

**Submission
No 41**

**INQUIRY INTO DOMESTIC VIOLENCE TRENDS AND
ISSUES IN NSW**

Organisation: BoysTown

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A Submission to the

Standing Committee on Social Issues
New South Wales Legislative Council

Inquiry into domestic violence trends and issues in NSW

Prepared by BoysTown

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BoysTown

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Overview

Domestic violence is considered to be one of the most ubiquitous forms of violence. It cuts across geographical, socio-economic, age, ability, cultural and religious boundaries and is predominantly perpetrated by men against women^{1 5}. Every year in Australia, around 350,000 women will experience physical violence². In addition, up to 25% of children in Australia would have witnessed violence against their mother or stepmother³.

BoysTown welcomes the opportunity to respond to the Inquiry into domestic violence trends and issues in NSW. BoysTown actively participates and contributes to a range of inquiries including those specific to Family Law, Child Abuse and Domestic Violence (refer to www.boystown.com.au/submissions.html)

BoysTown operates a range of services in Blacktown and Campbelltown in Western Sydney, areas characterised by particularly high prevalence rates of domestic violence – (refer to attached Appendices). BoysTown also operates a short term accommodation service for homeless families located in North Richmond, The San Miguel Family Centre. This submission is based on the direct experiences of BoysTown's staff in supporting individuals and families who have experienced and continue to experience domestic violence from these service locations. Five (5) case studies are outlined, which we believe are indicative of current issues confronting practitioners in the field. Based on an analysis of these case studies, five recommendations are made which we believe would enhance current support to those who have been exposed to or are experiencing domestic violence:

Recommendation 1:

That the New South Wales Government in partnership with community services continue to fund public awareness strategies that encourage the reporting of domestic violence by both those impacted and members of the general community.

Recommendation 2:

That the workers in the community services sector be provided access to training on proper assessment of situations of violence within families.

Recommendation 3:

That the New South Wales Government commission research into the prevalence, impacts and strategies to prevent the use of online social media to harass and stalk domestic violence victims.

Recommendation 4:

That the New South Wales Government invest in the development of an increased number of specialised domestic violence counselling services for adults, young people and children who have experienced domestic violence.

Recommendation 5:

That the New South Wales Government allocate increased funding to enhance the availability of perpetrator intervention programs.

Introduction

About BoysTown

BoysTown is a national organisation and registered charity which specialises in helping disadvantaged children, young people and families who are at risk of social exclusion. Established in 1961, BoysTown's mission is *to enable young people, especially those who are marginalised and without voice, to improve their quality of life*. BoysTown believes that all young people in Australia should be able to lead hope-filled lives, and have the capacity to participate fully in the society in which they live.

BoysTown operates a range of services including Kids Helpline (KHL), Australia's only 24/7 confidential counselling service specifically for children and young people aged 5 to 25 years. Every year Kids Helpline receives almost 500,000 contacts from children and young people. BoysTown also operates Parentline (within Queensland and the Northern Territory), a Family Accommodation Service in North Richmond, NSW, a Family/Domestic Violence Refuge Service in Queensland as well as Community Development, Counselling, Parenting and Family Support Programs.

BoysTown also provides regionally-based personal development, training and employment assistance programs for marginalised young people. These include a range of social enterprises and transitional employment programs with paid work experiences designed to prepare young people to make a successful transition to sustainable employment.

BoysTown is located in regions identified as among the most disadvantaged in Australia, including Logan City, Ipswich and Inala in Queensland, North Richmond, Blacktown and Campbelltown in New South Wales, Elizabeth and Port Pirie in South Australia and a remote community in the East Kimberley's in Western Australia.

BoysTown's New South Wales Services

Employment, Education and Training Services (EET) in Campbelltown and Blacktown

BoysTown operates two EET Services in New South Wales, one in Blacktown and the other in Campbelltown. The services we provide include:

1. Job Services Australia (JSA) - employment services;
2. Training, Education and Support Services (TES) - employment preparation, counselling and vocational training; and
3. Transitional Employment (TE) – social enterprises which provide paid work opportunities for young people with the purpose of preparing them for open employment.

