Australian Domestic & Family Violence
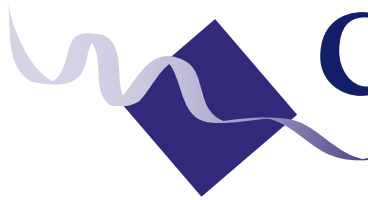# CLEARINGHOUSE

Progress, trends and challenges in Australian responses to domestic violence

A background paper to the *Issues Paper* Series

Dr Lesley Laing

Introduction

THIS paper aims to set the scene for future *issues papers* by briefly reviewing Australian responses to domestic and family violence over the past quarter century; by identifying trends in the development of community and government responses; and by identifying some current issues which provide challenges and opportunities for new directions. Emerging issues and trends identified in this background paper will be explored in greater detail in future *issues papers*.

There is no uncontested terminology or definition of behaviours referred to as 'domestic' and 'family' violence. Domestic violence is the term most commonly used in Australia to describe violence and abuse occurring between persons who are, or who have been, in an intimate relationship (Miller Mahon 1991). It is defined in the following way in the *Partnerships Against Domestic Violence* Statement of Principles agreed by the Australian Heads of Government at the 1997 National Domestic Violence Summit:

Domestic violence is an abuse of power perpetrated mainly (but not only) by men against women both in relationship and after separation. It occurs when one partner attempts physically or psychologically to dominate and control the other. Domestic violence takes a number of forms. The most commonly acknowledged forms are physical and sexual violence, threats and intimidation, emotional and social abuse and economic deprivation.

The term domestic violence is a 'well recognised shorthand' which is useful because it names violence in the home explicitly and avoids covering it up with terms such as 'relationship/marital conflict' (Humphreys 1997). However, use of the term 'domestic violence' (and similarly terms such as 'family violence' and 'spouse abuse') has been criticised for obscuring the gendered nature of the most frequent form of violation: the abuse of women by their male partners, and hence simultaneously obscuring the issue of male responsibility (Lamb 1991). Terms such as 'battered women' and 'battered wives', used more frequently in the United States than in Australia, include the gender and relationship of perpetrator and victim but have the disadvantage of focusing narrowly on certain physically assaultive behaviours. Similarly, 'criminal assault within the home' captures the criminal nature of much of the behaviour involved, but fails to capture other forms of abuse and intimidation which comprise domestic violence in addition to physical and sexual assault. These include psychological abuse, economic abuse (e.g. denying access to financial resources) and social abuse (e.g. controlling contact with friends and relatives). The term domestic violence also encompasses marital homicide, homicide/suicide and stalking and intimidating behaviours after separation of an intimate relationship (Domestic Violence Prevention Unit 1999). Almeida and Durkin's definition (1999, p. 313) adds the contextualising features of intentionality and coercive control:

Domestic violence is the patterned and repeated use of coercive and controlling behavior to limit, direct, and shape a partner's thoughts, feelings and actions. An array of power and control tactics is used along a continuum in concert with one another.

Historically the term 'domestic violence' referred to violence within heterosexual relationships, although increasingly it has been expanded to

Partnerships Against Domestic Violence

THE UNIVERSITY OF NEW SOUTH WALES

include violence and abuse within gay, lesbian and transgender relationships. Attempts to be more inclusive of different forms of relationships through the use of terms such as 'partner abuse' achieve this aim but, as with the term 'domestic violence', also obscure the gendered nature of the majority of violence within intimate relationships. Approaches to more inclusive practices are discussed later in this paper.

The term 'family violence' is used to refer to violence in Indigenous communities because this term is seen by many Indigenous people as more in keeping with a holistic approach to understanding violence. Violence is seen to affect all members of families and communities (e.g. WA Domestic Violence Prevention Unit 1999b; NSW Health 1995). It is acknowledged, however, that this view is not held by all Aboriginal and Torres Strait Islander peoples (Bagshaw et al. 1999, p. 43). The term 'family violence' is also used to refer to violence and abuse perpetrated within familial relationships, other than partner violence and abuse of children by parents (child abuse). Thus it includes, for example, violence by adolescents towards parents, or abuse of older family members by non-partner family members.

There is also contention about the use of terms such as 'victim' and 'perpetrator'. The strength of these terms is that they make clear the power relationship in which abuse occurs. However, they have the disadvantage of portraying women as passive victims and men as abusers, thereby narrowing the perception of possibilities for change. Some prefer to use terms such as 'men who use violence' to denote that such behaviour is a choice and/or that it is open to change, and 'survivor' or 'women who experience violence' to acknowledge the resourcefulness which women bring to bear in dealing in many ways with violence and abuse. These various terminologies are used interchange-ably in this document, reflecting the different emphases over the history of the movement against domestic violence. Terminology which is useful in bringing a social problem to prominence may later be less useful in developing and refining responses (Peled et al. 2000).

The foregoing discussion indicates the challenges involved in finding useful ways of discussing behaviours and experiences which**, until recently,** were not named. Such discussion also sensitises researchers, policy makers and service providers to the power of language in both closing and opening space for those victimised to name their experiences and obtain information and access services (Bagshaw et al. 2000; Kelly 1988).

Private to public

DOMESTIC violence was named as a public and political matter by second wave feminism, a social movement originating in the late 1960s and early 1970s. Researching domestic violence in the late nineteenth and early twentieth centuries, historian Judith Allen (1982) found that historical evidence of domestic violence was rare, but was revealed in the archives of the NSW Criminal and Divorce courts. Patterns of spouse murder revealed in the criminal records are unsurprisingly similar to those found in more recent research: men killed their female spouses more frequently than the reverse; and 63 per cent of women who killed their partners did so after a long period of violence at their husbands' hands. Allen observes:

The bedrock of most habitual wife-bashing was the man's view that the woman had been insufficiently obedient, subordinate and attentive to his needs and desires. This involved definite and traditional ideas of proper sex roles within marriage and most men appear to have considered their violence to be completely justified and requiring no remorse or apology. (1982, p. 4)

Because of its very nature – hidden and private – domestic violence was not initially on the second wave feminist reform agenda (McGregor & Hopkins 1991). Early demands of the movement centred on the issues of reproduction and childcare, and removal of discrimination against women in the workplace. It was not until the mid 1970s that male violence against women – violence perpetrated mainly in the private or domestic sphere – became part of the feminist agenda. As women spoke of their experiences in 'consciousness raising' groups, the formerly hidden abuses of male power within the domestic sphere were revealed. Feminist theory focussed on patriarchy as a structural form of social organisation which, with its gendered imbalance of power, creates the conditions for the oppression of women through rape and other forms of violence.

Feminists' action — establishing refuges

The impetus for the development of contemporary responses to domestic violence came from the women's refuge movement. The first women's refuge[1] in Australia (Elsie) was established by a group of feminists in Sydney in 1974**.** These women's direct action, squatting in two derelict inner city houses, reflects the radical and highly political flavour of the movement. By 1980, there were approximately 100 refuges across Australia (Saville 1982). Women who established feminist refuges identified the abuse of women within intimate relationships as but one

manifestation of gendered inequality. The organisation of the refuges reflected active efforts to combat inequality, utilising non-hierarchical methods of organisation such as collective management to avoid replicating oppressive hierarchical structures.

Within months of opening, Elsie sought funding from the Federal government. Melville (1998, p.18) notes that, despite feminists' concerns about entering into contractual arrangements with the state: 'The most important reason for seeking government funding was to force the government into recognition of its responsibility to meet the specific needs of homeless women escaping violence'. Within a year of Elsie's foundation, the federal government provided funding for the 11 refuges then in operation. However, in 1976, the federal government began the process of handing funding responsibility over to state governments. This posed risks to the continuation of refuges in those states with governments not favourably disposed to supporting refuges (McGregor & Hopkins 1991). Between 1976 and 1983, refuges were engaged in a 'struggle for survival' (Melville, 1998, p.19), which included a national political campaign involving a series of demonstrations at Parliament House, Canberra in 1981. However, in 1981/82 all direct federal funding ceased, and the political struggle for survival of women's refuges continued at state level. In 1983, federal funding was restored under the Women's Emergency Services Program which also provided funding for four domestic violence services addressing the needs of migrant women (McGregor & Hopkins 1991). Since 1985, women's refuges have been funded under the joint Commonwealth/State/Territory Supported Accommodation Assistance Program (SAAP).

