

## Domestic and family violence by juvenile offenders: offender, victim and incident characteristics

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**Aim:** To examine domestic and family violence perpetrated by juveniles in New South Wales, including identifying characteristics of offenders, victims, and incidents.

**Method:** Descriptive analysis was undertaken of a cohort of persons aged under 18 years who were proceeded against by New South Wales Police for domestic assault. A sub-sample of 200 police narratives for this cohort was further analysed to identify more detailed contextual factors associated with these incidents. Case studies are presented.

**Results:** While the majority of juvenile offenders were male, approximately one third were female. Approximately half of the sample of offenders had criminal proceedings in the 24 months prior to, and the 12 months following, the reference offence, showing a pattern of ongoing criminal behaviour. Victims were more likely to be female, and more likely to be a family member, predominantly a parent, than an intimate partner. Both male and female victims were more likely to be assaulted by a male than female offender. The vast majority of incidents occurred in the victim's home and involved physical violence but did not involve a weapon. Alcohol and other drug use was infrequently associated with these incidents, however mental health issues experienced by the offender was noted in approximately one in four incidents.

**Conclusion:** While domestic and family violence by juveniles has commonalities with domestic and family violence by adults, the nature of the relationship between victims and offenders presents unique challenges in providing appropriate responses to, and services for, victims and offenders.

**Keywords:** Domestic and family violence, assault, juvenile offender, child-to-parent violence

### INTRODUCTION

There is an extensive body of criminological research examining the offending behaviour of young people; their characteristics, offending trajectories and the nature of their offending. Likewise, an extensive body of work has examined the nature of domestic and family violence (DFV), including characteristics of victims and offenders, associated risk factors, and criminal justice responses. However, relatively little research has been undertaken on the area where these two subjects intersect: juvenile perpetrators of DFV.

Juvenile violence as a distinct form of family violence has been largely absent from the public discourse relating to DFV in New South Wales (NSW). As such, there is a gap in our knowledge of this type of DFV. Furthermore, little is known about the

offending history of juveniles who engage in DFV or their subsequent involvement with the criminal justice system and re-offending.

While juveniles account for less than 10 per cent of DFV assault offenders proceeded against by police in NSW (NSW Bureau of Crime Statistics and Research, 2018a), there is evidence to suggest DFV by juveniles differs from adult DFV and may therefore require tailored approaches to prevention and response. One of the most salient differences between juvenile and adult DFV is the relationship of the victim to the offender. While the most common form of DFV for adult offenders is intimate partner violence, DFV by juveniles is characterised by intra-family violence, most frequently child-to-parent violence (Snyder & McCurley, 2008).

An examination of Australian and international literature shows considerable evidence for the gendered nature of juvenile DFV, with offenders most likely to be male (Condry & Miles, 2014; Howard & Abbott, 2013; Nock & Kazdin, 2002; Routt & Anderson, 2011; Walsh & Krienert, 2007); however, there are exceptions (Pagani et al., 2004). Victims of juvenile DFV are predominantly female, with mothers often the target of the violence (Kethineni, 2004; Nock & Kazdin, 2002; Routt & Anderson, 2011; Walsh & Krienert, 2009).

DFV assaults account for a substantial and growing proportion of overall assaults by juveniles reported to NSW Police. Approximately one third of all assaults by juveniles were domestic-related in 2017 (NSW Bureau of Crime Statistics and Research, 2018b). The recorded rate of juvenile DFV has significantly increased over the past decade, from 154.5 per 100,000 in 2008 to 195.7 per 100,000 in 2017. This finding is in contrast to adult DFV offending which remained stable over this period (NSW Bureau of Crime Statistics and Research, 2018b).

The aim of this report is to provide detailed examination of the nature of assaults by juveniles that occur in a domestic context. A clearer picture of this form of DFV will enable policy makers and service providers to develop appropriate and informed responses to these young people and their victims.

## The current study

This report uses data recorded by NSW Police to investigate the characteristics of DFV assaults by juveniles to answer the following questions:

- What do we know about the demographics of juvenile DFV assault offenders?
- What do we know about the seriousness of juvenile DFV assault offending?
- What do we know about prior offending and re-offending of juvenile DFV assault offenders?
- How does the NSW criminal justice system respond to juvenile DFV assault offenders?
- What are the characteristics of juvenile DFV assault victims?
- What do we know about the nature of juvenile DFV assault incidents and the contexts in which they occur?

In what follows we use the term 'domestic and family violence' to refer to assaults against current and past intimate partners, family members, relatives or kin, household members, residents in the same care facility and persons responsible for the ongoing care of an individual.<sup>1</sup> While DFV takes many forms, including emotional/psychological abuse, verbal abuse, economic abuse, harassment and property damage, the focus of this report is on assault.

## METHOD

Data used to investigate characteristics of juvenile DFV offenders and victims were obtained from the NSW Police

Force's Computerised Operational Policing System (COPS). Only domestic assault incidents reported to police are included in this dataset. Records relating to a cohort of alleged offenders proceeded against by NSW Police in 2014 for at least one DFV assault incident were examined, resulting in 1,055 records. These records consist of counts of unique persons and were not limited to proven offences. Examination of records from the 2014 cohort of juvenile offenders allowed a sufficient follow-up period for outcome finalisation and re-offending to be examined. In the interest of simplicity, persons proceeded against by police are referred to as 'offenders' throughout this report. Offenders aged less than 18 years at the time of their first DFV assault in 2014 were classified as 'juvenile DFV offenders'.

