

Violence against children



Child abuse and neglect

Domestic and family violence

Respectful relationships education

Bullying



A child rights approach would:

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Enhance data collection methods to obtain a comprehensive understanding of violence against children, encompassing physical, emotional/psychological, sexual, neglect, bullying, exploitation, online and witnessing violence. By improving data collection, we can truly comprehend the impacts of violence on different groups of children and young people, perpetrated by various individuals.

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Continue to take action based on the recommendations provided by the Queensland Women's Safety and Justice Taskforce, which seeks to address gender-based violence and enhance support for victims. It is crucial to incorporate the perspectives and experiences of children and young people who are victims themselves, ensuring their voices are heard and their specific needs are met.

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Implement the recommendations outlined in the *Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future Report*. This involves prioritising the rights and wellbeing of Aboriginal and Torres Strait Islander women and girls, addressing systemic issues, and ensuring their voices and perspectives are respected and valued.

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Implement and fully integrate child safe standards across all relevant sectors and organisations, along with introducing a Reportable Conduct Scheme. These measures will establish robust oversight mechanisms to monitor compliance and ensure the safety and wellbeing of children. Regular assessments, audits, and reporting should be conducted to uphold the rights of children.

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Take active measures to support child victims in their recovery and reintegration from any form of neglect, exploitation or abuse they have experienced, including those in out-of-home care.

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Continue efforts to prevent and address bullying in schools, including online bullying, through the collaboration of the Queensland education systems and the eSafety Commissioner, including supporting child victims, especially LGBTQIA+ children and young people.

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Build on the positive strides that have been made to strengthen the school-based Respectful Relationships initiative, which promotes gender equality and respect by continuing to involve children and young people in the content and delivery of this program.

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This chapter focuses on children and young people’s experience of violence, including sexual violence, in the home, community, schools, online and institutions.

The UNCRC has an ambitious agenda to end all forms of violence, abuse, neglect and exploitation against children.¹⁸⁷ Governments must ensure that children and young people are protected from violence, abuse, neglect and exploitation (Articles 19 and 34, UNCRC). Young victims of violence should be able to recover and restore their dignity, health and self-respect (Article 39, UNCRC). Governments should take appropriate measures towards abolishing traditional practices that are harmful to the health of children (Article 24(3), UNCRC).

This chapter provides an overview of the experiences of some children and young people in Queensland, but it only scratches the surface. These are complex and real issues for children and young people as victim-survivors, that can have long-lasting effects on their development, behaviour and wellbeing.

In Mission Australia’s 2022 survey of 5680 children and young people from across Queensland, personal safety was a key issue raised (10.7 per cent of participants and 23.3 per cent of gender diverse participants).¹⁸⁸

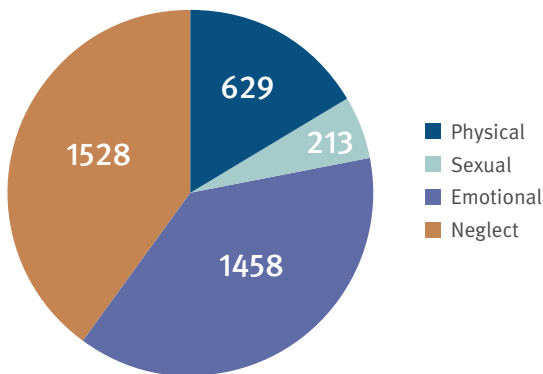
In April 2023, findings from the Australian Maltreatment Study showed that nearly two-thirds (62.2 per cent) of young Australians have been abused, neglected or exposed to domestic violence before the age of 18. Exposure to domestic violence was the most common form of maltreatment (39.6 per cent of participants). Of the 3500 young Australian’s aged 16–25 years surveyed, 25.7 per cent had experienced child sexual abuse. Young females were 2.4 times more likely than males to have experienced abuse. The study found a strong link between child maltreatment (particularly multiple forms of maltreatment) and health consequences, including alcohol and cannabis use, mental illness, suicide and self-harm, smoking and obesity.¹⁸⁹

