

Inquiry into the Family Law Amendment (Shared Parental Responsibility) Bill 2005
PUBLIC HEARING 3 MARCH, 2006

Questions on notice – Fathers4Equality

(p.7 Proof Hansard)

Senator MASON— ... I am not yet convinced that 50 per cent shared parenting as a presumption is in the best interests of the child, unless you have some evidence that that is the case.

Senator SIEWERT—What you mean is moving between houses?

Senator MASON—Yes, during the school week.

Mr Adams—In terms of research, of course, it is difficult to say. This researcher will say that fifty-fifty is better and that researcher will say that 49 and 51 is better. As to moving between homes, obviously I am going to give the example of my daughter, who loves her life. She loves being handed off to me and loves it when I hand her back to her mother. Why is it more traumatic to move from one house to another house than it is to move from one child-care centre during the day to primary school or to high school? Why are we not concerned about the trauma of getting a new teacher? Why are we not concerned about going away on holidays? They are all changes in a child's life and they seem to be normal.

Senator SIEWERT—I am an equal time share parent so I know the issues. I am deeply interested in knowing if there is actually any research on that very issue. It works for me, but I would like to know if it works for other people. If you do have any and you could provide us with that, it would be really useful.

Response from Fathers 4 Equality

Dear Committee,

Please find the amended research bibliography which lists hundreds of citations to published research proving that shared residence is advantageous for children after a divorce.

Executive summary (2 pages)

The underlying assumptions of the Family Court in awarding sole residence are based on ideas from Attachment Theory. Attachment Theory suggests that stability and secure emotional attachments are crucial to a child's emotional development.

As in your example, Attachment Theory can be interpreted to mean that changing houses mid-week is detrimental to children's emotional development.

However (as we discuss in its' own section) sole residence is an incorrect interpretation of Attachment Theory.

It is understandable why the Family Court initially gave Attachment Theory such primary significance in the 1970's. Then there were few divorces and even fewer children in shared residence. Then nobody could measure the effects of sole residence on children. With no facts, the court had to make decisions on theory alone.

So theory has become Tort Law. The problem with tort is that now that these interpretations are enshrined in precedent, the Feminist Court will have great difficulty in putting that aside and accepting a new research.

However over the last thirty years, vast numbers of children have grown up in a wide variety of family circumstances and now, finally, there is an impressive number of large, well controlled studies that compare whether children in shared residence actually do better, or worse in life, than children with a single parent.

These studies record whether they reached their potential at school, whether they had emotional and behavioural problems, whether they had problems with drugs or teenage pregnancy, whether they have begun successful careers and so on...

These studies clearly demolish the idea that one primary parent and one primary home is preferable than having a meaningful relationship with both their natural parents in two homes.

So at last we can compare FACT with THEORY, and Attachment THEORY has been shown to be lacking. It is clear that having a meaningful relationship with dad is a greater benefit than any instability caused by having two houses.

Understandably it is impossible to prove that 50-50 is better than 49-51. The research generally uses the concept of a 'meaningful' relationship with both parents. This is explored in a later section, but the Family Court's standard every second weekend regime is clearly insufficient to maintain a meaningful relationship.

We interpret the senate's question in two parts:

Firstly what is the research that shows benefits of shared residence over sole residence?

Secondly, do those benefits over-ride any detrimental effects of dual residence?

1: Research proving the benefits of shared residence over sole residence

We have collated the research into different sections, and each citation within these sections has a very short summary which explains how it supports shared residence.

We have generally only included Quantitative studies, where there are measurable outcomes, rather than accepting to any theoretical framework or subjective assessments.

2: Detrimental effects of shared residence

We have not found any credible research that gives **data** for any detrimental effects of shared residence. We discuss how the belief in detrimental effects is a flawed interpretation of Attachment Theory

We have found researchers who have taken the courageous step of saying that there is not “any social science **data** to support the proposition that a single official parent is preferable to two.” In the Social Sciences, this is as close as fact as you ever get.

This material finishes at page 36.

Additionally, following a short conversation with Sen Siewert, the Senator was concerned with rates of partner homicide. In the US, women kill their partners at the same rate that men do. The Senator is correct that in Australia fewer men are killed. Since women use weapons in their violence more often than men, this difference in lethal violence would seem to be a result of the easy access to firearms in the US. Put in other words, women initiate domestic violence as frequently as men, however in Australia they simply lack the weaponry for their violence to be as effective.

During the hearing there were also many concerns expressed about violence, so I have included research on the perpetrators of violence, of abuse and of neglect, which show that children are no safer with their mothers than with their natural fathers.

Following my suggestion, that many accusations of violence are false and are simply a tactic to get the majority of the property settlement, Sen Siewert asked the Women’s Legal Service if this was the case. They gave a technically correct answer that violence is not considered in the property settlement phase. The tactic has two steps.

1: Accuse your Ex of violence or abuse --> you get the kids

2: in the property settlement, if you have the kids --> you get everything.

We have also included TV opinion polls that show overwhelming support for shared residence and research proving that shared residence saves marriages.

This additional material commences on page 37 onwards, and is worth skimming.

In closing, I must apologise for the length of this answer to your question. All we do is as requested, to list the research. The length of this document simply reflects the vast amount of published research supporting 50-50 shared residence.

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Fathers For Equality

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Shared residence is best for children

Quantitative and longitudinal studies -126 citations

We have found 126 citations to published research showing that shared residence is better for children than any other kind of post-divorce residence.

Sole residence is justified on the basis of Attachment Theory. Attachment Theory suggests that stability and secure emotional attachments are crucial to a child's emotional development. However (as we discuss in a later section) sole residence is an incorrect interpretation of Attachment Theory.

It is understandable why the Family Court initially gave Attachment Theory such primary significance in the 1970's. Then there were few divorces and even fewer children in shared residence. With no facts, the court had to make decisions on theory alone.

However the last 30 years has seen vast numbers of children grow up in a wide variety of family circumstances and now, finally, there is an impressive number of large, well controlled and often longitudinal studies that compare whether children in shared residence actually do better, or worse in life, than children with a single parent. These studies record whether they reached their potential at school, whether they had emotional and behavioural problems, whether they had problems with drugs or teenage pregnancy, whether they have begun successful careers and so on...

These studies clearly demolish the idea that one primary parent and one primary home is preferable than having a meaningful relationship with both their natural parents.

So at last we can compare FACT with THEORY, and Attachment THEORY has been shown to be lacking. It is clear that having a meaningful relationship with dad is a greater benefit than any instability caused by having two houses.

Longitudinal studies [18 citations]

- # A huge 33 year study tracked the lives of 17,000 individuals born in 1958. The study released in March 2002 found that close paternal involvement not only improves academic performance but also relationships and health. The benefits are greatest for youngsters who establish a strong bond from at least the age of seven. The highest scorers performed best at school, socially and in their marital relationships. After inspection of all the factors influencing a child's later marital success, such as mental health, academic achievement and emotional behaviour, the influence of a father was most telling. Daughters benefiting from a strong paternal bond were less likely to have mental health problems and boys were less likely to get into trouble with the police.

Flouri E, Buchanan A. What Predicts Good Relationships With Parents In Adolescence And Partners In Adult Life. Paper XXV International Congress of Applied Psychology. Singapore (July 7-12 2002). See also, Flouri E, Buchanan A, Bream A. Adolescents' Perceptions Of Their Fathers' Involvement: Significance To School Attitudes. 29 *Psychology In Schools* (2002) pp 575-582; Flouri E, Buchanan A. Childhood Predictors Of Labor Force Participation In Adult Life. 23 *Journal of Family and Economic Issues* (2002) pp 101-120; Flouri E, Buchanan A, Ten Beinke J. Emotional And Behavioural Problems In Childhood And Distress In Adult Life: Risk And Protective Factors. 36 *Australian and New Zealand Journal of Psychiatry* (2002) pp 521-527; Flouri E, Buchanan A. Father Involvement In Childhood And Trouble With The Police In Adolescence: Findings From The 1958 British Birth Cohort. 17 *Journal of Interpersonal Violence* (2002) pp 689-701; Flouri E, Buchanan A. Life Satisfaction In Teenage Boys: The Moderating Role Of Father Involvement And Bullying. 28 *Aggressive Behavior* (2002) pp 126-133; Flouri E, Buchanan A. The Protective Role Of Parental Involvement In Adolescent Suicide. 23 *Crisis* (2002) pp 17-22; Flouri E, Buchanan A. What Predicts Good Relationships With Parents In Adolescence And Partners In Adult Life: Findings From The 1958 British Birth Cohort. 16 *Journal of Family Psychology* (2002) pp 186-198

- # In the Impact of Divorce Project of Ohio's Kent State University—the first nationwide sample study of 699 elementary students from 38 American states—children from divorced homes performed more poorly in reading, spelling, and maths, and repeated a grade more frequently than did children in intact two parent families.

- (a) the effects of divorce are not temporary stressors but rather long-term influences,
- (b) boys have more difficulties, particularly as they approach adolescence,
- (c) the decline in socio-economic status after divorce is not a explanation for children's decreased performance, and
- (d) authoritative child-rearing routines such as bedtimes, mealtimes, and television viewing habits relate to better child outcomes.

One of the most striking findings was that 51% of children from sole mother custody families see their fathers *once or twice a year or never*. Even 11 or 12 years following the divorce, adolescents who have good relationships with their non-custodial fathers have fewer school behaviour problems, fewer attention or aggression problems, higher grades in Language and Social Studies, and are less likely to abuse drugs or alcohol.

Guidubaldi J. Differences In Children's Divorce Adjustment Across Grade Level and Gender: A Report From the NASP-Kent State Nationwide Project. In Wolchik, Karoly (Editors), *Children of Divorce: Perspectives and adjustment*. Lexington Books, Lexington, MA (1989) pp 185-231. See also, Guidubaldi J, Perry J D, Nastasi B K. Growing Up In A Divorced Family: Initial and Long-Term Perspectives On Children's Adjustment. In S. Oskamp (Editor), *Applied Social Psychological Annual*. (7) Family Processes and Problems: Social Psychology Aspects. Sage, Newbury Park, California (1987); Guidubaldi J. The Legacy of Lost Families: Divorce and The Next Generation. *The World, I*, (Nov 1988) pp 520-534.

- # Boys in joint residence reported fewer negative life experiences after divorce than boys in maternal residence

Cowan D B. Mother Custody Versus Joint Custody: Children's Paternal Relationships and Adjustment (1982). *Dissertation Abstracts International*, 43A, 726, UMI order number, 82-18213.

- # "Girls without a father in their life are two and a half times as likely to get pregnant and 53 percent more likely to commit suicide. Boys without a father in their life are 63 percent more likely to run away and 37 percent more likely to abuse drugs. Both girls and boys are twice as likely to drop out of high school, twice as likely to end up in jail and nearly four times as likely to need help for emotional or behavioural problems."

US Bureau of Justice Statistics. Survey of State Prison Inmates. US Bureau of Justice, Washington D C (1991)

Davidson N. Life Without Father. Policy Review (1990)

- # Low parenting time for either parent will lead to adjustment problems later for the child.

Lund M. Parenting Arrangements In Divorce: Implications of Children's Different Developmental Needs. Psychiatric Office, Family Law Section Los Angeles Superior Court (1996).

- # A thirty-six year longitudinal study in the U.S. found that the children of affectionate fathers were much more likely in their forties to be happily married and mentally healthy and to report good relationships with friends

Franz C E, McClelland D C, Weinberger J. Childhood Antecedents of Conventional Social Accomplishments In Midlife Adults: A thirty-Six year Prospective Study. 60 Journal of Personality and Social Psychology (1991) pp 586-595.

- # Furthermore, the child with an available father, both in the early and the adolescent years, is more companionable and responsible as adults.

Warshak R A. The Custody Revolution: The Father Factor and The Motherhood Mystique. Simon, Schuster, New York (1992)

Snarey J. How Fathers Care For The Next Generation. Harvard University Press, Cambridge MA (1993) pp 163-164

- # Even after controlling for income it has been found that children whose parents are divorced or separated have lower levels of educational attainment than children from intact families.

Guidubaldi J, Cleminshaw H K, Perry J D, McLoughlin C S. The Impact of Parental Divorce On Children: Report of The Nation-Wide NASP Study. 12 School Psychological Review (1983) pp 300-323

Spruijt E, de Goede R. Transitions In Family Structure and Adolescent Well-Being. 32 Adolescence (1997) pp 897-911

- # A longitudinal study of males found that the divorce of parents before the children were aged ten was one of the major predictors of adolescent delinquency and adult criminality.

Farrington D P. Implications of Criminal Career Research For The Prevention of Offending. 13 Journal of Adolescence (1990) pp 93-113

- # By the age of thirteen there is an average difference of half a year in reading abilities between children of divorced parents and those from intact families.

Stevenson J, Fredman G. The Social Correlates of Reading Ability. 31 Journal of Child Psychology and Psychiatry (1990) pp 689-690

- # Children raised in intact families complete more total years of education and have higher earnings than children from other family structures

Hardy J B, *et al.* Self-Sufficiency At Ages 27-33 Years: Factors Present Between Birth and 18 Years That Predict Educational Attainment Among Children Born to Inner-City Families. 59 Paediatrics (1997) pp 80-87

Heiss J. Effects of African American Family Structure On School Attitudes and Performance. 43 Social Problems (1996) pp 246-264

- # The divorce of parents reduces the likelihood of attaining a university education. Studies indicate among women who completed university there was a massively lower divorce rate (88 percent lower) among their parents compared to women who did not get a college degree

Bumpass L L, Castro Martin T, Sweet J A. The Impact of Family Background and Early Marital Factors On Marital Disruption. 12 Journal of Family Issues (1991) pp 22-42.

- # Among university-age students who went to the same high schools in affluent Marin County, San Francisco, only two thirds of the children from divorced families attended university, compared with 85 percent of students from intact families.

Wallerstein J S. The Long Term Effects of Divorce On Children: A Review. 30 Journal of The American Academy of Child Adolescent Psychiatry (1991) pp. 349-360

Other quantitative studies [69 citations]

These comparative studies compare children in sole parent households to children in other household types, and show that sole residence is the worst kind of residential situation for children.

- # The United States Congress has found:

- (1) Nearly 24,000,000 children in the United States, or 34 percent of all such children, live apart from their biological father.
- (2) Sixty percent of couples who divorce have at least 1 child.
- (3) The number of children living with only a mother increased from just over 5,000,000 in 1960, to 17,000,000 in 1999, and between 1981 and 1991 the percentage of children living with only 1 parent increased from 19 percent to 25 percent.
- (4) Forty percent of children who live in households without a father have not seen their father in at least 1 year and 50 percent of such children have never visited their father's home.
- (5) The most important factor in a child's upbringing is whether the child is brought up in a loving, healthy, supportive environment.
- (6) Children who live without contact with their biological father are, in comparison to children who have such contact:
 - (A) 5 times more likely to live in poverty;
 - (B) more likely to bring weapons and drugs into the classroom;
 - (C) twice as likely to commit crime;
 - (D) twice as likely to drop out of school;
 - (E) more likely to commit suicide;
 - (F) more than twice as likely to abuse alcohol or drugs; and
 - (G) more likely to become pregnant as teenagers.
- (7) Violent criminals are overwhelmingly males who grew up without fathers.
- (15) For the future of the United States and the future of our children, Congress, States, and local communities should assist parents to become more actively involved in their children's lives.

US Senate S.657- Strengthening Families Act of 2003

- # Many researchers support the conclusion that children in joint residence situations do have a much better prognosis for positive post-divorce adjustment

Roman M, Haddad W. The Disposable Parent: The Case For Joint Custody. Holt, Reinhart, Winston, New York (1978) at 178.

Coller D R. Joint Custody; Research, Theory and Policy. 27(4) Family Process (December 1988) pp 259-269

Kruk E. Promoting Shared Parenting After Separation; A Therapeutic/Interventionist Model of Family Mediation. 15(3) Journal of Family Therapy (August 1993)

Thompson R. The Role of The Father After Divorce. 4(1) The Future of Children. (1994) pp 210-235.

- # Children in joint residence were better adjusted than children in sole-residence. Children in joint residence were better adjusted than children in sole residence settings, but no different from those in intact families. Factors including, general adjustment, family relationships, self-esteem, emotional and behavioural adjustment, and divorce specific adjustment were considered.

Senate QoN - research supporting shared residence.

Fathers for Equality - Page 8

Moreover, joint residence parents reported less current conflict than did sole residence parents. Joint residence can be advantageous for children, by facilitating ongoing positive involvement with both parents

Doll B (June 1995). Preliminary Summary: Empirical Research Describing Outcomes Of Joint Custody American Psychological Association, Washington D.C.

Bauserman R. (2002) Child Adjustment In Joint Custody Verses Sole-Custody Arrangements: A Meta-Analytic Review. 16(1) Journal Of Family Psychology

- # Reviews of the evidence on post-divorce adjustment indicate the importance of a continuing meaningful relationship with both parents

Kelly J B. Examining Resistance To Joint Custody. In, J Folberg (Editor), Joint Custody and Shared Parenting The Guildford Press (2nd edition), New York (1991) pp 55-62. (See Appendix D for a transcript)

Lerman I A. Adjustment of Latency Age Children In Joint and Single Custody Arrangements. Dissertation Abstracts International, 50B, 3704, Order No AAC8925682 (1989)

- # Equal groups in joint guardianship, sole maternal residence and joint residence were compared and the amount of father-child contact were found to be significant predictors of child adjustment, with higher father-child contact associated with better adjustment of the children. The results in this study, as in the vast majority of this research, suggest that joint residence is much more beneficial for successful post-divorce adjustment of children than sole residence.

Lerman I A. Adjustment of Latency Age Children In Joint and Single Custody Arrangements. Dissertation Abstracts International, 50B, 3704, Order No AAC8925682 (1989)

- # Steinman evaluated 24 couples who chose joint residence arrangements for their children at divorce. The children felt that they were strongly attached to both parents and were not troubled by the loyalty conflicts. A comparatively low rate of the children experiencing confusion or anxiety to their shared residence arrangement. Consequently the argument that children in joint residence experience more confusion and frustration was not supported in that study.

Steinman S. The Experiences of Children In A Joint Custody Arrangement: A Report of A Study. 51 American Journal of Orthopsychiatry (1981) pp 403-414

- # Goldstein also found children were strongly attached to both parents, but a small number of these children felt a strong need to be *fair* to both parents and were meticulous about dividing their time equally between them. While these children did perceive their parents divorce as undesirable, and in some cases harboured fantasies of reconciliation, they did not experience the overwhelming sense of having been rejected that is common in the more usual maternal sole residence/father-absent post-divorce arrangement (Wallerstein, Kelly 1980; Mitchell 1985).

Goldstein J, Freud A, Solnit A. Beyond The Best Interests of The Child. Free Press, New York (1973)

Wallerstein J S, Kelly J B. Surviving The Breakup: How Children and Parents Cope With Divorce. Basic Books, New York (1980)

Mitchell A. Children In The Middle: Living Through Divorce. Tavistok Publications, London, New York (1985)

- # 70% of children (mostly boys) with severe behavioural handicaps have no father contact at all. These children and adolescents are often the most disturbed or potentially dangerous students in school.

Guidubaldi J, Duckworth J. Enhancing Fathers' Involvement In Child Rearing: An Empirical Basis For Consultation and Parent Education. Symposium presented at the National Association of School Psychologists Annual Convention Atlanta, Georgia (March 1996).

Father absence lowers cognitive test scores for young children in general

Powel M, Parcel T L. Effects of Family Structure On The Earnings Attainment Process: Differences By Gender, 59 Journal of Marriage and the Family (1997) p 419, reporting on unpublished research by Frank Mott (1993) prepared for NIH/NICHHD.

Father absence lowers girls' math scores. Girl's verbal capacities increase when the father is present and especially when he reads aloud to her when she is young.

Popenoe D. Life Without Father. Martin Kessler Books, New York (1995)

Paternal availability seems to be especially important in the IQ performance of boys of all ages and girls in later latency.

Parke R. Fathers. Harvard University Press, Cambridge, Massachusetts (1981)

Boys in sole parent households frequently lack a positive male role model and miss the discipline exercised by most fathers. Half of Australian boys with separated parents see their fathers on the average of only six times a year or less. It is clear that many boys are being reared without benefit of a same-sex parental figure.

Australian Institute of Family Studies. Parents and Children After Marriage Breakdown Study. Australian Institute of Family Studies Report, Australian Publishing Service, Canberra (1991)

Australian Bureau of Statistics, 1997. Children, Australia: A Social Report. Australian Bureau of Statistics. Catalogue 4119.0).

If economic hardship were the main predictor of school performance, there would presumably be no difference between children in step-parent households and children in intact families where both family types received similar incomes. Yet children in stepparent households still generally perform less well, even after controlling for income.

Amato P R, Keith B. Parental Divorce and The Well-Being of Children: A Meta-Analysis. 110 Psychological Bulletin (1991) pp 26-46

Children in step families also suffer educationally. Schools may expel as many as one in four stepchildren.

Dawson D A. Family Structure and Children's Health and Well Being: Data From The 1988 National Survey of Child Health. 53 Journal of Marriage and The Family (1995) pp. 573-584.

Increased contacts in meaningful care giving situations, lead to improved behaviour, improved peer relationships, more positive self-esteem, and even improved academic scores in numerous subjects. Infrequent paternal contact, on the other hand, has been associated with poor self-esteem, depression, and high levels of anger in children

Kelly J B. Longer-Term Adjustment In Children of Divorce: Converging Findings and Implications For Practice. 2 Journal of Family Psychology (1988a) pp 119-140

The argument that children in joint residence experience more confusion and frustration was not supported. Based on this research result, and many other similar studies, it is known now that the argument that *children need the stability of one home etc* is not valid.

- # Children obtain emotional stability from important emotional relationships with two parents and two sets of grandparents, and these are much more important than where a child sleeps.

Kelly J B. Examining Resistance To Joint Custody. In, J Folberg (Editor), Joint Custody and Shared Parenting. The Guildford Press (2nd edition), New York (1991) pp 55-62

- # Children in sole residence situations did not maintain strong healthy emotional relationships with both parents, children in joint residence situations did. The children in joint residence arrangements indicated that they were generally satisfied with their level of involvement with both parents, in marked contrast, children in sole residence indicated that they were not satisfied.

- **The claim that children of divorce need one primary parent and one primary home is refuted.**
- There was no evidence that joint residence families sustained more post divorce conflict than sole residence households;
- There was no evidence that children experience disruption from living in two houses. In fact, most children felt their new lifestyles held certain advantages over the nuclear family household;
- Children in sole residence desired more contact with their non-resident parents;
- Many non-resident parents but no joint residence parents lost contact with their children;
- No joint residence fathers had ceased to support their children financially, as many non-resident fathers had;
- Joint residence children had maintained meaningful relationships with both parents, in contrast with single residence children for whom the *visit* was a vacation;
- Single residence parents reported feeling *burnt out and overwhelmed* in a way that joint residence did not.
- All of the joint residence children valued the arrangement and said they would have chosen it. By contrast, half of the sole residence children were dissatisfied with their arrangements and wanted more contact with the non-resident parent.
- Children's response to parental authority were not shown to be adversely affected by the fact that their parents no longer cared for each other. Joint residence should be a rebuttable presumption at law. She concluded that joint residence at it's best is superior to sole residence at its best.

Luepnitz D. A. Maternal, Paternal, and Joint Custody: A Study of Families After Divorce (1980). Doctoral dissertation, State University of New York At Buffalo. UMI order number, 80-27618

- # There is a general consensus that children who are able to maintain a loving, involved relationship with both parents after divorce adjust much better than children who find their relationship with either parent curtailed.

Kelly J B. Examining Resistance To Joint Custody. In, J Folberg (Editor), Joint Custody and Shared Parenting. The Guildford Press (2nd edition), New York (1991) pp 55-62

Cowan D B. Mother Custody Versus Joint Custody: Children's Paternal Relationships and Adjustment (1982). Dissertation Abstracts International, 43A, 726, UMI order number, 82-18213.

Shiller V M. Joint Verses Maternal Custody For Families With Latency Age Boys: Parent Characteristics and Child Development. 56(3) American Journal of Orthopsychiatry (1986a) pp 486-489

Lerman I A. Adjustment of Latency Age Children In Joint and Single Custody Arrangements. Dissertation Abstracts International, 50B, 3704, Order No AAC8925682 (1989)

- # Children who fared best after the divorce were those who were free to develop loving and full relationships with both parents. (*Relationships like this are unlikely without shared residence, ed.*)

Folberg J, Graham M. Joint Custody of Children Following Divorce. 12 University of California Davis Law Review (1979) p 535

Family Law Council. Patterns of Parenting After Separation: A Report To The Minister For Justice and Consumer Affairs. Australian Publishing Service, Canberra (April 1992).

- # Empirical and clinical evidence that shared residence encourages responsible behaviour and is psychologically sound.

Roman M, Haddad W. The Disposable Parent: The Case For Joint Custody. Holt, Rinehart, Winston, New York (1978)

Luepnitz D A. Child Custody: A Study of Families After Divorce. Lexington Books, Massachusetts (1982)

Coller D R. Joint Custody; Research, Theory and Policy. 27(4) Family Process (December 1988) pp 259–269

Sharply C F, Webber R F. Co-Parenting: An Alternative To Consider In Separation Counselling. 10(3) Australian Journal of Sex, Marriage and Family (1992) pp 111–117

Kruk E. Promoting Shared Parenting After Separation; A Therapeutic/Interventionist Model of Family Mediation. 15(3) Journal of Family Therapy (August 1993)

Thompson R. The Role of The Father After Divorce. 4(1) The Future of Children. (1994) pp 210–235.

Farrell W. Father and Child Reunion: How To Bring The Dads We Need To The Children We Love. Tarsher/Putman, New York (January 2001)

- # Lately have we begun to understand that children suffer serious negative consequences when fathers are marginalized.

Warshak R A. The Custody Revolution: The Father Factor and The Motherhood Mystique. Simon, Schuster, New York (1992)

Farrell W. Father and Child Reunion: How To Bring The Dads We Need To The Children We Love. Tarsher/Putman, New York (January 2001)

- # The *usual way of divorce* (mother gets residence (custody), father gets *contact* and *financial obligation*), is based on outmoded, erroneous, and damaging concepts of men's and women's parenting roles, abilities, and parent–child relationships.

Fitzgerald H, McCreed C. Fathers and Infants. 2(4) Infant Mental Health (1981).

Jacobs J W. Divorce and Child Custody Resolution: Conflicting Legal and Psychological Paradigms. 143 American Journal of Psychiatry (1986) pp 192–197

- # Joint residence is the optimal post-divorce arrangement and that courts should begin with a rebuttable presumption of joint residence.

Roman M, Haddad W. The Disposable Parent: The Case For Joint Custody. Holt, Rinehart, Winston, New York (1978)

- # Children seem to benefit from increased time with the non-custodial parent when certain conditions are met: low levels of inter-parental conflict and a warm, consistent relationship with the non-custodial parent. They benefit from authoritative parenting with the non-resident parent (i.e., advice and help with projects, supervision of homework; discipline)... In other words, how often
- Senate QoN - research supporting shared residence.*

fathers see their children is less important than what they actually do with them. (*Alternate weekend access leads to destructive 'Disney Dad' relationships, as fathers are forced to try to maximise the joy in their infrequent visits – ed.*)

Amato, Gilbreath, 1999; Clarke-Stewart, Hayward, 1996; Hetherington, Cox, Cox, 1982

- # Boys as a group are happier and show lower rates of delinquency and school drop-out in father-custody homes. These results are consistent and robust. There are no studies which find the reverse - that children function better with the opposite-sex parent.

Camara, Resnick, 1988; Clarke-Stewart, Hayward, 1996; Gregory, 1965; Peterson, Zill, 1986; Santrock, Warshak, 1979; Warshak, 1996; Warshak, Santrock, 1983; Zimiles, Lee, 1991

- # Researchers recommend that in a child's best interests, the job of the courts is to protect children from emotional damage by safeguarding the child's relationship with each parent to the fullest extent possible

Williams F S. Child Custody and Parental Cooperation. Paper presented at American Bar Association Family Law Section (1987).

Kelly J B (1988a). Longer-Term Adjustment In Children of Divorce: Converging Findings and Implications For Practice. 2 Journal of Family Psychology pp 119-140

- # Continuing a broad based relationship with the child (eg joint residence) considerably diminished the negative psychological effects on the non-resident father and his child.

Greif J B. Fathers, Children and Joint Custody. 49 American Journal of Orthopsychiatry (1979). pp 311-319 at 314

Luepnitz D A. Child Custody: A Study of Families After Divorce. Lexington Books, Massachusetts (1982)

- # Rejecting mandatory joint residence places the interests of parents ahead of the best interests of the child

McIsaac H. The Divorce Revolution: A Critique. 10(5) California Family Law Report (May 1986)

Kelly J B. Further Observations On Joint Custody. 16 University of California Davis Law Review (1983) pp 762-770

- # Australian data indicates the proportion of children with mental health problems – including behavioural, affective (mood), and attention deficit disorders – is lowest in intact families. The highest proportion of children with problems occurs in single parent households, but boys are most likely to suffer from mental health problems in step/blended households.

