

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

Name: Mr Trevor Farrell

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The Director
Standing Committee on Social Issues
Parliament House
Macquarie St
Sydney NSW 2000

Inquiry into Domestic Violence Trends and Issues in NSW

Dear Sir/Madam,

Thank you for the opportunity for me to participate in this inquiry.

Firstly, please allow me to briefly set out my background. I am a male who for a number of years was the victim of verbal, emotional & occasionally physical abuse from my wife. When I at last left the abusive relationship, she reported to the police that I had pushed her over & attempted to run over her with our car. I had scratch marks & bruises, she had no visible injuries. The police, without any investigation, issued an ADVO against me. When I showed my injuries, I was told that since they were acting for my wife, they could not act for me, and that if I wished to have an ADVO issued against her, I would have to do so through the local Court House. I was further informed that they had to give priority to protecting my wife, as she was a woman with a disability.

My experience provides what could be a text-book example of what is wrong with the current system.

The main problem, as I see it, is that the media & numerous special interest groups invest a lot of energy into equating "domestic violence" with "men bashing women". This is only a part of the problem. It is supported by crime statistics, which in the case of domestic violence, are fatally biased for several reasons:

- Women are encouraged to report, men are ridiculed for reporting.
- Less reputable divorce lawyers encourage their female clients to exaggerate or even outright fabricate claims.
- Police, without investigation, tend to believe the woman.

There are numerous unbiased studies & reports, played down or dismissed by those "in the industry" which show that, if anything:

- Women are more likely to be the aggressor than men
- Female aggressors are more likely to inflict serious injury.

Perhaps the most startling is the Australian Institute of Criminology study by research analyst Jenny Mouzos titled 'Homicidal Encounters' which reveals in part that "biological mothers posed a more lethal risk to their own. Biological mothers account for about 35 per cent of all filicides while biological fathers account for 29 per cent." **In plainer words, an Australian child is more likely to die at the hands of its mother than its father!**

There are many such reports easily found on the internet, I would refer you to the Men's Rights Agency at <http://www.mensrights.com.au> as a starting point.

Domestic Violence must be recognised as violence between two (or more) people **regardless of gender**. Until the “men bashing women” myth is put to rest any Domestic Violence Policy will be fatally flawed. This is, of course, especially important in the Gay & Lesbian community. How can for example, any policy based on “men bashing women” perceptions address violence in a lesbian relationship?

Another change that I see necessary is that ADVO's between adults must (where the Police have not fully investigated the matter) be equally binding upon all named parties. There should not be an offender, or a person in need of protection, simply an order that these people refrain from certain actions and behaviours. This would totally remove the “payback” ADVO's that currently take up so much court & police time, as well as encouraging victims to take some responsibility for their own protection by removing the temptation to confront the offender with words to the effect of “See: I've got this – you can't come near me now!” This would also greatly reduce false allegations, as the person making the allegations would be seen as equally at fault (or not at fault) until the claims were investigated in due course.

With respect to the Terms of Reference, I would like to express the following opinions:

- In order to increase compliance and reduce breaches, you need a higher likelihood of being caught, not higher penalties. This mandates more police, especially in rural areas.
- GPS devices should only be used in severe cases that have been fully investigated. Abuse of minors would be one circumstance where this might be justified.
- For a penalty to be adequate, it must be applied. To apply a penalty you have to prove a breach. See my earlier comment about increased police numbers.
- Early intervention requires education. It also requires a safe way for victims (men & women) to explore their options & report their circumstances. Screening must be done regardless of gender – at present, thanks to the “men bashing women” myth, only women and children are screened in NSW Health!
- The increase in numbers of women being proceeded against is a good thing, it indicates that the “men bashing women” myth is failing of it's own accord! Be prepared for the numbers to continue to even out, as they inevitably will do.

Thank you for your time.
Sincerely,

Trevor Farrell