



# **Domestic Violence prevention:**

**Online services for prisoners**

**Domestic Violence Prevention: Online Services to Prisoners**  
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## Executive Summary

Domestic violence is an issue of increasing concern and prevalence within Australian society, particularly as more than half of domestic violence cases are believed to be unreported.<sup>1</sup> Statistics show that one in six women and one in twenty men have reported domestic violence.<sup>2</sup> Furthermore, domestic violence has a high recidivism rate, with 20.3% of perpetrators reoffending within twelve months of being released from prison.<sup>3</sup> It is crucial that domestic violence is specifically targeted, as its detrimental effects can affect both the victim and the family as a whole. For example, children who are exposed to violent behaviour are more likely to adopt this behaviour in their adult lives.<sup>4</sup> The cyclical nature of domestic violence highlights the need to stop its perpetuation.

The Bureau of Crime Statistics and Research (BOCSAR) identified men's attitudes towards women and violence as a key factor contributing to domestic violence<sup>5</sup> and therefore, found that imprisonment alone was a short-term fix and an ineffective deterrent of recidivism. Consequently, there is a strong need for programs targeting such attitudes, especially in prisons where the most serious offenders are held. In particular, these programs need to account for cultural differences, by understanding and incorporating culturally diverse perspectives, in order to target men's attitudes. Whilst progress has been made in the area of compulsory rehabilitation programs,<sup>6</sup> it remains clear that current support services offered to perpetrators of domestic violence are grossly inadequate in meeting the demand for rehabilitation. A detailed analysis of the limitations to accessing these programs will be undertaken within this paper. The major failure of the delivery of services to offenders in jail results in a

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<sup>1</sup> Grech, K. & Burgess, M. (2011). Trends and patterns in domestic violence assaults: 2001 to 2010, Issue paper, no. 61, NSW Bureau of Crime Statistics and Research, Sydney, <[www.bocsar.nsw.gov.au](http://www.bocsar.nsw.gov.au)>.

<sup>2</sup> *Fact File: Domestic Violence in Australia*, (15 Apr 2016), ABC News, <<http://www.abc.net.au/news/2016-04-06/fact-file-domestic-violence-statistics/7147938>>.

<sup>3</sup> *Imprisonment has no effect on domestic violence perpetrators re-offending, study finds* (14 June 2016), ABC News, <<http://www.abc.net.au/news/2016-06-14/prison-does-not-stop-domestic-violence-perpetrators-re-offending/7510744>>.

<sup>4</sup> *Effects of Domestic Violence*, NSW Family & Community Services <<http://www.community.nsw.gov.au/parents-carers-and-families/domestic-and-family-violence/effects-of-domestic-violence>>

<sup>5</sup> *Ibid.*

<sup>6</sup> Michael Brown and Philippa McDonald, *NSW to spend \$237 million on compulsory rehabilitation for prisoners* (2016) <<http://www.abc.net.au/news/2016-08-31/nsw-government-announces-prison-rehabilitation-package/7800708>>.

questioning of the Government's commitment on this issue; particularly as Premier Baird previously stated that it was in his top six priorities to be addressed during his re-election as Premier. This failure also creates a strain on the current correctional system and proves ineffective in reducing recidivism and correcting the underlying behaviours that lead to violence.

To address this problem and facilitate rehabilitation, this paper argues that prisoners should be given access to online counselling services which are designed to change attitudes and to promote and strengthen respectful relationships between men and women. This online counselling should be delivered through the provision of computers in prison cells. Reports highlight that online therapy delivers the same satisfaction as face-to-face counselling at a reduced cost of approximately 10% per participant.<sup>7</sup> Online counselling services can overcome many of the barriers in the current program, which prevent offenders from seeking therapy. In particular, it can be more readily accessed by those wary of face-to-face confrontation or are suffering from social phobias or anxiety. Moreover, as prisoners spend eighteen hours inside their cell, the benefit of online support services enables them to better utilise their time and thereby increases accessibility to services. Perpetrators can be further assisted in re-shaping their identities to be non-violent individuals, provided there are appropriate and systematic responses to their efforts. Online counselling services have the potential to be integrated into the prison system, which carries the benefits of anonymity, privacy, convenience and affordability. The aim of such programs should be to modify criminal behaviours of domestically abusive men to prevent recidivism. While there is debate on whether these programs should be mandatory or merely a personal choice of the perpetrator, research demonstrates that the effectiveness of these programs is significantly greater when men decide to attend them voluntarily. In addition, research has shown that shorter prison sentences do not act as a greater deterrent for domestic violence recidivism than suspended sentences. Therefore, a rehabilitative approach needs to be given priority over a retributive model.

This paper examines the current programs available to prisoners, with emphasis upon inconsistencies and limitations to their access, including the obstacles created by

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<sup>7</sup>Breakthrough, *Is Breakthrough effective?* (2016)  
<<https://www.breakthrough.com/why%2Feffectiveness>>.

exclusionary criteria and a lack of available placements. It then builds a comprehensive case for online counselling services in rehabilitating domestic violence perpetrators, as a measure to address these limitations. The necessity of including computers within cells to achieve these objectives is also highlighted. This paper posits that the provision of such services is an extremely effective remedy in rehabilitating offenders and reducing recidivism.

## 1.0 Domestic Violence Prevalence and Issues

Dealing with domestic violence offenders is a contentious issue. This issue is becoming increasingly important with the prevalence of domestic violence offences increasing at an alarming rate. BOCSAR elucidates that the rate of domestic violence remains stubbornly high despite the falling crime rates in NSW and across Australia. Over the last five years, domestic violence related assaults reported to NSW police have increased from approximately 26,000 incidents to almost 30,000 incidents each year; that is, a 2.0% increase over this five-year period.<sup>8</sup> In NSW alone, there is one domestic violence related homicide every two weeks. NSW police attend almost thirty thousand domestic violence cases each year.<sup>9</sup> The Baird government has addressed the seriousness of this matter by establishing the reduction of domestic violence as part of its priorities to make NSW a better place to live,<sup>10</sup> and has also created specialist task forces assigned to domestic violence and a NSW Minister for the Prevention of Domestic Violence.<sup>11</sup>

Domestic violence not only breaches the fundamental rights of security and personal integrity, but it is also an attack against the community. Whilst it can be agreed that domestic violence offences need to be treated seriously, the primary focus of this

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<sup>8</sup> Neil Donnelley and Suzanne Poynton, *Prison penalties for serious domestic and non-domestic assault* (2015) 110, NSW Bureau of Crime Research and Statistics Bureau Brief: Crime and Justice Statistics 1, 1. <<http://www.bocsar.nsw.gov.au/Documents/BB/Report-2015-Prison-penalties-for-serious-domestic-and-non-domestic-assault-bb110.pdf>>.

<sup>9</sup> Neil Donnelley and Suzanne Poynton, *Prison penalties for serious domestic and non-domestic assault* (2015) 110, NSW Bureau of Crime Research and Statistics Bureau Brief: Crime and Justice Statistics 1, 1. <<http://www.bocsar.nsw.gov.au/Documents/BB/Report-2015-Prison-penalties-for-serious-domestic-and-non-domestic-assault-bb110.pdf>>.

<sup>10</sup> NSW Government, Premier's priorities in action (2016). <<https://www.nsw.gov.au/premiers-priorities>>.

<sup>11</sup> Partridge, E. (2015). Baird government's \$60m package targets domestic violence. Retrieved October 17, 2016, <<http://www.smh.com.au/nsw/specialist-police-squads-target-domestic-violence-offenders-20151012-gk7h0q.html>>.

paper is the need for a greater emphasis on rehabilitation. The fact that violence is directed against an intimate partner or family member does not justify differential or softer treatment than other violent offences. As with all offences, simply putting the offender into a cell and disposing of the key is not an adequate solution to the problem. What is essential is that rehabilitative programs and services are available in order to address the roots of these negative behaviours, which will encourage change to occur.

