



# No to Violence

Working together to end men's family violence

## Submission to the Australian Law Reform Commission's Issues Paper on Review of the Family Law System

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## Submission endorsed by

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Domestic Violence NSW

Women's Domestic Violence Court Advocacy Service NSW Inc.

NSW Men's Behaviour Change Network

## Introduction

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No to Violence (NTV) welcome the opportunity to provide this submission to the Australian Law Reform Commission (ALRC), and to participate in the largest review of the Australian family law system since its inception in 1975 with the *Family Law Act 1975* (Cth). In providing this submission, NTV also endorse the submissions and recommendations made by the Women's Legal Services Australia (WLSA).

The Australian Law Reform Commission's Issues Paper outlines the history of the development of family law in Australia, and seeks information on what reforms are necessary to serve the needs of the families that enter the family law system. In responding to the Australian Law Reform Commission's invitation for comment on the Review of the Family Law System, NTV has regard to the principles that the Court applies in the consideration of matters under Section 43 of the *Family Law Act*, in particular;

c) the need to protect the rights of children and to promote their welfare; and

ca) the need to ensure protection from family violence (Family Law Act s. 43 (1c, 1ca).

As noted, matters in the family law system are often complicated by complex needs and the prevalence of family violence (Australian Law Reform Commission 2018, para 33). Family violence in Australia is a pervasive issue, and NTV present the submission below in support of reforms that more equitably, economically and efficiently serve families who enter Australia's family law system; hold perpetrators of family violence visible and accountable; and keep families that experience family violence safe.

## About No to Violence

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No to Violence is the largest peak body in Australia representing organisations and individuals working with men to end family violence. NTV provide support and advocacy for the work of specialist men's family violence interventions carried out by organisations and individuals. The work undertaken by specialist men's family violence services is diverse and includes but is not limited to; Men's Behaviour Change Programs (MBCP); case management; individual counselling; and research and evaluation. NTV also provide a range of training for the specialist men's family violence workforce including a Graduate Certificate in Client Assessment and Case Management (Male Family Violence). NTV play a central role in the development of evidence to support the work of specialist men's family violence work as well as providing guidance for practice and policy development in Victoria, Tasmania and New South Wales.

Family violence is a pervasive social harm in Australia. Family violence poses the greatest risk factor – for permanent injury and/ or death – to women aged between 15 and 44. Although there is diversity in the gender identities, socioeconomic status, age, and ethnicity of both family violence perpetrators and victim/survivors, family violence is overwhelmingly perpetrated by men against women and children. Family violence is gendered in that its impacts are overwhelmingly experienced by women, and it is perpetrated predominantly by men.

No to Violence believe that working with men to address family violence is tackling the problem at the source. All interventions endorsed or advocated for by NTV place primary importance to supporting the safety of victim/survivors – this safety is supported by working with men to change their violent behaviour. NTV believe that men who use family violence must be held accountable for

their violence, and that accountability is an integral part of the process of behaviour change. NTV advocate for an integrated family violence intervention system and believe that specialist men's family violence services must sit alongside statutory bodies; victim/survivor support services; and family services in order for victim/survivor safety to be upheld; and to support a perpetrator of family violence to take steps toward real, meaningful change.

## About the submission

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No to Violence's submission attempts to answer and provide guidance to several questions raised by the ALRC Issues Paper (2018). The submission does not attempt to answer every question raised by the Commission but instead focusses on the areas in which NTV hold expertise and can offer a unique contribution. The issues explored in the present submission cover:

- Legal principles in relation to parenting and property;
- Resolution and adjudication processes; and
- Professional skills and wellbeing.

## Legal principles in relation to parenting and property

**Question 15: What changes could be made to the definition of family violence, or other provisions regarding family violence, in the Family Law Act to better support decision making about the safety of children and their families?**

Family violence is defined as the use of ‘violent, threatening, or other behaviour’ in such a manner that is coercive or controlling, or causes fear (*Family Law Act* s. 4AB). No to Violence submits that family violence is defined by its coercive and controlling nature, rather than the acts that are used to achieve control and cause fear.

