



ABF

AUSTRALIAN BROTHERHOOD OF FATHERS

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Criminalising Coercive Control in NSW

Presentation 24 February 2021

Questions on Notice

1. Executive Summary

In response to the Australian Brotherhood of Fathers (ABF) Position Paper on Criminalising Coercive Control in NSW dated October 2020, the Joint Select Committee on Coercive Control requested representatives from the ABF attend a public hearing on 24 February 2021 from 12.00pm until 12.30pm.

The following attended the appearance:

- Leith Erikson, Principal and Founder ABF
- Cody Beck, Legal principle ABF Legal
- Michael Jose, Consultant

We took multiple questions on notice, or heard statements that we wish to respond to which we address in this document below.

1. *How can the Coercive Control legislation be implemented successfully?* **Page 9**
2. *A claim was made that our **21 Fathers** campaign is misleading* **Page 12**
3. *A claim was made that our submission was anecdotal and has no references (it contains 194 references)* **Page 14**
4. *A further claim was made that 90%+ of all victims of domestic violence are female* **Page 23**

Research has indicated for four decades that men and women perpetuate domestic violence against each other at similar rates (Pages 29 to 43 of our submission). It is the denial of this fact that explains why domestic violence policy, based on a single gendered approach, has failed to reduce the rates of domestic violence in our homes or save women, men and their children from becoming victims. The federal government has spent \$840 million of domestic violence policy since 2013, with no impact of the rates of violence.

<https://www.abc.net.au/news/2019-03-05/prime-minister-scott-morrison-to-pledge-328-million-to-combat-dv/10869862>

This will continue until we transcend the current false gendered domestic violence policy and implement evidence based policies.

Some of those policies would be easy and rapid to implement and result in measurable reductions in the rates of violence almost immediately. We will look back one day at this period in history where we failed women, men and their children because politicians were beholden to a narrative that they perceived as vote winning.

In the meantime, under this failed regime of policy, we are seeking to implement more of the same. The latest example of which is law in relation to Coercive Control. It is frequently stated that domestic violence is a manifestation of male "Power and control". In the vast majority of cases, it is not.

Domestic violence, and its ever-expanding definition (which as we discuss on pages 27 to 29 of our submission is no longer “scientifically or ethically acceptable”) is more often than not anything but “male power and control”: it is situational, reciprocal and often female instigated.

Coercive control comprises a minority of domestic violence, and where it is an element it is equally likely to originate from women as it is from men (Pages 29 to 38 of our submission). In fact the Australian Institute of Family Studies findings are that Coercive control is equally committed by men and women during relationships and committed at greater rates by women against their male partners after separation.

<https://aifs.gov.au/publications/experiences-separated-parents-study>

If the new laws are to have any chance of success they must be accompanied by policy that is gender neutral and equally available to male and female victims of violence.

In our submission (pages 15 to 17) we discuss that the implementation of Coercive Control laws in the UK and Scotland cannot be considered a success (there will be published research on this from the UK this year, which we refer to in this document). It is very unlikely that the laws will be successful in Australia, and implementation will engage police, justice system and judicial resources that could be better applied to effective policies. If the laws are enacted within Australia, we recommend that they are drafted carefully and are implemented against measurables such as, demonstrable reduction in domestic violence rates, analysis of the utilisation of justice system resources versus conviction rates, prosecution rates in accordance with known male/female victim ratios, to determine if the new laws are a success. If not they should be repealed.

2. We invite Committee members and politicians to visit ABF

The Australia Brotherhood of Fathers is described as many things by our detractors: most are not correct. Our submission on pages 10 to 11 describes the ABF, the work that we do and who we work with. We provide more frontline services to victims of domestic violence than most of the large domestic violence charities such as White Ribbon and Ourwatch.

ABF is currently entirely self-funded because we do not qualify for government funding. This includes our four-staff crisis hotline which serves, supports and saves thousands of Australians each year.

The team at ABF across our national offices is made up of 90% female staff: from our entirely female crisis hotline to our professional services staff, legal, accounting and psychology.

We invite all members of this Committee, and any politician to visit our Queensland based headquarters, to see what we do and meet our staff.

3. The Hearing 24 February and media response

We take issue with the manner in which the hearing was conducted and the behaviour of the Committee members. We believe that members of the voting public should also take issue.

Three statements were made and no opportunity was given to respond to those statements in the hearing: indeed we were specifically directed to either not respond or to take the issue on notice. Those statements referred to:

1. A claim that our 21 Fathers campaign is misleading
2. That our document was bereft of references
3. That 90%+ of all victims of domestic violence are female

These statements are not correct and are addressed in this document (and our original submission).

Two of those statements, 1 and 2, appeared in the un-responded to form in the Sydney Morning Herald on 24 February, the same day. Those statements as they appear in a national newspaper are false.

https://www.smh.com.au/national/nsw/her-partner-presents-well-to-the-world-but-there-are-cameras-in-every-room-20210224-p575c3.html?fbclid=IwAR0EkHlwnTKQIM16-bMyenvypCGJ5-HnlDjc1RbZkL_ob--W0bqdGbQGbz4

“Chair of the inquiry and Liberal MP Natalie Ward was forced to cut off the Australian Brotherhood of Fathers shortly after it was called out for having “made up” statistics in its submission.

*Members of the group were attempting to argue against the terms of reference for the inquiry when Ms Ward directed them to submit further comments on notice. It followed criticism from Greens MP and committee member Abigail Boyd, testing the veracity of evidence in the group’s submission, which relied on **“anecdotal evidence instead of statistics.”***

“You quote a lot of things in your submission, some of them have footnotes and a whole bunch don’t. There’s one, for example, saying the consensus is that men comprise one-third of victims. I don’t think there is consensus,” she said.

“Could you please go through and every time you make an assertion about particular statistics if you can, back that up with actual evidence.”

We respond to each of these in this document.

We would like to state how disappointed we were by the behaviour of three duly elected members of NSW Parliament that form part of the Committee.

Those members appeared to take opportunity for political posturing during the proceedings concerning the most important of topics: domestic violence against women, men and their

children. This posturing was also at the expense of our organisation that provides extensive services to the community and Australian families, without one cent of government funding.

As a male you are just as likely as female to be a victim of Domestic Violence at the hands of your partner: in society now practically everybody know of a man: a father, brother, son, mate or partner that has been a victim of abuse, of violence or of system/family law abuse and has paid a grievous price.

These politicians seem oblivious to the plight of those victims and appear prepared to recklessly enact further poor legislation and policy that may perpetuate this abuse. They seem indifferent about the mental health of men, children losing fathers and men losing lives.

Men continue to suicide at four times the rate of women (pages 50 to 58 of our submission), many of these deaths associated with the impact of abuse and the system.

When we consider that \$840 million has been spent on domestic violence policy since 2013 alone, with no demonstrable impact on the rates of violence or tragedies in Australia homes, it seem abhorrent that these politicians continue to support such policy.

4. Continuing research on Coercive Control

Subsequent to the Inquiry, we continue to conduct research and network with national and international Academia in relation to these proposed laws. This included talking to lead researcher Deborah Powney from the University of Lancashire, Criminal Justice Partnership, about male victims of Coercive Control: research that will be released later this year.

Deborah Powney, and internationally networked researcher, is an outspoken critic of the narrative of gendered domestic violence narrative, confirming that it is not an issue of gender. Her research has found levels of coercive control abuse in men are equal or higher and men recorded higher levels of fear.

“Domestic Abuse and Coercive Control are not gendered issues. Despite a huge body of scientific evidence showing that men are victimised at similar, or slightly higher rates, as women, male victims have been dismissed and ignored for decades. Taken from two large international surveys, here are the voices of men from the UK that have been subjected to domestic abuse and coercive control from their female partner”

The University of Lancashire’s initial release included this video.

https://youtu.be/SbUj2OyHy_I



Such networking also revealed that substantial additional research will be published in 2021, continuing on the existing four decades of research confirming that women and men commit similar rates of violence within domestic relationships.

These UK findings accord with those in Australia.

Both men and women report being fearful after separation, but men more likely to be controlled, coerced and severely fearful, the Australian Institute of Family studies found.

There was no statistically significant difference between fathers and mothers in the frequency of reporting having often felt fearful after experiencing physical violence or emotional abuse within relationships, and fathers were statistically significantly more likely than mothers to report having

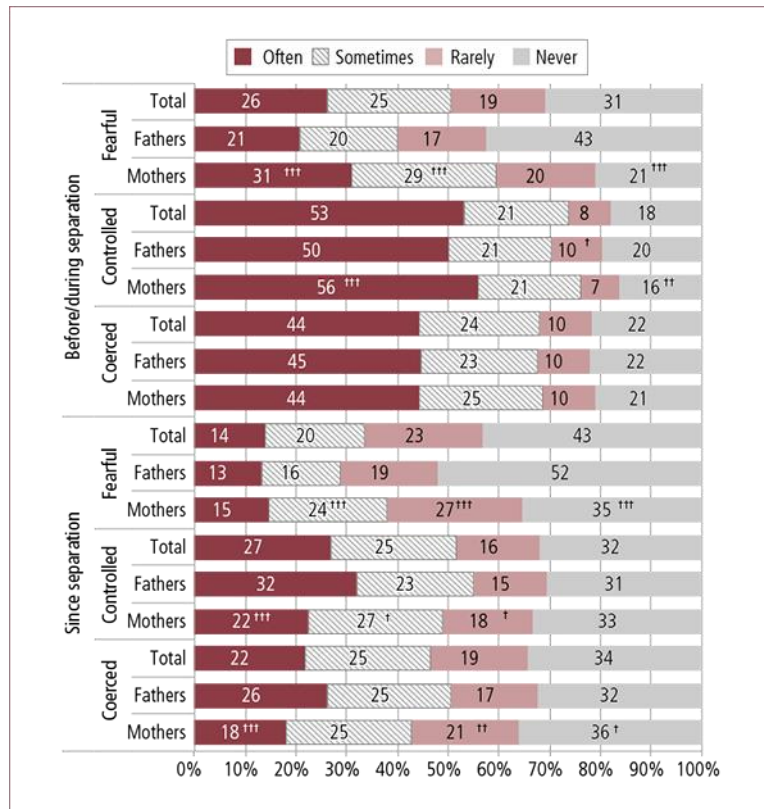
often felt controlled or coerced after experiencing physical violence or emotional abuse since separation. When it came to severity, fathers were also more likely than mothers to report experiencing the highest level of fear, control and coercion (10 on a 10-point scale) that they felt arising from the focus parent's behaviour since separation. Experiences of control and coercion were statistically significantly higher for fathers than mothers.