Through EET Services, BoysTown works with disadvantaged young people. Programs work to develop their personal and employment skills through the provision of nationally accredited training and certification, experiential learning, paid employment and individualised youth worker support which includes mentoring and case work.

San Miguel Family Centre, North Richmond NSW

The San Miguel Family Centre in North Richmond, New South Wales provides short-term accommodation for families experiencing homelessness. San Miguel is one of the few refuges in Australia that supports large family groups. As well as providing families with crisis and short term accommodation, an integrated, individualised package of support is also provided to families designed to tackle the issues that contribute to their homeless situation. San Miguel can accommodate up to 16 families at any one time in individual houses and units.

During the financial year 2010-2011, San Miguel accommodated 37 families, of which 35% identified as Indigenous and 16% were from culturally and linguistically diverse backgrounds (CALD). The majority of families experienced ongoing issues concerning domestic violence (34 families from a total of 37).

Case Studies & Key Issues

Note: All identifying information has been removed to protect service user privacy.

Case Study No. 1: Service sector perceptions - Women identified as perpetrators of Domestic Violence

Caitlin and Mark presented to San Miguel with their three small children. During the initial assessment, Caitlin disclosed to staff that there was an AVO in place to protect Mark from her as she had physically assaulted him over a year ago. The incident was attended to by the Police but no criminal charges had been laid.

Upon consultation with a number of service providers who had assisted the family in the past, it was confirmed that Caitlin had on several occasions been identified as a perpetrator of domestic violence in this relationship. However, the family's case worker became very concerned about the wider service response to the family, particularly the assessment of Caitlin as the perpetrator of domestic violence. Through observations and conversations with the family, it became evident that Mark was persistently exhibiting controlling and isolating behaviours toward Caitlin.

Caitlin subsequently disclosed to her case worker that she had been experiencing domestic violence from Mark for more than 8 years. It started when Mark was laid off from his retail job. Caitlin revealed that when she had physically assaulted Mark in February last year, she was in fact defending herself from him. She however had never contacted the Police about her experiences due to fear of repercussions from Mark. She also did not believe that the Police would do something to protect her. Caitlin further disclosed that she wished to leave with the children and be relocated to a safe place away from Mark.

With the help of the local Domestic Violence Liaison Officer, our staff were able to transfer Caitlin and her children to a domestic violence specific refuge. Caitlin also made a statement to the Police about her own experiences of domestic violence which resulted in an AVO against Mark.

What the research literature says about this issue

Non-reporting of domestic violence

Victims of domestic violence generally do not report incidents to the Police, particularly if the relationship with the perpetrator is ongoing. Common reasons for not reporting include:

1. The aggrieved party does not know that help is available.
2. The aggrieved party does not consider it serious enough and wants to deal with it alone.
3. The aggrieved party wants to preserve the family or is coerced to keep silent.
4. The aggrieved party does not believe that the Police will or can help.
5. The aggrieved party is scared and/or is financially dependent on the perpetrator.

6. The presence of mental health issues, use of alcohol and other drugs, cultural beliefs and community attitudes toward domestic violence⁴ which contribute to isolating the aggrieved person.

Women becoming violent as a response to the experience of violence and abuse in the relationship

Although the vast majority of domestic violence incidents are perpetrated by men against women,⁵ there are times when the women also engage in violent behaviours.

In reference to the above case, when an aggrieved woman becomes violent, it is not entirely clear if the violence was 'mutually perpetrated', a form of self-defence, or is a consequence of abuse by the partner. Literature suggests that the act(s) of violence perpetrated by a woman in an abusive relationship may fall under the 'Battered Women Syndrome'.

There is a vast amount of American research conducted during the '80s on the 'Battered Women Syndrome'. It is acknowledged that being in an abusive and violent relationship for an extended period of time impacts on one's ability to act rationally⁶. One study involving 52 'battered women' shows that the most frequent reason for a woman's violent acts was self-defence⁷. Unfortunately, the 'Battered Women' Syndrome has not achieved a similar degree of legitimacy and acceptance in Australia as it has in the US⁸. Additionally, literature across both the US and in Australia has at times confused conflict in relationships with violence and reports a nearly equivalent rate between both genders.