With the increasing rate of reported domestic violence offences, perpetrators of these offences are among the most represented groups within Australian correctional services. Domestic violence-related serious assault offenders are significantly more likely than non-domestic violence offenders to be sentenced to imprisonment.<sup>12</sup> Between 2009-14, almost 1,900 people were sentenced to imprisonment as the principal penalty for domestic violence-related serious assaults, which accounted for 17% of those offenders. The most commonly imposed penalty was a bond, with or without supervision (49% of offenders).<sup>13</sup> The average number of prison days served for domestic violence-related serious assault was 370 days.<sup>14</sup> Recent studies have shown that short prison sentences (under twelve months) are no more effective in deterring criminals from re-offending than suspended sentences.<sup>15</sup>

Of all individuals imprisoned for domestic violence-related offences in the period 2008-09, 802 were guilty of breaching an Apprehended Violence Order (66%), 611 of assault occasioning actual bodily harm (50%), 530 of common assault (43%), and 156 guilty of stalking or intimidation with intent to cause fear (12%).<sup>16</sup> Factors associated with greater likelihood of imprisonment for domestic violence-related assaults include the seriousness of the offence, being male (2.85 times more likely than female) or of

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<sup>12</sup> Ibid.

<sup>13</sup> Ibid, 6.

<sup>14</sup> Ibid, 1.

<sup>15</sup> Judy Trevena and Suzanne Poynton, 'Does a prison sentence affect future domestic violence reoffending?' (2016) *Crime and Justice Bulletin No. 190* 1, 1. <<http://www.bocsar.nsw.gov.au/Documents/CJB/Report-2016-Does-a-prison-sentence-affect-future-domestic-violence-reoffending-cjb190.pdf>>.

<sup>16</sup> Clare Ringwald and Jacqueline Fitzgerald, 'Factors which influence the sentencing of domestic violence offenders' (2010) 48, *NSW Bureau of Crime Research Statistics Bureau Brief: Crime and Justice Statistics* 1, 4-5 <<http://www.bocsar.nsw.gov.au/Documents/BB/bb48.pdf>>.



indigenous descent (1.46 times more likely than non-indigenous), and entering a not guilty plea (1.31 times more likely than a guilty plea).<sup>17</sup>

### **1.1 How Prevalent is Domestic Violence in the General Community?**

In 2012, an estimated 132,500 Australian women (1.5% of all adult women) and 51,800 Australian men (0.6% of all adult men) reported experiencing partner violence in the previous 12 months.<sup>18</sup> These estimates are much higher when lifetime abuse is considered, with 1.5 million Australian women (16.9% of all adult women) and 450,000 Australian men (5.3% of all adult men) having reported experiencing violence from a partner (since the age of 15).

Additionally, in the four years between April 2010 and March 2014, 136 people were murdered and 43,000 people were assaulted in domestic violence incidents in NSW<sup>19</sup> However, as domestic violence is largely underreported, this number reflects only a small portion of the practical reality. It is believed that approximately 40% of all homicides in NSW are domestic violence related, with female homicide victims 2.5 times more likely than male victims to be killed by someone with whom they have an intimate relationship.<sup>20</sup>

### **1.2 The Impacts of Domestic Violence on Children**

Women are not the only victims of domestic violence; children and young people are often deeply affected by exposure to incidents of domestic violence. Exposure to domestic violence involves witnessing the violence, helping to clean up the resulting property damage, or being present whilst police or ambulances attend. It is estimated that the children of over one-third (approximately 34%) of women who experience violence at the hands of an intimate partner bore witness to the violence to some degree.<sup>21</sup> A national survey of 5,000 young people aged 12-20 years found out that 23% of the participants had witnessed physical domestic violence against their

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<sup>17</sup> Ibid, 8.

<sup>18</sup> Neil Donnelly & Suzanne Poynton *Prison penalties for serious domestic and non-domestic assault* (2015) 110, NSW Bureau of Crime Research and Statistics Bureau Brief: Crime and Justice Statistics 1, 1. Retrieved from <<http://www.bocsar.nsw.gov.au/Documents/BB/Report-2015-Prison-penalties-for-serious-domestic-and-non-domestic-assault-bb110.pdf>>.

<sup>19</sup> State Library of NSW 'Prevalence of Domestic Violence', (2015) <[http://www.legalanswers.sl.nsw.gov.au/guides/hot\\_topics/domestic\\_violence/overview/prevalence.html](http://www.legalanswers.sl.nsw.gov.au/guides/hot_topics/domestic_violence/overview/prevalence.html)>.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.



mothers.<sup>22</sup> These statistics are extremely alarming due to the detrimental mental consequences to these children and also, due to the cyclic nature of domestic violence. That is, exposure to domestic violence by children in their formative years leads to a higher susceptibility of replicating these behaviours as an adult.

### 1.3 Profile of Offenders

It is accepted that the majority of domestic violence perpetrators are male. In 2010, police records highlighted that 57,542 males (70% of all offenders) were recorded as having committed domestic violence offences.<sup>23</sup> Indigenous Australians are more likely than non-Indigenous Australians to be incarcerated for domestic violence offences (as is common with most of the criminal offences). This emphasises the need for effective rehabilitative programs that are culturally sensitive. The table below demonstrates the disparity in incarceration numbers for domestic violence offences between indigenous and non-indigenous offenders.

<b>Interaction between Indigenous people and DV status for average length of total imprisonment n= 3596<sup>24</sup></b>		
<b>Category</b>	<b>Number</b>	<b>Mean imprisonment length (days)</b>
Non-Indigenous/unknown, Non-DV	1252	356.9
Non-Indigenous/unknown, DV	1156	325.6
Indigenous, Non-DV	505	381.6
Indigenous, DV	683	399.4

## 2.0 Programs Offered by Corrective Services (NSW)

This paper argues that the current programs offered to offenders are not sufficient in promoting rehabilitation and reducing recidivism, due to inconsistencies and

<sup>22</sup> Ibid.

<sup>23</sup> NSW Police Force, *Overview of Recent Family Violence Research Findings, One In Three*, (2011) <<http://www.oneinthree.com.au/overview/>>.

<sup>24</sup> Neil Donnelley and Suzanne Poynton, *Prison penalties for serious domestic and non-domestic assault* (2015) 110, NSW Bureau of Crime Research and Statistics Bureau Brief: Crime and Justice Statistics 1, 1. <<http://www.bocsar.nsw.gov.au/Documents/BB/Report-2015-Prison-penalties-for-serious-domestic-and-non-domestic-assault-bb110.pdf>>.

limitations to access. Instead, online counselling services are suggested as a more effective measure, particularly in-cell counselling using computers. This paper will look first at the current programs in NSW (EQUIPS Domestic Abuse Program, Self-Regulation Program For Violent Offending and Out Of The Dark), before turning to those in other jurisdictions (Geraldton Family And Domestic Violence Project, Ending Family Violence Program, Domestic And Family Violence Intervention Program, ACT Corrective Services Domestic Abuse Program, Introduced Indigenous Family Violence Offenders Program and Tasmanian Family Violence Offender Intervention Program) and finally examining other more general services available (Men's Behaviour Change Programs and Risk-Needs-Responsivity Model). In order to develop a more in-depth understanding, outlines of the programs will be provided, including their structure and the criteria to gaining access to them. For each program, a critical analysis will be undertaken, emphasising their advantages and disadvantages, before an overall examination is conducted at the end. It will then consider online counselling services, with emphasis upon their ability to address the afore-mentioned limitations.

## **2.1 EQUIPS Domestic Abuse Program**

The Explore, Question, Understand, Investigate, Practise to Succeed (EQUIPS) Domestic Abuse program (also referred to as DAP) is based on a psycho-behavioural framework and has strong therapeutic influence in its delivery.<sup>25</sup> It has a strong emphasis on inviting perpetrators to accept responsibility for their offending behaviour. It also encourages them to increase their level of accountability to the wider community. The 40-hour program is divided into five modules of four sessions each (total of 20, 2-hour sessions). The five modules are Identifying abuse, Managing emotions, beliefs and attitudes, Offence mapping, Victim impact and Sexual respect, Relationship skills and Self-management strategies. The program can be completed as either a single program or combined with others for a more flexible approach to particular offenders. The criteria to gaining access to the program include the following:

- Medium to high risk of recidivism
- Offence against intimate partners

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<sup>25</sup> Corrective Services New South Wales, *Compendium of Offender Behaviour Change Programs in New South Wales* (2016) 35.