Kaspiew, R., Carson, R., Dunstan, J., De Maio, J., Moore, S., Moloney, L. et al. (2015). Experiences of Separated Parents Study (Evaluation of the 2012 Family Violence Amendments). Melbourne: Australian Institute of Family Studies. Retrieved April 29th, 2018,

<https://aifs.gov.au/publications/experiences-separated-parents-study>

Researchers at Deakin University investigating Alcohol/Drug-Involved Family Violence in Australia surveyed a representative sample of 5,118 Australians found that "there were no significant differences in the proportion of male and female respondents classified as engaging in no, low, and high Coercive Controlling Behaviours.

Miller, P. et al (2016), Alcohol/Drug-Involved Family Violence in Australia (ADIVA) Final Report, Deakin University. Retrieved December 8th, 2016



<https://aifs.gov.au/publications/experiences-separated-parents-study>

Figure 3.14: Frequency of focus parent's behaviour making participant feel fearful, controlled or coerced before/during and since separation, by parent gender, 2014

Jess Hill

Investigative journalist and author of "See what you made me do", a piece that has no standing in the research community, also contributed to the Committee. Ms Hill was quoted in the above referred to article as saying that the new legislation will reduce justice system resources usage:

exactly the opposite findings of what we documented has happened in the UK where the legislation has been in placed for three years.

On social media, Ms Hill claimed that Coercion and Control was primarily perpetuated by men against women. When we provided her with the Australia Institute of Family Studies data above demonstrating that men are coercively controlled by woman at equal rates within relationships and at greater rates post relationships, she blocked us. Investigative journalism at it's finest.

https://www.smh.com.au/national/nsw/her-partner-presents-well-to-the-world-but-there-are-cameras-in-every-room-20210224-p575c3.html?fbclid=IwAR0EkHlwnTKQIM16-bMyenvypCGJ5-HnlDjc1RbZkL_ob--W0bqdGbQGbz4

4. ABF Position on the Coercive Control Legislation: how might the legislation work?

QUESTION ON NOTICE 1

1. *How can the Coercive Control legislation be implemented successfully?*

At this time our position in relation to the proposed NSW Coercive Control laws remains as:

- 1. The Coercive Control legislation should not be introduced into Australian jurisdictions (Arguments against pages 13 to 15 of our Submission)**

While in principle we support any legislation that may reduce violence against women, men and their children

- The legislation will be ineffective in reducing domestic violence and will reduce the capacity of existing police, justice and judicial resources
- It has not been a success in UK or Scotland (pages 15 to 17 of our submission)

<https://www.bbc.com/news/uk-46429520>
<https://www.ons.gov.uk/2019>

- In Tasmania, the Family Violence Act (2004) already includes the separate coercive control offences of economic abuse, emotional abuse or intimidation, but there have only been a handful of convictions in 13 years and a dearth of research.

<https://www.smh.com.au/politics/nsw/don-t-rush-into-coercive-control-law-it-may-not-prevent-abuse-and-could-even-make-it-worse-20210226-p57656.html>
<https://www.smh.com.au/politics/nsw/don-t-rush-into-coercive-control-law-it-may-not-prevent-abuse-and-could-even-make-it-worse-20210226-p57656.html>

- Research confirms that there are much more effective ways to address domestic violence
- It will be applied in a gendered manner that will perpetuate the existing harm such policies are causing Australian men, with resulting health impacts, suicide rates and cost to the community
 - In so being applied it will do nothing to address female violence and abuse, protect the 30%-50% of male victims of domestic violence and coercive control, and do nothing to protect the domestic violence murder of children by mothers (In Australia more children are murdered by biological mothers than fathers)
https://www.researchgate.net/figure/Filicide-victim-offender-relationship-by-victim-gender-and-age-2000-01-to-2011-12_tbl3_332172631
- It will be used to perpetuate system abuse in tandem with Family Court matters, primarily by abusive women against men, unless the prevalence of false allegations

in Family Court/domestic violence matters (page 59 to 67 in our submission) are reduced and disincentivised:

2. If the laws are passed they must be correctly drafted

- The definition must include “threats”
- Should be a series of events, repeatedly or continuously (greater than 2 events)
- The pattern of behaviour has a serious effect on the victim (victim has been caused to fear that violence will be used against them on ‘more than two occasions’, or they have been caused serious alarm or distress which has a substantial adverse effect on their usual day to day activities)
- The behaviour is such that the perpetrator knows or ought to know that it will have a serious effect on the victim (a reasonable person in possession of the same information would know)
- The perpetrator and victim were personally connected when the incidents took place (they were in an intimate personal relationship whether they lived together or not), or they lived together and were family members, or they lived together and had previously been in an intimate personal relationship.

3. Penalties

- The penalties imposed under coercive control legislation must be proportionate and with a focus on rehabilitation and reunification of families/children with parents (pages 23 to 24 of our submission)
- Recommended summary convictions face a maximum penalty of less than 12 months’ imprisonment and/or a fine. The maximum penalty for an offender convicted on indictment less than five years imprisonment and/or a fine.

4. Policy and procedures must accompany the laws to ensure that they are equally and equitably prosecuted to protect all victims of coercive control, male and female (page 24 of our submission)

- Prosecuted at rates proportionate to male victims rates
 - The official ABS figure is 33%
<https://www.abs.gov.au/statistics/people/crime-and-justice/personal-safety-australia/latest-release>
Research indicate males victims Are up to half of all victims (submission pages 29 to 43)
 - AIFS research indicates that men are coercively controlled within relationships at almost identical rates to women and at higher rates post separation
<https://aifs.gov.au/publications/experiences-separated-parents-study>
 - Female prosecution rates under the new laws should be between 30% to 50%+

5. If enacted the legislation’s efficacy should be tested against success measurables including:

- A demonstrable reduction in the rates of domestic violence

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- An analysis of the investment of police, justice system and judicial resources versus conviction rate
 - Prosecution rates in accordance with the ABS and AIFS statistic of known victim rates

If the legislation fails against these measurable, it should be repealed within two years.

4. 21 Fathers

QUESTION ON NOTICE 2

2. *A claim was made that our 21 Fathers campaign is misleading, anecdotal, unreferenced*

Our submission addresses the 21 Father's claim over 5 pages (pages 50 to 54). We provide 25 references on that point alone: most government sources, peer reviewed article and research.

ABF has never denied that the figure is not exact. The number may be 15, or 10. The focus on the precision of the number is a deflection from the issue that too many men in Australia are dying because of the Family Court. And that number far exceeds the rates of deaths of women: a number that receives hundreds of billions of dollars in policy.

(page 50 of our submission) "This controversial figure has been questioned: and we agree, a more precise figure needs to be obtained through research. The criticisms levelled at the figure, focus of the precision of it and the fact that current research, data and information indicates that we cannot know with conclusive certainty that this figure is correct. Is uncertainty a basis to dismiss the carnage?"

We concede the exact figure is currently unknown, but the catastrophic suicides rates are unequivocal, and the link between calamitous events such and divorce/relationship breakdown and suicide unequivocal. From the data that we have, and in the absence of definitive focused research we can still conclude that the actual number of suicides of Father's going through divorce in Australia is profound and devastating to our society, our families and our children"

<https://bmcpublichealth.biomedcentral.com/articles/10.1186/s12889-016-3702-9>

Professors Kpsowa further wrote: "Some analysts argue that societal institutions tend to ignore or minimise male problems as evident in suicide statistics. For instance, in many jurisdictions ... there seems to be an implicit assumption that the bond between a women and her children is stronger than that between a man and his children. As a consequence, in a divorce settlement, custody of children is more likely to be given to the wife".

In the end, the father loses not only his marriage, but his children. The result may be anger at the court system especially in situations wherein the husband feels betrayed because it was the wife that initiated the divorce, or because the courts virtually gave away everything that was previously owned by the ex-husband or the now defunct household to the former wife. Events could spiral into resentment (toward the spouse and "the system"), bitterness, anxiety, and depression, reduced self-esteem, and a sense of "life not worth living". As depression and poor mental health are known markers of suicide risk, it may well be that one of the fundamental reasons for the observed association between divorce and suicide in men is the impact of post divorce (court sanctioned) "arrangements"

Augustine J Kpsowa, 'PostScript: Divorce and Suicide Risk' (2003) 57 Journal of Epidemical Community Health 993.

Of course, the problem is not restricted to Australia. In the UK, a study commissioned by the Samaritans involving eleven leading social scientists concluded that marriage breakdown and a family court system perceived to favour women with the custody of children and the family home (even where these men are unemployed and have nowhere else to go) are significant factors in the suicide of countless men. When marriages fail, the research paper concluded, 'men are less likely to be awarded full custody of their children, more likely to be displaced from the family home and have less access to their children'. This means the loss of personal identity, social status and respect. Adding to loneliness and the natural isolation

*Claire Wyllie, Stephen Platt, Julie Brownlie, Amy Chandler, Sheelah Connolly, Rhiannon Evans, Brendan Kennelly, Olivia Kirtley, Graham Moore, Rory O'Connor and Jonathan Scourfield, 'Men, Suicide and Society: Why Disadvantaged Men in Mid-Life Die by Suicide', **Samaritans Research Report**, September 2012, p.25, p43*

*Men and Suicide: Why It's a Social Issue', **Samaritans**, July 2015 p.10.*

5. References in our Submission

QUESTION ON NOTICE 3

2. *A claim was made that our submission was anecdotal and has no references*

It was claimed that our document did not have references or had insufficient references. It has 194 references. As stated above, in relation to our the 21 fathers claims over five pages (pages 50 to 54) there are 25 references.

Below is the entire Bibliography of the ABF Submission on Coercive Control, in order as they appear in order in our submission.