Sawyer et al. The Mental Health of Young People in Australia. Mental Health and Special Programs Branch, Department of Health and Aged Care, Canberra (2000).

- # In 1988, a survey of preschool children admitted to New Orleans hospitals as psychiatric patients over a 34-month period found that nearly 80 percent came from fatherless homes.

Block J et al. Parental Functioning and the Home Environment In Families of Divorce. 27 Journal of the American Academy of Child and Adolescent Psychiatry (1988)

- # An important Australian study interviewed 402 Victorian children and asked them about relationships with parents and their general feelings about family life. It sought to connect their responses to how the children were doing in their lives. For the broad range of children support from both mothers and fathers was associated with positive development. When fathers had little

association with their children, these children had relatively low self-esteem, strongly desired more contact with their fathers, and were doing poorly compared to other children whose fathers were more involved in their lives.

Amato P. Children In Australian Families: The Growth of Competence. Prentice-Hall, Sydney (1987)

- # The Western Australian Child Health Survey found that the proportion of children with low academic competence was almost twice as high for sole parent households as for couple families – 30% and 17% respectively

Zubrick S R, Silburn S R, Gurrin L, Teoh H, Shephard C, Carlton J, Lawrence D. Western Australian Child Health Survey: Education, Health and Competence. Australian Bureau of Statistics and The TVW Telethon Institute For Child Health Research, Perth, Western Australia (1997)

- # Many studies have replicated the finding that boys fare much more poorly than girls in post-divorce households.

Guidubaldi J, Cleminshaw H K, Perry J D, Nastasi B K, Lightel J. The Role of Selected Family Environment Factors In Children's Post-Divorce Adjustment. 35 Family Relations (1986) pp 141-151

Krein S F, Beller A H. Educational Attainment of Children From Single-Parent Families: Differences By Exposure, Gender and Race. 25 Demography (1988) pp 221-234

- # Poor control of the custodial parent, inconsistency and family disorganisation are often reported in single-parent households, and lead to inattention ultimately resulting in poor performance on tasks requiring sustained attention

Hetherington E, Cox M, Cox R. The Aftermath of Divorce. In Steven and Mathews (Editors), Mother-Child, Father-Child Relations Washington DC: National Association for the Education of Young Children (1978)

- # Divorce affects the educational level that children attain. Among girls who have completed high school there is a 33 percent lower divorce rate among their parents compared to girls who drop out of high school

Bumpass L L, Castro Martin T, Sweet J A. The Impact of Family Background and Early Marital Factors On Marital Disruption. 12 Journal of Family Issues (1991) pp 22-42.

- # Numerous authors have expressed concern about the injury to children when a parent with psychological problems is given total responsibility for the children. Decisions in favour of sole residence will result in awarding residence to a small number of parents who have serious psychological problems. Given the total authority which parents in sole residence situations have, the potential for child abuse, in that context, is almost unchecked.

Williams F S. Child *Custody and Parental Cooperation*. Paper presented at American Bar Association Family Law Section (1987)

Wallerstein J S, Kelly J B. Surviving The Breakup: How Children and Parents Cope With Divorce. Basic Books, New York (1980)

Kelly J B. Longer-Term Adjustment In Children of Divorce: Converging Findings and Implications For Practice. 2 Journal of Family Psychology (1988a) pp 119-140

- # Available evidence suggests that both sole residence mothers and sole residence fathers are guilty of that form of child abuse.

McMurray A, Blackmore A M. Influences On Parent-Child Relationships On Non-Custodial Fathers. 14(3) Australian Journal of Marriage and Family (1992) pp 151-159 at p153

- # These data could result from the increased stress associated with single parent responsibilities, since the Ditson, Shay (1984) data also indicated that in married families the abuse was evenly split between the mother and the father.

Ditson J, Shay S. Use of A Home-Based Microcomputer To Analyse Community Data From Reported Cases On Child Abuse and Neglect. 8 Child Abuse and Neglect (1984) pp 503-509

- # Child abuse is intimately related to later delinquency and violent crime, and here too divorce is implicated.

Fagan P. The Child Abuse Crisis: The Disintegration of Marriage, Family, and The American Community. The Heritage Foundation, Backgrounder No. 1115 (3 June 1997)

- # When parenting responsibilities are totally loaded totally on one parent, sole residence may lead to increased parental stress, and research has associated increased maternal stress with increased violence against children.

Whimple E E. The Role of Parental Stress In Physically Abusive Families. Dissertation Abstracts International, 50A, 3354, Order No AAC900701 (1989)

Delinquency and crime [29 citations]

- # It has also been found that boys from divorced families often exhibit delinquent-like behaviour and have difficulty in controlling their impulses (Biller 1981; Buckingham 2000). Investigators believe that boys need a firm, positive identification with their fathers in order to be able to develop internalised controls over their behaviour. The fact that post divorce boys have much less contact with their fathers would explain their higher incidence of delinquent-like and generally aggressive behaviour.

Biller, H. Father Absence, Divorce and Personality Development: The Role of the Father in Child Development. Wiley, Son, New York (1981)

Buckingham, J. Boy Troubles – Understanding Rising Suicide, Rising Crime and Educational Failure. Centre For Independent Studies, St. Leonards, NSW (June 2003).

- # Assault rates more than doubled in the decade from 1980 to 1990 and there is a statistical association between rising crime and rising rates of divorce. (There is no such association between crime and unemployment or the number of young men in society).

Intact families are generally the most effective way to socialise the young. Disturbed behaviour among young people was noted during World War II, when many fathers were away from their families. Sullivan suggests that our present way of dealing with this problem, through intervention at the individual level by social workers and the police, has little effect, and calls for a public health approach, preventing the problems before they occur by encouraging intact families.

Sullivan L. Rising Crime In Australia. Centre For Independent Studies, Sydney (1997)

- # The NSW Bureau of Crime Statistics and Research (BOCSR) implicates child neglect is currently the most powerful social predictor of juvenile crime.

Weatherburn D, Lind B. Social and Economic Stress, Child Neglect and Juvenile Delinquency. NSW Bureau of Crime Statistics and Research, Sydney (1997)

- # "The high incidence of violent behaviour from boys was strongly correlated to being fatherless but it was not, in my experience, prevalent among any one community. It was not related to one race or community, but it was related to having no father."

Harvey Brownstone (family court judge, North York Canada) quoted in "Put kids first, judge tells parents His family court sees conflicts daily Complex reasons why dads absent" ANDREA GORDON, Toronto Star newspaper, Jan. 16, 2006

http://www.thestar.com/NASApp/cs/ContentServer?pagename==thestar/Layout/Article_Type1&c==Article&cid=37365412343&call_pageid=-8867495754&col=-9483191630

- # Abuse has been shown to be related to violent juvenile crime, but not to property crime

Farrington D F. The Family Backgrounds of Aggressive Youths, In L Hersor, M Berger, D Shaffer (Editors), Aggression and Anti-Social Behaviour In Child hood and Adolescence. Pergamon, Oxford (1978)

Patterson G R. Coercive Family Processes. Castalia, Eugene, Oregon (1982)

Widom C S. The Cycle of Violence. 244 Science (1989) pp 160-166

- # Children of divorced parents are significantly more likely to be delinquent by age fifteen, regardless of when the divorce took place, than are children of intact families

Frost A K, Pakiz B. The Effects of Marital Disruption On Adolescents: Time As A Dynamic. 60(4) American Journal of Orthopsychiatry (1990) pp 544-555. Hereinafter as *Marital Disruption*

- # Adolescents from single-mother households are consistently more likely to be delinquent than those from intact families, though the same holds for children from intact conflict ridden families

Demo D H, Acock A C. The Impact of Divorce On Children. 50 Journal of Marriage and The Family (1988) pp 619-648

- # Among adolescent girls there is a strong correlation between family structure and delinquency

Heimer K Gender, Interaction, Ad Delinquency: Testing A Theory of Differential Social Control. 39 Social Psychology Quarterly (1996) pp 39-61

- # Among adolescent girls there is a strong correlation between family structure and hostile behaviour

Pakiz B, Reinherz H, z Giaconia R M. Early Risk Factors For Serious Antisocial Behaviour At Age 21: A Longitudinal Community Study. 67 American Journal of Orthopsychiatry (1997) pp 92-100

- # Among adolescent girls there is a strong correlation between family structure and drug use, larceny, skipping school

Kalter N, Reimer B, Brickman A, Chen J W. Implications of Parental Divorce For Female Development. 24 Journal of The American Academy of Child Psychiatry (1985) pp 538-544

- # Among adolescent girls there is a strong correlation between family structure and alcohol abuse

Frost A K, Pakiz B. The Effects of Marital Disruption On Adolescents: Time As A Dynamic. 60(4) American Journal of Orthopsychiatry (1990) pp 544-555.

- # The divorce rate predicted the rate of robbery in any given area, regardless of the economic and the racial composition, based on a study of 171 American cities with populations over 100,000. In these communities, he found that the lower the rates of divorce the less the crime.

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- # Other American data indicates that 43 percent of prison inmates grew up in a single-parent household and an additional 14 percent lived in households without either biological parent. Another 14 percent had spent at least part of their childhood in a foster home, agency or other juvenile institution. (adding this up, 70% of inmates didn't have both natural parents, ed.)

US Bureau of Justice Statistics. Survey of State Prison Inmates. US Bureau of Justice, Washington D C (1991)

- # Sixty percent of rapists and seventy-two percent of adolescent murderers in America grew up in homes without fathers

Davidson N. Life Without Father. (1990)

- # The one factor that most closely correlates with crime is the absence of the father in the family. Controlling for family configuration erases the relationship between race and crime and between low income and crime. This conclusion shows up time and again in the literature

Kamarck E, Galston W. Putting Children First. Progressive Policy Institute (1990)

- # According to the Western Australian Child Health Survey, children in single parent and step/blended households have up to two times greater incidence of mental health problems than children in intact families (two natural parents).

Silburn et.al. Western Australian Child Health Survey: Family and Community Health. Australian Bureau of Statistics and the TVW Telethon Institute For Child Health Research. Perth, W.A. (1996)

- # One U.S. study tracked one thousand families with children aged six to eighteen for six years and found that those children living in intact married families exhibited the least delinquency, while children with stepfathers had the greatest risk of the most disruptive behaviour. In this study single-parent children fell in between.

Rickel A U, Langer T S. Short-Term and Long-Term Effects of Marital Disruption On Children. 13 American Journal of Community Psychology (1985) pp 599-661

- # 15 times higher prevalence of depression in 12 to 14 years olds not living with both of their natural parents.

Garrison et.al. Incidence of Major Depressive Disorder and Dysthymia In Young Adolescents. 36 Journal of American Academy of Children and Adolescent Psychiatry (1997) pp 458-465.

- # At every income level except the very highest (over US\$50,000 a year), children living with never-married mothers were more likely than their counterparts in two-parent families to have been expelled or suspended from school, to display emotional problems, and to engage in antisocial behaviour.

National Health Interview Survey. United States Department of Health and Human Services, Hyattsville, MD (1988) cited in Wilson J Q. In Loco Parentis: Helping Children When Families Fail Them The Brookings Review (Fall 1993)

- # Higher divorce rates in a society lead to higher suicide rates among children. Prior to the divorce revolution of the 1970s unemployment was the biggest correlate with suicide, but that has changed (McCall et al). The largest demographic indicator of suicide is the family structure within which the

person resides, and that the divorced family structure is most dangerous. This link between the rise in adolescent suicide in the past three decades with parental divorce has been found again and again in the literature, and in cross-cultural studies of Japan and the United States. For children the suicide is often triggered by thoughts that their parents have rejected them or have lost interest in them (Wodarski et al).

McCall P.L., Land K. C. Trends in White Male Adolescent, Young-Adult, and Elderly Suicide: Are There Common Underlying Structural Factors? 23 *Social Science Research* (1994) pp 57-81.

Nelson F.L. et al. Youth Suicide in California: A Comparative Study of Perceived Causes and Interventions. 24 *Community Mental Health* (Spring 1988) pp 31-42

Noeri Velez C., Cohen P. Suicidal Behaviour and Ideation in a Community Sample of Children: Maternal and Youth Reports 27(3) *Journal of The American Academy of Child and Adolescent Psychiatry* (1988) pp 349-356.

Larson D. B., Snyers J. P., Larson S. S. The Costly Consequences of Divorce. *National Institute for Healthcare Research, Rockville, Maryland* (1995) p. 124.

Wodarski J. S., Harris P. Adolescent Suicide: A Review of Influences and the Means for Prevention. 32(6) *Social Work* (1987) pp 477-484.

- # Some experts to recommend paternal residence as a preference for boys and maternal residence for girls. However, such a legislative mandate would be inappropriate at present for two reasons. First, no child should ever be denied the right to know and love two care-giving parents (except, obviously, in abuse situations). Second, no parent should be denied his or her parental rights (i.e., human rights) without conclusive evidence that the exercise of those rights is destructive of the child). Thirdly, This can deny children from having a relationship with their siblings.

Finally, this would fail to achieve the only justification of sole-residence – which is to remove one parent from the children's lives.

Rohman L W, Sales B D, Lou M. The Best Interests of The Child In Custody Disputes. In L A Weithorn (Editor), *Psychology and Child Custody Determinations*. University of Nebraska Press, Lincoln Nebraska, (1987)

Thompson R. The Fathers Case In Child Custody Decisions: The Contributions of Psychological Research. In M E Lamb, A Sargi (Editors), *Fatherhood and Social Policy*. Erlbaum, Hillsdale, New Jersey (1983). pp 50-100

Risks from Mummies new boyfriend - 24 citations

The Family Court awards sole custody to the mother in the majority of cases. These children have a high risk of living with “mummies-new-boyfriend” in the future. These children face a vastly increased risk of being abused or killed. Cinderella wasn’t the only child abused by a wicked step-parent.

Loving step-parents are to be admired and respected. However not every sexual partner of a single parent becomes a loving step-parent. An un-related adult entering a child’s home as simply as “mummies-new-boyfriend” is an obvious risk to a child’s safety.

We have found 46 citations to published research showing a tremendous increase in risk when children live with a step-parent or “mummies-new-boyfriend”.

A child is at approximately twenty (20) times higher risk of being abused when living with a step-parent than when the child is with it’s natural (biological) parents.

Sadly, most studies about child abuse don’t separate “natural fathers” from “step fathers”.

Since few children live with a step-parent, the risk when living with a step-parent is much higher than the raw percentage of abuse suggests.

Simply multiply by 20 to get the increased risk for a child living with a step parent or mummies-new-boyfriend.
Simply multiply by 7 to get the increased risk for a child living in a sole parent household.

For example if 30% of abuse occurs in stepfamilies, you multiply $30\% \times 20 = 6$. Children in step families are at six times more likely to be abused than if they were living with both their natural parents.

The calculations work like this.

81% of children live with both natural parents while 13.5% live with a sole parent and only 4.2% live with a stepparent.

So..

$\% \times 81\%$ divided by $13.5\% = 6$ times the risk of living with both natural parents

$\% \times 81$ divided by $4.2\% = 20$ times the risk of living with both natural parents

Australian Bureau of Statistics, Australian Social Trends 1995 Family - Living Arrangements: Children in families
<http://www.abs.gov.au/ausstats/abs@.nsf/94713ad445ff1425ca25682000192af2/2e2ae433535bc15aca2569ee0015d89d!OpenDocument>

- # Children are at far greater risk of abuse from step-parents than from natural parents. A birth cohort of over 1019 youngsters when they were aged 18 year-olds found an overall prevalence rate of child sexual abuse of 10.4%. Only 2 (1.5%) of those cases involved natural parents as perpetrators but 22.5% of accused offenders were step-parents.

Fergusson D, Lynskey MT, Horwood LJ (1996). Childhood sexual abuse and psychiatric disorder in young adulthood: Prevalence of sexual abuse and factors associated with sexual abuse. Journal of the American Academy of Child and Adolescent Psychiatry, 34(10): 1355-1364.

- # A number of other studies also have indicated that step-fathers are far more likely to engage in serious sexual abuse with their step-daughters than natural fathers. For example, Finkelhor found

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that “a step-father was five times more likely to sexually victimise a daughter than was a natural father”.

Finkelhor D (1980). Risk factors in the sexual victimization of children, *Child Abuse, Neglect*, 7, 133-146. 106

Perlmutter LH, Engel T, Sager CJ (1982). The incest taboo: loosened sexual boundaries in remarried families, *Journal of Sex, Marital Therapy*, 8 (2):83-96.

Russell D (1983). 'The incidence and prevalence of intrafamilial sexual abuse of female children', *Child Abuse and Neglect*, 7 (2), 133-76.

- # A study of all state child protective services agencies by the Children's Rights Coalition (a child advocacy and research organisation in Austin Texas), found that biological mothers physically abuse their children at twice the rate of biological fathers. The majority of the rest of the time, children were abused because of the single-mothers' poor choices in the subsequent men in their lives. Incidences of abuse were almost non-existent in single-father-headed households (Anderson 1990).

Department of Human Services (1987-1988). Texas Children's Rights Coalition, Austin Texas (1990)

- # National data collected by the Australian Institute of Health and Welfare (AIHW) show child abuse and neglect statistics have an over-representation of single-parent households. More cases involved children from female single-parent households (39%) than families with two natural parents (30%) or other two parent households such as step parent households (21%).

Since only 13% of children live in female single parent households (Australian Bureau of Statistics 1995) and 34% of child sexual abuse occurs in this type of household—it follows that the relative risk of child sexual abuse in a female single parent household is over seven times the risk in a two natural parent family ($34/13 \times 81/30$). The relative risk of any kind of abuse in a single parent household is eight times that of a two natural parent family.

The situation is becoming more serious. The Australian Bureau of Statistics reports that *between 1982 and 1992, the number of families headed by a lone parent grew by more than 180,000, reaching an estimated 619,000—an increase of 42% in just ten years* (ABS 1995).

Angus G, Hall G (1996). *Child Abuse and Neglect Australia 1994-1995*. Canberra: Australian Institute of Health and Welfare. (Australian Institute of Health and Welfare Series; no 16)

Australian Bureau of Statistics. *Australian Social Trends 1995*. Australian Bureau of Statistics, catalogue number 4102.0, Australian Publishing Service, Canberra (1995). Further, the Australian Bureau of Statistics reports that in 1992 approximately 81% of children under the age of fifteen resided with both natural parents, 4% resided in step-families (one natural parent and a married or de facto partner), 3% were in joint custody and less than 1% resided in some other type of household (e.g. with extended family members).

- # Higher levels of divorce mean higher levels of child abuse. Remarriage does not reduce this level of child abuse and may even add to it. Serious abuse is much higher among stepchildren compared with children of intact families.

Fergusson D M, Lynskey M T, Horwood L J. Childhood Sexual Abuse and Psychiatric disorders In Young Adulthood: Prevalence of Sexual Abuse and Factors Associated With Sexual Abuse. 34 *Journal of The American Academy of Child and Adolescent Psychiatry* (1996) pp 1355-1364

- # The rate of sexual abuse of girls by stepfathers is estimated to be from six to seven times more likely by Russell, and much as 40 times more when compared with such abuse by biological fathers in intact families.

Russell D E H. The Prevalence and Seriousness of Incestuous Abuse: Stepfathers vs. Biological Fathers. 8 *Child Abuse and Neglect* (1984) pp.15-22

- # Australian Human Rights Commissioner Brian Burdekan reported that sexual abuse of girls is around 17 times higher in households where the adult male is not the natural father than in a two natural parent family. In a stepfamily, the abuser may be an older stepsibling – not necessarily the stepparent.

Burdekan B. *Our Homeless Children*. Report of The National Inquiry Into Homeless Children By The Human Rights and Equal Opportunity Commission. Australian Government Publishing Service, Canberra (1989)

- # Children two years and younger are seventy to a hundred times more likely to be killed at the hands of stepparents than at the hands of biological parents.

Wilson M, Daly M. The Risk of Maltreatment of Children Living with Stepparents. In R J Gelles, J B Lancaster (Editors), *Child Abuse and Neglect: Biosocial Dimensions, Foundations of Human Behaviour*. Aldine de Gruyter, New York (1987) pp 215-232

- # Fatal abuse of children of all ages occurs three times more frequently in stepfamilies than in intact married families. Neglect of children, which frequently is more psychologically damaging than physical abuse is also twice as high among separated and divorced parents.

Emery R. Abused and Neglected Children. 44(2) *The American Psychologist* (1989) pp 321-328

- # Female offenders usually being the child's biological mother and male offenders usually a de-facto or a step-parent.

Alder, Pol (2001) *Child victims of homicide*. Cambridge: Cambridge University Press.

- # When (AIC) research analyst Jenny Mouzos crunched figures on the distribution of parents who killed children by gender and biological ties, she found biological mothers posed a more lethal risk to their own. Biological mothers account for about 35 per cent of all filicides (about the same proportion as stepfathers and de factos), while biological fathers account for 29 per cent."

Jenny Mouzos, *Homicidal encounters : a study of homicide in Australia 1989-1999*
ISBN 0 642 24165 1 ; ISSN 1326-6004 Canberra: Australian Institute of Criminology, 2000

- # De-facto or step-parents are more likely to kill children in their care than biological parents, and step-fathers are more likely to kill a child than a step-mother. This is in part due to small children rarely residing with a biological father and step-mother. The most common offender is a young male living in a de-facto relationship with the child's mother.

Strang (1995) "Child abuse homicides in Australia: Incidence, circumstances, prevention and control." In D. Chappell and S. Egger (Eds.) *Australian Violence: Contemporary Perspectives II* (pp. 71-86), Canberra: Australian Institute of Criminology.

Daly, Wilson (1994) Some differential attributes of lethal assaults on small children by stepfathers versus genetic fathers. In *Ethology and Sociobiology*, 15 (pp. 207-217)

- # Step-fathers and de-facto fathers are disproportionately represented as sex offenders. Girls living with stepfathers are seven times more likely to be sexually abused by a step-father or by their mother's *de-facto* partner than girls living with their biological father.

- # If kids stay with their mother after divorce, they often end up living with a step-father, or "mummy's new boyfriend". Recent research suggests that the most dangerous place for a child could be with its mother and her new man.

Of 58 children killed by a family member, 22 were killed by their mother and a further 27 by a step-father. Only nine of the victims were killed by their real father (16%).

Jenny Morgan, Who Kills Whom and Why: Looking beyond Legal Categories University of Melbourne. Published by the Victorian Law Reform Commission, 2002

- # However, a startling 84% were killed either by the mother or her new boyfriend/stepfather. In fact, mothers were as likely to kill their own children as (real) fathers and step-fathers combined.

Polk, K. and Adler, C., "Child Victims of homicide" (2001). Cited in "Who kills whom and why." Morgan, j., Victorian Law Reform Commission 2002.

- # "There are more children growing up without their biological fathers. Biological fathers, by and large, do not sexually abuse their children - 2 per cent compared with 10 per cent of stepfathers or de-factos."

Professor of forensic psychiatry at Monash University, Professor Paul Mullen, cited in "Betraying the trust of children", Author: Sally Heath, Date: 26/04/1996, Words: 1550, Publication: The Age, Section: News, Page: 17)

- # Stepparents always have had a difficult time establishing close bonds with new stepchildren as even traditional fairy tales recount. Sole residence is the judicial preferment of stepparents. Difficulties between children and stepparents are not confined to Grimm's fairy tales. The fairytale theme is confirmed in the research literature: The rate of bonding between stepparents and stepchildren is rather low. By one study only 53 percent of stepfathers and 25 percent of stepmothers may have parental feelings toward their stepchildren, and still fewer to love them.

A Melbourne study (Hodges 1982), indicated considerable difficulties were experienced by adolescents on the re-marriage of the resident parent (usually the mother). The majority appeared uncomfortable. Parents favour their own children. Bi-parental care is universal in our species and is a fundamental attribute (Dally, Wilson 1980).

Hodges E. Adolescents' Post-Divorce Relationships With Parents and Step-Parents: A Melbourne Study, from Willcott I. Parenting After Separation (1982) p 16. See also, Greif J B, Simuring S K. Remarriage and Joint Custody. 20 Conciliation Courts Review (1982) at 9

Daly M, Wilson M. Discriminate Parental Solicitude: A Biological Perspective. 42 Journal of Marriage and The Family (1980) p 277

Premature puberty – 13 citations

Recent corroborated research show that girls without their natural (biological) fathers reach puberty 9 months earlier than girls who live with their natural fathers and are several times more likely to become pregnant as teenagers, even after controlling for wealth and race.

There are many things we do not yet know about our bodies. Some researchers argue that this is a result of the trauma of separation; others view it as a biological

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fact, possibly due to some hormonal mechanism.

A child's natural father seems to protect a child from premature puberty and promiscuity. We have found 13 citations showing that girls reach puberty earlier and are more likely to become teenage mothers if they don't have shared residence with their natural fathers.

- # There seems to be a protective effect increasing health and reducing promiscuity when children live with their natural (genetic) fathers.

Rates of teenage pregnancy increased from about 1:20 among father-present girls to 1:3 among early father-absent girls in the US sample, and from about 1:30 among father-present girls to 1:4 among early father-absent girls in the New Zealand sample (early father absence was defined as the first five years of life)."

"... teenage girls are more likely to go through puberty early up to nine months earlier than in some cases when they live with unrelated males (like stepfathers), another factor which increases risk of early sexual behaviour." (please note that these few months brings the onset of puberty generally in primary school.

Dr Bruce Ellis of the University of Canterbury, NZ quoted in "A rainbow ends for Daddy's little girl" Author: Bettina Arndt Date: 23/09/2003 Words: 1678, Publication: Sydney Morning Herald, Section: News And Features, Page: 11)

- # If a mother's new partner becomes part of the family, this can increase the risk for these girls. A few years ago, QUT's Nicholson was involved in research with Professor David Fergusson, another of the Christchurch team, which found that teenagers in step-families are 50 per cent more likely to engage in early sexual activity and have multiple partners.

"A rainbow ends for Daddy's little girl", Bettina Arndt Sydney Morning Herald, 23/09/2003. Page: 11

- # Many studies have identified the absence of the natural (biological) father from the home as a major risk factor for **early sexual activity**

Day, R.D. (1992). The transition to first intercourse among racially and culturally diverse youth, Journal of Marriage and the Family, 54, 749-762.

Kiernan, K. E., Hobcraft, J. (1997). Parental divorce during childhood: Age at first intercourse, partnership and parenthood. Population studies, 51, 41-55.

Newcomber, S., Udry, J.R. (1987). Parental marital status effects on adolescent sexual behavior. Journal of Marriage and the Family, 49, 235-240.

- # Many studies have also identified the absence of the natural (biological) father from the home as a major risk factor for **teenage pregnancy**

Geronimus, A.T., Korenman, S. (1992). The socioeconomic consequences of teen childbearing reconsidered. Quarterly Journal of Economics, 107, 1187-1214.

Hogan, D.P., Kitagawa, E.M. (1985). The impact of social status, family structure, and neighborhood on the fertility of black adolescents. American Journal of Sociology, 90, 825-855.

McLanahan, S.S. (1999). Father absence and the welfare of children. In E.M. Hetherington (Ed.), Coping with divorce, single parenting, and remarriage. Mahwah, NJ: Lawrence Erlbaum.

Belsky, J., Steinberg, L., Draper, P. (1991). Childhood experience, interpersonal development, and reproductive strategy: An evolutionary theory of socialization. Child Development, 62, 647-670.

Chisholm, J. S. (1999). Death, hope and sex: Steps to an evolutionary ecology of mind. Cambridge: Cambridge University Press.

Robbins, C., Kaplan, H. B., Martin, S. S. (1985). Antecedents of pregnancy among unmarried adolescents. Journal of Marriage and the Family, 47, 567-583.

Silverstein, L.B., Auerbach, C.F. (1999). Deconstructing the essential father. American Psychologist, 54, 397-407.

- # Children whose natural father was not present in their lives from when they were younger than 5 years old, had a much higher risk of adolescent pregnancy rates were approximately 7 times higher in the US study and 8 times higher in the NZ study compared to families that still had their natural (biological) father.

The study found that even after controlling factors such as wealth, education and race, girls who lost their natural fathers when they were younger than 5 years old still had between 3 and 5 times the risk of having a teenage pregnancy. These other factors controlled for included the age and education of the mother, the occupation of the father, wealth, race, family conflict, stress and mothering style.

These studies suggest that there is some biological or hormonal mechanism that results in early puberty and risk of teenage pregnancy. Girls who lost their fathers when they were young didn't have significantly higher rates of behaviour problems, poor school results or violence, after controlling for race, class etc as before.

Does father absence place daughters at special risk for early sexual activity and teenage pregnancy? Ellis, Bruce J. Child Development; Vol. 74, no. 3 May / Jun. 2003

Emotional and theoretical research

Less convincing than 'quantitative' research, this research relies on questioning or observing subjects and interpreting the results. Sometimes these studies rely on a theoretic framework, such as Attachment Theory for this interpretation.

Meaningful relationships need shared residency – 40 citations

We have found 40 citations to published research showing that sole residency (or when the majority of time is with one parent), the relationship with the other parent frequently withers and dies, to the detriment of this parent and the children.

