



The PIPA project:
Positive Interventions for Perpetrators of
Adolescent violence in the home
Key findings and future directions

ANROWS

AUSTRALIA'S NATIONAL RESEARCH
ORGANISATION FOR WOMEN'S SAFETY
to Reduce Violence against Women & their Children

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Acknowledgement of lived experiences of violence

ANROWS acknowledges the lives and experiences of the women and children affected by domestic, family and sexual violence who are represented in this report. We recognise the individual stories of courage, hope and resilience that form the basis of ANROWS research.

Caution: Some people may find parts of this content confronting or distressing.

Recommended support services include: 1800 RESPECT – 1800 737 732 and Lifeline – 13 11 14.

ANROWS Research to policy and practice papers are concise papers that summarise key findings of research on violence against women and their children, including research produced under ANROWS's research program, and provide advice on the implications for policy and practice.

This is an edited summary of key findings from ANROWS research *The PIPA project: Positive Interventions for Perpetrators of Adolescent violence in the home*. Please consult the ANROWS website for more information on this project and the full project report: Campbell, E., Richter, J., Howard, J., & Cockburn, H. (2020). *The PIPA project: Positive Interventions for Perpetrators of Adolescent violence in the home (AVITH)* (Research report, 04/2020). Sydney, NSW: ANROWS.

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ANROWS research contributes to the six National Outcomes of the *National Plan to Reduce Violence against Women and their Children 2010-2022*. This research addresses National Plan Outcome 6 – Perpetrators stop their violence and are held to account.

Acknowledgement of Country

ANROWS acknowledges the Traditional Owners of the land across Australia on which we work and live. We pay our respects to Aboriginal and Torres Strait Islander Elders past, present, and future, and we value Aboriginal and Torres Strait Islander histories, cultures, and knowledge. We are committed to standing and working with Aboriginal and Torres Strait Islander peoples, honouring the truths set out in the Warawarni-gu Guma Statement.

IN BRIEF

The PIPA project: Positive Interventions for Perpetrators of Adolescent violence in the home

- Adolescent violence in the home (AVITH) is commonly described as a pattern of violent or abusive behaviour used by an adolescent within their family.
- Adverse childhood events or trauma are a major contributor to the use of AVITH.
- Families are experiencing AVITH with little service support, such as child protection, education, welfare, housing, counselling, or domestic and family violence services.
- Police, courts, child protection services and social support services are not equipped to respond constructively and holistically to AVITH.
- Service responses are not tailored to the unique situation and vulnerabilities of adolescents who use violence in the home.

KEY RECOMMENDATIONS

- Invest in the development of expertise in AVITH across the family violence, legal, disability, mental health and other relevant service sectors.
- Ensure that legal responses assess the capacity of young people to understand and comply with civil protection orders, as well as criminal justice processes.
- Ensure that legal responses have access to information about risk across whole-of-family settings.
- Increase focus on early intervention in childhood experience of trauma and violence.
- Develop evidence-based and trauma-informed AVITH-specific interventions that include capacity for outreach, case management and restorative engagement, and build capacity for whole-of-family approaches.
- Support the development of strengths-based and community-led interventions that respond appropriately to AVITH in Aboriginal and Torres Strait Islander communities, as well as culturally and linguistically diverse (CALD) communities.
- Invest significant policy attention and inquiry into the disproportionate rates of adolescents with disability coming into contact with justice system settings.

Adolescent violence in the home (AVITH)

AVITH is commonly described as a pattern of violent or abusive behaviour used by an adolescent within their family. As AVITH refers specifically to use of violence by adolescents within the home, it is mostly perpetrated against parents or other caregivers and siblings. It is distinct from isolated incidents of violence, in that, like other forms of domestic and family violence, it is a pattern of behaviour. AVITH may involve property damage; financial, psychological and emotional abuse; physical intimidation; and assaults, including sexual assaults. While many adolescents who use family violence are victims/survivors of violence themselves, service and legal systems are designed to deal with people either as victims/survivors or as perpetrators, but rarely as both. Once an adolescent becomes labelled by the courts or a service as a “perpetrator”, they can potentially be precluded from key supports, such as crisis accommodation or out-of-home care because of their use of violence against others. Adolescents who use violence usually are also affected by other specific vulnerabilities, such as dependence on others for housing or finances.