1. <https://www.sciencedaily.com/releases/2020/01/200129091511.htm>
2. *Alexandra Hills (ABC news) 18 August), Murrumba Downs (7News August 26), Bray park (ABC news 6 September), St Marys (Western Weekender 16 September)*
3. <https://www.theabf.org.au/>
4. https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Family_Law_System/FamilyLaw/Submissions
5. *Dutton G. Rethinking Domestic Violence, Univeristy of British Columbia press 2007*
6. https://www.biscmi.org/wp-content/uploads/2015/05/Dutton_CJS_Book_Review_CJS-Dekeseredy.pdf
7. <https://www.mankind.org.uk/statistics/>
8. *Heather Douglas, 'Legal systems abuse and coercive control' (2017), 18 (1) Criminology & Criminal ustice.*
9. <https://www.highconflictinstitute.com/bookstores/high-conflict-people-in-legal-disputes-2nd-edition>
10. *"Gender and women's health". World Health Organization. Retrieved 2007-05-13.*
11. *^Sansone, R. A.; Sansone, L. A. (2011). "Gender patterns in borderline personality disorder". Innovations in Clinical*
12. <https://www.theguardian.com/society/2014/dec/18/theresa-may-domestic-abuse-offence-coercive-behaviour>
13. <https://www.bbc.com/news/uk-46429520>
14. <https://www.ons.gov.uk/2019>
15. *Paul McGorriery and Marilyn McMahon, 'Prosecuting controlling or coercive behaviour in England and ales: Media reports of a novel offence' (2019), Criminology & Criminal Justice.*
16. <https://www.mankind.org.uk/statistics/>
17. <https://www.mankind.org.uk/wp-content/uploads/2020/03/Summary-Police-Reporting-2012-2018-website-published-March-2020.xlsx>
18. <http://www.womenssafetynsw.org.au/>

19. <https://www.1800respect.org.au/>
20. *Lie and Gentlewarrior: Intimate Violence in Lesbian Relationships*, *Journal of Social Science Research*, 15, 41-59.
21. https://www.researchgate.net/publication/15503361_Patriarchy_and_Wife_Assault_The_Ecological_Fallacy
22. https://d3n8a8pro7vhm.cloudfront.net/marriage/pages/183/attachments/original/1469648679/Colleen_Stiles-Shields_and_Richard_A_Carroll.pdf?1469648679
23. *Pitts, Smith, Mitchell, & Patel, 2006*
24. <https://aifs.gov.au/cfca/publications/intimate-partner-violence-lgbtq-communities>
25. *Frankland & Brown, 2014*
26. *Hassouneh & Glass, 2008*
27. *Statutory Guidance Framework, Controlling or Coercive Behaviour in Intimate or Family Relationships*, *ome Office UK 3*.
28. *Statutory Guidance Framework, Controlling or Coercive Behaviour in Intimate or Family Relationships*, *ome Office UK 3*.
29. *Heather Douglas, 'Do we need a specific domestic violence offence' (2015) 39(434) Melbourne niversity Law Review 435-440.*
30. *Serious Crime Act 2015 (UK) s 76(4)*
31. <https://newsroom.unsw.edu.au/news/business-law/do-harsher-punishments-deter-crime#:~:text=But%20it%20turns%20out%20that,is%20more%20tale%20than%20truth.&text=The%20criminal%20justice%20researcher%20says,actually%20have%20the%20opposite%20effect>
32. *Domestic Abuse (Scotland) Act 2018 s1*
33. <https://newsroom.unsw.edu.au/news/business-law/do-harsher-punishments-deter-crime>
34. <https://theconversation.com/why-rehabilitation-not-harsher-prison-sentences-makes-economic-sense-132213>
35. *Serious Crime Act 2015 (UK) s 76(11)(a).*
36. *(Haselschwerdt, Hardesty, & Hans, 2011).*
37. <https://www.abc.net.au/news/2019-09-05/an-australia-free-from-all-forms-of-violence-and-abuse-against/11470584?nw=0>
38. *Intimate partner violence and subsequent depression and anxiety disorders Ahmadabadi, Zohre, Najman, Jackob M., Williams, Gail M., Clavarino, Alexandra M., d'Abbs, Peter and Tran, Nam (2020). Intimate partner violence and subsequent depression and anxiety disorders. Social Psychiatry and Psychiatric Epidemiology 55 (5) 611-620. <https://doi.org/10.1007/s00127-019-01828-1>*
39. *One in Three Campaign: source 2012 ABS personal safety survey*
40. *House of Representatives Report, [1.6], citing Australian Institute of Family Studies, Evaluation of the 2006 Family Law Reforms, 2009, p. 314 and Monash University – Castan Centre for Human Rights Law (Castan Centre for Human Rights), Submission 57 to the House of Representatives Report, p. 2.*
41. https://www.dss.gov.au/sites/default/files/documents/05_2012/domestic_violence_laws_in_australia_-_june_2009.pdf
42. <https://journals.sagepub.com/doi/10.1177/0192513X04270345>

43. <https://psycnet.apa.org/record/2003-06107-007>
44. <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1741-3737.2000.00948.x>
45. <https://www.ssrn.com/abstract=910270>
46. <https://www.ncbi.nlm.nih.gov/pubmed/10989615>
47. <https://www.ncbi.nlm.nih.gov/pubmed/11142534>
48. <https://psycnet.apa.org/record/2004-15844-015>
49. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2562919/>
50. <https://www.washingtonpost.com/news/worldviews/wp/2016/06/10/the-best-countries-for-gender-equality-may-also-have-a-domestic-violence-problem/>
51. https://www.researchgate.net/publication/299737791_Intimate_partner_violence_against_women_and_the_Nordic_paradox
52. <https://onlinelibrary.wiley.com/doi/full/10.1002/anzf.1351>
53. <https://www.theguardian.com/society/2016/feb/19/australians-are-being-told-that-gender-inequality-is-the-root-cause-of-domestic-violence-but-is-it>
54. <http://classic.austlii.edu.au/au/journals/CrCrimJust/2018/13.html>
55. <https://www.theguardian.com/society/2016/feb/19/australians-are-being-told-that-gender-inequality-is-the-root-cause-of-domestic-violence-but-is-it>
56. <https://www.psychology.org.au/getmedia/210e21e9-ceb8-452c-b111-2319dd247885/Submission-to-victorian-royal-commission-family-violence.pdf>
57. <https://www.bocsar.nsw.gov.au/Documents/BB/bb61.pdf>
58. <http://drinktank.org.au/2015/03/hh-michael-thorn/>
59. Pizzy, Erin (3 March 2015). "Duluth Model buries key facts on domestic violence". *Honest Ribbon*. Retrieved 17 April 2018 (About Erin Pizzey)
60. Pence, Ellen (1999). "Some Thoughts on Philosophy". In Shepherd, Melanie; Pence, Ellen (eds.). *Coordinating Community Responses to Domestic Violence: Lessons from Duluth and Beyond*. Thousand Oaks, CA.: Sage. pp. 29–30.
61. Cassie Jaye (7 October 2016). *The Red Pill (film)* |format=requires |url= (help). Gravitas Ventures.
62. <https://www.who.int/violenceprevention/approach/ecology/en/>
63. Bates, E. A., Graham-Kevan, N. and Archer, J. (2014), . *Aggr.Behav.*, 40: 42–55. doi:10.1002/ab.21499.
64. https://www.researchgate.net/publication/237230405_Using_Johnson's_domestic_violence_typology_to_classify_men_and_women_in_a_non-selected_sample
65. Johnson, M. (2011). *Aggression and Violent Behaviour*, Volume 16, Issue 4, July/August 2011. pp 289 - 296.
66. https://www.biscmi.org/wp-content/uploads/2015/05/Dutton_CJS_Book_Review_CJS-Dekeseredy.pdf
67. https://www.cdc.gov/mmwr/preview/mmwrhtml/ss6308a1.htm?s_cid=ss6308a1_e#Table6
68. https://www.huffpost.com/entry/researcher-says-womens-in_b_222746
69. Lie and Gentlewarrior: Intimate Violence in Lesbian Relationships, *Journal of Social Science Research*, 15, 41-59.

70. (YPADV). Published in 2001 by the National Crime Prevention division of the Commonwealth Attorney General's Department and the Department of Education, Training and Youth Affairs
71. <https://catalogue.nla.gov.au/Record/2699959>
72. <https://domesticviolenceresearch.org/>
73. A 2004 qualitative Australian study by Sotirios Sarantakos from Charles Sturt University titled *Deconstructing Self-Defence in Wife-to-Husband Violence is also particularly illustrative*. Sarantakos, S. (2004), . " *The Journal of Men's Studies* 12, no. 3 (2004)
74. Hines, D. & Douglas, E. (2010), ", *Partner Abuse*. 2010 Jan 1; 1(3): 286–313.
75. Kelly, L. (2002). *Disabusing the definition of domestic abuse: How women batter men and the role of the feminist state*. Florida State
76. Stith, S.M., Smith, D.B., Penn, C.E., Ward, D.B. & Tritt, D. (2003). *Intimate partner physical abuse perpetration and victimization risk*
77. Australian Bureau of Statistics (2017). *Personal Safety Survey, Australia, 2016 (Cat. No. 4906.0)*. Canberra: Australian Bureau of Statistics. Table 5.1 VIOLENCE IN THE LAST 12 MONTHS, Type of violence by relationship to and sex of perpetrator, Estimate. 106,600 males in 2016 experienced violence from a female intimate partner during the last 12 months and 113,900 males experienced violence from all intimate partners during the last 12 months.
78. Australian Bureau of Statistics (2013), *Personal Safety Survey, Australia, 2012, cat no 4906.0, ABS, Canberra*. Table 23 EXPERIENCE OF PARTNER VIOLENCE SINCE THE AGE OF 15, Whether ever told anyone about partner violence. 54.1% of males and 25.6% of females
79. Australian Bureau of Statistics (2017). *Personal Safety Survey, Australia, 2016 (Cat. No. 4906.0)*. Canberra: Australian Bureau of Statistics.
80. See and Tilbrook, E, Allan, A, and Dear, G (2010). *Intimate Partner Abuse of Men*. East Perth: en's Advisory Network, May 26, 2010.
81. *ABF Survey of 1000 Fathers Appendix A*
82. Victorian Government (2012). Melbourne: Victorian Government, Department of Human Services, p41.
83. <https://www.vic.gov.au/family-violence-multi-agency-risk-assessment-and-management>
84. Judicial College of Victoria (2014). *Family Violence Bench Book*. Melbourne: Judicial College of Victoria. <http://www.judicialcollege.vic.edu.au/eManuals/FVBBWeb/index.htm#34578.htm>
85. Finance and Public Administration References Committee (2015). *Domestic violence in Australia*. Canberra: Commonwealth of Australia.
86. Vlais, R. (2014). *No To Violence response to the One in Three organisation's comments about male victims*. Burnley: No To Violence.
87. <https://www.facs.nsw.gov.au/domestic-violence/helpline>
88. Richards, J., MacLachlan, A., Scott, W., & Gregory, R. (2002). *Final Report: 'Identification of characteristics and patterns of male domestic partner abusers,' pp 32 & 35.*
89. https://www.aic.gov.au/sites/default/files/202007/sb28_prevalence_of_domestic_violence_among_women_during_covid-19_pandemic.pdf
90. https://www.abc.net.au/news/2020-09-01/male-victims-of-domestic-violence-shame-stigma-support/12495738?nw=0&fbclid=IwAR3Bq_-TJPwa5tDYDVzrxzNpGC7Hi56mnEp8KDarXRRSiy2NlvcPPVvwWTw