The SAAP Act…clearly acknowledges the unique characteristics of women's refuges, including their non-institutional nature, the social, economic and political circumstances that make women's living intolerable, and their primary focus on domestic violence. It also clearly acknowledges a much broader role that refuges perform in wider society. (Melville 1998, p. 27)

In 1997/98, over 40,000 periods of support were provided by SAAP services across Australia to women escaping domestic violence (Women's Services Network, 2000).

The refuge movement has continued to play a key role in the development of services to assist women and children escaping violence. This has been through direct service provision, lobbying for improved services, advocating for the needs of women and children experiencing violence and through attention to issues of access and equity in service provision (NSW Women's Refuge Working Party 2000). This discussion in no way encompasses

The most important reason for seeking government funding was to force the government into recognition of its responsibility to meet the specific needs of homeless women escaping violence.

the roles played by all the individual women and groups of women who argued against domestic violence and contributed to the social change process. Nevertheless, discussion has focussed on women's refuges because of their unique and key role in the movement against domestic violence.

Actions by State and Territory governments[2]

The early movement against domestic violence was characterised by efforts to move the issue from the private to the public sphere, and particularly to emphasise its criminal nature. Since State and Territory governments are responsible for the administration of criminal justice, they were key players in the next phase of action to address domestic violence. The success of efforts to involve Governments in the process of social change in Australia has been attributed to the willingness of 'femocrats' (feminists working within government bureaucracy) and grassroots feminists to work together towards common goals:

It is the collaboration between women inside and outside the bureaucracy which has enabled the movement against domestic violence to make the progress it has. (McGregor & Hopkins 1991, p. 43)

Throughout the 1980s, State and Territory governments responded to the call for action against domestic violence, commissioning reports which explored the dimensions of the problem and developing blueprints for action. These reports (Western Australia 1986; Queensland 1988; Victoria 1985; Northern Territory 1983; South Australia 1987; New South Wales 1988 and 1990; Tasmania 1990, cited in Miller Mahon 1991) were reviewed in 1991 by consultants commissioned by the ACT government. The review noted that most of the reports took the form of discussion papers, sometimes including a smaller proportion of survey material on one or more aspects of domestic violence. In contrast, the Queensland (1988) and Western Australian (1986) reports included substantial original research. All reports documented problems and issues in data collection about domestic violence. The reports addressed a range of issues in common: the law and policing; women with special needs;

> **By the beginning of the 1990s significant legal reforms encompassing changes to police policy and practice had been achieved.**

approaches to dealing with perpetrators; responses of service providers in a range of generalist services; and access to housing. The Queensland report (1988) paid particular attention to the impact of domestic violence on children and initiated the first effort to estimate the financial cost of domestic violence to the community[3].

Legal reform[4] was a key focus of State and Territory initiated changes. This reform had two key aims. The first was to make the criminal law more effective in dealing with criminal assaults occurring within the privacy of the home. To achieve this aim, changes to legislation were required to give police expanded powers of entry to premises to investigate complaints of domestic violence, to make spouses compellable witnesses in domestic violence matters and to change bail legislation to better address the safety of victims. These legal reforms were supported by changes to police policy and practice. A major cultural shift was required to move from a practice of 'counselling' and separating couples who were seen to be involved in a private dispute, to a policy of arrest for criminal offences (Nixon 1992).

The second aim was to provide protection from future violence and harassment for victims through the creation of 'quasi-criminal' protection or restraining orders. Protection orders, variously titled in different jurisdictions, are civil orders under which restrictions and conditions are placed on the defendant. Since the standard of proof required to obtain an order is 'the balance of probabilities', rather than the higher, criminal standard of 'beyond reasonable doubt', these orders were seen as making protection more readily accessible to women. It was suggested that, as these orders do not (unless breached) constitute a criminal offence, women may be more willing to pursue this course of action than to proceed with criminal charges for assault. The Queensland Domestic Violence Task Force also argued:

Protection orders are an acknowledgment that wanting the violence to end is not necessarily the same as wanting the marriage to end. (1988, p. 61)

Over time, further reform has occurred in most jurisdictions. This 'second wave' of reform has been directed at measures such as increased penalties for breaches of protection orders, creation of the offence of stalking, increasing police powers in relation to firearms and reciprocal enforcement of protection orders in other jurisdictions (Putt & Higgins 1997, p. 11). Such reforms are part of an ongoing process. For example, amendments in 1999 to Queensland's *Domestic Violence (Family Protection) Act* (1989) included broadening the definition of 'spouse' to include same sex relationships.

By the beginning of the 1990s significant legal reforms encompassing changes to police policy and practice had been achieved; community education programs had been conducted; professional educational strategies put in place; and rape in marriage was a crime in all States and Territories. While this discussion has focussed on changes implemented at State and Territory government level, it is important to emphasise that the key to successfully implementing these changes has been the commitment by individuals and groups across a range of legal, health and welfare agencies, in both government and non-government settings, to developing locally based interagency networks to co-ordinate and improve service delivery at the local level (e.g. NSW Domestic Violence Committee 1992). Experience of service providers at the local level has in turn identified and promoted the need for further change and reform.

Federal government involvement

A new stage in Australia's response to domestic violence was reached during the second half of the 1980s with increased involvement of the federal government. McGregor and Hopkins (1991) note that domestic violence emerged as a priority issue from broad community consultations held in 1986 designed to establish a National Agenda for Women. In response to this, the Commonwealth Office of the Status of Women (OSW) implemented a multi-faceted, three-year national domestic violence education campaign, commencing in 1987. This included a media campaign, targeted information strategies to a range of service providers, resource kits for community groups and a national training forum.

As a first step, a national survey of community attitudes to domestic violence was commissioned. The results supported explanations of domestic violence which assert that it is socially sanctioned: one in five people considered the use of physical violence by a man against his wife acceptable under some circumstances; more than half considered it could be justified for a man to yell abuse at his wife; a third of people believed that domestic violence is a private matter to be handled within the family; and more than a quarter of the population would ignore the situation if they found out that a neighbour beats his wife (Public Policy Research Centre 1988).

A second survey of community attitudes to violence against women, conducted eight years later (Office of the Status of Women 1995), provides a comparison

with the 1987 survey. The 1995 survey found that there was "very good" community understanding of domestic violence: 94 per cent of respondents agreed that alcohol is not an excuse; 93 per cent agreed that domestic violence is a criminal offence; 85 per cent agreed that wealthy neighbourhoods are not exempt; and 80 per cent agreed that domestic violence is not a private matter. However, increased community understanding was not found to have been translated into improved community response: 83 per cent agreed that "most people turn a blind eye to or ignore domestic violence" (OSW 1995, p. 35). Further, the survey identified little understanding of the constraints victims face in dealing with violence. However, the number who saw "provocation" as an excuse for violence almost halved between 1987 and 1995 (8 per cent in 1995, 14 per cent in 1987).

Federal government involvement in the issue of domestic violence has continued and grown. In 1992, the National Committee on Violence Against Women produced a National Strategy on Violence Against Women (NCVAW 1992). One of its recommendations was that the Bureau of Statistics and OSW work together to develop a tool to measure the level and types of violence against women. The resulting Women's Safety Survey (ABS 1996) provided the first national data on the nature and extent of violence against women in Australia. In relation to domestic violence, the survey found that 23 per cent of women who have ever been married or in a de facto relationship experienced violence by a partner at some time during the relationship.

