

Reviewing sexual assault and consent laws in South Australia

Submission to the Attorney General's Department

Acknowledgment of Country

No to Violence acknowledges First Nations Peoples across these lands; the Traditional Custodians of the lands and waters. We pay respect to all Elders, past, present, and emerging. We acknowledge a deep connection with country which has existed over 60,000 years. We acknowledge that sovereignty was never ceded, and this was and always will be First Nation's land.



About No to Violence

No to Violence (NTV) is Australia's largest national peak body representing organisations and individuals working with men to end family violence. We are guided by the values of accountability, gender equity, leadership, and change.

NTV provides support and advocacy for the work of specialist men's family violence interventions carried out by organisations and individuals. The work undertaken by specialist men's family violence services is diverse and includes but is not limited to Men's Behaviour Change Programs (MBCPs), case management, individual counselling, policy development and advocacy, research and evaluation, training, workforce development and capability building.

NTV also provides a range of training for the specialist men's family violence workforce including a Graduate Certificate in partnership with Swinburne University, as well as professional development for workforces who come into contact, directly and indirectly, with men using family violence. NTV is a leading national voice and plays a central role in the development of evidence, policy, and advocacy to support the work of specialist men's family violence nationally.

About our members

NTV represents over 170 members Australia-wide. Our membership structure is inclusive of individuals and organisations ranging from specialist services to individuals and others who have an interest in preventing and responding to men's family violence.

Our approach to policy analysis and advocacy

No to Violence members are practitioners working directly with men who use violence, many of whom are also victim-survivors^{1 2}. The men's family violence sector works across prevention, early intervention, response and recovery and healing. As the peak body, we work on behalf of our members to spotlight their innovative and practice-based knowledge and insights, identify knowledge gaps and the data and frameworks needed to address them, and advocate to shift the burden for men's violence away from women and children towards the men using violence.

In line with our role as the national peak body for the men's family violence sector, our approach to responding to this Discussion Paper is to start by asking who bears the brunt of existing policy and how we might design policy that shifts this burden away from the most marginalised members of our community. We make use of our members' practice-based insights and the relevant evidence base to ensure that our assessments are robust and our feedback to government is tangible and compelling.

¹ A copy of No to Violence's annual conference report is available on request. These reports detail the main features of those No to Violence members who are thought leaders in men's family violence service provision.

² See also, [The Australian National Research Agenda to End Violence against Women and Children, 2023–2028](#) for an overview of emerging research insights and priorities relevant to people using violence who are also victim-survivors of domestic, family and sexual violence.

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Men's Referral Service – for men concerned about their behaviour

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Background

No to Violence appreciates the opportunity to provide feedback on the Attorney General Department's review of consent laws in South Australia. In this submission, we advance evidence we provided to the recent Commonwealth Inquiry into Current and Proposed Sexual Consent Laws in Australia and share knowledge we have built through our 30 years of experience working with men who use family violence.

As the largest national peak body for men's family violence services, our approach to consent laws is primarily focused on sexual violence in the context of domestic and family violence. Sexual violence is an under-reported form of domestic and family violence and is 'a sign of escalating abuse and heightened risk including risk of lethality'³. Our feedback captures existing and emerging policy and research trends in this space and spotlights the practice-based expertise of our members and internal staff group.

It is crucial that people who use sexual violence to intimidate, threaten or otherwise control others are not emboldened by flaws in the criminal justice system's understanding of the use of sexual assault and coercion in the context of domestic and family violence.

We are supportive of the introduction of affirmative consent models. They can help to address structural issues that are built into current approaches to handling sexual assault, which drive the persistently low reporting and conviction rates for sexual assault and influence of rape myths on decision-making.

Our support for introducing affirmative consent models is caveated. No to Violence advocates for positive policy and legislative change that accurately recognises victim-survivors' experiences of domestic, family and sexual violence, while removing barriers and obstacles within current government systems that can cause further harm.

Our key recommendations seek to improve marginalised people and communities' experiences with the criminal justice system; increase community confidence in decision-making on sexual assault offences; and grow the availability of appropriate and effective men's family violence services.

Key recommendations

1. Close any loopholes present in government systems and processes that people using domestic, family and sexual violence could exploit for the purposes of systems abuse.
2. Develop comprehensive implementation plans to accompany any new or amended sexual assault legislation.
3. Resource a suite of interventions to engage people using domestic, family and sexual violence.

