



One in Three Campaign

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Hon Fiona Richardson
Minister for the Prevention of Family Violence
Level 1, 2 Treasury Place
East Melbourne VIC 3002

16 August 2015

Dear Minister Richardson,

Open Letter Re: State of Victoria's submission to the Royal Commission into Family Violence

I write with regard to your submission to the Royal Commission into Family Violence.

In this submission (relevant pages attached), you claim that “violence by women is often in self-defence” (p13).

The reference cited in support of this claim is given as follows:

Stark, E, Coercive control, evidence to the Vermont legislature, accessed 28 May 2015,
<http://legislature.vermont.gov/assets/Documents/2016/WorkGroups/House%20Judiciary/Bills/H.103/Witness%20Testimony/H.103~Evan%20Stark~Testimony-Coercive%20Control~2-25-2015.pdf>.

Having read through this entire document, there isn't a single mention of the issue of violence used in self-defence by women.

This may be a clerical error - perhaps the wrong document was cited by mistake?

In any case, we would request that you provide proper evidence in support of your claim (Australian if possible), and advise the Royal Commission of the error in your submission.

I look forward to hearing from you in due course.

Thank you for taking the time to address our concerns.

Yours sincerely,

Greg Andresen
Senior Researcher

Part 1: Understanding the scale and impact of family violence

Family violence is a gendered crime as it has an unequal impact on women. And the impacts of family violence on women are often severe. It is the leading preventable contributor to ill health, disability and premature death in young women aged 15-44, more than other well-known risk factors, including high blood pressure, obesity and smoking.¹⁹ The Royal Women's Hospital reports that women with a history of intimate partner violence are more likely to smoke and have alcohol or drug problems, have contracted a sexually transmitted infection, be diagnosed with a mental illness, suffer from a chronic lung condition, heart disease, hypertension, stroke or bowel problems and experience chronic pain and fatigue.²⁰ The Australian Institute of Criminology has cited research suggesting that women may be at increased risk of domestic violence during pregnancy and in the period immediately after a baby is born.²¹

Family violence is, of course, not only perpetrated against women. Men can be victims, too. However, evidence shows that violence perpetrated by women is less common and the consequences for adult male victims are less severe. Further, **violence by women is often in self-defence.**²²

LGBTI stakeholders inform the government that although still under-researched and under-reported, same-sex relationship violence has been estimated to be as high as the rate of violence occurring between heterosexual couples. In the *Coming Forward* report,²³ one in three LGBTI Australians were found to have experienced some form of intimate partner violence.

Although there are complexities about the gendered nature of family violence, and it is important to take into account same-sex differences, government cannot ignore the crime statistics that overwhelmingly show women to be the victims of intimate partner violence.

While the most common reported experience of family violence is violence between current or former partners, violence perpetrated by other family members also occurs between children, siblings and other relatives.²⁴ The adult children of elderly people can also commit family violence, both physical and economic, on vulnerable ageing parents. Elder abuse has received increasing attention from government and will continue to play a role in the community's understanding of family violence as our population ages.

Underreporting of family violence

Despite the growth in reporting of family violence, the disclosure of family violence still remains low, particularly in situations not involving physical violence. As such, the true scale of family violence in Victoria is not known.

The 2012 Australian Bureau of Statistics *Personal Safety Survey* found that only 10 per cent of women experiencing violence from their current partner had told the police.²⁵ The 2012 *Survey of Recently Separated Parents* by the Australian Institute of Family Studies (AIFS) found that 47 per cent of people in the sample who had experienced family violence before or during separation had not disclosed the violence to the police or to another professional.²⁶ The AIFS study found that women were more likely to disclose experiencing violence than men (61 per cent of mothers in the sample had disclosed compared to 44 per cent of fathers in the sample) and that people were more likely to disclose physical violence than other forms of family violence.²⁷ Research also shows that many sexual assaults are not reported to the police²⁸ and of those that are, rape by an intimate partner has the highest category of withdrawn complaints at 31.4 per cent.²⁹

In the short to medium term, the rate of reporting is expected to increase as a result of greater community awareness, changes in police reporting practices as well as the spotlight of the Royal Commission. Figure 2 below demonstrates projected increases in reporting.