The use of family violence by adolescents is significantly underreported. Reasons for this could include parents (most often mothers) feeling shame, stigma, a sense of blame for the behaviour, or a sense that it is their job to manage and protect their child above all (Daly & Nancarrow, 2010; Fitz-Gibbon, Elliot, & Maher, 2018; Howard & Abbott, 2013). Equally, parents may not view their child’s behaviour as violence but accept it as “normal” or developmentally appropriate for an adolescent to “act out”. Further, they may fear reporting to police and posing legal risk to their child, or themselves or other members of their family; they may also fear that reporting will attract the intervention of child protection services. This is a particular concern in Aboriginal and Torres Strait Islander communities.

Despite underreporting, available data suggest that AVITH is a significant issue. For example, data in Victoria indicate that around 10 percent of respondents to police family violence call outs are young people aged 19 years or younger (State of Victoria, 2016a) and that 7 percent are children aged 17 years or younger (Crime Statistics Agency, 2018). These figures indicate the rate at which adolescents are identified as “perpetrators” by current legal system responses.

Earlier work has identified that AVITH is a concern for practitioners and stakeholders in Australia. Adolescents are currently subject to legal responses when their use of violence comes to the attention of the legal system, however, there is a gap in knowledge regarding these responses. Beyond underreporting, this gap is underpinned by the great variation in jurisdictional practice, policy, and legislation, and a general lack of awareness of AVITH as a specific phenomenon.

What we do know is that there is:

- a lack of consistent legal response
- a lack of opportunity to craft one
- poor identification of the issue throughout the legal system (Centre for Innovative Justice, 2015; see also State of Victoria, 2016b).

Throughout this paper, “use of violence by adolescents” or “use of violence by young people” refers to use of violence by adolescents in the home.

The PIPA project: Positive Interventions for Perpetrators of Adolescent violence in the home (AVITH) by Elena Campbell, Jessica Richter, Jo Howard and Dr Helen Cockburn

How does the legal system respond to adolescents¹ who use violence in the home, and what are the impacts of this response on adolescents and their families?

The PIPA project explores this question, and aims to improve evidence regarding:

- legal responses to adolescent violence in the home (AVITH) as it presents in different justice and service contexts
- the co-occurrence of AVITH with other issues and juvenile offending
- current responses and gaps in service delivery.

This project has been conducted across Victoria, Tasmania and Western Australia to examine how AVITH is conceived and responded to in three contrasting legislative and policy settings.

The project maps legislative and regulatory frameworks and policy and service responses across the three jurisdictions. Interviews and focus groups were conducted with 157 practitioners from courts, family violence services, integrated family services, legal services, and youth and education services.

Focus groups and interviews broadly focused on the extent to which practitioners encountered AVITH in their day-to-day work; the co-occurring issues with which families experiencing AVITH presented; and the legal system interventions that families experienced as well as the consequences of these.

Complementing these was a case file audit of 385 cases from courts and legal services in the three participating jurisdictions used to examine narratives of co-occurring issues and to understand the impact that legal intervention can have.

The focus of the project was on the legal and policy response to AVITH, rather than on the experience and use of AVITH itself. Because of this, the project prioritised observations from practitioners. However, the intention is that the findings of the PIPA project can be used as a basis for further research where the voices of adolescents and their families can be built in.

The full report (including detail on research methodology) is available at www.anrows.org.au

¹ The project limited its definition of “adolescent” to young people aged 10-17 years.

Case studies

The report presents a number of case studies, constructed from a composite of multiple features taken from aggregate case file data to avoid risk of re-identification. They therefore do *not* represent an individual person or family's story. The case studies selected here represent a range of stories to exemplify a key finding of the research: experiences of AVITH are complex and diverse, and in many ways resist typology.

CASE STUDY 1

The respondent is a young adolescent boy and the affected person is his mother. The affected person stated that the respondent has been abusive for the last year, and over that time has regularly hit and pushed her, verbally abused her and thrown objects at her. He has repeatedly caused significant damage to the house and has broken the affected person's belongings. The behaviour usually occurs when the respondent does not get something that he wants, or when household rules are enforced.