Relationships between victims and offenders were derived from a standard data entry field in COPS. However, following cross-checking of this data with victim and offender age records, relationships were recoded where inconsistencies appeared.<sup>2</sup>

The examination of prior offending and re-offending included incidents where NSW Police proceeded against the offender for any offence type with the exception of driving offences, transport regulatory offences and offences against justice procedures, however breaches of Apprehended Violence Orders were included. A 're-offence' was defined as an incident that occurred after the reference incident was reported to police, and within 12 months of the reference incident. Prior offending and re-offending data were obtained from the NSW Bureau of Crime Statistics and Research's (BOCSAR) Re-offending Database (ROD; Hua & Fitzgerald, 2006), and criminal court outcomes from JusticeLink data held by BOCSAR.

The investigation of the nature of juvenile DFV assault incidents used police narratives to obtain information not collected in the standard COPS data fields. For this analysis, a sample of 200 police narratives were randomly selected from the larger sample of juvenile DFV assault incidents reported in 2014 (approximately 20% of the total cohort).<sup>3</sup> The text in each narrative was coded by the author to capture information relevant to the following domains:

- location of the incident;
- if the offender was affected by alcohol or other drugs;
- mental health of offender;<sup>4</sup>
- use of physical violence during the incident;
- injuries sustained during the incident;
- weapons used during the incident; and
- history of violence between offender and victim.

Case studies from a selection of narratives are presented to provide additional context.

The demographics of the offenders and victims included in the narrative sample were broadly consistent with the entire study sample (63.0% of offenders were male and the average age was 15.8 years; 64.5% of victims were female and the average age was 32.6 years).

Statistical testing for group differences was undertaken using Chi-square tests.

## RESULTS

### Juvenile DFV offenders

#### Demographics

In 2014, there were 14,611 DFV assault offenders proceeded against by NSW Police.<sup>5</sup> Of these, 1,055 persons (7.2%) were aged less than 18 years at the time of the reference offence. A total of 65.2 per cent of juvenile DFV assault offenders were male, with the average age (at first DFV assault incident of 2014) being 15.3 years. Table 1 shows the proportion of offenders in each age group by gender. While over half (56.3%) of male juvenile DFV assault offenders were aged 16-17 years at the time of the reference offence, only 44.1 per cent of females were in this age group. The age difference between male and female offenders was statistically significant ( $\chi^2=14.10$ ,  $df=3$ ,  $p<.001$ ), with the average age of female offenders being slightly less than male offenders (15.1 years compared with 15.4 years).

Juvenile DFV assault occurs throughout NSW, however some regions have much higher rates of juvenile DFV assault than others. Table 2 shows the regions with the highest rates of juvenile DFV assault. The Far West and Orana Statistical Area had the highest rate of juvenile DFV assault offenders per 100,000 population of persons aged 10 to 17 years.

#### Seriousness of offences

DFV assault offences are classified into three types from most to least serious: assault occasioning grievous bodily harm, assault occasioning actual bodily harm, and common assault. Table 3 shows the type of assault by the gender of the offender. The vast majority of offenders were proceeded against for common assault, which includes threats of violence. The proportion of offenders with more serious assault incidents was similar for male and female offenders, with 20.8 per cent of males and 20.4 per cent of females proceeded against for an assault occasioning actual bodily harm. Less than two in every one hundred juvenile DFV offenders (1.3%) were proceeded against for assault occasioning grievous bodily harm.

#### Prior offending and re-offending

Figure 1 shows the proportion of juvenile DFV assault offenders with a prior DFV assault offence and those with a prior offence of any type. We can see that, while the vast majority (82.7%) did not have a DFV assault offence in the preceding 24 months, over half (55.4%) had been proceeded against by police for another type of offence. There was no statistically significant difference in the number of prior DFV assaults for male compared with female offenders, however there

**Table 1. Age of juvenile DFV assault offenders by gender, 2014 cohort**

	Male (n=688)		Female (n=367)		Total (n=1055)	
	n	%	n	%	n	%
10-11 years	10	1.5	7	1.9	17	1.6
12-13 years	77	11.2	54	14.7	131	12.4
14-15 years	214	31.1	144	39.2	358	33.9
16-17 years	387	56.3	162	44.1	549	52.0

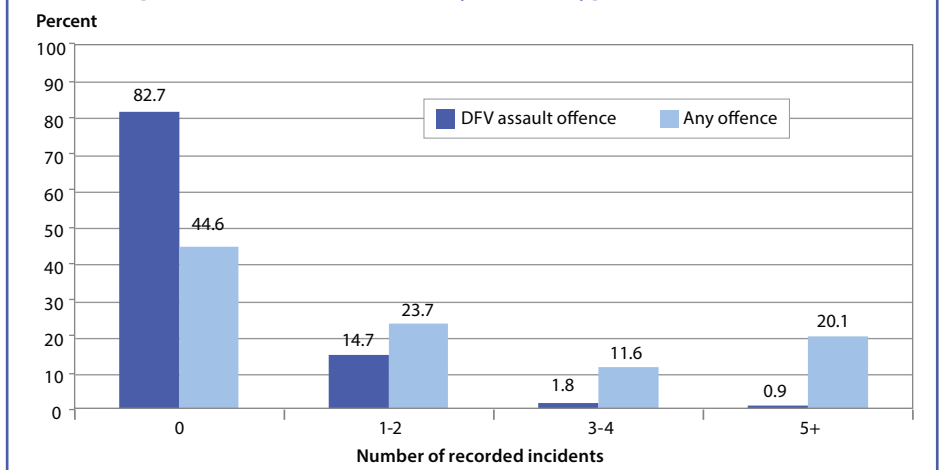
**Table 2. Ten highest Statistical Areas of residence of juvenile DFV assault offenders, rate per 100,000, 2014 cohort**

	n	Rate per 100,000 population
Far West and Orana	46	388.2
Coffs Harbour - Grafton	41	293.8
New England and North West	43	221.8
Central West	48	216.6
Hunter Valley excluding Newcastle	59	214.2
Riverina	36	209.9
Southern Highlands and Shoalhaven	29	202.5
Sydney - Blacktown	73	195.2
Mid North Coast	40	195.1
Sydney - Outer West and Blue Mountains	62	190.9
<b>Total NSW</b>	<b>1055</b>	<b>147.2</b>