The *National Plan to End Violence Against Women and Children 2022–32* acknowledges gender inequality and gender-based violence in Australia as a critical human rights issue. It details four domains (prevention, early intervention, response, and recovery and healing) and specific actions and investment needed by the Queensland Government. The plan calls for improvements to frontline domestic, family and sexual violence services, housing services, the justice system, legal representation and police responses to gender-based violence. It also calls for community awareness, perpetrator interventions and engaging young people, including boys, in respectful behaviours and relationship education. In line with *Closing the Gap*, the plan aims to reduce all forms of violence against Aboriginal and Torres Strait Islander women and girls by 50 per cent by 2031. It also seeks to highlight children and young people as victim-survivors in their own right and meet their safety and recovery needs. The QFCC welcomes this plan and the work that the Queensland Government has already undertaken to end violence against women and children.

Child abuse and neglect

In 2021–22, Child Safety received 32,005 notifications involving 28,587 children and young people across Queensland. For 3828 children and young people (1649 Aboriginal and Torres Strait Islander), it was assessed that they had suffered (or are at unacceptable risk of suffering) significant harm and were in need of protection. Figure 6.1 shows the most serious abuse type that children and young people were assessed as having experienced (noting they likely experienced multiple forms of abuse).¹⁹⁰

Figure 6.1. Number of children and young people with substantiated abuse by most serious abuse type (Queensland, 2021–22)



Source: Department of Child Safety, Seniors and Disability Services. (2023). *Our Performance*.

This data reflects abuse captured by the child protection system. There is no way of knowing the full scale of child abuse and neglect more broadly across families, communities and institutions. Improved data collection is needed to better understand the impacts of child abuse and neglect on particular groups of children and young people, such as those who are Aboriginal and Torres Strait Islander, culturally and linguistically diverse, living with disability, identify as LGBTQIA+ or from rural and remote areas.

In 2021–22, Kids Helpline counsellors provided support for child abuse for 11 per cent of the counselling contacts with children and young people from Queensland, aged 5–18 years. Child abuse-related concerns were expressed in 12 per cent of the contacts with children and young people from culturally and linguistically diverse backgrounds and in 13 per cent of contacts with Aboriginal and Torres Strait Islander children and young people.¹⁹¹

Sexual assaults

According to the Queensland Crime report in 2021–22, girls and young women aged 10–19 years made up 41.8 per cent of all victims of sexual assaults in Queensland. Girls and young women aged 10–19 years are nine times more likely to be victims of sexual offences than males the same age. Despite limited published data, the Queensland Crime report shows that both male and female Aboriginal and Torres Strait Islander people were more likely to be victims of sexual offences than non-Indigenous people.¹⁹² According to the *The Wiyi Yani U Thangani (Women's Voices): Securing Our Rights, Securing Our Future Report*, three in five Aboriginal and Torres Strait Islander women have experienced physical or sexual violence.¹⁹³ Sexual assaults in Queensland are most likely to occur in homes.

Case studies provided by Youth Law Australia^{xxxiii} depict vivid stories of young people's experiences of sexual assault.¹⁹⁴

xxxiii Youth Law Australia is a community legal service providing specialist legal advice to people under 25 years of age and their advocates.

“ I got drunk at a party and fell asleep. I woke up to this boy I knew trying to get his hands down my pants and grabbing my breasts. I want to tell the police but am worried that I will get into trouble for drinking underage.

Young person, 16 years,
Youth Law Australia client

“ My son is going to be interviewed by the police this week about digital penetration of his stepsister. The police have said this is rape and a serious offence. I know this is serious, but I am worried that the police won't understand his disabilities.