Domestic violence is now firmly established as an issue of importance at the federal level of government as evidenced by the resources committed to the *Partnerships Against Domestic Violence* program by the current government and the identification of domestic violence as a priority area under the National Crime Prevention strategy. *Partnerships Against Domestic Violence* was launched in 1997 at the National Domestic Violence Summit convened by the Prime Minister. A Joint National Statement by Heads of Government outlined the principles underpinning this collaborative Commonwealth, State and Territory initiative which aims to develop more effective responses to domestic violence in policy, practice and research.

Within a quarter of a century, a subject once shrouded in secrecy has assumed a prominent place on the agenda of all State and Territory governments, and the Federal government. It is salutary to recall that, less than a century before the first feminist actions to place domestic violence on the political and social agenda, it was lawful for a man to beat his wife; women could not own property, nor could they have the custody of children. Clearly much has been achieved[5].

An international context

The issue of violence against women is increasingly recognised at the global level as gender based violation of human rights (Charlesworth & Chinkin 1994; Thorpe & Irwin 1996; Stubbs 1999; Walker 1999). This violence takes many forms, including female infanticide, deprivation of food for girls and women, dowry deaths, honour murder, disproportionate exposure to HIV/AIDS, harmful traditional practices such as sati and genital mutilation, battering, marital rape and murder. There is growing documentation (e.g. Fiscbach & Herbert 1997) of gender based violence across cultures and its impacts on the mental and physical well being of women. Fiscbach and Herbert (1997, p. 1162) note that a cross-cultural perspective enables us 'to learn *about* violence against women in other regions while simultaneous learning *from* the experience of people working to define and combat this problem within the context of their communities'.

Some current issues

Using the law

Law reform creates a space, a process, an opportunity for addressing violence, but by no means guarantees the outcome. (Stubbs 1994, p.10)

This observation encapsulates some of the dilemmas raised through turning to the law for redress against domestic violence. On the one hand a major advance in addressing domestic violence was to bring it out from the private sphere into the public one where it was and is recognised as criminal behaviour. However, the path of legal reform paradoxically involves women in a social system which has been identified as one through which women's inequality is institutionalised (Smart 1989; Scutt 1990). New services, such as court support schemes, have subsequently been developed to assist women to negotiate the legal system.

The emphasis on civil protection orders in Australia has been criticised by some commentators. For example, McGregor & Hopkins (1991) see irony in the fact that that the focus of activism was recognition of the criminal nature of domestic violence. Yet in many cases where assaults have occurred, no charge is laid by the police and a civil order taken instead. Scutt (1990) regards this as effectively decriminalising domestic violence. Based on her Melbourne research, Hunter (1999) argues that the emphasis on consent – mutually agreed settlements – in hearings concerning protection orders has the advantage of affording access to protection for women, but at the same time helps to maintain the silence about abuse and violence. Defendants are strongly encouraged to consent to the order being

made 'without admissions', yet, as Hunter points out, no one asks the woman if she would prefer to tell her story and prove her case or if she is happy to obtain the order while the defendant is able to deny his violent behaviour.

The centrality of protection orders to Australian reforms has meant that considerable research attention has been paid to examining the impact of such legislation. Putt and Higgins (1997) cite five such studies covering the operation of protection orders in four states in the period between 1985 and 1993. The most recent study (Trimboll & Bonney 1997) surveyed a sample of women and men granted Apprehended Violence Orders (AVOs) by local courts in Sydney. Respondents were interviewed when the order was first granted, and one month later. A subsample was interviewed again three months later and a further subsample was interviewed for a fourth time six months after the order was served. It was found that for the vast majority of respondents, there was a reduction in stalking, physical assaults, threats of physical assault, verbal abuse, nuisance telephone calls and other forms of intimidation or harassment up to six months after the order was served. The only form of unwanted behaviour found to increase after the AVO was served was approaches to family, social and work networks. One hundred and fifteen breaches of AVOs were reported by respondents, of which the majority (77 per cent) occurred during the one month follow-up period only. Thirty six per cent of these breaches were reported to the police. However, in 73.2 per cent of reported breaches, police took no action. These findings and other Australian research (NSW Ombudsman 1999; Katzen & Kelly, 2000) identify the policing of domestic violence as an ongoing challenge.

A variety of approaches to legal reform and policing are being developed in different jurisdictions. These will be discussed in detail in a future *Issues Paper,* but consistent with the purposes of this background paper, some brief examples are provided to illustrate the evolving patterns of legal intervention. Some North American jurisdictions have introduced 'evidence based' prosecutions where the case is prepared by the police and prosecutions occur on the assumption that the victim will not be in a position to testify in court (Tynan 1999; Statistics Canada 1999, p. 41). It is argued by some in support of this approach that relying solely on the victim's testimony is tantamount to negligence and further abuse of victims, given the increased danger to a victim's safety immediately after separation from the offender (Tynan 1999). While enthusiastically endorsed by some proponents, approaches such as this – including mandatory arrest and mandatory or 'no drop' prosecution – are the subject of consider-able controversy. Mills (1999) argues that there is

some empirical evidence that interventions such as mandatory arrest and prosecution may actually increase violence towards some abused women, particularly women of colour. Mills acknowledges that 'mandatory' approaches have some benefits which include demonstrating to men who abuse their partners that their behaviour has consequences and ensuring that police and prosectors take domestic violence seriously. However, she argues that these are outweighed by the costs, which involve subjecting women to tactics that she believes mirror the coercive tactics employed by their abusive partners.

Another approach to making the criminal justice system more responsive to the needs of victims is to establish specialised domestic violence courts. One such court was established in Winnipeg, Canada in 1990. The goals included processing cases more quickly, increasing witness and victim information, providing more consistent and appropriate sentencing to better protect the victim and to mandate the offender, and increasing the monitoring of offenders (Statistics Canada 1999). The specialist response comprises five components: a pro arrest policy; a women's advocacy and child victim witness program; a specialised prosecutorial unit; specially designated court rooms and dockets for intake, screening court and trials; and court mandated treatment programs. The most noticeable outcome to emerge over the life of this specialised criminal justice system response is the increase over time in the 'stay rate'. (A halt in judicial proceedings unless further action is initiated by the Crown within one year). This is attributed to the transfer of discretion from police (via the pro arrest policy) to specialist prosecutors whose policy guidelines aim to ensure that victims are not unintentionally re-victimised by participation with the court system (Statistics Canada 2000, pp. 45-46). Specialised courts have been developed in South Australia and Western Australia, in concert with coordinated services for perpetrators, survivors and children.

Sweden has introduced new legislation which attempts to address one of the difficulties of prosecuting domestic violence – usually a series of behaviours over time – in the criminal justice system which is based on proving breaches of particular laws, rather than a pattern of behaviour (Nylen & Heimer 1999). Legislation passed in 1998 introduced a new offence into the Swedish Penal Code. 'Gross violation of a woman's integrity' refers to acts committed by men against women with whom they have a close relationship. A companion offence, 'gross violation of integrity' protects children and other close relatives. Police are now able to charge a man for gross violation of a women's integrity in addition to sentencing him on each individual charge (e.g. assault, sexual or other molestation).

Children, young people and domestic violence

Concern for the impact of domestic violence on children is now an issue of priority concern in Australia. This concern has grown from research identifying the frequent co-existence of domestic violence and child abuse and neglect (e.g. Stark & Flitcraft 1988; Goddard & Hiller 1993; McKernan McKay 1994; Smith, O'Connor & Bethelsen 1996) and from a growing body of research regarding the deleterious effects of living with domestic violence on children's and young people's physical, cognitive, emotional, behavioural and social development. (For summaries see Jaffe, Wolfe & Wilson 1990; Peled & Davis 1995; Parkinson & Humphreys 1998; National Clearinghouse on Family Violence 1999). Eisikovits, Winstok & Enosh (1998) note that much of this research relies on information provided by caregivers (primarily mothers), rather than the children themselves. Less research attention has been directed towards understanding the subjective experiences of children and young people and to the strategies they use to deal with the violence and its aftermath, although some recent qualitative studies are beginning to address this gap in the literature (e.g. Peled 1998; Bagshaw et al. 2000).