(References for 21 Fathers)

-
91. <https://bmcpublihealth.biomedcentral.com/articles/10.1186/s12889-016-3702-9>
 92. *Causes of Death*, 26 September 2018, Australian Bureau of Statistics, <http://www.abs.gov.au/causes-of-death>
 93. Australian Bureau of Statistics (ABS), in 2017
 94. Australian Institute for Suicide Research and Prevention, Australian Institute for Suicide Research and Prevention, 2011, archived from the original on 10 March 2012
 95. https://www.amhf.org.au/male-suicides_in_australia_up_10_in_2017
 96. <https://www.blackdoginstitute.org.au/resources-support/suicide-self-harm/facts-about-suicide-in-australia/>
 97. <https://www.facebook.com/MensHealthAMHF>
 98. <https://www.abc.net.au/news/2020-02-13/middle-aged-men-dying-too-soon-suicide-we-can-learn-from-history/11958284>
 99. Wendy McElroy, 'Are Fathers' Rights a Factor in Male Suicide', Fox News, January 15, 2015, at <https://www.foxnews.com/story/are-fathers-rights-a-factor-in-male-suicide>
 100. https://www.griffith.edu.au/__data/assets/pdf_file/0033/359754/GriffithMen_WEB.pdf
 101. https://www.beyondblue.org.au/about-us/about-our-work/suicide-prevention/beyond-the-emergency?utm_source=facebook&utm_medium=organic&utm_campaign=beyondtheemergency_may19&utm_demo=all&utm_targeting=followers&utm_format=link&utm_creative=infographic&utm_objective=traffic&utm_id=beyondtheemergency0003&fbclid=IwAR3WYsk1jTkb1YbVmsZ1oiNny3S_5VXUmtXC99gl995ZcE8_kLPg1gZgmqw
 102. Begg et al., 2007
 103. Susan Beaton and Peter Forster, 'Insights into Men's Suicide', Australian Psychological Society, August 2012, at <https://www.psychology.org.au/inpsych/2012/august/beaton/>
 104. The Australian Family Association, 'Submission to the Parliamentary Inquiry into the Child Support Program', 31 January 2015, p 6.
 105. The Australian Family Association, 'Submission to the Parliamentary Inquiry into the Child Support Program', 31 January 2015
 106. <https://www.amhf.org.au/infographics>
 107. Augustine J Kpsowa, 'Marital Status and Suicide in the National Longitudinal Mortality Study' (2000) 54 *Journal of Epidemiological Community Health* 254-261, p 254.
 108. Augustine J Kpsowa, 'Marital Status and Suicide in the National Longitudinal Mortality Study' (2000) 54 *Journal of Epidemiological Community Health* 254-261, p 254.
 109. <https://aifs.gov.au/publications/parenting-arrangements-after-separation>
 110. The ABF Survey of 1000 Fathers Appendix E
 111. ABS, *Causes of Death*, 2015
 112. Augustine J Kpsowa, 'PostScript: Divorce and Suicide Risk' (2003) 57 *Journal of Epidemiological Community Health* 993.

113. Clare Wyllie, Stephen Platt, Julie Brownlie, Amy Chandler, Sheelah Connolly, Rhiannon Evans, Brendan Kennelly, Olivia Kirtley, Graham Moore, Rory O'Connor and Jonathan Scourfield, 'Men, Suicide and Society: Why Disadvantaged Men in Mid-Life Die by Suicide', Samaritans Research Report, September 2012, p.25, p43

114. 'Men and Suicide: Why It's a Social Issue', Samaritans, July 2015 p.10.

115. (Royal Australian and New Zealand College of Psychiatrists RANZCP)

(End references for 21 Fathers)

116. Fitzroy Legal Service and Darebin Community Legal Centre. Submission to ALRC Family Law Review. 2018. Available at:

<https://d3n8a8pro7vhmx.cloudfront.net/fitzroylegal/pages/77/attachments/original/1525820408/ALRCReviewsubmissionMay2018.pdf?1525820408>

117. House of Representatives Standing Committee on Social Policy and Legal Affairs. A better family law system to support and protect those affected by family violence. Canberra: Commonwealth of Australia; 2017.

118. Australian Law Reform Commission. Review of the Family Law System: Discussion Paper. Queensland: Australian Law Reform Commission; 2018.

119. Family Law Council. Families with Complex Needs and the Intersection of the Family Law and Child Protection Systems: Final Report. Canberra: Commonwealth of Australia; 2016. Available at:

<https://www.ag.gov.au/FamiliesAndMarriage/FamilyLawCouncil/Documents/Families-with-Complex-Needs-Intersection-of-Family-Law-and-Child-Protection-Systems%E2%80%93Interim-Report-Terms-1-and-2.pdf>

120. <https://www.aph.gov.au/DocumentStore.ashx?id=5474d948-c688-4463-a9b7-4b7252ec2dde&subId=679536>

121. <https://link.springer.com/article/10.1023/A:1022079418229>

122. Pascoe J. Litigants with Mental Illness. Australian Family Lawyer. 2013; 23(2): 21-26.

123. Ryan J. Mental Health and Family Law - A Question of Degree. Federal Judicial Scholarship. 2006;

124. <https://www.ranzcp.org/confidentiality>

125. https://www.aaa.asn.au/wp-content/uploads/2018/03/AAA-ECON_Cost-of-road-trauma-summary-report_Sep-2017.pdf

126. Bala, N. M., Mitnick, M., Trocmé, N., & Houston, C. (2007). Sexual abuse allegations and parental separation: Smokescreen or fire?. *Journal of Family Studies*, 13(1), 26-56, at 37.

127. https://www.researchgate.net/publication/228185770_The_Views_of_Family_Lawyers_on_Apprehended_Violence_Orders_after_Parental_Separation

128. Angela Melville & Rosemary Hunter, "As Everybody Knows": Countering Myths of Gender Bias in Family Law', (2001) 10 Griffith Law Review, 124 at 127

129. (Haselschwerdt, Hardesty, & Hans, 2011)

130. Moloney, L, et al, "Allegations of Family Violence and Child Abuse in Family Law Children's Proceedings – A Pre-Reform Exploratory Study" (2007), Australian Institute of Family Studies, Australian Government.

131. Knott, T, Trocme, N and Bala, N, "False Allegations of Abuse and Neglect" (2004), Centre of Excellence for Child Welfare, Health Canada.

132. Judicial Commission NSW survey of Magistrates August 1999

133. Belinda Carpenter, Susan Currie and Rachael Field, 'Domestic Violence: Views of Queensland Magistrates'

-
134. Rosemary Hunter, *Domestic Violence Law Reform and Women's Experience in Court*, p. 264, (2008)
 135. <https://www.smh.com.au/national/false-abuse-claims-are-the-new-court-weapon-retiring-judge-says-20130705-2phao.html>
 136. <https://www.goldcoastbulletin.com.au/news/crime-court/retiring-magistrate-ron-kilner-says-domestic-violence-laws-have-been-exploited/news-story/93c20b6abfc05159ddb3871fd5474e59>
 137. *Community perceptions of domestic violence* ISSN: 1445-7288 Australian Institute of Criminology
Published: 19/12/2006 Taylor & Mouzos, 2006.
 138. *National Survey on Community Attitudes to Violence Against Women 2009: Changing Cultures, Changing Attitudes – Preventing Violence Against Women: A Summary of Findings* p. 44 (2010)
 139. K Webster, K Diermer, N Honey, S Mannix, J Mickle, J Morgan, A Parkes, V Politoff, A Powell, J Stubbs and A Wards. (2018). *Australia's attitudes to violence against women and gender equality. Findings from the 2017 National Community Attitudes towards Violence against Women Survey (NCAS) (Research report, 03/2018)*, ANROWS.
 140. *Findings from the 2017 National Community Attitudes towards Violence against Women Survey (NCAS)*
 141. Hines, D. & Douglas, E. (2010), "Partner Abuse. 2010 Jan 1; 1(3): 286–313.
 142. <https://www.bbc.com/news/education-44628179?SThisFB>
 143. ABF Survey of 1000 Fathers Appendix E
 144. *Family Law Act 1975 (Cth) ('Family Law Act')*
 145. <https://www.onlineopinion.com.au/view.asp?article=20466&page=3>
 146. Jeannie Suk, 'Criminal Law Comes Home' (2006) 116 *Yale Law Journal* 1, at 31.
 147. Warren Farrell, *Father and Child Reunion: How To Bring the Dads We Need to the Children We Love* (New York: Tarcher/Putnam, 2001), at 198. *Parliamentary inquiry into a better family law system to support and protect those affected by family violence*
 148. *Chief Justice of the Supreme Court of Western Australia, Submission No. 24, 27 February 2014. 2.*
 149. *The Misuse of Restraining Orders Published on June 7, 2017* Amanda Sillars *Parental Alienation | Education | Research | Generational Lived Experience | Public Speaker*
 150. <https://www.legalaid.nsw.gov.au/publications/factsheets-and-resources/is-someone-making-an-avo-against-you>
 151. Harriet Alexander, 'False Abuse Claims are the New Court Weapon', *Sydney Morning Herald, Sydney/NSW, July 6, 2013* <<http://www.smh.com.au/national/false-abuse-claims-are-the-new-court-weapon-retiring-judge-says-20130705-2phao.html#ixzz31YnbCik0>>.
 152. Adam Blanch, 'Vigilante Justice: Feminism's Latest Attack on Human Rights', *On Line Opinion – Australia's E-Journal of Social and Political Debate*, 22 August 2014.
 153. Patrick Parkinson, 'How Widespread are False Allegations of Abuse?' *News Weekly, Melbourne/Vic, June 25, 2011.*
 154. Adam Blanch, 'Vigilante Justice: Feminism's Latest Attack on Human Rights', *On Line Opinion – Australia's*
 155. *E-Journal of Social and Political Debate*, 22 August 2014, at <http://www.onlineopinion.com.au/view.asp?article=16613>
 156. Belinda Carpenter, Susan Currie and Rachael Field, 'Domestic Violence: Views of Queensland Magistrates' (2001) 3 *Nuance* 17, 21. See also: Patrick Parkinson, Judy Cashmore and Judith Single, 'The Views of Family Lawyers on Apprehended Violence Orders after Parental Separation' (2010) 24 *Australian Journal of Family Law* 313, at 317
 157. Rosemary Hunter, *Domestic Violence Law Reform and Women's Experience in Court*, p. 264, (2008)