Parent of 15-year-old,
Youth Law Australia client

Royal Commission into Institutional Responses to Child Sexual Abuse

Following the Royal Commission into Institutional Responses to Child Sexual Abuse in 2017, the Queensland Government accepted the Royal Commission's child safe standards to inform best practice for Queensland Government departments.¹⁹⁵ Since then, all Queensland Government departments providing services to, or working with, children have been working to incorporate child safe standards within existing policies, guidelines and operational practices. It has referred to these standards and the national principles endorsed by the Council of Australian Governments in 2019 to grow Child Safe Organisations. The Queensland Government reports on this work in its Royal Commission annual reports.¹⁹⁶

Child Safety has developed a roadmap for embedding the National Principles for Child Safe Organisations, including actions to support full implementation, continuous review and improvement. Action areas include policy and practice frameworks, reporting harm and complaints processes, and staff recruitment, training and code of conduct. Child Safety is developing options for potential regulation and oversight of child safe standards.¹⁹⁷

The Queensland and Australian Governments have undertaken positive initiatives to address child abuse, including addressing sexual violence. The two national strategies *Safe and Supported: National Framework for Protecting Australia's Children (2021–2031)* and the *National Strategy to Prevent and Respond to Child Sexual Abuse (2021–2030)* have been adopted by the Queensland Government.

National Redress Scheme

Article 39 of the UNCRC highlights government's obligation to ensure children and young people can recover from harm and have steps taken to restore their dignity, wellbeing, health and self-respect. This may involve access to medical care, counselling services, legal assistance and other forms of support to aid their recovery and reintegration. The Queensland Government is participating in the **National Redress Scheme**, which is available to victims who experienced abuse before 1 July 2018. The scheme provides access to a redress payment, counselling and psychological care, and the option to receive a direct personal response from the responsible institution. As at the end of 2021, 2333 applications had been received that identify a Queensland Government agency or entity as potentially responsible for the sexual abuse.¹⁹⁸

While children and young people who will turn 18 before 30 June 2028 can apply, they must wait until they have turned 18 for the application to be assessed by the National Redress Scheme. The Royal Commission did not expect that there would be many applications for redress while the victim was still a child, as they are likely to receive larger payments through civil litigation or settlement. However, it was acknowledged that there are barriers to children using civil litigation. This is an outstanding gap in the National Redress Scheme.¹⁹⁹

Domestic and family violence

Domestic and family violence is an enduring issue for many children and young people in Queensland. Of the 5680 children and young people surveyed by Mission Australia in 2022, 7.5 per cent identified domestic and family violence as an issue of personal concern for them (8.5 per cent of female participants, 4.3 per cent of male participants and 18.6 per cent of gender diverse participants).²⁰⁰

Data provided by Queensland Courts shows that in 2021–22, approximately 19,655 Domestic and Family Violence Orders, where a child was named as a protected person, were made by the courts.²⁰¹

Family relationship issues were one of the top concerns for children and young people (5–18 years) who contacted Kids Helpline last year (2021–22), with almost 1 in 5 (19 per cent) seeking counselling support for family relationship issues. Contacts with Kids Helpline due to family relationship issues were higher for children and young people from culturally and linguistically diverse backgrounds (21 per cent).²⁰² Data from Youth Law Australia also shows that domestic and family violence matters were the top criminal law matters young Queenslanders sought support for in 2021–22 (29 per cent).²⁰³

“ I would like to leave home. I am constantly yelled at, called an idiot and threatened. Mostly this is by my step-parent and sometimes they will get physical with me. They have also stopped me seeing relatives who were supporting me, always check my phone and won't let me continue counselling. This has gone on for years.

Young person, 15 years,
Youth Law Australia client

“ I don’t feel safe at home. I have had to call police before when dad assaulted my mum. He was choking her, and she had blood on her face. My whole family is being manipulated by him and he tries to make everyone feel sorry for him. I have an aunty in South Australia who has offered to help but I know that my parents will not let me leave.

Young person, 14 years,
Youth Law Australia client

“ I am experiencing lots of transphobia at home. My parents are really religious and won’t accept my gender identity. They always deadname me and take away anything that affirms my gender. There is constant emotional abuse and threats to kick me out.

