

ANROWS

AUSTRALIA'S NATIONAL RESEARCH  
ORGANISATION FOR WOMEN'S SAFETY

*to Reduce Violence against Women & their Children*

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Perpetrator interventions in Australia: *Key findings  
and future directions*

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### **Acknowledgement of Country**

ANROWS acknowledges the traditional owners of the land across Australia on which we work and live. We pay our respects to Aboriginal and Torres Strait Islander elders past, present and future; and we value Aboriginal and Torres Strait Islander history, culture and knowledge.

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## **Perpetrator interventions in Australia: Key findings and future directions**

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# Introduction

Violence against women is an insidious and entrenched problem in our society. In Australia, since the age of 15, one in six women has experienced physical violence by a current or former intimate partner and one in five women has experienced sexual violence (Australian Bureau of Statistics, 2012). Nationwide, nearly one woman is killed every week by a current or former partner (Bryant & Cussen, 2015). With sexual assault and domestic violence still being significantly under reported, these statistics only provide a limited snapshot of the true number of women and children that have experienced violence and abuse (Marcus & Braaf, 2007). Nevertheless, these statistics do illustrate that the majority of victims of family /domestic violence and sexual assault are women and their children and that men are predominately the perpetrators of such acts.

Australian governments have committed to the National Plan to Reduce Violence against Women and their Children 2010-2022 (the National Plan), which includes a number of national outcomes to be achieved by all governments progressively by 2022. The sixth national outcome of the National Plan is that “perpetrators stop their violence and are held to account” (Council of Australian Governments, 2011, p. 29).

Australia’s National Research Organisation for Women’s Safety (ANROWS) is an initiative established under the National Plan to build evidence to support the Commonwealth and state and territory governments to achieve the goals of the National Plan. The focus of this, and accompanying state of knowledge paper, is interventions for perpetrators of violence against women; that is, interventions and specific programs designed to address the behaviour, attitudes and beliefs of men who have used violence against women.

ANROWS aims to support governments to strengthen the evidence base in this area by identifying the current state of knowledge on perpetrator interventions. The ANROWS Landscapes “Perpetrator interventions in Australia: State of knowledge paper” provides an in-depth consideration of the literature on perpetrator interventions, and maps current interventions and pathways for perpetrators of both sexual assault and family/domestic violence in all states and territories in Australia. The state of knowledge paper identifies a number of research areas that will guide the development of a future program of ANROWS research to support states and territories to implement the forthcoming National Outcome Standards for Perpetrator Interventions (NOSPI).

The ANROWS Perpetrator Interventions Research Program is a priority within the Second Action Plan of the National Plan (Australia. Department of Social Services, 2014). The Second Action Plan focuses on improving the quality of, and access to, perpetrator interventions. It also identifies that systems (including police, justice, corrections and community services) need to work together in consistent and integrated ways to increase the effectiveness of perpetrator interventions and stop perpetrators reoffending.

This short summary paper provides an overview of ANROWS’s state of knowledge paper. It sets out key findings from the state of knowledge paper, and briefly notes priority areas for further research.

# Review methodology

The authors conducted searches of electronic databases and the internet to identify key articles and articles that cite them, as well as relevant grey literature. Due to the voluminous literature in the area of perpetrator interventions, the focus of the paper is on literature reviews, meta-analyses, systematic reviews and other comprehensive resources, as well as peer-reviewed journal articles on key topics.

In addition, ANROWS met with key thought leaders and service providers around Australia, and consulted with members of the National Outcome Standards for Perpetrator Interventions (NOSPI) Working Group, multiple government representatives in each state and territory, and the Commonwealth Department of Social Services.

# National Outcome Standards for Perpetrator Interventions

In Australia, governments are committed to establishing the National Outcome Standards for Perpetrator Interventions (NOSPI) to apply to perpetrator interventions in relation to both sexual assault and family/domestic violence. Work on the NOSPI is ongoing. The draft NOSPI are being considered as part of the Council of Australian Governments process, and are expected to be announced later in 2015.