³ Helps et al. (2023) [Let's Talk About Sex: Exploring Practitioners' Views on Discussing Intimate Partner Sexual Violence in Domestic and Family Violence Perpetrator Intervention Programs](#)

Improving marginalised people and communities' experiences with the criminal justice system

Recommendation 1: Close any loopholes present in government systems and processes that people using domestic, family and sexual violence could exploit for the purposes of systems abuse.

- Undertake a comprehensive review of government processes focused on identifying and closing any loopholes that people using domestic, family and sexual violence could exploit to enact systems abuse.
- The review of sexual assault laws in South Australia must ensure victim-survivors of sexual assault are not further harmed by criminal justice system responses.

The South Australian Attorney General's Department analysis of data on sexual assault cases showed that **65% (or 1422) of the 2,189 sexual assault cases that proceeded to court between 2017 and 2022 were dismissed.**⁴ This means that an estimated **7,780 (or 78%)** of sexual assault cases reported to police between 2017 and 2022 were not pursued. Persistently low conviction rates for sexual assault give the impression that sexual assault is lawful, and therefore acceptable.⁵

The Australian Bureau of Statistics' Personal Safety Survey reports that 151,400 South Australian women (or 22%) have experienced sexual assault – a rate **19 times higher** than was reported to police.⁶ Victim-survivors choose not to report instances of sexual assault for varied reasons; but for many this includes prior negative experiences with police, courts, and prisons and/or similar negative experiences with other government departments and social services. As a result, the majority seek help from outside of the criminal justice system.

Staff involved in the enforcement and interpretation of sexual assault laws can enact structural discrimination when they rely on myths about whose sexual assault allegations are believable. Recognition of how gendered drivers intersect with other forms of structural discrimination, including racism, classism and ableism, needs to be centred in this review to accurately describe victim-survivors' experiences of sexual assault. This recognition is the first step towards improving the safety of the criminal justice system so that marginalised people and communities can seek justice and recover from sexual assault.

According to the National Community Attitudes Survey, the most commonly held myths about sexual assault are:

- **1 in 3 Australians** (35%) agree that sexual assault accusations are commonly used to 'get back' at men;
- **1 in 4 Australians** (25%) agree that men who are sexually aroused may not realise that a woman doesn't want to have sex;
- **1 in 4 Australians** (24%) agree that many women exaggerate the extent of men's violence against women; and
- **1 in 5 Australians** (21%) agreed that women who say they were raped do so because they regretted having sex.⁷

⁴ Attorney-General's Department (2023) Review of Sexual Consent Laws in South Australia: Discussion Paper.

⁵ Heath, Mary (2007) [Lack of Conviction: A Proposal to Make Rape Illegal in South Australia](#).

⁶ Australian Bureau of Statistics (2023) [Personal Safety, Australia](#).

⁷ Coumarelos et al. (2023) [Attitudes Matter: The 2021 National Community Attitudes towards Violence against Women Survey \(NCAS\), Findings for Australia](#).

These commonly held myths permeate the criminal justice system and impact responses to victim survivors.⁸

Myths about sexual assault reinforce discriminatory community attitudes towards women and gender diverse people. These are more pervasive when one or more forms of discrimination intersect. For example, when gender-based discrimination overlaps with race, class, dis/ability, and sexuality.

Lynette Daly, an Aboriginal woman, died in 2011 because of extensive injuries inflicted on her during the course of brutal sexual assaults by Adrian Attwater and Paul Maris. The New South Wales Director of Public Prosecutions declined to prosecute the case on two separate occasions. This decision was made despite the horrifying nature of the incident; forensic evidence; Attwater and Maris' prior contact with police; and recommendations made by the NSW Coroner.¹ Lynette's injuries and blood alcohol content were clear indicators that she would not have had the capacity to consent to the acts inflicted on her. Instead, scrutiny on Lynette's ethnicity, prior system involvement, experiences of poverty, and the nature of her relationships were made a key focus in the handling of this case. After public attention on Lynette's death, Attwater and Maris were eventually investigated and found guilty in 2017, 6 years after Lynette Daly's death.¹

*The South Australian government needs to **address structural discrimination to make the criminal justice system safer for marginalised people and communities.***

A key initial step is to examine the capacity for, and prevalence of, current government systems to be misused by people using domestic, family and sexual violence to enact more violence. This practice is most often referred to as 'systems abuse'.

