

# Feedback: AVITH stream of the VCRJ Program

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*Submission to the Victorian Department of Justice  
and Community Safety*



## 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.



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

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# No to Violence

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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 (MBCP), case management, individual counselling, policy development and advocacy, research and evaluation, training, workforce development and capability building.

## Terminology

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This submission uses the term 'adolescent violence in the home' (AVITH) to describe the use of violence against family members by children and young people. While the title of the phenomenon refers to "adolescents", this submission uses the term "young people" to reflect the preferred terminology of practitioners who work with this cohort.<sup>1</sup>

## No to Violence Submission

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NTV welcomes the opportunity to provide feedback to the Department of Justice and Community Safety on the proposed AVITH stream of the Victim-Centred Restorative Justice (VCRJ) program. While we broadly support alternatives to criminal justice responses to young people's use of violence, we have significant concerns about the suitability of the AVITH stream of the VCRJ program. Our feedback is founded on consultations we held with specialist AVITH service providers, who have significant concerns about how the program will work in practice. **NTV recommends that the AVITH stream of the VCRJ program is not established, and that its resources be redirected to early intervention and therapeutic AVITH services.**

Our concerns about the program's suitability are based on its victim-centred focus, which in the context of AVITH, prioritises the needs and perspectives of other family members over young people. This is despite the knowledge that most users of AVITH are also victim-survivors of family violence, as highlighted in ANROWS' research which found that 89% of young people in AVITH cases had experienced and/or witnessed family violence or family violence-supportive behaviours.<sup>2</sup> We also know that the use of AVITH is often retaliatory and that the impact of adult-perpetrated violence is

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<sup>1</sup> Campbell et al., "WRAP around families experiencing AVITH: Towards a collaborative service response," (2023), 4.

<sup>2</sup> Campbell et al., "WRAP around families experiencing AVITH," 41.

the greatest contributing factor to the support needs of AVITH clients.<sup>3</sup> NTV feels that the foundation of the VCRJ model is at odds with the research evidence, which highlights the importance of recognising young people as victim-survivors in their own right.

## Issues with the program design

### *Misidentification of the predominant aggressor*

The VCRJ program's emphasis on the needs and preferences of victims of AVITH could increase the risk of misidentification of the predominant aggressor. Research shows that not centring voices of young people can be particularly problematic in failing to recognise the ongoing impacts of current adult-perpetrated violence.<sup>4</sup> In many cases, current adult-perpetrated violence is not disclosed until after lengthy engagement with a young person.<sup>5</sup> We are concerned that the proposed program will create additional barriers to identifying current adult-perpetrated violence, through silencing the experiences and perspectives of young people. This is particularly concerning given the extensive adult-perpetrated coercive control and systems abuse that is present in many AVITH cases.<sup>6</sup>

### *Downplaying or failing to identify trauma of adult-perpetrated violence*

When AVITH responses are focused on the harm caused by young people, they often fail to identify or understand the trauma of previous adult-perpetrated violence.<sup>7</sup> The proposed VCRJ program will be susceptible to this, as it does not centre the voices of young people and focuses on the harm caused to victims of AVITH. This aspect of the program is inconsistent with practice evidence showing that the trauma of adult-perpetrated violence is the predominant issue that must be addressed in AVITH cases.<sup>8</sup>

### *Inhibiting young peoples' recovery*

While the consultation paper claims that the VCRJ program will do no harm to any participant, it may inhibit young peoples' capacity to recover and heal from their own trauma and experiences of family violence. This would result from the truth-telling stage of the restorative justice process when participation in the program leads to the downplaying or inability to identify adult-perpetrated violence. A young person's belief that they are to blame for their use of violence and other negative experiences could be reinforced by this process, which would enhance shame. Research shows that the link between the trauma of adult-perpetrated violence and shame can be a major barrier to young people engaging in AVITH services, and ultimately inhibit a young person's recovery.<sup>9</sup>

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<sup>3</sup> Australia's National Research Organisation for Women's Safety (ANROWS), "Adolescent family violence in Australia [Fact sheet]" (2022); Campbell et al., "WRAP around families experiencing AVITH," 8.

<sup>4</sup> Campbell et al., "WRAP around families experiencing AVITH," 47.

<sup>5</sup> Campbell et al., "WRAP around families experiencing AVITH," 43.

<sup>6</sup> Campbell et al., "WRAP around families experiencing AVITH," 117.

<sup>7</sup> Campbell et al., "The PIPA project: Positive interventions for perpetrators of adolescent violence in the home (AVITH)," (2020), 109.

<sup>8</sup> Campbell et al., "WRAP around families experiencing AVITH," 117.

<sup>9</sup> Campbell et al., "WRAP around families experiencing AVITH," 47.

## Issues with the program's suitability for the service system

### *Unmet need for therapeutic family work*

In our consultations with specialist AVITH practitioners, we heard that a restorative justice process such as the VCRJ program would only be appropriate following extensive therapeutic work with the whole family. Practitioners reflected that the VCRJ program is not suitable for many of the young people and families they work with, given the ongoing violence and trauma they are living with. There were significant concerns that the program could retraumatise families and escalate violence. One practitioner stated, **"I cannot think of one of my clients that would be suitable for this program."**

During consultations, practitioners noted that a restorative justice program could work if there was effective early identification and intervention of AVITH. However, practitioners highlighted that this does not happen, and that specialist AVITH services are usually working in a crisis capacity where there is extensive and severe ongoing violence. We are concerned that the VCRJ program is not suitable for the maturity of the AVITH service system and believe that its resources would be more effective if redirected to the unmet need for therapeutic whole-of-family work.

### *Referral pathways*

NTV has concerns that the proposed referral pathways into the VCRJ program, such as school wellbeing programs and youth services, are inappropriate and may diminish young people's trust and engagement with these services. This is because the goals of the VCRJ program are not aligned with the goals of services that have been specifically designed to support young people's needs. Specialist AVITH practitioners suggested that a more appropriate referral pathway would be from services taking a whole-of-family approach that have developed relationships with the young person and family members. This reinforces NTV's position that the VCRJ program would only be appropriate following a therapeutic family process.

## Issues with the justice approach

NTV believes that current justice responses to AVITH are too narrow and can entrap young people in criminal justice processes that hinder their recovery from trauma. We are particularly concerned with young people being served final family intervention orders for their use of AVITH and recommend that these only be used as a last resort. While we support alternatives to these criminal justice responses, we do not believe the VCRJ program will improve young people and families' access to the therapeutic supports and/or legal assistance they need to reduce young people's engagement with the criminal justice system.

# Bibliography

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