# Family/domestic violence perpetrator interventions

The state of knowledge paper is divided into two parts. Part one of the state of knowledge paper considers in detail the large body of Australian and international academic and grey literature on specific perpetrator programs, with attention to the definition, history, development and effectiveness of perpetrator interventions for sexual assault and family/domestic violence. The vast literature on perpetrator interventions considered in part one largely focuses on specific perpetrator intervention programs; although, other components of a systematic response, such as child protection systems and second responder initiatives are also explored. However, perpetrator interventions go well beyond specific perpetrator intervention programs and include legal interventions, such as civil protection orders. Part two of the state of knowledge paper therefore examines the perpetrator pathways through the civil and criminal legal systems in all states and territories in Australia, providing an overview of key legislative and policy frameworks in each jurisdiction for both sexual assault and family/domestic violence, in addition to mapping several specific programs in each jurisdiction back against these pathways.

Part two was prepared with the assistance of multiple stakeholders in all state and territory jurisdictions, many of whom provided meticulous and detailed feedback as well as previously unpublished information. Part two represents the most extensive illustration of perpetrator pathways in Australia to date.

Notwithstanding this, the multiplicity of perpetrator interventions beyond programs render the Australian perpetrator intervention landscape extremely complex. ANROWS has identified that a key area for future research should be a thorough analysis and evaluation of the effectiveness of system linkages.

## Main types of perpetrator interventions

### Family/domestic violence perpetrator intervention programs

A key aspect of interventions for perpetrators of family/domestic violence are programs that are designed to address the behaviour, attitudes and beliefs of perpetrators. These programs are used extensively in countries around the world. They vary widely in their approach, design, content, and mode and manner of delivery.

The different intervention approaches to family/domestic violence perpetration include: psychoeducational, psychotherapeutic, cognitive behaviour therapy (CBT), combined approaches and matched interventions. The wide range of approaches used in these programs is largely the result of numerous theories about the factors that amplify family/domestic violence, ranging from socio-political factors, personal dysfunction, learnt behaviour, to behavioural deficits, trauma and psychopathy. Different models may suit different men, so different program styles should be tailored to individual perpetrators.

The two dominant models of family and domestic violence perpetrator intervention programs are:

- **the Duluth model**, a coordinated response that focuses on holding offenders accountable for their behaviour and protecting victims from further violence; and
- **the Risk, Needs and Responsivity (RNR) Model**, which targets intervention with an offender based on their risk of reoffending, rehabilitative needs, and learning ability and style.

Beyond these two models, other initiatives that deal with family/domestic violence include:

- **Child protection/safety systems** interface with the alleged abuse, the family and the alleged perpetrator throughout any criminal process (or not) and irrespective of criminal process outcomes. Child protection services are considered a vital component of an integrated system addressing family/domestic violence. In Australia, there have been improvements in terms of a coordinated response between child protection and family/domestic violence services, with the introduction of David Mandel's Safe and Together Model. It is clear that a more collaborated and integrated response is required and that the voices of children experiencing or witnessing family/domestic violence should inform practice.
- **"Second responder" programs**, which involves following up with perpetrators within a certain period of time to encourage them to seek support and provide them with referrals to intervention programs that can help them change their beliefs about family/domestic violence.

There is some evidence to suggest that second responder programs could reduce the recidivism of men who do not self-refer and are not mandated to attend traditional perpetrator intervention programs.