While ‘violent, threatening and other behaviour’ may be acutely symptomatic of family violence, the intention of such behaviour is to use coercive control to dominate or exert control over the victim, with the intention of depriving them of their agency and autonomy (Stark, 2012).

The recent NSW Domestic Violence Death Review Report (NSW Government, 2017) demonstrated that many of the cases that resulted in family violence related homicide evidenced no history of physical or threatening behaviour. However, the lives and deaths of the victims were ultimately marked by tactics of coercive control that did not contravene law or social convention, but nevertheless represented a form of intimate terrorism.

### *Recommendation*

*The definition of family violence should be informed by the following elements:*

- a) An incident or pattern of coercive or controlling behaviour that:*
- b) Acts to deprive a family member of their agency and freedom (autonomy) or otherwise seeks to abuse, dominate or exert control over the family member*
- c) Or causes them to be fearful.*

*Coercive and controlling behaviour should be not be limited in its definition to different and specific forms of behaviour, violence or threats, but should be defined by its intention, conscious or otherwise, to dominate and subjugate the family member(s).*

### *Recommendation*

*The list of examples of behaviour in subsection 2 (Family Law Act, s. 4AB) that may constitute family violence to be expanded to include:*

- Allowing children to witness abuse*
- Use of technology to intrude, harass, humiliate, defame, and denigrate a family member*
- Regulating a person’s everyday behaviour and schedule*
- Spiritual or religious control*
- Threatening to reveal a person’s sexuality or gender identity*
- Threatening to commit suicide or self-harm*
- Persistent, intrusive contact or communication where unwanted*
- Abuse of judicial process.*

*The above suggestions are not intended to be an exhaustive list of coercive and controlling behaviour.*

No to Violence submits that subsection 3 and 4 operate erroneously with the understanding that a child's exposure to family violence is not, in itself, family violence (*Family Law Act s. 4AB*). Children are not required to be the direct victims of an act of family violence to experience it. Children who are 'exposed' to family violence experience negative outcomes in mental health, education, and antisocial behaviour, amongst a range of other outcomes (Australian Institute of Family Studies, 2015).

Furthermore, directing family violence at the parent of a child manifestly affects that parent's ability to care for their child or children. Stress, trauma and depression all impede the ability to parent as they would should there be no threat of family violence. Emotional indifference and unavailable parenting may be a result of the abuse that has been perpetrated against them and may become an unintentional buffer to protect and shield their children from further violence. Finally, perpetrators of family violence often aim to disrupt the mother-child relationship as a coercive and controlling tactic. All of this, in turn, negatively affects children's development (Australian Institute of Family Studies, 2015).

New Zealand specifies that the act of 'allowing a child to witness abuse' is an act of domestic violence (*Domestic Violence Act 1995 NZ s. 3*). This is mirrored in the Victorian criminal code where 'behaviour by a person that causes a child to hear or witness, or otherwise be exposed to the effects of' [family violence] also constitutes family violence (*Family Violence Protection Act 2008 VIC s. 5*).

*Recommendation*

*Subsection 3 to be amended to express that a child experiences, or is a victim of, family violence if they are exposed to, see or hear, or otherwise experience the effects of, family violence or behaviours listed in subsection 2 (Family Law Act s. 4AB).*

*Recommendation*

*In addition to the acts exemplified in subsection 4 (Family Law Act s. 4AB), the following to be included:*

- *Being in the presence (that being in the same room, home or environment) of family violence*
- *Experiences financial stress resulting from family violence and financial control*
- *Experiences disrupted family relationships*
- *Being otherwise affected by coercive and controlling behaviour.*

*The above suggestions are not intended to be an exhaustive list of the ways in which children can experience family violence indirectly.*

The present definition of family violence in the *Family Law Act* does not align with state and territory legislation. Indeed, some states use the term 'domestic violence,' limiting the types of relationships to which the offence applies (*Domestic and Family Violence Protection Act 2012 QLD Division 3*). In other states, the meaning of domestic violence is equated to acts existing in the Criminal Code to the exclusion of other coercive and controlling behaviours (*Crimes (Domestic and Personal Violence) Act 2007 NSW s. 4*).