The most recent incident occurred when the affected person said that the respondent could not use the computer. The respondent kicked the affected person in response. The affected person left the house in fear and called the police. The affected person told police that the violence has been getting more extreme and frequent over recent weeks. The affected person told police that she is so afraid of the respondent that she has been unable to sleep. The court made an interim safe contact protection order and attempted to have the respondent served.

The respondent was not able to be served. The Magistrate adjourned the hearing in order to provide further opportunity for the respondent to be served and to find out what the affected person's attitude to a final order was. Ultimately, the court made a final safe contact order of several months' duration in the respondent's absence. The respondent never attended court and multiple attempts to serve the respondent were made. The respondent was staying with a female relative while the matter was ongoing.

CASE STUDY 2

A 14-year-old girl is the accused. She is appearing in court in relation to a charge of aggravated burglary and other significant property damage. The evidence presented to the court indicates that the accused has been homeless or in unstable accommodation for some time. She has reported to her legal representation that she is not allowed to return home following conflict with other family members and concedes that this has involved significant property damage and threats to the safety of her siblings on her part. The accused, her mother and siblings have all experienced substantial physical violence and controlling behaviour from her father, although he has not been living with them for some time. The accused reports that her mother uses alcohol to manage her resulting trauma and that she and her siblings all experience significant anxiety. Without stable accommodation, the accused and her friends broke into a residence looking for money and/or goods to pawn, causing property damage in the process. The accused's background and prior experience of violence was presented as evidence in mitigation to the court, although the accused's own use of violence against her family was not raised.

CASE STUDY 3

A 15-year-old boy is the respondent and the protected person is his mother. After ongoing disruptive and violent behaviour at school, during which time the protected person sought and received limited assistance from the school counsellor, the respondent was excluded from school. The respondent spent increasing amounts of time with friends who had also disengaged from school, while experimenting with illegal substances, and upon returning home would threaten his mother and cause significant damage to the house. Incidents of property damage in public and other examples of low level offending were addressed via caution and/or other diversionary options by police, although the protected person told police that she was increasingly fearful for her own safety and that her son was beginning to exhibit the same behaviour and patterns as his father. Police provided her with referrals to universal social services but were unable to provide further assistance at that time. The respondent's use of violence at home became more and more severe, including an episode of strangulation. Police suggested that the protected person apply for a Restraint Order in the Tasmanian Magistrates Court, but the protected person was fearful of how the respondent would react. Eventually the protected person sought and was granted a Restraint Order and the respondent was removed to crisis accommodation. The protected person told the court that she did not want to lose care of the respondent but that she just wanted them both to be safe, as they had both experienced significant violence at the hands of the respondent's father. At no point did the protected person or respondent receive other service sector assistance.

CASE STUDY 4

The defendant and affected persons, his parents, became involved in a verbal argument over the parents wanting the young person to seek mental health treatment, and also regarding their concerns about his peer group and him spending increasing periods of time away from home. The young person became angry and upset during the argument and walked out. After some time, the respondent/defendant returned and then took a kitchen knife and went into his room and cut himself with the knife. The respondent/defendant's parents tried to stop him, and he threatened to kill them with the knife. The parents called the police. Police attended and took the respondent/defendant to hospital for assessment of the injury, and later applied for a safe contact civil protection order on behalf of the parents. During this time the order was breached by a further similar incident, and the young person was charged.

Key findings

Childhood trauma is a major contributor to adolescents' use of violence in the home

Childhood trauma was reported by practitioners as being a major contributor to adolescents' use of violence in the home. While this may be partly due to “social learning” (where adolescents are exposed to intimate partner violence that they then copy), this research highlighted the significant impacts that trauma has on a child's ability to learn, communicate and regulate emotions and behaviour.

This has broad implications: earlier intervention is required in the lives of children experiencing family violence. A failure to intervene can mean that trauma then produces a range of complex challenges as children grow into adolescence. Practitioners across all three jurisdictions reported that any service support or legal intervention that responds specifically to AVITH is “coming 10 years too late”.