**Table 3. Offence type for juvenile DFV assault offenders by gender, 2014 cohort**

	Male (n=688)		Female (n=367)		Total (n=1055)	
	n	%	n	%	n	%
Assault occasioning grievous bodily harm	7	1.0	7	1.9	14	1.3
Assault occasioning actual bodily harm	143	20.8	75	20.4	218	20.7
Common assault	538	78.2	285	77.7	823	78.0

**Figure 1. Juvenile DFV assault offenders, number of incidents in 24 months prior to reference offence, by offence type, 2014 cohort**



was a statistically significant difference for prior offending of any type: male offenders were more likely to have a prior offence of any type than female offenders (59.0% compared with 49.5%;  $\chi^2=25.61$ ,  $df=3$ ,  $p<.001$ ).

An Apprehended Violence Order can be taken out against a person if there is a concern regarding personal safety, regardless of whether there has been any criminal proceeding against the defendant. Of the 1,055 juvenile DFV assault offenders in 2014, 29.6 per cent ( $n=312$ ) had been served with an Apprehended Violence Order in the 12 months prior to the reference offence. Of these 312 offenders, 46.2 per cent had been proceeded against for a DV assault in the 24 months prior to the reference offence.

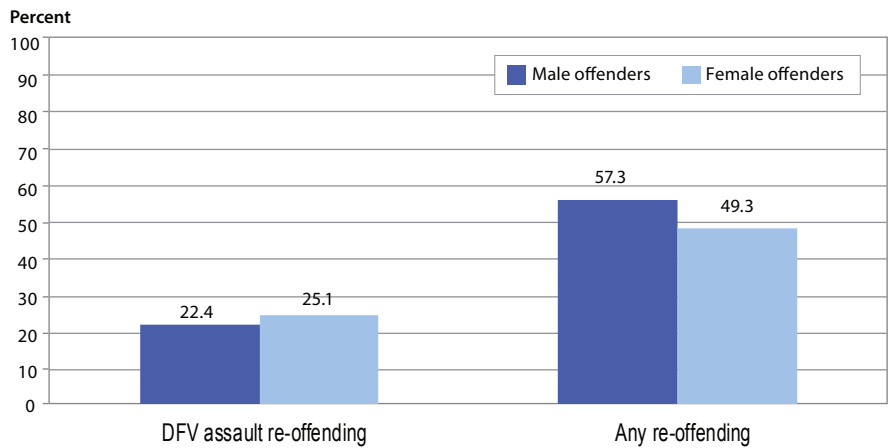
Examination of re-offending within 12 months of the reference offence reveals that 23.3 per cent of juvenile DFV assault offenders had been proceeded against by police for a new DFV assault within this period, and 54.5 per cent had been proceeded against by police for any offence type. Figure 2 shows the proportion of juvenile DFV assault offenders re-offending by gender. The figure shows a high rate of re-offending for both male and female offenders. There was no statistically significant difference between the re-offending rates for male and female DFV assault offenders, however there was a statistically significant difference for re-offending with any offence type ( $\chi^2=6.10$ ,  $df=2$ ,  $p=.01$ ).

Figure 3 shows the number of days between the reference offence and the new offence for juvenile DFV assault offenders, broken down by offence type. Of those who committed a new DFV assault offence, almost half did so within 90 days of the reference offence. When considering re-offending of any type, the time to first re-offence was even shorter, with 59.3 per cent re-offending within 90 days of the reference offence. There was no statistically significant difference in time to re-offend between male and female offenders for DFV assault ( $\chi^2=0.76$ ,  $df=3$ ,  $p=.84$ ) or any offence type ( $\chi^2=2.04$ ,  $df=3$ ,  $p=.45$ ).

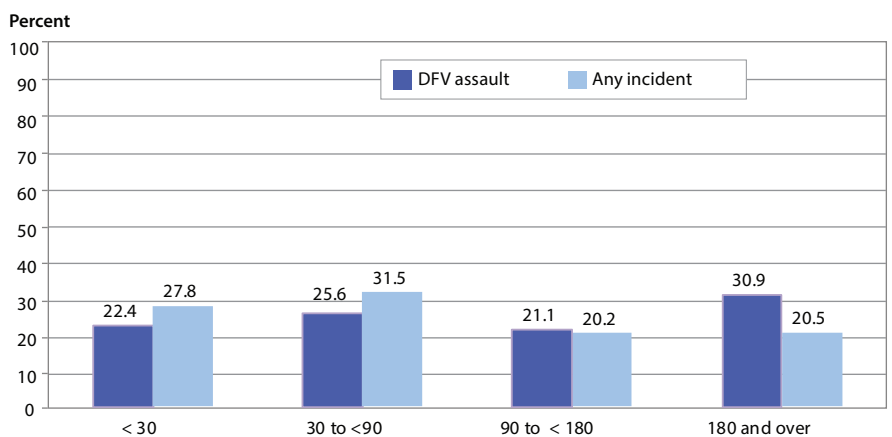
#### How the criminal justice system responds to offenders