Such gaps and discrepancies can result in uncertainty and inconsistent understandings of family violence and perpetuate the belief that violent behaviours must have occurred for family violence to be present. Practically, this can lead to poor police and judicial responses; such as inadequate deterrents for non-physical behaviours.

*Recommendation*

*All Commonwealth, State and Territory legislation to have a uniform and consistent definition of family violence as in above Recommendations.*

## Resolution and adjudication processes

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### **Question 23 How can parties who have experienced family violence or abuse be better supported in court?**

The impact of family violence on victim/survivors has long-term and deleterious effects. Even after a victim/survivor is no longer in physical proximity to an abuser, a pattern of coercive control and incidents of violence may continue. Indeed, the Personal Safety Survey (2016) revealed that 15% of Australian women had experienced violence (defined as physical or sexual violence) by a previous partner, compared to 3% of women having experienced violence by a current partner (Australian Bureau of Statistics, 2016). NTV members report that victim/survivors are likely to be especially vulnerable to current and/ or further abuse if the perpetrator and victim/survivor share in the care of children. Women's Legal Service Australia (WLSA) has provided qualitative evidence explicating some of the further impacts that may be incurred by women and children who are victim/survivors of family violence when interacting with the family law system. Presently, family law processes are not trauma-informed, nor are judicial officers necessarily sensitive to the vulnerabilities of family violence victim/survivors. Court and Family Dispute Resolution procedures have the potential to be misused by perpetrators in the form of vexatious claims, or prolonged and unjustified parenting order applications in order to maintain control over victim/survivors (Women's Legal Services Australia, 2017).

A safe, risk-responsive, and less adversarial approach to family law matters is essential in supporting victim/survivors in family court processes. There is contemporary evidence that suggests that the family law system currently lacks processes to support vulnerable children, and women who are victim/survivors of family violence (Turnball, 2017). WLSA has proposed a five-step plan entitled 'Safety First in Family Law' in order to address the barriers to supporting parties who have experienced family violence and abuse. In it, WLSA propose;

- Development of a specialist response for domestic violence cases in family courts
- Reduce trauma and support those who are most at risk of future violence and death
- Intervene early and provide effective legal help for the most disadvantaged
- Support women and children to financially recover from domestic violence
- Strengthen the understanding of all family law professionals on domestic violence and trauma

No to Violence strongly endorse the proposal made by WLSA and believe their implementation would go a long way in supporting women and children who have experienced domestic and family violence.

### **Question 24 Should legally assisted family dispute resolution processes play a greater role in the resolution process?**

No to Violence welcomes more legally-assisted dispute resolution processes that are conducted with lawyers and mediators who have skills in trauma-informed practice; understand the dynamics and impacts of family violence; are culturally aware and competent; and have skills in working with clients with complex needs. Where domestic or family violence is identified, conventional FDR is inappropriate in either parenting matters or property matters. This has parallels with couples counselling which NTV advise our members against where domestic or family violence has been identified. Conventional FDR presupposes an equal exchange of views, however where one party is being controlled and/ or is in fear of the other, this is not possible; this process is also likely to be further disempowering or traumatising for the victim/survivor (Roberts, Chamberlain & Delfabbro, 2015), and is unlikely to produce accountability or change in the perpetrator. These factors are largely

acknowledged by the family law system; however violence and abuse are not always picked up by judicial officers. Where family violence, domestic violence, or child abuse is identified, these matters are often screened out of conventional FDR, and NTV supports this, however alternatives need to be found. Without an alternative resolution process, the dispute is likely to be prolonged with the victim/survivor unsupported and the perpetrator out of view.