BoysTown's Position:

This case study supports the need for two significant strategies:

1. ongoing public awareness strategies concerning domestic violence that are designed to empower victims to report and seek assistance. Furthermore this case illustrates the need for caution and detailed assessment in examining claims of domestic violence perpetrated by women as these incidences may be indicative of complex patterns of violence within the relationship with their partner.
2. training and awareness of workers in the community services sector in relation to assessing situations of violence within families they are responding to.

Recommendation 1:

That the New South Wales Government in partnership with community services continue to fund public awareness strategies that encourage the reporting of domestic violence by both those impacted and members of the general community.

Recommendation 2:

That the workers in the community services sector be provided access to training on proper assessment of situations of violence within families.

Case Study No. 2: Cyber-Abuse (i.e. cyber stalking and cyber harassment) - an emerging pattern of behaviour in which modern Information and Communication Technology is used as a tool to stalk and harass victims of domestic violence

Ruth and Simon were observed by staff to be in a violent and abusive relationship, but offers of support extended by staff were declined by the couple. One morning, a simple discussion culminated in a physical altercation, resulting in Simon being exited from the service, and Ruth and her baby moved off site due to safety concerns. Unfortunately, Ruth was unable to be transferred to a domestic violence specific service, as she had disclosed cannabis use within the last three months. Having no choice, Ruth and her baby were forced to live with Ruth's mother, where there is a history of family conflict.

A month after leaving the program, Ruth started receiving messages from Simon on Facebook. She learned that Simon was "couch surfing" with his mates, was told that he was missing them and that he was trying his very best to get employment. At first, Simon's messages were respectful but once Ruth began to respond to his contacts, Simon placed a lot of psychological pressure on her to return to the relationship. Simon also started posting demeaning comments on Ruth's Facebook wall, causing her to feel ashamed. Simon even threatened to post some of Ruth's 'private' photos online.

One time, Ruth noticed that Simon seemed to know almost everything she was doing or saying online. When asked, he admitted that he had contacted some of her online friends and had tried hacking her Facebook account. Ruth then changed her password immediately. Later on, Simon's friends started taunting her by posting abusive comments online, suggesting that she should be sorry for lying about Simon's behaviour toward her and that she should be blamed for everything that had happened to them. Ruth started to feel helpless about the situation and wished for the online stalking and harassment to stop.

What the research literature says about this issue

Emotional abuse, harassment and stalking are well-documented in countless domestic violence studies. However, an emerging form of abuse and control, such as cyberstalking and cyber harassment, which involves the use of online information and modern technologies to intimidate, harass and control the intended victim are less well documented and recognised.

A recent study in America found that more than 30% of those experiencing violence (both physical and in cyber space) were stalked and/or harassed by their current or former intimate partner⁹. It was further noted that individuals who are divorced or separated are at the greatest risk from both face-to-face and online stalking/ harassment⁹.

In the US, stalking and harassment, whether physical or in cyber space, is addressed by both criminal and civil laws. However, there is no single overarching provision and no national law that specifically addresses these two issues in Australia. In addition, there is considerable focus given to cyberbullying as experienced by young people, particularly school-aged children, yet there is little

knowledge and understanding of the use of online harassment in the context of domestic violence. It is expected that this form of domestic violence will increase in prevalence given the current community wide levels of participation in online social media.

BoysTown's Position:

BoysTown contends that authorities need to consider the emerging trend of social media being used to continue the harassment of women who may have left situations of domestic violence. Research is required in relation to the prevalence and impacts of this form of domestic violence and a review of legislation is required to ensure that appropriate penalties for perpetrators and protections for those being victimised are addressed.

Recommendation 3:

That the New South Wales Government commission research into the prevalence, impacts and strategies to prevent the use of online social media to harass and stalk domestic violence victims.