158. J Hickey and S Cumines, 'Apprehended Violence Orders: A Survey of Magistrates' (Sydney/NSW: Judicial Commission of New South Wales, 1999), at 37.
159. Judicial Commission NSW survey of Magistrates August 1999
160. Sotirios Sarantakos, 'Deconstructing Self-Defence in Wife-to-Husband Violence', (2004) 12 (3) *The Journal of Men's Studies* 277, 287
161. Kenneth J Arenson, 'When Some People Are More Equal Than Others: The Impact of Radical Feminism in our Adversarial System of Criminal Justice' (2014) 5 *The Western Australian Jurist* 213, at 217
162. Christine Sypnowish, 'Utopia and the Rule of Law', in David Dyzenhaus (ed), *Recrafting the Rule of Law: The Limits of Legal Order* (Oxford/UK: Hart Publishing, Oxford, 1999), at 180.
163. Jane Wangmann, 'She said...' 'He said...': Cross Applications in NSW Apprehended Domestic Violence Order Proceedings, PhD thesis, University of Sydney, 2009 at 100-112
164. David N. Heleniak, 'The New Star Chamber: The New Jersey Family Court and the Prevention of Domestic
165. Violence Act' (2005) 57 (3) *Rutgers Law Review* 1009, at 1014-16.
166. Parkinson, above n.11, at 324.
167. Family Law Council, 2002. *Family law and child protection, Final report, Commonwealth Government*, p 15.
168. Australian Institute of Criminology's National Homicide Monitoring Program (NHMP) for the 10 years from 2002-2012).
169. LFAA 2010 National Conference titled "we have witnessed a Second Stolen Generation of our Children", "Systems Failing Fathers and Children"; "A Fatherless Society in Waiting" also attracted 13 Ministers and Senators many of whom were guest speakers, which included both the Attorney General Robert Mc Cleland, and Shadow Attorney General George Brandis.
170. <https://www.alrc.gov.au/inquiry-categories/children-legal-process/>
171. <https://psycnet.apa.org/record/2007-14600-008>
172. <https://www.psychology.org.au/for-members/publications/inpsych/2018/December-Issue-6/Children%E2%80%99s-wellbeing-after-parental-separation>
173. McLanahan, 1999 <https://psycnet.apa.org/record/1999-02129-006>
174. [https://books.google.com.au/books?id=RXEsBgAAQBAJ&pg=PA25&lpg=PA25&dq=psychological+treatment+\(Johnston,+1997&source=bl&ots=H2AZ0T2hd5&sig=ACfU3U1ojFGI2FddYt0iZ9MNjTwKfLwVAg&hl=en&sa=X&ved=2ahUKEwjX1oCl-aDpAhXmzzgGHADfDE0Q6AEwA3oECAsQAQ](https://books.google.com.au/books?id=RXEsBgAAQBAJ&pg=PA25&lpg=PA25&dq=psychological+treatment+(Johnston,+1997&source=bl&ots=H2AZ0T2hd5&sig=ACfU3U1ojFGI2FddYt0iZ9MNjTwKfLwVAg&hl=en&sa=X&ved=2ahUKEwjX1oCl-aDpAhXmzzgGHADfDE0Q6AEwA3oECAsQAQ)
175. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2930824/>
176. (McLanahan & Sandefur, 1994)
177. <https://www.hup.harvard.edu/catalog.php?isbn=9780674364080>
178. (Margolin, Oliver, & Medina, 2001).
179. <https://psycnet.apa.org/record/2001-01346-001>
180. From ALRC DP 86, paragraph 1.43, citing South Australia Commissioner for Children and Young People, *What Children and Young People Think Should Happen When Families Separate* (Office of the Commissioner for Children and Young People, 2018) 15.
181. Royal Australian and New Zealand College of Psychiatrists (RANZCP) *Family Court Proceedings general principles*

-
182. Lamb ME. Does shared parenting by separated parents affect the adjustment of young children?. *Journal of Child Custody*. 2018 Jan 2;15(1):16-25.
183. Braver SL, Lamb ME. Shared parenting after parental separation: The views of 12 experts. *Journal of Divorce & Remarriage*. 2018 Jul 4;59(5):372-87.
184. Braver S, Lamb ME, Holstein N. Factors associated with successful shared parenting following family dissolution. *Journal of Child Custody*. 2018 Jan 2;15(1):1-3.
185. Philip Greenspun, Shared parenting literature review from Michael Lamb: is the main point of social science research to bolster personal prejudice?, 22 June 2017.
186. <https://philip.greenspun.com/blog/2017/06/22/shared-parenting-literature-review-from-michael-lamb-is-the-main-point-of-social-science-research-to-bolster-personal-prejudice/>
187. Richard A. Warshak, 'Social Science and Parenting Plans for Young Children: A Consensus Report' (2014) 20 (1) *Psychology, Public Policy and Law (American Psychological Association)* 46-67
188. Bryan Rodgers, "Social and Psychological Wellbeing of Children from Divorced Families: Australian Research Findings," *Australian Psychologist*, vol. 31, no. 3, November 1995, pp. 174-182
189. Lees, Daniel, *Going Further with Fathers*. Auckland: Maxim Institute, 2007, p. 3.
190. <https://www.fatherhood.org.au/resources/FACTS-ON-FATHERLESSNESS.pdf>
191. Wade Horn, in Katherine Anderson, Don Browning and Brian Boyer, eds, *Marriage: Just a Piece of Paper? Grand Rapids: FpenveEerdman's*, 2002, p. 295.
192. <https://www.facebook.com/QueenslandPolice/photos/a.10150704734123254/10156130447138254/?type=1&theater>
193. <https://www.whiteribbon.org.au/understand-domestic-violence/what-is-domestic-violence/controlling-relationships/power-and-control-wheel/>
194. <https://www.smh.com.au/opinion/as-its-dramatic-debt-is-revealed-can-white-ribbon-survive-20190219-p50yx1.html>

Claim that 90% of the victims of domestic violence are women

QUESTION ON NOTICE 3

4. *A further claim was made that 90%+ of all victims of domestic violence are female* (pages 29 to 49 of our submission)

This claim is false and not supported by any published figures or research.

Men comprise between 30 to over 50% of all victims of domestic violence in Australia and western countries, across the world. Biological mothers kill more of their children than biological fathers. Lesbian relationships have the highest levels of domestic violence (and gay relationships the lowest rates).

Domestic violence is not an issue of gender.

This is why decades of policy based around a false gender narrative has failed to reduce rate of domestic violence.

\$840 million has been spent on domestic violence since 2013 with no impact of rates of violence in Australian homes.

<https://www.abc.net.au/news/2019-03-05/prime-minister-scott-morrison-to-pledge-328-million-to-combat-dv/10869862>

Dr Emma Partridge, who spent a year researching and writing the Our Watch framework, says there is little evidence specific actions by governments have reduced the prevalence rates of domestic violence.

<https://www.theguardian.com/society/2016/feb/19/australians-are-being-told-that-gender-inequality-is-the-root-cause-of-domestic-violence-but-is-it>

Domestic assault in NSW has risen from a rate of 257 per 100,000 people in 1995, reaching a high of 400 incidents per 100,000 people in 2014 (28,980 incidents). This represents a 2 per cent increase in the five years up to mid-2014. Similarly, reports of family violence incidents in Victoria have been increasingly steadily since 2010-11, with an 8.8 per cent increase from 2013-14 to 2014-15 (70,906 incidents)

<http://crimetool.bocsar.nsw.gov.au/bocsar/>

Male victims rates between 30-50+%

The Official government figure

In the 2012 Personal Safety Survey found that about 33 per cent of people who had experienced domestic violence from a current partner in the last 12 months were men.

<https://www.abs.gov.au/statistics/people/crime-and-justice/personal-safety-australia/latest-release>

Recent Australian research indicates that victim rates are equal between genders. UQ researcher Emeritus Professor Jake Najman said the team found equal levels of abuse by men and women.

<https://www.sciencedaily.com/releases/2020/01/200129091511.htm>

Intimate partner violence and subsequent depression and anxiety disorders Ahmadabadi, Zohre, Najman, Jackob M., Williams, Gail M., Clavarino, Alexandra M., d'Abbs, Peter and Tran, Nam (2020). Intimate partner violence and subsequent depression and anxiety disorders. *Social Psychiatry and Psychiatric Epidemiology* 55 (5) 611-620. <https://doi.org/10.1007/s00127-019-01828-1>

We have known for 40 years that violence rates were equal between the genders.

Research summarizes results from more than 200 studies that have found gender symmetry in perpetration and in risk factors and motives for physical domestic violence.

The second part of the article documents seven methods that have been used to deny, conceal, and distort the evidence on gender symmetry. The third part of the article suggests explanations for the denial of an overwhelming body of evidence by reputable scholars. The concluding section argues that ignoring the overwhelming evidence of gender symmetry has crippled prevention and treatment programs. It suggests ways in which prevention and treatment efforts might be improved by changing ideologically based programs to programs based on the evidence from the past 30 years of research.

https://www.academia.edu/33839193/Thirty_Years_of_Denying_the_Evidence_on_Gender_Symmetry_in_Partner_Violence_Implications_for_Prevention_and_Treatment?fbclid=IwAR3OYC-B7Zdl41GUI4UNZcgrXBotCOaZMkEfrNwSsCdkIY9iaZzGne9ei3c

From 2010 to 2012, scholars of domestic violence from the U.S., Canada and the U.K. assembled The Partner Abuse State of Knowledge, a research database covering 1700 peer-reviewed studies, the largest of its kind. Among its findings.