Despite the strong emphasis by practitioners on the contribution of childhood trauma to AVITH, childhood trauma is not always recorded in court and legal files and rarely recorded in files relating to civil matters. Lack of information before the courts about prior experience of childhood trauma—including its potential impacts on capacity to regulate emotions and behavior, or to understand and comply with orders—can undermine the effectiveness of legal responses.

Families are experiencing adolescent violence with little service support

In all three jurisdictions, families were experiencing AVITH with very little service support. Legal responses tended to be focused on incidents/behaviours visible to the legal system. This incident-focused intervention ignores the support needs (for example, housing, financial, educational or therapeutic needs) that, in actuality, span lifetimes, or even cross generations.

Matters coming to the attention of the legal system are often at high levels of severity, reflecting that people subjected to AVITH (most commonly parents) are often extremely reluctant to report it until it reaches a stage where they are in significant fear for their own safety or the safety of other children in their care (Howard & Abbott, 2013).²

It was therefore noted by practitioners that families need earlier and greater support, and support that plays to their strengths, before situations reach this crisis point. This was summed up by one practitioner:

Children are taken into care and then placed in foster care, and [child protection] spend enormous amounts of money and resources running those kids around and

² Of the 100 reviewed applications in the Children's Court of Victoria files, there were only two that were directly sought by the affected family member (as opposed to the majority of applications, which were made by Victoria Police on behalf of the affected family member).

getting them to appointments, and the parents say, well, ‘Why the fuck didn’t you do that for us? Because if you’d helped us get kids to appointments, we would have been able to do that a lot better.’ So, you’re spending this huge amount of money that could have been reinvested into actually supporting kids in staying with family and community. (Participant 8, focus group 18)

Services are struggling to provide appropriate delivery models for adolescents

Service delivery for adolescents should emphasise approaches that build trust and engagement over the long term, operating on an outreach model rather than by compliance. Whole-of-family support is imperative. This approach can rarely occur within the 6–12 week timeframe that is the norm in many service provision models.

Further, AVITH programs need to be mindful of cultural appropriateness: the understanding of AVITH as a distinct phenomenon is based on a culturally, economically and geographically specific family structure in which the adolescent child exists within a fairly restricted and small nuclear family unit. This understanding may not resonate with all people who experience AVITH. Community-led and whole-of-family support earlier in children’s lives is particularly important for Aboriginal and Torres Strait Islander families.

Child protection agencies are not equipped to respond constructively to AVITH

Child protection agencies lack a frame through which to address the use of family violence by adolescents and are not equipped to respond to the needs of young people. Practitioners were not critical of individual workers but, rather, of a system that functioned as a deterrent to families reporting.

A significant identified concern was that younger siblings were being removed from families affected by AVITH. As noted above, this is a particular concern in Aboriginal and Torres Strait Islander communities, for whom the involvement of statutory child protection authorities and the legal system carries compounded trauma and fear due to the devastating and ongoing impacts of past child removal policies.

More flexibility is needed for police in responding to AVITH

The initial decision by police about the nature of a legal response—as well as whether to proceed with one at all—has major consequences for a child’s life.

In Victoria, interim exclusion orders were issued in almost a third of cases involving adolescent respondents. A lack of crisis or alternative accommodation meant that police then seemed to have no option but to place adolescents with another family member or partner, which potentially just displaces the risk, rather than addressing it. Police members reported needing greater flexibility and discretion, as they often feel they have no choice but to seek an order because keeping people safe is the police’s responsibility.

We’re kind of in the middle because we’re damned if we do and we’re damned if we don’t. If we walk away, do nothing, and then if something either happens to the [victim] or for that matter to the child respondent as well, there’s going to be a lot of questions asked of police as to why they didn’t act. (Participant 1, focus group 12)

Positive accounts of police intervention were predominantly focused on specialist family violence teams, or community-based policing approaches, where dedicated officers could spend more time developing rapport with young people and getting to know the context in which they were living. This was described as rare and unpredictable, and as depending on the individual skill of specific members.