No to Violence endorses the WLSA recommendation that the federal government fund a national legally-assisted dispute resolution program that is targeted at family violence matters (Women's Legal Services Australia, 2017, Recommendation 11). NTV believe that clients should be triaged into such a process after a rigorous, safe, and evidence-informed screening for family violence has been undertaken. Beck and Raghavan (2010) have argued that historical assessments of family violence in a family court context have focussed on physical violence at the expense of considering more subtle forms of violence. The authors argue for the need for an instrument, in which coercive control (see Dutton & Goodman, 2005; Stark, 2006) is a central consideration. The authors argue that coercive and controlling behaviours are likely to be the most detrimental to a dispute resolution process and emphasise the need to consider how these behaviours are likely to impact on victim/survivor fear, safety and ultimately the fairness of any dispute resolution process. There are a number of robust and widely field-tested family violence screening tools across jurisdictions which consider coercive and controlling factors such as a perpetrator's isolating victim/survivors from family and friends; controlling resources; and preventing victim/survivors from engaging in work or education. Examples of these instruments are the Domestic Violence Screening Instrument (DVTI) out of the United States; B-SAFER out of Canada; the Common Risk Assessment Framework (CRAF) from Victoria; and the Domestic Violence Safety Assessment Tool (DVSAT) out of New South Wales. Though it should be noted that a comprehensive measure of coercive control is yet to be validated (Myhill, 2015).

### **Cultural safety**

The Australian Government has funded specialist FDR for culturally and linguistically diverse (CALD) groups and Aboriginal and Torres Strait Islander peoples. As well as being safe for victim/survivors and facilitating opportunities for accountability and change amongst family violence perpetrators, these programs should also consider the cultural safety of participants. For Aboriginal and Torres Strait Islander peoples, this means a recognition of culture as a strength and source of resilience and taking steps to adequately train and assure the cultural competency of judicial officers who engage with communities. Cultural safety, in general, emphasises the need to create a safe environment for individuals where their identity is not denied, challenged or put under threat (Williams, 1999). NTV endorse the principles of cultural safety with all individuals who come before the family court, irrespective of their behaviour.

### **Question 25 How should the family law system address misuse of process as a form of abuse in family law matters?**

No to Violence believe that the removal of the presumption of equal shared parental responsibility is necessary in order to address the misuse of process in family law matters. Instead, NTV endorse WLSA's recommendation that each case be looked at on its merit, with an assessment of risk-relevant information.

It is the experience of NTV members that men who use domestic and family violence are afforded opportunities to inflict further distress on victim/survivors. As the *Small Claims, Large Battles* report highlights, negotiations and legal proceedings may be drawn out intentionally in an attempt to cause further distress or in a misguided attempt to reunite with a former partner (Women's Legal Services

Victoria, 2018). Tactics employed to draw out proceedings include failing to disclose pertinent financial information; unreasonable offers; and failures to communicate either with judicial officers or former partners. In some cases, it was apparent that parties who had the means of obtaining legal representation did not do so in order to delay or subvert proceedings.

### **Cross-examination**

No to Violence has significant concern about opportunities for self-represented men who have used domestic or family violence to cross-examine their victims. From NTV's perspective this is court-facilitated violence. NTV endorse WLSA's proposed amendment to the *Family Law Act 1975* submitted to the House of Representatives Committee in 2017 in order to fully address the problem of self-represented individuals cross-examining victims of domestic and/ or family violence. NTV also believe that there is potential for significant re-traumatisation if self-represented victim/survivors are required to cross examine their abuser and that cross-examination by self-represented parties where domestic and/ or family violence is identified, before or during proceedings, is inappropriate.

### **Advocates' duty to the Court**

No to Violence consider it unnecessary to write expansively on the Advocates' duty to the Court; suffice to say that the Advocate must exercise their independent judgment in the conduct or management of a case to allow the speedy and efficient administration of justice. In NTV's experience, advocates often unknowingly facilitate the perpetrator's violence against their families, to the detriment of victim/survivors and the court. NTV has also had dealings with perpetrators who manipulate their solicitors and counsel against their victims, and use the family law system as a sword instead of a shield.