- **Perpetrator intervention programs or models for Indigenous men.** Programs for Indigenous perpetrators should draw on local Indigenous culture in their design and implementation. These programs should acknowledge and target the different factors that amplify such violence in Indigenous communities; and be developed and implemented by, or in consultation with, Indigenous communities. Programs for Indigenous perpetrators should be delivered as part of a holistic approach that encompasses the social, emotional, spiritual and cultural wellbeing of individuals and the community as a whole.
- **Perpetrator intervention programs or models for men from culturally and linguistically diverse (CALD) backgrounds.** Some programs have been designed for specific cultural groups, which have a tailored curriculum that incorporates cultural issues into the educational material and are delivered by a counsellor of the same cultural group with ties to the cultural community. Other models of intervention can be adopted for perpetrators from diverse cultural and linguistic backgrounds. For example, the Cultural Context Model acknowledges the importance of family cohesion and is delivered by a team of therapists to both the men and the women in a family unit. This model employs men from the same cultural group to provide support and accountability, as well as culture circles to support and encourage men to make appropriate choices within their relationship.
- **Programs addressing adolescent violence**, which incorporate both CBT and restorative justice principles to intervene with adolescent males who engage in gendered family/domestic violence (typically towards their mothers).

Most perpetrator intervention programs in Australia are voluntary, group-based programs. In the United Kingdom and the United States, interventions with family/domestic violence perpetrators are mostly court-mandated, psychoeducational programs, while Nordic countries tend to adopt voluntary, therapeutic programs.

### Effectiveness of perpetrator intervention programs

A key question requiring further research is - what works, and for whom? The majority of the evaluations of perpetrator intervention programs have methodological problems, suffer from small sample sizes, and have been conducted in specific geographical locations. Extensive further research is needed in this area, including on the application of dominant or alternative models in the Australian context; and evaluation of the short and

long-term effectiveness of programs or particular approaches, taking into account multiple participants' views.

Evaluation evidence is sparse. There is no evidence to suggest that either the psychoeducational approach or the CBT approach to perpetrator programs are more effective than the other. While there is limited research on other types of interventions, one study found that an RNR-based program in Canada was effective in reducing further family/domestic violence. Of the handful of studies that have been conducted to evaluate the effectiveness of perpetrator intervention programs in Australia, most showed modest but positive results.

Notwithstanding the results of evaluations, given the prevalence of family/domestic violence, programs are still worth undertaking as these may have a significant positive impact on large numbers of women. The question of how to define and measure "success" and "effectiveness" is also considered in the state of knowledge paper, as well as key issues and debates, and specific aspects of further research in this area.

### Civil protection orders

In Australia, protection orders are a civil legal system response commonly used to protect women from further acts or threats of family/domestic violence. These orders are usually made after an incident of violent behaviour by the perpetrator, and typically involve court-issued restrictions or prohibitions on the perpetrator's conduct for a period of time. While these orders are made in the civil jurisdiction in order to avoid difficulties associated with prosecution, a breach of the order is a criminal offence.

Further there are a number of other court orders that may interact, and sometimes conflict with protection orders and can also impact perpetrators interactions with the women and children against whom they have used violence. For example, parenting orders made by family law courts can direct contact arrangements that are inconsistent with protection orders which have sought to limit contact (Australian Law Reform Commission & NSW Law Reform Commission (ALRC & NSWLRC), 2010 p.690). The interactions between the numerous legal frameworks, systems and processes and how to strengthen their coordination and integration has been extensively considered in recent years (ALRC & NSWLRC, 2010; Parliament of Australia. Senate Finance and Public Administration References Committee, 2015).

### Summary of family/domestic violence jurisdiction pathways

While an incident of domestic violence may constitute a criminal offence, it is often dealt with under civil protection order schemes in the first instance. All jurisdictions have adopted a civil approach to addressing family/domestic violence in

the form of domestic violence orders. In many jurisdictions, legislation requires police to clearly record the justification for not issuing a domestic violence order when responding to incidents of family/domestic violence. Police guidelines for many jurisdictions also emphasise the need to conduct risk assessments and formally or informally refer perpetrators to appropriate services, in some cases without their consent.

All jurisdictions' family/domestic violence legislation allows police to issue a police intervention order, which provides women experiencing violence a degree of security and allows them sufficient time to apply for a domestic violence order, if they so desire. It is also the case that in many jurisdictions police can apply for a domestic violence order on behalf of the woman experiencing violence.