Case Study No. 3: The need for specialised support for mothers and children who have experienced domestic and family violence

BoysTown staff provided family support services to Sebastian (aged 9 years), Damien (aged 6 years) with their mother, Sue. Sue spoke with staff on several occasions about significant domestic violence the children had been exposed to in the past, adding that the children's father was incarcerated due to domestic violence and other related crimes.

Staff noticed that the children were often hyper-vigilant around other people. Damien in particular experienced extreme separation anxiety from his mother. At school, Sebastian became known as a 'bully' and aggressive in his interactions with other children. Sue (who had been diagnosed with a bipolar disorder) found the children's care difficult to cope with, She struggled to put in place basic parenting strategies to assist in creating a stable home environment for her children.

Staff worked with Sue to help her conceptualise the impact of the trauma her children had been exposed to, and to put in place some parenting strategies that would provide appropriate support once they had moved to a home environment. Sue was also referred to the local domestic violence service for follow-up counselling for herself and her children. BoysTown staff worked with the school welfare team to assist the school in understanding Sebastian's experiences and putting in a complementary plan for Damien to assist in addressing his needs whilst at school.

The children now interact with their peers appropriately, are doing well at school, and the home environment and parenting strategies provided by Sue continue to support the children to grow and learn.

What the research literature says about this issue

In 2005, ABS data showed that around 1,000,000 children in Australia were affected by domestic violence¹⁰. The number has been on an upward trend since then.

The witnessing of violent acts and abuse between parents and/or caregivers is recognised as a form of child abuse because of the serious emotional, psychological, social, behavioural and developmental impacts on children. In fact, evidence shows that children who *witness* violence experience the same level of negative psychosocial outcomes as children who directly experience physical abuse¹¹.

Consistent with other research, BoysTown staff note that children and young people who reported witnessing domestic violence between their parents or carers manifest higher levels of emotional and psychological problems, exhibit higher levels of aggression, anxiety, low-self esteem and other behavioural issues when compared to those who have not been exposed to violence.

Recent Australian studies on the issue, as well as reports from Government inquiries into the Family Law Legislation, have brought to light the experiences of children and young people affected by violence. Recommendations from these included improving policies and practices to protect and support children and adult victims of domestic violence.

Evidence shows that children's safety and emotional well-being is directly linked to the safety of their mother¹². An Australian study on women's experiences of domestic violence highlights the importance of providing appropriate support to mothers so they can respond effectively and sensitively to their children's needs. In the long term, this will reduce the impact of trauma and the experience of violence on the child¹³. Research shows that children and adults who have experienced violence can cope and recover, particularly when specialised services and supports are provided.

BoysTown Position:

It is the experience of BoysTown staff in New South Wales that there is a shortage of specialised counselling services for women and children impacted by domestic violence. Attachment between mothers/carers and their children is often affected as a result of the dynamics of domestic and family violence. There is a need for the increased provision of domestic violence specific support programs, parenting programs and services to the survivors of domestic violence aimed at enhancing their resilience, assisting them to develop coping strategies and strengthening (or rebuilding) the mother-child relationship.

Recommendation 4:

That the New South Wales Government invest in the development of an increased number of specialised domestic violence counselling services for adults, young people and children who have experienced domestic violence.

Case Study No. 4: Aggrieved party staying in an abusive relationship and the lack of intervention for perpetrators of domestic violence

Lynne moved to a BoysTown accommodation program with her partner of 12 years, Chris, and their two children, aged 6 and 7 years. Prior to being provided support, the family had been couch-surfing with families and friends for more than 6 months and prior to that had been living in a caravan park for approximately 9 months.

At the initial assessment, Lynne disclosed that there had been a history of violence between Chris and herself. An AVO (with no exclusion clause) had been issued against Chris as a result. Lynne, however, had not attempted to leave Chris because she had always believed that he would change and because she loved him. Lynne also said she had no idea of where to go if ever she decided to leave him.

