



Protective
Mothers
Alliance
INTERNATIONAL
Ensuring The Rights Of Children And Protective Mothers In Family Court

Submission No. 11
(Youth Violence)
A.O.C. Date: 19/10/09

STANDING COMMITTEE
ON
19 OCT 2009
FAMILY, COMMUNITY,
HOUSING & YOUTH

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Committee Secretary
Senate Community Affairs References Committee
PO Box 6100
Parliament House
Canberra ACT 2600

RE: Inquiry into Suicide in Australia

Dear Sir/Madam,

As the recently appointed Australian director of the international protective mother's alliance, I appreciate the opportunity to contribute to the Inquiry into the impact of violence on young Australians.

With over five years of hands on experience working with young people and their families often affected by suicide, I am able to provide the balance required to acknowledge the needs young people and their families affected by violence. We acknowledge that violence against young people is a significant issue throughout home, in the workplace and schools. Some of the Key issues that are predominately on the social factors needing to be addressed are:

1. Leaders supporting or ignoring violence against young people.

Within the media celebrities especially within the football culture have been in the spotlight¹² for violence in various forms³ are often excused⁴ or even supported for their actions⁵, whilst victims are forced to endure the trauma and impact of the violence made against them.

¹ Code of Silence - Sarah Ferguson, Four Corners. 11/05/2009

² Wayne Carey assault probe- Anthony Dowsley, Herald-Sun December 28, 2006 12:00AM

³ Football 'thugs' banned from coast pub- Rebecca Tucker, February 24th, 2009

⁴ No Rape Charges Against The Canterbury Bulldogs-Anne Summers, May 2nd, 2004

⁵ I've waited seven years for call: Matthew Johns- Amanda Meade, The Australian, May 14, 2009

Recommendations:

- Those laws similar to defamation are made to ensure that all public media does not condone or trivialize violence of all forms.
- That more education programs on all forms of violence be implemented amongst sport organizations around Australia.

2. Laws that undermine protections for young people.

The current provisions for the family law act override⁶ the wishes of young people even in occurrences where the parent has proven to be a risk in the past or where there is a criminal history of violence up until the age of eighteen⁷. Research has evidenced even in longitude studies⁸ that the impact of family violence can contribute to a range of mental health issues⁹.

Recommendations:

- That a provision be made within the family law act to protect young people from exposure to or risk of family violence.
- That all services that are charged to investigate and address family violence be empowered to provide the evidence required to ensure a young person's safety.
- That young people are empowered to obtain a family violence order and that state laws establish a consistency to the extent of protections available.

3. Lack of education in adequately addressing violence against young people.

Some of the everyday services that engage young people are either trained in understanding violence in a limited manner¹⁰ or there has not been any training at all¹¹. Whilst it is evident that practitioners receive some training, some aspects of violence are left out of the training or simply not enough in-depth has gone into understanding the human rights perspective of gendered violence or how to pick up on the signs of bullying and deal with it appropriately¹².

⁶ *Family Courts Violence Review* Submission By Melanie Shambat, Protective Mothers Alliance Australia 16th October 2009

⁷ The nexus between family law, child protection and domestic and family violence- Libby Lloyd AM, National Council to Reduce Violence against Women and their Children

⁸ *Children, young people and domestic violence, Issues Paper 2 – 2000*- Dr Lesley Laing

⁹ *Health Effects of Family Violence*, National Clearinghouse on Family Violence-Deborah Doherty, Ph.D.

¹⁰ *Professional Perceptions of Domestic Violence: The Relationship between Causal Explanations and Views on Prevention and Intervention*- Rachel Ann Taylor

¹¹ *Family Violence: An Intervention Model for Dental Professionals ,Connection Between Dentistry and Family Violence Intervention*- Kristin Littel

¹² *Deadly Playgrounds: Relief Teachers and Reporting of Bullying Incidents in Victorian Primary Schools*-Kathleen F. Hallgarten

Recommendations:

- Map out all of the services that are in contact with young people other than social workers, youth workers and school staff.
- Provide a periodical national survey to assess the knowledge level of professionals. Where there is a gap, provide or request that the organization provide training.

4. Role modeling of violence within the community.

The other aspect is the community attitudes¹³ that undermine training about violence, often reaching a level that it is condoning¹⁴ violence against young people¹⁵. Whilst it is important to acknowledge that there are false allegations, groups with these interests¹⁶ more often than not tend to "naysay"¹⁷ the existence of violence against young people and reverse-educate¹⁸ members of the community. This creates difficulties for victims to be able to feel that they can reach out to professionals when they need it and further empowers¹⁹ the offender to continue. It is important that some boundaries are made as to how much public space that these groups can invade.

Recommendations:

- That strict policies and standards are put in place within all organizations and agencies to guard against this type of training.
- That special training programs are implemented across the country that incorporate an evidence based approach in addressing these attitudes with the latest research, so that all key stakeholders are armed with the correct information to deal with some of the mischaracterizations of violence against young people.

5. Unbalanced responses towards ensuring that the perpetrator is held accountable.

In the media, there have often been articles²⁰ and even statements from judges²¹ that misplace too much sympathy for offenders even when they have committed the most outrageous crimes. The media has a significant impact on how our community understands and responds to violence. It is therefore important that reporting the community is responsible and balanced.

¹³ *Two Steps Forward, One Step Back: Community attitudes to violence against women*- Taylor, N & Mouzos, Vic health

¹⁴ *Disturbing attitudes to violence against women uncovered in White Ribbon Foundation survey*- Xanthe Kleinig and Cara Jenkin, The Advertiser

¹⁵ *Mistreated and misunderstood: Young women and domestic violence, negotiating the judicial system*- Peta Preston and Sharon Gyde

¹⁶ *The Judiciary's Role in the Etiology, Symptom Development, and Treatment of the Parental Alienation Syndrome (PAS)*-By Richard A.

Gardner,, Men's confraternity M.D. see also, Ruling debunks custody diagnosis- Tony Koch, The Australian *and Child Abuse*

Experts Applaud Legal Community for Rejecting Parental Alienation Syndrome- Bala Cynwyd, The Leadership Council

¹⁷ *Family Law Court 'Soft' on Justice, Shared Parenting Council of Australia* – Edward Dabrowski, Dad in distress news

¹⁸ *DV Victims: Her Course Of Justice* - Angelfury Battered Mothers Lose Custody

¹⁹ *Battered husbands: myth or fact?*- By Angela Matheson, Green Left

²⁰ *Victorian doctor 'had child with daughter'*- By ninemsn staff, Nine News

²¹ "An otherwise good character has been blighted by his sexual deviancy with children," Justice Crawford said . *Pedophile's jail term extended*- By Paul Carter, AAP

Recommendations:

- Those laws similar to defamation are made to ensure that all public media does not condone or trivialize violence in all forms.
- Those laws protecting victims include provisions in the context of protecting them against re-victimization.
- That if a judge expresses such sympathies; the victim is allowed to pursue compensation for the re-victimization.

Whilst Australian culture has moved significantly away from accepting violence in public, it is still a pervasive private problem within the Australian Community. Where a victim cannot escape, the problem is to further detriment of them than all other forms of violence.

Sincerely,

Melanie Shambat

Melanie Shambat
Australian Director
Protective Mothers Alliance