Little attention is paid to the circumstances of adolescents and their families when a protection order is in front of the court

When a protection order application reaches the court, there is a need for closer interrogation of the circumstances of adolescents and families. Review of the case files indicated that adolescents who were respondents to applications were often not legally represented or were not present in court.

Protection orders were being imposed without a formal requirement to assess an adolescent respondent’s capacity to understand or comply with the order, either because of their age, or because of other factors. This contrasts with criminal contexts, in which there is a requirement to determine a child’s capacity to understand, and is also particularly important given the finding (below) that there are a significant number of adolescents in front of the court with diagnoses that would equate to psychosocial or cognitive disability.

Nor was there a requirement for an assessment of the risk an adolescent respondent or their family may face. For example, some files featured adolescents who were the victims/survivors not only of previous, but ongoing, family violence in their current home

environments. In a handful of cases, the system was being used as a tool to perpetuate the abuse—and therefore the system was inadvertently colluding in, rather than addressing, risk to adolescents.

There is a high prevalence of adolescents with psychosocial disability who experience a family violence legal response

Many adolescents facing court for the use of AVITH have a psychosocial disability. This finding is of vital importance when it comes to considering the appropriateness of the current justice system response.

The findings suggest that, where adolescents who are using violence at home do have a disability, over-reliance on a legal response can draw into the legal system a cohort of adolescents with complex needs and equally complex challenging behaviour.

In relation to an adolescent's capacity to understand or comply with an order, including one excluding them from their home, adolescents may be made more vulnerable through limiting their contact with their primary caregiver. This is further complicated, however, when the protected family member is not only the parent, but the carer for a child with a disability who is using violence at home and who may also be left with the responsibility for enforcing the order.

Implications for policy-makers

Reform—whether legal, policy, or service-delivery—that is limited to a focus on “AVITH-specific” initiatives, although important, is unlikely to see change unless broader reform occurs to stem the trajectory from trauma and neurodevelopmental impairment in childhood to the use of AVITH in adolescence.

The full report contains specific recommendations to support improvement across the three legislative and service contexts. However, overall, there is clear evidence for the need for state, territory or, where relevant, federal governments to:

- Invest in the development of expertise in AVITH across the family violence, legal, disability, mental health and other relevant service sectors, and incorporate capacity to respond to AVITH in common risk assessment and management frameworks.
- Make public legal assistance available to child respondents to civil protection orders and ensure that the capacity of child respondents to understand or comply with an order is considered.
- Ensure that whole-of-family risk assessments occur at the point of contact with police in relation to AVITH, as well as courts and other service intervention.
- Invest significant policy attention and inquiry into the disproportionate rates of adolescents with disability coming into contact with justice system settings.
- Consider the use of therapeutic treatment orders to respond to AVITH in cases featuring adolescents with complex needs.
- Support the development of strengths-based and community-led interventions that respond appropriately to AVITH in Aboriginal and Torres Strait Islander communities, as well as culturally and linguistically diverse (CALD) communities.
- Develop evidence-based and trauma-informed AVITH-specific interventions that include capacity for outreach, case management and restorative engagement.
- Invest in crisis and long-term accommodation options specifically related to AVITH and linked to therapeutic supports.

Implications for practitioners and service providers

Implications for practitioners and service providers involve efforts to increase understanding of AVITH across all human service practice areas and, in summary, include:

- greater focus on the importance of recognising AVITH and its complexities—including the potential presence of trauma and undiagnosed disability—within mainstream family violence sectors
- increased awareness of family violence within the disability sector (rather than providing services in silos)
- greater focus on, and capacity building for, whole-of-family service provision
- development of capacity and capability for long-term, outreach-based engagement with adolescents, rather than service provision within constrained timeframes and compliance-based models
- improved collaborative, coordinated and integrated practice to respond to the complexity of AVITH, including links with schools, publicly funded legal services, and community-led responses in CALD and Aboriginal and Torres Strait Islander communities, as well as developing shared understanding and referral pathways between legal, child protection and community service interventions
- increased focus on early intervention in childhood experience of trauma and violence.

Further reading

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Please check the online version at www.anrows.org.au for any amendment.

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