There are many similarities across jurisdictions in terms of court processes and procedures with regard to the civil pathway. For instance, all state and territory jurisdictions have legislative provisions for the issue of interim domestic violence orders until an application for a domestic violence order has been finalised or the matter is resolved. In all jurisdictions domestic violence intervention orders may also be issued by consent, where the perpetrator and, in some cases, the woman experiencing violence, consents to the order. However, there are also subtle differences between jurisdictions in terms of domestic violence orders mandating perpetrators to attend a specific perpetrator intervention program. For example, in South Australia a man issued with a domestic violence order can be mandated to attend a specific program and non-attendance is considered a contravention of the order. Conversely, in some jurisdictions such as Victoria, courts can mandate a perpetrator to attend an eligibility interview under a domestic violence order; but need to issue a counselling order in order to mandate eligible perpetrators to attend programs.

Within many jurisdictions there are few pre-sentence perpetrator intervention programs delivered by community correctional services or other government organisations. Indeed, there are limited programs available for perpetrators on remand. Access to specific perpetrator intervention programs in custodial settings is also limited, as many perpetrators are given short sentences and programs in custody are only available to those on sentences of more than 12 months. It is also the case that there is a shortage of programs specifically designed for Indigenous and CALD perpetrators in custody or on community-based orders in many jurisdictions.

Perpetrators generally do have the opportunity to avail themselves of help and support from non-government organisations, although there is a disparity between jurisdictions in terms of the number of organisations available, with Victoria and New South Wales having more program providers than other jurisdictions. Of course, one could argue that this is understandable given

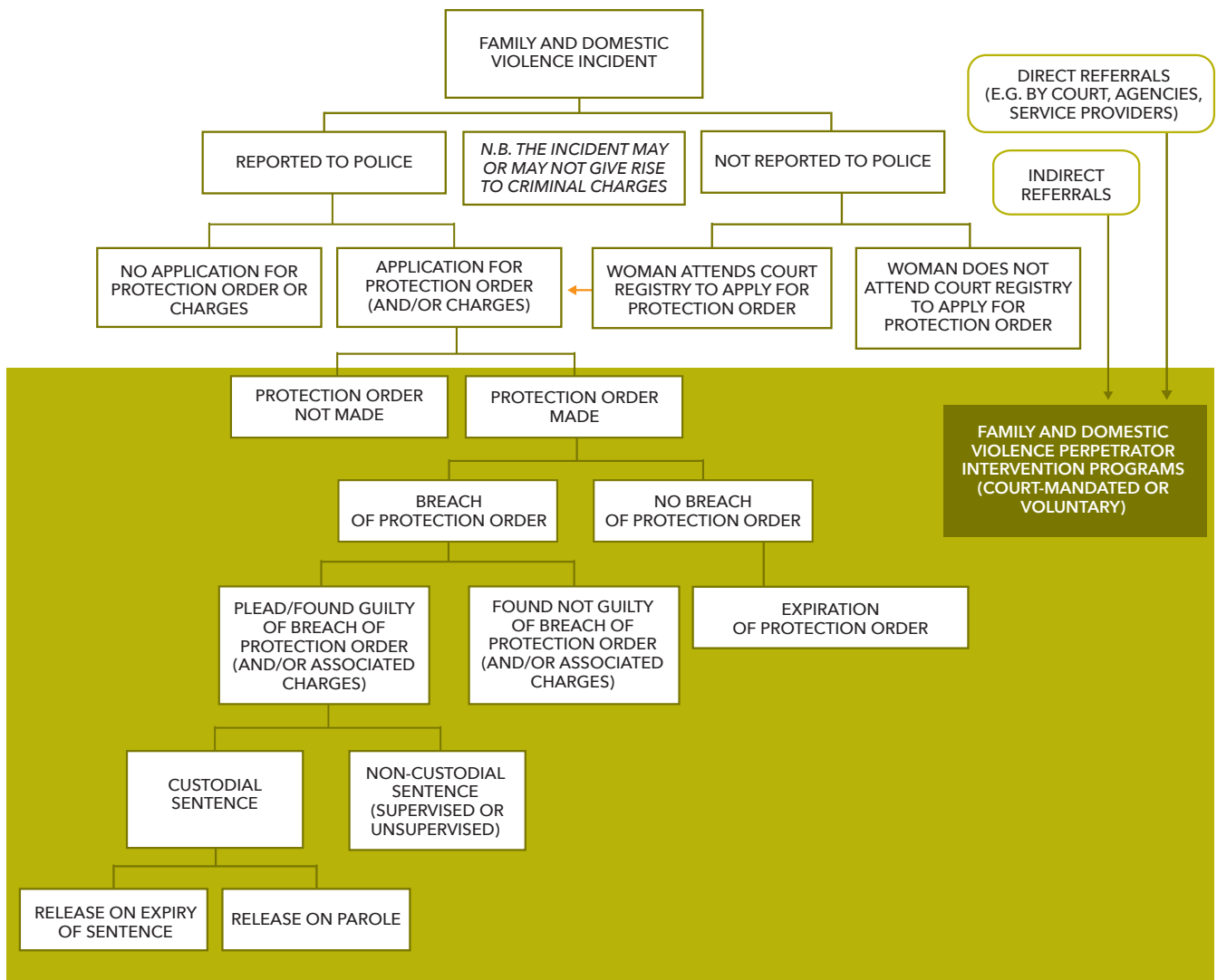
the population of these states compared to other jurisdictions. Support can also be limited for those perpetrators residing in rural and remote areas in Tasmania, South Australia, Northern Territory and Queensland.