### **Other forms of abuse**

Other examples of the abuse of the judicial process, legal instruments and professional standards include, but are not limited to:

- Binding Financial Agreements as a form of financial abuse
- 'Solicitor shopping' – a tactic used by perpetrators whereby they will visit several and/ or all solicitors available in a rural or remote area, or catering to a specific group (e.g. servicing a specific CALD community) in order to create a conflict of interest when the victim seeks legal advice, and limit their access to the legal system
- Cross-filing of Apprehended Domestic Violence Orders in retaliation of an initial complaint, or filing an Apprehended Domestic Violence Order against a victim for using violence as a form of resistance (see further below in *Professional skills and wellbeing*)
- Frivolous filings and nuisance actions

#### *Recommendation*

*Any training or modules on family violence must include information on how to detect and/ or discern misuse of the judicial process as a tactic of family violence.*

## Integration and collaboration

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### **Question 31 How can integrated service approaches be better used to assist client families with complex needs? How can these approaches be better supported?**

A significant proportion of clients who access NTV services to address their use of violence present with a number of intersecting issues. These issues may be a source of personal instability, such as a drug dependency or mental health diagnoses); and/ or legal confusion, clients may have a number of issues before multiple courts. It should be noted that mental health deterioration is associated with separation and relationship distress in general. Among victim/survivors, domestic and family violence is a significant risk-factor for mental disorders (Golding, 1999), and maladaptive coping among both perpetrators and victims may exacerbate an ability to traverse the family law system.

The issues of complex needs in families and the need for an integrated and simplified court system response has been explored since the 1990s and resulted in significant law reform (Victoria Legal Aid, 2018), however there is more work to be done.

Police and family service organisations hold important risk-relevant information about the families with whom they come into contact. There is, however, little information shared between these organisations and the courts. Kelly and Fehlberg (2002) found – in a Victorian study analysing communication between child protection and the family law system – that communication between the two bodies was absent. The Family Law Council has supported these findings from their consultations with both judicial and non-judicial services; suggesting the theme of better information procedures was common across organisations.

Adding to the complexity of these situations is the fact that many families are involved in proceedings in multiple jurisdictions which increases the risk of inconsistent orders being made. This is exacerbated by inadequate communication between courts, family violence organisations, family services, and other statutory bodies. As has been comprehensively explored in Victoria’s Royal Commission into Family Violence, lack of information-sharing can lead to the continuation of violence and in some tragic cases, fatalities (State of Victoria, 2016, vol 7).

Families with complex needs often experience multiple legal needs resulting directly from the separation of family law, family violence and child protection systems. Improved collaboration and information-sharing presents an opportunity to bridge those gaps, simplify and join multiple matters.

In furtherance of supporting families who have experienced family violence, NTV endorse the recommendations made by the Coalition of Australian Governments Advisory Panel on Reducing Violence against Women and their Children in their Final Report (COAG, 2016) with regard to integrated service approaches.

*Recommendation 6.4*

*All Commonwealth, state and territory governments should ensure information-sharing across government and non-government sectors to support the safety of women and their children.*

*Governments should:*

- *review privacy legislation and reduce unnecessary barriers to information-sharing*
- *promote organisational cultures and links which enable information-sharing across organisations and jurisdictions*
- *improve staff understanding of privacy laws and protocols in order to reduce perceived barriers to information-sharing.*

*Recommendation 6.5*

*All Commonwealth, state and territory governments should identify opportunities to expand models of co-location and integration that include courts, agencies and services. These models should enhance collaboration and information-sharing with the aim of improving the safety of women and their children.*

*Governments should:*

- *develop and implement robust information-sharing protocols and opportunities for collaboration*
- *adopt, expand and/ or improve models of co-location and integration of services and courts that have already been successful in some jurisdictions.*

*(Coalition of Australian Governments Advisory Panel on Reducing Violence against Women and their Children, 2016, pp 123).*

In addition to the recommendations made above, NTV wishes to emphasise that men who use family violence often make applications for information that is sensitive or irrelevant, in an effort to further control victim/survivors. The impact of these applications is often the disempowerment of victim/survivors and the misuse of court processes in order to cause further harm. In light of this, NTV recommend that there is family violence informed practice guidance on dealing with such applications and implementing limitations and restrictions on the kinds of information that can be applied for. In this, NTV endorse the Women's Legal Services NSW's position on information-sharing (Women's Legal Services NSW, 2016).