Juvenile offenders can be proceeded against to court or through other diversionary options (e.g. warning, caution or Youth Justice Conference). Table 4 shows the method of proceeding against juvenile DFV assault offenders in the

**Figure 2. Juvenile DFV assault offenders re-offending within 12 months of reference offence, by offence type and gender of offender, 2014 cohort**



**Figure 3. Juvenile DFV assault re-offenders within 12 months, days to first re-offence by re-offence type, 2014 cohort**



**Table 4. Method of proceeding against juvenile DFV assault offenders by gender, 2014 cohort**

	Male (n=688)		Female (n=367)		Total (n=1055)	
	n	%	n	%	n	%
Bail Court Attendance Notice	405	58.9	168	45.8	573	54.3
No-Bail Court Attendance Notice	2	0.3	1	0.1	3	0.3
Other proceeding to court	69	10.0	33	9.0	102	9.7
<b>Total proceedings to court</b>	<b>476</b>	<b>69.2</b>	<b>202</b>	<b>55.0</b>	<b>678</b>	<b>64.3</b>
Caution Young Offenders Act	188	27.3	144	39.2	332	31.5
Youth Justice Conference	17	2.5	14	3.8	31	2.9
Warning	7	1.0	6	1.6	13	1.2
Other proceeded against other than to court	0	0.0	1	0.3	1	0.1
<b>Total proceedings other than to court</b>	<b>212</b>	<b>30.8</b>	<b>165</b>	<b>45.0</b>	<b>377</b>	<b>35.7</b>

2014 cohort. More serious offences are dealt with by way of a Bail Court Attendance Notice (CAN) or a No-Bail CAN, where the offender is taken to the police station and details of the person and charges are recorded. Bail CANs require that a bail determination be made, and if bail is refused the young person will be remanded in custody. No-Bail CANs are used when a bail determination is not required. Other methods of proceeding to court include the police issuing a Future CAN through the mail or a Field CAN which is issued in a location other than the police station. Over half (54.3%) of juvenile DFV assault offenders received a Bail CAN. While the majority of juvenile DFV assault offenders appeared before the NSW Children's Court (64.3%), approximately one in three received a caution under the *Young Offenders Act 1997* (NSW). A higher proportion of male offenders were proceeded against to court for their reference offence than female offenders (69.2% compared with 55.0%). This difference was statistically significant ( $\chi^2=20.85$ ,  $df=1$ ,  $p<.001$ ).

Table 5 shows the outcome for juveniles charged with a DFV assault offence who had their matter finalised at court. Among this group, approximately 80 per cent had at least one proven offence at finalisation. The most common outcome that did not result in a conviction was a dismissal under Section 32 of the *Mental Health (Forensic Procedure) Act 1990* (NSW) (7.7% of appearances finalised in the NSW Children's Court).

Penalties that can be imposed by the NSW Children's Court range from the matter being dismissed with no penalty to a

**Table 5. Outcome of court appearance for juvenile DFV assault offenders by gender, 2014 cohort**

	Male (n=476)		Female (n=202)		Total (n=678)	
	n	%	n	%	n	%
Sentenced after guilty plea	267	56.1	114	56.4	381	56.2
Conviction ex parte	29	6.1	14	6.9	43	6.3
Found guilty of at least one charge	68	14.3	25	12.4	93	13.7
Other proven offence (plead guilty to other charge, proven offence not further described)	15	3.2	3	1.5	18	2.7
<b>Total at least one proven offence</b>	<b>379</b>	<b>79.6</b>	<b>156</b>	<b>77.2</b>	<b>535</b>	<b>78.9</b>
Not guilty of all charges	23	4.8	11	5.4	34	5.0
Dismissed/ not guilty by reason of mental health	36	7.6	16	7.9	52	7.7
All charges withdrawn by prosecution	30	6.3	14	6.9	44	6.5
<b>Total other outcomes</b>	<b>89</b>	<b>18.7</b>	<b>41</b>	<b>20.3</b>	<b>130</b>	<b>19.2</b>

Note: data missing for 8 male and 5 female offenders.

**Table 6. Penalty for principal offence for juvenile DFV assault offenders found guilty of at least one offence by gender, 2014 cohort**

	Male (n=379)		Female (n=156)		Total (n=535)	
	n	%	n	%	n	%
Control order/imprisonment	43	11.3	5	3.2	48	9.0
Supervised order (Suspended sentence/bond with supervision)	70	18.5	38	24.4	108	20.2
Probation order	61	16.1	28	17.9	89	16.6
Unsupervised order (Suspended sentence/bond without supervision, bond without conviction)	112	29.6	48	30.8	160	29.9
Dismissed after Youth Justice Conference	38	10.0	9	5.8	47	8.8
Juvenile offence proved, dismissed	26	6.9	20	12.8	46	8.6
Other	29	7.7	8	5.1	37	6.9

custodial penalty (known as a control order). Table 6 shows the penalty for juvenile DFV assault offenders who had at least one proven offence in the reference court appearance. Almost half of these juveniles received some form of supervised order (45.9% of males and 45.5% of females). A higher proportion of males than females received a control order or imprisonment, and a higher proportion of females received a suspended sentence or bond with supervision, compared with males.

