



# Dangerous Families

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*Extract from Families: reality, faith and ministry, a research paper prepared for UnitingCare NSW.ACT in 1996*

**NSW.ACT**

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## Introduction

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Within every family grouping, including nuclear families and extended families, there are families which are dangerous. Family violence is highly destructive of the individuals who are its victims, and of family life. The most obvious symptom of this problem in our society is multiple family murder-suicides. However, the damage to individuals and society caused by family violence is much more pernicious than this. The greatest danger to children is not an unknown stranger, but their own parents and kin. Family violence is widespread. It damages self-esteem of its child and adult victims and their capacity to function and to relate to others. It is family violence, not the diversity of family groupings, which undermines the fundamental fabric of Australian society.

Dangers to children from families include: murder, sexual abuse, physical abuse, emotional abuse, or Munchausen's Syndrome by Proxy (in which a parent induces physical symptoms in a child to attract socially sanctioned medical attention to herself - the parent is most commonly the mother). Adolescents may respond to abuse by suiciding, or take to the streets, preferring to be homeless rather than continuing to be abused.

*...Australia now has the highest teenage suicide rate in the world...All the research literature shows however that victims of child abuse are the ones most likely to engage in self-abuse and self-destructive behaviour.*

Dangers to adults from families include: murder, and sexual, physical, and/or emotional abuse of spouse, usually the wife, or parent (eg by adolescent or adult children). After divorce, it may continue as stalking behaviour, and sometimes ends in assault or murder. In many families, there is collusion among family members, allowing the violence to continue over long periods and to become a characteristic of the way the family relates. Abusive behaviour is learned by children and becomes a problem passed on from one generation to the next.

There are a variety of programs which can be implemented to help reduce and prevent family violence. They raise the issue of what our priorities are in society.

There clearly has to be the facility for parents to develop parenting skills. Children too, need to be given non-violent alternatives for expressing themselves. The problem is, of course, that prevention programs require a long-term commitment and, because of difficulties in evaluating the outcomes of such programs, politicians and government bureaucrats are reluctant to fund them. They argue that they cannot afford programs which involve intensive hands-on assistance. If we fail to provide them, however, we merely postpone the cost, spread it, and multiply it across correctional services, health services and the justice system for years to come. And as ABC journalist Paul Barry pointed out: "Who would dare to argue that we cannot afford it when, in one state alone, 3000 million dollars have been earmarked for the Olympics for the year 2000. This sum would fund the whole of New South Wales family services for the next 80 years!" (ABC "Four Corners", 25 October 1993).

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## Family violence - report to 1991 Synod

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The following material is reproduced from the Working Papers of the NSW Synod, 1991. While some of the material is general, applying to violence against women and children whether or not it occurs within the family, it is all relevant to the issue of family violence because family is the main context in which violence against women and children occurs. It is repeated here because recent events have shown that family violence, against women and against children, is still a fundamental problem facing society.

Since 1984-5, there have been concerted campaigns in NSW to raise community awareness about both domestic violence and child sexual assault being crimes. In more recent times there have been national campaigns also, and information is available through community agencies and offices of the Department of Community Services. This report and the proposed statement draw on the material published over this period. It is an opportunity for the church to recognise and respond to the painful reality with which many people live.

This report deals with the negative side of family life, because that is the reality for many families. The church cannot effectively minister to people if it fails to acknowledge the hurtful situations in which children and adults live now, or have lived in the past. Pastoral response by the church needs to respond to the point of pain, and not worsen that pain by dwelling on the ideals which victims of violence have seen horribly betrayed. Emphasis by the church and the law on the positive side of family life has made it much more difficult to confront the reality of violence in the family. The stories of many victims who have tried to tell their story in church settings confirms this - church teaching about the ideal family can make it hard to speak the different reality, and harder still to hear it. For these reasons, the report deals specifically with the problem of violence in the family, and not with the positive side of family life.