Peled and Davis (1995) suggest that the focus of the existing literature on psychopathology and developmental impairments, rather than on the ways in which children and young people manage difficult life situations, has important implications for practitioners:

This approach may contribute to the revictimization of both battered women and their children. The need is for an alternate perspective that will emphasize children's strengths and resiliency and regard child witnesses of violence as secondary victims of the abuser and the current power imbalances in the social structure. Such definitions, though not precluding immediate individual intervention with child witnesses and their parents, may prevent further victimization of the victim/survivor and her children by focusing the responsibility for the problem on the abuser and the social structure. (Peled & Davis 1995, p.10)

Domestic violence and the child protection system

A significant gap in practice knowledge relates to intervention with children and young people in families where violence is currently occurring. Statutory child protection agencies have been slow to recognise the contribution of domestic violence to many situations of child abuse and neglect (Humphreys 1999) and have also held women accountable even when their violent male partners are known to have committed the abuse of children (Stark & Flitcraft 1988; Thorpe 1996). When domestic violence is identified, child protection interventions have often failed to confront the perpetrator of the violence and hold him accountable for the impact of his violence on his partner and children (Burke 1994; Heward-Belle 1996). Pressure may be placed on the woman to leave the relationship on the threat of removing her children. However, appropriate support may not be provided nor the complexities with which she is struggling be recognised (Humphreys 1999). Thus balancing the needs of child protection with interventions sensitive to the de-powered position of the abused woman poses challenging dilemmas for statutory child protection services:

…how to intervene to protect children without reinforcing the woman's sense of guilt, self-blame and failure as a mother; how workers can avoid placing even more responsibility for protecting children onto women who are often powerless to act because of their own victimisation; and how workers can invite perpetrators to take responsibility for their violence and to be accountable for the impact of their actions on mothers and children (Burke 1999, p. 257).

Development of effective practice solutions to these dilemmas (e.g. Humphreys 1997; Aron & Olson, 1997; Burke, 1999) is an urgent priority in order to avoid a situation in which the growing awareness of the impact of domestic violence on children promotes further victimisation of women as 'bad mothers'. The use of language (Lamb 1991) reflects and illustrates the field's struggle to maintain a focus on the responsibility of the abuser: the most commonly used terminology is 'children of battered women' rather than 'children of batterers' (Peled, 1996). This renders invisible men's responsibility for the effects of their violence and abuse.

Domestic violence and Family Law

Post-separation violence is a frightening reality for many women and children. Approximately thirty per cent of Australian women killed by male partners are killed after separation (Easteal 1993; Carcach & James 1998). Thirty five per cent of children killed in Australia between 1989 and 1993 died at the hand of a male offender as a consequence of a family dispute, usually relating to the termination of the parents' relationship (Strang 1996). The behaviours used by domestic violence perpetrators to control

> **Concern for the impact of domestic violence on children is now an issue of priority concern in Australia.**

Research indicates that many women who do not use specialist domestic violence services do seek help from a range of health services.

their partners frequently involve threats against, or manipulations involving, the children. Such behaviours are readily transferable to the context of Family Law actions about residence and contact (McMahon & Pence 1995).

In attempting to escape violence, women and their children may be re-victimised by the legal system:

Many legal and mental health professionals may try to minimize the impact of abuse and suggest that an individual can be an abusive husband but a good father. This belief is inconsistent with our knowledge of the trauma children suffer in these circumstances. (Sudermann & Jaffe 1999, p.37).

These issues arise because the needs of children and young people who have lived with domestic violence are very different to the needs of other children and young people when the parental relationship ends and violence is not an issue. The unique needs of children and young people affected by violence – for example, safety planning as the central focus of decision making about contact – are in direct conflict with the needs of other young people where promotion of the children's relationship with the contact parent is central. Sudermann and Jaffe (1999) highlight a range of issues where the safety of women and their children after separation requires a very different focus by the legal system. For example, they point out that assessing the lethality of the relationship is more important than asking parents to 'put the past behind them'.

This makes dealing with domestic violence a challenging issue for Family Law. There is considerable interest in the impact of the changes introduced in Australia under the *Family Law Reform Act* 1995, which came into operation in June 1996. Among the changes is explicit reference to the need to protect children from violence. The *Reform Act* also emphasises parents' ongoing 'parental responsibility' for children and contains an objects clause which includes a list of children's rights, including the right of contact with both parents. The interim report of a comprehensive study assessing the impact of these reforms suggests that 'the "right to contact principle" has been given greater emphasis by most practitioners and judges than the domestic violence aspect of the reforms.' (Rhoades, Graycar & Harrison 1999, p. 11)

Increasing the responsiveness of generalist services

The importance of well co-ordinated services to provide women with access to safe, affordable housing, income support and appropriate health care is widely accepted as an integral part of service provision. Developments in the health system are discussed here as an example of current attempts to reorient generalist services to becoming more responsive to the needs of women affected by violence. This is particularly important because research indicates that many women who do not use specialist domestic violence services do seek help from a range of health services (OSW 1998; Queensland Department of Family Services 1988).

A series of American research studies on the medical response to battered women (e.g. Kurz & Stark 1988) found that, although abuse is rarely documented, abused women are stigmatised and treated differently as a group, often receiving inappropriate medication and labelling. The authors suggest that clinicians make an 'implicit diagnosis' of abuse in which the health impacts of violation and abuse, such as alcoholism or depression, are viewed as its cause and that the woman, rather than her abuser, is seen as 'sick'.

In Australia, a number of projects were initiated in the 1990s to increase the level of identification of domestic violence in hospital emergency services and the sensitivity of medical and nursing staff to women experiencing violence (Roberts 1994). Extending this work, international and national initiatives are being developed to implement routine screening of women in contact with health services who are at life stages where domestic violence may begin or escalate or who have health issues which may be associated with the impact of violence and abuse. In screening programs, women are actively invited to disclose experiences of domestic violence. Health systems where such interventions are proposed include antenatal, maternity, mental health, alcohol and other drugs and paediatric services (Siegel et al. 1999). Queensland Health (Stratigos 1999) has developed two short, simple questionnaires which are being trialed at a number of antenatal clinics, and will later be trialed in other health services. The Queensland initiative includes an evaluation strategy which to date indicates strong support for routine screening from women, a finding consistent with other research indicating women's preference to be asked directly about violence (Bagshaw et al. 2000).

Evaluation of these types of initiatives will be important, particularly in sectors of the health system which have organisational cultures of negative attitudes towards women who are victims of violence and disbelieving and discounting attitudes towards disclosures of abuse (Davidson 1997).

Inclusion and access

A recurring theme in all government reports, conferences and recent research projects is a call for strategies to ensure access to services for various groups (Miller Mahon 1991; OSW 1998) including migrant and refugee women (e.g. Mottee 1992), Indigenous communities (e.g. Greer 1994), women with disabilities (Smith 1992), women in rural and remote areas, older women (Anike 1992) and gay men and lesbians in abusive relationships (Bagshaw et al. 2000). At the same time, the Australian domestic violence literature documents the slow progress in achieving this access, the 'gaps' between official policy and the reality of service provision (or lack of it) for members of marginalised groups within the immigration, housing, health and criminal justice systems (e.g. Bohler 1993; Greer 1992). Many Aboriginal and Torres Strait Islander writers have questioned the utility of a feminist analysis in addressing family violence within their communities, questioning its ability to include the important contexts of colonisation, racism and the 'stolen generations' in understanding the occurrence of domestic violence in Indigenous communities, and to include Aboriginal men in the process of finding solutions to family violence (e.g. Aboriginal and Torres Strait Islander Women's Task Force 1999; NSW Health 1995).

Stubbs (1994, p. 4) argues that 'the challenge of recognising difference' leads to the need to 're-examine the theoretical bases of our work and its underlying assumptions'. Following are examples of some approaches to such re-examination.