'Systems abuse' is the misuse of government and social service systems, including but not limited to the criminal justice system, for the purposes of controlling victim-survivor/s of domestic, family and sexual violence.^{9 10}

To prevent systems abuse for victim-survivors of domestic and family violence inclusive of sexual violence, the review of sexual assault and consent laws need to identify opportunities within the current system that might enable people using violence to interrupt, defer, prolong, or dismiss victim-survivors' applications to legal and other government systems. Particular attention needs to be paid to instances where this may occur because of implicit biases based on structural discrimination, for example, racism, classism, ableism, homophobia and transphobia.

⁸ See ANROWS' further analysis of these findings in Minter et al. (2021) ["Chuck Her on a Lie Detector": Investigating Australians' Mistrust in Women's Reports of Sexual Assault.](#)

⁹ A case study of systems abuse using opportunities within social security: Economic Justice Australia (2022) [Dob-Ins and Domestic Violence: How Australia's Welfare Fraud Tip Off Line Makes Women Less Safe.](#)

¹⁰ See also, Reeves et al. (2023) [Incredible Women: Legal Systems Abuse, Coercive Control, and the Credibility of Victim-Survivors.](#)

The below definition adapted from the National Domestic and Family Violence Bench Book is included as a reference point to assist the Attorney-General's Department in establishing a Terms of Reference for such a review.^{11 12}

Systems abuse: Perpetrators of domestic, family and sexual violence who seek to control the victim before, during or after separation may make multiple applications and complaints in multiple systems (for example, the courts, Child Support Agency, Centrelink child protection) in relation to:

- a protection order,
- breach,
- parenting,
- divorce,
- property,
- child and welfare support
- and other matters.

With the intention of:

- interrupting,
- deferring,
- prolonging
- or dismissing judicial and administrative processes.

These actions are designed to deplete the victim's financial resources and emotional wellbeing, and adversely impact their capacity to maintain employment or care for children.

¹¹ National Domestic and Family Violence Bench Book (2023) [Systems Abuse](#).

¹² See also Flat Out, [Resisting Systemic Collusion Power and Control Wheel](#).

Increasing community confidence in decision-making on sexual assault offences

Recommendation 2: Develop a comprehensive implementation plan to accompany any new or amended sexual assault legislation.

- A comprehensive implementation plan should include:
 - **Explanatory notes and guidance, inclusive of jury directions, aimed at embedding a universal understanding of sexual assault in the context of domestic and family violence, including the following stipulations that:**
 - Consent is not implied or automatic including when the victim-survivor has previously consented to the same or similar sex act; sex with the accused; or sex in another context;
 - Consent cannot be established due to the absence of verbal or physical resistance by the victim-survivor;
 - No reasonable belief that consent was established can be accepted if the accused did not take steps to find out if the victim-survivor consented to sex.
 - **Establish and socialise the following circumstances of non-consent:**
 - Presence of sexual coercion;¹³
 - Use of threats, intimidation and/or other attempts to control the victim-survivor, particularly in the context of domestic and family violence.
 - **Include an independent monitoring and evaluation process is developed to accompany the enactment of legislation and/or related policy, to ensure:**
 - Government and community barriers to reporting sexual assault, especially those facing marginalised communities are addressed; and
 - The related need for ongoing reforms of police culture, practice, and procedures and a priority placed on developing independent complaints mechanisms; as well as
 - Evaluating frontline service response to new legislation, including changes in demand for services.

People using violence are not encouraged to take accountability and change their behaviour when those around them express violence-supportive attitudes, including by subscribing to common rape myths.¹⁴

The National Community Attitudes Survey, ran by Australia’s National Research Organisation for Women’s Safety (ANROWS), consistently finds that at least a quarter of Australians mistrust women’s reports of sexual assault.^{15 16} Such persistent community attitudes feature in all facets of society, including those where police, the judiciary, jurors, and legal professionals live, work and play.

¹³ AGD should note that other jurisdictions have included non-payment for sexual services as a circumstance of non-consent. Sex work is criminalised in South Australia - a major barrier to reporting sexual assault for anyone engaging in sex work. AGD should be engaging with, SIN, the peak body for sex workers in South Australia, as part of the rollout of any new sexual assault laws.

