiencing, witnessing and perpetrating DFSV should be an opportunity to provide young people with holistic support, programs and resources. Holistic early intervention support, programs and resources for young people must recognise the barriers young people face in accessing services, be evidence-based and co-designed with young people to maximise effectiveness.

Regardless of whether a young person is a victim-survivor, witness or perpetrator, access to mental health and wellbeing support is a crucial service involved in early intervention especially as young people who experience or perpetrate family, intimate partner, or sexual violence are at greater risk of perpetrating or experiencing violence later in life<sup>xxxviii</sup>.

While more evidence on effective intervention targeting young people who perpetrate DFSV is needed, research indicates a need to reform police response and child protection frameworks to better integrate outreach whole family support that focuses on restorative justice<sup>xxxix</sup>. Programs focused on perpetrator behaviour change in Australia are awaiting evaluation, however evidence suggests for these programs to be effective, they should include effort to shift attitudes and change behaviour while also providing psychosocial support. Additionally, ensuring there is a widespread understanding of the aims of behaviour change programs is needed including recognition that evaluation is more appropriately based on a variety of indicators and not simply a reduction in reports of DFSV. Further expansion of support services, including legal assistance specifically targeted to young people, as well as investment in long-term accommodation options linked closely to therapeutic support are necessary to divert young people from the justice system<sup>xl</sup>.

### **Response – what barriers are there to seeking support and elements of best practice responses**

Part of genuinely recognising young people as victim-survivors, witnesses and perpetrators in their own right is providing services developed for them and adequately resourcing them. It is also important to acknowledge the need for system responses to shift from incident-focused intervention towards long-term holistic support that can integrate therapeutic, educational, financial, and social support for young people. A significant portion of young people who experience DFSV seek informal support from friends or family and so it is vital that young people and those around them are supported to be aware of respectful relationships, affirmative consent and gender equality as well as the system supports available<sup>xli</sup>. A considerable minority (34 per cent) of young people indicate they would not necessarily know where to get advice or support about DFSV<sup>xlii</sup> and so, awareness should be improved.

While attitudes supportive of DFSV are improving and most young Australians reject problematic attitudes and beliefs there remain areas of concern that impact responses to DFSV. Previous assumptions that young people would naturally develop a better understanding of consent and

sexual violence have not been realised, and young people continue to hold misinformed beliefs particularly on sexual violence<sup>xliii</sup>. This is particularly important as young women, trans and gender non-binary people are especially vulnerable to sexual violence<sup>xliv</sup> with the highest rate of sexual assault victimisation being women aged 15-19 years of age<sup>xlv</sup>. Recent results from the 2021 National Community Attitudes Towards Violence Against Women Survey (NCAS) showed young people have a weaker rejection of attitudes that mistrust women and their reports of sexual assault with 33 per cent of young people agreeing to some degree that 'it is common for sexual assault accusations to be used as a way of getting back at men', and 21 per cent of young people agreeing to some degree that 'a lot of times women who say they were raped had led the man on and then had regrets'. More effort is urgently needed to ensure young people, especially young men, understand that false accusations of sexual assault are evidenced to be extremely rare. False beliefs regarding reports of sexual violence maintains a significant barrier for victim-survivors to seek support which means a formal response, no matter how well developed and implemented, will be inaccessible to many victim-survivors<sup>xlvi</sup>.

Young people engaging in family violence have complex needs including mental illness, substance use issues, or disability and understanding of young perpetrators is underdeveloped<sup>xlvii</sup>. However, while no violence should be excused there needs to be a distinct response for young people who perpetrate violence that is separate from the justice system<sup>xlviii</sup>. For young people, adult perpetrator programs are not always effective and mental health issues are shown to be a significant barrier to participation in programs to address use of violence<sup>xlix</sup>. Evidence indicates a specialist therapeutic response is needed for young people using family violence as intersecting risk factors can present a complicated task for service providers. Evaluation of the Adolescent Family Violence Program which consisted of intensive case management suggests that targeting present risk factors for perpetration is required to immediately reduce violent behaviour by high-risk young people<sup>l</sup>. Addressing a young person's individual risk factors can be achieved through interventions like cognitive behaviour therapy focusing on cognitive processing, emotional management and behaviour control.

Evaluations conducted across Australia suggests that police responses to DFSV regarding young people, while sometimes necessary to ensure safety, are often inappropriate and more options are needed<sup>li</sup>. It is clear that support should be provided to a young person and their family well before the need for a police response, however, this is not always possible. Families who have experienced a police response to DFSV regarding a young person report that police need alternatives to criminal charges and should be better trained to deescalate and minimise the need for further justice system engagement and improved responses to young people living with mental illness and/or disability<sup>lii</sup>. While current youth justice system responses to young people perpetrating DFSV are poor, restorative justice approaches have proved effective<sup>liiii</sup> and there have been promising program results reported in other jurisdictions such as the KIND program operating in Victoria<sup>liv</sup>.

## **Recovery – universal needs of victim-survivors and best practice approaches**

Adequate recovery support for young people is essential for their safety, health and security. Support should be trauma-informed and encompass long-term and holistic financial, social, and psychological support to assist them to reconnect with family, community, and their own independence. Risks of revictimization and future perpetration make recovery needs of young people unique to other cohorts however, South Australia currently lacks substantive youth-specific services<sup>lv</sup>.

Given holistic recovery support is most effective for young people the youth sector should be provided adequate funding, training and support to facilitate co-designing targeted recovery support services with young people.

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