- Incarcerated or under supervision
- Suitability Assessment: if in custody conducted by an interview
- Excludes: offenders with active psychotic symptoms, alcohol and drug intoxication/withdrawal symptoms, sex offenders, offenders already participating in a variety of other programs or if at the High Risk Management Unit, or at the Bolwarra or Parramatta Transitional Centre

Examining the benefits of this program first, it was awarded the National Certificate of Merit in the Australia Crime and Violence Prevention Awards in 2011. Blatch et al<sup>26</sup> examined the recidivism outcomes for 953 offending men with domestic violence histories, who served a community-based sentence and were enrolled in the Domestic Abuse Program (DAP), by Corrective Services NSW. 63% completed the program and results showed that enrolment was associated with significant improvements in odds of time to first general reconviction (15%) and first violent reconviction (by 27%) compared to controls. Reconviction rates were significantly lower (by 15%) for DAP enrolees. Program completion was necessary for significant therapeutic effect. These results highlight a significant benefit of the EQUIPS DAP program, suggesting it could be adopted by other jurisdictions to modify criminal behaviours of domestically abusive men, potentially decreasing the physical, emotional, and financial impacts on victims and providing savings to government as well as the criminal justice system.

Turning to the disadvantages of the EQUIPS DAP, a significant limitation to individuals gaining access to it is that the program has specific exclusionary criteria. Anyone who does not fulfil the requirements is prevented from participating. In particular, the program excludes offenders with active psychotic symptoms and/or alcohol or drug intoxication or withdrawals. Given the 2015 *Health of Australia's Prisoners*<sup>27</sup> report noting the high levels of mental health issues, illicit drug use and risk of alcohol consumption by prison entrants, a significant proportion of prisoners are excluded from participating in domestic violence programs. Such exclusionary criterion also ignores the role of alcohol, drugs and mental health issues in an

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<sup>26</sup> Blatch et al, 'Evaluation of an Australian domestic abuse program for offending males' (2016) 8(2) *Journal of Aggression, Conflict and Peace Research* 4.

<sup>27</sup> Australian Institute of Health and Welfare, *The health of Australia's prisoners* (2015) <<http://www.aihw.gov.au/WorkArea/DownloadAsset.aspx?id=60129553682>>.

offender's domestic violence behaviour. Although it is possible for the offender to first complete other programs targeting issues such as mental health, drugs and alcohol abuse, and then turn to the domestic violence programs, such a sequence is rare. This is because the large numbers of prisoners with mental health, drug and alcohol issues makes it exceedingly competitive to gain access to such services, thus preventing such offenders from gaining access to either set of programs.

## **2.2 Self-Regulation Program for Violent Offending**

This program targets those with intellectual disabilities or cognitive impairments, who have difficulties when adapting to the prison life, are at risk of reoffending and have a history of violent behaviour.<sup>28</sup> Although domestic violence is not directly targeted, the program may also be suitable for domestic violence offenders, as decided on a case-by-case basis. The criteria to gaining access to the program include the following:

- Medium-high to high risk of recidivism
- 2-2.5 years from release date
- Intellectual disability or cognitive impairment
- Current conviction for a violent offence
- History of violent offences
- Suitable for one out cell placement
- Excludes inmates who have recently been: non-compliant to medication, at risk of suicide or self-harm, have a history of aggressive conduct while in custody, received adverse intelligence reports, have been segregated or are subject to court proceedings

A significant advantage of the program is its focus on offenders with intellectual disabilities or cognitive impairments. However, a significant problem in accessing the program is its exclusionary criteria.

## **2.3 Out of the Dark**

The program targets women who have experienced domestic and family violence<sup>29</sup> and consists of six sessions of 1.5-2 hours duration, 1-2 sessions per week. The criteria to gaining access to the program include the following:

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<sup>28</sup> Ibid 53.

<sup>29</sup> Ibid 83.

- Must be female
- Must be suitable; this is assessed on a case-by-case basis.
- Excludes women who have been perpetrators (even if also victims)

An advantage of the Out of the Dark program is its narrow focus upon females, which allows women to discuss their past experiences of domestic and family violence without fear of retribution or increased violence from their male partners. Additionally, the short sessions and time periods between each session give the individual more time to assimilate what they have learnt, which in turn, increases their likelihood of implementing it.

However, despite this advantage, there is a significant limitation to this program, inherent in its exclusionary criteria. That is, the Out of the Dark program excludes female victims who then become perpetrators. This excludes a sector of the population in most need of assistance, as it ignores the causes that contribute to the participation in crimes.

### **3.0 Corrective Services Programs in State and Territory**

#### **Jurisdictions**

There are a number of different programs designed to target domestic and family violence across Australia. Each program is unique to its state jurisdiction and varying approaches are taken to combating the issue of domestic violence. It is interesting to note the lack of programs that target cultural differences in regards to domestic violence. There is a distinct absence of programs or services which target domestic violence in Indigenous Australian communities, with the exception of Western Australia and the Northern Territory.

#### **3.1 Western Australia: Geraldton Family and Domestic Violence Project (Barndimalgu Court)**

The Departments of Corrective Services and the Attorney General are working in partnership with the Geraldton Aboriginal community to reduce the incidence of family and domestic violence in Western Australia. The *Barndimalgu Court and Geraldton Family and Domestic Violence Project*, established in August 2007, is

specifically for Aboriginal people in Geraldton, to help them break the pattern of domestic and family violence associated with this group.<sup>30</sup> The program aims to address the over-representation of Aboriginal and Torres Strait Islander people in prison, and the high numbers of them imprisoned as a result of family and domestic violence related offences. When an Indigenous Australian is arrested and charged with a domestic violence offence, they are sent to the Barndimalgu Court. People who plead guilty have the opportunity to participate in a 20-week program to address their violent behaviour before the final sentence is delivered. If the person successfully completes the program, they may not have to go to prison and may be given a community sentence instead.

An advantage of this style of program is that it views rehabilitation as the central focus, with offenders given the opportunity to deal with their behaviour and reform themselves rather than merely incarcerating them. As stated previously, research suggests that programs are significantly more effective when the individuals are given the ability to voluntarily engage in the program and take responsibility for their actions without being forced into it.

However, it could be argued by some critics that the program is too lenient as offenders could potentially escape prison time altogether. Analysis of outcomes could show if this argument has validity. Further, while it may be able to limit the over-representation of Aboriginal and Torres Strait Islander people in prison for family and domestic violence related offences, it cannot be accessed by nor does it help those already in prison.

### **3.2 Queensland: Ending Family Violence Program**

Ending Family Violence is a culturally specific intervention program designed for Indigenous offenders who have been convicted of family or community violence. It helps them address aspects of their criminogenic behaviour relating to the violence and is based on a cognitive behavioural model.<sup>31</sup> It utilises both active and experiential learning exercises that are culturally appropriate. The program aims to

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<sup>30</sup> Department of the Attorney General, *Geraldton Family and Domestic Violence Project: A Reducing Aboriginal Imprisonment Strategy* (2007) <[https://www.correctiveservices.wa.gov.au/\\_files/probation-parole/gfdv-project.pdf](https://www.correctiveservices.wa.gov.au/_files/probation-parole/gfdv-project.pdf)>.

<sup>31</sup> Department of the Attorney General, *Geraldton Family and Domestic Violence Project: A Reducing Aboriginal Imprisonment Strategy* (2007) <[https://www.correctiveservices.wa.gov.au/\\_files/probation-parole/gfdv-project.pdf](https://www.correctiveservices.wa.gov.au/_files/probation-parole/gfdv-project.pdf)>.

raise the participants' awareness regarding the impact of domestic violence on the family unit as well as to investigate options to assist them to change their lifestyle. Ending Family Violence focuses on the key areas of the nature of violence in families, including links between substance abuse and violence in families, awareness of the consequences of violence, identifying how violence can be prevented, strengthening focus (empowerment) and developing a relapse prevention and management plan to establish positive lifestyle choices. It is available in both correctional centres as well as the Probation and Parole service for both male and female offenders (as the program's concepts are mostly gender neutral). It is a 20-hour intervention program and may be delivered over five weeks. 10 sessions are usually facilitated twice a week in 2-hourly sessions.