<https://domesticviolenceresearch.org/>

- Rates of female-perpetrated violence are higher than male-perpetrated (28.3% vs. 21.6%).
- Male and female IPV are perpetrated from similar motives.
- More women (23%) than men (19.3%) have been assaulted at least once in their lifetime.

Partner Abuse State of Knowledge Project Findings At-a-Glance, Sponsored by the Journal Partner Abuse, John Hamel, LCSW, Editor-in-Chief, www.springerpub.com/pa, November 2012

40% Family violence related emergency room presentations are men

<https://www.crimestatistics.vic.gov.au/family-violence-data-portal/family-violence-infographics/family-violence-related-emergency-room?fbclid=IwAR1vGcUwyWNONsAbFop-PEEplm2H0JXEJYfV58oWOY-8jZahPWWZACb8FBE>

Studies have found that men and women initiate violence against an intimate partner at approximately the same rate.

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1854883/?fbclid=IwAR1aVi2FGVTkW1EEMVZFC7be0GnKN0Js3Matuy1FWD4OD8w8IMzqU55NjgMhttps://www.ncbi.nlm.nih.gov/pmc/articles/PMC1854883/?fbclid=IwAR1aVi2FGVTkW1EEMVZFC7be0GnKN0Js3Matuy1FWD4OD8w8IMzqU55NjgM>

Long term New Zealand study found women committed more domestic violence than men.

NZ South Canterbury Family Violence Co-ordinator Senior Constable Steve Wills was reacting to the findings of an analysis forming part of the world-renowned Dunedin Study, which has focused closely on the lives of more than 1000 people born in Dunedin in the year ending March 1973.

They found that 40 per cent of male couple members in the study had perpetrated at least one of a list of 13 physically abusive acts, ranging from slapping and kicking to forcing sex and use of a weapon, while 50 per cent of women had

<https://i.stuff.co.nz/timaru-herald/news/81025573/domestic-violence-study-presents-challenging-picture>

<https://www.ncjrs.gov/pdffiles1/170018.pdf>

Many studies have found evidence of high levels of bidirectionality in cases where women have reported IPV. For example, social activist Erin Pizzey, who established the first women's shelter in the U.K. in 1971, found that 62 of the first 100 women admitted to the centre were "violence-prone," and just as violent as the men they were leaving.

The 1975 National Family Violence Survey found that 27.7% of IPV cases were perpetrated by men alone, 22.7% by women alone and 49.5% were bidirectional. In order to counteract claims that the reporting data was skewed, female-only surveys were conducted, asking females to self-report, resulting in almost identical data.[50] The 1985 National Family Violence Survey found 25.9% of IPV cases perpetrated by men alone, 25.5% by women alone, and 48.6% were bidirectional.[51] A study conducted in 2007 by Daniel J. Whitaker, Tadesse Haileyesus, Monica Swahn, and Linda S. Saltzman, of 11,370 heterosexual U.S. adults aged 18 to 28 found that 24% of all relationships had some violence. Of those relationships, 49.7% of them had reciprocal violence. In relationships without reciprocal violence, women committed 70% of all violence. However, men were more likely to inflict injury than women

"Over the last ten years more and more academic studies published their findings which prove that domestic violence is almost equal amongst men and women and therefore the Duluth Model is defunct" "Its only remaining value is as a funding source for the feminist movement."

Founder of Chiswick Womens' Aid, the first ever refuge in the world for victims of domestic violence and author, Pizzy, Erin, (3 March 2015). "Duluth Model buries key facts on domestic violence". *Honest Ribbon*. Retrieved 17 April 2018

In a 1994 study, critical review is made of feminist analyses of wife assault postulating that patriarchy is a direct cause of wife assault. Data are reviewed from a variety of studies indicating that (a) lesbian battering is more frequent than heterosexual battering, (b) no direct relationship exists between power and violence within couples, and (c) no direct relationship exists between structural patriarchy and wife assault.

https://www.researchgate.net/publication/15503361_Patriarchy_and_Wife_Assault_The_Ecological_Fallacy

What do Magistrate say about domestic violence?

In the *Judicial Commission NSW survey of Magistrates August 1999*

Magistrates were asked for their opinion on the causes of domestic violence:

Only 16% of the magistrates surveyed identified power/control (assertion of power and gender imbalance) as a cause of domestic violence (84% said not was not)

What did they say about the causes?

"relationship pressures play a significant role in domestic violence and are exacerbated by poverty, alcohol and drug problems. There is often a history of growing up in violence situations"

"Normal stresses of life come to the fore in domestic violence"

“It is personal and mostly results from other pressures within a relationship, for example, poverty, drug/alcohol abuse”

“It is undeniable that a successful relationship requires the commitment of both parties. It is also undeniable that in many domestic and personal violence matters it is impossible to conclude that either party is blameless in bringing about the confrontation which caused the problem”

“There is in the majority of cases, blame on both sides”

“Not all complaints are one-sided. From time to time the complainant too has demonstrated violence or has otherwise been provocative. There is often fault on both sides”

“Sometimes both parties act totally unreasonably”

Women found to be more aggressive, intimate partner terrorists

Contrary to the male control theory, women were found to be more physically aggressive to their partners than men were, and the reverse pattern was found for aggression to same-sex non-intimates. Furthermore, there were no substantial sex differences in controlling behaviour, which significantly predicted physical aggression in both sexes. Intimate Partner Violence was found to be associated with physical aggression to same-sex non-intimates, thereby demonstrating a link with aggression outside the family.

Bates, E. A., Graham-Kevan, N. and Archer, J. (2014), . Aggr.Behav., 40: 42–55. doi:10.1002/ab.21499.

Women were more likely than men to be classed as “intimate terrorists”. Overall, these results do not support the male control theory of IPV. Instead, they fit the view that IPV does not have a special aetiology and is better studied within the context of other forms of aggression.

https://www.researchgate.net/publication/237230405_Using_Johnson's_domestic_violence_typology_to_classify_men_and_women_in_a_non-selected_sample

Almost 24% of all relationships had some violence, and half (49.7%) of those were reciprocally violent. In non reciprocally violent relationships, women were the perpetrators in more than 70% of the cases

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1854883/?fbclid=IwAR1aVj2FGVTKW1EEMVZFC7be0GnKN0Js3Mqtuy1FWD4OD8w8IMzqU5SNJqM>

US Study records more male victims of intimate partner violence than females

In the US, the Centres for Disease Control and Prevention released data from its National Intimate Partner and Sexual Violence Survey, estimates based on more than 18,000 telephone-survey responses in the United States — roughly 5,365,000 men had been victims of intimate partner physical violence in the previous 12 months, compared with 4,741,000 women.

https://www.cdc.gov/mmwr/preview/mmwrhtml/ss6308a1.htm?s_cid=ss6308a1_e#Table6

40% of victims of severe violence were men

Roughly 40 percent of the victims of severe physical violence were men. The CDC repeated the survey in 2011, the results of which were published in 2014, and found almost identical numbers — with the percentage of male severe physical violence victims slightly rising.

“Reports are also showing a decline of the number of women and an increase in the number of men reporting” abuse, says counselor and psychologist Karla Ivankovich, PhD, an adjunct professor of psychology at the University of Illinois, Springfield.

https://www.cdc.gov/mmwr/preview/mmwrhtml/ss6308a1.htm?s_cid=ss6308a1_e#Table6

Studies are biased and fail to disclose equal rates of violence; wherein lies the solution to DV

A Review Journal, presented one sided arguments and misleading evidence for the role of gender in intimate partner violence (IPV). Johnson and Dekeseredy use only female victim samples and Gondolf only a male perpetrator sample. These methods generate spurious support for the gender paradigm. Better methodology; longitudinal and laboratory studies indicate that bilateral IPV, matched for level of severity is the most common form of IPV. Our policies should be directed towards this most common form not the relatively rare "wife battering". The stereotype of IPV proffered by the gender paradigm has obscured the dyadic patterns and psychological profiles of IPV so that a "one size fits all" approach has been the normative response. The future of IPV policy lies in prevention and in models that treat abusive families as coherent systems.

https://www.researchgate.net/publication/238509810_The_case_against_the_role_of_gender_in_intimate_partner_violence

Women’s initiation of domestic violence is a predictor of risk to them:

A recent meta-analysis found that a woman’s perpetration of violence was the strongest predictor of her being a victim of partner violence.

Victimization from violence is a strong predictor of perpetration of violence

“More importantly, we found that violence was perpetrated more frequently (by women only) and was more likely to result in injury when it was reciprocal as opposed to nonreciprocal.”

"While studies have consistently found that women initiate as much violence against their male partners as vice versa, two-thirds of domestic violence injuries are suffered by women."

"IPV researcher Deborah Capaldi, Ph.D., a social scientist at the Oregon Social Learning Center, finds that the best way for women to be safe is to not initiate violence against their male partners"

"Dr. Capaldi notes that in a study of women who were in a battered women's shelter, "67% of the women reported severe violence toward their partner in the past year."

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1854883/?fbclid=IwAR1aVj2FGVTKW1EEMVZFC7be0GnKN0Js3Mqtuy1FWD4OD8w8IMzgU5SNJqM>

One might be tempted to think that men who perpetrate violence in nonreciprocal relationships are the traditional male “batterer.” However, the data were not consistent with this representation; women who were victims of nonreciprocal violence experienced less violence and a lower likelihood of injury than did women who were victims of violence in reciprocally violent relationships.

Dr. Capaldi notes that in a study of women who were in a battered women's shelter, "67% of the women reported severe violence toward their partner in the past year."

Gender is at the forefront of feminist theories of partner violence and it has been consistently found that male perpetrators are more likely to inflict injury than female.