Understandably few studies attempt to show that 50-50 shared residence is better than 49-51 or any other ratio. Many researchers use the concept of a "Meaningful Relationship" with both parents. Others measure the problems of living with a step-parent, or the absence of the natural father. All of these approaches essentially mean the same thing, i.e. they support shared residence.

Sadly the relationship with the other parent is often destroyed by the parent with majority residence as a side effect of spite or because the resident parent sees little value in the children having a relationship with the person she rejected.

Other times the relationship simply withers due to the artificial nature of being a ‘Disney dad’.

- # The most serious impediment to a father continuing to parent his children after separation is the Family Court.

Goodyear-Smith, Felicity (1993). *First Do No Harm: the sexual abuse industry*, Benton-Guy Publishers, Auckland

- # Other research has also shown that fathers were much more involved with their children in joint residence situations than in maternal residence

Greif J B. Fathers, Children and Joint Custody. 49 *American Journal of Orthopsychiatry* (1979). pp 311-319 at 314

Luepnitz D A. *Child Custody: A Study of Families After Divorce*. Lexington Books, Massachusetts (1982)

Luepnitz D A. A Comparison of Maternal, Paternal, and Joint Custody: Understanding The Varieties of Post-Divorce Family Life. 9 *Journal of Divorce* (1986) pp 1-12

Kelly J B. Longer-Term Adjustment In Children of Divorce: Converging Findings and Implications For Practice. 2 *Journal of Family Psychology* (1988a) pp 119-140

Shiller V M. Joint Verses Maternal Custody For Families With Latency Age Boys: Parent Characteristics and Child Development. 56(3) *American Journal of Orthopsychiatry* (1986a) pp 486-489

- # That the best and perhaps only way to achieve true continuity of family relationships is through the medium of joint residence which aims to preserve the child's perception of both mother and father as an integral part of his or her life, a positive role model, and a continuing and consistent source of love, security, respect, discipline, and exposure to a varied range of life experiences

Roman M, Haddad W. *The Disposable Parent: The Case For Joint Custody*. Holt, Rinehart, Winston, New York (1978)

Coller D R. Joint Custody; Research, Theory and Policy. 27(4) *Family Process* (December 1988) pp 259–269

Farrell W. *Father and Child Reunion: How To Bring The Dads We Need To The Children We Love*. Tarsher/Putman, New York (January 2001)

- # A second potential for abuse is contact denial, because parental loss injures the child in terms of post-divorce adjustment, contact denial may be viewed as one form of emotional abuse in a large percentage of sole residence households.

Fulton J A. Parental Reports of Children's Post-Divorce Adjustment. 35 *Journal of Social Issues* (1979) pp 126-139. See also, *supra* text pp 73-74

Lovorn R. Why Women Join Fathers Rights Groups. *Athens Banner Herald*. Athens Georgia (Thursday, 3 October 1991)

Gibson J. Non-Custodial Fathers and Access Patterns: Family Court of Australia. Office of The Chief Executive. Summary of Key Findings. Research report No. 10. Australian Government Publishing. Service Canberra (1992).

McMurray A, Blackmore A M. Influences On Parent-Child Relationships On Non-Custodial Fathers. 14(3) *Australian Journal of Marriage and Family* (1992) pp 151-159 at p153

Wallerstein J S, Kelly J B. *Surviving The Breakup: How Children and Parents Cope With Divorce*. Basic Books, New York (1980)

- # Non-custodial parents continued meaningful relationship with his children, especially with younger children, will be subject to mother's *approval and permission*. Sadly, too few resident mothers, dealing with feelings of vulnerability, anger, and guilt, are willing freely to grant such permission. This

autonomy (power) over their children's contact with the father, often is in tandem with revenge for real or perceived misdeeds.

Teyber E, Hoffman C. Missing Fathers. *Psychology Today* (April 1987) pp 36-39

- # "There is not only the most solid evidence of being loved by both parents, but the chance to express rather than bury, whatever angers and conflicts the divorce engenders. This chance is absent in the sole custody household. Children are not only deeply pained by one parent's absence, but they interpret it as abandonment; as a consequence, they feel devalued and guilty, yet they find they have few ways to express their anger and confusion."

Findings from research projects in Virginia, California, Arizona and Texas support the position that in most cases, children benefit from post-divorce arrangements that foster continuing relationships with both parents and more contact with non-resident fathers than was typically taking place.

Roman, Haddad (1978), cited in Kalter, N. Long Term Effects of Divorce on Children: A Developmental Vulnerability Model. 57 *American Journal of Orthopsychiatry* (1987)

Hetherington E M, Cox M, Cox R. Effects of Divorce On Parents and Children. In M E Lamb (Editor), *Non Traditional Families: Parenting and Child Relationships*. Lawrence Erlbaum, Hillsdale New Jersey (1982) pp 223-288

Hetherington E. M., Hagan M. S. Divorced Fathers, Stress, Coping, and Adjustment. In M. E. Lamb (Ed), *The Father's Role: Applied Perspectives*. John Wiley, New York (1986) pp 103-104

Wallerstein J S, Kelly J B. *Surviving The Breakup: How Children and Parents Cope With Divorce*. Basic Books, New York (1980)

Braver S. L., O'Connell D. *Divorced Dads: Shattering The Myths*. Tarcher/Putnam, New York (1998)

Warshak R. A. *The Custody Revolution: The Father Factor and The Motherhood Mystique*. Simon, Schuster, New York (1992)

- # A growing number of non-custodial parents (mainly fathers) are unable to maintain contact with their children after separation. A recent NZ survey found that 18% of custodial parents (mostly mothers) and 15% of non-custodial parents (usually fathers) reported that the non-custodial parent had no contact with their children six months after the couple had separated.

Lee A (1990). A survey of parents who have obtained a dissolution, *Family Court Custody*, Access Research, 2, p 63.

- # Large numbers of post separation children are denied their Court ordered (and deserved) contact to their non-resident fathers on many occasions, often with cold and calculating regularity. The reasons are often frivolous and ridiculous and are usually mis-stated.

Fulton J A. Parental Reports of Children's Post-Divorce Adjustment. 35 *Journal of Social Issues* (1979) pp 126-13

Wallerstein J S, Kelly J B. *Surviving The Breakup: How Children and Parents Cope With Divorce*. Basic Books, New York (1980)

Jacobs J W. Treatment of Divorcing Fathers: Social and Psychotherapeutic Considerations, 140 *American Journal of Psychiatry* (1983) 1294-1299

Koch M A P, Lowery C R. Visitation and The Non-Custodial Father. 8 *Journal of Divorce* (1984) pp 47-65

Kelly J B. Longer-Term Adjustment In Children of Divorce: Converging Findings and Implications For Practice. 2 *Journal of Family Psychology* (1988a) pp 119-140

- # Other research by the Family Court shows that within a few years of the divorce, less than a quarter of fathers still have contact with their children, and more than half have contact only twice a year or not at all. Most non-resident fathers wanted to see their children more often, but almost half of the fathers reported that their former wives frequently opposed contact and employed strategies to reduce it. Overall the men presented a bleak view of the role of the non-resident

father. Many feel it painful and unrewarding. *It is totally devastating* said one. *The child cannot understand how I am forced to see so little of him its breaking my heart* said another.

Gibson J. Non-Custodial Fathers and Access Patterns: Family Court of Australia. Office of The Chief Executive. Summary of Key Findings. Research report No. 10. Australian Government Publishing. Service Canberra (1992).

- # The fall off in contact does not lie in background variables like economic factors, parental involvement prior to the break-up or the age of the child, but in the structure of contact ordered by court. The marginalisation and disengagement of fathers is an inevitable consequence of the sole residence.

Loewan J. Visitation Fatherhood. In P Bronstein, C Pape Cowan (Editors), *Fatherhood Today*. John Wiley (1988) at pp195-213

- # Fathers who had a close pre-separation relationship with their children are more likely to become disengaged because of the artificiality and limitations of contact parenting.

Kruk E. Psychological and Structural Factors Contributing To The Disengagement of Non Custodial Fathers After Divorce. 30(1) *Family and Conciliation Courts Review* (January 1992.) pp 81-101

- # Often the non-resident father reacts to a sole residence award as if they have lost their child, and soon a meaningful relationship also dies and they become a holiday parent or *Disneyland Dad* bringing gifts. Contact becomes a frantic effort to entertain and court the child in order to retain the child's affection. This pseudo-relationship is not an adequate substitute for a meaningful relationship. It's artificial structure lacks normal activities: putting a child to sleep, helping with homework, preparing a meal together etc.

Greif J B. Fathers, Children and Joint Custody. 49 *American Journal of Orthopsychiatry* (1979). pp 311-319 at 314

- # "Fathers could not endure the pain of seeing their children only intermittently, and by two years after the divorce coped with this stress by seeing their children infrequently, although they continued to experience a great sense of loss and depression.

Hetherington E M, Cox M, Cox R. Effects of Divorce On Parents and Children. In M E Lamb (Editor), *Non Traditional Families: Parenting and Child Relationships*. Lawrence Erlbaum, Hillsdale New Jersey (1982) pp 223-288

- # "The father's anxieties centre around having lost his children, so he courts them. But after a while the frantic drive to maintain contact with his children during a hurried meal, a visit to the zoo, the park and other entertainment places is too painful. He feels as if his son or daughter has become his guest, someone he amuses for a few hours. He has lost meaningful, that is to say non-holiday, contact with his children and, in time, often withdraws. He protects himself by moving away from his children since the situation, as it exists, is emotionally too difficult for him and he can see no way to change it"

"As things now stand it is very difficult – financially, socially, and emotionally for men and women to do anything but conform to the irrational bias in favour of sole custody. Under joint custody on the other hand, both parents are equal.

Roman M, Haddad W. *The Disposable Parent: The Case For Joint Custody*. Holt, Reinhart, Winston, New York (1978) at 178.

- # "Central to this younger group of children was the very strong sense of loss with regard to the departed father...Many felt abandoned and rejected, and expressed their longing in ways reminiscent of grief for a dead parent...The intensity of the response in this age group was striking...The degree

of closeness and gratification in the pre-divorce father-child relationship, at least from our perspective was not a factor in determining this acute reaction.”

Wallerstein J S, Kelly J B. Surviving The Breakup: How Children and Parents Cope With Divorce. Basic Books, New York (1980)

- # Mitigating the parental sense of loss has legal and practical ramifications. In reaction to depression caused by the loss of one’s child, a parent may result to renewal of litigation - a potentially devastating course for both parent and child.

Wallerstein J S, Kelly J B. Surviving The Breakup: How Children and Parents Cope With Divorce. Basic Books, New York (1980)

- # “For fathers with more than one child, a limited visitation period severely restricts the opportunity for much needed time alone with each child.... Yet repeatedly, they talked of missing the intimacy of time alone...”

Greif G L, Pabst M S. Mothers Without Custody (1988) at 147-149

- # The central and most compelling argument in favour of joint residence is that it helps children and fathers maintain their relationship. This is a powerful argument because a number of studies have documented that a father's continued involvement with his child is associated with a positive outcome for the child

Hetherington E M, Cox M, Cox R. Play and Social Interaction. In Children Following Divorce. Paper presented at the National Institute of Mental Health Conference On Divorce. Washington D C (February 1978)

Hess R D, Camera KA. Post Divorce Relationships As Mediating Factors In The Consequences and Children. 35(4) Journal of Social Issues (1979) pp 79-96

Wallerstein J S, Kelly J B. Surviving The Breakup: How Children and Parents Cope With Divorce. Basic Books, New York (1980)

Kurdeck L A, Berg B. Correlates of Children's Adjustment In Their Parent's Divorce. In L A. Kurdeck (Editor), Children and Divorce. Jossey-Bass, San Francisco (1983) pp 47-60

Shared residence reduces conflict – 9 citations

Joint residence reduces conflict between the parents and consequently improves the lives of the children and their parents. Joint residence also means that the family’s assets are more equally divided and this is often the un-stated motivation of advocates objecting to reforms.

We have found 8 citations to published research showing that joint residence reduces conflict between separated parents

- # Joint residence arrangements show reduced conflict because joint residence appears to more fully satisfy the needs of both parents It provides a combination of *time off* for one parent and enhanced involvement in child rearing for the other

Ilfeld F, Ilfeld H, Alexander J. Does Joint Custody Work? A First Look At Outcome Data of Relitigation. 138 American Journal of Psychiatry (1982) pp 62-68

Luepnitz D A. Child Custody: A Study of Families After Divorce. Lexington Books, Massachusetts (1982)

Roman M, Haddad W. The Disposable Parent: The Case For Joint Custody. Holt, Rinehart, Winston, New York (1978)

The advantages of joint residence leads to less litigation in the Family Court

Luepnitz D A. (1982). *Child Custody: A Study of Families After Divorce*. Lexington Books, Massachusetts

Bauserman R. (2002) Child Adjustment In Joint Custody Verses Sole-Custody Arrangements: A Meta-Analytic Review. 16(1) Journal Of Family Psychology

Dramatically higher compliance with child support orders.

Montana Child Support Advisory Council (1986). Custody And Visitation: A Report To The State Child Support Commission

Fathers in joint custody comply with their child support obligations in 90.2% of cases; fathers with contact comply 79.1% of the time and fathers with no contact privileges comply only 44.5% of the time.

Lester G. H (September 1991) Child Support And Alimony (1989) A Report Of The U.S. Bureau Of The Department Of Commerce, Bureau Of The Census, Current Population Reports, Consumer-Income P-60 No 173. U.S. Government Printing Office, Washington D.C.

Studies constantly report parental satisfaction, even from parents who initially had reservations about joint residence.

Luepnitz D A. Child Custody: A Study of Families After Divorce. Lexington Books, Massachusetts (1982)

Sharply C F, Webber R F. Co-Parenting: An Alternative To Consider In Separation Counselling. 10(3) Australian Journal of Sex, Marriage and Family (1992) pp 111-117

Emotional security and attachment – 15 citations

The following research examines the subjective and emotional aspects of divorce and the differences between sole parenting and shared residence. We have found 9 citations to published research examining how sole residence is emotionally damaging for children.

A sole residence order is that the law is seen to be designating one psychological parent for the child. This interpretation can prove to be emotionally devastating for both parent and child.

Wallerstein J S, Kelly J B. Surviving The Breakup: How Children and Parents Cope With Divorce. Basic Books, New York (1980)

Most experts agree that children, especially very young ones, need consistency and routine. Unfortunately, too many of these people, relying on outmoded sexist stereotypes about men and women, believe that infants and toddlers should live with the *primary parent* (the mother) and that the father should be allowed to *visit* only two or three hours every weekend with no overnights. This kind of schedule however, is *absolutely inappropriate for infant contact*.

- # Loyalty conflicts, attachment and separation anxiety have also been found to be associated with sole residence arrangements. Some researchers believe that the psychological process underlying post-divorce symptoms in children resemble mourning or bereavement. Even those authors, who do not ascribe to the mourning theory, note that loss, or severe attenuation of the parent-child bond is a real possibility among children and non-resident parents.

Wallerstein, Kelly. The Effects of Parental Divorce: Experience of The Child In Early Latency. 46(1) American Journal of Orthopsychiatry (1976)

Weiss R. S. The Emotional Impact of Marital Separation. 32 Journal of Social Issues (1976) pp 135-146.

Hetherington E, Cox M, Cox R. The Aftermath of Divorce. In Steven and Mathews (Editors), Mother-Child, Father-Child Relations. Washington, D.C.: National Association for the Education of Young Children (1978).

- # Another study found that limited contact by the non-resident parent severely restricts the opportunity to provide the daily nurturing needed to strengthen the parent-child relationship. Often non-resident parents, reacting to the pain of being forced to see their children only intermittently cope by seeing them infrequently.

Greif J. B. Fathers, Children and Joint Custody. 49 American Journal of Orthopsychiatry (1979). pp 311-319 at 314:

Hetherington E M, Cox M, Cox R. Effects of Divorce On Parents and Children. In M E Lamb (Editor), Non Traditional Families: Parenting and Child Relationships. Lawrence Erlbaum, Hillsdale New Jersey (1982) pp 223-288:

- # Not only do parents divorce each other, a divorce or mini divorce happens between them and their children. Unlike the experience of their parents, the child's suffering does not reach its peak at the divorce and then level off. Rather, the effect of the parents' divorce can be played and replayed throughout the next three decades of the children's lives. These long-lasting effects are found in country after country no matter what the socio-economic status of the family. In 1998 the Australian House of Representatives Standing Committee on Legal and Constitutional Affairs came to similar conclusions in its report *To Have and To Hold*.

Kershet H F, Rosenthal K M. Single Parent Fathers: A New Study. (May-June 1978) pp 13-14. See also, Kershet H F, Rosenthal K M. Father Presence: 4 Types of Post-Marital Separation Fathering Arrangements. Paper presented at the N I M H Symposium On Mental Health Consequences of Divorce On Children. Washington DC (1978)

Wallerstein J. S, Blakeslee S. Second Chances: Men, Women and Children a decade after Divorce. Houghton Mifflin Company, Boston (1989 – reprinted 1996).

Commonwealth House of Representatives Standing Committee on Legal and Constitutional Affairs. To Have And To Hold. Parliament of Australia, Canberra (1998)

- # Fathers are an important influence on their children's development, and a close relationship between father and child benefits the father as well as the child. Children need their fathers, but fathers need their children

Parke R D. Fathers. Harvard University Press, Cambridge, Massachusetts (1981)

- # A longitudinal study of 131 children aged two through eighteen found that preschoolers feared being abandoned after their parents separation and that children of all ages expressed verbally and behaviourally a great sense of loss if one parent was absent. Among the twenty-six seven and eight year old children studied, the most pronounced reaction to the parental divorce was the sense of loss suffered with regard to the departed father. The study noted that the effects of being left almost exclusively in the care of only one parent were negative. In other research the authors recorded children's intense dissatisfaction with the traditional two weekends contact per month, dictated by the sole residence model, and their desire for more frequent contact with their non-

resident parents. Only the children who could see their fathers several times a week were even moderately content.

Wallerstein J S, Kelly J B. Surviving The Breakup: How Children and Parents Cope With Divorce. Basic Books, New York (1980); The Effects of Parental Divorce: Experiences of The Pre-school Child. 14 Journal of Child Psychiatry (1975), p616: The Effects of Parental Divorce: Experience of The Child In Early Latency. 46(1) American Journal of Orthopsychiatry (1976):

- # "...young girls experience the loss of father egocentrically as a rejection of them....the continued lack of involvement is experienced as ongoing rejection by (the father). Many girls attribute this rejection to their being not pretty enough, affectionate enough, athletic enough, or smart enough to please father engage him in regular, frequent contacts... The continuous sense of being valued and loved as a female seems an especially key element in the development of the conviction that one is indeed femininely lovable. Without this regular source of nourishment, a girls sense of being valued as a female does not seem to thrive"

Frost A K, Pakiz B. The Effects of Marital Disruption On Adolescents: Time As A Dynamic. 60(4) American Journal of Orthopsychiatry (1990) pp 544-555. Hereinafter as Marital Disruption

- # These feelings of loss have also been reported in subsequent British studies. Mitchell's account of her interviews with 116 Scottish adolescents which were conducted five years after separation, provides a moving record of the initial loneliness and bewilderment of children that results from the inaccessibility of one parent following separation (and sometimes in emotional terms, both). The remarriage of one or the other parent constituted a second crisis for some of the children in her sample because it dispelled the last vestiges of hope (however unsubstantiated) that their parents might eventually come back together again – often the precondition children believed necessary for recovering two parents. They emphasised again and again their need to be kept informed about what was happening. Mitchell argued that doctors, lawyers, teachers, and social workers were important attendants upon the process of marriage breakdown who therefore had a primary mental health care role to play in the reconstruction of family life after divorce. The case for educating professionals about the known effects of divorce on children and their parents is well made by Mitchell and other writers.

Lund M. Research On Divorce and Children. 14 Family Law (1984) pp 198-201. See also, Walczack Y., Burns S. Divorce: The Child's Point of View. Harper, Row, London (1984)

Mitchell A. Children In The Middle: Living Through Divorce. Tavistok Publications, London, New York (1985)

There is NO evidence that sole custody is better for children – 2 citations

We have found 2 citations to published research where the researcher explicitly says that they believe that there is no evidence that sole parenting is best for children.

This is a difficult claim to make, it requires considerable knowledge in the field. In the Social Sciences this is as close as a concrete fact that you ever get.

- # “...nor does there exist, any social science data to support the proposition that a single official parent is preferable to two.”

Roman M, Haddad W. The Disposable Parent: The Case For Joint Custody. Holt, Rinehart, Winston, New York (1978)

- # **No study has found that joint residence is disadvantageous to children.** Where researchers have found significant differences, they favour the joint residence arrangement. Only a few empirical studies raise any concerns at all about joint residence and these have been given an unwarranted anti joint residence *spin*. It is interesting to note that even those researchers who currently oppose joint residence do not argue that sole residence leads to a better adjustment of the children (one can find little evidence for that proposition). The strongest argument is merely that children in sole residence do not do any worse than children in joint residence.

Kline M, Tschann J M, Johnston J R, Wallerstein J S. Children's Adjustment In Joint and Sole Physical Custody Families. 25 Developmental Psychology (1989) pp 430-435

Attachment theory – 24 citations

Attachment theory is the basis of many family court rulings for sole custody. The theory proposes that children need a secure emotional attachment to caregivers for healthy emotional development. However today attachment theory recognises that a child can form attachments to several caregivers, typically the father and the mother.

Today, attachment theory DOES NOT suggest that there is only one single attachment figure. Rather, babies can form multiple attachments, particularly with the mother and the father. Although many professionals and the family court use attachment theory to justify their belief in the importance of a 'primary' caregiver.

Attachment theory itself is criticised because the first one of it's two core planks of the theory have not been reproduced and better explanations exist. Attachment theory says firstly that the style of care-giving the child receives determines the child's response in the 'strange situation' experiment. And secondly that the 'strange situation' measurement of a child then goes on to predict many outcomes for the child later in life, including emotional adjustment, success at school, and many other measures of well-being. This second plank has been widely confirmed.

The first plank however is based on a single experiment of 26 children, the Baltimore project of 1963. This has not been reproduced.

A more convincing explanation for interpreting the 'strange situation' is that it is simply a form of personality test and not related to care-giving style or attachment to the mother at all. Children are born with different temperaments and abilities this is the main factor in their response to the strange situation.

Attachment theory was the life's work of Bowlby and Ainsworth.

- # Bowlby's own research published just 5 years after the maternal deprivation monograph concluded that the dangers of separation had been overstated.

Bowlby J, Ainsworth M, Boston M, Rosenbluth D. The Effects of Mother-Child Separation: A Follow-Up Study. 29 British Journal of Medical Psychology (1956) p 211

- # In his later work, Bowlby (1988) acknowledged the enduring attachments bonds between father and child.

Bowlby J. A Secure Base. Basic Books, New York (1988)

- # Children are born with different temperaments and this is the main factor in their response to the attachment theory measurement of the strange situation, rather than attachment to a caregiver or that caregiver's parenting style.

Kagan, Jerome (1989) Temperamental Contributions to Social Behavior (1988 APA Award Address). American Psychologist, 44(4), 668-674

- # Most children develop bonds with several people and it appears likely that these bonds are basically similar.an infant is not confined to just one bond...once he has reached the stage of forming specific attachments, he is capable of maintaining a number at the same time...

Grote D F, Weinstein P J. Joint Custody: A Viable and Ideal Alternative. 1 Journal of Divorce (Fall 1977). pp 43-53:

- # Like many others Bowlby confuses biology and culture. His is the mathematics of sexism, which manages to quantify and endorse two mutually exclusive sex-defined roles for parents to act. And it is more dangerous: herein a psychoanalyst gives credence to the view of the father as a non-parent, a 'useful' financial and emotional presence for his contented wife.

Roman M, Haddad W. The Disposable Parent: The Case For Joint Custody. Holt, Rinehart, Winston, New York (1978)

- # While maternal attachment has been widely recognised for several decades, the more recent literature on attachment clearly demonstrates that children form important bonds with both parents.

Thompson R. The Fathers Case In Child Custody Decisions: The Contributions of Psychological Research. In M E Lamb, A Sargi (Editors), Fatherhood and Social Policy. Erlbaum, Hillsdale, New Jersey (1983). pp 50-100

Rohman L W, Sales B D, Lou M. The Best Interests of The Child In Custody Disputes. In L A Weithorn (Editor), Psychology and Child Custody Determinations. University of Nebraska Press, Lincoln Nebraska, (1987)

- # The attachment bond with the father is the beginning of the development of social skills, and social relationships, and, in the broader context of society cannot in any way be considered secondary to the mother-child attachment.

Warshak R A. The Custody Revolution: The Father Factor and The Motherhood Mystique. Simon, Schuster, New York (1992)

- # Steinman evaluated 24 couples who chose joint residence arrangements for their children at divorce. The children felt that they were strongly attached to both parents and were not troubled by the loyalty conflicts. A comparatively low rate of the children experiencing confusion or anxiety to their shared residence arrangement. Consequently the argument that children in joint residence experience more confusion and frustration was not supported in that study.

Steinman S. The Experiences of Children In A Joint Custody Arrangement: A Report of A Study. 51 American Journal of Orthopsychiatry (1981) pp 403-414

- # The notion that children have only one psychological parent has been thoroughly discredited by a large body of evidence that has demonstrated that infants normally develop close attachments to both of their parents

Thompson R. The Fathers Case In Child Custody Decisions: The Contributions of Psychological Research. In M E Lamb, A Sargi (Editors), Fatherhood and Social Policy. Erlbaum, Hillsdale, New Jersey (1983). pp 50-100

Rohman L W, Sales B D, Lou M. The Best Interests of The Child In Custody Disputes. In L A Weithorn (Editor), Psychology and Child Custody Determinations. University of Nebraska Press, Lincoln Nebraska, (1987)

Billar H B. Fathers and Families: Paternal Factors In Child Development. Auburn House, Westport, C T (1993). See also, Jackson B. Fatherhood. Allen, Unwin, London (1984)

- # Attachment occurs at about 6 months of age and that they do best when they have the opportunity to establish and maintain such attachments. Reducing the father's involvement in the children's lives to a trivial level obviously destroys this major attachment.

Parke R. Fathers. Harvard University Press, Cambridge, Massachusetts (1981)

Senate QoN - research supporting shared residence.

Fathers for Equality - Page 34

Warshak R A. *The Custody Revolution: The Father Factor and The Motherhood Mystique*. Simon, Schuster, New York (1992)

Lamb M E. *The Role of The Father In Child Development*. (M E Lamb, Editor, 3rd edition). John Wiley, New York (1997)

- # Attachment bonds which meet different needs of the developing child are not interchangeable one type of attachment cannot typically make up for the absence of the other.

Thompson R. *The Fathers Case In Child Custody Decisions: The Contributions of Psychological Research*. In M E Lamb, A Sargi (Editors), *Fatherhood and Social Policy*. Erlbaum, Hillsdale, New Jersey (1983). pp 50-100

- # Most children in normal families experience a variety of caregivers, even in their second and third year.

Hill M. *Sharing Child Care In Early Parenthood*. RKP (1987)

- # Infants can be attached to a hierarchy of figures, including fathers, grandparents, and siblings, as well as to day-care providers

Schaffer, H. R., Emerson, P. F. (1964). The development of social attachments in infancy. *Monographs of the Society for Research in Child Development*, 29 (Serial No. 94).

Also Howes, C., Rodning, C., Galuzzo, D. C., Myers, I. (1988). Attachment and child care: Relationships with mother and caregiver. *Early Childhood Research Quarterly*, 3, 403-416.

- # Contemporary attachment theory has abandoned the notion of monotrophy—the idea that children have a biological need to develop selective attachment to just one person. The notion that children have only one psychological parent has been thoroughly discredited by a large body of evidence that has demonstrated that infants normally develop close attachments to both of their parents

Inge Bretherton, *The origins of Attachment Theory: John Bowlby and Mary Ainsworth*. *Developmental Psychology* (1992), 28, 759-775.

- # The recognition that children usually have more than one loving relationship that provides emotional security has led to a greater realisation of the importance of facilitating attachments and a corresponding de-emphasis on the trauma of separations

Rutter M. *Clinical Implications of Attachment Concepts*. 36 *Journal of Child Psychology and Psychiatry* (1995a). pp 549-571

- # It is now generally accepted that the finding that children are distressed when separated from a parent and left with a stranger is not at all relevant to the situation where children are separated from one parent to whom they are attached and spend time with another parent to whom they are attached.

Inge Bretherton, *The origins of Attachment Theory: John Bowlby and Mary Ainsworth*. *Developmental Psychology* (1992), 28, 759-775.

- # Lamb, a leading authority on attachment, summarised two decades of research as demonstrating that the presence of one attachment figure provides sufficient emotional security to allow a child to avoid separation anxiety when separated from another attachment figure. He concluded that extended separations, including overnights apart from either parent, usually do not distress infants when they are with the other parent.

- # The evidence reveals that babies clearly can and do form more than one attachment relationship. They can, for example, be attached securely to mother, father, and regular caregiver.

