



Woman's Safety After Separation

Fact sheet 3: The myth of women's false accusations of domestic violence and misuse of protection orders

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FACT:

The risk of domestic violence increases at the time of separation.

There is no doubt that family court proceedings often are accompanied by allegations of domestic violence and the use of protection orders. However, this reflects the fact that domestic violence often escalates at the time of separation. Australian data from a national survey in 1996 show that women are as likely to experience violence by previous partners as by current partners and that it is the time around and after separation which is most dangerous for women (Australian Bureau of Statistics, 1996, p. 8). Similarly, North American research documents that the risks of nonlethal and lethal violence are highest for women when they are leaving the male partners with whom they have been living in an intimate relationship (DeKeseredy et al., 2004, p. 677).

FACT:

Protection orders provide an effective means of reducing women's vulnerability to violence.

The Australian evidence is that protection orders provide an effective means of reducing women's vulnerability to violence. An early study in New South Wales found that the vast majority of complainants experienced a reduction in violence and abuse from the defendant in the six months after the order was served on the defendant, and over 90 per cent reported that the order had produced benefits such as reduced contact with the defendant and increased personal safety and comfort (Trimboli & Bonney, 1997). Nearly all magistrates in the survey described earlier agreed that domestic violence orders were effective in dealing with domestic violence (Judicial Commission of New South Wales, 1999). Finally, research among young women aged 18 to 23 and*

*subjected to violence by intimate partners found that "preventive strategies for young women at the early stage of a relationship can eliminate, or at least reduce, physical violence by a partner" (Young et al., 2000, p. 5). The severity of violence was reduced after legal protection, but the benefit was not as marked unless women sought help from the courts as well as the police.

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