A prominent advantage of this program is its emphasis upon culturally appropriate measures. As stated previously, programs need to account for cultural differences by understanding and incorporating culturally diverse perspectives in order to specifically target and engage with the individual's underlying attitudes. Through this, more enduring attitudinal and behavioural changes can be carried out. A further benefit is that the program can be accessed by those who are incarcerated and on parole and probation, thus not limiting access to offenders with a long duration remaining on their sentence. Instead, the offender can continue the program upon release. The program not only targets the most serious offenders but also those involved in less serious offences who are potentially more willing to rehabilitate.

A potential disadvantage is that the offender may not be able to physically attend and continue the program once they are released from prison, particularly in situations where they have family obligations. This could possibly limit their continuing access to the program, which in turn could reduce the effectiveness of the program as research has suggested that program completion is necessary for significant therapeutic effect, as stated previously.

### **3.3 South Australia: Domestic and Family Violence Intervention Program (DFVIP)**

DFVIP is a 10-week behaviour change program aimed exclusively at men and offered in a group setting, which addresses violent and abusive behaviours within spousal



relationships, whether the victim is a current or past partner.<sup>32</sup> Key principles of the program include holding the safety of partners, children and others as paramount and emphasising that men are responsible for their actions. This is important as a man whose actions are violent or abusive, is only likely to cease if he takes full responsibility for those actions. The program modules involve Responsibility Taking, Dangerous Thinking, Cycles of Violence, Effects for Children, Safe Relationships and Safety Planning. The program will at all times and in every aspect be respectful and non-abusive. Every effort is made to ensure the DFVIP program is an initiative to make men feel respected in their efforts to overcome the issue of domestic violence. In particular, the following four dichotomies will be addressed as a means of identifying past unsafe and abusive behaviour within relationships and considering alternative safe (non-violent and non-abusive) and respectful ways of being within relationships: Blaming vs. not blaming, Controlling vs. caring, Selfish fathers vs. good dads and Ownership vs. partnership.

A significant advantage of the program is its broad focus on both current and past victims. This provides access to those who behaved violently in the past and does not just limit it to those who are violent now. Additionally, the program emphasises accountability, stating that all aspects of anti-violence groups are accountable to those who have been subject to the violence and abuse, as well as the organisations, statutory bodies, and services that represent or assist people who have been subject to violence and abuse.

A potential disadvantage to this program is that men may be reluctant to openly discuss their feelings or experiences, due to the social stigma surrounding men and emotions. This can prevent them from properly engaging in the program. Alternatively, where such discussions do occur, they may feel the need to maintain or regain their 'masculinity' in front of their peers, through negative, victim-blaming language. This would also prevent the program from being truly effective.

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<sup>32</sup> Department for Correctional Services, *Domestic and Family Violence Intervention Program* (2010) <<http://www.corrections.sa.gov.au/rehabilitation-programs/domestic-and-family-violence-intervention-program>>.

### 3.4 Australian Capital Territory: ACT Corrective Services Domestic Abuse Program

As part of a focus on prevention, the Australian Capital Territory (ACT) Government will provide \$964,000 over three years in the 2016–17 ACT Budget for a behavioural change program. The ACT Corrective Services Domestic Abuse Program targets men who are convicted of a domestic abuse offence against their current or recent ex-partner, not victims.<sup>33</sup> The program aims to address issues within relationships, whether the victim of the offence is a current or past partner. It explores links between behaviours, thoughts and feelings in relation to offending, which leads to a model of accepting responsibility and victim safety. The program aims to reduce the likelihood of men committing domestic and family violence, including sexual assault against women and children, and to enable women and children to remain in the family home. The initiative will provide a three-month therapeutic residential program for men who have used or are at risk of using violence in the home. Rehabilitation will involve intensive case coordination, case management, group work, individual counselling, development of living skills and referral.

A benefit of the program is that it is well supported in terms of its resource availability, allowing greater accessibility to it. However, it is unknown how the program measures domestic violence, such as the conditions in which it takes place, leading to the possibility of inconsistent findings. The program's focus on male offenders entails a very gendered approach that deals only with men and their behaviours, thoughts and feelings in relation to offending. While such an approach targets the main perpetrators of domestic and family violence (70% of all offenders are male), male victims and female perpetrators do not have access to this program, due to the gendered approach, thus reducing the program's effectiveness. A more gender-neutral approach may be preferable, as domestic violence occurs to both sexes.

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<sup>33</sup> ACT Government, *ACT Government Response to Family Violence* (2016), 7, <[http://www.cmd.act.gov.au/\\_\\_data/assets/pdf\\_file/0008/883484/ACT-Government-Response\\_family\\_violence.pdf](http://www.cmd.act.gov.au/__data/assets/pdf_file/0008/883484/ACT-Government-Response_family_violence.pdf)>.

### **3.5 Northern Territory: Introduced Indigenous Family Violence Offenders Program**

The Indigenous Family Violence Offenders Program works with Indigenous offenders to educate and provide alternative strategies for addressing issues that resulted in family violence.<sup>34</sup> Clients are primarily referred through the court system, Community Corrections, the Police and the Department of Children and Family Services. Local indigenous facilitators assist with the delivery of the program in remote communities, regional centres and prisons in the Northern Territory. The program is an alternative sentencing option to imprisonment for the court system and its overriding aim is to reduce the incidence of Indigenous family violence in indigenous communities.

Local Indigenous facilitators foster a sense of community and familial support – which is an excellent method of addressing domestic violence for a community, as it implies specific cultural requirements. Furthermore, as it is an alternative to prison, it suggests that the focus is placed on rehabilitation. However, this initiative may be thought by some to be lenient on perpetrators of domestic violence, which can be problematic for victims or individuals with strong views on the forms of adequate punishment.

### **3.6 Tasmania: The Tasmanian Family Violence Offender Intervention Program (FVOIP)**

The Family Violence Offender Intervention Program is currently provided by Community Corrections within Tasmania's Department of Justice.<sup>35</sup> Offenders who are deemed eligible can attend the program through mandate or as an element of their sentencing. Clients are offenders who are identified as having a high risk of re-offending or escalating their violence. Within the program, skills for interpersonal relationships are built, such as conflict management and getting feedback from others.

The program's aim is to change the offenders' behaviour in regards to family violence, by targeting criminogenic needs, such as violence propensity and substance

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<sup>34</sup> <sup>34</sup> Australian Bureau of Statistics, *Indigenous Family Violence Offender Program (IFVOP) Statistics, Northern Territory* (2011)

<<http://www.abs.gov.au/ausstats/abs@.nsf/Lookup/4533.0Chapter1752011>>.

<sup>35</sup> Tasmanian Government, *The Tasmanian Family Violence Offender Intervention Program* (2014) <<http://safeathome.tas.gov.au/offenders/fvoip>>.

abuse. FVOIP is part of the larger Safe At Home project, and it is interconnected with other departments such as the Police, Courts and Community Corrections, which liaise regularly in order to ensure ongoing safety of victims and the best management of offenders.

As the program is connected to other departments, it allows for regulation, support and perhaps most importantly, access to funding for the service. However, whilst an exclusive mechanism for ‘high risk’ prisoners exists, there are needs for a standard approach accessible for all domestic violence prisoners.

## 4.0 Other Domestic Violence Services Available

### 4.1 Men’s Behaviour Change Programs (MBCP) - Australia

A number of accredited services in NSW provide paid programs to curb men’s domestic violence. These agencies provide valuable services for men who wish to change their abusive behaviour.<sup>36</sup> These programs have to follow minimum standards set out by the NSW government in order to receive accreditation. Examples of these standards include providing current partners of the participants with support prior to and during the program, and emphasising victim protection throughout it.<sup>37</sup> Accredited providers that meet the minimum standards for these programs include Baptistcare (Facing Up Program), Catholic Care (Men and Family Relationships Program) and Relationships Australia NSW (Taking Responsibility – a course for men). MBCP incurs fees and are typically run for 16-18 sessions, depending on the provider. However, different entry criteria need to be met prior to the admission into the programs – offenders have to make the decision to choose change for themselves. Programs like ‘Taking Responsibility’ emphasise strengthening attitudes and skills for respectful and loving relationships with female partners and children.<sup>38</sup>

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<sup>36</sup> NSW Justice, *Minimum Standards for Men’s Domestic Violence and Behaviour Change Programs* (2016)

<[http://www.crimeprevention.nsw.gov.au/domesticviolence/Pages/MiniStandardsforMen'sBehaviour/Minimum\\_Standards\\_for\\_Men's\\_Behaviour.aspx](http://www.crimeprevention.nsw.gov.au/domesticviolence/Pages/MiniStandardsforMen'sBehaviour/Minimum_Standards_for_Men's_Behaviour.aspx)>.