Finally, many jurisdictions have developed an integrated and systematic response to family/domestic violence, with the police, government and non-government agencies working together. However, in many instances, there is a clear distinction between the civil/criminal and the non-government, community-based pathways. Therefore, there are opportunities for further collaboration and integration between these two pathways, particularly in that space before a perpetrator enters the criminal justice system and before they are sentenced.

Details of perpetrator pathways and intervention programs for each jurisdiction in Australia are provided in Part Two of the state of knowledge paper. An overview of the pathways

followed by family/domestic violence perpetrators is illustrated in Diagram 1 below.

**Diagram 1 - Overview of the perpetrator pathways in Australia (family and domestic violence)**



# Sexual assault perpetrator interventions

The two main types of sexual assault perpetrator interventions are: sex offender programs and criminal legal interventions.

## Main types of perpetrator interventions

### Sex offender programs

In contrast with interventions for family/domestic violence, the appropriate approach to interventions with adult sexual offenders is rarely debated. Explanations of sexual offending have focused on the wide range of factors that lead to the offences. The preferred intervention approach is group therapy administered by multidisciplinary teams of social workers, psychologists and corrective services staff.

Most sex offender programs rely on CBT techniques. Other types of psychotherapeutic treatment for sex offenders (such as aversion therapy, systemic family therapy and classical behavioural treatment) have not demonstrated a consistently positive impact on recidivism.

There are two dominant models for sex offender programs:

- **the RNR Model**, which tailors programs to the offenders' risk level, dynamic factors that contribute to the offending, and factors that affect sex offenders' responsiveness to "treatment"; and
- **the Good Lives Model**, a strength-based approach that manages risks as well as identifies an offender's strengths and acknowledges his ability to lead a good life.

Besides these dominant models, one initiative is the Circles of Support and Accountability initiative used in Canada, the United States, Scotland and England. This initiative aims to provide increased social support to high-risk sex offenders upon their release from prison. Evaluations of the initiative found that it has a positive impact on recidivism and is well regarded by the offenders.

Both in Australia and overseas, sex offender programs tend to be group-based, voluntary CBT programs run by corrective services. In Australia, sex offender programs are well-established in the correctional setting in every state and territory. Offenders usually take part in the programs voluntarily, although they may be motivated to do so by the fact that participation in such programs could be favourably construed as efforts to rehabilitate in their parole applications.

