

Typologies of Violence in Family Court Processes

Reflections from the field

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The typologies of violence

Michael Johnson (1995): differences in findings from research by family violence researchers and feminist researchers resulted from exploring different sample groups or different types of 'violence'

typologies evolved & changed over the years

Intimate partner terrorism/ controlled coercive violence

Self defence/ protective violence

Mutual couple conflict

Post separation violence

The typologies of violence (cont.)

Family Law Amendments (2006)

Commitment to **equal shared parenting** unless there is evidence of violence

Family violence a **core business** of the Family Courts
– a particular context for consideration

Do current assessments regarding the presenting ‘typology of violence’ actually **enhance the safety** of victims of violence in formal separation processes?

The literature

- Johnson's typologies are **contested**: methodology; nature of the 'types' (distinct or same over time?); lack of specific tool for assessment; replicating dominant myths.
- **Risks** of incorrect assessment
- Therefore, importance of **treating all cases as CCV until proven otherwise**
- Shift of gaze from **dangerousness to frequency** – safety not an 'academic' issue
- The **context** of Family Law

Experiences from the frontline

The use of typologies in family law processes

- . Concerns regarding assessment: training?
Supervision? Research/ reflection?
- . Our experiences of working with **men** who perpetrate violence: **minimising their abusive or violent behaviour** in the first instance
- . Our experiences of working with **women**: **minimising the violence they received** in the first instance

Experiences from the frontline (cont.)

- **Meaningful assessment:** complex. Takes time, requires an understanding of the dynamics of violence, sensitivity and sophistication to get the correct information

Experiences from the frontline(cont)

- Concerns regarding inappropriate/ inaccurate assessments

(case example: Peta)

- Who benefits from the use of the typologies?
- The risks?

In conclusion

- Our question: Are the typologies of violence useful tool for **family law** mechanisms?
- **Concerns raised require addressing** before it becomes a 'given' that the typologies are used as a tool of assessment in a context of extreme vulnerability
- Placing **safety & equity** at the centre of decision making: an alternative focus of assessment.

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