Attachment 101 for Attorneys: Implications for Infant Placement Decisions Eleanor Willemssen Santa Clara University
Kristen Marcel Professional School of Psychology, Fresno, California

Children are not safer from domestic violence with their mothers

Many of the defenders of awarding mothers majority custody, use the issue of violence to justify their case.

We do not condone violence in any domestic situation. We also do not believe that men or women are better or less violent and research citations shows that mothers are as violent as fathers.

Denying a child a meaningful relationship with her father because of violence between the parents is putting the best interest of the mother above the best interest of the child.

Finally, the Family Court places too much weight on unsubstantiated accusations of violence, fear of violence or violence that happened only once. Again, this places the best interest of the accusing parent above the best interest of the child.

Killing their own children

We have found 11 citations to published research showing that where a parent (including step-parent) kills their child, the parent is the biological mother in the majority of cases. There is remarkable consistency that 55%-60% of perpetrators were mothers.

Child homicide by perpetrator relationship, 2002

Perpetrator Status	Percent of Victims
Mother Only	32.6 %
Father Only	16.6 %
Mother and Father	19.2 %
Mother and Other	9.1 %
Father and Other	1.4 %
Nonparental Perpetrator	15.9 %
Unknown or Missing	5.1 %

2002 US Children's Bureau statistics <http://www.acf.hhs.gov/programs/cb/publications/cm02/chapterthree.htm#perps> U.S. Department of Health and Human Services, *Child Maltreatment 2002*. Administration for Children and Families, Administration on Children, Youth and Families www.acf.hhs.gov/programs/cb/publications/cm02/index.htm

- # Biological mothers posed a more lethal risk to their own. Biological mothers account for about 35 per cent of all filicides (about the same proportion as stepfathers and de factos), while biological fathers account for only 29 per cent."

- # Most studies indicate that women kill their children at least as frequently as men.

Resnick P (1969). Child murder by parents: a psychiatric review of filicide, *American Journal of Psychiatry*, 126 (3), 73-82. 105

Marks M, Kumar R.(Oct 1996) Infanticide in Scotland, *Medicine, Science, the Law*, 36 (4), 299-305.

Marks M, Kumar R (Oct 1993). Infanticide in England and Wales, *Medicine, Science, the Law*, 33 (4): 329-39.

Greenland C (Jul 1986). Identification And Management of High Risk Cases. *Health Visitor* 39, 205.

United States Department Of Justice Report (1994). *Murder In Families*. United States Department Of Justice, Washington DC.

- # A 1988 report on parent-child homicides in Canada between 1974 and 1983 found that 54 per cent of children under 17 who had been murdered by a parent had been killed by their mothers. The U.S. Statistical Abstract 1987 reported that, of the reported child-maltreatment cases between 1980 and 1984, between 57 and 61.4 per cent had been perpetrated by the mother, while a 1977 study found that 53.1 per cent of perpetrators were female, 21 per cent male and 22.6 per cent of cases involved both parents.

Daly, Wilson Parent-Offspring Homicides in Canada, 1974-1983. In *Science*, vol. 242. pp. 519-524 (1988)

Nagi. *Child Maltreatment in the United States*. Columbia University Press. New York. (1977)

Statistical Abstract of the United States 1987 (table 277)

- # In July 1994 the Bureau of Justice Statistics of the U. S. Department of Justice released a Special Report detailing the results of a survey of family homicides in 33 urban U. S. counties. The report said: "In murders of their offspring, women predominated, accounting for 55 per cent of killers."

U.S. Department of Justice

Women commit MORE domestic violence against children

Of all forms of domestic violence, violence against children must be given far more significance than violence between parents.

We have found 11 citations to published research showing that men are no more likely to abuse their children than their mothers. In six of the citations, mothers are shown to be more likely to abuse their children than a father.

- # A study of 582 college men found that up to 78 per cent of those abused as children had been abused by females.

Fromuth, M., Burkhart, B. Childhood Sexual Victimization Among College Men: Definitions and Methodological Issues. *Violence and Victim*. 1987. Volume 2. No 4. pp. 241-253.

- # Biological mothers were the perpetrators of physical abuse in 39% of the substantiated cases and biological fathers in 40% of the substantiated cases.

Report of The Institute For The Prevention Of Child Abuse (1994). Ontario Incidence Study Of Reported Child Abuse And Neglect, pp 67, 82, 83, xii, cited in The silence of the screams: violence by women in intimate relationships, compiled by CSAG (Child Support Action Group Incorporated in South Australia), researched by Yuri Joakimidis, 1996.

- # Australian Institute of Health and Welfare information on the sex of perpetrators in substantiated child abuse cases was 968 men and 1138 women. In 1997 by the Australian Institute of Health and Welfare to no longer publish data indicating the sex of perpetrators in substantiated child abuse cases must be reversed. Curiously, these reasons did not preclude the publication of these data in 1996.

Broadbent A, Bentley R (1997). Child Abuse and Neglect Australia 1995-1996. Australian Institute of Health and Welfare Catalogue No CWS 1. Canberra: Australian Institute of Health and Welfare (Child Welfare Series No 17)

Angus G, Hall G (1996). Child Abuse and Neglect Australia 1994-1995. Canberra: Australian Institute of Health and Welfare. (Australian Institute of Health and Welfare Series; no 16)

- # A 2005 report on domestic violence released by the NSW Bureau of Crime Statistics and Research (BOCSAR) found that a surprising number of the domestic violence incidents recorded by police involve male victims. Where the victim is younger than 15 or older than 39, male victims outnumber female victims (by more than two-to-one for the younger age group).

Trends and Patterns in Domestic Violence. NSW Bureau of Crime Statistics and Research. Media Release 27 October 2005. http://www.lawlink.nsw.gov.au/lawlink/bocsar/ll_bocsar.nsf/pages/bocsar_mr_cjb89

- # Kid Abuse
61% of all child abuse committed by mothers:
38% of all child abuse committed by fathers:

Child maltreatment : reports from the states to the National Center on Child Abuse and Neglect. National Clearinghouse on Child Abuse, Neglect Information (U.S.) 1995

- # A U.S. national study found that 29 per cent of women and 22 per cent of men had experienced physical, sexual, or psychological Intimate partner violence during their lifetime.

Coker AL, Davis KE, Arias I, Desai S, Sanderson M, Brandt HM, et al. Physical and mental health effects of intimate partner violence for men and women. *American Journal of Preventive Medicine* 2002;23(4):260–8.

- # The British Lord Chancellor's guidance on domestic violence makes a reference to evidence that most violence against children is perpetrated by mothers.

Melanie Phillips *"Man beaters behind closed doors"* The Sunday Times, London, November 19 2000

- # Mothers (49% of incidents) are more likely than fathers (40%) to be responsible for physical abuse

Cawson P., Wattam, C., Brooker, S., Kelly, G. (2000). *"Child maltreatment in the United Kingdom: A study for the prevalence of child abuse and neglect."* London: National Society for the Prevention of Cruelty to Children.

- # Approximately five per cent of female and 20 per cent of male victims experience sexual abuse perpetrated by a woman.

Finkelhor, Russell (1984) "Women as perpetrators." In D. Finkelhor (Ed.) *Child Sexual abuse: New theory and research* (pp. 171-187). New York: The Free Press.

- # Women who fail to protect their child from sexual abuse may in some cases be seen as at least partially responsible for that sexual abuse.

Leventhal (1990) "Epidemiology of child sexual abuse". In R. K. Oates (Ed.), *Understanding and managing child sexual abuse* (pp. 18-42). Sydney; Harcourt Brace Jovanovich.

- # Approximately two-fifths (40.3%) of child victims were maltreated by their mothers acting alone; another 19.1 percent were maltreated by their fathers acting alone; 18.0 percent were abused by both their mother and father.

2002 US Children's Bureau statistics <http://www.acf.hhs.gov/programs/cb/publications/cm02/chapterthree.htm/perps>

- # With these recorded results, it is somewhat surprising that the factor of sole maternal residence is not considered in much of the literature on child abuse. Numerous factors are considered as correlates of child abuse including age and sex of the child, race, family income, number of siblings and social status. While a number of Australian studies have considered the effects of the family structure on child victimisation, most merely refer to structure as part of the family demographic information, noting the over-representation in their sample (e.g. Goodard, Hiller 1992). However, results are not reported which would indicate whether mothers were more prone to child abuse than fathers, or if sole maternal residence—as compared to joint residence, sole paternal residence, or intact family status—contributed to an increased risk for child abuse. These are simple questions. Yet these fundamental questions are not being addressed.

Goodard C R., Hiller P C. Tracking Physical and Sexual Abuse Cases From A Hospital Setting Into Victoria's Criminal Justice and Child Protection Systems: A Report For The Victorian Law Foundation. Vol 1-3 Department of Social Work and Department of Anthropology and Sociology, Monash University Melbourne (1992)

- # Sole residence arrangements may suffer an increased risk for child abuse.

Ditson J, Shay S. Use of A Home-Based Microcomputer To Analyse Community Data From Reported Cases On Child Abuse and Neglect. 8 Child Abuse and Neglect (1984) pp 503-509

Child abuse by perpetrator relationship, 2002

Perpetrator Status	Percent of Victims
Mother Only	40.3 %
Father Only	19.1 %
Mother and Father	18.0 %
Mother and Other	5.4 %
Father and Other	1.0 %
Nonparental Perpetrator(s)	13.0 %
Unknown or Missing	3.2 %

2002 US Children's Bureau statistics <http://www.acf.hhs.gov/programs/cb/publications/cm02/chapterthree.htm#perps>

U.S. Department of Health and Human Services, *Child Maltreatment 2002*. Administration for Children and Families, Administration on Children, Youth and Families www.acf.hhs.gov/programs/cb/publications/cm02/index.htm

Domestic violence statistics are often exaggerated or fraudulent

- # This research lists many examples of exaggerated or fraudulent domestic violence statistics. Domestic Violence Factoids Richard J. Gelles. University of Rhode Island Family Violence Research Program, 1995

<http://www.mincava.umn.edu/documents/factoid/factoid.html>

Womens' domestic violence against men

We believe that violence between parents is much less significance than violence against children. Especially since previous violence between parents is unlikely to continue after separation. Never-the-less it is used as the justification of the Family Court to remove a father from the lives of his children.

We have found 387 citations to published research showing that women's domestic violence to men has similar frequency as men's to women. The majority of the studies show that women are a little more likely to initiate violence than men.

Many of them also note that the rate of injury is similar also, with women more likely to use a weapon than men.

Homicide

In the US, wives kill their husbands at a similar rate to husbands kill their wives. In Australia fewer men are killed. Since it is also reported that women use weapons in their violence more often than men, this would seem to be a result of the easy access to firearms in the US. Put in other words, women are as violent as men, however in Australia they simply lack the weaponry for their violence to be as effective.

- # (Of intimate partner violence) Curtis' 1974 American study showed the number of women murdered by men (17.5 per cent of total homicides) was about the same as the number of men murdered by women (16.4 per cent). This study, taken from police records, showed that men were three times as likely to assault women as vice-versa.

Curtis (1974) Criminal violence: National patterns and behavior. Lexington Books, Lexington MA.

- # Wolfgang's investigation of spousal homicides between 1948 and 1952 found that 7.8 per cent of murder victims were husbands murdered by wives and eight per cent were wives murdered by husbands

Wolfgang (1958) *Patterns in Criminal Homicide*. Wiley, New York, 1958.

- # Mercy, Saltzman's 1989 study of U.S. spousal homicides between 1976 and 1985 found there was an overall ratio of 1.3:1 of murdered wives to murdered husbands, with "Black husbands... at greater risk of spousal homicide victimization than Black wives or White spouses of either sex."

Mercy, Saltzman (1989) "Fatal violence among spouses in the United States, 1976-85" In the American Journal of Public Health 79(5): pp. 595-599. May 1989.

- # Two separate studies – conducted 30 years apart – showed that on average wives kill their husbands at a similar rate to that at which husbands kill their wives.

Wolfgang *Patterns in Criminal Homicide*. Wiley. New York. 1958.

Mercy, Saltzman. *Fatal violence among spouses in the United States, 1976-1985*. American Journal of Public Health 79 (5). pp.595-599. 1989.

- # Less than half the female murderers have a history of being beaten. Most women who murder their husbands are impulsive, violent and have criminal records.

An investigation of 24 cases in which women killed their partners found that the victim initiated physical forces in 40 per cent of the cases. Only five of the 24 homicides (21 per cent) were in response to "prior abuse" or "threat of abuse/death."

Jurik. *Women who kill and the reasonable man: the legal issues surrounding female-perpetrated homicide*. Paper presented at the 41st Annual Meeting of the American Society of Criminology. Reno, Nevada. November 1989.

Jurik, Gregware. *A method for murder: An interactionist analysis of homicides by women*. Tempe. Arizona State University. School of Justice Studies. 1989.

Mann . *Black female homicide in the United States*. Journal of Interpersonal Violence 5. pp.176-201. 1990.

- # In July 1994 the Bureau of Justice Statistics of the U. S. Department of Justice released a Special Report detailing the results of a survey of family homicides in 33 urban U. S. counties. The report said:

"But in spouse murders, women represented 41 per cent of killers. In murders of their offspring, women predominated, accounting for 55 per cent of killers.

"Among black marital partners, wives were just about as likely to kill their husbands as husbands were to kill their wives: 47 per cent of the victims of a spouse were husbands and 53 per cent were wives."

U.S. Department of Justice, 1994

- # A 1984 study of 6200 cases found that 86 per cent of female-on-male violence involved weapons, contrasted with 25 per cent in cases of male-on-female violence.

McLeod, *Justice Quarterly* (2). 1984. pp 171-193

Violence

- # According to local researchers Headey et.al., one important limitation of sample surveys such as the 1996 survey on violence against women is that they: "... suffer from having just sampled women, even though two national studies in the United States a decade ago showed no significant difference between physical assault rates experienced by male and female partners."

"Men were just as likely to report being physically assaulted by their partners as women. Further men and women were equally about likely to admit being violent themselves."

“Men and women report experiencing the same level of pain and need for medical attention resulting from domestic violence.”

“Violence runs in couples. In over 50 per cent of partnerships in which violence occurred both partners struck each other.”

Headey, colleagues say that “the first two results ran counter to conventional wisdom... Some degree of confirmation...derives from the fact that mens’ and womens’ reports on rates of domestic violence more or less agree. If women are to be believed (as they have been by previous investigators), then so are the men. Further, the results relating to women being as violent as men are in line with some recent American research.”

Headey, B., Scott, D., deVaus, D. *Domestic Violence in Australia: Are women and men equally violent?* 1999. University of Melbourne.

828 young adults in NZ (437 women and 391 men) were interviewed about the domestic violence in their most recent relationship. Key findings of the study were

- (a) domestic conflict was present in 70% of relationships, with this conflict ranging from minor psychological abuse to severe assault;
- (b) men and women reported similar experiences of victimization and perpetration of domestic violence; and (c) exposure to domestic violence was significantly related to increased risks of major depression ($p < .05$) and suicidal ideation ($p < .005$) even after controlling for other possible factors.

DAVID M. FERGUSON, L. JOHN HORWOOD, AND ELIZABETH M. RIDDER. *Partner Violence and Mental Health Outcomes in a New Zealand Birth Cohort*. *Journal of Marriage and Family* 67 (December 2005): 1103–1119. Christchurch School of Medicine, Health Sciences

Most Intimate partner violence incidents are not reported to the police. About 20 per cent of Intimate partner violence rapes or sexual assaults, 25 per cent of physical assaults, and 50 per cent of stalkings directed toward women are reported. Even fewer Intimate partner violence incidents against men are reported. Thus, it is believed that available data greatly underestimate the true magnitude of the problem.

In the United States each year, about 1.5 million women and more than 800,000 men are raped or physically assaulted by an intimate partner. This translates into about 47 Intimate partner violence assaults per 1,000 women and 32 assaults per 1,000 men.

In 2002, 76 per cent of Intimate partner violence homicide victims were female and 24 per cent were male.

Tjaden P, Thoennes N. Extent, nature, and consequences of intimate partner violence: findings from the National Violence Against Women Survey. Washington (DC): Department of Justice (US); 2000a. Publication No. NCJ 181867. [cited 2005 September 15]. Available from: URL: www.ojp.usdoj.gov/nij/pubs-sum/181867.htm.

In a study comparing male and female domestic violence, researchers found that 47 per cent of husbands had used physical violence against their wives whilst 33 per cent of women had used violence on their husbands. Half of the respondents in this study were selected from either cases of domestic violence reported to the police or cases identified by the social service agency.

As very few men report being assaulted by their wives, there is a lower statistic for violent females. Later studies, however, are more accurate.

Gelles (1974) “The violent home: A study of physical aggression between husbands and wives” Beverly Hills, CA: Sage Publications

Women are equally violent towards men in intimate relationships. One of the bases for Chesanow’s arguments is that domestic violence – based on crime statistics – among lesbian intimates is as common as domestic violence among heterosexual intimates.

Chesanow (1992) “*Violence at Home*”. *New Woman*, February 1992, pp. 96-98.

- # Several studies showing that the percentage of wives who have used physical violence is higher than the percentage of husbands and that the average violence score of wives tended to be higher although men were somewhat more likely to cause greater injury. Women were found to be as likely to initiate physical violence as men, with similar motives as men for their violent acts.

Steinmetz (1977-78) *The Cycle of violence: Assertive, aggressive and abusive family interaction*. Praeger Press, New York, 1977; "The Battered Husband Syndrome" *Victimology* 2, 1977-78.

- # A telephone survey in which subjects were asked about their experiences of domestic violence, finding that 15.5 per cent of men and 11.3 per cent of women reported having hit their spouse. 18.6 per cent of men and 12.7 per cent of women surveyed reported having been hit by their spouse.

Nisonoff, Bitman (1979) *Spouse Abuse: Incidence and Relationship to Selected Demographic Variables* *Victimology* 4, 1979, pp.131-140.

- # An attempt to address some of the concerns arising from earlier surveys, creating a (U.S.) nationally-representative study of family violence, finding the total violence scores seemed to be about even between husbands and wives, with wives tending to be more abusive in almost all categories except pushing and shoving.

Straus, Gelles and Steinmetz (1980) *Behind closed doors: Violence in American families*. Doubleday, New York, 1980.

- # A followup survey, comparing data against that of a 1975 survey. In the intervening decade, the researchers found that domestic violence against women had dropped from 12.1 per cent to 11.3 per cent whilst domestic violence against men had risen from 11.6 per cent to 12.1 per cent. The rate of severely violent incidents dropped for both groups (from 3.8 per cent to 3.0 per cent for women victimized and from 4.6 per cent to 4.4 per cent for men).

Straus, Gelles (1986) *Societal change and change in family violence from 1975 to 1985 as revealed by two national surveys*. *Journal of Marriage and the Family* 48, pp. 465-479. 1986.

- # A 1986 report in the journal of the (U.S.) National Association of Social Workers stated that girls were more frequently violent than boys in adolescent dating relationships.

Sexuality Today Newsletter "Violence in Adolescent Dating Relationships Common, New Survey Reveals" (Dec. 1986)

- # Another report on premarital violence found that 34 per cent of males and 40 per cent of females reported engaging in some form of physical aggression against their mates in a year; 17 per cent of women and 7 per cent of men reported engaging in severe physical aggression whilst 35 per cent of the men surveyed and 30 per cent of the women reported having been abused.

O'Leary, Daniel, Arais, Rosenbaum, Barling: *Premarital Physical Aggression*: State University of New York at Stony Brook, Syracuse University.

- # Wives are more violent than husbands, although men and women reported quite similar instances of violence both by themselves and by their partners.

Nisonoff, Bitman. *Spouse Abuse: Incidence and Relationship to Selected Demographic Variables*. *Victimology* 4. 1979 pp. 131-140.

Steinmetz. *The Battered Husband Syndrome*. *Victimology* 2, 1977-78. p.499.

The cycle of violence: Assertive, aggressive and abusive family interaction. Praeger Press. New York. 1977.

- # Spousal abuse is almost gender-neutral in almost all categories of violence.

Straus, Murray, Gelles, Steinmetz. *Behind closed doors: Violence in American families*. Doubleday. New York. 1980

- # Domestic violence by women is increasing whilst domestic violence by men is decreasing. A more recent study, reported at a conference by Straus, shows this trend to be continuing.

Straus, Gelles. Societal change and change in family violence from 1975 to 1985 as revealed by two national surveys. *Journal of Marriage and the Family* 48, pp. 465-479. 1986.

- # In a longitudinal study of early marriage, a community of 272 couples were assessed. More women than men in this group reported physically aggressing against their partners at premarriage (44 per cent v. 31 per cent), and 18 months after marriage (36 per cent v. 27 per cent). At 30 months, women did not report significantly different rates of aggression (32 per cent v. 25 per cent). However, using either the self-report or the partner's report, the prevalence of aggression was higher for women than for men at each assessment period.

O'Leary, Barling, Arias, Rosenbaum, Malone, Tyree. *Prevalence and stability of physical aggression between spouses: a longitudinal analysis*. *Journal of Consulting, Clinical Psychology*. 57 (2). pp. 263-268. April 1989.

- # In fact, some degree of violence occurs at a rate of 113 incidents per 1000 couples per year (husband on wife) and 121 incidents per 1000 couples per year (wife on husband).

Straus, M. A., Gelles, R. J. Societal change and change in family violence from 1975 to 1985 as revealed by two national surveys. *Journal of Marriage and the Family* 48. 1986. pp. 465-479.

- # Of every 100 families, 3.8 experience severer husband-to-wife violence, but 4.5 per cent experience severe wife-to-husband violence.

Straus, Gelles, Steinmetz. *Behind Closed Doors: Violence in American Families*. 1980.

- # A 1985 study of Texas University students found that 18 per cent of men and 14 per cent of women reported a violent act by a romantic partner. In the same study, 28 per cent of married men reported that their wives had slapped, punched or kicked them.

Shupe, Stacey, Hazlewood. *Violent Men, Violent Couples*. 1986. Chapter 3.

- # In another study, 15.5 per cent of men and 11.3 per cent of women reported having hit a spouse while 18.6 per cent of men and 12 per cent of women report being struck by a spouse.

Nisnoff, Bitman. *Victimology* 4. 1979. pp. 131-140.

- # A sample of 1,643 subjects (804 men, 839 women) responded to questions about their experience with domestic violence in the previous 12 months. The results revealed that 5.7 per cent of men and 3.7 per cent of women reported being victims of domestic assaults. With regard to injuries, results revealed that women inflict serious injuries at least as frequently as men. 1.8 per cent of men and 1.2 per cent of women reported that their injuries needed first aid, whilst 1.5 per cent of men and 1.1 per cent of women reported that their injuries needed treatment by a doctor or a nurse.

Headey, B., Scott, D., deVaus, D. *Domestic Violence in Australia: Are women and men equally violent?* 1999. University of Melbourne.

- # The British Crime Survey reported in 1996 that an equal proportion (4.2 per cent) of men and women had said they had been physically assaulted by a current or former spouse or lover in the past year, with 41 per cent of these assaults resulting in injuries.

47 per cent of women and 31 per cent of men assaulted had sustained injuries during the assault/s.

Phillips, Melanie, 2000 "Man beaters behind closed doors" *The Sunday Times*. London, 19 November 2000.

- # Spousal assaults expressed as rate per 1000 couples

	Assault by husband	Assault by wife
Minor Assaults:	90.6	89
Severe Assaults	29	45

Change In Spouse Assault Rates From 1975 to 1992: A Comparison of Three National Surveys In 'The United States', by Murray A. Straus and Glenda Kaufman Kantor.

- # A 2005 report on domestic violence released by the NSW Bureau of Crime Statistics and Research (BOCSAR) found that a surprising number of the domestic violence incidents recorded by police involve male victims. Where the victim is younger than 15 or older than 39, male victims outnumber female victims (by more than two-to-one for the younger age group).

Trends and Patterns in Domestic Violence. NSW Bureau of Crime Statistics and Research. Media Release 27 October 2005.

http://www.lawlink.nsw.gov.au/lawlink/bocsar/ll_bocsar.nsf/pages/bocsar_mr_cjb89

- # A study of 582 college men found that up to 78 per cent of those abused as children had been abused by females.

Fromuth, M., Burkhart, B. Childhood Sexual Victimization Among College Men: Definitions and Methodological Issues. *Violence and Victims*. 1987. Volume 2. No 4. pp. 241-253.

- # A U.S. national study found that 29 per cent of women and 22 per cent of men had experienced physical, sexual, or psychological intimate partner violence during their lifetime.

Coker AL, Davis KE, Arias I, Desai S, Sanderson M, Brandt HM, et al. Physical and mental health effects of intimate partner violence for men and women. *American Journal of Preventive Medicine* 2002;23(4):260–8.

First Punch

% of the time that wives admitted to hitting first: 53

- *Physical Assaults by Wives, 1993 (US)*

Going for the Knife

% of women knifed by their spouse or partner: 4.1

% of men knifed by their spouse or partner: 11

- *The Risk of Serious Physical Injury from Assault by a Woman Intimate, 1999 (US)*

Losing It

Number of wives/husbands who hit or tried to hit their spouse with something:

30 wives per 1,000

17 husbands per 1,000

- *US National Family Violence Survey, 1985*

Totally Losing It

Number of wives/husbands who engaged in severe violence against their spouse:
46 wives per 1,000
30 husbands per 1,000
- *US National Family Violence Survey, 1985*

Co-ed Violence

32% of college women who admitted to initiating violence against their boyfriend:
46% who said it was because their boyfriend wasn't sensitive to their needs:
43% who said it was because their boyfriend wasn't listening:
- *College women who initiate assaults on their male partners and the reasons offered for such behaviour*
Fiebert, M S 1997 pp.583-590

Kid Abuse

61% of all child abuse committed by mothers:
38% of all child abuse committed by fathers:
Child maltreatment : reports from the states to the National Center on Child Abuse and Neglect National Clearinghouse on Child Abuse, Neglect Information (U.S.) 1995

Termination of Childhood

55% of murdered kids killed by their mothers:
- *Murder in Families 1994, US Bureau of Justice Statistics*

Blind Justice

In a survey of 6,002 people,
0% of incidents in which women were arrested after their husbands called the police:
15% of incidents in which men were arrested after their wives called the police:
12% of incidents in which men were arrested after they called the police:
- *US National Family Violence Survey, 1985*

Domestic Homicide

60% of female murderers who killed an intimate or family member:
20% of male murderers who killed an intimate or family member:
- *Women Offenders 1999, US Bureau of Justice Statistics*

Sentencing Stats

81% of women receiving prison sentences for murdering their spouse:
94% of men receiving prison sentences:
- *Spouse Murder Defendants in Large Urban Counties 1995, US Bureau of Justice Statistics*

Prison Terms

Length of prison sentences given to women convicted of spousal abuse compared to those given to men: 10 years shorter
- *Spouse Murder Defendants in Large Urban Counties 1995, US Bureau of Justice Statistics*

Dumb Justice

27% of women acquitted by a jury in a spouse murder trial:
0% of men acquitted:
- *Spouse Murder Defendants in Large Urban Counties 1995, US Bureau of Justice Statistics*

Calls from the Brach

37% of women acquitted by a judge in a spouse murder trial:
17% of men acquitted:
- *Spouse Murder Defendants in Large Urban Counties 1995, US Bureau of Justice Statistics*

Capital Punishment

33% of all domestic homicides committed by women:
1% of all the inmates on Death Row who are women:
- *Capital Punishment 1998, US Bureau of Justice Statistics*

Women on Women 1

Number of violent crimes committed by women each year in the United States: 2.1 million
75% that are simple assaults on other women:

- *Women Offenders 1999, US Bureau of Justice Statistics*

Women on Women II

40% of lesbians abused by their current or most recent partners:

18% of gay men abused by their current or most recent partners:

- *Lesbians in Currently Aggressive Relationships: How Frequently Do They Report Aggressive Past Relationships? 1991 (US)*

Instinct to Swing

During one survey of corporal punishment of children, % of mothers who hit their child during the interview: 6.2%

- *Corporal Punishment by Mothers and Child's Cognitive Development, 1998 (US)*

All cited in Sara Vigneri "The Abuse Index: Who's Throwing Stuff and Who's Getting Hit." *Men's Health (USA/Canada)* May 2000 Vol 15, Issue 4, p150, 3/4p, 1bw

348 studies show that women and men initiate domestic violence equally

This summary bibliography examines 174 scholarly investigations: 138 empirical studies and 36 reviews and/or analyses, which demonstrate that women are as physically aggressive, or more aggressive, than men in their relationships with their spouses or male partners. The aggregate sample size in the reviewed studies exceeds 163,800. shows that men constitute anywhere from 36 to 50 percent of domestic violence victims.

Martin S. Fiebert. Department of Psychology

California State University, Long Beach <http://www.csulb.edu/~mfiebert/assault.htm> Portions of this paper were presented at the American Psychological Society Convention in Washington, D.C. May 24, 1997. Earlier versions of this paper appeared in *Sexuality and Culture*, 1997, 1, 273-286, and *Sexuality and Culture*, 2004, 8, (No. 3-4), 140-177. Copyright, 2005

Aizenman, M., Kelley, G. (1988). The incidence of violence and acquaintance rape in dating relationships among college men and women. *Journal of College Student Development*, 29, 305-311. (A sample of actively dating college students <204 women and 140 men> responded to a survey examining courtship violence. Authors report that there were no significant differences between the sexes in self reported perpetration of physical abuse.)