## **Violence against children**

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Two reports - *Our Homeless Children*, and *Forced Exit: A Profile of the Young and Homeless in Inner Melbourne* - indicate that chronic youth homelessness often originates in abuse, neglect or significant conflict in the family home. In the *Forced Exit* study 34% of the sample left home because of physical abuse, and 43% of young women in the sample had been sexually abused.

About one in ten children (10%) in NSW is abused physically, emotionally or sexually. "Most at risk for severe beatings are children under five and adolescent girls. Most of these children are repeatedly hurt. Others are injured on one occasion." However, CASA House, Melbourne, in its Pastoral Report to the Churches, puts the estimate of sexual assault alone somewhat higher, stating that 38% of girls and 9% of boys will be sexually assaulted in some way by the time they are 18 years of age, and that incest takes place in one out of ten homes.

- **Children are hurt mainly by their immediate families** - by parents that are young, middle-aged, old, rich, poor and from many different social and ethnic backgrounds ("parent" means any care provider).
- In approximately 85% of cases of child sexual assault reported to the NSW Department of Youth and Community Services, the offender is a family member, a close family friend, or someone known and trusted by the child.
- Between 90 and 97% of child sexual assault offenders are male. Many of these are the child's relatives, including fathers, uncles, brothers, grandfathers. Women are rarely offenders.
- In approximately 75% of reported cases of child sexual assault in NSW, the victims are girls.

The term "child sexual assault" is a general term which refers to a number of offences in criminal law. The following definition is used by the NSW Government Child Protection Council in its literature, to indicate the general nature of child sexual assault.

*Child sexual assault is a crime. It occurs when an adult or someone bigger than a child uses his or her power or authority over the child, or takes advantage of the*

*child's trust and respect, to involve the child in sexual activity. Child sexual assault does not refer only to sexual intercourse, although sexual intercourse is often involved. Child sexual assault involves a range of sexual activity including fondling genitals, masturbation, oral sex, vaginal or anal penetration by a finger, penis, or any other object. It also includes exhibitionism and suggestive behaviour or comments. Key elements of any definition of child sexual assault are the greater power of the offender over the child and the abuse of the child's trust and respect.*

Many people continue to believe that offenders must be 'sick' or 'perverted', even though all the evidence shows that very ordinary men, often 'pillars of the community', are often involved.

Attempts at characterising the offender as psychopathic, schizophrenic, or poor and underprivileged have failed. There is only one thing the vast majority have in common: their masculinity

Considering the facts about child sexual assault, it is reasonable to ask what it is about society, or the way men are reared in our society, which makes child sexual assault a male crime. In his book 'Child Sexual Abuse - New theory and research', American researcher David Finkelhor says:

...sexual abuse is a problem which incriminates a particular sex - men - a rather uncomfortable fact for many men to deal with. It makes it harder for them to work enthusiastically on the problem and to avoid defensive responses which can transfer blame from male offender to the (often female) victims...

The NSW Child Sexual Assault Task Force Report reached a similar conclusion when it said:

The evidence suggests that child sexual assault is more closely related to the general pattern of sexual abuse by males than it is to other forms of child abuse.

The Task Force was referring to the fact that sexual assault, whether committed against adult women or against girls and boys, is a crime in which the offender is more powerful than the victim. He has greater physical strength, usually more economic power and more authority and status as well.

Children are particularly vulnerable because they are the weakest members of society. The offender uses his greater power to trick, bribe, threaten, and if necessary force a child to take part in sexual activity and then keep quiet about it. In these circumstances, the child is never able to make a free and informed decision and can never be said to have consented.

The way men are socialised about sex is also seen as an important contributing factor, as is the way the media portrays women as sex objects, there for the taking.

The NSW Government Child Protection Unit emphasises that while excuses are often made, they are never acceptable. Children are entitled to protection.

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## **Violence against women**

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*The Pastoral Report to the Churches concerning sexual assault against women and children in the church community* includes the following estimates of sexual assault:

- rape occurs in 7% to 12% of all marriages
- only about one out of ten sexual assault victims report the assault to the police.