Although writing about 'access' for migrant and refugee women to sexual assault services, Suchting's (1999) discussion of ways in which we can think about access in practice by using a politics of difference is also extremely relevant to issues of access to domestic violence services:

What if we were asking the wrong question? What if it were more important to ask what it is about 'us', rather than why 'they' don't come? Introducing 'us' into the picture (whoever 'we' are) starts a process of looking at ways in which power is enacted through everyday practice. (Suchting 1999, p. 74)

Suchting exposes the missing analysis of power in the current calls for workers to develop 'cultural sensitivity' and 'competence' in order to become skilled at working with 'non-English speaking clients'.

Bograd (1999) raises issues of inclusivity within a family therapy context. She notes that while feminists have struggled to introduce the issues of gender and domestic violence into family therapy practice (e.g. James & McIntyre 1983; Goldner 1985;

Bograd 1990), issues of race, class and sexual orientation have been largely omitted. She suggests that family therapy responses to domestic violence can be enhanced by the explicit inclusion of these social dimensions, through the concept of "intersectionality":

In this framework, domestic violence is not a monolithic phenomenon. Intersectionalities color the meaning and nature of domestic violence, how it is experienced by self and responded to by others, how personal and social consequences are represented, and how and whether escape and safety can be obtained. (Bograd 1999, p. 276).

She explores some of the consequences of failing to address these intersectionalities in family therapy theory and practice with domestic violence, such as excluding some who have experienced violence from access to services and unwittingly exacerbating the abuse and disempowerment which they experience.

In describing what they term the 'cultural context model' of therapy with couples where the man has used violence, Almeida and Durkin (1999) argue that most services for battered women and perpetrators have failed to address the intersectionalities of gender, race, class, culture and sexual orientation. The 'cultural context model' was developed with couples from low income minority groups. While agreeing that therapy with men who use violence must be situated in a context of accountability (e.g. Jenkins 1990), Almeida and Durkin expand the concept of accountability beyond the criminal justice system (which neglects 'the realities of racially or culturally different batterers and their victims') to include the concept of 'cultural integrity' (1999, p. 316). Men and women from the particular cultural group – "cultural consultants" – form part of the intervention system (1999, p.319). Separate socio-educational "culture circles" for women and men are the context for consciousness raising about 'sexism and other forms of privilege and oppression'. This sociocultural education process precedes any conjoint couple work. Change in batterers is seen as part of a life-long process which can only be sustained by intervention at the societal level. This model provides an example of an approach which addresses 'multiple oppressions while addressing personal responsibility'. (Almeida & Bograd 1991 cited in Bograd 1999, p. 284)

Challenges in facilitating empowerment

Empowerment has been central to work with women who experience domestic violence. A number of recent research studies and theoretical discussions have grappled with the challenge service providers face in operationalising the concept of 'empowerment' in working with women.

Eisikovits, Buchbinder and Mor (1998) question the notion, prevalent among many service providers, that the decision to leave is the 'turning point' for all battered women. These authors studied a group of women which they describe as almost invisible in the literature: women who were abused and stayed with their partners but took active steps to stop the violence. In this study, the 'turning point' refers to the women's decision to refuse to accept the violence but to continue to live with the perpetrators. The study focuses on the process by which 'a series of personal and interpersonal losses (that,) taken together, are likely to lead the woman to take active steps to stop the violence.' (Eisikovits, Buchbinder & Mor 1998, p. 25). Peled et al. (2000) explore the challenges involved for service providers in facilitating the empowerment of battered women who choose to stay with an abusive partner. They suggest that the strategies used to raise domestic violence as a serious social issue have inadvertently created their own myths and injustices, one of these being that women who choose to stay in the relationship are deviant. They propose a model for operationalising empowerment in the socio-cultural, organisational and individual domains.

From the field of legal interventions, Mills (1999) argues that interventions such as mandatory arrest, mandatory prosecution and reporting by health workers, increasingly adopted in North America, run the risk of replicating the abusive processes to which the woman has been subjected by her partner. While acknowledging that frustration at the difficulties in implementing change at the frontline of the criminal justice response to domestic violence has won support for these mandatory approaches from some feminists, she argues that feminist political practice should not 'mimic patriarchy through either the use of threat tactics or the inattention to individual desire' (1999, p. 568). Mills draws on the work of feminist trauma therapist Judith Herman (1992) to suggest approaches to developing more respectful relationships between service providers and women who experience violence.

The further development of empowering approaches to working with women experiencing violence is being informed by a growing body of qualitative research which identifies the resourcefulness which women bring to bear in living with violence, and the complexities with which they grapple (e.g. Baker 1997; Campbell et al. 1998; OSW 1998; Bagshaw et al. 2000). This development is further supported by initiatives such as the provision of practice guidelines for service providers (e.g. WA Domestic Violence Prevention Unit 1999b).

The role of 'perpetrator programs'[6]

The value of programs for men who use violence has been the subject of vigorous debate (e.g. McGregor 1990; Townsend 1991). Possibly because of this, programs for perpetrators have tended to develop in Australia in an 'ad hoc' manner, with some states such as Victoria and South Australia developing this aspect of service delivery earlier than others. In recent years, some contend that the debate has shifted from whether such programs should be offered, to the conditions under which they should be conducted (National Crime Prevention 1999), and most states have formulated policies and standards for perpetrator programs (e.g. South Australian Office of Families & Children 1997; WA Domestic Violence Prevention Unit 1999a).

The question which arises continually in relation to perpetrator programs is 'do they work?' The answers to this question are as varied as are the definitions of what constitutes 'success' in addressing an issue which has criminal, social and personal impacts. A comprehensive study which mapped perpetrator programs in Australia (National Crime Prevention 1999) concluded that little is yet known about the effectiveness of perpetrator programs in Australia. Even in countries with longer histories of this type of intervention, many questions remain (Gondolf 1997). Evaluation of treatment outcome is dogged by methodological problems such as small sample size, short follow up periods, emphasis on offender self report and/or re-arrest as indicators of recidivism (both of which will underestimate the actual rate of re-offending), lack of control groups, and the high rate of program 'dropouts' (Dobash et al. 1999).

Several recently published international studies have adopted methodologies which attempt to address many of the difficulties identified, and report some promising results. Dobash et al. (1999) compared the effects of two Scottish court mandated men's programs with other more orthodox forms of criminal justice intervention such as fines, admonishment, traditional probation and prison. Their methodology included both men and women partners as respondents and the development of four new indices to study 'violence', 'injuries', 'controlling behaviour' and 'quality of life' for men and women. They found that, in contrast to other criminal justice sanctions, programs for violent men can have significant effects on the prevalence and frequency of violence over a 12 month period following the imposition of a sanction. They assert that their results point to the need for court mandated treatment, since the programs studied suffered little attrition, a common problem for many programs.

Gondolf (2000) employed a longer follow-up period than previous studies (30 months from program

entry) and used partner (including former and new) reports as the primary method of assessing re-assault. This research found that 41 per cent of the men had committed a re-assault during the 30 month follow-up period, based on partner reports. Nearly two thirds of the first re-assaults occurred within the first six months. A core group of men (about 20 per cent) who repeatedly assaulted their partners was responsible for more than half of the re-assaults during the 15-30 month part of the follow-up. The study also found that the rates for non-physical abuse decreased only slightly but that these did not escalate as a replacement for the reduced physical assault. Gondolf concluded:

Batterer programs do better than some victim advocates might assume, and worse than many program proponents might claim. (2000, p. 127)

To this might be added that the task for service providers is to ensure that perpetrator programs are directed to categories of offenders most likely to be assisted by them.

How applicable are the findings of overseas studies to the Australian situation? Gondolf's findings relate to four well established perpetrator programs which have formal links to the courts and which use recognised treatment approaches. Criteria to be considered 'well established' included compliance with the relevant state standards, collaboration with the battered women's services in their communities, use of behaviourally focussed approaches, being operational for five years or more and having at least 40-50 referrals per month. The results of the Australian audit of perpetrator programs (National Crime Prevention 1999) suggest that these findings are not necessarily applicable to the current Australian context, particularly given the reluctance of Australian service providers to adopt court mandated treatment, the small size of many programs, the variability of partner contact and support, and the frequent lack of integration of perpetrator programs with victim services.