After some time in the service, Lynne stated that their relationship had improved and that the main reasons for past arguments were the stress the family experienced due to the children getting sick, the resulting financial strain and the cramped conditions of the caravan. Soon after, Lynne finally disclosed that Chris was very controlling of her and had completely isolated her from her friends and family. Chris had later admitted to staff that he felt he needed to "police" all of Lynne's friendships and felt that at times he had "punished" her for disobeying him in various ways.

The staff had put in place a number of strategies – a safety plan for Lynne and the offer of domestic violence counselling, which she declined. However, Chris stated that he needed assistance and he was open to referrals. The staff then looked for specific perpetrator intervention programs for him. Unfortunately, no specialised services could be sourced for Chris.

Separately, the couple accessed family counselling, but the capacity of the family counsellor to address the specific behaviours of Chris was not successful. (BoysTown staff were not aware that Chris had arranged family counselling and therefore had no opportunity to brief the counsellor about the violence and potential safety issues).

The family later on became successful in transitioning to community housing and continued receiving support from BoysTown staff. Not surprisingly, domestic violence issues persisted and were difficult to address without a specialist program for Chris to access.

What the research literature says about this issue

Support for the perpetrators of domestic violence

Perpetrators of domestic violence need as much support as the people they aggrieve and assault. The identified common characteristics of a person who perpetrates violence in the family home includes: low self-esteem, dramatic mood swings and persistent need for power and control.

Other studies have found that 'men who abuse their partners are more likely to be young, unemployed, and are likely to have witnessed violence as children in their own families¹⁴; they may have a range of psychiatric problems and be

engaging in substance misuse¹⁵. Many perpetrators are violent under the influence of alcohol^{16 17}.

Recognition of the preceding underlying factors in perpetrating domestic violence will help inform the development of intervention programs. Considerable effort has been made internationally to respond appropriately through individual, community and coordinated programs. Perpetrator intervention programs have been recognised in other Inquiries (e.g. the National Council to Reduce Violence against Women and Children) as being an essential strategy in reducing the incidence of domestic violence³. Programs do require specialist and rigorous training and standards to be applied, so that where couples continue to reside together there is accountability across service responses to men and women that maintains safety. Family counselling is recognised as an intervention only when safety can be assured and this type of counselling is usually not recommended as the first intervention offered.

Resourcing effective responses to men who perpetrate family violence continues to be a controversial issue, particularly due to the general belief that perpetrator programs remove scarce resources from services for women and children. Moreover it has been claimed that these programs may compromise the safety of the aggrieved party if the perpetrator's attendance encourages a women to prematurely reunite^{18 19}.

BoysTown staff believe that there is a lack of available perpetrator intervention programs in New South Wales and a lack of understanding amongst generalist services in responding to perpetrators of violence.

BoysTown Position:

The New South Wales Government needs to invest in the development of perpetrator programs across the State.

Recommendation 5:

That the New South Wales Government allocate increased funding to enhance the availability of perpetrator intervention programs.

Appendices

Prevalence and trends of domestic violence incidents in New South Wales and in areas where BoysTown operates:

Comparative data

BoysTown is located in areas identified as highly disadvantaged in New South Wales. Tables 1, 2, 3, 4 and 5 present comparative data on domestic violence incidents from All of NSW State, Blacktown, Campbelltown, Outer Western Sydney Statistical Division and Hawkesbury (where North Richmond is).

A.1 All of New South Wales

Table 1 shows that the five-year trend in domestic violence-related assaults has been relatively constant across NSW. This means that domestic violence continues to be a concern in the state.

Table 1. Recorded incidents of selected offences in the All of NSW State							
Annual totals and 60 month trend from July 2006 to June 2011							
Assault - domestic violence related	Jul 2006 to Jun 2007	Jul 2007 to Jun 2008	Jul 2008 to Jun 2009	Jul 2009 to Jun 2010	Jul 2010 to Jun 2011	Total	60 month trend
	20.5%	19.3%	20.0%	19.9%	20.3%	100.0%	Stable

The above data is supported by a recent study commissioned by the NSW Department of Attorney General and Justice which shows that *'domestic violence continues to be problematic at certain times, in certain places and particularly in some communities'*¹.

