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Young People Using Family Violence

International Perspectives on Research,
Responses and Reforms

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Introduction

Young People Using Family Violence: International Perspectives on Research, Responses and Reforms

Family violence is an increasingly recognised problem globally, and the adequacy of service and justice system responses for young people who use violence in the family home is heavily debated and recognised as an under-researched area. This collection offers an original contribution to this important topic. The collection is particularly timely given that governments worldwide and the United Nations (UN) are presently engaging in reviews of responses to intimate partner violence and gender-based killings. There has to date, however, been a paucity of research which has held children who use different forms of family violence in its focus. *Young people using family violence* directly addresses the gap by bringing together a range of international contributions that consider the use of violence in the home by children and how best to respond from diverse perspectives.

Extending the Story: Examining Young People Using Family Violence

There have been extensive policy developments and active national reform agendas surrounding domestic and family violence (DFV) in many countries over the last decade. In Australia, at the state level, most notably, this process included the 2016 Victorian Royal Commission into Family Violence (RCFV, 2016) and the Queensland *Not Now, Not Ever* Report (Special Taskforce on Domestic and Family Violence in Queensland, 2015). The RCFV (2016) identified adolescent family violence as a form of family violence for which there was increasing evidence of prevalence but few targeted responses or prevention efforts. The RCFV estimated that one in ten family violence incidents reported to police in Victoria involved a child under 19 years of age using violence (see also O'Brien and Fitz-Gibbon, 2016). Recognising that there are currently 'no systemic responses to the needs of these young people

and their families', the RCFV (2016) recommended a number of reforms targeted at the development of specialist trials, programmes and responses. The Queensland Special Taskforce Report (2015) on the other hand did not look at the use of violence by young people, and none of its 140 recommendations directly sought to address response or prevention efforts for this form of family violence.

Nationally, in Australia, the Council of Attorney Generals (COAG), *Advisory Panel on Reducing Violence against Women and their Children* (COAG report, 2016) and work undertaken through *Australia's National Plan on violence against women and girls* has sought to establish a broad national reform agenda for improving responses to and prevention of family violence, among other forms of violence against women. While the COAG report (2016) recognises the need to develop better responses to children as victims of DFV, it is largely silent on the reforms required to improve responses to children using violence in the home and support for affected family members.

Beyond Australia, recent international law reform and relevant review activity have been limited. The UK Parliament Domestic Abuse Bill (2019) includes a number of sections relating to children as victims of domestic abuse but does not propose any legislative reform for children who use violence in a domestic setting. Despite the early development of intervention programmes specifically designed to address adolescent family violence in America (the Step Up programme, for example, see Buel, 2002) in more recent times, many American scholars have turned their attention to the study of teen dating and college intimate partner violence (see, inter alia, Lehrner & Allen, 2018; Thomas & Weston, 2019). There is currently little research or policy attention directed at the use of violence by adolescents within the family home. Similarly, in New Zealand, when it comes to adolescents, the focus of recent attention has been on teen dating violence (Beres, 2017).

In this broader political context, the international momentum for effective responses to domestic and family violence, combined with continued attention to responses to youth offending, offers a critical opportunity for criminologists, sociologists and legal scholars and practitioners to contribute new evidence and analysis to inform policy, practice and reform. This is the aim of this collection. In *Young people using family violence*, we locate the family unit, in all its manifestations, as central in understanding the circumstances in which children use violence in the home and as central in effective responses and prevention strategies. The focus of this collection and all its the contributions builds on the previous work that has examined the complexities of the family as a social unit as well as research which maps the inequalities in which families operate (see, inter alia, Brown et al., 2015; Forby et al., 2020; Meyer & Carlson, 2014).

A Note on Language

There are numerous terms used to refer to a young person's use of violence in the home. In the Australian context, the term adolescent family violence (AFV) has

been favoured in recent years (see, for example, Douglas and Walsh, 2018; Fitz-Gibbon et al., 2018), while, in the UK, the term child to parent violence (CPV) is more routinely utilised. Other terms used include adolescent violence in the home (AVITH), youth violence, youth violence in the home (Broadhead & Francis, 2015), teen violence, teen abuse and adolescent violence towards parents (Howard, 2010) as well as sibling violence (on this, see Elliott et al., 2020). Throughout this collection, contributors have used their own preferred term and we, as editors, have not imposed uniformity across chapters. Knowledge of this type of family violence is still emerging, and the variation in terms reflects this.