¹⁴ DeKeseredy and Schwartz (2013) [Male Peer Support and Violence Against Women: The History and Verification of a Theory.](#)

¹⁵ Coumarelos et al. (2023) [Attitudes Matter: The 2021 National Community Attitudes towards Violence against Women Survey \(NCAS\), Findings for Australia.](#)

¹⁶ See ANROWS’ further analysis of these findings in Minter et al. (2021) [“Chuck Her on a Lie Detector”:](#) [Investigating Australians’ Mistrust in Women’s Reports of Sexual Assault.](#)

Introducing an affirmative consent standard in South Australia is an opportunity to dismantle built-in hurdles that contribute to very low reporting and conviction rates for sexual assault offences and consequently send a message that sexual assault is acceptable.

The shift towards an affirmative consent legal standard would go part of the way towards refuting persistent community attitudes that sexual assault is acceptable or should not be prosecuted.^{17 18}

Men accessing No to Violence’s phone counselling services regularly justify their use of sexual violence by invoking myths that permeate sexual assault trials:

- Men who use sexual violence are ‘out of control’;
- Dynamics within sexual violence are part of a ‘normal’ romance;
- Women commonly make false sexual assault allegations;
- ‘Real’ sexual assault is only committed by strangers;
- Women bear some responsibility for preventing sexual assault.^{19 20}

It is essential that amendments to sexual assault laws include work to **address the impact of rape myths on decision-making** at all stages of sexual assault cases from reporting to conviction.

The presence of rape myths hinders successful prosecutions of sexual assault offences.²¹ Biased decision-making in reporting and prosecuting sexual assault damages community confidence in the efficacy of the entire criminal justice system - including police, courts and prisons.^{22 23}

Low conviction rates for sexual assault offences reinforce notions that women are responsible for preventing and otherwise managing sexual assault.²⁴ In the context of high levels of subscription to rape myths and decreasing community confidence that police treat people fairly, it is crucial that built-in hurdles that dissuade victim-survivors from reporting instances of sexual assault are dismantled.²⁵ Improving community confidence in decision-making during sexual assault cases sends a clear message to the broader community, people using violence, and victim-survivors that **sexual**

¹⁷ Heath, Mary (2007) [Lack of Conviction: A Proposal to Make Rape Illegal in South Australia](#).

¹⁸ Other empirical studies have reported similar findings. See for example Carmody, Moira (2015) [Sex, Ethics, and Young People](#); Larcombe, Wendy (2014) [Limits of the Criminal Law for Preventing Sexual Violence](#); and Marks, Shawna (2021) [The Sexual Politics of Australian Football: Social Constructions of Masculinity, Sex, and Sexual Violence](#).

¹⁹ For more detail on justifications for sexual assault that No to Violence commonly encounters, please arrange a meeting with our CEO, Phillip Ripper, or General Manager of Services, Lauren Palma.

²⁰ See for example, Australia’s National Research Organisation for Women’s Safety (2023) [Submission 69, Senate Legal and Constitutional Affairs Committee Inquiry into Current and Proposed Sexual Consent Laws in Australia](#).

²¹ Larcombe et al. (2016) [‘I Think it’s Rape and I Think He Would be Found Not Guilty’: Focus Group Perceptions of \(un\)Reasonable Belief in Consent in Rape Law](#).

²² Gore, Ashlee (2020) [It’s All or Nothing: Consent, Reasonable Belief, and the Continuum of Sexual Violence in Judicial Logic](#); Honey-Lowes, Rachel (2020) [Online Anti-Rape Activism: Exploring the Politics of the Personal in the Age of Digital Media](#); and Larcombe et al. (2016) [‘I Think it’s Rape and I Think He Would be Found Not Guilty’: Focus Group Perceptions of \(un\)Reasonable Belief in Consent in Rape Law](#).

²³ See Productivity Commission (2022) [Report on Government Services: Police Services](#).

²⁴ All of the national organisations and peak bodies focused on women’s safety from gendered violence, including No to Violence, supported an affirmative consent approach in the course of the [2023 Legal and Constitutional Affairs References Committee Inquiry into Current and Proposed Sexual Consent Laws in Australia](#).

²⁵ The Productivity Commission collects data on community confidence in police, recording steady decreases across Australia since 2016, with South Australia reporting higher rates of satisfaction that police will treat people fairly compared to the national average. See Productivity Commission (2022) [Report on Government Services: Police Services](#).

assault is not acceptable and that accountability rests with those using violence, not with victim-survivors.