## Victims of juvenile DFV

### Demographics

We turn now to an examination of victims of juvenile DFV assault. Table 7 shows the gender of the victim by the gender of the offender. The findings show a pattern of gendered victimisation, with two out of three victims of DFV assault by juveniles identified as female (67.3%). Both male and female victims were more likely to be assaulted by a male than female offender: however, female victims had a higher proportion of female offenders compared with male victims (37.2% and 29.9% respectively). This difference was statistically significant ( $\chi^2=5.50$ ,  $df=1$ ,  $p=.02$ ).

**Table 7. DFV assault victims by gender of offender, juvenile DFV assault, 2014 cohort**

	Male victim (n=345)		Female victim (n=710)		Total victims (n=1055)	
	n	%	n	%	n	%
Male offenders	242	70.1	446	62.8	688	65.2
Female offenders	103	29.9	264	37.2	367	34.8

**Table 8. Age of victims of juvenile DFV assault, 2014 cohort**

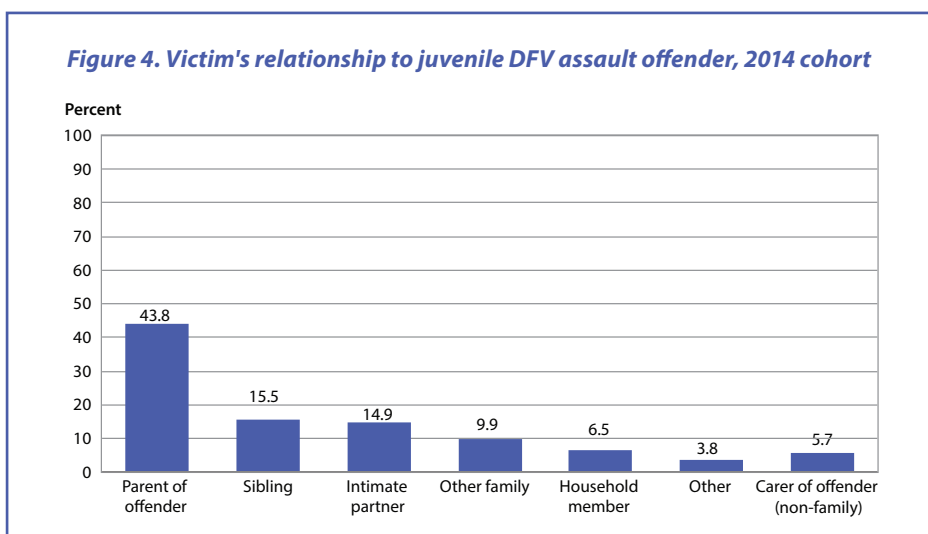
	Male victim (n=345)		Female victim (n=710)		Total victims (n=1055)	
	n	%	n	%	n	%
0-12 years	21	6.1	22	3.1	43	4.1
13-19 years	99	28.8	203	28.6	302	28.7
20-35 years	57	16.6	127	17.9	184	17.5
36-60 years	150	43.6	344	48.5	494	46.9
Over 60 years	17	4.9	13	1.8	30	2.8

Note: Data missing for 1 male and 1 female victims.

The average age for victims was 33.1 years. Table 8 shows the distribution of DFV assault victims' ages. Both male and female victims were most likely to be in the age category of 36 to 60 years. The second most common age category for victims was 13 to 19 years.

### Relationship to offender

Figure 4 shows the relationship between the victim of juvenile DFV assault and the offender. The majority (69.2%) of victims of juvenile DFV assault were a member of the same family as the offender (parent, sibling or other family member). The most common relationship type was parent of the offender, with the second most common relationship type being a sibling.



**Table 9. Relationship between victim of juvenile DFV assault and offender, by gender of victim and offender, 2014 cohort**

	Male victim (n=345)						Female victim (n=710)					
	Male offender		Female offender		Total offenders		Male offender		Female offender		Total offenders	
	n	%	n	%	n	%	n	%	n	%	n	%
Parent of offender	92	38.2	31	30.1	123	35.8	205	46.0	134	50.8	339	47.7
Sibling	53	22.0	13	12.6	66	19.2	58	13.0	39	14.8	97	13.7
Intimate partner	5	2.1	34	33.0	39	11.3	112	25.1	6	2.3	118	16.6
Other family	27	11.2	9	8.7	36	10.5	35	7.8	33	12.5	68	9.6
Household member	32	13.3	10	9.7	42	12.2	11	2.5	15	5.7	26	3.7
Other	15	6.2	4	3.9	19	5.5	10	2.2	11	4.2	21	3.0
Carer of offender (non-family)	17	7.1	2	1.9	19	5.5	15	3.4	26	9.8	41	5.8

Note: Data missing for 1 victim.

Table 9 provides a further breakdown of the relationship data by gender of the victim and offender. There are notable differences when comparing male and female victims. The proportions of victims who were the parent or intimate partner of the offender were higher for female than male victims (47.7% parents, 16.6% intimate partner for females; 35.8% parents, 11.3% intimate partners for males). When the relationship between victim and offender is examined for female victims of female offenders, the most common relationship types were parent of the offender followed by sibling (50.8% and 14.8% respectively). A quarter of female victims of assault by male offenders were intimate partners. For male victims, those assaulted by male offenders were most likely to be the parent of the offender (38.2%), where as those assaulted by a female offender were most likely to be an intimate partner (33.0%).

## Characteristics and context of the incident

### Location of the incident

Table 10 shows the location in which the incident occurred based on information derived from the random sample of police narratives. The vast majority of incidents occurred in the victim's home (80.0%). Just over half (51.9%) of these victims were parents and 22.5 per cent were siblings of the offenders.