Research indicates that in Australia, almost all domestic violence is perpetrated by men. A recent report of the Bureau of Crime Statistics and Research, indicates that nearly all domestic violence is committed by males against females. The report is based on the rate and number of Apprehended Domestic Violence Orders in various suburbs, and estimates that there were about 19000 assaults against women in 1989, of which only about 3000 cases of assaulting females were brought to court. It concludes, from the incidence of ADVO's, that

"women in more deprived areas, where average income and education levels are low, are more likely to be subject to higher levels of all forms of domestic violence including serious assaults".

The number of appearances before Local Courts for assaulting a female has grown from a rate of 31 to 64 per 100000, between 1982 and 1988. In the same period, the rate of convictions grew from 12 to 44 per 100000.

Two thirds of female victims of homicide are killed by family members, usually men. The report from the NSW Bureau of Crime Statistics and Research indicate that in 1968-86, 48% of female homicide victims were killed by spouse or de facto spouse, compared to 9% of male homicide victims.

Wallace's study of homicide in NSW shows that women homicide victims killed by their spouses had often hitherto suffered a violent domestic life. A NSW study by Bacon and Lansdowne of 16 cases where women had killed a husband or boyfriend found that in 14 of 16 cases the man who was killed had physically assaulted the woman in the past. In most of these cases the violence committed against the woman had been frequent and severe.

Of the women seeking a protection order in 1989,

- 77% cited at least one alleged physical assault
- 58% referred to an alleged history of physical assault and
- 23% alleged that they had received at least one death or shooting threat from the spouse.

Other abuse described included injury to the children of the relationship, or threats of harm to them or other relatives, property damage, verbal abuse, and harassment such as persistent phone calls late at night.

In 1989, 99% of individuals seeking protection orders against a spouse or de facto were women. In 1990, 95% of people seeking "domestic" Apprehended Domestic Violence Orders were women.

As Smith points out, there have now been numerous studies which show that where domestic violence happens it is likely to happen often. Furthermore, while violence often begins early in the relationship it may then continue for a long period of time. the NSW Domestic Violence Task Force reported that in 28% of the cases they examined, attacks had occurred over periods longer than 10 years. Other studies also suggest that the severity of domestic violence escalates the longer it continues.

In many cases, violence continues after the couple have split up. In NSW in 1989, 58% of those seeking protection orders had left the relationship, and were seeking orders against continuing violence.

The problem with using the above statistics is that most domestic violence is not reported to police or lead to application for a protection order.

Recent community education programs have suggested that some form of violence may occur in as many as a third of homes. This is based on USA research, but is considered consistent with Australian experience and surveys. It would include not just physical and sexual assault, but other forms of violence such as verbal harassment, emotional abuse and economic deprivation.

There are a number of reasons why women put up with violence instead of leaving the situation - they may fear for the children if the family splits up; they are often financially dependent on their partners; they may find it hard to obtain employment if they have young children or because of the unavailability of jobs or their lack of qualifications and training; often they retain some emotional attachment for the perpetrator. These factors are particularly significant for women in lower socio-economic groups.

Incidents of inter-spouse violence, no matter how minimal, must remain subject to police intervention. For years a disproportionate number of disturbances, assaults, batteries, uses of deadly weapons, mayhems and homicides have involved family members. Despite the resources necessary and the danger inherent in responding to such calls, no entity other than a police agency has the authority and ability to cope with such volatile situations. Central to the function of the police and the criminal law is the protection of life and limb.

I have already hinted at the true reason for our wilful ignorance - it is that many groups and individuals who often have considerable influence in the community at large are unwilling to confront and accept the realities of family life for ideological reasons. This state of affairs will continue whilst we continue to hide behind the rhetoric of statements such as that contained in s 43 (b) of the Family Law Act. Putting the matter another way, violent partners and parents must be exposed as such and their victims protected - the law and its agencies have a crucial role to play which cannot be shirked or be circumscribed by curial or administrative subterfuge.

