



Cairns Community Legal Centre Inc

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(Youth Violence)

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Committee Secretary
Standing Committee on Family, Community, Housing and Youth
House of Representatives
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SUBMISSION TO INQUIRY INTO THE IMPACT OF VIOLENCE ON YOUNG AUSTRALIANS

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Introduction

Background to the Cairns Community Legal Centre Inc ('the Centre')

The Cairns Community Legal Centre Inc (the Centre) is a not for profit community organisation. The Centre, which has been operating since approximately 1991, is funded by Commonwealth and State governments.

The Centre provides legal services for the benefit of socially and financially disadvantaged members of the community. The objects of the Centre include provision of free and accessible legal services; and development of self-help strategies.

The Centre includes a:

- Generalist (Core) Service;
- Disability Discrimination Legal Service (DDLs); and
- Seniors Legal and Support Service (SLASS).

Activities undertaken by the Centre include:

- Legal advice, referrals, information;
- Casework;
- Community legal education; and
- Law reform work.

The Core Service

The practice area covered by the Core Service is broad. Generally speaking the Core Service conducts legal work in the areas of criminal law, traffic matters, family law and a broad range of civil law matters including consumer rights, debt, fencing, guardianship and other miscellaneous matters.

The Disability Discrimination Legal Service

The DDLs is a specialist service. It provides legal work in the area of disability discrimination.

The Seniors Legal and Support Service

The SLASS is a specialist service. It provides legal and support services for the benefit of seniors affected by elder abuse or financial exploitation.

Our interest in the consultation

We welcome this opportunity to take part in these consultations. All three services we provide assist vulnerable groups of people. Our DDLs has a particular interest where children with a disability or those who have associates with a disability are subjected to verbal abuse and violence. Students who have a disability which manifests in challenging behaviour also have particular difficulties.

Our submission

This submission focuses on the relationship between bullying and violence on the wellbeing of young Australians, and the strategies to reduce violence and its impact.

We trust that the definition of ‘young’ Australians does not unnecessarily exclude children under a particular age (for example 16 years of age). Though some agencies pointedly differentiate between children and young people (see the Commission for Children and Young People and Child Guardian in Queensland), we urge the Committee to take a holistic approach in this enquiry.

We note that the Government’s Social Inclusion Principles include building joined-up services and whole of government(s) solutions. In that spirit we provide examples of difficulties faced by some of our young clients and the effects on their family and community.

Relationship between bullying and violence on wellbeing

Students with a disability are more vulnerable to being bullied and harassed at school, particularly because of the disability.

Even though the Disability Standards for Education state that an education provider **must** develop and implement strategies and programs to prevent harassment and victimisation of a student with a disability, or a student who has an associate with a disability, all too often harassment and bullying are not addressed appropriately, if at all, and the situation escalates. This is demonstrated by the following examples:

- Student A with disability, experiencing occasional seizures. Verbal and physical abuse triggers more frequent seizures affecting the student’s health, ability to learn and self esteem. If not addressed, this will have a life-long detrimental impact, not only on the student but on his siblings and caring parents.
- Student B is harassed and assaulted because of a parent’s disability to such an extent that the student changes school, and requires ongoing counselling and tutoring to regain confidence and skills to catch up to fellow students.

Not only students who are victims, but alleged perpetrators can also suffer long term effects.

- Student C with disability gets suspended and excluded because of challenging behaviour (which was not managed in an appropriate manner) leading to long term disadvantage.

There is also a growing concern regarding the increasing accessibility to technology (such as the internet and mobile phone networks) and its use for ‘cyber bullying and stalking’. Even though this may not be considered physical violence, its impact is just as devastating and needs to be addressed. In addition, instances have been reported where violent acts were specifically performed for recording and uploading to the internet or messaging to multiple phone users.

We draw the Committee’s attention to a report produced by the Commission for Children and Young People and Child Guardian entitled Snapshot 2009: Children and young people in Queensland¹. That report refers to a study which showed that 21% of students aged 11-17 had been cyber bullied during the academic year. The report recognises that victims of cyber bullying may experience low self-esteem, difficulty in social adjustment, absenteeism, poor academic performance, psychological distress (including depression and anxiety), physical violence and even suicide.

¹ See <http://www.ccypcg.qld.gov.au/about/publications/snapShot09.html>

In our view the effects for children with a disability are compounded and even more difficult to overcome. Further the effects of cyber bullying can itself result in disability as outlined above (eg psychological distress).

Social and economic factors which contribute to violence by young Australians

Home environment

The home environment is key to the development of violent behaviour in young people. Being a victim of child abuse is associated with being a victim and/or perpetrator of other forms of violence as adults (intimate partner, sexual and self-directed violence).

Parental risk factors for abuse and neglect of their children include drug and alcohol problems, domestic violence in the past, and where the primary parent was abused as a child.

Though the number of notifications and substantiation of harm and neglect have decreased in Queensland, the requirement to place children in alternative care continues to increase, with the number of children in care more than doubling since 2002.²

Snapshot 2009 reports that children and young people with history and experiences requiring child protection, have poor health and education outcomes. As well as the physical health consequences (immediate physical injuries, shaken baby syndrome, impaired brain development) and psychological effects (isolation, fear and inability to trust, depression, anxiety, eating disorders and suicide, increased likelihood of reduced cognitive capacity and slower language development) there are behavioural consequences (increased likelihood of delinquency, teen pregnancy, drug use, being involved in crimes and abusive behaviour).

School environment

When education providers focus on strict adherence to standard codes of behaviour without providing programs designed to help children and adolescents manage anger, resolve conflict and develop necessary social skills, violent behaviour which may originate in the home environment is not addressed and escalates. It then affects those students who have not otherwise experienced violence.