A.2 Blacktown, New South Wales

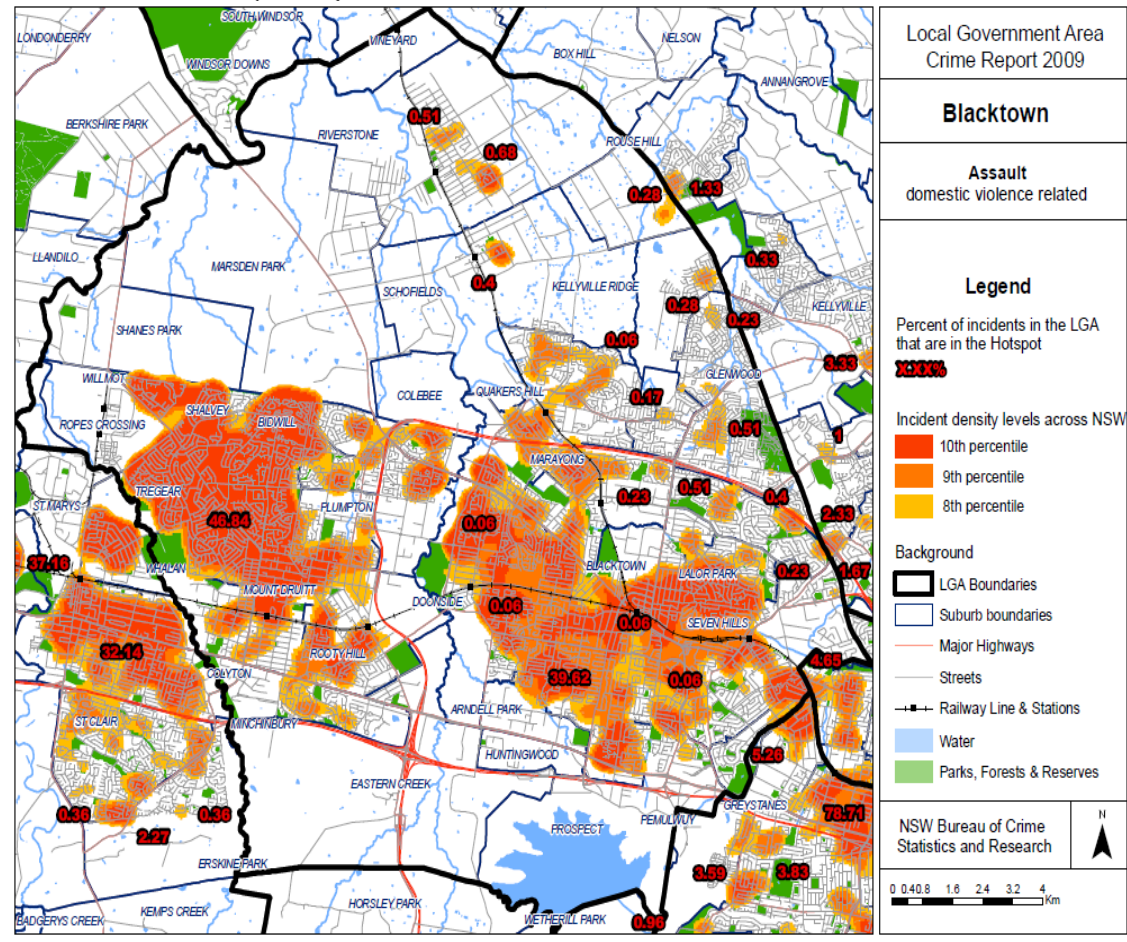
In 2010, police data shows that Blacktown was ranked 24 out of the 141 NSW local government areas with populations greater than 3000 people for domestic violence assaults per 100,000 residents²⁰. The rate of domestic violence incidents per 100,000 people in Blacktown was 579.4, almost the double rate for Sydney statistical division (324.7) and NSW (364.5)²¹. Domestic violence incidents (1,737) in Blacktown were the highest out of all areas in NSW (in part due to population size)²¹.