Archer, J. (2000). Sex differences in aggression between heterosexual partners: A meta-analytic review. *Psychological Bulletin*, 126, 651-680. (Meta-analyses of sex differences in physical aggression indicate that women were more likely than men to "use one or more acts of physical aggression and to use such acts more frequently." In terms of injuries, women were somewhat more likely to be injured, and analyses reveal that 62% of those injured were women.)

Archer, J. (2002). Sex differences in physically aggressive acts between heterosexual partners: A meta-analytic review. *Aggression and Violent Behavior*, 7, 213-351. (Analyzing

responses to the Conflict Tactic Scale and using a data set somewhat different from the previous 2000 publication, the author reports that women are more likely than men to throw something at their partners, as well as slap, kick, bite, punch and hit with an object. Men were more likely than women to strangle, choke, or beat up their partners.)

Archer, J., Ray, N. (1989). Dating violence in the United Kingdom: a preliminary study. *Aggressive Behavior*, 15, 337-343. (Twenty three dating couples completed the Conflict Tactics scale. Results indicate that women were significantly more likely than their male partners to express physical violence. Authors also report that, "measures of partner agreement were high" and that the correlation between past and present violence was low.)

Arias, I., Samios, M., O'Leary, K. D. (1987). Prevalence and correlates of physical aggression during courtship. *Journal of Interpersonal Violence*, 2, 82-90. (Used Conflict Tactics Scale with a sample of 270 undergraduates <95 men, 175 women> and found 30% of men and 49% of women reported using some form of aggression in their dating histories with a greater percentage of women engaging in severe physical aggression.)

Arias, I., Johnson, P. (1989). Evaluations of physical aggression among intimate dyads. *Journal of Interpersonal Violence*, 4, 298-307. (Used Conflict Tactics Scale-CTS- with a sample of 103 male and 99 female undergraduates. Both men and women had similar experience with dating violence, 19% of women and 18% of men admitted being physically aggressive. A significantly greater percentage of women thought self-defense was a legitimate reason for men to be aggressive, while a greater percentage of men thought slapping was a legitimate response for a man or woman if their partner was sexually unfaithful.)

Arriaga, X. B., Foshee, V. A. (2004). Adolescent dating violence. Do adolescents follow in their friends' or their parents' footsteps? *Journal of Interpersonal Violence*, 19, 162-184. (A modified version of Conflict Tactics Scale was administered on two occasions, 6 months apart, to 526 adolescents, <280 girls, 246 boys> whose median age was 13. Results reveal that 28% of girls reported perpetrating violence with their partners <17% moderate, 11% severe> on occasion one, while 42% of girls reported perpetrating violence <25% moderate, 17% severe> on occasion two. For boys, 11% reported perpetrating violence <6% moderate, 5% severe> on occasion one, while 21% reported perpetrating violence <6% moderate, 15% severe> on occasion two. In terms of victimization, 33% of girls, and 38% of boys reported being victims of partner aggression on occasion one and 47% of girls and 49% of boys reported victimization on occasion two.

Basile, S. (2004). Comparison of abuse by same and opposite-gender litigants as cited in requests for abuse prevention orders. *Journal of Family Violence*, 19, 59-68. (Author examined court documents in Massachusetts for the year 1997 and found that, "male and female defendants, who were the subject of a complaint in domestic relations cases, while sometimes exhibiting different aggressive tendencies, measured almost equally abusive in terms of the overall level of psychological and physical aggression.)

Bernard, M. L., Bernard, J. L. (1983). Violent intimacy: The family as a model for love relationships. *Family Relations*, 32, 283-286. (Surveyed 461 college students, 168 men, 293 women, with regard to dating violence. Found that 15% of the men admitted to physically abusing their partners, while 21% of women admitted to physically abusing their partners.)

Billingham, R. E., Sack, A. R. (1986). Courtship violence and the interactive status of the relationship. *Journal of Adolescent Research*, 1, 315-325. (Using CTS with 526 university students <167 men, 359 women> found Similar rates of mutual violence but with women reporting higher rates of violence initiation when partner had not--9% vs 3%.)

Bland, R., Orne, H. (1986). Family violence and psychiatric disorder. *Canadian Journal of Psychiatry*, 31, 129-137. (In interviews with 1,200 randomly selected Canadians <489 men, 711 women> found that women both engaged in and initiated violence at higher rates than their male partners.)

Bohannon, J. R., Dosser Jr., D. A., Lindley, S. E. (1995). Using couple data to determine domestic violence rates: An attempt to replicate previous work. *Violence and Victims*, 10,

133-41. (Authors report that in a sample of 94 military couples 11% of wives and 7% of husbands were physically aggressive, as reported by the wives.)

Bookwala, J. (2002). The role of own and perceived partner attachment in relationship aggression. *Journal of Interpersonal Violence*, 17, 84-100. (In a sample of 161 undergraduates, 34.3% of women <n=35> reported being victims of partner aggression compared to 55.9% <n=33> of men.)

Bookwala, J., Frieze, I. H., Smith, C., Ryan, K. (1992). Predictors of dating violence: A multi variate analysis. *Violence and Victims*, 7, 297-311. (Used CTS with 305 college students <227 women, 78 men> and found that 133 women and 43 men experienced violence in a current or recent dating relationship. Authors reports that "women reported the expression of as much or more violence in their relationships as men." While most violence in relationships appears to be mutual--36% reported by women, 38% by men--women report initiating violence with non violent partners more frequently than men <22% vs 17%>).

Brinkerhoff, M., Lupri, E. (1988). Interspousal violence. *Canadian Journal of Sociology*, 13, 407-434. (Examined Interspousal violence in a representative sample of 562 couples in Calgary, Canada. Used Conflict Tactics Scale and found twice as much wife-to-husband as husband-to-wife severe violence <10.7% vs 4.8%>. The overall violence rate for husbands was 10.3% while the overall violence rate for wives was 13.2%. Violence was significantly higher in younger and childless couples. Results suggest that male violence decreased with higher educational attainment, while female violence increased.)

Brown, G. (2004). Gender as a factor in the response of the law-enforcement system to violence against partners. *Sexuality and Culture*, 8, (3-4), 3-139. (Summarizes partner violence data from the 1999 Canadian General Social Survey <GSS>. The GSS is based on a representative sample of 25,876 persons. Overall in the 12-month period preceding the survey, an estimated 3% Canadian women and 2% of Canadian men reported experiencing violence from their partners. During the 5 year period from 1995-1999, an estimated 8% of Canadian women and 7% of Canadian men reported violence from their partners. Reviewed police and legal responses to partner violence in Edmonton, Canada and concludes that ". . . men who are involved in disputes with their partners, whether as alleged victims or as alleged offenders or both, are disadvantaged and treated less favorably than women by the law-enforcement system at almost every step.")

Brush, L. D. (1990). Violent Acts and injurious outcomes in married couples: Methodological issues in the National Survey of Families and Households. *Gender, Society*, 4, 56-67. (Used the Conflict Tactics scale in a large national survey, n=5,474, and found that women engage in same amount of spousal violence as men.)

Brutz, J., Ingoldsby, B. B. (1984). Conflict resolution in Quaker families. *Journal of Marriage and the Family*, 46, 21-26. (Used Conflict Tactics Scale with a sample of 288 Quakers <130 men, 158 women> and found a slightly higher rate of female to male violence <15.2%> than male to female violence <14.6%>.)

Burke, P. J., Stets, J. E., Pirog-Good, M. A. (1988). Gender identity, self-esteem, and physical and sexual abuse in dating relationships. *Social Psychology Quarterly*, 51, 272-285. (A sample of 505 college students <298 women, 207 men> completed the CTS. Authors reports that they found "no significant difference between men and women in reporting inflicting or sustaining physical abuse." Specifically, within a one year period they found that 14% of the men and 18% of the women reported inflicting physical abuse, while 10% of the men and 14% of the women reported sustaining physical abuse.)

Caetano, R., Schafer, J., Field, C., Nelson, S. M. (2002). Agreement on reports of intimate partner violence among white, Black, and Hispanic couples in the United States. *Journal of Interpersonal Violence*, 17, 1308-1322. (A probability sample of 1635 couples was interviewed and assessed with the CTS. Agreement concerning intimate partner violence was about 40%, with no differences reported across ethnicities. Women significantly reported perpetrating more partner violence than men in all three ethnic groups.)

- Capaldi, D. M., Crosby, L. (1997). Observed and reported psychological and physical aggression in young, at-risk couples. *Social Development*, 6, 184-206. (A sample of 118 young men and their dating partners were surveyed regarding their own physical aggression as well as that of their partners. Findings reveal that 31% of men and 36% of women engaged "in an act of physical aggression against their current partner.")
- Capaldi, D. M., Owen, L. D. (2001). Physical aggression in a community sample of at-risk young couples: Gender comparisons for high frequency, injury, and fear. *Journal of Family Psychology*, 15(3), 425-440. Drawn from a community based at-risk sample, 159 young couples were assessed with the Conflict Tactics scale and measures of self reported injuries. Findings indicated that 9.4% of men and 13.2% of women perpetrated frequent physical aggression toward their partners. Contrary to expectations, 13% of men and 9% of women, indicated that they were physically injured at least once. Authors report "2% of the men and none of the women indicate that they had been hurt by their partners between five and nine times."
- Carlson, B. E. (1987). Dating violence: a research review and comparison with spouse abuse. *Social Casework*, 68, 16-23. (Reviews research on dating violence and finds that men and women are equally likely to aggress against their partners and that "the frequency of aggressive acts is inversely related to the likelihood of their causing physical injury.")
- Carrado, M., George, M. J., Loxam, E., Jones, L., Templar, D. (1996). Aggression in British heterosexual relationships: a descriptive analysis. *Aggressive Behavior*, 22, 401-415. (In a representative sample of British men <n=894> and women <n=971> it was found, using a modified version of the CTS, that 18% of the men and 13% of the women reported being victims of physical violence at some point in their heterosexual relationships. With regard to current relationships, 11% of men and 5% of women reported being victims of partner aggression.)
- Cascardi, M., Langhinrichsen, J., Vivian, D. (1992). Marital aggression: Impact, injury, and health correlates for husbands and wives. *Archives of Internal Medicine*, 152, 1178-1184. (Examined 93 couples seeking marital therapy. Found using the CTS and other information that 71% reported at least one incident of physical aggression in past year. While men and women were equally likely to perpetrate violence, women reported more severe injuries. Half of the wives and two thirds of the husbands reported no injuries as a result of all aggression, but wives sustained more injuries as a result of mild aggression.)
- Caulfield, M. B., Riggs, D. S. (1992). The assessment of dating aggression: Empirical evaluation of the Conflict Tactics Scale. *Journal of Interpersonal Violence*, 4, 549-558. (Used CTS with a sample of 667 unmarried college students <268 men and 399 women> and found on a number of items significantly higher responses of physical violence on part of women. For example, 19% of women slapped their male partner while 7% of men slapped their partners, 13% of women kicked, bit, or hit their partners with a fist while only 3.1% of men engaged in this activity.)
- Clark, M. L., Beckett, J., Wells, M., Dungee-Anderson, D. (1994). Courtship Violence among African-American college students. *Journal of Black Psychology*, 20, (3), 264-281. (A sample of 311 African-American college students <76 men, 235 women> responded to the CTS. Findings reveal that 41% of men and 33% of women reported being physically abused by a dating partner.)
- Claxton-Oldfield, S., Arsenault, J. (1999). The initiation of physically aggressive behaviour by female university students toward their male partners: Prevalence and the reasons offered for such behaviors. Unpublished manuscript. (In a sample of 168 actively dating female undergraduates at a Canadian university, 26% indicated that they initiated physical aggression toward their male partners. Most common reason for such behavior was because partner was not listening to them.)
- Coney, N. S., Mackey, W. C. (1999). The feminization of domestic violence in America: The woozle effect goes beyond rhetoric. *Journal of Men's Studies*, 8, (1) 45-58. (Authors review the domestic violence literature and report that while society in general as well as

the media portray women as “recipients of domestic violence...epidemiological surveys on the distribution of violent behavior between adult partners suggest gender parity.”)

Cook, P. W. (1997). *Abused men. The hidden side of domestic violence*. Westport, CN.: Praeger. (Presents the evidence, empirical and personal, for male spousal victimization. Examines resistance to acceptance of findings and offers solutions to reduce domestic violence.)

Corry, C. E., Fiebert, M. S., Pizzy, E. (2002). *Controlling domestic violence against men*. Available: www.familytx.org/research/Control_DV_against_men.pdf Earlier version presented at Sixth International Conference on Family Violence, San Diego, CA. (A critical examination of men as victims of partner violence.)

Cunradi, C. B., Caetano, R., Clark, C. L., Schafer, J. (1999). Alcohol-related problems and intimate partner violence among white, Black, and Hispanic couples in the U.S. *Alcoholism: Clinical and Experimental Research*, 23, 1492-1501. (A probability sample of 1440 couples <565 white, 358 Black, 527 Hispanic> was obtained from the 1995 National Alcohol Survey. Subjects completed the Conflict Tactics Scale. Ethnicity results reveal that overall rates of partner aggression were similar for whites and Hispanic while Black rates were significantly higher. In terms of gender, white men and women had similar rates of partner aggression, Hispanic women were somewhat more aggressive than Hispanic men and Black men were more aggressive than Black women. Alcohol related problems were a predictor of intimate partner violence in Black couples.)

Deal, J. E., Wampler, K. S. (1986). Dating violence: The primacy of previous experience. *Journal of Social and Personal Relationships*, 3, 457-471. (Of 410 university students <295 women, 115 men> responding to CTS and other instruments, it was revealed that 47% experienced some violence in dating relationships. The majority of experiences were reciprocal. When not reciprocal men were three times more likely than women to report being victims. Violent experiences in previous relationships was the best predictor of violence in current relationships.)

DeKeseredy, W. S., Schwartz, M. D. (1998). *Woman abuse on campus. Results from the Canadian National survey*. Thousand Oaks, CA: Sage. (A large sample <1,835 women; 1,307 men> of Canadian college students completed the Conflict Tactics Scale. Results reveal that women report engaging in higher rates of violence than men. Specifically, 46.1% of women reported engaging in some physical violence in intimate relationship since leaving high school. With 38% employing "minor" violence and 19% employing "severe" violence.)

DeMaris, A. (1992). Male versus female initiation of aggression: The case of courtship violence. In E. C. Viano (Ed.), *Intimate violence: interdisciplinary perspectives*. (pp. 111-120). Bristol, PA: Taylor, Francis. (Examined a sample of 865 white and black college students with regard to the initiation of violence in their dating experience. Found that 218 subjects, 80 men and 138 women, had experienced or expressed violence in current or recent dating relationships. Results indicate that "when one partner could be said to be the usual initiator of violence, that partner was most often the women. This finding was the same for both black and white respondents.")

Dutton, D. G., Nicholls, T. L. (In press.) The gender paradigm in domestic violence research and theory: the conflict of theory and data. *Aggression and Violent Behavior*. (A review and analysis of the data regarding male victimization. Critical of feminist approaches that minimize female perpetration and trivialize male injury.)

Dutton-Greene, L. B., Straus, M. A. (2005, July). The relationship between gender hostility and partner violence and injury. Paper presented at the 9th International Family Violence Research Conference, Portsmouth, NH. (Report of findings from international dating violence Study which collected data from over 11,000 <70% women> college students from 50 universities in 21 countries. Subjects responded to the revised Conflict Tactics scale, gender hostility scales and injury scales. Findings reveal that women perpetrated greater partner violence than men, that women were more seriously injured than men and

that hostility toward the opposite sex was significantly and similarly correlated with partner violence for men and women.)

Ehrensaft, M. K., Moffitt, T. E., Caspi, A. (2004). Clinically abusive relationships in an unselected birth cohort: men's and women's participation and developmental antecedents. *Journal of Abnormal Psychology*, 113 (2) 258-270. (Assessed 980 individuals, ages 24-26, who were participants in longitudinal study in New Zealand. Subjects were examined with the CTS, the Partner Conflict Calendar, PCC, a measure of the consequences of abuse and a variety of personality and psychopathology scales. Findings reveal that 9% of the total sample, with an equal number of men and women, were victims of clinical abuse in their relationships with partners.)

Ernst, A. A., Nick, T. G., Weiss, S. J., Houry, D., Mills, T. (1997). Domestic violence in an inner-city ED. *Annals of Emergency Medicine*, 30, 190-197. (Assessed 516 patients <233 men, 283 women> in a New Orleans inner-city emergency Department with the Index of Spousal Abuse, a scale to measure domestic violence. Found that 28% of the men and 33% of the women <a nonsignificant difference>, were victims of past physical violence while 20% of the men and 19% of the women reported being current victims of physical violence. In terms of ethnicity, 82% of subjects were African-American. Authors report that there was a significant difference in the number of women vs. men who reported past abuse to the police ,19% of women, 6% of men.>)

Farrell, W. (1999). *Women can't hear what men don't say*. New York: Tarcher/Putnam. See Chapter 6. (Pp. 123-162; 323-329.) (An excellent social and political analysis of couple violence.)

Feather, N. T. (1996). Domestic violence, gender and perceptions of justice. *Sex Roles*, 35, 507-519. (Subjects <109 men, 111 women> from Adelaide, South Australia, were presented a hypothetical scenario in which either a husband or wife perpetrated domestic violence. Participants were significantly more negative in their evaluation of the husband than the wife, were more sympathetic to the wife and believed that the husband deserved a harsher penalty for his behavior.)

Felson, R. B. (2002). *Violence and Gender Reexamined*. Washington, DC: American Psychological Association. (Scholarly review and analysis of the literature. Author concludes that, "Women are just as likely as men to be victims of violence from their partners. . . ." Also "casts doubt on the battered wife syndrome as an explanation for why women kill their male partners.")

Fiebert, M. S., Gonzalez, D. M. (1997). Women who initiate assaults: The reasons offered for such behavior. *Psychological Reports*, 80, 583-590. (A sample of 968 women, drawn primarily from college courses in the Southern California area, were surveyed regarding their initiation of physical assaults on their male partners. 29% of the women, n=285, revealed that they initiated assaults during the past five years. Women in their 20's were more likely to aggress than women aged 30 and above. In terms of reasons, women appear to aggress because they did not believe that their male victims would be injured or would retaliate. Women also claimed that they assaulted their male partners because they wished to engage their attention, particularly emotionally.)

Fiebert, M. S. (1996). College students' perception of men as victims of women's assaultive behavior. *Perceptual, Motor Skills*, 82, 49-50. (Three hundred seventy one college students <91 men, 280 women> were surveyed regarding their knowledge and acceptance of the research finding regarding female assaultive behavior. The majority of subjects (63%) were unaware of the finding that women assault men as frequently as men assault women; a slightly higher percentage of women than men (39% vs 32%) indicated an awareness of this finding. With regard to accepting the validity of these findings a majority of subjects (65%) endorsed such a result with a slightly higher percentage of men (70% vs 64%) indicating their acceptance of this finding.)

Flynn, C. P. (1990). Relationship violence by women: issues and implications. *Family Relations*, 36, 295-299. (A review/analysis article that states, "researchers consistently have found that men and women in relationships, both marital and premarital engage in

comparable amounts of violence." Author also writes, "Violence by women in intimate relationships has received little attention from policy makers, the public, and until recently, researchers...battered men and abusive women have receive 'selective inattention' by both the media and researchers.")

Follingstad, D. R., Wright, S., Sebastian, J. A. (1991). Sex differences in motivations and effects in dating violence. *Family Relations*, 40, 51-57. (A sample of 495 college students <207 men, 288 women> completed the CTS and other instruments including a "justification of relationship violence measure." The study found that women were twice as likely to report perpetrating dating violence as men. Female victims attributed male violence to a desire to gain control over them or to retaliate for being hit first, while men believed that female aggression was based on their female partner's wish to "show how angry they were and to retaliate for feeling emotionally hurt or mistreated.")

Foo, L., Margolin, G. (1995). A multivariate investigation of dating aggression. *Journal of Family Violence*, 10, 351-377. (A sample of 290 college students <111 men, 179 women> responded to the CTS. Results reveal that 24.3% of men and 38.5% of women reported perpetrating physical violence toward their dating partners.)

Foshee, V. A. (1996). Gender differences in adolescent dating abuse prevalence, types and injuries. *Health Education Research*, 11, (3) 275-286. (Data collected from 1965 adolescents in eighth and ninth grade in 14 schools in rural North Carolina. Results reveal that 36.5% of dating females and 39.4% of dating males report being victims of physical dating violence. In terms of perpetrating violence 27.8% of females while only 15.0% of males report perpetrating violence.)

Gelles, R. J. (1994). Research and advocacy: Can one wear two hats? *Family Process*, 33, 93-95. (Laments the absence of objectivity on the part of "feminist" critics of research demonstrating female perpetrated domestic violence.)

George, M. J. (1994). Riding the donkey backwards: Men as the unacceptable victims of marital violence. *Journal of Men's Studies*, 3, 137-159. (A thorough review of the literature which examines findings and issues related to men as equal victims of partner abuse.)

George, M. J. (1999). A victimization survey of female perpetrated assaults in the United Kingdom. *Aggressive Behavior*, 25, 67-79. (A representative sample of 718 men and 737 women completed the CTS and reported their experience as victims of physical assaults by women during a five year period. Men reported greater victimization and more severe assaults than did women. Specifically, 14% of men compared to 7% of women reported being assaulted by women. Highest risk group were single men. The majority (55%) of assaults on men were perpetrated by spouses, partners, or former partners.)

George, M. J. (2002). Skimmington Revisited. *Journal of Men's Studies*, 10, No. 2, 111-127. (Examines historical sources and finds that men who were victims of spousal aggression were subject to punishment and humiliation. Inferences to contemporary trivialization of male victims of partner aggression is discussed.)

George, M. J. (2003). Invisible touch. *Aggression, Violent Behaviour*, 8, 23-60. (A comprehensive review and analysis of female initiated partner aggression. Historical, empirical and case evidence presented to demonstrate reality of "battered husband syndrome.")

Goldberg, W. G., Tomlanovich, M. C. (1984). Domestic violence victims in the emergency department. *JAMA*, 251, 3259-3264. (A sample of 492 patients <275 women, 217 men> who sought treatment in an emergency department in a Detroit hospital were surveyed regarding their experience with domestic violence. Respondents were mostly African-American (78%), city dwellers (90%), and unemployed (60%). Victims of domestic violence numbered 107 (22%). While results indicate that 38% of victims were men and 62% were women this gender difference did not reach statistical significance.

Gonzalez, D. M. (1997). Why females initiate violence: A study examining the reasons behind assaults on men. Unpublished master's thesis, California State University, Long Beach. (225 college women participated in a survey which examined their past history and

their rationales for initiating aggression with male partners. Subjects also responded to 8 conflict scenarios which provided information regarding possible reasons for the initiation of aggression. Results indicate that 55% of the subjects admitted to initiating physical aggression toward their male partners at some point in their lives. The most common reason was that aggression was a spontaneous reaction to frustration).

Goodyear-Smith, F. A., Laidlaw, T. M. (1999). Aggressive acts and assaults in intimate relationships: Towards an understanding of the literature. *Behavioral Sciences and the Law*, 17, 285-304. (An up to date scholarly analysis of couple violence. Authors report that, "...studies clearly demonstrate that within the general population, women initiate and use violent behaviors against their partners at least as often as men.")

Graham-Kevan, N., Archer, J. (July, 2005). Using Johnson's domestic violence typology to classify men and women in a non-selected sample. Paper presented at the 9th Annual Family Violence Research Conference, Portsmouth, NH. (A total of 1339 subjects, students and staff from the University of Central Lancashire, responded to a modified version of the CTS. Authors report that, "the proportion of women and men using any act of physical aggression towards their partners was as follows: from self-reports 29% for women and 17% for men, and from partner reports 31% of women and 22% for men.")

Grandin, E., Lupri, E. (1997). Intimate violence in Canada and the United States: A cross-national comparison. *Journal of Family Violence*, 12 (4) 417-443. (Authors examine data from the 1985 U.S. National Family Violence Resurvey and the 1986 Canadian National Family Life Survey. Report that "although the United States exhibits significantly higher rates of societal violence crime than Canada, Canadian women and men were more likely than their American counterparts to use severe and minor intimate violence." This finding is counter to the "culture of violence theory." Moreover, in both cultures the rates of violence of wives to husbands were higher than husbands to wives. Specifically, the overall violence index for men in America was 10.6 and in Canada it was 18.3; while the overall violence index for women in America was 12.2 and in Canada it was 25.3.)

Gray, H. M., Foshee, V. (1997). Adolescent dating violence. *Journal of Interpersonal Violence*, 12, 126-142. (A sample of 185 adolescents responded to a questionnaire about dating violence; 77 students reported being involved in physical violence in their current or most recent dating relationship. Mutual violence was present in 66% of cases; while 26% of males and 8% of females reported being victims of violence and 29% of females and 4% of males reported being sole perpetrators of violence.)

Gryl, F. E., Stith, S. M., Bird, G. W. (1991). Close dating relationships among college students: differences by use of violence and by gender. *Journal of Social and Personal Relationships*, 8, 243-264. (A sample of 280 first year college students <156 women, 124 men> at a mid-Atlantic university completed the violence sub-scale of the Conflict Tactics Scale. Results reveal that almost 30% of the females and 23% of males reported that they had been violent in the current relationship. Also almost 28% of women and 39% of men reported sustaining violence in their current relationship.)

Hamel, J. (2005). *Gender Inclusive Treatment of Intimate Partner Abuse*. New York: Springer. (Reviews the "most reliable and empirically sound research" and concludes that "men and women physically and emotionally abuse each other at equal rates. . ." Offers a comprehensive gender inclusive treatment approach to domestic violence.)

Hampton, R. L., Gelles, R. J., Harrop, J. W. (1989). Is violence in families increasing? A comparison of 1975 and 1985 National Survey rates. *Journal of Marriage and the Family*, 51, 969-980. (Compared a sample of 147 African Americans from the 1975 National Survey with 576 African Americans from the 1985 National Survey with regard to spousal violence. Using the CTS found that the rate of overall violence (169/1000) of husbands to wives remained the same from 1975 to 1985, while the rate of overall violence for wives to husbands increased 33% (153 to 204/1000) from 1975 to 1985. The rate of severe violence of husbands to wives decreased 43% (113 to 64/1000) from 1975 to 1985, while the rate of severe violence of wives to husbands increased 42% (76 to 108/1000) from

1975 to 1985. In 1985 the rate of abusive violence by black women was nearly 3 times greater than the rate of white women.)

Harned, M. S. (2002). A multivariate analysis of risk markers for dating violence victimization. *Journal of Interpersonal Violence*, 17, 1179-1197. (In a university sample of 874 daters <489 women, 385 men> assessed with the revised CTS, 22% of women and 21% of men reported experiencing physical aggression from dating partners.)

Harders, R. J., Struckman-Johnson, C., Struckman-Johnson, D., Caraway, S. J. (1998). Verbal and physical abuse in dating relationships. Paper presented at the meeting of American Psychological Association, San Francisco, CA. (Surveyed 274 college students <92 men, 182 women> using a revised form of the Conflict Tactics Scale. Found that women were significantly more physically aggressive than men, particularly in the areas of: pushing, slapping and punching.)

Headey, B., Scott, D., de Vaus, D. (1999). Domestic violence in Australia: Are women and men equally violent? Data from the International Social Science Survey/ Australia 1996/97 was examined. A sample of 1643 subjects (804 men, 839 women) responded to questions about their experience with domestic violence in the past 12 months. Results reveal that 5.7% of men and 3.7% of women reported being victims of domestic assaults. With regard to injuries results reveal that women inflict serious injuries at least as frequently as men. For example 1.8% of men and 1.2% of women reported that their injuries required first aid, while 1.5% of men and 1.1% of women reported that their injuries needed treatment by a doctor or nurse.

Hendy, H. M., Weiner, K., Bakerofskie, J., Eggen, D., Gustitus, C., McLeod, K. C. (2003). Comparison of six models for violent romantic relationships in college men and women. *Journal of Interpersonal Violence*, 18, 645-665. (A sample of 608 students <164 men, 444 women> were surveyed with the Conflict Tactics Scale. Results indicate that 16% of men and 26% of women report inflicting violence on their current romantic partner.)

Henton, J., Cate, R., Koval, J., Lloyd, S., Christopher, S. (1983). Romance and violence in dating relationships. *Journal of Family Issues*, 4, 467-482. (Surveyed 644 high school students <351 men, 293 women> and found that abuse occurred at a rate of 121 per 1000 and appeared to be reciprocal with both partners initiating violence at similar rates.)

Hines, D. A., Malley-Morrison, K. (2001). Psychological effects of partner abuse against men: a neglected research area. *Psychology of Men and Masculinity*, 2, 75-85. (A review article that examines the issue of men as victims of partner abuse. Considers reasons why men would remain in an abusive relationship.)