Likewise, there are numerous definitions and changing uses of the term child, young person and adolescent across research in this area. The proposed UK Domestic Abuse Bill (2019) defines a child as any person under the age of 18 years (section (3)), and recent Australian research has included definitions of adolescent in both legislation and research as anywhere between children ‘as young as 10 years and (young people) as old as 21 years’ (Douglas & Walsh, 2018). While one chapter in this collection considers the response to sibling abuse, the remaining chapters focus on adolescent to parent abuse. The roles of parent and/or carer may be understood in a variety of ways. The contributors to this collection have focused their attention on those contexts where biological, adopted and ‘step’ parents are subjected to abuse. However, we recognise there is a growing literature that explores the use of violence by adolescents towards their carers in state residential care (see, *inter alia*, Baidawi & Sheehan, 2020; Gerard et al., 2019). We are also cognisant that the experiences of young First Nations people using violence in family contexts have not yet been mapped and cannot be understood using either existing paradigms of intimate partner violence or family violence.

The Need for a New Paradigm for Understanding and Developing Specialist Responses to Young People Who use Violence in the Home

The research that does exist on the topic of adolescent family violence has considered the degree to which the phenomena is gendered in similar ways to intimate partner violence and the extent to which young people are likewise motivated by desires to control, intimidate and threaten (see, *inter alia*, Daly & Nancarrow, 2010; Daly & Wade, 2016; Howard, 2015). The small body of the literature available almost universally agrees that there is a need for a specialist response that departs from the assumptions used in developing responses to intimate partner violence and/or the resort to youth justice system responses (on the latter, see Douglas & Walsh, 2018; Miles & Condry, 2016; Thomas et al., 2019), namely the goal of maintaining familial relationships and parental connections where safe to do so (Haw, 2010).

The legal system is increasingly recognised as a blunt tool that has all too often failed to deliver justice and safety outcomes for women victim-survivors of intimate

partner violence (see Goodmark, 2018). While calls to reduce the reliance on the criminal justice system in responses to violence against women have been largely focused on adult-perpetrated intimate partner violence (see, *inter alia*, Goodmark, 2020; Walklate and Fitz-Gibbon, 2019), there is an emerging body of work which documents the limits of the criminal law in responding to children who use family violence (see, *inter alia*, Campbell et al., 2020; Douglas & Walsh, 2018). This research has begun to highlight the complexity faced by families who experience adolescent family violence, including the high rates of disability, mental health and substance abuse issues, and pre-existing exposure to family violence. While we appreciate this form of violence cannot be disentangled from the broader problems that some of these families are facing, this collection seeks to bring this form of violence into view and to mount a call for specialised, whole of system responses and tailored interventions. Such a complex problem requires a more developed and specific suite of tools.

Standardised approaches that do not allow for discretion and are inherently punitive in nature are arguably ill-suited to provide meaningful responses to this form of family violence. To progress the efficacy of responses, there is a need to build the evidence base on the complex needs of families experiencing adolescent family violence, and the roles and capacities of the existing service structures in responding to them. A number of the chapters in this collection interrogate why both criminal justice and the support service systems have failed to date to deliver meaningful responses to parents experiencing this form of family violence. Understanding the limits of the existing responses provides an important opportunity to ensure that any future reforms do not repeat the mistakes of the past, developing responses that are neither trusted by parents (contributing to underreporting) nor effective in providing meaningful support to the children directly involved and the family members impacted. This analysis of limits also requires a reconsideration of the point at which a response can be offered; as several chapters within this collection demonstrate, there is a need to move to earlier models of intervention and more proactive responses (e.g. education systems) rather than reactive ones (e.g. police and child protection intervention).

In seeking to set a new agenda, we argue that the current punitive climate for youth justice policy and practice in Australia and elsewhere should not be used as a template to inform the design and delivery of responses to children using family violence. This is a particular concern for First Nations peoples: the disproportionate criminalisation of young Indigenous Australians is a critical concern (Australian Institute of Health and Welfare 2018, see also Australian Human Rights Commission, 2020). This issue presents significant challenges in the context of domestic and family violence. Government responses to family violence in recent years have emphasised the importance of perpetrator responsibility and accountability (RCFV, 2016). However, children who use family violence may not have the developmental capacity to understand their behaviour and they are likely to continue to rely on their victim for nurturing and support. Research suggests that many young people who use family violence in the home may also have experienced family violence and/or witnessed intimate partner violence themselves (Howard, 2015; Simmons et al., 2018), and that criminal justice system responses may not be the most effective way

forward (Douglas & Walsh, 2018; Fitz-Gibbon et al., 2018; Miles & Condry, 2016). Several of the contributions in *Young people using family violence* argue for the need to develop specialised and age appropriate justice and service system responses to children who use violence in family settings.

Contributing New Insights to a Hidden Problem

This collection brings together a range of international scholars leading innovative research agendas in this field. While each of the contributions provides a country-specific focus, emerging from either Australia, the UK, USA or Canada, the themes and findings can be situated within a global context and provide insights into lessons beyond their jurisdiction's legal and specialist service system responses to children using family violence. *Young people using family violence* brings together international experts to examine the following questions:

- How can we best understand and respond to the problem of adolescent to parent violence?
- To what extent do traditional family violence responses address the experiences of adolescents who use family violence?
- What barriers to help seeking exist for parent victims of adolescent family violence?
- To what degree do the existing support and justice services provide adequate responses to victims of adolescent family violence?
- In what circumstances do children kill their biological and adopted parents?