Table 3 highlights the continued prevalence of domestic violence as a social issue in the Local Government Area of Blacktown. From 2006 to 2010, around 20% of offences recorded in Blacktown were domestic violence-related assaults.

Table 2. Recorded incidents of selected offences in the Blacktown Local Government Area

Annual totals and 60 month trend from July 2006 to June 2011							
Assault - domestic violence related	Jul 2006 to Jun 2007	Jul 2007 to Jun 2008	Jul 2008 to Jun 2009	Jul 2009 to Jun 2010	Jul 2010 to Jun 2011	Total	60 month trend
	20.7%	18.1%	19.7%	20.5%	21.0%	100.0%	Stable

Figure 1. Hotspot map for domestic violence related assault incidents in Blacktown LGA (2009)²²



A.3 Campbelltown

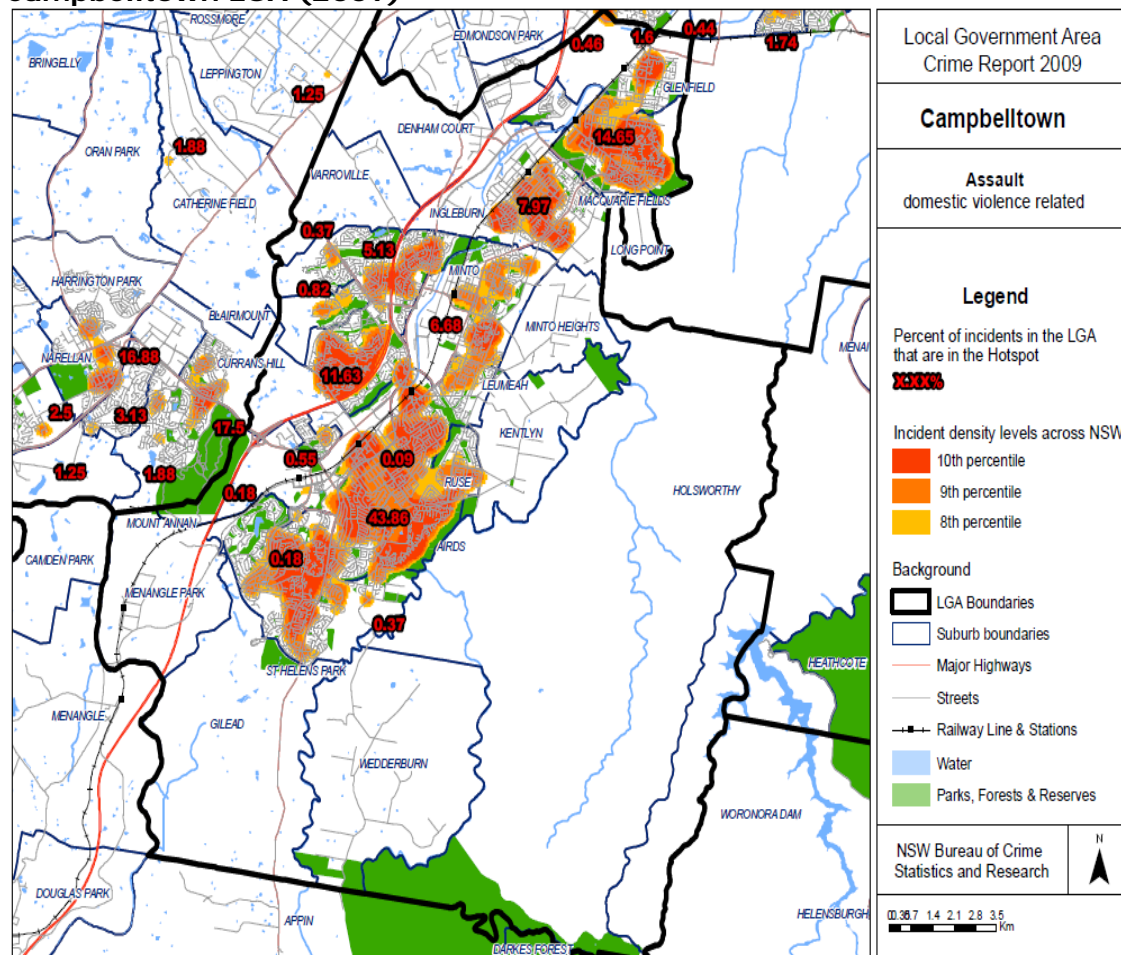
Crime and safety is one of the issues most impacting on people's quality of life in Campbelltown. In 2010, police data shows that Campbelltown was ranked 17 out of the 141 NSW local government areas with populations greater than 3000 people for domestic violence assaults per 100,000 residents²¹. The rate of domestic violence incidents per 100,000 people in Campbelltown was 685.0, more than double the rate for Sydney statistical division (324.7) and almost twice the rate of NSW (364.5)²³. Domestic violence incidents (1,042) in Campbelltown were the second highest out of all areas in NSW (in part due to population size)²³.