<sup>37</sup> Attorney General & Justice, *Minimum Standards for Men’s Domestic Violence and Behavior Change Programs* (2012)

<[http://www.crimeprevention.nsw.gov.au/domesticviolence/Documents/Mini/dfv\\_behaviour\\_change\\_program\\_standards\\_april\\_2012%20\(1\).pdf](http://www.crimeprevention.nsw.gov.au/domesticviolence/Documents/Mini/dfv_behaviour_change_program_standards_april_2012%20(1).pdf)>.

<sup>38</sup> Relationships Australia NSW, *Taking Responsibility – A Course for Men* (2016)

<<https://relationshipsaustralia.org.au/support-services/taking-responsibility-a-course-for-men>>.

### 4.1.1 Statistics

- Two thirds of violent men who attend behaviour change programs completely stop abusing their families within two years.<sup>39</sup>
- Monash University followed men who attended behaviour change programs in New South Wales, Victoria and Western Australia for two years after they completed the program. Monash University social work Professor Thea Brown concluded that 65% of men were classed as violence-free at the end of the study. This is to say that they no longer physically, emotionally or sexually abused their partners or made them afraid.<sup>40</sup>
- Nevertheless, reducing re-offending rates should not be the only objective for men's behaviour change programs, according to new research from Australia's National Research Organisation for Women's Safety (ANROWS).<sup>41</sup>

## 4.2 Phone and online programs available outside prisons

### 4.2.1 Enough is Enough Proposal

Enough is Enough is an anti-violence organisation which provides workshops, programs, and phone counselling with an aim to offer counselling and support services for those affected by crime, road trauma, violence and anti-social behaviour.<sup>42</sup> This program emphasises empowering individuals to eliminate violence from all areas of their lives and to encourage community members to assist each other in overcoming these challenges. Domestic Violence is a key focus of this organisation with support services available for both perpetrators and victims. The organisation also provides educational programs and workshops in correctional facilities for both staff and inmates, focusing on methods of community reintegration and changing violent behaviours.<sup>43</sup> The vision of Enough is Enough is to be the “peak-performing grassroots organisation dealing in help, hope and healing”.<sup>44</sup> The outcome of this

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<sup>39</sup> Cosima Marriner, ‘The Violent Men who do Change’, *Sydney Morning Herald* (online), 28 May 2016 <<http://www.smh.com.au/nsw/the-violent-men-who-do-change-20160527-gp53j0.html>>.

<sup>40</sup> Ibid.

<sup>41</sup> ANROWS, *New Research Finds Men's Behaviour Change Programs Should Aim to do More than Reducing Re-Offending Rates* (2015) <<http://anrows.org.au/resources/media/media-releases/new-research-finds-men%E2%80%99s-behaviour-change-programs-should-aim-do-more>>.

<sup>42</sup> Enough is Enough, *Domestic Violence Support* (2016) <<http://www.enoughisenough.org.au/counselling-and-psychology/domestic-violence-help>>.

<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

program includes establishing a sense of responsibility in offenders so that they may understand the consequences of their actions and empathise with victims, so as to begin rehabilitation and reintegration for offenders.<sup>45</sup>

#### **4.2.2 Men's Domestic Violence Education and Intervention Program**

In collaboration with Queensland Corrective Services and Gold Coast Domestic Violence Integrated Response, this program seeks to work with men to end their use of violence and abuse in intimate personal relationships. Women and children's safety is prioritised throughout the program and regular contact with partners who have experienced violence is provided.<sup>46</sup> As part of this program, men are required to attend a minimum of 24 weekly sessions in order to:

- Assist the participants to understand acts of violence as a means of control by examining the intent of their acts.
- Increasing participants' willingness to understand his actions by examining its negative effects.
- Increasing the participants' understanding of the causes of violence.
- Providing practical information on how to change the abusive behaviour by exploring non-violent ways.

The entry into the program is subject to the following criteria:

- The court makes an order for the man to attend the program if he has been convicted of a breach of a domestic violence protection order or for other domestic violence related criminal offences.
- The program is a condition of an offender's parole.
- A respondent is referred to the program by being granted a Voluntary Intervention Order (VIO) through the civil process in a Domestic Violence Court. For a VIO to be granted, there must be a current Domestic Violence Order against the respondent.

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<sup>45</sup> Enough is Enough, *The R Program* (2016) <<http://enoughisenough.org.au/wp-content/uploads/2015/07/The-R-Program.pdf>>.

<sup>46</sup> Domestic Violence Prevention Centre, *Men's Domestic Violence Education and Intervention Program* (2016) <<http://www.domesticviolence.com.au/pages/mens-domestic-violence-intervention-education.php>>.

The programs outcomes have been positive overall.<sup>47</sup> Individuals that complete the program were less likely to engage in minimising, denial, manipulation, and assigning blame to victims post-program than they were pre-program.<sup>48</sup> Furthermore, program participants reported having greater awareness of the effects of their actions because of the program, and were significantly less likely to endorse acts of domestic violence post-program than they were pre-program.<sup>49</sup> These outcomes demonstrate that group-based intervention programs can be effective, and entry to the program should not be restricted to individuals with a Domestic Violence Order.

On a global scale, through the input of victim advocacy groups, the criminal justice system, and treatment providers, the Perpetrator Index was developed.<sup>50</sup> There was an emphasis on the need to go beyond recidivism, looking at the reduction of negative behaviours and attitudes, and to make a goal of developing positive behaviours and activities.

### 4.2.3 1800RESPECT

1800RESPECT is a 24/7 phone and online counselling service, with translators and interpreters available to assist<sup>51</sup>. It provides online and over the phone counselling to victims of domestic violence as well as online educational resources for friends and relatives of victims.<sup>52</sup> The website provides online counselling through email correspondence or small group therapy to help men reduce their violent and abusive tendencies. There is a great emphasis on learning how to relate to partners in a respectful way, and on assisting the development of non-abusive alternatives for dealing with difficulties through relationships. Keeping their partner safe is an important aspect of 1800RESPECT's teachings.

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<sup>47</sup> Australian Institute of Criminology, *Integrated Responses to domestic violence: Legally mandated intervention programs for the male perpetrators* (2010)

<[http://www.aic.gov.au/media\\_library/publications/tandi\\_pdf/tandi404.pdf](http://www.aic.gov.au/media_library/publications/tandi_pdf/tandi404.pdf)>.

<sup>48</sup> Ibid.

<sup>49</sup> Ibid.

<sup>50</sup> Washington State Institute for Public Policy, *What Works to Reduce Recidivism by Domestic Violence Offenders* (2013). <[http://www.wsipp.wa.gov/ReportFile/1119/Wsipp\\_What-Works-to-Reduce-Recidivism-by-Domestic-Violence-Offenders\\_Full-Report.pdf](http://www.wsipp.wa.gov/ReportFile/1119/Wsipp_What-Works-to-Reduce-Recidivism-by-Domestic-Violence-Offenders_Full-Report.pdf)>.

<sup>51</sup> 1800Respect, *Telephone and Online Counselling* (2015)

<<https://www.1800respect.org.au/telephone-and-online-counselling/>>.

<sup>52</sup> Ibid.



On the 30<sup>th</sup> of October a Coalition Media release by The Hon. Michaelia Cash reported major improvements in service levels through the initiative.<sup>53</sup> This has resulted in increasing response time and a significant decrease in call abandonment. This has meant that the immediacy of support for victims of domestic violence has substantially improved, however, the National Plan is only in the third part of its action plan out of four parts, so true results and outcomes are still to be measured.

