

Childhood, Infant and Perinatal Exposure to, and Experience of, Domestic and Family Violence

Executive Summary

Domestic and family violence occurs across all age, socioeconomic and demographic groups, but predominantly affects women and children.¹

There is mounting empirical evidence of the effects of exposure to domestic and family violence on children's development and a growing recognition of the ways these harms can manifest in intergenerational cycles of trauma, violence and disadvantage.²

Impacts on children's behaviour, schooling, cognitive development and physical and mental wellbeing include:

- impaired cognitive functioning
- poorer academic outcomes
- increased aggression
- lack of emotional control
- destructive behaviours
- learning difficulties
- depression and poor mental wellbeing
- low self-esteem
- low school attendance, and
- bullying.³

The cumulative effects of long-term exposure to violence might result in an inability to regulate emotion, cognitive and behavioural developmental delays and increased risk of a psychiatric diagnosis.⁴

There is evidence of a link between exposure to family violence in childhood and the intergenerational transmission of violence,⁵ as well as alcohol and drug use.⁶ Children whose formative years are affected are vulnerable to developing long-term mental health issues, which is a risk factor for both experiencing and perpetrating family violence.⁷

The potential relevance of evidence of childhood exposure to domestic and family violence in sentencing proceedings includes an assessment of *moral culpability*, moderating the weight to be given to *general deterrence* and determining the weight to be given to *specific deterrence* and *protection of the community*. There may also be issues relating to the likelihood of *hardship in custody*, a finding of *special circumstances* and the shaping of conditions to enhance prospects of *rehabilitation*.

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- ¹ Commonwealth of Australia, Department of Social Services, [National Plan to End Violence against Women and Children 2022-2032](#) (17 October 2022) ('*National Plan*'); Australian Institute of Health and Welfare, [Family, Domestic and Sexual Violence in Australia: Continuing the National Story 2019](#) (Report, 5 June 2019) vii ('*AIHW Report*').
- ² Australian Institute of Family Studies, [Children's Exposure to Domestic and Family Violence: Key Issues and Responses \(CFCA Policy and Practice Paper No 36, Child Family Community Australia, Australian Institute of Family Studies, December 2015\)](#) 2, 10 ('*AIFS Report*').
- ³ *Ibid* 6.
- ⁴ Deirdre Gartland et al, '[Intimate Partner Violence and Child Outcomes at Age 10: A Pregnancy Cohort](#)' (2021) 106(11) *Archives of Disease in Childhood*, 1066; Royal Commission into Family Violence, [Final Report](#) (Report, 2016) vol 2 111.
- ⁵ Australia's National Research Organisation for Women's Safety, [Investigating the Mental Health of Children Exposed to Domestic and Family Violence Through the Use of Linked Police and Health Records](#) (Research Report, October, 2022) 19 ('*ANROWS PR*'); Royal Commission into Family Violence, [Final Report](#) (Report, 2016) vol 1 37.
- ⁶ David M Lawrence et al, '[The association between child maltreatment and health risk behaviours and conditions throughout life in the Australian Child Maltreatment Study](#)' (2023) *Medical Journal of Australia* 218 S34; James G Scott et al, '[The Association Between Child Maltreatment and Mental Disorders in the Australian Child Maltreatment Study](#)' (2023) 218 *Medical Journal of Australia*, S30.
- ⁷ Royal Australian and New Zealand College of Psychiatrists, Submission No 37 to Australian Human Rights Commission, [Examination of Family and Domestic Violence Affecting Children](#) (17 June 2015) 11.