Table 4 highlights the continued prevalence of domestic violence as a social issue in the Local Government Area of Campbelltown. From 2006 to 2010, around 20% of offences recorded in Campbelltown were domestic violence-related assaults.

Table 3. Recorded incidents of selected offences in the Campbelltown Local Government Area							
Annual totals and 60 month trend from July 2006 to June 2011							
Assault – domestic violence related	Jul 2006 to Jun 2007	Jul 2007 to Jun 2008	Jul 2008 to Jun 2009	Jul 2009 to Jun 2010	Jul 2010 to Jun 2011	Total	60 month trend
		21.8%	18.8%	20.7%	19.9%	18.8%	100.0%

Further to the above, taking into consideration the different risk factors for domestic violence based on studies, which include income, education, cultural background, family status and personal factors such as gender, age and health status, the following was found:

Figure 2. Hotspot map for domestic violence related assault incidents in Campbelltown LGA (2009)²⁴



A.4 Outer Western Sydney and Hawkesbury

Although incidents of domestic violence in Hawkesbury were not as high as Blacktown or Campbelltown, the issue is still a concern with 241 domestic violence incidence reported in 2010. The rate of domestic violence incidents per

100,000 people in Hawkesbury was 376.4, just over the rate for Sydney statistical division (324.7) and the rate of NSW (364.5)²¹. Of the top 10 LGAs in the Sydney metropolitan region ranked by rate of domestic assault incidents, Hawkesbury ranked eighth in 2010.

Table 4 highlights the continued prevalence of domestic violence as a social issue in the Local Government Area of Hawkesbury. From 2006 to 2011, the domestic violence-related assaults trend recorded in Hawkesbury was relatively stable, with only FY 2009-2010 showing a slight proportional increase of 3.9%.

Table 4. Recorded incidents of selected offences in the Hawkesbury Local Government Area (North Richmond)							
Annual totals and 60 month trend from July 2006 to June 2011							
Assault - domestic violence related	Jul 2006 to Jun 2007	Jul 2007 to Jun 2008	Jul 2008 to Jun 2009	Jul 2009 to Jun 2010	Jul 2010 to Jun 2011	Total	60 month trend
		19.6%	19.3%	18.5%	22.4%	20.2%	100.0%

Whilst incidents of domestic violence in Hawkesbury's LGA remain relatively stable, Table 5 shows that in 2010, there was an increase of domestic violence-related assaults in the Statistical Division of Outer Western Sydney (where Hawkesbury is located).

Table 5. Recorded incidents of selected offences in the Outer Western Sydney Statistical Subdivision							
Annual totals and 60 month trend from July 2006 to June 2011							
Assault - domestic violence related	Jul 2006 to Jun 2007	Jul 2007 to Jun 2008	Jul 2008 to Jun 2009	Jul 2009 to Jun 2010	Jul 2010 to Jun 2011	Total	60 month trend
		19.6%	19.1%	18.7%	19.6%	23.0%	100.0%

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