The chapters explore the nature of adolescent family violence as well as the adequacy and effectiveness of the current service and justice system responses.

The collection begins with two chapters which further enhance the current understandings of different forms of adolescent family violence, or adolescent to parent violence (Chap. 1, Condry and Miles) and sibling violence (Chap. 2, Desir and Karatekin). Building on their extensive research into child to parent violence (see, inter alia, Condry & Miles, 2014; Miles & Condry, 2015), Condry and Miles tease out the inherent difficulty of recognising the seriousness of the harm inflicted by adolescents in some families alongside the need to steer away from criminal justice intervention. They argue that this form of family violence brings two paradigms into conflict—the youth justice approach and a family violence perspective. In Chap. 2, Desir and Karatekin address sibling violence—a form of adolescent family violence that has been subjected to minimal scrutiny worldwide. Their chapter reviews what is known in the current literature about sibling violence and how this can inform policy directions and service responses.

Chapters 3 and 4 are focused on service system responses to adolescent family violence. In Chap. 3, Fitz-Gibbon, Maher and Elliott draw from the findings of an Australian study involving victim-survivors to explore the barriers to help seeking experienced by women victims of adolescent family violence. Finishing with a focus

on the possibilities of intervention in the education system, this chapter argues that there is a need for targeted service responses and stronger referral pathways. Continuing the focus on responses to mothers' experiences of adolescent family violence, in Chap. 4, Burck examines the merits of a specific group therapy intervention programme trialled in the Australian state of Queensland. Grounded in attachment theory, the programme under examination is one of only a few non-punitive interventions currently tailored to families experiencing AFV in Australia.

Extending the collection's analysis of service responses, Chaps. 5 and 6 encourage a rethink of how policy-makers should respond to children who use family violence by examining the degree to which traditional legal system responses and programmes may be ill-suited for this cohort of young offender. In Chap. 5, Douglas draws on interviews conducted in Australia with mothers and stepmothers who have experienced adolescent family violence to critically analyse the merits of legal interventions and responses. Highlighting the need for greater recognition of the overlap between experiences of adolescent family violence and intimate partner violence, Douglas calls for improved understanding and awareness of adolescent family violence among those working within the justice system. Building on this, in Chap. 6, Campbell questions the degree to which the 'blunt instrument' of the criminal justice system can offer any effective responses to this form of family violence. In the second half of her chapter, Campbell considers what more effective responses may look like and how the harm experienced and used by adolescents who use family violence in the home may be better recognised.

The final two chapters in our collection turn the focus to lethal violence and provide detailed examinations of what is known about child to parent homicide in Canada and the USA. In Chap. 7, Dawson and Hill examine child to parent homicide in Canada. Drawing from a dataset including 135 cases of parricide committed over a 30-year period, Dawson and Hill identify the characteristics of and precursors to this form of lethal violence before moving into an analysis of responses and how this research can inform improved prevention and intervention agendas in this area. Building on Heide's significant body of work examining parricide in the US context (see, *inter alia*, Heide, 1993, 1995, on the UK context see Holt, 2017), the final chapter in this collection (Chap. 8) by Hubbell, Heide and Khachatryan draws on media articles to examine the characteristics and variables present in homicide cases where a child kills their adoptive parent(s). Acknowledging the challenges of collecting data on this specific subset of homicide cases, the authors extend the current research by providing one of the first detailed illustrations of this form of parricide.

Setting an Agenda for Change

This edited volume is one of the first international collections to subject children's use of family violence and responses to adolescent family violence to deep critical scrutiny. By adopting a focus on children who use family violence, this collection seeks to contribute valuable new knowledge to the current policy debates surrounding

the merits and viability of responses to family violence and how they may need to be adapted, changed and reformed to better respond to children using family violence and their families. Several of the contributions recognise the family violence reform activity that is underway in many Australian states and territories at the moment, as well as political debates and unprecedented levels of advocacy in Australia and other countries worldwide. However, to date, the majority of this activity has been focused upon understanding, responding to and preventing intimate partner violence in adult heterosexual relationships. Children as users of family violence have been largely absent from these discussions. We acknowledge with regret that the specific issues of First Nations families and communities are not addressed in this collection and urge the commitment of policy and research resources to build knowledge critical for these communities (see also Australian Human Rights Commission, 2020). It is our hope that this collection acts to intensify focus on the impacts and effects of children using violence in the home and supports the push for more research, better support and new programmes. We hope that the analyses here will contribute to the work of informing new responses to and programmes for children using family violence. We also hope that better support for families and new approaches to prevention can emerge.

Kate Fitz-Gibbon
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