Examination of narratives showed that assaults occurring in the victim's home often started from seemingly commonplace interactions including a parent's verbal reprimand or disciplinary action, such as restricting the young person's access to phones and electronic gaming equipment, leading to confrontation and physical violence. Other incidents in the home were in response to a parent's refusal to comply with demands by the offender for money, cigarettes, transport or food. Case studies 1 and 2 describe incidents of juvenile DFV assaults against parents in the home.

**Table 10. Location of juvenile DFV assault (n=200)**

Location type	n	%
Victim's residence	160	80.0
Other public place (e.g. street, park)	14	7.0
Victim's workplace	12	6.0
Other private residence	6	3.0
School	4	2.0
Car	4	2.0
<b>Total</b>	<b>200</b>	<b>100.0</b>

The second most common location for juvenile DFV assault incidents was a public location, including the street, park or public building. All incidents occurring at the victim's workplace involved staff of residential out-of-home care facilities being assaulted by a resident of the facility.

### Alcohol and other drug use

References to alcohol and other drug use by the offender at the time of the incident are shown in Table 11. Only 11.0 per cent of offenders were considered to be affected by alcohol or other drugs at the time of the incident, with alcohol the most commonly cited substance. An additional 12 narratives made reference to the offender's prior use of illicit drugs or alcohol. An example of a juvenile DFV assault where the offender was under the influence of alcohol at the time of the offence is provided in Case study 3.

**Table 11. Juvenile DFV assault offender affected by alcohol or other drugs during incident (n=200)**

Drug type	n	%
Alcohol	14	7.0
Cannabis	5	2.5
Ice	3	1.5
Not affected	178	89.0
<b>Total</b>	<b>200</b>	<b>100.0</b>

**Table 12. Juvenile DFV assault offender with mental health condition (n=200)**

Mental health issue type	n	%
Specified mental health condition	32	16.0
Being treated for unspecified mental health condition	11	5.5
Assessed under Mental Health Act 2007	8	4.0
No mental health issue identified	151	75.5
<b>Total</b>	<b>202</b>	<b>101.0</b>

Note: Two persons assessed under the Mental Health Act 2007 had a specified mental health condition and are included in both categories.

### Mental health of the offender

Of the 200 police narratives examined, 49 (24.5%) made reference to the offender's mental health. Table 12 shows the proportion of offenders who were identified as: having a diagnosed mental condition, receiving treatment from a mental health professional for an unspecified mental health condition, and/or detained for mental health assessment under section 22 of the *Mental Health Act 2017* (NSW).

Where mental health issues were identified, the most common conditions cited were Depression/Bi-polar disorder, Attention Deficit Hyperactivity Disorder, and Autism/Asperger's Syndrome.

#### Case study 1: Assault following parental discipline

The victim was at home with her 13-year-old son (the offender) and 16-year-old daughter. After arriving home, the victim found her son had not attended school or completed his household chores. The victim reprimanded her son and told him he would lose privileges. As the victim attempted to take possession of the computer keyboard, the offender grabbed the keyboard in one hand and punched the victim with the other. A physical struggle ensued with the offender physically restraining the victim with his arms and body weight. The victim's daughter intervened and was punched in the face by the offender. When the offender let go of the keyboard he was angry and crying. The victim called police who attended the house and transported the offender to the police station where he was cautioned.

#### Case study 2: Assault following demand for money

A 17-year-old male living with his mother approached her in the kitchen and demanded \$15,000 to purchase a car. Without warning he punched her twice in the head and threatened to kill her if he was not given the money. The victim began yelling, asking her son not to hit her. The victim's other child residing in the house came to her aid. A short time later the victim called the police who attended the home and escorted the offender to the police station where he was charged with intimidation and assault.

#### Case study 3: Alcohol-related assault

The offender, a 17-year-old male, was taken by police to his father's home after being found intoxicated in a public street during the early hours of the morning. After police had left, the offender began verbally abusing his father (the victim) who attempted to leave the house to avoid further contact with the offender. The victim was pushed by the offender as he began walking down the stairs, falling to the ground. The victim was then kicked by the offender sustaining injuries to his head, arm and ribs. The victim reported the incident to police who attended the scene, arrested the offender and detained him at the police station.

In some narratives the offender’s mental health condition was referenced as a factor associated with their violent and volatile behaviour. Other victims called for police intervention to assist with providing immediate access to mental health services in response to the offender’s threats of self-harm arising during the incident. Case study 4 describes an incident where the offender’s mental health was raised as a concern in the narrative.

### Experience of violence during juvenile DFV assault

As noted earlier in the report, the offence category ‘common assault’ includes threats and attempts to use physical force, in addition to actual use of physical force. The narratives were examined to identify levels of violence used against victims during juvenile DFV assaults with the results shown in Table 13. Over 90 per cent of incidents involved the use of physical force against the victim. This consisted of shoving, pushing, slapping, scratching, biting, hitting, kicking, stabbing and throwing objects at the victim. Of the 50.0 per cent of victims who sustained a minor injury the most common injury types were minor cuts and bruises. Four per cent of victims required hospitalisation for injuries sustained during the incident, including broken bones and stab wounds.