Young person, 15 years,
Youth Law Australia client

Children’s exposure to domestic and family violence has significant short- and long-term negative effects on their development, health and wellbeing. A review of child death cases by the Queensland Child Death Review Board revealed that domestic violence was present in many instances, although not directly related to the child’s death. The review identified areas where system responses could be improved, particularly in recognising and assessing risks, involving children’s perspectives and promoting cross-agency collaboration. There were missed opportunities to hold offending parents accountable and there was low uptake of domestic and family violence support services. Culturally and trauma-informed approaches are needed, along with addressing intergenerational experiences of violence and trauma. Staff capacity and training are crucial for identifying and responding to domestic and family violence effectively, but turnover poses challenges in retaining specialised knowledge.²⁰⁴

The Queensland Government has undertaken significant work to address domestic and family violence, specifically through the *Queensland Domestic and Family Violence Prevention Strategy 2016–26* and the work of the Queensland Women’s Safety and Justice Taskforce. In December 2021, the taskforce released its first report, *Hear her voice: Addressing coercive control and domestic and family violence in Queensland*.²⁰⁵ The report makes 89 recommendations to reform the justice system and domestic and family violence specialist service system to keep victims safe and hold perpetrators accountable. In May 2022, the Queensland Government released its response to the report, supporting all recommendations with a \$363 million funding commitment over four years, including \$106 million to improve safety for victims attending court.²⁰⁶ The government’s response includes reforms across Queensland’s criminal justice system, including improved domestic, family and sexual violence service system responses, such as integrated service responses, high-risk teams and perpetrator intervention.

In undertaking its work, the taskforce²⁰⁷ acknowledged lived experiences and heard directly from diverse populations across Queensland. The taskforce specifically noted the prevalence of domestic and family violence between young people in intimate-partner relationships and domestic and family violence experienced by LGBTQIA+ people. It also underlined the impacts of colonisation for Aboriginal and Torres Strait Islander people and the importance of culturally embedded, community-led approaches to addressing intergenerational trauma.

Youth Advocates from the QFCC Youth Advisory Council shared insights on the lack of adequate support for young victims and perpetrators of domestic violence. The taskforce described the challenges many victims face in accessing tailored services. This includes young men, people living outside urban areas, Aboriginal and Torres Strait Islander people, people with disability, and people from culturally and linguistically diverse backgrounds. The stories shared by the taskforce are powerful and informative. They highlight the need to improve the capacity of service systems to collect, report and incorporate the experiences and outcomes of these diverse populations.

Fatal assaults and neglect

The QFCC is responsible for maintaining a register of all child deaths in Queensland and researching risk factors to prevent future deaths. We identified six deaths of children and young people resulting from fatal assault and neglect during 2021–22. Over five years, from 2017–22, 31 children and young people died from fatal assault and neglect (23 were allegedly killed by a parent, other family member or person acting in a parental role). Infants under one year of age were most at risk of death from fatal assault and neglect.²⁰⁸ Our research found that previous child abuse and exposure to domestic and family violence made children more vulnerable to intra-familial assault or neglect resulting in death.²⁰⁹

Case study

SF v Department of Education [2021] QCAT 10 – Queensland Civil and Administrative Tribunal Caselaw
(The following case study was sourced from the Queensland Human Rights Commission.)

QCAT heard the case relating to the human rights of a family escaping domestic violence. It concerned an application to home-school a child. The child, their siblings and their mother had recently fled a violent relationship and had relocated, keeping their address secret for safety from the children's father, who had managed to find them on previous occasions. In her application to home-school one of her children with learning disabilities, she had included a town name, postal address and phone number, but not a street address. The Department of Education refused to register the child for home schooling on the basis they needed a physical address, despite all other conditions for home schooling being met. QCAT decided in favour of the applicant's argument that providing their address posed a risk to her family's safety and that it was an unreasonable limitation of their right to privacy.

Respectful relationships education

In 2015, the Special Taskforce on Domestic and Family Violence in Queensland provided the government with their *Not now, not ever: Putting an end to domestic and family violence in Queensland* report.²¹⁰ In response, the Department of Education has worked to strengthen Respectful Relationships Education (RRE) in Queensland state schools since 2016. The UN Committee also recommended that school-based respectful relationships education be strengthened to promote gender equality and respect.²¹¹

In 2021, the Women's Safety and Justice Taskforce highlighted the fragmented and inconsistent way that RRE was being delivered across Queensland schools. The taskforce report noted that its quality and quantity depend on the views or educational setting of an individual school. Children and young people who are disengaged from schooling (the ones particularly vulnerable to abuse) often miss out.²¹² The taskforce recommended mandating that all state and non-state schools in Queensland, including independent schools, special schools, schools in youth detention centres and flexi-schools provide consistent, high-quality RRE, delivered with a whole-of-school approach.