A number of co-ordinated criminal justice programs are currently being developed in Australia, such as two Violence Intervention Projects (VIP) in South Australia and the Interagency Family Violence Intervention Program (FVIP) in the ACT[7]. Programs for perpetrators comprise one component of these interagency programs. Common to these new programs is the primacy of the safety and well-being of women and children; an emphasis on account-ability of men who abuse; and the development of a coordinated, interagency response (Colley & McBride, 1999; Keys Young 2000). The findings from the evaluations of these developing programs and from the evaluation of the court-mandated and court-referred program being implemented through the Northern Territory Correctional Services (Rudd, Gzik & Griffiths 1998) will provide valuable Australian data on the effectiveness of perpetrator programs and in particular about the context in which these can be offered to enhance the core goal of victim safety. The Northern Territory program also addresses a significant gap in service delivery identified by the National Crime Prevention study through its emphasis on consultation with Indigenous men and women in its design.

> **The question which arises continually in relation to perpetrator programs is 'do they work?'**

Conclusion

THIS discussion has outlined some current areas for debate and discussion, and is by no means exhaus-tive. The outcomes of many projects currently underway or in development will inform and broaden our knowledge, and will undoubtedly present further quandaries. Later *issues papers* will describe innovative approaches being undertaken across Australia in policy, community education and practice and will explore issues and contested areas in greater depth. A central concern will be to ensure that the discussion is of practical assistance to those working to end violence.

Endnotes

1　Although some charities provided shelter prior to this, Elsie refuge at Glebe was the first refuge founded on an explicitly feminist philosophy.

2　It is not possible in this paper to fully document the many activities and initiatives developed across Australia by State and Territory govern-ments. Much of this documentation exists in government reports and conference proceedings which are no longer readily available. The Australian Domestic and Family Violence Clearinghouse is interested in collecting/locating such documents and welcomes contact by individ-uals who can provide information about these sources.

3　A number of States and Territories have subsequently undertaken studies to estimate the direct and indirect costs of domestic violence. For example, a NSW study estimated the annual cost of domestic violence to be $1.5 billion, over half of which ($800 million) was borne by the women

themselves; $400 million by Commonwealth and State governments and the remainder by others, such as employers (NSW Women's Co-ordination Unit 1991). A Queensland study estimated the cost of domestic violence to that state to be $557 million per annum (The State of Queensland 1993).

4 For detailed descriptions of the legal provisions for States and Territories, and to appreciate the changes and developments which have occurred, and the issues for victims regarding differing provisions across jurisdictions, see Seddon (1989); Putt and Higgins (1997)

5 Because many exciting initiatives have been State/Territory-based, it has not been easy to date for policy makers and service providers to be informed of achievements and initiatives on a national level. The Clearinghouse will provide a focal point for the exchange of this information. Feedback on issues and developments requiring broader attention, some of which will inevitably be omitted in a document such as this, are very welcome.

6 The Australian National Crime Prevention (1999) study found this the most commonly used terminology in the field.

7 Brief information about the FVIP was published in Australian Domestic and Family Violence Clearinghouse Newsletter No. 1, December 1999, and about the VIPs in the July 2000 Clearinghouse newsletter.

References

Aboriginal and Torres Strait Islander Women's Task Force 1999, *Aboriginal and Torres Strait Islander Women's Task Force on Violence*, Queensland Department of Aboriginal and Torres Strait Islander Policy and Development, Brisbane.

Allen, J. 1982, 'The invention of the pathological family: a historical study of family violence in NSW' in *Family Violence in Australia*, eds C. O'Donnell & J. Craney, Longman Cheshire, Melbourne.

Almeida, R.V. & Durkin, T. 1999, 'The Cultural Context Model: Therapy For Couples With Domestic Violence', *Journal of Marital and Family Therapy*, vol. 25, pp. 313-324.

Aron, L.Y. and Olson, K.K. (1997) 'Efforts by Child Welfare Agencies to Address Domestic Violence', *Public Welfare,* Summer, pp. 4-13

Australian Bureau of Statistics 1996, *Women's Safety Australia* Cat No. 4128.0, Canberra

Australian Capital Territory Department of Justice and Community Safety 2000, *Evaluation of ACT Family Violence Intervention Program*, Canberra, ACT

Bagshaw, D., Chung, D., Couch, M., Lilburn, S. & Wadham, B. 1999, *Reshaping Responses to Domestic Violence (Executive Summary),* University of South Australia.

Bagshaw, D., Chung, D., Couch, M., Lilburn, S. & Wadham, B. 2000, *Reshaping Responses to Domestic Violence (Final Report),* University of South Australia.

Baker, P.L. 1997, 'And I went back: battered women's negotiation of choice', *Journal of Contemporary Ethnography*, vol. 26, no.1, pp. 55-74.

Bograd, M.1990, 'Why we need gender to understand human violence', *Journal of Interpersonal Violence*, vol. 5, pp. 132-135.

Bograd, M.1999, 'Strengthening Domestic Violence Theories: Intersections of Race, Class, Sexual Orientation, and Gender', *Journal of Marital and Family Therapy*, vol. 25, pp. 275-289.

Bohler, R. 1993, 'Domestic Violence Policies and Women from A Non-English Speaking Background' paper presented at the Multicultural Health for Australia Conference, November, University of Sydney.

Burke, C. 1994, 'Being an Effective Advocate for the Child' in *Children who Experience Domestic Violence*, NSW Child Protection Council, Sydney.

Burke, C. 1999, 'Redressing the balance: child protection intervention in the context of domestic violence' in *Challenging Silence: Innovative responses to sexual and domestic violence*, eds J. Breckenridge and L. Laing, Allen and Unwin, Sydney.

Campbell, J., Rose, L., Kub, J. & Nedd, D. 1998 'Voices of strength and resistance: A contextual and longitudinal analysis of women's responses to

battering', *Journal of Interpersonal Violence*, vol. 13, no. 6, pp. 743-762.

Carcach, C. and James, M. 1998, 'Homicide Between Intimate Partners in Australia', *Trends and issues in Crime and Criminal Justice No. 90,* Australian Institute of Criminology, Canberra

Charlesworth, H. & Chinkin, C. 1994, 'Violence against Women: A global issue' in *Women, Male Violence and the Law*, ed. J. Stubbs, The Institute of Criminology Monograph Series No. 6, Sydney.

Colley, D. and McBride, J. 1999, *Central Violence Intervention Program Project Brief,* for CVIP Advisory Group, unpublished, October.

Davidson, J. 1997, *Every Boundary Broken: Sexual Abuse of Women Patients in Psychiatric Institutions*, Women and Mental Health Inc., Sydney.

Dobash, R.P., Dobash, R.E, Cavanagh, K. & Lewis, R. 1999, 'A Research Evaluation of British Programmes for Violent Men', *Journal of Social Policy*, vol. 28, pp. 205-233.

Domestic Violence Resource Centre 1998, *Everybody's Business: 2nd National Conference on Children, Young People and Domestic Violence – Conference Proceedings*, DVRC, Brisbane.

Easteal, P. W. 1993, *Killing the Beloved: Homicide Between Adult Sexual Intimates*, Australian Studies in Law, Crime and Justice, Australian Institute of Criminology, Canberra.

Eisikovits, Z., Winstok, Z. & Enosh, G. 1998, 'Children's Experience of Interpersonal Violence; A Heuristic Model', *Children and Youth Services Review*, vol. 20, no. 6, pp. 547-568.

Eisikovits, Z., Buchbinder, E. & Mor, M. 1998, 'What it was won't be any more: reaching the turning point in coping with intimate violence', *Affilia Journal of Women and Social Work*, vol. 13, no. 4, pp. 411-424.

Fishbach, R.L. & Herbert, B. 1997, 'Domestic Violence and Mental Health: Correlates and Conundrums Within and Across Cultures', *Social Science and Medicine*, vol. 45, pp. 1161-1176.