**Question 33: How can collaboration and information-sharing between the family courts and state and territory child protection and family violence systems be improved?**

Families may be in contact with: police; social services; victim support services; specialist homelessness services; counselling services; family dispute resolution practitioners; court; solicitors; and barristers. Lack of coordination between agencies may result in: duplication; delays; repeated interviews with different staff; conflicting information; an overwhelming number of processes and amount of information; disengagement with services; falling through the gaps; and risk of re-traumatisation.

In furtherance of supporting families who have experienced family violence, NTV endorse the recommendations made by the Coalition of Australian Governments Advisory Panel on Reducing Violence against Women and their Children in their Final Report (2016), with respect to collaboration and information-sharing.

*Recommendation 6.7*

*Commonwealth, state and territory governments agree to work together to improve the intersections between family law, child protection and family violence legal systems by implementing the respective elements of the recommendations of the Family Law Council's interim report on families with complex needs.*

*Increased collaboration and integration should be achieved by focussing on:*

- measures that increase information-sharing between family courts and other agencies; through approaches including stakeholder meetings; memoranda of understanding; removing legislative and other barriers; and co-location of agencies*
- developing a national database of court orders, which could include examining the feasibility and cost of extending the national domestic violence order information-sharing system once it is implemented and fully operational.*

*(Coalition of Australian Governments Advisory Panel on Reducing Violence against Women and their Children, 2016, pp 124).*

## Professional skills and wellbeing

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No to Violence is the largest peak body at the forefront of working with men who use family violence. NTV's primary service arm, the Men's Referral Service (MRS), is a men's family violence telephone counselling, information and referral service operating in Victoria, New South Wales and Tasmania. It is the central point of contact for men seeking to take responsibility for their violent behaviour. MRS also provide support and referrals for women and men seeking information on behalf of their male partners, friends or family members, and workers in a range of agencies requiring assistance for their clients who are men. In the 2016-2017 financial year alone, MRS received close to 12,000 calls and almost 18,000 referrals from Victoria Police (No to Violence, 2018).

As such, NTV is best placed to provide comment on engaging and working with men who use violence to keep women and children safe; men's behaviour change; and how to end men's use of family violence. NTV is exploring and developing processes and tools, such as the Primary Aggressor Communication Tool, to help assist in identifying primary aggressors in a family violence context. Anecdotally, there has been a significant amount of interest from the private legal sector, as well as Victims Services and LegalAid, and training has been welcomed by these agencies.

Given that many perpetrators of family violence may often present as well-meaning and high functioning parents, juxtaposed with the high proportion of complex matters that are presented to the court, the capacity to identify and screen for perpetrators of family violence is crucial.

### *Recommendation*

*Training in the Primary Aggressor Communication Tool should be made mandatory as part of any modules on family violence and child sexual education in continuing legal education; the National Family Law Specialist Accreditation Scheme; equivalent professional development structures for judicial officers; and Independent Children's Lawyers when available.*

Family violence is a gendered issue. It is recognised by COAG and Our Watch to be a form of the wider issue of violence against women. The majority of violence within the home is perpetrated by men against women and children. Men are victims of violence, but information suggests that men are more likely to be victimised by other men, who are not known to them, in public spaces. Statistics and lived experiences indicate a deeper issue around violence and its foundation in gender inequality (*Coalition of Australian Governments Advisory Panel on Reducing Violence against Women and their Children, 2016; Our Watch, Australia's National Research Organisation for Women's Safety and VicHealth 2015*).