*Promoting positive changes to community understanding about sexual violence through the introduction of an affirmative consent standard requires a **comprehensive implementation plan** to maximise successful uptake.*

In the first instance, police, the judiciary, legal professionals and jurors must have access to **explanatory notes and guidance that directly disrupt myths about sexual assault and embed a universal understanding of sexual assault in the context of domestic and family violence.**

Explanatory notes and guidance should aim to educate police, legal professionals, judicial staff, and jurors on all forms of sexual assault. It is essential that all staff involved in responding to sexual assault allegations understand that sexual violence can commonly co-occur with other forms of domestic and family violence, and the impact of this context on victim-survivors' capacity to consent to sex.²⁶

First, special attention should be paid to sexual coercion strategies and dynamics explicitly linked to sexual coercion as a circumstance of non-consent.²⁷ Sexual coercion, similar to coercive control, is an underpinning dynamic including threats, intimidation and other attempts to coerce a person into sexual activity. Sexual coercion can overlap with coercive control, systems abuse and other forms of violence as part of strategies to avoid accountability for sexual assault and other forms of domestic and family violence.²⁸

Secondly, circumstances of non-consent should make it clear that **victim-survivors can have many responses to sexual assault and show resistance in varied ways**, including, but not limited to, physically resisting (fight); becoming non-responsive (freeze); and attempting to leave the situation (flee).

NTV recommends that existing training on domestic, family and sexual violence is explicitly linked to the roles and responsibilities for police, legal professionals, judicial staff, and jurors. Any relevant complaints processes, disciplinary action or other consequences for deviating from these roles and responsibilities should also be explicitly stated.

Third, **independently monitor and evaluate any new or amended legislation against pre-established criteria to ensure it is working as intended.** Monitoring and evaluations should seek to maximise engagement with explanatory notes and guidance, as well as any relevant existing training. These must improve marginalised people and communities' experiences with the criminal justice system and build community confidence in criminal justice system decision-making.

²⁶ Cox, Peta (2015) [Sexual Assault and Domestic Violence in the Context Of Co-Occurrence and Re-Victimisation: State Of Knowledge Paper](#); Tarzia, Laura (2021) [Toward an Ecological Understanding of Intimate Partner Sexual Violence](#).

²⁷ Cox, Peta (2015) [Sexual Assault and Domestic Violence in the Context Of Co-Occurrence and Re-Victimisation: State Of Knowledge Paper](#).

²⁸ See Insight Exchange (2021) [My Dignity, My Body is Mine](#) for practical examples of sexual violence, including coercion.

Stopping sexual violence through effective accountability and behaviour change initiatives

Recommendation 3: Resource a suite of interventions to engage people using domestic, family and sexual violence.

- Responses to people using violence need to incorporate a wide range of effective, appropriate and timely interventions, including telephone counselling, group work, online interventions, residential-based approaches, whole-of-family solutions, and Aboriginal healing-focused initiatives.²⁹
- Targeted interventions should prioritise Aboriginal-led and/or anti-racist approaches, holistic, healing and whole-of-family approaches.^{30 31}
- Existing and future interventions require long-term contracts that support service providers to strengthen the workforce, including by earmarking funding for evaluation, external and internal supervision, family safety contact work, and reflective practice.³²

No to Violence advocates for placing accountability firmly with the people who choose to use violence to shift the burden for preventing and responding to sexual violence away from victim-survivors. We support the introduction of an affirmative consent model that focuses on the actions of the accused person in seeking consent. Consequently, this will place an onus on those using violence to assume accountability and take steps towards changing their behaviour.

In the context of working with men using domestic, family and sexual violence, best-practice accountability refers to both ‘**top-down accountability**’ and ‘**bottom-up accountability**’. Top-down accountability refers to mechanisms that work towards holding men accountable for their use of domestic, family and sexual violence, such as mandated participation in men’s behaviour change programs. Bottom-up accountability involves developing men’s capacity to understand their use of violence as a means for taking responsibility for their actions and stop using violence.

The research evidence and our members’ practice-based insights present a strong case for the use of both top-down and bottom-up accountability in tandem for effective and long-term behaviour change. Facilitating both top-down and bottom-up accountability requires effective information sharing between government systems, a skilled specialist workforce and sustainably funded men’s family violence services sector.

Law reform efforts must consider the role that all responses to sexual assault may play, across prevention, early intervention, response, and recovery and healing.

There is insufficient investment in South Australian men’s domestic, family and sexual violence services, including a lack of resources to address sexual violence within this violence. For example, ongoing commitments to domestic and family violence are concentrated within housing and

²⁹ See No to Violence, [Referral Pathways tool](#) for examples.