(Men are typically larger and stronger)

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1854883/?fbclid=IwAR1aVj2FGVTKW1EEMVZFC7be0GnKN0Js3Mqtuy1FWD4OD8w8IMzgU5SNJqMperpetrators>

Prevention approaches that address the escalation of partner violence may be needed to address reciprocal violence. It is critical to begin to study some of the relationship processes that contribute to reciprocal partner violence as those are most likely to result in injury.

https://www.huffpost.com/entry/researcher-says-womens-in_b_222746

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1854883/?fbclid=IwAR1aVj2FGVTkW1EEMVZFC7be0GnKN0Js3Mqtuy1FWD4OD8w8IMzgU5SNJqM>

The women's movement brought initial attention to the problem of partner violence directed at women and to the need for funding to address that problem. Much of the initial research on IPV was conducted with severely abused women and supported the assumption that IPV is primarily perpetrated by men against women. Data is mounting, however, that suggests that IPV is often perpetrated by both men and women against their partner. It is also becoming recognized that perpetration of IPV by both partners within a relationship is fairly common

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1854883/?fbclid=IwAR1aVj2FGVTkW1EEMVZFC7be0GnKN0Js3Mqtuy1FWD4OD8w8IMzgU5SNJqM>

Women's use of Domestic Violence is not primarily self defence

Studies of community samples found that a relatively low percentage of women endorsed self-defence as a primary motive for violence. These data suggest that self-defence cannot fully explain the reciprocal violence phenomenon.

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1854883/?fbclid=IwAR1aVj2FGVTkW1EEMVZFC7be0GnKN0Js3Mqtuy1FWD4OD8w8IMzgU5SNJqM>

The YPADV study found that very little of the physical domestic violence used by either men or women was in self defence only (this evidence is provided by children and young people watching their parents' violence), and children witnessed equal amounts of violence between their parents.

(YPADV). Published in 2001 by the National Crime Prevention division of the Commonwealth Attorney General's Department and the Department of Education, Training and Youth Affairs

The (PASK) is the world's largest domestic violence research database – 2,657 pages – with summaries of 1,700 peer-reviewed studies.

<https://domesticviolenceresearch.org/>

- Male and female IPV perpetrated from similar motives – primarily to get back at a partner for emotionally hurting them, because of stress or jealousy, to express anger and other feelings that they could not put into words or communicate, and to get their partner's attention.
- Eight studies directly compared men and women in the power/control motive and subjected their findings to statistical analyses. Three reported no significant gender differences and one had mixed findings. One paper found that women were more motivated to perpetrate violence as a result of power/control than were men, and three found that men were more motivated; however, gender differences were weak.
- Of the ten papers containing gender-specific statistical analyses, five indicated that women were significantly more likely to report self-defence as a motive for perpetration than men. Four papers did not find statistically significant gender differences, and one paper reported that men were more likely to report this motive than women.
- Self-defence was endorsed in most samples by only a minority of respondents, male and female. For non-perpetrator samples, the rates of self-defence reported by men ranged from 0% to 21%, and for women the range was 5% to 35%. The highest rates of reported self-defence

motives (50% for men, 65.4% for women) came from samples of perpetrators, who may have reasons to overestimate this motive.

- None of the studies reported that anger/retaliation was significantly more of a motive for men than women's violence; instead, two papers indicated that anger was more likely to be a motive for women's violence as compared to men.

- Jealousy/partner cheating seems to be a motive to perpetrate violence for both men and women.

In an Australian study, members of 68 families with allegedly violent wives were studied to explore the nature of women's violence at home and to ascertain whether wives assault their spouses in self-defence. Qualitative analysis revealed that the credibility of the wives' accounts of violence was highly questionable and a justification of self-defence for female-to-male violence was unfounded in a majority of cases.

Equally important is the finding that women's allegations of DV were proven to be false. In most cases, the initial allegations of DV were modified considerably by them during the course of the study, particularly when they were faced with the accounts of their children and mothers, admitting in the end that they were neither victims of violence nor acting in self-defence. It is worth noting that these allegations were used—and are still used—by the authorities to construct DV and to act upon it.

A 2004 qualitative Australian study by Sotirios Sarantakos from Charles Sturt University titled Deconstructing Self-Defence in Wife-to-Husband Violence is also particularly illustrative¹¹. Sarantakos, S. (2004), "The Journal of Men's Studies 12, no. 3 (2004)

Are males primarily the victim of abuse from other males?

The PSS found the majority of men that experienced intimate partner violence experienced it from a female perpetrator (93.6%). The remainder were in same-sex relationships with male perpetrators.

Australian Bureau of Statistics (2017). Personal Safety Survey, Australia, 2016 (Cat. No. 4906.0).

The industry itself causes violence

Judicial Commission NSW survey of Magistrates August 1999 (63) Quotes from the Magistrates included:

"yes yes yes, too many are using them as a lever in Family Court proceedings." "Yes.. In many cases it is the family law issue, such as access to children which feeds the potential violence. If the family law issues are resolved satisfactorily the basis for a DVO often disappears"

"It is disputes around contact to children which created the circumstances complained of. The delays in the Family Court determining questions of contact are a significant cause of domestic violence"

Male victims suffer worse

This has a significant impact on the physical and mental health of emotionally abused men. The UK Crime Survey found that 11 per cent of British men abused by female partners try to kill themselves. Research has also found that attacks on a man's self-worth may be especially debilitating.

https://www.biscmi.org/wp-content/uploads/2015/05/Dutton_CJS_Book_Review_CJS-Dekeseredy.pdf

Men suffer parental alienation at greater rates

Parental alienation, which experts are pushing to have recognised as domestic violence, is suffered by fathers at a greater rate than mothers (Custodial status is the main predictor of who is likely to alienate).

Research has found that parental alienation is similar to what's known as intimate terrorism.

"You have to treat an alienated parent like an abused person. You have to treat the child like an abused child".

<https://psycnet.apa.org/record/2018-58808-004>

<https://www.childandfamilyblog.com/child-development/parental-alienation-child-abuse-child-development/>

https://eurekalert.org/pub_releases/2018-11/csu-auf112718.php

Barriers to male victims disclosing their abuse

Male victims face many barriers to disclosing their abuse, and the policies of many government agencies including the family court can re-victimise male victims by presuming they are actually perpetrators.

Men are 2 to 3 times more likely than women to have never told anybody about experiencing partner violence. 54.1% of males who have experienced current partner violence have never told anybody about it, along with 20.9% of males who have experienced previous partner violence.

Australian Bureau of Statistics (2013), Personal Safety Survey, Australia, 2012, cat no 4906.0, ABS, Canberra. Table 23 EXPERIENCE OF PARTNER VIOLENCE SINCE THE AGE OF 15 Whether ever told anyone about partner violence. 54.1% of males and 25.6% of females

Men are also around 50% more likely than women to have never sought advice or support about experiencing partner violence. 68.1% of males who have experienced current partner violence have never sought advice or support, along with 59.2% of males who have experienced previous partner violence.

(Table 17.1 EXPERIENCE OF CURRENT PARTNER VIOLENCE SINCE AGE 15, By sex of respondent), 102,400 males in 2016 did not seek advice or support after incident of violence by a current partner, while 150,300 males had experienced violence by a current partner since the age of 15. Table 18.1 EXPERIENCE OF PREVIOUS PARTNER VIOLENCE SINCE AGE 15, By sex of respondent), Estimate. 235,300 males in 2016 did not seek advice or support after incident of violence by a previous partner, while 397,300 males had experienced violence by a previous partner since the age of 15.

Australian Bureau of Statistics (2017). Personal Safety Survey, Australia, 2016 (Cat. No. 4906.0). Canberra: Australian Bureau of Statistics.

The Australian Institute of Health and Welfare (2017)²⁰ found that 29.6% (almost one in three) victims of hospitalised family violence (from a spouse or domestic partner, parent or other family member) in Australia from 1999–00 to 2012–13 were male. There were extraordinarily high numbers of males (8,708) compared to females (1,580) where no perpetrator type was recorded. It is likely that more data is captured for female injury victims because of the compulsory domestic violence screening programs in place for women only in hospitals across Australia. The male reticence to name the perpetrator of injury when it is an intimate partner also probably plays a part.

AIHW: Pointer S (2015). *Trends in hospitalised injury, Australia: 1999–00 to 2012–13. Injury research and statistics series no. 95. Cat. no. INJCAT 171. Canberra: AIHW. Retrieved November 2, 2017*
from <https://www.aihw.gov.au/reports/injury/trends-in-hospitalised-injury-australia-1999-00/contents/table-of-contents>

However, men do make up a significant percentage of victims of family violence overall, can experience severe and ongoing violence and abuse (even domestic homicide, where one male is killed every ten days on average), and there are very few resources or services available to support these men.

See and Tilbrook, E, Allan, A, and Dear, G (2010). *Intimate Partner Abuse of Men. East Perth:Men's Advisory Network, May 26, 2010.*

Lack of support services for male victims and their children

What support services are available in Australia for male victims and their children? Some generic (i.e. not male-specific or male-friendly) support is certainly available but such services are often unaware of the unique issues faced by male victims of family violence and are therefore unable to offer effective and appropriate help. Some generic – and even specialist male – services do not believe male victims, minimise their experiences or even blame them for the abuse. Another issue is that while individual workers within generic services might be aware of the issues facing male victims, they often face workplace cultures and systems that aren't supportive.

Government-funded services are often suspicious of 'male perpetrators claiming to be victims'.

The Victorian Government's Family Violence Risk Assessment and Risk Management Framework and Practice Guides advise service providers that, "...in all circumstances where a man is initially assessed as or claiming to be a victim of family violence in the context of a heterosexual relationship, you should refer him to a men's family violence service for comprehensive assessment or to the Victims of Crime Helpline. His female (ex)partner must always be referred to a women's family violence service for assessment, irrespective of whether she is thought to be the victim or aggressor..."

Victorian Government (2012). *Melbourne: Victorian Government, Department of Human Services, p41.*
<https://www.vic.gov.au/family-violence-multi-agency-risk-assessment-and-management>

Industry Processes and Procedures discriminate against men

The Judicial College of Victoria's Family Violence Bench Book provides sexist advice to members of the judiciary that is not supported by research, despite claiming otherwise:

"The research evidence and experience of family violence professionals unambiguously demonstrates that relatively few men in heterosexual relationships are solely victims of intimate partner violence. The majority of women who use some form of violence towards their partner have been subjected to (worse) violence by that man before, or on the same occasion. Often, men who are genuinely victims of family violence experience the violence from a same sex partner, carer or a male relative. Men who are the principle users of family violence often try to present as a victim or the victim of violence. Sometimes they succeed in convincing themselves, police and others."