#### **4.2.4 Relationships Australia (1300 364 277)**

Relationships Australia provides online, face-to-face, and phone counselling for people who have used anger, violence or abuse in their interpersonal relationships.<sup>54</sup> The service is available for anyone in Australia and offers a secure Chat counselling service via text or video/audio links on Skype for those who cannot physically attend counselling or that prefer the convenience of online therapy.<sup>55</sup> No referral is required, however a \$90 per hour fee is charged for the online counselling service.

#### **4.2.5 MensLine Australia (1300 78 99 78)**

MensLine is a 24/7 service providing leading professional remote telephone and online counselling.<sup>56</sup> The MensLine website provides online counselling or video counselling as well as a forum for mutual assistance. The organisation focuses on providing appropriate counselling for men who often find it tough to ask for health advice and can find face-to-face discussion confronting. Their online services can offer visual privacy, a higher level of control for the client as well as anonymity that can help them to enable greater honesty.

#### **4.2.6 Men's Referral Service (1300 766 491)**

The Men's Referral Service is a free and anonymous telephone counselling line, which provides information to assist offenders in stopping their violent and/or controlling behaviour.<sup>57</sup> 'No To Violence,' a family violence prevention association, provides this service and is supported by both the Victorian and New South Wales Governments. There is an emphasis on providing a respectful and confidential service

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<sup>53</sup> <http://christianporter.dss.gov.au/media-releases/early-success-for-1800respect-s-new-telephone-counselling-service>

<sup>54</sup> Relationships Australia NSW, *Family Violence Prevention* (2016) <<http://www.relationships.org.au/what-we-do/services/family-violence-prevention>>.

<sup>55</sup> Relationships Australia NSW, *Counselling* (2016) <<http://www.relationships.org.au/what-we-do/services/counselling>>.

<sup>56</sup> Men's Line, *Talk it Over* (2014) <<http://www.mensline.org.au/>>.

<sup>57</sup> Men's Referral Service, *Men's Referral Service* (2013) <<http://mrs.org.au/>>.

that can help men to take the next steps in changing their behaviour. The Men's Referral Service also supplies a counselling service for women seeking information on male family violence, as well as for friends or family who are experiencing violence. The Men's Referral Service received over 7000 calls during the 2014-15 financial year, and the volume of calls has been increasing since 2012.<sup>58</sup>

### **4.3 Risk-Needs-Responsivity model (RNR) - USA**

In the United States, the Risks Needs Responsivity model (RNR) and Good Lives Model (GLM), are discussed and both are related to Cognitive Behavioural Therapy (CBT).<sup>59</sup> In the RNR model, offenders risk levels are assessed as well as their criminogenic needs (these are factors that are known to be associated with criminal behaviour such as interpersonal skills deficits, cognitive distortions, and a lack of victim empathy) and are interrogated about their responsiveness: What factors will influence the offender's response to the program? These can be their learning style, level of motivation, as well as their cultural background. Enhancing the life of the offender or improving their personal wellbeing is not the aim of this program. RNR for the past 40 years has been the main approach to rehabilitating sex offenders. The program may be beneficial in recognising and coping with various psychological thought processes associated with domestic violence.

## **5.0 More Traditional Support Programs**

### **5.1 Cognitive Behavioural Therapy (CBT)**

Cognitive Behavioural Therapy is a form of psychotherapy that is offered to prisoners broadly across Australia.<sup>60</sup> The therapy entails detailed theoretical and empirical rationales that address how psychological thought can be distorted, failing to reflect reality accurately. Moreover, the program assumes that most people can become conscious of their own thoughts and behaviours, which encourages positive change to

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<sup>58</sup> Male Family Violence Prevention Association, *Annual Report (2015)* <<http://ntv.org.au/wp-content/uploads/2015-ntv-mrs-annualreport-final-w.pdf>>.

<sup>59</sup> M. Schaffer, E. L. Jeglic, A. Moster, D. Wnuk, 'Cognitive-Behavioural Therapy in the Treatment and Management of Sex Offenders' (2010) 24(2) *Journal of Cognitive Psychotherapy: An International Quarterly* 92.

<sup>60</sup> Better Health Channel, *Cognitive Behaviour Therapy* <<https://www.betterhealth.vic.gov.au/health/conditionsandtreatments/cognitive-behaviour-therapy>>.

occur.<sup>61</sup> Multiple studies have shown that Cognitive Behavioural Therapy programs encourage offenders to improve their social skills, critical and moral reasoning as well as their impulse management.<sup>62</sup> CBT has been brought online outside of prisons; therefore the request to bring it online inside of prisons is not a stretch.

## 5.2 Justice Action's Research Into Cognitive Behavioural Therapy

A vast array of research has been conducted on the employment of CBT for people who have committed a sex offence.<sup>63</sup> CBT has significant effects in both community and institutional settings, the former being more effective. Higher recidivism rates were found in the majority of the untreated (27%) samples when compared to treated (19%) samples. Additionally, the participation of CBT has a lower drop out rate (about one third) compared to treatments that involve medication such as hormonal treatments, which have a refusal rate of approximately 66% and a higher drop out rate (50%).<sup>64</sup> This superior compliance rate suggests that the use of CBT has a distinct practical advantage. Hall et al. suggests that the distinctions in compliance rates may be due to the invasiveness of hormonal treatments (i.e. intramuscular injections) and their suppressant effect on not only deviant, but also appropriate forms of sexual arousal.<sup>65</sup>

A study by Maletzky and Steinhauser utilised five-year follow-ups over 25 years of 7,275 sexual offenders in the United States who participated in a CBT program. Results indicated that most offenders responded positively to CBT when provided in individual and group therapy as measured by self-reports, criminal records reviews, and, when available, by polygraph assessments.<sup>66</sup> There appears to be robust and converging empirical evidence that CBT is a highly effective treatment to reduce recidivism in sex offenders.<sup>67</sup>

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<sup>61</sup> National Institute of Justice, 'Preventing Future Crime with Cognitive Behavioral Therapy' (2010) <<http://www.nij.gov/journals/265/pages/therapy.aspx>>.

<sup>62</sup> Ibid.

<sup>63</sup> Justice Action, 'Cognitive Behavioural Therapy: Thinking For Change Against Crime' (2012) <[http://www.justiceaction.org.au/index.php?option=com\\_content&view=article&id=602:cognitive-behaviour-therapy&catid=46&Itemid=1117](http://www.justiceaction.org.au/index.php?option=com_content&view=article&id=602:cognitive-behaviour-therapy&catid=46&Itemid=1117)> [5.1].

<sup>64</sup> Ibid.

<sup>65</sup> ibid quoting Hall, G. N. C. (1995). Sexual Offender Recidivism Revisited: A meta-analysis of recent treatment studies. *Journal of Consulting and Clinical Psychology*, 63, pp. 802-809.

<sup>66</sup> Ibid quoting Maletzky, B. M. and Steinhauser, C. (2002). A 25-Year Follow-Up of Cognitive/Behavioural Therapy With 7,275 Sexual Offenders. *Behaviour Modification*, 26, pp. 123-147.

<sup>67</sup> For more information regarding Cognitive Behavioural Therapy see Justice Action above n 60.

It appears that CBT is more effective at lowering recidivism rates and providing successful rehabilitation to sex offenders. It has been suggested that offering the CBT programs online will only increase their effectiveness and rehabilitation efforts.<sup>68</sup> The effectiveness of online counselling was shown through the continued participant improvement following completion.<sup>69</sup>

### 5.3 Education/Therapy

A core underpinning of recidivism for domestic violence is the ability for perpetrators to unlearn violent behaviours and underlying attitudes attributed to violence.<sup>70</sup> Most programs would see education as having a role in the rehabilitation process, yet many Men's Behaviour Change (MBC) facilitators do not have a formal qualification background in adult education.<sup>71</sup>

Some of the basic principles that create a foundation for these programs include:

- Identifying the competences of the services to rehabilitate and control behaviours and attitudes that cause domestic violence;
- Accepting that individuals have different learning styles and subsequently accommodating those styles; and
- Undertaking programs with a learning environment that is not just cognitive but involves understanding of deeper issues.