The prison-based programs are usually group-based, intensive CBT programs aimed at moderate- to high-risk offenders. While most programs are for a fixed duration and offered

to closed groups, some states and territories have adopted an open, “rolling” group format. The rolling group format allows offenders to join the program at any stage and links an individual’s progress through the program modules with evidence of his rehabilitation progress.

Some jurisdictions also offer programs designed for men who deny their offence (“deniers” programs), as well as ongoing custodial maintenance programs. Most jurisdictions offer community-based sex offender programs for adult offenders, and some also offer community-based maintenance programs.

Some Australian jurisdictions also run custodial programs designed for Indigenous offenders. Indigenous offenders may be inhibited from joining or participating in mainstream sex offender programs for reasons including: the individualistic nature of mainstream CBT-based programs may not accommodate the different approach to learning for many Indigenous peoples; cultural beliefs may prevent Indigenous peoples from disclosing information when being assessed for eligibility to participate; there may be possible literacy and language barriers; racism among other inmates; and fear of authority for historical reasons.

#### Effectiveness of perpetrator intervention programs

The effectiveness of sex offender programs is usually measured by recidivism rates. Questions remain about measuring success or effectiveness in this area, given that recidivism requires a matter to come to the attention of the legal system, and underreporting is endemic in the area of sexual assault.

More evaluative research has been conducted internationally than in Australia on sex offender programs, and there remains a need for further research in this area. Several studies and meta-analyses found that sex offender programs are usually effective in reducing recidivism among sex offenders, particularly when used with maintenance programs. However, there are several limitations to these evaluations, in that:

- many of these evaluations involve offenders who have been convicted of both adult and child sexual offences, and there is less evidence of the effectiveness of treatment for offenders who have committed adult sexual offences than for offenders who have committed child sexual offences; and
- there is no assessment as to which specific components of programs brought about behaviour change.

Further research is necessary in this area, and in other key areas of issue and debate, noted below:

- **Deniers’ programs.** Deniers’ programs are designed for offenders who are ineligible to attend treatment programs due to the fact that they categorically deny their offences. Research needs to be undertaken on whether deniers’ programs are effective.
- **The “treatment” of high-risk sex offenders.** High-risk psychopathic sexual offenders pose significant challenges—as they are much more likely to reoffend, to drop out of treatment programs, and to derive fewer treatment benefits upon completion of programs. There is a need for more research on how best to provide interventions for this group of sexual offenders.
- **Program dropout rates.** Men who drop out of sex offender treatment programs are more likely to reoffend than those who complete the program. Further research is needed on how to reduce program dropout rates.
- **Concurrent “treatment” for non-sexual offences.** Since sex offenders have much higher rates of recidivism for non-sexual offences than other offenders, some have argued that sex offender programs should also try to address the risk factors for non-sexual reoffending.
- **Specialised programs for adult sex offenders with adult victims.** There are few specialist programs for men who commit sexual offences against adult women, most programs are aimed at both men who commit offences against adults and those who commit offences against children, hence the need for research into specialised programs for adult sex offenders with adult victims.

## Criminal legal system interventions

While sexual assault can (and often does) occur in a family context, sexual assault offences are dealt with by the criminal legal system, involving interventions by police, as well as prosecuting and correctional agencies.

The perpetrator pathway for each state and territory in Australia is considered in detail in part two of the state of knowledge paper. The criminal legal pathway commences when the offence comes to the attention of the police. After investigation, the police may decide to charge the man with an offence. If the man is charged with a sexual offence, a decision is made as to whether he should be allowed to remain at liberty until charges are heard and determined by a court. The charges will then be referred to a prosecuting authority, which will determine whether there is sufficient evidence to support a prosecution and if it is in the public interest to proceed with it.

The man may enter a plea of guilty at any stage of the court proceedings, or be found guilty by a judicial officer or a jury. If the man is found guilty of a sexual offence, he will be sentenced by a court. During the period of time between the finding or plea of guilty and the sentencing hearing, the man may be released on bail or held in remand.