Judicial College of Victoria (2014). *Family Violence Bench Book. Melbourne: Judicial College of Victoria.*
<http://www.judicialcollege.vic.edu.au/eManuals/FVBBWeb/index.htm#34578.htm>

Many men stay in abusive relationships to protect children.

According to Mitchell, many men stay in abusive relationships for the sake of their kids and the million ways in which a split might affect a child's well-being. "In a divorce, many women are highly empowered through the court process,"

Anne P. Mitchell, a retired professor of family law at Lincoln Law School of San Jose (Calif.)

<https://www.yahoo.com/lifestyle/the-number-of-male-domestic-1284479771263030.html>

Research by Ahmadabadi et al in the Journal of Interpersonal Violence has found that males more often remain in an abusive relationship and report experiencing higher rates of intimate partner violence in their current relationships compared with females. The paper, Gender Differences in Intimate Partner Violence in Current and Prior Relationships³², adds to the growing research literature supporting a gender symmetry model of family violence.

Ahmadabadi, Z., Najman, J. M., Williams, G. M., Clavarino, A. M., & d'Abbs, P. (2017). *Gender Differences in Intimate Partner Violence in Current and Prior Relationships*. *Journal of Interpersonal Violence*. Retrieved May 6th, 2019 from [journals.sagepub.com/doi/10.1177/0886260517730563](https://jiv.sagepub.com/doi/10.1177/0886260517730563)

Most children are harmed by biological mothers, not fathers, in both Australia and across the world

In Australia children are more likely to be harmed or killed by their biological mothers, than their fathers.

And the "mum and her new boyfriend" combination is the most dangerous for children of all.

Chart

<https://www.researchgate.net/figure/Filicide-victim-offender-relationship-by-victim-gender-and-age-2000-01-to-2011-12-tbl3-332172631>

Data from 33 countries distinguishing the perpetrators of parental homicides of children under the age of 18 years showed that mothers committed over half of all parental homicides.

https://bmjpaedsopen.bmj.com/content/1/1/e000112?fbclid=IwAR32OVUUV159Bce2YtQStJtUTioonD_LKpXIOyx2ccj97ht8g5WczgbGdWI

Mothers murdering their children on the rise, while fathers declining

The report shows that between 2000-01 and 2011-12 there were 238 recorded incidents of filicide in Australia, with 260 offenders involved in these incidents. Males constituted 52 per cent (124) of offenders and females 48 per cent (114).

<https://www.abc.net.au/news/2019-02-08/mothers-murdering-their-children-on-the-rise-domestic-filicide/10793162>

Women sexually harass men at identical rates

It is little known, but women harass men at similar or greater rates, and also force men to penetrate (sexual assault) at not insignificant rates.

"In a CDC study from 2011 (and in another CDC study from 2014) it was reported that 23.4% of men were harassed and 7% were raped by women.

Another statistic collected in that CDC study, was about harassment that occurred in the year preceding the study, which showed that in those 12 months the number of individuals harassed by the opposite sex was almost equal between men and women – 5.1% and 5.5%"

https://www.cdc.gov/ViolencePrevention/pdf/NISVS_Report2010-a.pdf

Domestic Violence in Lesbian Relationships

Domestic Violence rates are highest in Lesbian relationships affecting between 52% and 75% of those relationships.

Lie and Gentlewarrior: Intimate Violence in Lesbian Relationships, *Journal of Social Science Research*, 15, 41-59.

A US literary review concluded that domestic violence affects about 75 per cent of all lesbian relationships.

Women were safer in heterosexual relationships than lesbian ones.

https://d3n8a8pro7vhmx.cloudfront.net/marriage/pages/183/attachments/original/1469648679/Colleen_Stiles-Shields_and_Richard_A_Carroll.pdf?1469648679

Criminalising Coercive Control

Additional Recommendations Summary

Reform of all Domestic Violence legislation, industry, services and support

1. Review and Reform domestic violence legislation and the Family Law system.

Gender neutral services

Minister for Men

2. Establish and fund a Minister for Men, equivalent to the current portfolio of the Minister for Women.

Service for Men

3. Provide the following services for men:
 - a. Men to be included into the re-titled National Plan to Reduce Violence against **Women** and their Children 2010 – 2022 and associated systemic reforms.
 - b. Government funded public awareness campaigns be conducted to raise awareness of intimate partner violence against men.
 - c. Consideration should be given to providing publicly-funded services specifically for male victims of intimate partner abuse.
 - d. Consideration should be given to how services for male victims of intimate partner abuse can be integrated with services for female victims and general services for victims of family violence in all its forms.
 - e. Workers in the broader health and welfare fields should be provided with training to assist them to respond effectively to male victims of intimate partner abuse.
 - f. Tertiary education courses (social work; other health and human services) to consider the inclusion of specific training about meeting the needs of male victims of family violence and their children.

Gender Neutral funding, services and support

4. Gender neutralise all legislation, funding, services and support within the Domestic Violence industry and Family law Services, including but not limited to:
 - a. All legislation
 - b. All Family Court content, public and internal including Benchbooks and sentencing guidelines
 - c. Police and prosecutor policies and guidelines
 - d. Courthouse facilities
 - e. Behaviour change programs that are gender neutral
 - f. Remove all language that limits reference to traditional family structures
 - i. Remove words “each” and “both” in the Act and associated documents
 - ii. Considering the use of the term 'couple' when referring to parents or 'both' parents

- g. Gender neutralise all Legal Aid services:
 - i. Legal Aid available for defendants in AVOs/DVOs matters
- h. All government department domestic violence accreditation based training using the Duluth Model (such as White Ribbon accreditation) should be abolished
- i. All services are provided equally and identically in a non-gendered manner
- j. All publicly funded awareness campaigns

Previous Reports

- 5. We urge the Committee to follow through with the recommendations for male victims from previous parliamentary inquiries to ensure they are implemented properly.
- 6. Do not adopt the recommendations of the April 2019 Australian Law Reform Commission tabled: Family Law for the Future — An Inquiry into the Family Law System: Final Report, comprising 574 pages and 60 recommendations.
- 7. Endorse the engagement of an independent multiple stakeholder and advocacy group to produce a consolidated report of all previous parliamentary reviews focussed on domestic and family violence, inquiries, studies, research and recommendations produced in the since 2000. Including analysis of:
 - a. whether they now represent sensible measures for reform
 - b. whether they are high priority, medium priority or low priority
 - c. and the relationship (if any) of each high and medium priority recommendation to current work in progress

Research and collection of data

- 8. The gender neutralised collection of all data/surveys and research relating to domestic violence
- 9. Endorse funding and support for ongoing gender neutral research, in relation to:

Domestic violence

- a. Review of the research underpinning the Domestic Violence industry and narrative in Australia
- b. Definition, forms, causes and prevalence of domestic violence in Australian society
- c. Parental alienation status as for form of domestic violence

Recommendations in relation to Family Law Act 1975 and Domestic Violence

Urgent Domestic Violence Allegation Review Process

- 10. Create a process (legislative amendments made to the Family Law Act 1975 (Cth) to require a relevant court to determine domestic violence allegations at the earliest practicable opportunity to urgently assess claims of Domestic Violence in Family Court matters with 14 days of filing (to prevent unfounded allegations from becoming entrenched):
 - a. With adequate court resources and hearing time allocated to fully examine the claims and the evidence relied upon
 - b. With proof of balance of probabilities

-
- c. With actions in perjury and cost orders for claims found to be intentionally false or misleading on the balance of probabilities
 - d. With an emphasis to urgently re-establish withheld access to children where safety risks are unfounded or low
 - e. No ex parte orders permitted where children are involved

Domestic Violence Definition

- 11. Amend the Family Law Act to include a new definition of Family Violence to include:
 - a. A national standardised definition of domestic violence, with standardised examples of behaviour
 - b. To provide for a categorisation of Family Violence according to severity and risk:
 - i. Establishment of a low risk category that includes behaviour that is: situational, separation/relationship breakdown instigated, mutual, not part of a pattern or exercise of control, represents no risk in relation to parenting or child access issues
 - ii. Other forms of serious violence that represent risk
 - iii. With the emphasis on overcoming impediments to the urgent re-establishment of meaningful access for both parents to the children

Family Violence Orders

- 12. Remove “consent without admission” as an option and direct those application to consideration of agreeing to Undertakings. All application for Orders should be tested on evidence (with Legal Aid available to all defendants) and no party should be coerced to concede to Orders that are grossly impactful and that have possible criminal ramifications.

False statements and perjury

- 13. Introduce a mandatory penalty system when allegations and statements are found to be deliberately false, including:
 - a. Financial penalties
 - b. Custodial sentences
 - c. Adverse findings in relation to parenting and child custody/access
 - d. Adverse findings in relation to property settlements
 - e. Disciplinary action in relation to culpable legal practitioners

Family Law System Improvements

Recommendations to create an alternate non-adversarial model

- 14. Convene a cross stakeholder and advocacy group Committee to develop an alternate non-adversarial model to the current Family Law system and to develop a means to pilot, implement and test the same

Family Law Oversight Body

- 15. Endorse the creation of a multiple stakeholder (not solely staffed by industry stakeholders) independent statutory body (A Family Law Commission) that operates effectively and deserves public confidence, to undertake inquiries on systemic issues in relation to Family Law Associated Services.
 - a. undertake ongoing and systemic monitoring, and

-
- b. conduct inquiries by reference from Government or on own motion

Psychological support services

- 16. With the input of psychologists produce information and support services to assist separating parents at the point of entry into the Family Law System to assist people to manager their internal states through effective stress management, education and information to enhance decision-making and assist in building resilience for those navigating the system.

Resourcing, funding and training

- 17. Obtain funding for
 - a. Appoint more Judicial members
 - b. Allocate more funding to alleviate delay
 - c. Training for all judiciary, court staff, legal practitioners in relation to
 - i. Mental health of all parties before a court
 - ii. Gender neutral training

Family Law Complaints Process

- 18. Create a new complaints, accountability and review mechanism for a professionals within the system.

Legal Aid

- 19. Legal Aid to be available for defendant of AVO/DVOs in all cases and to be available for all other matters on a non gendered basis.



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