Where women have used violence against men in a family violence context, it is often found that the violence is a form of resistance, as an attempt to create space and assert autonomy. Power dynamics in these relationship are skewed, and women's violence in this context does not aim to be coercive, exert control over, or cause fear in their male partner. Men who are the primary aggressor in such relationships often present themselves as the victim of their female partner's violence as another tactic of family violence (Hayes, 2010).

While it must be acknowledged there are male victims and female perpetrators, the reality is that the majority of violence is perpetrated by men against women and other men.

*Recommendation*

*Any training or modules on family violence must include information on its gendered nature; particularly in relation to women's violence as a form of resistance and how to identify such dynamics in the context of the history of the relationship and prior relationships.*

## Reference List

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Australian Government, Australian Institute of Family Studies 2015, *Children's exposure to domestic and family violence: Key Issues and responses CFCA Paper No. 36*, Canberra

Beck, C.J. and Raghavan, C., 2010. Intimate partner abuse screening in custody mediation: The importance of assessing coercive control. *Family Court Review*, 48(3), pp.555-565.

Commonwealth of Australia, Department of the Prime Minister and Cabinet, COAG Advisory Panel on Reducing Violence against Women and their Children 2016, *Final Report*, Canberra

*Crimes (Domestic and Personal Violence) Act 2007* (NSW)

*Domestic and Family Violence Protection Act 2012* (Qld)

*Domestic Violence Act 1995* (NZ)

*Family Law Act 1975* (Cth)

*Family Violence Protection Act 2008* (Vic)

Golding, J.M., 1999. Intimate partner violence as a risk factor for mental disorders: A meta-analysis. *Journal of family violence*, 14(2), pp.99-132.

Hayes, BE 2013, 'Women's resistance strategies in abusive relationships: An alternative framework', *Sage Journals*, August 13, pp. 1-10

Kelly, F. and Fehlberg, B., 2002. Australia's fragmented family law system: Jurisdictional overlap in the area of child protection. *International Journal of Law, Policy and the Family*, 16(1), pp.38-70.

No to Violence, No to Violence Annual Report 2017, [http://www.ntv.org.au/wp-content/uploads/2016/12/NTV1612-NTV-AnnualReport\\_FAWeb.pdf](http://www.ntv.org.au/wp-content/uploads/2016/12/NTV1612-NTV-AnnualReport_FAWeb.pdf)

NSW Government, Domestic Violence Death Review Team 2017, *Report 2015-2017*, Sydney

Our Watch, Australia's National Research Organisation for Women's Safety and VicHealth 2015, *Change the story: A shared framework for the primary prevention of violence against women and their children in Australia*, Our Watch, Melbourne, Australia

Roberts, D., Chamberlain, P. and Delfabbro, P., 2015. Women's experiences of the processes associated with the family court of Australia in the context of domestic violence: A thematic analysis. *Psychiatry, Psychology and Law*, 22(4), pp.599-615.

Stark, E 2012 *Representing Battered Women: Coercive Control and the Defence of Liberty*, Violence Against Women: Complex Realities and New Issues in a Changing World, 29 May to 1 June, Montreal, Quebec, Canada, The Interdisciplinary Research Center on Family Violence and Violence Against Women, Montreal

State of Victoria, Royal Commission into Family Violence: Summary and recommendations, Parl Paper No 132 (2014–16)

Turnbull, C.J., 2017. Family law property settlements: Principled law reform for separated families (Doctoral dissertation, Queensland University of Technology).

Williams, R., 1999. Cultural safety—what does it mean for our work practice?. *Australian and New Zealand Journal of Public Health*, 23(2), pp.213-214.

Women's Legal Services Australia 2017, *Submission to the Senate Legal and Constitutional Affairs Committee in response to the Family Law Amendment (Parenting Management Hearings) Bill 2017*, Canberra

Women's Legal Services Australia 2018, *Small Claims, Large Battles*, Victoria

Women's Legal Services New South Wales 2016, *Sense and Sensitivity: Family Law, Family Violence, and Confidentiality*