³⁰ See for example research on the impact of grassroots community-based responses used in tandem with therapeutic dogs: Jarldorn, Michele (2020) [“The Thing About Animals Is They Are Not Judgemental”: Stories and Images from Formerly Incarcerated Women About Their Relationships with Companion Animals.](#)

³¹ See Cunneen and Tauri (2016) [Reconceptualising Sentencing and Punishment From an Indigenous Perspective.](#)

³² See Hewson-Munro and McCook (2023) [Working Together with Men 2.0: Tools and Templates for Accountability and Action](#) for discussion on the limitations of working with men for accountability without evaluation.

homelessness and the South Australian government is yet to announce the actions it will take to fulfil its commitments to the National Plan to End Violence Against Women and Children 2022-2032.

No to Violence members across Australian jurisdictions report to us that **the introduction of new or amended domestic, family and sexual violence legislation increases community awareness and subsequent spikes in demand for their services**. However, research conducted in partnership with No to Violence showed that service providers are not adequately supported to address sexual violence as part of domestic and family violence.³³ The chronic underfunding of these services coupled with increased service demand has potential to increase the likelihood that sexual violence is underexplored as part of domestic and family violence risk assessments – putting victim-survivors at risk of escalating violence.

Sustained investment in domestic, family and sexual violence services from the South Australian government will also be part of sending a clear message to the community that domestic, family and sexual violence is unacceptable. The most recent South Australian state budget papers outlined \$17.1 million to Department of Corrections' initiatives in 2023-24 alone and **less than \$1 million to domestic, family and sexual violence** in the same period.³⁴

No to Violence recommends that the South Australian government **formally tie investments in men's domestic, family and sexual violence services to the next Recidivism Strategy**.³⁵ This would allow the South Australian government to introduce demand-based funding that addresses factors related to repeated experiences of incarceration while also increasing the availability of domestic, family and sexual violence services.

Efforts to address common challenges experienced by people exiting the prison system should include opportunities to facilitate behaviour change and effective accountability at sentencing and/or during incarceration, including within community-based sentencing. People using domestic, family and sexual violence who are victim-survivors of violence should also have access to initiatives that can facilitate their recovery and healing.

South Australia's success in reducing recidivism rates in recent years is to be commended. To build on this success, it is necessary to address the structural factors in incarceration.³⁶ In 2022-23, 45% of people exiting prison reported mental health issues, 27% reported challenges with alcohol and drug use, and 14% had experienced family and domestic violence.³⁷

24% of all people incarcerated in South Australia are Aboriginal and/or Torres Strait Islander peoples. Aboriginal and Torres Strait Islander peoples are 13.3 times more likely to be incarcerated in South Australia compared to non-Indigenous peoples, increased from 12.3 times in 2013.³⁸ These worsening figures further emphasise the need for specific tailored interventions that address specific factors associated with the incarceration of Aboriginal and Torres Strait Islander peoples.

³³ Helps (2024) [“‘She Tells Me I’m Pushy’ is More Likely than the Man Directly Admitting to Being Pushy”: Practitioners’ Views on Screening and Assessing Risk of Intimate Partner Sexual Violence](#); Helps et al. (2023) [Let’s Talk About Sex: Exploring Practitioners’ Views on Discussing Intimate Partner Sexual Violence in Domestic and Family Violence Perpetrator Intervention Programs](#).

³⁴ Government of South Australia (2023) [State Budget 2023-24](#).

³⁵ Department of Corrections (2020) [20 by 26: Reducing Reoffending by 20% in 2026](#).

³⁶ See for example Leigh, Andrew (2020) [The Second Convict Age: Explaining the Return of Mass Imprisonment in Australia](#).

³⁷ Note: Many people using violence have also experienced domestic, family and sexual violence in their lifetime as well as structural discrimination and violence. These people may not be included in datasets focused on experiences of domestic, family and sexual violence immediately prior to incarceration.

³⁸ Australian Bureau of Statistics (2024) [Prisoners in Australia](#).

Emerging research trends emphasise the benefit of strategies to reduce recidivism that address factors associated with incarceration. For example, the need to improve access to housing, social support and employment opportunities, in tandem with the expansion of justice reinvestment initiatives similar to [Tiraapendi Wodli](#).³⁹

³⁹ Battams et al. (2021) [Reducing Incarceration Rates in Australia Through Primary, Secondary, and Tertiary Crime Prevention](#).