Lack of adequate professional development programs for teachers means that staff are not trained to detect and deal with bullying and harassment. A further lack of policies, procedures and codes of conduct that explicitly prohibit harassment and victimisation fail both the victims and perpetrators.

Emerging methods of bullying such as cyber bullying cannot be adequately addressed in circumstances where even the usually forms of bullying are not controlled.

Alcohol use

According to Snapshot 2009, younger children are at risk of alcohol-related injury through traffic accidents and family violence. Young people who drink alcohol are at increased risk of injuries, self-harm, violence, risky behaviour (including risky sexual behaviour) and death.

² See Snapshot 2009

We note that the World Health Organisation report Violence prevention – the evidence (WHO Report) maintains that harmful use of alcohol is a major contributor to violence. Alcohol has a direct effect on physical and cognitive functioning, contributing to violence through, for example, reducing self-control and the ability to recognise warning signs.³

In a 2004 survey of 16 to 25 year old in NSW (NSW Survey), reported in the Health Promotion Journal of Australia,⁴ three out of four males believed their assailants were intoxicated by alcohol or drugs at the time of the attacks. Violence most commonly occurred in outdoor locations or on licensed premises.

Strategies to reduce violence and its impact among young Australians

Developing relationships between children and parents

The WHO Report contains evidence that interventions that encourage safe, stable and nurturing relationships between parents (or caregivers) and children in their early years can prevent child maltreatment and reduce childhood aggression.

Positive parenting programs such as Triple P⁵ have been successful in improving emotional and behavioural problems in children in the short term (including conduct disorders characterised by aggressive, destructive behaviour) and arrests, convictions and violent acts in the long term (in adolescence and early adulthood).

We therefore recommend that parenting programs be made available and promoted to expectant parents and new parents, with refresher courses available for parents of young children. Such programs can reduce the costs of health care, criminal justice, education and other social services in the long term.

Developing life skills in children and adolescents

Violence among children and youth is a public health problem worldwide. Poor social skills, low academic achievement, impulsiveness, truancy and poverty are among the factors that fuel the violence.

Evidence shows that early intervention programs (such as pre-school enrichment and social development programs) are associated with reduced aggressive behaviour and violent crime in childhood and later in life.⁶

The PATHS (Promoting Alternative Thinking Strategies) program teaches primary school children how to change behaviours and attitudes that contribute to violence and bullying, how to express and control their emotions, and how to develop effective conflict-resolution strategies. The Preschool PATHS program aims to improve children's knowledge about emotions as well as their social and emotional competence.⁷

³ See http://www.who.int/violence_injury_prevention/violence/4th_milestones_meeting/publications/en/index.html

⁴ See http://www.healthpromotion.org.au/journal_individual.php?file_id=481

⁵ See <http://www10.triplep.net/?pid=58>

⁶ See WHO Report

⁷ See http://mhws.agca.com.au/mmppi_detail.php?id=64

Solving the Jigsaw: Changing the Culture of Violence, is also a school-based program. It deals with bullying and violence by talking openly about violence, and about its types, effects and where it occurs. The program explores concepts of the misuse of power, deliberate harming, and the use of power to control and belittle. It teaches children, young people and teachers strategies for dealing with violence and bullying, and presents a clear position that violence is unacceptable and must not be ignored or condoned.⁸

The Rock and Water Program teaches young people social skills of self-control, self confidence and self respect. Topics discussed include bullying, sexual harassment, homophobia, life goals, desires and following an inner compass.⁹

We recommend that the Government invest in expanding the availability of these necessary programs to all school communities. All students can benefit from such programs, not just those who come to the attention of the authorities. This will lead to violence prevention and an improvement in young people's life chances through increasing educational participation and employability.

Reducing availability and harmful use of alcohol

We note that Governments at all levels are implementing a variety of legislative changes and social programs to try to reduce the harmful use of alcohol.

The availability of alcohol can be regulated through restricting the hours it can be sold or by reducing the number of alcohol retail outlets. Generally, reduced sales hours have been found to be associated with reduced violence, and higher outlet densities with higher levels of violence.¹⁰

Raising alcohol prices (for example through Alcopops tax) affects usage but may redirect drinkers to stronger alternatives.

Supporting community decisions to enforce alcohol restrictions has been shown to reduce violence in those communities.

We recommend that all governments continue to explore and implement strategies related to reducing harmful use of alcohol.

Promoting gender equality to prevent violence against women

The promotion of gender equality and non-violent relationships through school, community and media interventions is an essential part of violence prevention.

The NSW Survey showed that young females most commonly reported experiencing violence at home (39.9%) or in the workplace (21.6%). Therefore any violence intervention strategies being developed to target young people, need to take into account those different experiences.

We recommend that fresh media campaigns be conducted to target young males in their relationships and alcohol consumption.

Social inclusion

⁸ See http://www.solvingthejigsaw.org.au/school_based_programs.htm

⁹ See <http://wwwfp.education.tas.gov.au/infostream/general/2006/July/20July/rockwaterbrochure.pdf>

¹⁰ See WHO Report

We recommend that the Social Inclusion Unit implement strategies specifically to address the issues of violence by and against young Australians.

Targeted initiatives can combine programs under existing initiatives directed to assist vulnerable sections of our community, such as women and children, migrants, and our indigenous communities.

Conclusion

We commend the Government for striving to address social issues on many fronts. We trust that this particular issue will have your commitment and drive to bring about changes that will bring long term benefits to the whole community.

We thank you for taking the time to consider our submission and ask that you contact Sue Tomasich of our office should you have any queries.