Goddard, C. & Hiller, P. 1993, 'Child Sexual Assault in a Violent Context', *Australian Journal of Social Issues*, vol. 28, pp. 20-33.

Goldner, V. 1985, 'Feminism and Family Therapy', *Family Process*, vol. 24, pp. 31-47.

Gondolf, E.W. 1997, 'Batterer programs: what we know and what we need to know', *Journal of Interpersonal Violence*, vol. 12, no. 1, pp. 83-98.

Gondolf, E.W. 2000, 'A 30-Month Follow-Up of Court Referred Batterers in Four Cities', *International Journal of Offender Therapy and Comparative Criminology*, vol. 44, no.1, pp. 111-128.

Greer, P. 1992, 'They Throw the rule book away: Sexual assault in Aboriginal communities' in *Crimes of Violence: Australian responses to rape and child sexual assault*, eds J. Breckenridge & M. Carmody, Allen and Unwin, Sydney

Greer, P. 1994, 'Aboriginal women and domestic violence in NSW', in *Women, Male Violence and the Law*, ed. J. Stubbs, The Institute of Criminology Monograph Series No. 6, Sydney.

Harrison, M. & Graycar, R. 1997 'The Family Law Reform Act: metamorphosis or more of the same? *Australian Journal of Family Law*, vol. 11, no. 3, pp. 327-342.

Herman, J. L. 1992, *Trauma and Recovery*, Basic Books, U.S.A.

Heward-Belle, S. 1996, *All Care and No Responsibility? A study of the responses of child protection workers to domestic violence in families*, masters thesis, University of Sydney.

Holder, R. 1998, 'Playing on the Football Field – Domestic Violence, Help-Seeking and Community Development' paper to the Relationships Australia (NSW) 50th Anniversary Conference, Sydney.

Humphreys C. 1997, *Case Planning Issues Where Domestic Violence Occurs in the Context of Child Protection: A Report for Coventry Social Services Child Protection Unit*, [http//:www.coventry.gov.uk/social/child/dome/casep lan/index.html].

Humphreys C. 1999, 'Avoidance and confrontation: social work practice in relation to domestic violence and child abuse', *Child and Family Social Work*, vol. 4, pp. 77-87.

Hunter, R. 1999, 'Having her day in court? Violence, legal remedies and consent' in *Challenging Silence: Innovative responses to sexual and domestic violence*, eds J. Breckenridge & L. Laing, Allen and Unwin, Sydney.

Jaffe, P., Wolfe, D. & Wilson, S. 1990, *Children of Battered Women*, Sage, California.

James, K. & McIntyre, D. 1983, 'The Reproduction of Families: The Social Role of Family Therapy', *Journal of Marital and Family Therapy*, vol. 9, pp. 119-129.

Jenkins, A. 1990, *Invitations to Responsibility*, Dulwich Centre Publications, Adelaide.

Johnson, V., Ross, K. & Vinson, T. 1982, 'Domestic Violence: cases before Chamber Magistrates' in *Family Violence in Australia*, eds C. O'Donnell & J. Craney, Longman Cheshire, Melbourne.

Kelly, L. 1988, *Surviving Sexual Violence*, Polity Press, Oxford.

Kelly, L. 1998, 'Culture of Protest: courageous responses to violence against women: report on South Asian Regional Conference of Activist Organizations', *off our backs*, vol. 28, no. 11, December, pp. 10-11.

Katzen, H. & Kelly, L. 2000 *'How do I prove I saw his shadow?' Responses to breaches of Apprehended Violence Orders: A consultation with women and police in the Richmond Local Area Command of NSW,* Northern Rivers Community Legal Centre, Lismore, NSW

Kurz, D. & Stark, E. 1988, 'Not-So-Benign' Neglect: The Medical Response to Battering' in *Feminist Perspectives on Wife Abuse*, eds K. Yllo & M. Bograd, Sage, California.

Lamb, S. 1991, 'Acts Without Agents: An Analysis of Linguistic Avoidance in Journal Articles on Men who Batter Women', *American Journal of Orthopsychiatry*, vol. 61, pp. 250-257.

McGregor, H. & Hopkins, A. 1991, *Working for Change: The movement against domestic violence*, Allen and Unwin, Sydney.

McKernan McKay, M. 1994, 'The Link Between Domestic Violence and Child Abuse: Assessment and Treatment Considerations' *Child Welfare*, vol. LXX111, no. 1, pp. 29-39.

McMahon, M. & Pence, E. 1995, 'Doing More Harm Than Good? Some Cautions on Visitation Centres' in *Ending the Cycle of Violence: Community Responses to Children of Battered Women*, eds E. Peled, P.G. Jaffe & J.L. Edleson, Sage Publications, California.

Melville, R. 1998, 'The slippery slide of women's refuge funding 1970s to 1990s: the New South Wales experience', *Women against violence*, Issue 5, December, pp. 15-33.

Mills, L.G. 1999, 'Killing her softly: Intimate abuse and the violence of state intervention', *Harvard Law Review*, vol. 113, no. 2, pp. 550-613.

Miller Mahon Consulting and Marketing 1991, *Research Into Criminal Assault in the Home*, paper prepared for the Social Policy Division, Government of the Australian Capital Territory, through the Research Centre for Women's Studies, University of Adelaide, South Australia.

National Committee on Violence Against Women 1992, *National Strategy on Violence Against Women*, Commonwealth of Australia, Canberra

National Crime Prevention 1999, *Ending Domestic Violence? Programs for Perpetrators*, National Crime Prevention, Canberra.

NSW Domestic Violence Committee 1989, *Report, 1985-1988*, Women's Co-ordination Unit, Sydney.

NSW Health 1995, *Aboriginal Family Health Strategy,* NSW Health, North Sydney.

NSW Ombudsman 1999, *Report on Policing of Domestic Violence*, NSW Ombudsman, Sydney.

NSW Women's Co-ordination Unit 1991, *Costs of Domestic Violence – NSW Domestic Violence Strategic Plan*, NSW Women's Co-ordination Unit, Sydney.

NSW Women's Refuge Working Party 2000, *An Open Door – NSW Women's Refuge Movement Access and Equity Manual*, NSW Women's Refuge Resource Centre, Glebe, Sydney.

Nixon, C. 1992 'The Police perspective' in *Local Committees Conference, July 1991, Papers and Proceedings,* NSW Women's Co-ordination Unit, Sydney.

Nylen, L. and Heimer, G. 1999, 'Sweden's Response to Domestic Violence', *The FBI Law Enforcement Bulletin*, vol. 68, pp. 19-24.

O'Donnell, C. & Craney, J. eds 1982, *Family Violence in Australia,* Longman Cheshire, Melbourne.

Office of the Status of Women 1995, *Community Attitudes To Violence Against Women*, Australian Government Publishing Service, Canberra.

Office of the Status of Women 1998, *Against the Odds: How Women Survive Domestic Violence*, OSW, Canberra.

Parkinson, P. & Humphreys, C. 1998, 'Children who witness domestic violence – the implications for child protection', *Child and Family Law Quarterly*, vol. 10, no. 2, pp. 147-159.

Peled, E. & Davis, D. 1995, 'Current Knowledge about Children of Battered Women' in *Groupwork With Children of Battered Women: A Practitioner's Manual*, eds E. Peled & D. Davis, Sage, California.

Peled, E. (1996), '"Secondary" Victims No More: Refocusing intervention with children', in J. L. Edleson and Z. Eisikovits, *Future Interventions with battered Women and their Families*, Sage Publications, California

Peled, E. 1998, 'The experience of living with violence for preadolescent children of battered women', *Youth and Society*, vol. 29, pp. 395-430.

Peled, E. & Edleson, J.L. 1999, 'Barriers to Children's Domestic Violence Counselling: A Qualitative Study', *Families in Society*, vol. 80, no. 6, pp. 578-586.

Peled, E., Eisikovits, Z., Enosh, G. & Winstok, Z. 2000, 'Choice and Empowerment for Battered Women Who Stay: Towards a Constructivist Model' *Social Work*, vol. 45, pp. 9-25.