**Table 13. Victim's experience of violence during juvenile DFV assault (n=200)**

Incident type	n	%
Physical - no injury	75	37.5
Physical - minor injury	100	50.0
Physical - serious injury	7	3.5
Threat only	18	9.0
<b>Total</b>	<b>200</b>	<b>100.0</b>

**Table 14. Use of weapon during juvenile DFV assault (n=200)**

Weapon type	n	%
Knife	23	11.5
Blunt object	7	3.5
Sharp object	2	1.0
No weapon	168	84.0
<b>Total</b>	<b>200</b>	<b>100.0</b>

**Table 15. Prior violence between offender and victim (n=200)**

Prior violence recorded	n	%
Prior violence -reported to Police	65	32.5
Prior violence -unreported to Police	40	20.0
Nil recorded	95	47.5
<b>Total</b>	<b>200</b>	<b>100.0</b>

#### Case study 4: Offender assessed for mental health issues

The offender, a 17-year-old male, was living with his mother (the victim) when she reprimanded him for slamming a gate. The offender responded by punching a cupboard. The victim asked the offender to leave the house at which point a physical struggle ensued resulting in the victim falling to the ground and sustaining bruising. The offender continued to damage property in the house, punching and kicking walls causing sections of wall to cave in. Police were called and attended the scene. The offender was transported to the police station where he was interviewed and charged with malicious damage to property and assault. While there the offender stated that he wanted to die and threatened self-harm once he left custody. He was taken to the local hospital by police where he was admitted to the emergency department under the Mental Health Act.

#### Case study 5: Knife used to threaten violence

After spending an afternoon together, the 14-year-old male offender and his mother (the victim) were together in the kitchen. When the offender opened the fridge, the victim asked him not to take out food as she was preparing dinner. He became angry, grabbed the victim around the throat and started to choke her. The offender then grabbed a knife from kitchen bench while still choking the victim and pointed the knife toward the victim's face. The victim pushed the offender away and called the police. After police arrived, the offender was taken to the police station and charged. The victim had been diagnosed with Attention Deficit Hyper Activity Disorder but refused to take medication.

#### Case study 6: Previous unreported incidents of juvenile DFV

The offender, a 16-year-old girl living with her parents (the victims), had become increasingly rebellious, erratic in her moods and violent in her behaviour. She had been diagnosed with depression and anxiety and stopped going to school. The offender was informed by her mother that her mobile phone and internet access was being withdrawn as a punishment for her recent undesirable behaviour. A physical exchange to gain control of the mobile phone and modem ensued between the offender and her mother resulting in the mother's arm being injured and the father being kicked and pushed by the offender. The offender entered the kitchen and holding a kitchen knife, threatened to slit her father's throat. The mother took the knife from the offender and contacted police. Police attended the house, arrested the offender and brought her to the police station. During police interviews the victim made full admissions and stated she would never really hurt her family. The victims were concerned that the offender would be violent again and wanted her behaviour to improve but stated that they were not concerned for their future safety.



## Use of weapons

Table 14 shows that the vast majority (84.0%) of incidents of juvenile DFV assault did not involve a weapon. Of those incidents that did involve a weapon, knives (typically a kitchen knife) were the most common weapon used. In all but one incident involving a knife, the weapon was used to threaten or intimidate the victim rather than inflict physical injury. Other objects used to inflict harm on the victim included scissors, a ceramic bowl, metal picture frame, timber and a mobile phone. Case study 5 illustrates an incident involving a weapon being used to threaten violence.

## History of violence between offender and victim

Table 15 shows the proportion of narratives indicating prior violence between the victim and offender and whether violence had been reported to police. Approximately half of the narratives indicated prior violence between the offender and the victim, with 32.5 per cent having reported the violence to police and 20.0 per cent not having reported the prior violence to police. Case study 6 is of a scenario where juvenile DFV had been experienced previously by the victims but not reported.

## DISCUSSION

The purpose of this report was to shed light on the characteristics of juvenile DFV assault offending in NSW. This was achieved through an examination of offender characteristics, criminal history and patterns of re-offending, and the response of the criminal justice system. Characteristics of victims and their relationship to offenders were examined to establish common relationship dynamics involved in these offences. Details relating to the DFV assault incidents were examined using police narratives to obtain contextual information about the offence, including associated factors and events preceding the incident.

The results confirm the gendered nature of juvenile DFV assaults with a predominance of male offenders (65.2%) and female victims (67.3%). The victims of juvenile DFV assault were far more likely to be a family member of the offender than an intimate partner. Parents, siblings and other family members accounted for seven in every ten victims of DFV assaults by juveniles. Child-to-parent violence was the most common relationship type, with 43.8 per cent of victims being parents of the offender. This dynamic was more pronounced for female victims than male victims (47.7% compared with 35.8%). The most common scenario for juvenile DFV assault was that of a young male offending against his mother. This pattern of offending is consistent with findings elsewhere (Miles & Condry, 2016; Snyder & McCurley, 2008; Walsh & Krienert, 2007).

Several theories have been proposed to explain the dynamics involved in child-to-parent abuse. Parenting style has been associated with childhood behaviour problems and violence towards parents, with some arguing that harsh, coercive parenting contributes towards oppositional behaviour among children and adolescence (Agnew, 1989; Agnew & Huguley,

1989; Pagani et al. 2004; Patterson, 2002). However, others have found abused parents to be more permissive and inconsistent in their parenting style (Kennair & Mellor, 2007). The offender's experience of DFV may play a contributing factor, with some researchers arguing that the use of violence and intimidation by these young people as means of gaining control is learned through greater exposure to family violence and child abuse (Contreras & Cano, 2014; Routt & Anderson, 2011; Ulman & Straus, 2003).

The finding that approximately two thirds of victims of juvenile DFV assault were female is consistent with the gendered nature of reported adult DFV assault victimisation in NSW (BOCSAR, 2018a). However, we also found that a higher proportion of juvenile DFV is perpetrated by female offenders (34.8%) when compared with adult offenders (23.8%) (BOCSAR, 2018a). This latter finding is consistent with other juvenile DFV research (Howard & Abbott, 2013; Snyder & McCurley, 2008).