There is some discussion whether the current programs offered actively support these foundations, and in order to address them there is a need for a diverse range of practitioners from equally diverse backgrounds to better cover underlying issues and to provide a support medium rather than a force of change. This requires practitioners to appeal to a sense of safety, connectivity, care and an active desire to participate. Online Services by nature may be better equipped to effectively address these issues as the AIC commented that online services provide a greater scope for inmates to opt

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<sup>68</sup> Justice Action, 'Online Counselling in Prison Cells' (2014) <[http://www.justiceaction.org.au/index.php?option=com\\_content&view=article&id=358&Itemid=1183](http://www.justiceaction.org.au/index.php?option=com_content&view=article&id=358&Itemid=1183)> [2.2].

<sup>69</sup> Ibid quoting Wagner, Horn and Maercker study.

<sup>70</sup> Rodney Vlasis, *Domestic Violence Perpetrator Programs: Education, Therapy, Support, Accountability or Struggle*, No To Violence Victoria <<http://ntv.org.au/wp-content/uploads/140409-Elements-of-DV-perpetrator-program-work.pdf>>.

<sup>71</sup> Ibid.

in when they are ready, rather than being compelled to participate in face-to-face programs on strict time schedules.<sup>72</sup>

#### **5.4 Batterer Groups and Anger Management Groups**

Anger management and Batterer groups interpret anger as the trigger to domestic violence and hence, targets it as a problem to address. Perpetrators are individually assessed by Australian services as to their suitability or group membership and if they pass, are required to attend 1-1.5 hours per week for 8-26 weeks. In these groups, both one male and one female facilitator manage and act as role models for appropriate behaviour. However, there are limitations to this approach. The individual assessment by services for eligibility has been criticised as an insufficient measure as it singles out 95% of other offenders who do not receive such help. Such groups have also been criticised on the grounds that perpetrators do not stop violence, and instead learn to be subtler in their abuse, as there is a tendency to result in victims being identified as the catalyst for triggering the anger and violence. Further issues surrounding the accurate measurement of criminogenic needs and outcomes obstruct the ability to evaluate treatment outcomes and mechanisms of change for offenders.<sup>73</sup>

#### **5.5 Couples Counselling**

As an alternative to perpetrator programs, couple counselling is typically seen as a service in which domestic violence is revealed and the counsellor then offers intervention for the couple. However, there is not enough research in regards to couples counselling and the ability to overcome domestic violence. It is instead seen as an approach more likely to be used by more advantaged groups to avoid exposure or confrontation in a traditional group setting. In the case study of 'Ross' who was a physically and emotionally violent perpetrator, couples counselling allowed him to reconcile his relationship with his wife and reduce his anger and irritability.<sup>74</sup> While there is a small amount of research proposing couple counselling as an alternative to group domestic violence programs, many of them look at domestic violence through a social system perspective and suggest that violence is a problem within the family,

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<sup>72</sup> Partnership Against Domestic Violence, Commonwealth of Australia, *Model Domestic Violence Laws Report* (1999) <<http://wesnet.org.au/wp-content/uploads/2012/07/xxdomesticreport.pdf>>.

<sup>73</sup> Bowen, E., Gilchrist, E. & Beech, A. R. (2008). Change in Treatment Has No Relationship With Subsequent Reoffending in U.K. Domestic Violence Sample: A Preliminary Study. *Journal of Offender Therapy and Comparative Criminology*, 52(5), 598-614.

<sup>74</sup> Special Taskforce on Domestic and Family Violence in Queensland, *Our Journal*, 2014, 10.

not just the perpetrator. Couples counselling can pose risks to the safety and wellbeing of the victim, as women have reported being subject to violent behaviour after exposing abuse during counselling sessions.<sup>75</sup> The lack of safety and support surrounding counselling leads it to being an unreliable method for rehabilitating offenders.

## 6.0 Effectiveness of Programs

The discussion below pinpoints the issues that are present in the current programs utilised to tackle domestic violence. There is an evident gap between the goals of domestic violence interventions and its practical effects. Thus alternatives such as online counseling must be considered and implemented alongside the current services, in order to bridge the gap for increasing practical effectiveness.

### 6.1 Problems with existing programs in Australia

There are a number of issues identified within Domestic Violence programs.

- A. In a report by the Australian Institute of Criminology, it was found that limited research had been conducted into the efficacy of offender programs in Australia.<sup>76</sup> In contrast, international studies suggested that they are not particularly successful. They claimed that ‘Meta-analytic reviews have concluded that programs typically produce relatively small effect sizes, particularly when victim reports are used as the dependent variable, or when the men are legally *mandated* to attend’.<sup>77</sup> The Australian Institute of Criminology makes reference to legally mandated courses in Queensland; therefore it is unclear to what extent this argument is relevant to the case of NSW, where these programs are not always mandatory.
- B. Many of the domestic violence offender programs offered by Community Correctives or in partnership with Corrective Services contain *exclusionary* criteria. The limited effects that mandated counselling has on domestic

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<sup>75</sup> Domestic Violence Prevention Centre, *Getting Help for Abusive Behavior*

<<http://www.domesticviolence.com.au/pages/getting-help-for-abusive-behaviours.php>>.

<sup>76</sup> Andrew Day, Donna Chung, Patrick O’Leary, Donna Justo, Susan Moore, Ed Carson and Adam Gerace, ‘Integrated responses to domestic violence: Legally mandated intervention programs for male perpetrators’, (2010) 404 *Australian Institute of Criminology: Trends and Issues in Crime and Criminal Justice* 1, 2.

<sup>77</sup> *Ibid.*

violence are acknowledged in a report on Model Domestic Violence Laws.<sup>78</sup> The report recommended ‘an integrated community-based intervention program’ as the most effective level of response to the problem of domestic violence, indicating that the mandatory referral of domestic violence perpetrators could be included.<sup>79</sup>

The AIC commented that online services provide greater scope for inmates to opt in whenever they are ready, rather than being compelled to participate in face-to-face programs or when it is being offered, rather than when they feel personally ready to take responsibility for their behaviour and make changes.<sup>80</sup> An online program accessible to prisoners would allow the offence to be treated seriously whilst also allowing for rehabilitation (if the seriousness of the offence warrants incarceration).

## 6.2 Recidivism

Evidence of the effect of programs on recidivism is limited and uncertain. A 2013 US study found that Domestic Violence recidivism was reduced by 33% when offenders engaged in some form of support services.<sup>81</sup> A 2016 Australian study found that among 14,660 offenders of Domestic Violence between 2011 and 2012, 8% reoffended with a Domestic Violence-related offence within two years.<sup>82</sup> A 2016 Australian study found that after a year, 20.3% of offenders given a suspended sentence and 20.3% of people given a prison sentence, committed at least a new domestic violence offence, suggesting that there is no significant distinction on the probability of new offences between suspended and prison sentences.<sup>83</sup> However, this report pinpoints the difficulties of providing statistical evidence in this area, as recidivism may be for a variety of other crimes and domestic violence charges are sporadic.

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<sup>78</sup> Partnership Against Domestic Violence, Commonwealth of Australia, *Model Domestic Violence Laws Report* (1999) <<http://wesnet.org.au/wp-content/uploads/2012/07/xxdomesticreport.pdf>>.

<sup>79</sup> Ibid.

<sup>80</sup> Ibid.

<sup>81</sup> Washington State Institute for Public Policy, *What Works to Reduce Recidivism By Domestic Violence Offenders* (2013) <[http://www.wsipp.wa.gov/ReportFile/1119/Wsipp\\_What-Works-to-Reduce-Recidivism-by-Domestic-Violence-Offenders\\_Full-Report.pdf](http://www.wsipp.wa.gov/ReportFile/1119/Wsipp_What-Works-to-Reduce-Recidivism-by-Domestic-Violence-Offenders_Full-Report.pdf)>.

<sup>82</sup> NSW Bureau of Crime Statistics and Research, *Assessing the risk of domestic violence recidivism* (2016) <<http://www.bocsar.nsw.gov.au/Documents/CJB/Report-2016-Assessing-the-risk-of-domestic-violence-recidivism-cjb189.pdf>>.