In addition, it is also in error to compartmentalise violence in the family: violence between spouses may have direct and indirect effects on children and/or older family members; the line between physical, sexual and emotional abuse of children may be a very fine one. (Bates)

While external factors such as alcohol abuse and stress may be triggering mechanisms, focus on these factors has in the past led to the avoidance of the crucial issue - the behaviour of the perpetrator of violence, and his failure to take responsibility for his actions.

*The NSW Domestic Violence Strategic Plan : Discussion Paper 1990* gives the following as the key social factors which promote the use of male violence against women:

- the socialisation of boys and men in society to have an expectation that they should be dominant in their relationships with women;
- the socialisation of boys and men to avoid emotional responsibilities in relationships with others and a reliance on women to bear the responsibility for relationship obligations and pressures;
- attitudes which view the male as the head of the household, entitled to dominate and control other family members through the use of physical force;
- the greater economic, social and political power of men in the public sphere to maintain a system of gender inequality and role stereotyping in the public and private sphere;
- economic, social and legal conditions and traditions which entrap women in the abuse relationship, and
- community attitudes which value the privacy of the family, thus reducing the likelihood of external intervention, increasing the vulnerability of less powerful family members, and maintaining the secrecy of the abuse.

These considerations however, should not detract from the task of developing strategies based on a 'concept of responsibility' in which perpetrators cannot attribute responsibility to external factors or to victims

A survey conducted by the Federal Office of the Status of Women found that about a third of people consider domestic violence is a private matter to be handled within the family. They also found that people with sexist attitudes are more likely to consider that violent actions by a man against his wife are justifiable. Those with sexist attitudes are also more likely to hold pro-violence attitudes, such as, that women who are beaten probably asked for it, that violence is a private matter, and that a woman who is beaten can always leave.

Don Edgar (Director of the Institute of Family Studies) points out that "family life is the source of our greatest warmth and support, yet is, at the same time, the most violence-prone setting in society". He says:

*the problem of community violence is a cultural one which goes to the heart of norms condoning, tolerating, even mandating violence. The social organisation of the family and the legal framework in which marriage and the family rest ensure that violence will continue unless our values and the structures which sustain them are seriously re-examined.*

Regina Graycar and Jenny Morgan conclude that:

*legal responses are necessarily only a partial solution to a systemic practice which has its roots in and is maintained by all the structural inequalities confronted by women. These include women's place in the sex segmented workforce; the barriers to women's economic independence; inadequate safe and affordable housing for women who leave violent relationships, and perhaps most importantly, the material and ideological barriers faced by 'sole parents'. These are the concrete realities which define and maintain women at the bottom of a hierarchy of power and which underlie the ways in which women are distinctively harmed.*

The experience of many women who have experienced violence is that they have the additional barrier of the church telling them that they should put up with the violence and remain in the marriage. It is therefore important that they hear the church acknowledge that it is appropriate for women to leave marriages which have been destroyed by violence.

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## **Elder abuse**

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"Elder abuse", that is, the abuse of elderly people by their families, has only recently been acknowledged as an issue in Australia. While it is known to be a problem, few statistics are available as yet. Some preliminary research is being undertaken. The NSW Office of the Aging is in the process of setting up a task group.

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## **Policing**

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In the last few years, there has been a marked increase in responsiveness of police to domestic violence, both in laying charges and in initiating action for apprehended domestic violence orders. (ADVOs) However, the most recent available research indicates that complainants and chamber magistrates both feel that there are many occasions on which the police should have taken action and did not. Complainants were particularly concerned that no action is taken in many cases where ADVOs are breached.

Analysis of research on child sexual assault does not seem to be available yet.

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## **Alcohol**

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The Victorian Inquiry into Community Violence notes that Victorian police reports suggest that alcohol may be involved in up to 90% of domestic disputes. On the other hand, alcohol abuse would not explain why most violence is perpetrated by men and most victims are women - it cannot be said to be a causal factor, although it may worsen a situation which is already likely to be violent.