The number of DFV assault offenders increased with age, with 56.3 per cent of male offenders and 44.1 per cent of female offenders aged 16 to 17 years. This finding is consistent with patterns of juvenile engagement in violent behaviour which is shown to peak in late adolescence (Richards, 2011).

The analysis also revealed that, for many juvenile DFV assault offenders, their criminal behaviour was not limited to DFV. While 17.3 per cent of the juvenile DFV offenders had a DFV charge in the preceding 24 months, this proportion rose to 55.4 per cent when any offence type was included. Likewise, the rate of re-offending within 12 months rose from 23.3 per cent when only DFV assaults were considered to 54.5 per cent when any offence type was examined. The data also showed DFV assault re-offending occurred within a relatively short period of time, with almost half of juveniles who re-offended committing their first re-offence within 90 days of the reference incident.

The examination of the criminal justice response to juvenile DFV offenders showed that while the majority of offenders were dealt with in the NSW Children's Court, a high proportion was diverted from court (30.8% of males and 45.0% of females). Of those whose offence was proven in the NSW Children's Court, 9.0 per cent received a custodial penalty. The response of the criminal justice system to these offenders is important given that fear of criminal justice sanctions and consequences is cited as one of reasons why parents are reluctant to report juvenile DFV to police (Howard & Abbott, 2013; State of Victoria, 2016).

Police narratives provided additional information on the context in which these incidents occurred. The vast majority of incidents occurred in the victim's home, with half involving physical violence resulting in minor injury. Twelve per cent of incidents involved the use of a knife however the vast majority of incidents did not involve a weapon. Eleven per cent of offenders appeared to be affected by alcohol or other drugs at the time of the incident, with alcohol identified in the majority of these cases.

The mental health of the offender was raised as a factor that contributed to the assault or the need for a police response in approximately a quarter of the narratives. The mental health issues identified ranged from concerns of self-harm, diagnosed psychiatric disorders, to conditions that affect impulse control, self-regulation and social engagement. Other studies of child-to-parent violence and childhood delinquency have also pointed to a high prevalence of mental health and impulse control issues among juvenile DFV offenders (Cottrell & Monk, 2004; Gebo, 2007; Kennair & Mellor, 2007; Kennedy, Edmonds, Dann & Burnett 2010; Routt & Anderson, 2011).

The proportion of offenders with a history of DFV in the narrative data was over 50 per cent (32.5% reported to police, 20.0% unreported), substantially higher than the proportion of offenders proceeded against by police for DFV assault in the previous 24 months (17.3%). This findings points to under-reporting of juvenile DFV to police and suggests that a pattern of ongoing juvenile DFV may occur prior to police taking legal action against the offender. The reluctance of parent victims to report juvenile DFV to police or have police proceed with legal action against the offender has been reported elsewhere (Howard & Rottem, 2008). This reluctance has been attributed to seemingly opposing tensions experienced by parents of juvenile DFV offenders, being both victim requiring support and protection, and the carer and protector of the offender, leading parents to avoid seeking help.

While this report provides details of DFV that have not previously been examined in NSW, there are limitations that should be considered. Firstly, the reliance on criminal justice data means that there are many factors that may be associated with juvenile DFV that were not recorded and therefore could not be examined. These factors include the offender's exposure to DFV, parenting style, family conflict, child and parent mental health and substance use, family stress and social supports (Gallagher, 2004; Howard & Rotten, 2008; Patterson, 2002). Secondly, the reliance on administrative data means that the findings may not generalise to those incidents of juvenile DFV not reported to police.

While a criminal justice response to incidents of DFV by juveniles can provide an opportunity to defuse conflict at the time of the incident and send a clear message that the use of violence is not acceptable, the findings of this study suggest that an integrated response including a range of services is required. Specialist intervention programs for adolescent perpetrators of family violence have emerged. The Step-UP program, developed in Seattle in 1997, is the most widely implemented program, being delivered in multiple sites across the USA, Canada and Australia. The program works with the young person to instil an understanding of violence and develop communication and problem-solving skills to prevent further use of violence. Parents learn safety planning and parenting skills and work with

the young person to develop non-violent means of resolving conflict (King County Superior Court, 2017). While there is some evidence of positive outcomes for young people who complete the program (King County Superior Court, 2017) a rigorous evaluation of the program has not yet been published.

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## NOTES

1. This definition aligns with NSW legislation as outline in the *Crimes (Domestic and Personal Violence) Act 2007*.
2. Relationship data entered as ‘victim child of offender’ were recoded to ‘victim parent of the offender’ if the victim was at least 12 years older than the offender.
3. Each unique event recorded by NSW Police contains a free-text narrative which has information about the incident, including who was present during the event, how the event unfolded, actions taken by persons involved in the incident and the police response. Narratives vary in detail and length, with details contained in narratives dependent on what information is available to the police at the time of the event and what the reporting police officer considers relevant. Where there was more than one victim mentioned in the narrative, only the victim the perpetrator first assaulted was included in the analysis. Where there was more than one incident recorded in the narrative, only the most recent incident was included in the analysis.
4. An offender was classified as having a mental health issue if the narrative explicitly mentioned that the offender had been diagnosed with a mental condition, was under the care of a mental health professional, or if the police had detained the offender under s.22 of the *Mental Health Act 2007* (NSW) for the purpose of a mental health assessment.
5. Includes proceeded against to court or proceeded against other than to court by way of Youth Justice Conference, Caution (*Young Offenders Act*), Criminal Infringement Notice, or Infringement Notice.