If a man is sentenced to full-time imprisonment, he will be detained in a correctional centre until the expiration of his sentence or his release on parole. If released on parole, the man will serve the remainder of his sentence of imprisonment in the community, usually under supervision. A number of sex offender programs are available to perpetrators, with most of these hosted in correctional centres.

In addition to imprisonment, there are community-based sentencing options available to a court, many of which require the man to comply with certain conditions. A number of jurisdictions also have provisions for the indefinite detention, continued detention or intensive supervision of high-risk sexual offenders.

### Summary of sex offender pathways

There is generally uniformity in jurisdictions' response to incidents of sexual assault. Incidents of sexual assault are addressed via the criminal justice system, with no civil approach being adopted by any jurisdiction. This is in stark contrast to the issue of family/domestic violence, where a civil pathway is explored.

Across all jurisdictions, support is offered to women that have experienced sexual assault before and during the court process. This is also the case for those women who have experienced family/domestic violence. However, where the pathways diverge,

is that women who have experienced sexual assault are not contacted or involved in the rehabilitation process, whereas family/domestic violence perpetrator intervention programs provide support to women and may involve them in the perpetrator's behaviour change process. For family/domestic violence perpetrator intervention programs, involving and being accountable to women who have experienced violence is central to their underlying principle of holding men accountable for their behaviour. Even when sex offenders are placed on community-based orders and are mandated to attend a sex offender program, contact is not established with their victims.

Another similarity between the sex offender and family/domestic violence perpetrator pathways is that no programs are available to men placed on remand. Indeed, men on remand for sexual offences and/or family/domestic violence are not generally assessed to determine their eligibility for programs. It is only when perpetrators have been sentenced that they are assessed and have access to specific programs. In many jurisdictions, sex offenders are assessed in terms of risk, cognitive ability and their readiness to change (i.e. whether they deny or take responsibility for their behaviour). Consequently, different programs are available for sex offenders depending on their level of need and risk. In some jurisdictions, perpetrators can access high intensive residential programs or medium intensive non-residential programs. This process of differentiating offenders in terms of risk and needs and assigning them to specific programs is an aspect which is absent in the family/domestic violence response.