<sup>83</sup> NSW Bureau of Crime Statistics and Research, *Does a prison sentence affect future domestic violence offending?* (2016) <<http://www.bocsar.nsw.gov.au/Documents/CJB/Report-2016-Does-a-prison-sentence-affect-future-domestic-violence-reoffending-cjb190.pdf>>.



### 6.3 Limitations on Current Australian Support Services

There is a growing recognition of the need to engage both victims and perpetrators and provide long-term engagement.<sup>84</sup> However, there seems to be no general consensus as to the effectiveness of Domestic Violence Intervention Programs, due to the fact that there are:

- Confused and contradictory aims.
- High attrition rates.
- High levels of re-assault among participants.
- Low levels of motivation and readiness – high levels of resistance.
- After attending programs, perpetrators may commit less physical violence but other forms of abuse may worsen.
- Focus on men and masculinities can lead to collusion and disempower women.
- Inappropriate psychological/therapeutic approaches.
- Cultural explanations of family violence.
- Programs may not adequately integrate partner contact practice and adjunct services for victims.

Regardless of this, it is strongly emphasised that perpetrators can be assisted in re-shaping their identities to be non-violent individuals, provided that there are appropriate and systematic responses to their attempts; attitudes can be changed, and respectful relationships can be developed between men and women through engagement with perpetrators.

The following points indicate the finding of various studies into the effectiveness of the various support programs currently employed in Australia in an attempt to rehabilitate domestic violence offenders.

#### 6.3.1 Limits on access to current support services

Currently, less than 10% of domestic violence offenders in Australia are getting into men's behaviour change programs with only 5,000 vacancies each year for behaviour

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<sup>84</sup> Australian Institute of Social Relations, *Prevention Strategies: Involving and Engaging Perpetrators* (2010) <[http://www.avertfamilyviolence.com.au/wp-content/uploads/sites/4/2013/06/Prevention\\_Strategies.pdf](http://www.avertfamilyviolence.com.au/wp-content/uploads/sites/4/2013/06/Prevention_Strategies.pdf)>.

change, despite 70,000 offenders annually on domestic violence protection orders.<sup>85</sup> This indicates that demand for rehabilitative support services considerably outweighs the current supply.

### 6.3.2 Lack of Consistency in Australia

Australia lacks the large-scale criminal justice sponsored and funded service system for perpetrators that is provided in other parts of the world such as the United States and United Kingdom, and lacks consistency in its service and operational designs for perpetrators.<sup>86</sup>

## 7.0 Another Option: Online Services

The overall consensus of the reports referred to suggests that a lack of consistency and access confines the effectiveness of Australia's current approach to domestic violence. Many of these reports support a more cohesive and formulated long-term approach to domestic violence, which will have the ability to rehabilitate offenders and address their problematic behaviours more effectively. Online services should be part of this approach.

While there is some level of online or telephone counselling services available in Australia, they do not have the same level of accessibility and flexibility demonstrated in other countries such as the United Kingdom where 90% of counsellors and psychotherapists registered on Counselling Directory now offer online, email or telephone counselling services with online chat, email, Skype or telephone counselling.<sup>87</sup> Depending on the provider, therapy can be free through the NHS scheme. Private therapists will typically charge between £10 and £60 per session, with fees often scaled to meet the income of the individual.<sup>88</sup>

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<sup>85</sup> 'Domestic Violence: Rehabilitation programs for offenders 'overwhelmed'', *news.com.au* (online), 21 November 2015 <<http://www.news.com.au/lifestyle/relationships/marriage/rehabilitation-programs-for-domestic-violence-offenders-overwhelmed/news-story/86d4aa2f6c6434bb43e0ed55e9de362c>>.

<sup>86</sup> The Family Violence Prevention Foundation of Australia, *An Evaluation of Interventions with Domestic Violence Perpetrators* (2009) <[https://www.lifeworks.com.au/files/ResearchReport\\_FV.pdf](https://www.lifeworks.com.au/files/ResearchReport_FV.pdf)>.

<sup>87</sup> Counselling Directory, *Online and telephone counselling* (2016) <<http://www.counselling-directory.org.uk/online-counselling.html>>.

<sup>88</sup> British Association for Counselling & Psychotherapy, *What is therapy? – Cost, Counselling and Psychotherapy – it's good to talk* <<http://www.itsgoodtotalk.org.uk/what-is-therapy/cost>>.

In Australia, on the other hand, instead of a vast directory, there are individual organisations offering specialised counselling for issues such as domestic violence or mental health.

## 7.1 Benefits of Online Support Services

There are a number of benefits to online support services, which include:<sup>89</sup>

- Accessibility: overcomes barriers that may preclude others from seeking therapy and encourage those who are wary of face-to-face confrontation, such as those suffering from social phobias or anxiety.
- Convenience: 24-hour access.
- Affordability: may be more economical.
- Anonymity: without concerns of bias or judgement for action.
- Provides more ways of communication for people who experience difficulty expressing themselves verbally, and it encourages clients to express themselves in more thoughtful ways – having a written record will also provide for later assessments.
- Can assist with re-integration into society as inmates become accustomed to technological changes and acquire new skills necessary for future employment.<sup>90</sup>

Many comparative studies suggest that online services should be considered as effective as face-to-face counselling services. These opinions provide the basis for support to utilise these programs in Australia. However, this report suggests that further research must be conducted in order to determine the long-term effectiveness of online services as compared with traditional face-to-face counselling.<sup>91</sup> Further reports highlighted that online therapy delivers the same satisfaction as face-to-face counselling at a reduced cost of approximately 10% per participant.<sup>92</sup> In particular,

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<sup>89</sup> Reach Out, 'Online Counselling: Pros and Cons' <<http://au.professionals.reachout.com/online-counselling-pros-and-cons>>.

<sup>90</sup> Australian Institute of Family Studies, 'Online counselling, therapy and dispute resolution: A review of research and its application to family relationship services' (2009) <<https://aifs.gov.au/cfca/publications/online-counselling-therapy-and-dispute-resolution-review#benefits>>; Lawrence Murphy et al, 'Client Satisfaction and Outcome Comparisons of Online and Face-to-Face Counselling Methods' (2009) *British Journal of Social Work* 39 (4), 627, 638.

<sup>91</sup> Barak, A., Hen, L., Boneil-Nissim, M., & Shapira, N. (2008). A comprehensive review and a meta-analysis of the effectiveness of Internet-based psychotherapeutic interventions. *Journal of Technology in Human Services*, 26(2), 109-160.

<sup>92</sup> Breakthrough, 'Is Breakthrough effective?' (2016) <<https://www.breakthrough.com/why%2Feffectiveness>>.

online counselling is seen to be particularly effective in addressing issues of Post Traumatic Stress Disorders (PTSD) with participants displaying greater improvement than those engaged in traditional support programs.

## **8.0 Conclusion**

Overall, there is a distinct lack of sufficient research on the effects of counselling for Domestic Violence perpetrators, demonstrating the ineffectiveness of the current system and issues of access to such programs. The lack of opportunities for prisoners to curb their behaviour during incarceration has the potential to be improved with the introduction of more computers in prison cells. This would allow inmates greater and more regular access to supportive networks with the benefit of anonymity and without the pressures of face-to-face encounters which may result in increased rates of recidivism and a continuing lack of education on the topic of domestic violence. Online counselling services such as MensLine have the potential to be integrated into the prison system to further reduce rates of reoffending. However, such services cannot be utilised without the introduction of computers into cells.

Having access to computers in cells and online counselling services also provides perpetrators with an instant connection to a variety of learning resources that can educate them to change their behaviours and attitudes towards domestic violence. Through integrating technology into domestic violence rehabilitation, there is a heightened ability to mitigate the damage to inmates through education and outside positive influence, as the restriction from accessing support is lifted. What is more, this research emphasises the need of reporting any domestic violence episode, as it is the only way to put an end to this behaviour. It is not just a matter of the individual sphere, but the states must be equally concerned with these issues and allocate more resources to rehabilitative programs. A lack of coordination among different programs and institutions in Australia is reducing the effectiveness of such programs.