Endnotes

- ²⁰ 'Family Violence – Information for Women' The Royal Women's Hospital, <https://thewomens.r.worldssl.net/images/uploads/fact-sheets/Family-violence.pdf>.
- ²¹ Anthony Morgan and Hannah Chadwick, Key issues in domestic violence, Research in Practice no. 7 (Canberra: Australian Institute of Criminology, December 2009).
- ²² Stark, E, *Coercive control, evidence to the Vermont legislature*, accessed 28 May 2015, <http://legislature.vermont.gov/assets/Documents/2016/WorkGroups/House%20Judiciary/Bills/H.103/Witness%20Testimony/H.103~Evan%20Stark~Testimony-Coercive%20Control~2-25-2015.pdf>.
- ²³ (Leonard, Mitchell, Pitts & Patel, 2008).
- ²⁴ Australian Bureau of Statistics, *2012 Personal Safety Survey*, Table 4.
- ²⁵ Australian Bureau of Statistics, *2012 Personal Safety Survey*, Table 24.
- ²⁶ Australian Institute of Family Studies, *Survey of Recently Separated Parents: A study of parents who separated prior to the implementation of the Family Law Amendment (Family Violence and Other matters) Act 2011* (Canberra: Commonwealth Government, 2012).
- ²⁷ Australian Institute of Family Studies, *Survey of Recently Separated Parents: A study of parents who separated prior to the implementation of the Family Law Amendment (Family Violence and Other matters) Act 2011* (Canberra: Commonwealth Government, 2012).
- ²⁸ Australian Law Reform Commission, *Family Violence – A National Legal Response*, Report No 114 (Canberra: 2010) para. 24.15.
- ²⁹ Australian Centre for the Study of Sexual Assault, *Study of Reported Rapes in Victoria 2000 – 2003* (Melbourne: 2006) pp.22.
- ³⁰ Victorian Health Promotion Foundation, *National Survey on Community Attitudes to Violence Against Women 2009: Changing cultures, changing attitudes – preventing violence against women – A summary of findings* (Melbourne: VicHealth, 2010).
- ³¹ See Janet Phillips and Penny Vandenbroek, 'Domestic, family and sexual violence in Australia: an overview of the issues', *Parliament of Australia, Parliamentary Library, Research Paper Series 2014-15 (2014)* and Victorian Indigenous Family Violence Task Force, *Victorian Indigenous Family Violence Task Force Final Report*, (Melbourne: Victorian Government, 2003).
- ³² Crime Statistics Agency data extracted May 2015, analysis by Office of Aboriginal Affairs Victoria.
- ³³ Australian Bureau of Statistics Census data, 2011.
- ³⁴ Crime Statistics Agency data extracted May 2015, analysis by Office of Aboriginal Affairs Victoria.
- ³⁵ Crime Statistics Agency data extracted May 2015, analysis by Office of Aboriginal Affairs Victoria.
- ³⁶ Australian Institute of Family Studies, *Child protection statistics for Aboriginal and Torres Strait Islander children*, accessed 28 May 2015, <https://aifs.gov.au/cfca/publications/child-protection-and-aboriginal-and-torres-strait-islander-c>.
- ³⁷ Morgan A and Chadwick H. 2009. Key issues in domestic violence. Research in Practice no. 7; Pease B and Rees S 2007. Researching domestic violence in refugee families. DVIRC Quarterly 1: 10-15
- ³⁸ Argoon, A. Dowry Link to Murder, *Herald Sun*, 24 April 2015.
- ³⁹ Healey L et al. 2008. Building the evidence: A report on the status of policy and practice in responding to violence against women with disabilities in Victoria. Melbourne: Women's Health Victoria and Victorian Women with Disabilities Network.