Hines, D. A., Saudino, K. J. (2003). Gender differences in psychological, physical, and sexual aggression among college students using the revised Conflict Tactics Scales. *Violence and Victims*, 18, (2) 197-217. (A sample of 481 college students <179 men, 302 women> responded to the revised Conflict Tactics scale. Results indicate that 29% of men and 35% of women reported perpetrating physical aggression in their relationships.)

Hoff, B. H. (1999). The risk of serious physical injury from assault by a woman intimate. A re-examination of National Violence against women survey data on type of assault by an intimate. WWW.vix.com/menmag/nvawrisk.htm. (A re-examination of the data from the most recent National violence against women survey (Tjaden, Thoennes, 1998) shows that "assaulted men are more likely than assaulted women to experience serious attacks by being hit with an object, beat up, threatened with a knife or being knifed.")

Jackson, S. M., Cram, F., Seymour, F. W. (2000). Violence and sexual coercion in high school students' dating relationships. *Journal of Family Violence*, 15, 23-36. (In a New Zealand sample of senior high school students <200 women, 173 men> 21% of women and 19% of men reported having been physically hurt by their heterosexual dating partner.)

Jouriles, E. N., O'Leary, K. D. (1985). Interpersonal reliability of reports of marital violence. *Journal of Consulting and Clinical Psychology*, 53, 419-421. (Used the Conflict Tactics Scale with a sample of 65 couples in marriage therapy and 37 couples from the

community. Found moderate levels of agreement of abuse between partners and similar rates of reported violence between partners.)

Kalmuss, D. (1984). The intergenerational transmission of marital aggression. *Journal of Marriage and the Family*, 46, 11-19. (In a representative sample of 2,143 adults found that the rate of husband to wife severe aggression is 3.8% while the rate of wife to husband severe aggression is 4.6%.)

Katz, J., Kuffel, S. W., Coblenz, A. (2002). Are there gender differences in sustaining dating violence? An examination of frequency, severity, and relationship satisfaction. *Journal of Family Violence*, 17, 247-271. (Authors report two studies where dating men and women experienced violence at comparable levels, "although men experienced more frequent moderate violence." In the first study n=286, <183 women, 103 men> 55% of women had nonviolent partners, while 50% of men had nonviolent partners; in the second study n=123 <78 women, 45 men> 73% of women had nonviolent partners, while 58% of men had nonviolent partners.)

Kaura, S. A., Allan, C. M. (2004). Dissatisfaction with relationship power and dating violence perpetration by men and women. *Journal of Interpersonal Violence*, 19, 576-588. (A university sample of 352 men and 296 women completed the revised Conflict Tactics Scale. Authors report, "Surprisingly, significantly more dating violence perpetration is reported by women than by men.")

Kelly, L. (2003). Disabusing the definition of domestic abuse: how women batter men and the role of the feminist state. *Florida State Law Review*, 30, 791-855. (A scholarly examination of the issue of male victimization which is critical of feminist perspectives.)

Kim, K., Cho, Y. (1992). Epidemiological survey of spousal abuse in Korea. In E. C. Viano (Ed.) *Intimate Violence: Interdisciplinary Perspectives*. (pp. 277-282). Bristol, PA: Taylor and Francis. (Utilized the Conflict Tactics scale in interviews with a random sample of 1,316 married Koreans <707 women, 609 men>. Compared to findings with American couples, results indicate that Korean men were victimized by their wives twice as much as American men, while Korean women were victimized by their spouses three times as much as American women.)

Kim, J-Y., Emery, C. (2003). Marital power, conflict, norm consensus, and marital violence in a nationally representative sample of Korean couples. *Journal of Interpersonal Violence*, 18, 197-219. (A sample of 1500 South Koreans were surveyed. Marital power, conflict and norm consensus were correlated with marital violence. Findings reveal that the incidence of husband to wife violence 27.8%, while wife to husband was 15.8%)

Kwong, M. J., Bartholomew, K., Dutton, D. (1999). Gender differences in patterns of relationship violence in Alberta. *Canadian Journal of Behavioural Science*, 31, (3) 150-160. (A representative sample of men <n=356> and women <n=351> from Alberta using the Conflict Tactics Scale, reported on their experience of marital aggression during a one year period. Similar levels of reported perpetration of physical violence were found, viz., husband to wife 12.9%, wife to husband, 12.3%.)

Lane, K., Gwartney-Gibbs, P.A. (1985). Violence in the context of dating and sex. *Journal of Family Issues*, 6, 45-49. (Surveyed 325 students <165 men, 160 women> regarding courtship violence. Used Conflict Tactics Scale and found equal rates of violence for men and women.)

Laner, M. R., Thompson, J. (1982). Abuse and aggression in courting couples. *Deviant Behavior*, 3, 229-244. (Used Conflict Tactics Scales with a sample of 371 single individuals <129 men, 242 women> and found similar rates of male and female violence in dating relationships.)

Langhinrichsen-Rohling, J., Vivian, D. (1994). The correlates of spouses' incongruent reports of marital aggression. *Journal of Family Violence*, 9, 265-283. (In a clinic sample of 97 couples seeking marital therapy, authors found, using a modified version of the CTS, that 61% of the husbands and 64% of the wives were classified as aggressive, 25% of the husbands and 11% of the wives were identified as mildly aggressive and 36% of husbands

and 53% of wives were classified as severely aggressive. Sixty-eight percent of couples were in agreement with regard to husband's overall level of aggression and 69% of couples were in agreement on wife's overall level of aggression. Aggression levels were identified as "nonviolent, mildly violent, or severely violent." Where there was disagreement, 65% of husbands <n=20> were under-reporting aggression and 35% of husbands <n=11> were over-reporting aggression; while 57% of wives <n=17> were under-reporting aggression and 43% of wives <n=13> were over-reporting aggression.)

Lewis, A., Sarantakos, S. (2001). Domestic Violence and the male victim. Nuance, issue 3. (Based on interviews with 48 men in Australia and New Zealand, authors present findings that domestic violence by women toward men exists, that the refusal to examine the prevalence of this abuse is a "disempowerment" of men and that official policy should be changed to provide help for abused men.)

Lillja, C. M. (1995). Why women abuse: A study examining the function of abused men. Unpublished master's thesis, California State University, Long Beach. (A review of the literature examining the issue of men as victims of female assaults. Includes an original questionnaire to test assumption that women who lack social support to combat stress are likely to commit domestic violence.)

Lo, W. A., Sporkowski, M. J. (1989). The continuation of violent dating relationships among college students. Journal of College Student Development, 30, 432-439. (A sample of 422 college students completed the Conflict Tactics Scale. Found that, "women were more likely than men to claim themselves as abusers and were less likely to claim themselves as victims.")

Lottes, I. L., Weinberg, M. S. (1996). Sexual coercion among university students: a comparison of the United States and Sweden. Journal of Sex Research, 34, 67-76. (A sample of 507 Swedish students <211 men, 359 women> and 407 U.S. students <129 men, 278 women> responded to items on the CTS. Results reveal that 31% of U.S. men compared to 18% of Swedish men reported being victims of physical violence by female partners during the previous 12 months. While 31% of U.S. women compared to 19% of Swedish women reported being victims of physical violence by male partners during the previous 12 months.)

Macchietto, J. (1992). Aspects of male victimization and female aggression: Implications for counseling men. Journal of Mental Health Counseling, 14, 375-392. (Article reviews literature on male victimization and female aggression.)

Magdol, L., Moffitt, T. E., Caspi, A., Fagan, J., Newman, D. L., Silva, P. A. (1997). Gender differences in partner violence in a birth cohort of 21 year Olds: bridging the gap between clinical and epidemiological approaches. Journal of Consulting and Clinical Psychology, 65, 68-78. (Used CTS with a sample of 861 21 year Olds <436 men, 425 women> in New Zealand. Physical violence perpetration was reported during the previous 12 months by 37.2% of women and 21.8% of men, with severe violence perpetration by women at 18.6% and men at 5.7%.)

Makepeace, J. M. (1986). Gender differences in courtship violence victimization. Family Relations, 35, 383-388. (A sample of 2,338 students <1,059 men, 1,279 women> from seven colleges were surveyed regarding their experience of dating violence. Courtship violence was experienced by 16.7 % of respondents. Authors report that "rates of commission of acts and initiation of violence were similar across gender." In term of injury, both men (98%) and women (92%) reported "none or mild" effects of violence.)

Malik, S., Sorenson, S. B., Aneshensel, C. S. (1997). Journal of Adolescent Health, 21, 291-302. (A sample of 707 high school students <281 boys, 426 girls> responded to the CTS. Results reveal that girls were almost 3 times more likely than boys to perpetrate dating violence. In terms of ethnicity African-Americans had the highest level of dating violence, followed by Latinos, whites, and Asian Americans.)

Malone, J., Tyree, A., O'Leary, K. D. (1989). Generalization and containment: Different effects of past aggression for wives and husbands. Journal of Marriage and the Family, 51,

687-697. (In a sample of 328 couples it was found that men and women engaged in similar amounts of physical aggression within their families of origin and against their spouses. However, results indicate that women were more aggressive to their partners than men. Aggression was more predictable for women, i.e., if women observed parental aggression or hit siblings they were more likely to be violent with their spouses.)

Margolin, G. (1987). The multiple forms of aggressiveness between marital partners: how do we identify them? *Journal of Marital and Family Therapy*, 13, 77-84. (A paid volunteer sample of 103 couples completed the Conflict Tactics Scale. It was found that husbands and wives perpetrated similar amounts of violence. Specifically, the incidence of violence, as reported by either spouse was: husband to wife =39; wife to husband =41.)

Marshall, L. L., Rose, P. (1987). Gender, stress and violence in the adult relationships of a sample of college students. *Journal of Social and Personal Relationships*, 4, 299-316. (A survey of 308 undergraduates <152 men, 156 women> revealed that 52% expressed and 62% received violence at some point in their adult relationships. Overall, women report expressing more physical violence than men. Childhood abuse emerged as a predictor of violence in adult relationships.)

Marshall, L. L., Rose, P. (1990). Premarital violence: The impact of family of origin violence, stress and reciprocity. *Violence and Victims*, 5, 51-64. (454 premarital undergraduates <249 women, 205 men> completed the CTS and other scales. Overall, women reported expressing more violence than men, while men reported receiving more violence than women. Female violence was also associated with having been abused as children.)

Mason, A., Blankenship, V. (1987). Power and affiliation motivation, stress and abuse in intimate relationships. *Journal of Personality and Social Psychology*, 52, 203-210. (Investigated 155 college students <48 men, 107 women> with the Thematic Apperception Test <TAT>, Life Experiences Survey and the CTS. Found that there were no significant gender differences in terms of the infliction of physical abuse. Men with high power needs were more likely to be physically abusive while highly stressed women with high needs for affiliation and low activity inhibition were the most likely to be physically abusive. Results indicate that physical abuse occurred most often among committed couples.)

Matthews, W. J. (1984). Violence in college couples. *College Student Journal*, 18, 150-158. (A survey of 351 college students <123 men and 228 women> revealed that 79 <22.8 %> reported at least one incident of dating violence. Both men and women ascribed joint responsibility for violent behavior and both sexes, as either recipients or expressors of aggression, interpreted violence as a form of "love.")

Maxfield, M. G. (1989). Circumstances in supplementary homicide reports: Variety and validity. *Criminology*, 27, 671-695. (Examines FBI homicide data from 1976 through 1985. Reports that 9,822 wives, common law wives <57%> were killed compared to 7,433 husbands and common law husbands <43%>).

McCarthy, A. (2001.) Gender differences in the incidences of, motives for, and consequences of, dating violence among college students. Unpublished Master's thesis, California State University, Long Beach. (In a sample of 1145 students <359 men, 786 women> found that 36% of men and 28% of women responding to the CTS2 reported that they were victims of physical aggression during the previous year. There were no differences in reported motives for aggression between men and women.)

McKinney, K. (1986). Measures of verbal, physical and sexual dating violence by gender. *Free Inquiry in Creative Sociology*, 14, 55-60. (Surveyed 163 college students, 78 men, 85 women, with a questionnaire designed to assess involvement in dating abuse. Found that 38% of women and 47% of men indicated that they were victims of physical abuse in dating relationships. Also found that 26% of women and 21% of men acknowledged that they physically assaulted their dating partners.)

McLeod, M. (1984). Women against men: An examination of domestic violence based on an analysis of official data and national victimization data. *Justice Quarterly*, 1, 171-193. (From a data set of 6,200 cases of spousal abuse in the Detroit area in 1978-79 found that men used weapons 25% of the time while female assailants used weapons 86% of the time, 74% of men sustained injury and of these 84% required medical care. Concludes that male victims are injured more often and more seriously than female victims.)

McNeely, R. L., Cook, P. W., Torres, J. B. (2001). Is domestic violence a gender issue or a human issue? *Journal of Human Behavior in the Social Environment*, 4, No. 4, 227-251. (Argues that domestic violence is a human issue and not a gender issue. Presents and discusses empirical findings and case studies to support this view. Expresses concerns about men's "legal and social defenselessness.")

McNeely, R. L., Mann, C. R. (1990). Domestic violence is a human issue. *Journal of Interpersonal Violence*, 5, 129-132. (A review article which discusses the findings that women are more prone than men to engage in severely violent acts and that "classifying spousal violence as a women's issue rather than a human issue is erroneous.")

McNeely, R. L., Robinson-Simpson, G. (1987). The truth about domestic violence: A falsely framed issue. *Social Work*, 32, 485-490. (A review article which concludes that women are as violent as men in domestic relationships.)

Mercy, J. A., Saltzman, L. E. (1989). Fatal violence among spouses in the United States, 1975-85. *American Journal of Public Health*, 79, 595-599. (Examined FBI figures regarding spousal homicides. During the 10 year period from 1975 to 1985 found higher murder rates of wives than husbands <43.4% vs 56.6%>. Black husbands were at the greatest risk of victimization. Spousal homicide among blacks was 8.4 times higher than that of whites. Spouse homicide rates were 7.7 times higher in interracial marriages and the risk of victimization for both whites and blacks increased as age differences between spouses increased. Wives and husbands were equally likely to be killed by firearms <approximately 72% of the time> while husbands were more likely to be stabbed and wives more likely to bludgeoned to death. Arguments apparently escalated to murder in 67% of spouse homicides.)

Meredith, W. H., Abbot, D. A., Adams, S. L. (1986). Family violence in relation to marital and parental satisfaction and family strengths. *Journal of Family Violence*, 1, 299-305. (Authors report that 6% of men and 5% of women in Nebraska indicated that they used severe violence at least once in the previous year.)

Merrill, L. L., King, L. K., Milner, J. S., Newell, C. E., Koss, M. P. (1998). Premilitary intimate partner conflict resolution in a Navy basic trainee sample. *Military Psychology*, 10, 1-15. (A sample of 2,987, 1,560 women, 1,427 men> Navy basic trainees responded to the CTS. More men <43.3%> than women <40.3%> reported receiving physical violence from an intimate partner, and more women <46.9%> than men <31.9%> reported at least one instance of inflicting physical violence on an intimate partner.)

Mihalic, S. W., Elliot, D. (1997). A social learning theory model of marital violence. *Journal of Family Violence*, 12, 21-46. (Based on data from the National Youth Survey <see Morse, 1995> a social learning model of marital violence for men and women was tested. For men ethnicity, prior victimization, stress and marital satisfaction predicted both perpetration and experience of minor violence. With regard to serious violence ethnicity, prior victimization, marital satisfaction predicted men's experience of marital violence, while ethnicity, class and sex role attitudes predicted the perpetration of male marital violence. For women the most important predictor of the experience of both minor and serious marital violence was marital satisfaction, class was also a predictor. With regard to female perpetrators of marital violence the witnessing of parental violence was an important predictor along with class and marital satisfaction. The social learning model worked better for women than men.)

Milardo, R. M. (1998). Gender asymmetry in common couple violence. *Personal Relationships*, 5, 423-438. (A sample of 180 college students <88 men, 72 women> were asked whether they would be likely to hit their partner in a number of situations common

to a dating relationship. Results reveal that 83% of the women, compared to 53% of the men, indicated that they would be somewhat likely to hit their partner.)

Mirrlees-Black, C. (1999). Findings from a new British Crime Survey self-completion questionnaire. Home Office Research, Development and Statistics Directorate report 191. Home Office. London, HMSO. (In 1996, 16,000 completed questionnaires regarding crime victimization. Findings reveal 4.2% of men and 4.2% of women between the ages of 16-59 reported being physically assaulted by a current or former partner within the past year.)

Morse, B. J. (1995). Beyond the Conflict Tactics Scale: Assessing gender differences in partner violence. *Violence and Victims*, 10 (4) 251-272. (Data was analyzed from the National Youth Survey, a longitudinal study begun in 1976 with 1,725 subjects who were drawn from a probability sample of households in the United States and who, in 1976, were between the ages of 11-17. This study focused on violence as assessed by the CTS between male and female married or cohabiting respondents during survey years 1983 <n=1,496>, 1986 <n=1,384>, 1989 <n=1,436>, and 1992 <n=1,340>. For each survey year the prevalence rates of any violence and severe violence were significantly higher for female to male than for male to female. For example, in 1983 the rate of any violence male to female was 36.7, while the rate of any violence female to male was 48; in 1986, the rate of severe violence male to female was 9.5, while the rate of severe violence female to male was 22.8. In 1992, the rate of any violence male to female was 20.2, with a severe violence rate male to female of 5.7; while the rate of any violence female to male was 27.9, with a severe violence rate female to male of 13.8. Author notes that the decline in violence over time is attributed to the increase in age of the subjects. Results reveal <p. 163> that over twice as many women as men reported assaulting a partner who had not assaulted them during the study year." In 1986 about 20% of both men and women reported that assaults resulted in physical injuries. In other years women were more likely to self report personal injuries.)

Moffitt, T. E., Robins, R. W., Caspi, A. (2001). A couples analysis of partner abuse with implications for abuse-prevention policy. *Criminology, Public Policy*, 1, (1) 5-36. (A representative longitudinal sample of 360 young-adult couples in New Zealand completed a 13 item physical abuse scale. Results reveal that 40% of males and 50% of females had perpetrated at least one act of physical violence toward their partners.)

Murphy, J. E. (1988). Date abuse and forced intercourse among college students. In G. P. Hotaling, D. Finkelhor, J. T. Kirkpatrick, M. A. Straus (Eds.) *Family Abuse and its Consequences: New Directions in Research* (pp. 285-296). Beverly Hills, CA: Sage. (A sample of 485 single college students <230 men, 255 women> completed the CTS. Overall men reported greater victimization than women. For example, 20.7% of men compared to 12.8% of women reported being kicked, bit or hit with a fist and 6% of men compared to 3.6% of women reported being beaten up by their heterosexual partner.)

Mwamwenda, T. S. (1998). Reports of husband battering from an undergraduate sample in Umtata. *Psychological Reports*, 82, 517-518. (Surveyed a sample of 138 female and 81 male college students in Transkei, South Africa, regarding their witnessing husbanding battery. Responses reveal that 2% of subjects saw their mother beat their father, 18% saw or heard female relatives beating their husbands, and 26% saw or heard female neighbors beating their husbands.)

Niaz, U., Hassan, S., Tariq, Q. (2002). Psychological consequences of intimate partner violence: forms of domestic abuse in both genders. *Pakistan Journal of Medical Science*, 18(3), 205-214. (A sample of 140 <70 men, 70 women> outpatient psychiatric patients in Pakistan were assessed with the Karachi Domestic Violence Screening Scale. Findings reveal that 19 men <27%> and 30 women <43%> reported being victims of physical abuse in their domestic relationships.)

Nicholls, T. L., Dutton, D. G. (2001). Abuse committed by women against male intimates. *Journal of Couples Therapy*, 10 (1) 41-57. (A comprehensive review of the

literature which concludes that "men are as likely as women to be victims of intimate assaults.")

Nisonoff, L., Bitman, I. (1979). Spouse abuse: Incidence and relationship to selected demographic variables. *Victimology*, 4, 131-140. (In a sample of 297 telephone survey respondents <112 men, 185 women> found that 15.5% of men and 11.3% of women report having hit their spouse, while 18.6% of men and 12.7% of women report having been hit by their spouse.)

O'Keefe, M. (1997). Predictors of dating violence among high school students. *Journal of Interpersonal Violence*, 12, 546-568. (Surveyed 939 students <385 boys, 554 girls> ranging in age from 14-20. Sample was ethnically diverse: 53% Latino, 20% White, 13% African-American, 6.7% Asian American, and 7% "other." A modified version of the violence subscale of the Conflict Tactics Scale was used to assess dating violence. Results reveal that 43% of females and 39% of males reported that they perpetrated some form of physical aggression on their dating partners.)

O'Keefe, N. K., Brockopp, K., Chew, E. (1986). Teen dating violence. *Social Work*, 31, 465-468. (Surveyed 256 high school students from Sacramento, CA., 135 girls, 121 boys, with the CTS. Ninety percent of students were juniors or seniors, the majority came from middle class homes, 94% were average or better students, and 65% were white and 35% were black, Hispanic or Asian. Found that 11.9% of girls compared to 7.4% of boys admitted to being sole perpetrators of physical violence. 17.8% of girls and 11.6% of boys admitted that they were both "victims and perpetrators" of physical violence.)

O'Leary, K. D., Barling, J., Arias, I., Rosenbaum, A., Malone, J., Tyree, A. (1989). Prevalence and stability of physical aggression between spouses: A longitudinal analysis. *Journal of Consulting and Clinical Psychology*, 57, 263-268. (272 couples were assessed regarding physical aggression. More women reported physically aggressing against their partners at premarriage <44% vs 31%> and 18 months of marriage <36% vs 27%>. At 30 months there was a nonsignificant but higher rate for women <32% vs 25%>.)

Pedersen, P., Thomas, C. D. (1992). Prevalence and correlates of dating violence in a Canadian University sample. *Canadian Journal of Behavioural Science*, 24, 490-501. (A sample of 166 undergraduates <116 women, 50 men> responded to the CTS; 45.8% of subjects reported experiencing physical violence in their current or most recent dating relationship. Of this total, 44.8% of women and 48% of men reported being physically aggressed upon by their partners. It was also found that only 22% of men and 40.5% of women reported using physical aggression against a dating partner.)

Plass, M. S., Gessner, J. C. (1983). Violence in courtship relations: a southern sample. *Free Inquiry in Creative Sociology*, 11, 198-202. (In an opportunity sample of 195 high school and college students from a large southern city, researchers used the Conflict Tactics scale to examine courtship violence. Overall, results reveal that women were significantly more likely than men to be aggressors. Specifically, in, committed relationships, women were three times as likely as men to slap their partners, and to kick, bit or hit with the fist seven times as often as men. In casual relationships, while the gender differences weren't as pronounced, women were more aggressive than men. Other findings reveal that high school students were more abusive than college students, and that a "higher proportion of black respondents were involved as aggressors.")

Riggs, D. S., O'Leary, K. D., Breslin, F. C. (1990). Multiple correlates of physical aggression in dating couples. *Journal of Interpersonal Violence*, 5, 61-73. (Used CTS and studied 408 college students <125 men and 283 women>. Found that significantly more women <39%> than men <23%> reported engaging in physical aggression against their current partners.)

Rollins, B. C., Oheneba-Sakyi, Y. (1990). Physical violence in Utah households. *Journal of Family Violence*, 5, 301-309. (In a random sample of 1,471 Utah households, using the Conflict Tactics Scale, it was found that women's rate of severe violence was 5.3% compared to a male rate of 3.4%.)

Rouse, L. P. (1988). Abuse in dating relationships: A comparison of Blacks, Whites, and Hispanics. *Journal of College Student Development*, 29, 312-319. (The use of physical force and its consequences were examined in a diverse sample of college students. Subjects consisted of 130 whites <58 men, 72 women>, 64 Blacks <32 men, 32 women>, and 34 Hispanics <24 men, 10 women>. Men were significantly more likely than women to report that their partners used moderate physical force and caused a greater number of injuries requiring medical attention. This gender difference was present for Whites and Blacks but not for Hispanics.)

Rosenfeld, R. (1997). Changing relationships between men and women. A note on the decline in intimate partner violence. *Homicide Studies*, 1, 72-83. (Author reports on homicide rates in ST. Louis from 1968-1992. Findings indicate that while men and women were equally likely to be victims of partner violence in 1970, in subsequent years men, primarily black men, were more likely to be murdered by their intimate partners.)

Rouse, L. P., Breen, R., Howell, M. (1988). Abuse in intimate relationships. A Comparison of married and dating college students. *Journal of Interpersonal Violence*, 3, 414-429. (A sample of 130 married (48 men, 82 women) college students and 130 college students in dating relationships (58 men, 72 women) reported their experience of physical abuse in intimate relationships. Men were more likely to report being physically abused than women in both dating and marital relationships.)

Russell, R. J. H., Hulson, B. (1992). Physical and psychological abuse of heterosexual partners. *Personality and Individual Differences*, 13, 457-473. (In a pilot study in Great Britain 46 couples responded to the Conflict Tactics Scale. Results reveal that husband to wife violence was: Overall violence= 25% and severe violence= 5.8%; while wife to husband violence was: Overall violence= 25% and severe violence=11.3%.)

Ryan, K. A. (1998). The relationship between courtship violence and sexual aggression in college students. *Journal of Family Violence*, 13, 377-394. (A sample of 656 college students <245 men, 411 women> completed the CTS. Thirty four percent of the women and 40% of the men reported being victims of their partner's physical aggression.)

Sack, A. R., Keller, J. F., Howard, R. D. (1982). Conflict tactics and violence in dating situations. *International Journal of Sociology of the Family*, 12, 89-100. (Used the CTS with a sample of 211 college students, 92 men, 119 women. Results indicate that there were no differences between men and women with regard to the expression of physical violence.)

Saenger, G. (1963). Male and female relations in the American comic strip. In D. M. White, R. H. Abel (Eds.), *The funnies, an American idiom* (pp. 219-231). Glencoe, NY: The Free Press. (Twenty consecutive editions of all comic strips in nine New York City newspapers in October, 1950 were examined. Results reveal that husbands were victims of aggression in 63% of conflict situations while wives were victims in 39% of situations. In addition, wives were more aggressive in 73% of domestic situations, in 10% of situations, husbands and wives were equally aggressive and in only 17% of situations were husbands more violent than wives.)

Sarantakos, S. (2004). Deconstructing self-defense in wife-to-husband violence. *Journal of Men's Studies*, 12 (3) 277-296. (Members of 68 families with violent wives in Australia were studied. In 78% of cases wives' violence was reported to be moderate to severe and in 38% of cases husbands needed medical attention. Using information from husbands, wives, children and wives' mothers study provides compelling data challenging self defense as a motive for female-to-male violence.)

Schafer, J., Caetano, R., Clark, C. L. (1998). Rates of intimate partner violence in the United States. *American journal of Public Health*, 88, 1702-1704. (Used modified CTS and examined reports of partner violence in a representative sample of 1635 married and cohabiting couples. Both partners reports were used to estimate the following lower and upper bound rates: 5.21% and 13.61% for male to female violence, and 6.22% and 18.21 % for female to male violence.)

- Sharpe, D., Taylor, J. K. (1999). An examination of variables from a social-developmental model to explain physical and psychological dating violence. *Canadian Journal of Behavioural Science*, 31:3, 165-175. (Canadian college students <110 men, 225 women> were surveyed with the Conflict Tactics Scale regarding dating violence. Results reveal that 38% of men and 27% of women report receiving physical violence from their partners. Twice as many women compared to men reported inflicting violence without receiving physical violence from dating partners.)
- Shook, N. J., Gerrity, D. A., Jurich, J., Segrist, A. E. (2000). Courtship violence among college students: A comparison of verbally and physically abusive couples. *Journal of Family Violence*, 15, 1-22. (A modified Conflict Tactics Scale was administered to 572 college students <395 women; 177 men>. Results reveal that significantly more women than men, 23.5% vs 13.0%, admitted using physical force against a dating partner.)
- Sigelman, C. K., Berry, C. J., Wiles, K. A. (1984). Violence in college students' dating relationships. *Journal of Applied Social Psychology*, 5, 530-548. (Surveyed 504 college students <116 men, 388 women> with the Conflict Tactics Scale and found that men and women were similar in the overall amount of violence they expressed but that men reported experiencing significantly more violence than women.)
- Simonelli, C. J., Ingram, K. M. (1998). Psychological distress among men experiencing physical and emotional abuse in heterosexual dating relationships. *Journal of Interpersonal Violence*, 13, 667-681. (Responses from 70 male undergraduates to the CTS and a Psychological Maltreatment Inventory revealed that 40% reported being the target of some form of physical aggression from their female dating partners while only 23% reported expressing physical aggression to their partners. Men who were victims of emotional and physical abuse also reported greater levels of distress and depression.)
- Simonelli, C. J., Mullis, T., Elliot, A. N., Pierce, T. W. (2002). Abuse by siblings and subsequent experiences of violence within the dating relationship. *Journal of Interpersonal Violence*, 17, 103-121. (A sample of 120 undergraduates <61 men, 59 women> completed the CTS. Ten percent of men and 33% of women reported that they perpetrated at least one type of physical aggressive behavior against their dating partner and 18% of men and 15% of women reported receiving physical aggression from their dating partner.)
- Sommer, R. (1994). Male and female partner abuse: Testing a diathesis-stress model. Unpublished doctoral dissertation, University of Manitoba, Winnipeg, Canada. (The study was in two waves: the first was from 1989-1990 and included a random sample of 452 married or cohabiting women and 447 married or cohabiting men from Winnipeg, Canada; the second was from 1991-1992 and included 368 women and 369 men all of whom participated in the first wave. Subjects completed the CTS, other assessment instruments. 39.1% of women reported being physically aggressive (16.2% reporting having perpetrated severe violence) at some point in their relationship with their male partner. While 26.3% of men reported being physically aggressive (with 7.6% reporting perpetrating severe violence) at some point in their relationship with their female partner. Among the perpetrators of partner abuse, 34.8% of men and 40.1% of women reported observing their mothers hitting their fathers. Results indicate that 21% of 'males' and 13% of females' partners required medical attention as a result of a partner abuse incident." Results also indicate that "10% of women and 15% of men perpetrated partner abuse in self defense.")
- Sommer, R., Barnes, G. E., Murray, R. P. (1992). Alcohol consumption, alcohol abuse, personality and female perpetrated spouse abuse. *Journal of Personality and Individual Differences*, 13, 1315-1323. (The responses from a subsample of 452 women drawn from a sample of 1,257 Winnipeg residents were analyzed. Using the CTS, it was found that 39% of women physically aggressed against their male partners at some point in their relationship. Younger women with high scores on Eysenck's P scale were most likely to perpetrate violence. Note: The sample of subjects is the same as the one cited in Sommer's 1994 dissertation.)

