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## **Supplementary Notes for House of Representatives Inquiry into Crime in the Community 10 September 2002**

### **a) Types of Crimes**

At DVIRC our work is concerned with family violence - that is all forms or patterns of behaviour in relationships that result in physical, sexual, emotional or psychological harm or suffering, particularly to women and children in the home.

Our aims in making a submission to the Committee's Inquiry were two in particular: to make sure that family violence was not overlooked in a consideration of crime in the community, and to stress its special nature requiring an informed and knowledgeable response.

Some forms of family violence and abuse are already on the statute books as crimes: such as murder, rape, assault, damage to property, threats, child sexual assault. Others are not: psychological and emotional abuse, financial deprivation, forced isolation from friends and family, and others that cause someone to live in fear.

Key features of violence against women and children (p. 19 Key Directions in Women's Safety Victorian Government Office of Women's Policy 2001)

We also recognize the relationship between family violence and child abuse. These forms of violence often coexist. It is also a form of psychological child abuse if a child is aware of violence directed towards another family member.

### **b) Perpetrators of Crime and Motives**

Family violence is predominantly but not exclusively perpetrated by men against women. (ABS WSAS, 1996) Women are at a far greater risk of particular forms of violence than men - family violence, sexual assault, sexual harassment and stalking. Almost 9 in 10 incidents of violence against women are perpetrated by men. (ABS, 1996)

Women more often experience violence from a current or previous partner than from a stranger or acquaintance. (ABS, 1996) Violence against women usually occurs in the home rather than in public.

Violence can occur in any relationship, particularly where one person is perceived as having less recognized rights than the other, or is more vulnerable or has more to lose. Family violence is motivated by the desire to control.

**c) and d) The impact of being a victim and fear of crime**

Family violence is intended to make the victim live in fear. It is usually part of a pattern rather than a single incident. Once it happens, the fear and long term effects continue, even after the violence has stopped, in the form of anxiety, depression, post traumatic stress disorder, confusion. The adverse health impacts of family violence are well documented.

Children's emotional, cognitive and social development is threatened. Infants as young as 6 weeks old show clear disturbance in response to family violence. (McIntosh, Thought in the Face of Violence: A Child's Need, in The Way Forward: Children Young People and Domestic Violence Conference Proceedings PADV 2000)

Fear leads too to the under reporting of family violence, and perpetuates its secrecy.

When violence is ignored, The perpetrator goes unchallenged, the victim is blamed, particularly by the perpetrator, and can even feel responsible.

**e) Strategies**

Statistics needed.

Support and advocacy for victims.

Protection in the justice system

Many projects funded by PADV have come up with excellent recommendations for changing community attitudes, and coordinating community responses.

**f) Apprehension**

**g) Sentencing**

**h) Community safety and policing**

A thorough examination of current justice system responses appears in Holder, Domestic and Family Violence: Criminal Justice Intervention, Australian Domestic and Family Violence Clearing House Issues Paper No 3 2001

Also in the work of Wearing, The Impact of Domestic Violence Legislation in Victoria: A Historical and Social Perspective, La Trobe University Bundoora 1992.

Also in Legal Responses to Domestic Violence: The Need for a Critical Review, DVIRC and Casa House Melbourne 2001

Provision of advocacy and support for women is critical in enabling them to have access to the justice system.

Consistent police action demonstrates the serious nature of family violence.

Recent review of police response in Victoria has drawn attention to many areas requiring improvement and monitoring.

Links between police and other services are also crucial. Many local and overseas initiatives have been undertaken to improve and integrate the components of a legal response with each other, as well as with the community support and advocacy response for the victim.