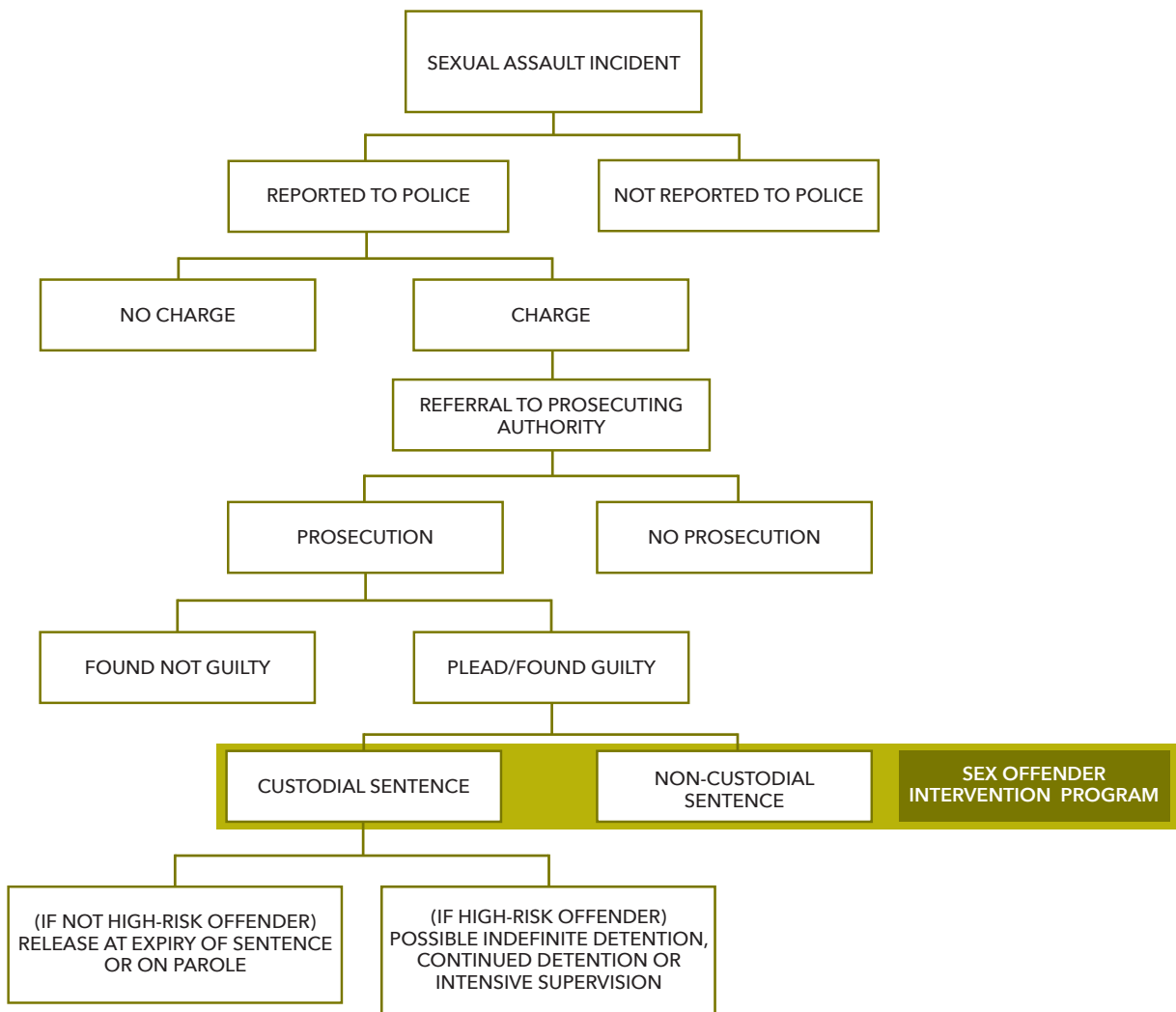
A number of jurisdictions in Australia deliver sex offender and maintenance programs within the community for those offenders placed on community-based orders, good behaviour orders or parole. Attending a community-based program can be a condition of parole, particularly if the offender did not have the opportunity to attend the program while in custody. Some jurisdictions also offer maintenance programs in order to assist them in developing strategies to reduce their risk of reoffending. Although, family/domestic violence service providers do offer perpetrators support beyond specified intervention programs, no jurisdiction offers dedicated maintenance programs.

Finally, this review of jurisdictions' sex offender pathways illustrates that a criminal justice response is overwhelmingly employed, with very few non-government organisations providing specified sex offender programs within the community. Indeed, only New South Wales and Tasmania have sex offender programs delivered by non-government organisations, whereas all jurisdictions across Australia have family/domestic violence perpetrator intervention programs

delivered by non-government organisations. Therefore, the role of non-government and other community-based organisations in response to sexual offenders is an area that is underdeveloped in Australia. It is clear that there are lessons that organisations delivering sex offender programs can learn from those services delivering perpetrator intervention programs and vice versa in order to improve women and children's safety.

Diagram 2 below depicts the pathway of sexual assault perpetrators through the criminal legal system.

**Diagram 2 - Overview of perpetrator pathways in Australia (sexual assault)**





# Areas for future/further research

ANROWS has identified a number of priority areas for research resulting from the findings in the state of knowledge paper.

In summary, the priority areas for further/future research identified by ANROWS include the issues identified above arranged into four strategic research themes:

- system effectiveness;
- effectiveness of interventions;
- models to address diverse needs of perpetrators; and
- the specific needs of Indigenous perpetrators and communities.

Much more information is required on what actually works in terms of perpetrator interventions in the Australian context, and future ANROWS research will continue to strengthen the evidence base in this area.

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