Sorenson, S. B., Telles, C. A. (1991). Self reports of spousal violence in a Mexican-American and non-Hispanic white population. *Violence and Victims*, 6, 3-15. (Surveyed 1,243 Mexican-Americans and 1,149 non-Hispanic whites and found that women compared to men reported higher rates of hitting, throwing objects, initiating violence, and striking first more than once. Gender difference was significant only for non-Hispanic whites.)

Sorenson, S. B., Upchurch, D. M., Shen, H. (1996). Violence and injury in marital arguments: risk patterns and gender differences. *American Journal of Public Health*, 66(1), 35-40. (Data analysis was based on findings from the National Survey of Families and Households conducted in 1987-88. Subjects included 6779 currently married White, Black and Hispanic individuals who completed a modified version of the Conflict Tactics Scale. Authors report that, "women <6.2% vs 4.9%> were slightly more likely than men to report that they had hit, shoved or thrown something at their spouse in the previous year." Women also reported higher rates of causing injury than did men. Other findings of note: 1) Blacks were 1.58 times more likely and Hispanics 0.53 times less likely than Whites to report that physical violence occurred in their relationship; 2) Subjects under 30 reported more violence and those above 50 reported less violence; 3) lower annual income was associated with higher rates of physical violence.)

Spencer, G. A., Bryant, S. A. (2000). Dating violence: A comparison of rural, suburban and urban teens. *Journal of Adolescent Health*, 25 (5) 302-305. (A sample of 2094 high school students in upper New York State indicated their experience of physical dating violence. There were a similar number of boys and girls surveyed, with more subjects from urban areas than rural or suburban areas. The majority of subjects were white non-Hispanic. Males in each region were more likely to report being victims of physical dating violence than females in each region. Specifically, 30% of rural boys and 20% of urban and 20% of suburban boys reported being victims of partner physical aggression while 25% of rural girls and 16% of suburban and 13% of urban girls reported victimization.)

Steinmetz, S. K. (1977-78). The battered husband syndrome. *Victimology: An International Journal*, 2, 499-509. (A pioneering article suggesting that the incidence of husband beating was similar to the incidence of wife beating.)

Steinmetz, S. K. (1980). Women and violence: victims and perpetrators. *American Journal of Psychotherapy*, 34, 334-350. (Examines the apparent contradiction in women's role as victim and perpetrator in domestic violence.)

Steinmetz, S. K. (1981). A cross cultural comparison of marital abuse. *Journal of Sociology and Social Welfare*, 8, 404-414. (Using a modified version of the CTS, examined marital violence in small samples from six societies: Finland, United States, Canada, Puerto Rico, Belize, and Israel <total n=630>. Found that "in each society the percentage of husbands who used violence was similar to the percentage of violent wives." The major exception was Puerto Rico where men were more violent. Author also reports that, "Wives who used violence... tended to use greater amounts.")

Stets, J. E., Henderson, D. A. (1991). Contextual factors surrounding conflict resolution while dating: results from a national study. *Family Relations*, 40, 29-40. (Drawn from a random national telephone survey, daters <n=277; men=149, women=128> between the ages of 18 and 30, who were single, never married and in a relationship during the past year which lasted at least two months with at least six dates were examined with the Conflict Tactics Scale. Findings reveal that over 30% of subjects used physical aggression in their relationships, with 22% of the men and 40% of the women reported using some form of physical aggression. Women were "6 times more likely than men to use severe aggression <19.2% vs. 3.4%>...Men were twice as likely as women to report receiving severe aggression <15.7% vs. 8%>." Also found that younger subjects and those of lower socioeconomic status <SES> were more likely to use physical aggression.)

Stets, J. E., Pirog-Good, M. A. (1987). Violence in dating relationships, *Social Psychology Quarterly*, 50, 237-246. (Examined a college sample of 505 white students. Found that

men and women were similar in both their use and reception of violence. Jealousy was a factor in explaining dating violence for women.)

Stets, J. E., Pirog-Good, M. A. (1989). Patterns of physical and sexual abuse for men and women in dating relationships: A descriptive analysis, *Journal of Family Violence*, 4, 63-76. (Examined a sample of 287 college students <118 men and 169 women> and found similar rates for men and women of low level physical abuse in dating relationships. More women than men were pushed or shoved <24% vs 10%> while more men than women were slapped <12% vs 8%>. In term of unwanted sexual contact 22% of men and 36% of women reported such behaviour. The most frequent category for both men <18%> and women <19%> was the item, "against my will my partner initiated necking".)

Stets, J. E., Straus, M. A. (1990). Gender differences in reporting marital violence and its medical and psychological consequences. In M. A. Straus, R. J. Gelles (Eds.), *Physical violence in American families: Risk factors and adaptations to violence in 8,145 families* (pp. 151-166). New Brunswick, NJ: Transaction. (Reports information regarding the initiation of violence. In a sample of 297 men and 428 women, men said they struck the first blow in 43.7% of cases, and their partner hit first in 44.1% of cases and could not disentangle who hit first in remaining 12.2%. Women report hitting first in 52.7% of cases, their partners in 42.6% and could not disentangle who hit first in remaining 4.7%. Authors conclude that violence by women is not primarily defensive.)

Straus, M. (1980). Victims and aggressors in marital violence. *American Behavioral Scientist*, 23, 681-704. (Reviews data from the 1975 National Survey. Examined a subsample of 325 violent couples and found that in 49.5% of cases both husbands and wives committed at least one violent act, while husbands alone were violent in 27.7% of the cases and wives alone were violent in 22.7% of the cases. Found that 148 violent husbands had an average number of 7.1 aggressive acts per year while the 177 violent wives averaged 6.8 aggressive acts per year.)

Straus, M. A. (1995). Trends in cultural norms and rates of partner violence: An update to 1992. In S. M. Stich, M. A. Straus (Eds.) *Understanding partner violence: Prevalence, causes, consequences, and solutions* (pp. 30-33). Minneapolis, MN: National Council on Family Relations. (Reports finding that while the approval of a husband slapping his wife declined dramatically from 1968 to 1994 <21% to 10%> the approval of a wife slapping her husband did not decline but remained at 22% during the same period. The most frequently mentioned reason for slapping for both partners was sexual unfaithfulness. Also reports that severe physical assaults by men declined by 48% from 1975 to 1992--38/1000 to 19/1000 while severe assaults by women did not change from 1975 to 1992 and remained above 40/1000. Suggests that public service announcements should be directed at female perpetrated violence and that school based programs "explicitly recognize and condemn violence by girls as well as boys.")

Straus, M. A. (1998). The controversy over domestic violence by women: A methodological, theoretical, and sociology of science analysis. Paper presented at Claremont Symposium on Applied Social Psychology, Claremont, CA. (Examines issue of differential rates of assaults between crime studies and couple conflict studies. Provides a sociological explanation to account for assaults by women within the family.)

Straus, M. A. (2001). Prevalence of violence against dating partners by male and female university students worldwide. *Violence Against Women*, 10, 790-811. (Dating aggression was studied at 31 universities in 16 countries worldwide. Responding to the revised Conflict Tactics Scale were 8666 students <5919 women, 2747 men>. Results reveal that overall 25% of men and 28% of women assaulted their dating partner in the past year. At 21 of the 31 universities studied a larger percentage of women than men assaulted their dating partner. In terms of severe assaults a higher rate of perpetration by women occurred in a majority (18 of the 31) of the sites.)

Straus, M. A. (2005). Women's violence toward men is a serious social problem. In D. R. Loseke, R. J. Gelles, M. M. Cavanaugh (Eds.), *Current Controversies on Family Violence*, 2nd Edition, (pp. 55-77). Thousand Oaks, CA: Sage. (A scholarly review of research

showing that women initiate physical assaults on their male partners as frequently as men assault women. Examines the fact that injuries and fatalities result from such violence.)

Straus, M. A., Gelles, R. J. (1986). Societal change and change in family violence from 1975 to 1985 as revealed by two national surveys. *Journal of Marriage and the Family*, 48, 465-479. (Reviewed data from two large sample national violence surveys of married couples and report that men and women assaulted each other at approximately equally rates, with women engaging in minor acts of violence at a higher rate than men. Sample size in 1975 survey=2,143; sample size in 1985 survey=6,002.)

Straus, M. A., Gelles, R. J., Steinmetz, S. K. (1981). *Behind closed doors: Violence in the American family*, Garden City, NJ: Anchor. (Reports findings from National Family Violence survey conducted in 1975. In terms of religion, found that Jewish men had the lowest rates of abusive spousal violence (1%), while Jewish women had a rate of abusive spousal violence which was more than double the rate for Protestant women <7%>, pp. 128-133. Abusive violence was defined as an "act which has a high potential for injuring the person being hit," pp.21-2.)

Straus, M. A., Hamby, S. L., Boney-McCoy, S., Sugarman, D. B. (1996). The Revised Conflict Tactics Scales (CTS2). Development and preliminary psychometric data. *Journal of Family Issues*, 17, 283-316. (The revised CTS has clearer differentiation between minor and severe violence and new scales to measure sexual coercion and physical injury. Used the CTS2 with a sample of 317 college students <114 men, 203 women> and found that: 49% of men and 31% of women reported being a victim of physical assault by their partner; 38% of men and 30% of women reported being a victim of sexual coercion by their partner; and 16% of men and 14% of women reported being seriously injured by their partners.)

Straus, M. A., Kaufman Kantor, G. (1994, July). Change in spouse assault rates from 1975-1992: A comparison of three national surveys in the United States. Paper presented at the Thirteenth World Congress of Sociology, Bielefeld, Germany. (Reports that the trend of decreasing severe assaults by husbands found in the National Survey from 1975 to 1985 has continued in the 1992 survey while wives maintained higher rates of assault.)

Straus, M. A., Kaufman Kantor, G., Moore, D. W. (1994, August). Change in cultural norms approving marital violence from 1968 to 1994. Paper presented at the American Sociological Association, Los Angeles, CA. (Compared surveys conducted in 1968 <n=1,176>, 1985 <n=6,002>, 1992 <n=1,970>, and 1994 <n=524>, with regard to the approval of facial slapping by a spouse. Approval of slapping by husbands decreased from 21% in 1968 to 13% in 1985, to 12% in 1992, to 10% in 1994. The approval of slapping by wives was 22% in 1968 and has not declined over the years.)

Straus, M. A., Medeiros, R. A. (2002, November). Gender differences in risk factors for physical violence between dating partners by university students. Paper presented at annual meeting of the American Society for Criminology, Chicago, Illinois. (A sample of 232 men and 334 women responded to revised CTS. Results indicate that for minor violence the rates for both men and women are 22% and for severe violence rates are 10% for men and 11% for women.)

Straus, M. A., Mouradian, V. E. (1999, November). Preliminary psychometric data for the Personal Relationships Profile (PRP): A multi-scale tool for clinical screening and research on partner violence. Paper presented at the annual meeting of the American Society of Criminology, Toronto, Canada. (In a study of 1,034 dating couples at two US universities, injury rates based on responses to the revised CTS (CTS2) revealed that 9.9% of men and 9.4% of women report being injured by the opposite sex. In terms of inflicting injuries, 10.1% men and 8.0% women indicated that they inflicted injuries on their partners.)

Straus, M. A., Ramirez, I. L. (2002, July). Gender symmetry in prevalence, severity, and chronicity of physical aggression against dating partners by university students in Mexico and USA. Paper presented at the XV World Meeting of the International Society for Research on Aggression, Montreal, Canada. Available at: <http://pubpages.unh.edu/~mas2/>. (Reports findings from four samples of university

students in Juarez, Mexico, El Paso and Lubbock, Texas, and New Hampshire. Subjects (N=1,554) responded to the revised Conflict Tactics Scale. Results indicate that there were no significant differences between males and females in either the overall prevalence of physical aggression or the prevalence of severe attacks. However, when only one partner was violent it was twice as likely to be the female than the male <19.0% vs 9.8%>. Moreover, in terms of severe aggression females were twice as likely to be violent than men <29.8% vs 13.7%>).

Sugarman, D. B., Hotaling, G. T. (1989). Dating violence: Prevalence, context, and risk markers. In M. A. Pirog-Good, J. E. Stets (Eds.) *Violence in dating relationships: Emerging social issues* (pp.3-32). New York: Praeger. (Reviewed 21 studies of dating behavior and found that women reported having expressed violence at higher rates than men--329 per 1000 vs 393 per 1000.)

Szinovacz, M. E. (1983). Using couple data as a methodological tool: The case of marital violence. *Journal of Marriage and the Family*, 45, 633-644. (Used Conflict Tactics Scale with 103 couples and found that the wives' rates of physical aggression was somewhat higher than husbands'.)

Tang, C. S. (1994). Prevalence of spouse aggression in Hong Kong. *Journal of Family Violence*, 9, 347-356. (Subjects were 382 undergraduates <246 women, 136 men> at the Chinese University in Hong Kong. The CTS was used to assess students' evaluation of their parents responses during family conflict. 14% of students reported that their parents engaged in physical violence. "Mothers were as likely as fathers to use actual physical force toward their spouses.")

Thompson Jr., E. H. (1990). Courtship violence and the male role. *Men's Studies Review*, 7, (3) 1, 4-13. (Subjects were 336 undergraduates <167 men, 169 women> who completed a modified version of the CTS. Found that 24.6% of men compared to 28.4% of women expressed physical violence toward their dating partners within the past two years. Found that women were twice as likely as men to slap their partners.)

Thompson Jr., E. H. (1991). The maleness of violence in data relationships: an appraisal of stereotypes. *Sex Roles*, 24, 261-278. (In a more extensive presentation of his 1990 article, the author concludes that, "a more masculine and/or less feminine gender orientation and variations in relationship seriousness proved to be the two strongest predictors of both men's and women's involvement in courtship violence.")

Tyree, A., Malone, J. (1991). How can it be that wives hit husbands as much as husbands hit wives and none of us knew it? Paper presented at the annual meeting of the American Sociological Association. (Reviews the literature and discusses results from their study attempting to predict spousal violence. Found that women's violence is correlated with a history of hitting siblings and a desire to improve contact with partners.)

Vivian, D., Langhinrichsen-Rohling, J. (1996). Are bi-directionally violent couples mutually victimized? In L. K. Hamberger, C. Renzetti (Eds.) *Domestic partner abuse* (pp. 23-52). New York: Springer. (Authors found using a modified version of the CTS, that in a sample of 57 mutually aggressive couples, there were no significant differences between husbands' and wives' reports concerning the frequency and severity of assault victimization. With regard to injuries, 32 wives and 25 husbands reported the presence of a physical injury which resulted from partner aggression.)

Waiping, A. L., Sporakowski, M. J. (1989). The continuation of violent dating relationships among college students. *Journal of College Student Development*, 30, 432-439. (Using a modified version of the CTS, authors examined courtship violence in a sample of 422 college students <227 women, 195 men>. Women more often than men <35.3% vs 20.3%> indicated that they physically abused their partners.)

White, J. W., Humphrey, (1994). Women's aggression in heterosexual conflicts. *Aggressive Behavior*, 20, 195-202. (Eight hundred and twenty nine women <representing 84% of entering class of women> 17 and 18 years old, entering the university for the first time completed the CTS and other assessment instruments. Results reveal that 51.5% of

subjects used physical aggression at least once in their prior dating relationships and, in the past year, 30.2% reported physically aggressing against their male partners. Past use of physical aggression was the best predictor of current aggression. The witnessing and experiencing of parental aggression also predicted present aggression.)

White, J. W., Kowalski, R. M. (1994). Deconstructing the myth of the nonaggressive woman: A feminist analysis. *Psychology of Women Quarterly*, 18, 487-508. (A review and analysis which acknowledges that "women equal or exceed men in number of reported aggressive acts committed within the family." Examines a variety of explanations to account for such aggression.)

White, J. W., Koss, M. P. (1991). Courtship violence: Incidence in a national sample of higher education students. *Violence and Victims*, 6, 247-256. (In a representative sample of 2,603 women and 2,105 men it was found that 37% of the men and 35% of women inflicted some form of physical aggression, while 39% of the men and 32% of the women received some form of physical aggression.)

Wilson, M. I., Daley, M. (1992). Who kills whom in spouse killings? On the exceptional sex ratio of spousal homicides in the United States. *Criminology*, 30, 189-215. (Authors summarize research which indicates that between 1976 and 1985, for every 100 men who killed their wives, about 75 women killed their husbands. Authors report original data from a number of cities, e.g., Chicago, Detroit, Houston, where the ratio of wives as perpetrators exceeds that of husbands.)

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Portions of this paper were presented at the American Psychological Society Convention in Washington, D.C. May 24, 1997. Earlier versions of this paper appeared in *Sexuality and Culture*, 1997, 1, 273-286, and *Sexuality and Culture*, 2004, 8, (No. 3-4), 140-177.

Other types of abuse

False allegations and perjury

We have found 5 citations to published research that show that false accusations are frequent in the Family Court

False allegations and perjury in the Family Court are common tactics. Since they prevent the Court from being to determine the best interest of the child, they must be considered as abusive. The perjurer should have their custody decreased as they are clearly demonstrating that they put their own interests above the child's.

- # Allegations of sexual abuse during a custody dispute there is a greatly increased likelihood that the allegations are false.

Yates Alayne; Musty Tim (Aug 1988). Pre-school children's erroneous allegations of sexual molestation, American Journal of Psychiatry, 145 (8), 989-92.

Gardner Richard (1992). True and false accusations of sexual abuse, Creative therapeutics, New Jersey.

- # Some studies have found that 50% or more of allegations arising in the context of custody access disputes were false.

Benedek and Schetky (1985). 'Allegations of sexual abuse in child custody and visitation disputes', Emerging issues in child psychiatry and the law, pp 145-56, Brunner/Mazel, New York.

Brant and Sink (1984). 'Dilemmas in court-ordered evaluation of sexual abuse charges during custody and visitation proceedings', Paper presented at 31st Annual Meeting of American Academy of Child Psychiatry, Ontario, Canada.

Green (1986). 'True and false allegations of sexual abuse in child custody disputes', Journal of American Academy of Child and Adolescent Psychiatry, 25, 449-56.

Parental alienation

Children nearly always want both parents, they don't want their parents to separate. However occasionally an abusive parent can coach the children to reject the other parent. This is called parental alienation syndrome (PAS). Contact with non-resident parents often decreases over time, due to the emotional difficulties in maintaining these part-time relationships.

This is the classic example of damaging children to hurt the Ex. Parental alienation relies on one parent having the majority of time with the children. Because mostly it's mothers that have majority custody of children is why American talk shows have started calling this 'malicious mother syndrome'. 50-50 shared parenting makes it difficult for one parent to brainwash and alienate the kids because the children have meaningful relationships with both parents.

- # Parental Alienation is a campaign of denigration against a good, loving parent. It results from the combination of a programming (brainwashing) parent's indoctrinations and the child's own contributions to the vilification of the target parent. It is abusive because with the result that they became permanently estranged from loving fathers.

Richard A. Gardner. M.D. American Journal of Family Therapy 30(3):191-202 (2002). Denial of the Parental Alienation Syndrome Also Harms Women Columbia University, New York, New York, USA

- # This kind of communication has at least two psychologically destructive effects. First, it puts the child squarely in the middle of a contest of loyalty. No matter what the choice, the child is very likely to end up feeling painfully guilty and confused.

Second, the child is required to make a shift in assessing reality. One parent is presented as being totally to blame for all problems, and as someone who is devoid of any positive characteristics. Both of these assertions represent on parent's distortions of reality.

Brainwashing In Custody Cases: The Parental Alienation Syndrome by Doctor Ken Byrne. [Reproduced from an article in 4 (3) The Australian Family Lawyer (1989) pp 1-5]

Custodial parents frequently obstruct visitation

A great deal of importance is placed on minimising trauma of separation and change for the children during the divorce.

Generally, children see both parents every day while their parents are together. Custody orders should reflect that reality as closely as possible and shared residence is the best practical way of achieving this.

The court does not penalise the custodial parent who prevents the other parent from spending time with his children, even if court ordered it the best interest of the child. Too often the result is that the child loses the benefit of having a relationship with her father and all the damage and risks involved in that.

For example; a father turns up for a court-ordered visitation and the mother refuses to open the door. What can he do? He waves the court order around in the air and is

ignored; he calls the police and they say they can't intervene; he goes back to the Family Court seeking some form of enforcement and gets another piece of paper as useless as the first one.

The Family Court must enforce it's own orders. We have found 9 citations to research that demonstrates that the custodial parent frequently abuses their power to the detriment of the child.

Many custodial mothers believe that there is no benefit in dad's involvement, but apart from the dangers for kids living with a sole parent, it is a human right's violation under the UN Convention on the Rights of the Child

We have found 21 citations showing that the ongoing relationship with the non-custodial parents is often sabotaged or destroyed by the custodial parent. Again, this situation is made worse by the Family Court's refusal to enforce it's own orders.

- # 50% of non-resident fathers had a problem with the breakdown of court ordered contact due to opposition by an ex-spouse.

Gibson J. Non-Custodial Fathers and Access Patterns: Family Court of Australia. Office of The Chief Executive. Summary of Key Findings. Research report No. 10. Australian Government Publishing. Service Canberra (1992). 50% of fathers had a problem with the breakdown of court ordered contact due to opposition by an ex-spouse; 66% of fathers reported that contact periods were always too short; 73% of fathers wanted increased contact with their children; 75% of fathers rated as poor the relationship with an ex-spouse

- # Interviews with 560 divorced adults about the impact of the divorce in their lives and in the lives of their children. One third of those fathers were not satisfied with the residence decision, and indicated they wanted a change.

Victimisation was shown by the self-reports of resident mothers, 40% of whom indicated that they had denied contact between father and child at least once out of spite. Even more of the non-resident fathers (53%) claimed that their ex-wives had refused to let them see the children at one time or another.

Further, the majority of the mothers did not involve their former spouses in matters concerning the children. Expressing the sentiments of many mothers, one mother said "and what's more, I don't intend to". Because of the nature of the data and the unflattering light cast upon the resident mothers answering that particular question, the 40% figure may be an understatement.

Fulton J A. Parental Reports of Children's Post-Divorce Adjustment. 35 Journal of Social Issues (1979) pp 126-13

- # Mothers, fathers, and children were assessed over a five-year period. Only half of the resident mothers indicated that they valued the continued contact between the father and his children. 20% of the custodial mothers in their research sample directly attempted to sabotage the relationship between the children and their fathers. A further 20% of custodial mothers saw no value in continuing the relationship and may have sabotaged it in more subtle ways. Clearly placing the parenthood status of fathers in the hands of those sole residence mothers assures the intentional victimisation of many fathers as well as their children.

Wallerstein J S, Kelly J B. Surviving The Breakup: How Children and Parents Cope With Divorce. Basic Books, New York (1980)

- # 14(3) Australian Journal of Marriage and Family (1992) pp 151-159 at p 153. See also, McMurray A. Parenting Without Custody: A Guide For Survival. Harper Collins Publishers, Sydney (1995).
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- # “A family move, regardless of its reason, disrupts the living environment of the child and can require important adjustments for the child and family. Children in families with fewer resources are probably more at risk of experiencing psychological or behavioural problems due to the stress of a move, especially when a move is compounded by other negative family events such as divorce, eviction from the family home, or parental job loss. As such family moves can potentially contribute to psychological morbidity or behavioural problems. These and other ‘morbidity’ are being recognised with increasing frequency by providers of health care for children.

Journal of The American Medical Association. Impact of Family Relocation On Children’s Growth, Development, School Function, and Behaviour. JAMA (15 September 1993)

- # Moving home is likely a big culprit in the poorer performance of these children, for such moves tend to decrease school achievement for most children, regardless of family background.

McLanahan S, Sandefer G D. Growing Up With A Single Parent: What Hurts, What Helps. Harvard University Press, Cambridge, MA (1994), reported in William S, Aquilino W S. The Life Course of Children Born To Unmarried Mothers: Childhood Living Arrangements and Young Adult Outcomes. 58 Journal of Marriage and The Family (May 1996) pp 293-310.

- # But compared to children of intact families, children of divorced families move much more frequently.

Goldschneider F K, Goldscheider C. The Effects of Childhood Family Structure On Leaving and Returning Home. 60 Journal of Marriage and The Family (1998) p751

- # Moving houses tend to increase behavioural, emotional and academic problems for all adolescents regardless of family structure

Hoffman J P, Johnson R A. A National Portrait of Family Structure and Adolescent Drug Use. 60 Journal of Marriage and The Family (1998) p 635.

- # When very young children leave their original family home for another, because of their parents’ divorce, the move is even more traumatic because they tend to become even more attached to their family home during the break up of their parents

Stirtzinger R, Cholvat L. Preschool Age Children of Divorce: Transitional Phenomena and The Mourning Process. 35 Canadian Journal of Psychiatry (1990) pp 506-514.

- # Compared to non-resident fathers, twice as many non-resident mothers failed to maintain contact.

Schaefer M P. Children’s Adjustment In Contested Mother Custody, Father Custody Homes. Paper presented at the 66th annual meeting of the American Orthopsychiatric Association, 3 April 1989.

McMurray A, Blackmore A M. Influences On Parent-Child Relationships On Non-Custodial Fathers. 14(3) Australian Journal of Marriage and Family (1992) pp 151-159 at p153

- # 50% of non-resident fathers had a problem with the breakdown of court ordered contact due to opposition by an ex-spouse.

Gibson J. Non-Custodial Fathers and Access Patterns: Family Court of Australia. Office of The Chief Executive. Summary of Key Findings. Research report No. 10. Australian Government Publishing. Service Canberra (1992). 50% of fathers had a problem with the breakdown of court ordered contact due to opposition by an ex-spouse; 66% of fathers reported that contact periods were always too short; 73% of fathers wanted increased contact with their children; 75% of fathers rated as poor the relationship with an ex-spouse

- # 20% of the mothers in their research sample saw no value in the relationship between the child and their non-resident father and tried to actively sabotage contact.

McMurray A, Blackmore A M. Influences On Parent-Child Relationships On Non-Custodial Fathers. 14(3) Australian Journal of Marriage and Family (1992) pp 151-159 at p 153. See also, McMurray A. Parenting Without Custody: A Guide For Survival. Harper Collins Publishers, Sydney (1995).

- # Local and overseas research indicates that between 20% and 50% of custodial mothers directly attempted to sabotage the relationship between children and their non-resident fathers.

McMurray, A., Blackmore, A.M. (1992). "Influences On Parent-Child Relationships On Non-Custodial Fathers". Australian Journal of Marriage and Family. Vol.14, No.3 pp.151-159

Gibson, J. (1992). "Non-custodial fathers and access patterns". Family Court of Australia. Research Report No.10. Australian Government Publishing Service, Canberra

Fulton, J.A. (1979). "Parental reports on children's post-divorce adjustment". Journal of Social Issues, Vol. 35, pp.126-139

Wallerstein, J.S., Kelly, J.B. (1980). Surviving the breakup: How children and parents cope with divorce. Basic Books, New York

- # Researchers recommend that in a child's best interests, the job of the courts is to protect children from emotional damage by safeguarding the child's relationship with each parent to the fullest extent possible

Williams F S. Child Custody and Parental Cooperation. Paper presented at American Bar Association Family Law Section (1987). See Appendix E for a transcript

Kelly J B (1988a). Longer-Term Adjustment In Children of Divorce: Converging Findings and Implications For Practice. 2 Journal of Family Psychology pp 119-140

- # Compared to non-resident fathers, twice as many non-resident mothers failed to maintain contact.