However, alcohol is not taken up in the proposed statement, because while external factors such as alcohol abuse and stress may be triggering mechanisms, focus on these factors has in the past led to the avoidance of the crucial issue - the behaviour of the perpetrator of violence, and his failure to take responsibility for his actions.

Reynolds points out "It is evident that people get drunk and act violently, yet it is not the alcohol consumption which causes the violence but rather there is an association between these behaviours. The consumption of alcohol is generally seen as a facilitator to violence". He refers to the research of Maria Roy in the USA in 1978, who found that while husbands

who abused their wives usually also had an alcohol abuse problem, "these husbands tended to be violent regardless of intoxication and often while sober".

The report from the NSW Bureau of Crime Statistics and Research comments:

*Not all alcoholics are violent to their spouses, nor are all of those who live in stressful lower class environments. Furthermore, these are not the only situations in which domestic violence occurs. Gelles has turned the alcohol argument around. He suggests that people who want to be violent need alcohol to give them 'dutch courage'. Certainly much research suggests that alcohol is a disinhibitor. Thus, it could be argued that if someone is inclined to be violent, he is less likely to restrain himself when he is drunk, rather than that alcohol turns a normally non-aggressive person into a 'Mr Hyde'.*

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## **Counselling and Reconciliation**

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Unifam, the Synod's Marriage and Family Counselling agency, has a policy statement on domestic violence. It includes the following observations:

UNIFAM does not regard any form of treatment as a medium for meeting the requirements of the law in the case of a domestic violence offence. Furthermore, mediation is not to be used to negotiate any aspect of violent behaviour whatsoever. Counselling is, however, an important complementary treatment in certain domestic violence issues for both victims and offenders either separately or together.

.. any consideration of counselling or mediation can only be given after the demands of social justice have been met and the law has been fulfilled.

The mediation undertaken in families with a history of violence is to be done preferably in cooperation with and on a referral basis to qualified professional people, (including the law enforcement authorities) who are recognised experts in the treatment of offenders.

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## **Explanation of the synod resolutions**

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The first step in helping victims of violence in the family is to "break the silence", that is, to acknowledge that it exists. For this reason we are asking the synod to make this statement - until we clearly and publicly acknowledge the violence in families, no other action the church takes on this matter is likely to be effective. Victims of family violence need to hear the church recognise their experience and the issues involved, so that they feel safe about talking about their experience and seeking help without being blamed or disbelieved or judged.

The particular statements taken up in the statement are those which research, for example the survey during the National Domestic Violence Education Campaign, have shown are most necessary to acknowledge:

- that family violence is a social and not just a private matter
- the need to recognise assaults within the family as criminal offences
- the need for perpetrators to accept responsibility for their violent acts
- the importance of support services for victims and offenders, for service providers to have appropriate skills and information.

A national forum held as the final event of the National Domestic Violence Education Program exposed a desperate need for training those who work with or are in a position to assist domestic violence survivors.

A wealth of material has been developed by agencies concerned with these forms of violence. It is important that such material be available to people through the churches, and that church people, especially ministers and elders, have read the material.

Materials available from the Joint Board include *The Scandal of family violence* and *Victims into Victors*, both edited by Anne Amos. The Commission on Mission is finalising a pamphlet on child sexual assault for distribution to parishes.

Materials available from the relevant government agencies include pamphlets, education kits and videos. Display of this material, and its utilisation in parish programs, is one way of informing victims of violence that there are people in the church who know and care about their situation. Some of this material focuses on the needs of particular groups eg rural women , Aboriginal children, and some is available in languages other than English.

The statement presented to synod is intended to address the issue in a way which is pastorally appropriate. In terms of pastoral conversation, it is an attempt:

1. to indicate that the church is "attending" to what victims of violence, and the people who work with them, are saying,
2. to express "accurate empathy", ie some insight into the situation which is consistent with what we have heard in (a), and
3. to offer a commitment to improve the way the church itself responds to the situation

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