Pence, E. & Paymar, M. 1993, *Education Groups for Men who Batter: The Duluth Model*, Springer Publishing Company, New York.

Public Policy Research Centre 1998, *Community Attitudes Towards Domestic Violence in Australia*, Australian Government Office of the Status of Women, Canberra.

Putt, J. and Higgins, K. 1997, V*iolence Against Women in Australia: Key Research and Data Issues*, Australian Institute of Criminology, Research and Public Policy Series, No. 6, Canberra.

Queensland Domestic Violence Task Force 1988, *Beyond These Walls*, Report of the Queensland Domestic Violence Task Force to the Minister for Family Services and Welfare Housing, Brisbane.

Rathus, Z., Lynch, A. & Finn, K. 1998, 'The relationship ends but the abuse goes on: The Effect on Women of the 1995 Reforms to the Family Law Act and the Recent Cuts to Legal Aid, in *Everybody's Business: 2nd National Conference on Children, Young People and Domestic Violence – Conference Proceedings*, Domestic Violence Resource Centre, Brisbane.

Rhoades, H., Graycar, R. & Harrison, M. 1999, *The Family Law Reform Act: Can Changing Legislation change legal culture, legal practice and community expectations?* Interim Report, April, [http:www.law.usyd.edu.au/Research_Family_Court.html]

Roberts, G. 1994, 'Response of Health Professionals to Domestic Violence in Emergency Departments' in *International Victimology – Selected Papers from the 8th International Symposium, Adelaide, August 21-26*, Australian Institute of Criminology, 277-284.

Rudd, P., Gzik, J. and Griffiths, P. 1998 *Northern Territory Court-Mandated and Court-Referred Programs for Offenders of Domestic and Aboriginal Family Violence: Background Paper to the Development of the Program*, Office of Women's Policy, Darwin, NT.

Saville, H. 1982, 'Refuges: a new beginning to the struggle', in *Family Violence in Australia,* eds C. O'Donnell & J. Craney, Longman Cheshire, Melbourne.

Scutt, J. 1990, *Women and the Law*, The Law Book Company Limited, Sydney.

Seddon, N. 1989, *Domestic Violence in Australia*, The Federation Press, Sydney.

Siegel, R.M., Hill, T.D., Henderson, V.A., Ernst, H.M. & Boat, B.W. 1999, 'Screening for Domestic Violence in the Community Paediatric Setting', *Pediatrics,* vol. 104, pp. 874-877.

Smart, C. 1989, *Feminism and the Power of the Law*, Routledge, London.

Smith, J., O'Connor, I. & Bethelsen, D. 1996 'The Effects of Witnessing Domestic Violence on Young Children's Psycho-social Adjustment,' *Australian Social Work*, vol. 49, pp. 3-10.

South Australian Office of Families and Children 1997, *Competency standards for intervention workers: Working with men who perpetrate domestic abuse and violence*, South Australian Office of Families and Children, Adelaide.

Stark, E. & Flitcraft, A. 1988 'Women and Children at Risk: A Feminist Perspective on Child Abuse' *International Journal of Health Services,* vol. 18, no. 1, pp. 97-118.

Strang, H. 1996, 'Children as Victims of Homicide' *Trends and issues in crime and criminal justice,* No. 53, Australian Institute of Criminology, Canberra.

Stratigos, S. 1999, 'Domestic Violence is a Health Issue' *Domestic Violence, Action and Resources Magazine,* DVRC, Issue 4, October, Brisbane, pp. 25-27.

Stubbs, J. 1994, 'Introduction' in *Women, Male Violence and the Law*, Ed. J. Stubbs, The Institute of Criminology Monograph Series No. 6, Sydney.

Stubbs, J. 1999, 'An International Criminal Justice Strategy to Eliminate Violence Against Women', *Current Issues in Criminal Justice,* vol. 10, no. 3, pp. 314-318.

Suchting, M. 1999, 'The case of the too hard basket: investigating the connections between "ethnicity", "culture" and "access" to sexual assault services' in *Challenging Silence: Innovative responses to sexual and domestic violence*, eds J. Breckenridge & L. Laing, Allen and Unwin, Sydney.

Statistics Canada 1999, *Family Violence in Canada: A Statistical Profile 1999*, Catalogue no. 85-224-XIE, Canada.

Statistics Canada 2000, *Family Violence in Canada: A Statistical Profile 2000*, Catalogue no. 85-224-XIE, Canada. [http://www.hc-sc.gc.ca/hppb/familyviolence/pdfs/0000085-224-XIE.pdf]

Sudermann, M. and Jaffe, P. (1999), *A Handbook for Health and Social Service Providers and Educators on Children Exposed to Women Abuse/Family Violence*, Family Violence Prevention Unit, Health Canada.

The State of Queensland (Women's Policy Unit) 1993, *Who Pays? The Economic Costs of Violence Against Women*, Women's Policy Unit, Brisbane.

Thorpe, R. 1996, 'High Expectations, Low Resources: Mothering, Violence and Child Abuse' in *Women and Violence: Working for Change*, eds R. Thorpe & J. Irwin, Hale and Iremonger, Sydney.

Townsend, L. 1991, *Programs for Domestic Violence Perpetrators*, NSW Women's Co-ordination Unit, Sydney.

Trimboll, L. & Bonney, R. 1997, *An Evaluation of the NSW Apprehended Violence Order Scheme*, NSW Bureau of Crime, Statistics and Research, Sydney.

Tynan, M. 1999, 'Greasy pigs and pearls in Reno: Report on the Ninth Annual US District Attorney's Domestic Conference', 24-27 October 1999, unpublished.

WA Domestic Violence Prevention Unit 1999a, *Best Practice Model for the Provision of Programs for Perpetrators of Domestic Violence in Western Australia*, Women's Policy Development Office, W.A.

WA Domestic Violence Prevention Unit 1999b, *Best Practice Model for the Provision of Programs for Victims of Domestic Violence in Western Australia*, Women's Policy Development Office, W.A.

Walker, L.E. 1999, 'Psychology and Domestic Violence Around the World', *American Psychologist*, vol. 54, pp. 21-29.

Women's Services Network (2000*) Domestic violence in regional Australia: a literature review*, Commonwealth Department of Transport and Regional Services, Canberra.

CLEARINGHOUSE **UPDATE**

THE Australian Domestic and Family Violence Clearinghouse is a national resource on issues of domestic and family violence. It provides a central point for the collection and dissemination of Australian domestic and family violence policy, practice and research. The Clearinghouse provides the following services:

Print Publications

- **Issues Papers**

  The Clearinghouse will produce four *issues papers* per year. These will explore in detail a particular aspect of domestic and family violence. They will review the literature, current Australian practice and new initiatives; analyse the current 'state of play'; and identify what is known and where there are knowledge gaps and areas for further discussion and development. The topic of the next issues paper is 'Children, Young People and Domestic Violence'.

- **Newsletters**

  These have been produced quarterly since December 1999. Brief, newsworthy contributions are invited.

  Deadlines for contributions in 2001 are:

  - February 20 (March edition);
  - May 22 (June edition);
  - August 20 (September edition)

Website

http://www.austdvclearinghouse.unsw.edu.au

- **The website** provides access to Clearinghouse publications; annotated links to useful Australian and international websites; and two searchable databases

- **The Research and Resources database** aims to index all Australian material on domestic and family violence published from 2000 onwards as well as selected earlier and international material. It contains both research findings in the form of journal articles and reports and resource materials for domestic and family violence workers, such as videos, training kits, government reports and leaflets.

- **The Good Practice database** assists those working with domestic and family violence to keep in touch with what others across the country are doing.

Library/Information Service

Contact the Clearinghouse, by phone, fax or email for assistance in locating information on domestic and family violence.

☐ Please add my name to the mailing list to receive Clearinghouse print publications

☐ Please send me information on entering my program on the good practice database

Name

Position

Organisation

Address

P/code

Phone

Fax

Email

Please fill in and fax back to the Clearinghouse:

Fax: (02) 9385 2993