The number of Queensland state schools offering the department's RRE program has steadily increased from 29.6 per cent in 2018 to 35.6 per cent in 2021.²¹³ In 2021, the Department of Education undertook an extensive review of RRE. The review incorporated learnings taken from a pilot evaluating implementation of a whole-school approach to RRE, incorporating consent education, help-seeking, reporting of sexual assault and harm, and strengthening the focus on gendered based violence and gender stereotypes. The revised program is called *Respect*. It is supported by an online **Respectful Relationships Education Hub**, which provides information for families, high school students and school staff on respectful relationships.

While use of the *Respect* program is not mandated, it is recommended as a quality resource supporting the delivery of the Australian Curriculum and a whole school approach to RRE in Queensland schools. This flexibility enables teachers and schools to contextualise the *Respect* program materials and RRE delivery to suit their students' needs and community expectations. *Respect* was launched in October 2022, and for the first time resourced with a \$15.5 million investment over three years (2022–25) for implementation.

Eight Principal Advisors: RRE commenced in early 2022, to support state schools in each region by providing tailored professional development promoting the *Respect* program and partnering with schools to implement a whole-school approach to RRE that meets the needs of students and the school community. Initiatives to build RRE teacher capability, strengthen RRE program delivery and increase take-up of the *Respect* program will be evaluated during 2023–24.

Bullying

Bullying is one of the most common forms of violence experienced by children and young people. It can have devastating impacts on their mental and physical health. The QFCC's *Voices of Hope: Growing Up in Queensland 2020* report found that bullying (either in-person or online) was the most important issue for children aged 8–12 years.²¹⁴

“ I believe the most important issue for kids my age is bullying. I believe this because I see it at my own school. Both me and my friends have experienced bullying.

Male, 11 years
(Growing Up in Queensland)

“ My child has been harassed and stalked by another student for more than 12 months. We have regularly raised this with the school and made complaints, but nothing has changed. We want help to get a restraining order to stop the abuse.

Parent of 10-year-old,
Youth Law Australia client

Young people who identified as LGBTQIA+, gender diverse or living with a long-term physical condition or disability were more likely to have experienced verbal bullying, physical bullying, social bullying and cyberbullying. Aboriginal, Torres Strait Islander and South Sea Islander children and young people were also more likely to have experienced bullying. For example, 31 per cent of Aboriginal, Torres Strait Islander and South Sea Islander children reported being physically bullied, compared to 21 per cent of non-Indigenous participants.

The Queensland Government has taken significant steps to address bullying and cyberbullying following the Queensland Anti-Cyberbullying Taskforce in 2018,²¹⁵ implementing all 29 recommendations.²¹⁶ However, there is no current plan to address bullying or cyberbullying among children and young people in Queensland. The Department of Education is responsible for ensuring all state schools have the resources necessary to prevent and respond appropriately to bullying. As discussed in [Chapter 5: Digital rights](#), resources are available to educate students, parents and educators about [Online Safety in Queensland State Schools](#) and the department is also a partner of the [Bullying. No Way](#) initiative and the National Day of Action against Bullying and Violence.

There are no specific priorities to address bullying through the [Equity and Excellence](#) plan or the [Student Learning and Wellbeing Framework](#) and no public reporting on students experience of bullying in schools.

Recent findings from the 2022 School Opinion Survey provide insights into students' experiences of safety and belonging at school:²¹⁷

- 16.7 per cent of students disagree that they feel safe at school.
- 26.6 per cent of students disagree that they can talk to teachers about their concerns.
- 25.5 per cent of students disagree that they feel accepted by other students at their school.