Schaefer M P. Children's Adjustment In Contested Mother Custody, Father Custody Homes. Paper presented at the 66th annual meeting of the American Orthopsychiatric Association, 3 April 1989.

McMurray A, Blackmore A M. Influences On Parent-Child Relationships On Non-Custodial Fathers. 14(3) Australian Journal of Marriage and Family (1992) pp 151-159 at p153

Custodial parent moving

So much weight is placed on minimising disruption for children in divorce. The fact that the mother is typically the main carer for the kids is used to justify giving the children to the mother and allowing minimal time with dad.

However when a custodial parent decides to move away, the change forced on the kids is immense. New city, new house, new school, loss of friends... and loss of the remaining attachment to their dad.

Why is shared residence with dad traumatic, but taking them to a new city is somehow not considered to be emotional abuse?

We have found 7 citations demonstrating risk inflicted on children who are forced to move to a new home.

- # It is precisely joint residence that allows parenting consistency to continue after separation. To break the bond between the child and one parent arbitrarily is to destroy continuity of care. They argue that joint residence allows both adults the gratification of parenting.

Roman M, Haddad W. The Disposable Parent: The Case For Joint Custody. Holt, Rinehart, Winston, New York (1978)

- # “A family move, regardless of its reason, disrupts the living environment of the child and can require important adjustments for the child and family. Children in families with fewer resources are probably more at risk of experiencing psychological or behavioural problems due to the stress of a move, especially when a move is compounded by other negative family events such as divorce, eviction from the family home, or parental job loss. As such family moves can potentially contribute to psychological morbidity or behavioural problems. These and other ‘morbidity’ are being recognised with increasing frequency by providers of health care for children.

Journal of The American Medical Association. Impact of Family Relocation On Children’s Growth, Development, School Function, and Behaviour. JAMA (15 September 1993)

- # Moving home is likely a big culprit in the poorer performance of these children, for such moves tend to decrease school achievement for most children, regardless of family background.

McLanahan S, Sandefer G D. Growing Up With A Single Parent: What Hurts, What Helps. Harvard University Press, Cambridge, MA (1994), reported in William S, Aquilino W S. The Life Course of Children Born To Unmarried Mothers: Childhood Living Arrangements and Young Adult Outcomes. 58 Journal of Marriage and The Family (May 1996) pp 293-310.

- # But compared to children of intact families, children of divorced families move much more frequently.

Goldscheider F K, Goldscheider C. The Effects of Childhood Family Structure On Leaving and Returning Home. 60 Journal of Marriage and The Family (1998) p751

- # Moving houses tend to increase behavioural, emotional and academic problems for all adolescents regardless of family structure

- # When very young children leave their original family home for another, because of their parents' divorce, the move is even more traumatic because they tend to become even more attached to their family home during the break up of their parents

Stirtzinger R, Cholvat L. Preschool Age Children of Divorce: Transitional Phenomena and The Mourning Process. 35 Canadian Journal of Psychiatry (1990) pp 506-514.

- # In the first 'move-away' test-case after the last round of ineffective Family Law changes. "The (Family Court) Judge feared that if he did not let the mother (move interstate) she would become depressed and hence less able to look after her children. So it was in the best interests of the children to be removed from their school, their friends, their father and their father's family and placed at the other end of the continent... (Family Court judges) are the last upholders of the view that women are fragile creatures."

John Hirst, Kangaroo Court. Quarterly Essay 17, Black Ink, Schwartz Publishing 2005 ISBN 186 395 3418 p63

Neglect and emotional abuse

Mothers are clearly the perpetrators of the vast majority of emotional abuse and neglect of children. This is partly due to the long hours of childminding and social isolation forced on mothers.

50-50 shared residence between the parents would allow the mother to have a more-balanced life and reduce the frustrations and responsibilities of sole-parenthood.

We have found 6 citations showing that the majority of this abuse is perpetrated by mothers.

- # Children are at the greatest risk of all forms of child abuse when they are being raised by solo mothers, without input from the fathers. It is ironic that so often current child protection policies result in the removal of children from father's care.

Gelles R.J. (Oct 1988). Child abuse and violence in single-parent families: parent absence and economic deprivation, American Journal Of Orthopsychiatry, 9 (4), 492-501

Ditson J, Shay S (1984). Use of Home-Based Microcomputers To Analyse Community Data From Reported Cases On Child Abuse And Neglect Child Abuse And Neglect, 8, 503-509.

MacMillan HL, MacMillan JH, Offord D (1993). Periodic health examination, 1993. Update 1 – Primary prevention of child maltreatment, Canadian Medical Association Journal, 148, 151-163.

- # Mothers were perpetrators in 79% of proven emotional abuse, and 85% in cases of neglect.

Report of The Institute For The Prevention Of Child Abuse (1994). Ontario Incidence Study Of Reported Child Abuse And Neglect, pp 67, 82, 83, xii, cited in The silence of the screams: violence by women in intimate relationships, compiled by CSAG (Child Support Action Group Incorporated in South Australia), researched by Yuri Joakimidis, 1996.

- # Neglect is by far the most common form of child mistreatment. In 1994 about one million cases of child maltreatment were substantiated in the United States. Nearly half of these were cases of neglect; over a quarter were physical abuse; about 10% were sexual abuse and the remainder were cases of emotional or other unspecified abuse

Senate QoN - research supporting shared residence.

Fathers for Equality - Page 76

AACAP Official Action (1997). Practice parameters for the forensic evaluation of children and adolescents who may have been physically or sexually abused, Journal of American Academy of Child, adolescent Psychiatry, 36 (10), Supplement, 37S-56S.

Women, are responsible for the majority of non-sexual child maltreatment

Report of The Institute For The Prevention Of Child Abuse (1994). Ontario Incidence Study Of Reported Child Abuse And Neglect, pp 67, 82, 83, xii, cited in The silence of the screams: violence by women in intimate relationships, compiled by CSAG (Child Support Action Group Incorporated in South Australia), researched by Yuri Joakimidis, 1996.

Joint residence is what children want

Overwhelmingly, children want to maintain close relationships with both their natural parents.

We have found 20 citations to research demonstrating that children's wishes are nearly for a continued meaningful relationship with both parents.

- # "Our participants, who have lived through their parents' divorces and have now entered young adulthood (and college) have given us their 'expert' advice. Seventy percent of them, men and women alike, believe that living equal amounts of time with each parent is the best arrangement for children."

Fabricius, W.V. & J. Hall, (2000) "Young Adults Perspective on Divorce", Family and Conciliation Courts Review, Vol. 38, 446-46 at p 458.

www.asu.edu/clas/psych/people/faculty/wfabricius/My%20Publications/Fabricius_%20Hall%202000.pdf

- # "(College) students endorsed living arrangements that gave them equal time with their fathers, they had better outcomes when they had such arrangements and when their parents supported their time with the other parent, they experienced disagreement between mothers and fathers over living arrangements, and they gave evidence of their fathers' continuing commitment to them into their young adult years."

Fabricius, W.V. (October 2003) Listening to Children of Divorce Family Relations Volume 52 Issue 4 385-396 at p 385

<http://www.asu.edu/clas/psych/people/faculty/wfabricius/My%20Publications/Fabricius%202003.pdf>

- # Joint residence is what children want, because it allows kids to continue their relationship with both parents. Each of the studies that sought the views of children indicates that while they would prefer the intact family of origin, they are satisfied with joint residence and value the opportunity to continue their relationship with both parents.

Abarbanel A (1979). Shared Parenting After Separation and Divorce: A Study of Joint Custody. 49 American Journal of Orthopsychiatry pp 320-329

- # Data in Australia has confirmed overseas evidence reporting that the children of divorce long for frequent ongoing contact with their absent parent and suffer immensely if this relationship is severed or severely limited.

Family Law Council. Patterns of Parenting After Separation: A Report To The Minister For Justice and Consumer Affairs. Australian Publishing Service, Canberra (April 1992). Hereinafter *Patterns of Parenting*

- # Most children considered having two homes advantageous and worth the effort of making the transition between homes because it enabled them to remain close to both parents. Joint residence does not create uncertainty and confusion for most youngsters about either the arrangements or about the finality of the divorce.

Luepnitz D A. A Comparison of Maternal, Paternal, and Joint Custody: Understanding The Varieties of Post-Divorce Family Life. 9 Journal of Divorce (1986) pp 1-12

- # In spite of the relative inability of children to articulate their feelings (at least compared to the average adult), there is increasing evidence that children, when presented with the opportunity to do so, have articulated their desire to maintain a loving, involved relationship with both parents after divorce. This desire on the part of children is understandable, given the evidence that children form meaningful attachment bonds to both parents.

Thompson R. The Fathers Case In Child Custody Decisions: The Contributions of Psychological Research. In M E Lamb, A Sargi (Editors), *Fatherhood and Social Policy*. Erlbaum, Hillsdale, New Jersey (1983). pp 50-100

- # Nearly all the joint residence children were content with the arrangement. These children echoed the sole residence children in responding to the question, "With whom would you have wanted to live after the divorce?" by saying, "With both".(p 47). The joint residence children were able to cite specific advantages in the two-household lifestyle. They described their arrangement as more fun, more interesting or more comfortable.

Luepnitz D A. (1982). *Child Custody: A Study of Families After Divorce*. Lexington Books, Massachusetts

- # There is considerable evidence demonstrating that the child and his or her non-resident parent feel a strong reciprocal attachment and, in fact, need one another.

Thompson R. The Fathers Case In Child Custody Decisions: The Contributions of Psychological Research. In M E Lamb, A Sargi (Editors), *Fatherhood and Social Policy*. Erlbaum, Hillsdale, New Jersey (1983). pp 50-100

Rohman L W, Sales B D, Lou M. The Best Interests of The Child In Custody Disputes. In L A. Weihorn (Editor), *Psychology and Child Custody Determinations*. University of Nebraska Press, Lincoln, Nebraska (1987)

- # An earlier study conducted by the University of Michigan (1979) that asked 165 school children in grades three to six from divorced and intact families their residence preference, found that the majority of interviewed children wanted to live half the week with one parent and the remaining half of the week with their other parent. None of the children in the divorced group had experienced this type of parenting. The high prevalence of reconciliation fantasies among children in sole residence arrangements would also seem to indicate a strong desire for continued involvement of both parents in children's lives.

Recent local research adds weight to the view that children are better off spending equal time with both parents after divorce. The study is one of the first in Australia to look at how children feel about spending time with their parents. When asked how parents should care for children after divorce, the most common answer was half and half" or "equal." Half also said they wanted more time with their non-resident parents (Parkinson, Cashmore, Single 2003).

Parkinson P, Cashmore J, Single J (December 2003). *Adolescents' Views On the Fairness Of Parenting And Financial Arrangements*. Faculty of Law, University of Sydney

- # This desire on the part of children is understandable, given the evidence that children form meaningful attachment bonds to both parents.

Thompson R (1983). The Fathers Case In Child Custody Decisions: The Contributions of Psychological Research. In M E Lamb, A Sargi (Editors), *Fatherhood and Social Policy*. Erlbaum, Hillsdale, New Jersey pp 50-100

Rohman L W, Sales B D, Lou M (1987). The Best Interests of The Child In Custody Disputes. In L A Weihorn (Editor), *Psychology and Child Custody Determinations*. University of Nebraska Press, Lincoln Nebraska

Warshak R A 4 October 2000). *Blanket Restrictions: Overnight Contact Between Parents And Young Children*. 4(38) *Family And Conciliation Courts Review* (pp 422-445)

- # In a research review Kelly summarizes children's own descriptions:

- The children continue a daily life with both parents, and they consequently don't become strangers to each other.
- The children feel that it is Just: neither of the parents is favoured.
- The children are less likely to feel guilty and/or to miss their fathers.
- The children get to experience that they are loved and important to both parents, which strengthens self-confidence.
- The boys continue to have a father as a role model for identification.
- There is no risk that contacts with either of the parents will cease in the teenage years.
- It can feel good to have a rest from one of the parents (especially for teenagers).
- A divorce is not experienced as a devastating loss, because the child has not lost any love and important person from their daily life (p 133).

Kelly J B (1988a). Longer-Term Adjustment In Children of Divorce: Converging Findings and Implications For Practice. 2 Journal of Family Psychology pp 119-140

- # Joint residence, because it allows them to continue their relationship with both parents is what children want and generally ask for. The sole residence children in responding to the question, With whom would you have wanted to live after the divorce? by saying, With both

Abarbanel A. Shared Parenting After Separation and Divorce: A Study of Joint Custody. 49 American Journal of Orthopsychiatry (1979) pp 320-329

Luepnitz D A. Child Custody: A Study of Families After Divorce. Lexington Books, Massachusetts (1982)

- # We have yet to read a study that concludes children prefer their parents to go their separate ways than to stay together—even when the domestic atmosphere is tense. The work undertaken so far suggests that the ready accessibility of the non-resident parent, is likely to be of considerable value in assisting children come to terms with the reality of their changed predicament and in keeping both parents alive for them.

Hetherington E M, Cox M, Cox R. Effects of Divorce On Parents and Children. In M E Lamb (Editor), Non-traditional Families: Parenting and Child Relationships. Lawrence Erlbaum, Hillsdale, New Jersey (1982) pp 223–288

Hetherington E M, Hagan M S. Divorced Fathers, Stress, Coping, and Adjustment. In M E Lamb (Editor), The Fathers Role: Applied Perspectives. John Wiley, New York (1985) pp 103–134

Warshak R A. Father Custody and Child Development: A Review and Analysis of Psychological Research. 4 Behavioural Science and The Law (1986) pp 185–202

Warshak R A. The Custody Revolution: The Father Factor and The Motherhood Mystique. Simon, Schuster, New York (1992)

Braver S L, O'Connell D. Divorced Dads: Shattering The Myths. Tarcher/Putnan, New York (1998)

Joint residence is what Australians want

On average, over 90% of Australians believe that there should be a legislated presumption of 50/50 shared residence, in the event of separation. The following surveys are cited on the Fathers 4 Equity website.

<http://www.fathers4equality-australia.org/equalparenting/fathers4equality.nsf/pages/publicopinion>

Insight: Who Gets the Kids?" - SBS - 23/03/2004

<http://www.sbs.com.au/insight/content.php3?comingup=1>

When parents break up, should 50/50 custody of kids be the norm?

Results

91% of respondents said YES.

8% of respondents said no.

1% of respondents said I don't know.

The Sunday Program: "Caught in the Middle". - the NINE network - 07/03/2004

<http://sunday.ninemsn.com.au/sunday/voterresults.asp>

Should separated parents be required by law to share equally the custody of their children?

Results

82% of respondents said YES.

18% of respondents said no.

SkyChannel: 29/07/2004

<http://www.skynews.com.au/newspoll.asp>

Do you agree that both divorced parents be given legal rights to access to children?

Results

90% of respondents said YES.

10% of respondents said no.

Daily Telegraph: - 26/03/2004

<http://www.dailytelegraph.news.com.au/story.jsp?sectionid=676160&storyid=679678>

FEDERAL POLL: Which Federal issue do you think needs the most attention in 2004?

Results

184 National security 4.2%

70 Superannuation 1.6%

2723 Child custody 62.6%

53 Childcare 1.2%

349 Tax 8%

162 Universities 3.7%

212 Home affordability 4.9%

424 Medicare 9.7%

80 Economy 1.8%

95 Unemployment 2.2%

Willesee Across Australia: - Skynews - 2003

<http://www.skynews.com.au/willesee/pollarc.asp?Poll=542>

Do you believe that Dads should have more rights in child custody?

Results

98% of respondents said YES.

2% of respondents said no.

Sunday Program, Channel 9

<http://sunday.ninemsn.com.au/sunday/voterresults.asp>

12 June 2005: Do you believe Australia's child support laws are effective for all? Yes - 4% v No - 96%

7 March 2004: Should separated parents be required by law to share equally the custody of their children? Yes - 82% v No - 18%

June 13 2003: Should divorced parents be given equal shared custody of their children? Yes: 79% v No: 21%

June 3 2001: Should divorced women be allowed to change their children's surnames, against their husbands' wishes? Yes - 23% v No - 77%

Approximately 85% of 600,000 Massachusetts citizens voted for rebuttable presumption of shared physical and legal custody included on the ballot for the presidential election in Nov 2005.

The referendum asked whether voters want their state representatives to "create a strong presumption in child custody cases in favor of joint physical and legal custody, so that the court will order that children have equal access to both parents as much as possible, except where there is clear and convincing evidence that one parent is unfit, or that joint custody is not possible due to the fault of one of the parents."

www.berkshireagle.com/Stories/0,1413,101~7516~2509560,00.html

Shared parenting saves marriages

Family law can be summarised by the saying “if you get the kids, you get everything!” The house, any other assets including the super, and ongoing tax-free CSA payments. In Australia, over two thirds of divorces are initiated by the woman, partly because she rarely has anything to lose. Shared parenting means the assets and money are split. This removes the incentives for a women to divorce her husband and thus decreases divorce rates. We have found three citations to this difficult to research fact.

There is a significant correlation between joint physical custody awards and reduced divorce. A parent who expects to receive sole custody is more likely to file for divorce than one who may be awarded shared custody. Sole custody allows one parent to hurt the other by taking away the children, and usually involves higher child support payments.

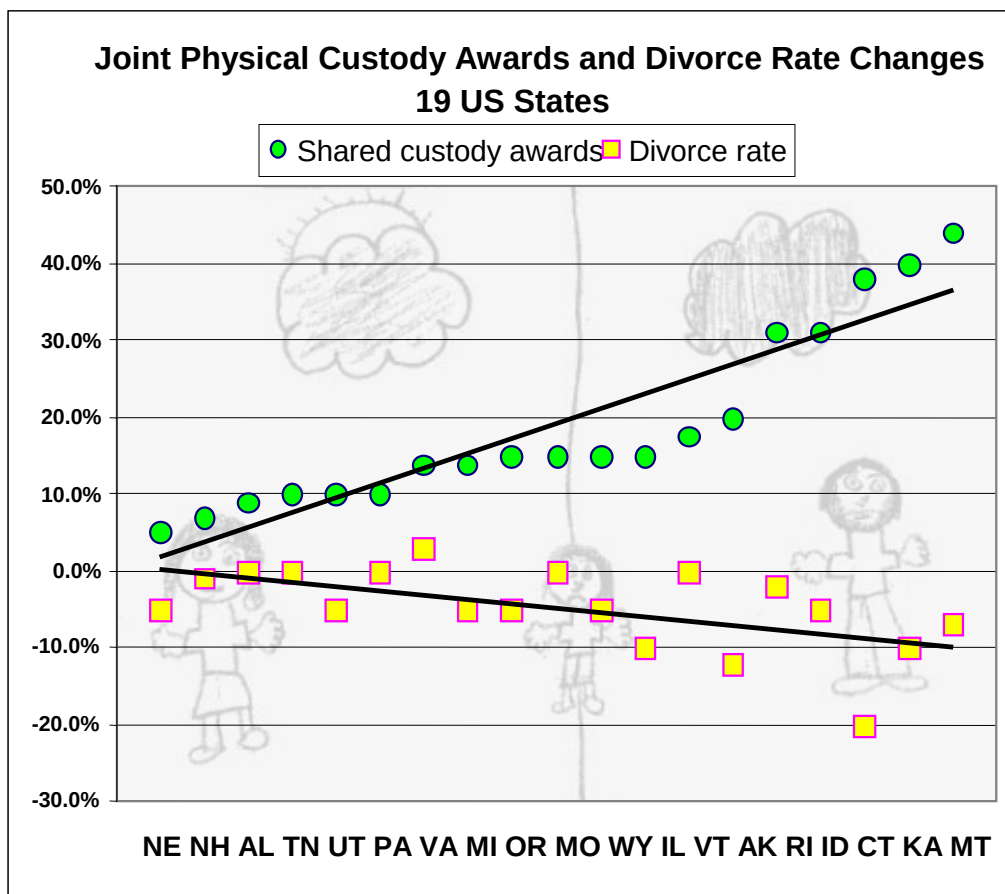
Richard Kuhn and John Guidubaldi, "Child Custody Policies and Divorce Rates in the U.S.," 11th Annual Conference of the Children's Rights Council October 23-26, 1997. Washington, D.C.

The same correlation between joint physical custody awards and reduced divorce has been found independently. Fathers are more likely to form strong bonds with children if they know that their relationship would be protected through joint physical custody in the even of a divorce. This would reduce the likelihood that fathers would initiate divorce.

Margaret F. Brinig and F.H. Buckley, "Joint Custody: Bonding and Monitoring Theories," 73 Indiana Law Journal 393 (1998).

The parent who receives custody is more likely to be the one who files for divorce. That is, among cases where the mother received custody, the mother usually filed for divorce, and where the father received custody, the father was more likely to be the one who filed. They concluded that filing behaviour is largely driven by attempts to “exploit the other partner through divorce.”

Margaret F. Brinig and Douglas W. Allen. "These Boots are Made for Walking: Why Wives File for Divorce," Canadian Law and Economics Association Meeting, 1998.



Graph from Kuhn and Guidubaldi.

Men want more time with their kids, but know they won't get it

Far from being 'deadbeat-dads', most fathers want to be actively involved with their children before and after divorce.

Official Family Court documents understate father's real desires because there is little point in fighting for more time than your legal advice says is likely. It is also it is very expensive and painful.

We have found 15 citations to published research showing that fathers want to spend more time with their children than they achieve.

Statistics published by the Family Court of Australia show that only 2.5% (329) of residence orders were for joint residence.

Commonwealth of Australia (2003). *Every picture tells a story: Report on the inquiry into child custody arrangements in the event of family separation*. Canberra: House of Representatives Standing Committee on Family and Community Affairs. p.22.

"in cases where there is any degree of conflict between the parties (family court) judges had not embraced the concept of shared parenting."

[Editor's note: Now, think about that for a moment... the Family Court is a still a court... who goes to court unless there is conflict?]

The 14th Annual Family Law Masterclass Conference, Sydney, 10 May 2005 RECENT DEVELOPMENTS IN SHARED PARENTING AND JOINT CUSTODY, A Personal View From the Court. JUSTICE ALWYNNE ROWLANDS AO

The advantages of joint residence provides specific advantages for each parent

Luepnitz D A. (1982). *Child Custody: A Study of Families After Divorce*. Lexington Books, Massachusetts

Hanson S M H (1985). Healthy Single Parent Families. 35 Family Relations pp 125-132

Post divorce can mean that fathers spend even less time with their children. An Australian survey of 10,000 divorced fathers revealed that 80% were advised by their lawyers that applying for residency would be a waste of money as the family court would refuse their request.

Abernathy M. (April 1993) Paternity Wars In Australia, Divorce Is A Battle Men Can't Win. Australian Penthouse, at 106-107.)

The typical Australian family has the mother working part-time, and the father working overtime. Bureau of Statistics figures show that Australian dads do 23hrs a week more paid work than Australian mothers.

Figures commissioned by the author from the Australian Bureau of Statistics, 2005.

"You would be shocked how many men say, 'I didn't know I had a child until I got these court papers,'... And, when they find out, almost all of them take steps to become involved in their child's life, even if it's years after the child was born.

"Fathers should not be portrayed as generally not caring, because they're not," he says. "When you're talking about deadbeats, I think it's important to know that many, many guys are completely cut out, because they were never told they were the father and then, when they find out that they are the father, they want to start a relationship with the child."

Harvey Brownstone (family court judge, North York Canada) quoted in "Put kids first, judge tells parents His family court sees conflicts daily Complex reasons why dads absent" ANDREA GORDON, Toronto Star newspaper, Jan. 16, 2006
http://www.thestar.com/NASApp/cs/ContentServer?pagename==thestar/Layout/Article_Type1&c==Article&cid=37365412343&call_pageid=-8867495754&col=-9483191630

A third of fathers work more than 50hrs a week. Two thirds of fathers believe they did not spend enough time with their kids. Paid work was often cited as the major barrier to spending time with their kids.

Fitting Fathers Into Families: Men and the Fatherhood Role in Contemporary Australia, Department of Family and Community Services. Commonwealth of Australia 1999 ISBN 0 642 39934 4

Studies have shown that around 50% of children from sole mother custody families see their fathers once or twice a year or less.

Guidubaldi J. Differences In Children's Divorce Adjustment Across Grade Level and Gender: A Report From the NASP-Kent State Nationwide Project. In Wolchik, Karoly (Editors), Children of Divorce: Perspectives and adjustment. Lexington Books, Lexington, MA (1989) pp 185-231.

Furstenberg F, Nord C, Zill N. The Life Course of Children of Divorce: Marital Disruption and Parental Contact. 48 American Sociological Review (October 1983) pp 656-668. See also Furstenberg F F, Nord C W. Parenting Apart: Patterns of Childrearing After Marital Disruption. 47 Journal of Marriage and The Family (1985) pp 893-904

The reason why so many children see their fathers so rarely is because father's parenting efforts are thwarted by restrictions imposed by custodial mothers or gender biased court orders. The most frequent reason for fathers' disengagement (90%) was obstruction of paternal contact by the child's mother and her desire to break contact between father and child. Fathers also mentioned that they ceased contact because of their inability to adapt to the constraints of the visiting situation (33%). Regardless of interpretation of motives, the fact remains that sole maternal custody relates strongly to ultimate father absence.

Kruk E. Psychological and Structural Factors Contributing To The Disengagement of Non Custodial Fathers After Divorce. 30(1) Family and Conciliation Courts Review (January 1992) pp 81-101

Joint resident fathers had a much higher self-esteem than fathers receiving sole residence. Further, the fathers with joint residence reported much more contact time with their children and higher overall satisfaction with their parenting status.

D'Andrea A. Joint Custody Fathers: Parental Involvement and Paternal Self- Esteem As Related To Custody Status. Dissertation Abstracts International, 42B 2048, Order Number, AAC8124385 (1981)

The typical custody order is where the non-custodial parent spends four days a month with the children. Sadly, reality is that most children of divorce rarely see their fathers. Internationally the rate of paternal disengagement is well documented. It is estimated that over one half of non-resident divorced fathers in the USA gradually lose all contact with their children.

Furstenburg et al. The Life Course of Children of Divorce; Marital Disruption and Parental Contact. 48 American Sociological Review (1983) pp 656-668

- # 42% of Australian children in sole residence had contact with their other natural parent just once a fortnight, while 36% had contact with their other natural parent either rarely (once per year, or less often) or never.

Australian Bureau of Statistics 1997. Children, Australia: A Social Report. Australian Bureau of Statistics. Catalogue 4119.0

Bias of the Family Court

The view of the Family Court is that any stress, disagreement, or concerns that the custodial parent (usually the mother) has will make her a worse parent, and this is not in the best interest of the child.

To you and I this sounds like the 'best interest of the mother' is being placed above the 'best interest of the child'. There is no way to correct this perverse mindset.

Clearly the changes in the proposed legislation will not improve this situation. Specifically mandating shared residence will ensure that fathers are considered as 'parents' too, so the true best interest of the child will (for the first time) prevail.

- # If the Family Court decides that a father is not a risk to his child. If the mother still fears that the father may harm his child on an access visit the court will order that the father shall not see his child, or only in if supervised. The perverse logic of this precedent is that an anxious mother is a poorer parent, and it is not in the child's best interest to have an anxious parent.

John Hirst, Kangaroo Court. Quarterly Essay 17, Black Ink, Schwartz Publishing 2005 ISBN 186 395 3418 p20

- # Once an apprehended Violence Order is issued, a "man can contest it, but only with the greatest difficulty since it is hard to disprove an apprehension. The usual advice is to accept the order without admission. But in the Family Court the existence of an order is taken as prima facie evidence of violence."

John Hirst, Kangaroo Court. Quarterly Essay 17, Black Ink, Schwartz Publishing 2005 ISBN 186 395 3418 p33

- # "But having given the mother custody, the Court allows her to do what she likes. She can shut out the father, change the kids' names, make false allegations, defy the Court – all more or less with impunity"

John Hirst, Kangaroo Court. Quarterly Essay 17, Black Ink, Schwartz Publishing 2005 ISBN 186 395 3418 p59

UN Convention on the rights of the child

Below is an extract from the UN Charter on the rights of the child. Australia's Family Law regime routinely flouts the spirit, and the letter of this convention. Emphasis added.

This convention has been ratified by the Australian Government

Article 5

States Parties shall **respect the responsibilities, rights and duties of parents** or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and as far as possible, **the right to know and be cared for by his or her parents.**

Article 8

1. States Parties undertake to respect the **right of the child to preserve his or her** identity, including nationality, name and **family relations** as recognized by law without unlawful interference.

Article 9

1. States Parties shall **ensure that a child shall not be separated from his or her parents against their will**, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.

3. States Parties shall **respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis**, except if it is contrary to the child's best interests.

4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party **shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family** unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

Article 14

2. States Parties shall **respect the rights and duties of the parents** and, when applicable, legal guardians, **to provide direction to the child in the exercise of his or her right** in a manner consistent with the evolving capacities of the child.

Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that **both parents have common responsibilities for the upbringing and development of the child**. Parents or, as the case may

be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.