



# Cairns Regional Domestic Violence Service

## Implicating Men or Taking Care of Men? The Politics of Naming Violence Against Women

**By Bob Pease**

Bob Pease is Chair of Social Work at Deakin University in Victoria. He was a founding member of Men Against Sexual Assault (MASA) in Melbourne and has been involved in men's violence prevention campaigns for many years.



Identifying the problem is the first important stage of any attempt to intervene and address an issue. Ramazanoglu (1989:12) has argued that 'if you want to change the world, you need to get your theory right'.

Theory is important in explicating the causes of men's violence against women as a precursor to developing strategies to challenge it. Carol Bacchi's policy analysis framework is immensely helpful in bringing the theoretical issues into focus.

Bacchi (2009:48) has developed a 'what's the problem' approach to analyzing social policies. Her approach to policy analysis is concerned with the representation of the problem and the assumptions that underlie this representation. What is left out in this representation of the problem? Who benefits from a particular representation of the problem? How does this representation of the problem impact on community perceptions about responsibility for the problem and what should be done about it? This approach enables us to determine what is significant and what is ignored in problem definitions and policy proposals.

How we define and name men's violence against women is the first step in representing what the problem is. So it is important that acts of naming are critically interrogated

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(Howe 2008). How does the phrase 'violence against women' function as part of a problem representation?

The representation of 'violence against women' is clearly a significant step forward in the gendering of violence away from the gender-neutral terms of domestic violence and family violence. However, it genders the victims and not the perpetrators of the violence. It is still difficult to talk about men's violence as 'men's violence' in Australia. As Howe (2008:2) observes, commentators want to qualify the issue with statements like 'But not all men are violent' and 'But women are violent too'. We continue to make excuses for men's violence.

The issue here is the extent to which men's violence against women is atypical (Hearn and McKie 2010). One of the consequences of engaging men in violence prevention work has been the need to reassure men that 'most men are not violent' (Flood 2009:17), and that all men are not implicated in the issues of men's violence against women.

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# Implicating Men or Taking Care of Men?

## The Politics of Naming Violence Against Women

This is part of the process of having a 'positive approach' to men and lessening the likelihood of men's defensiveness (Pease 2008). Berkowitz (2004), for example, emphasises that it is important not to 'blame men' or put them on the defensive.

This exhortation that 'most men are not violent' is continually evoked to reassure men that they are not being personally blamed for men's violence against women.

Of course not all men are physically violent towards women and men differ in relation to their use of violence and abuse of women. Men's involvement in violence and control is not uniform or homogeneous.

However, challenging the idea that 'all men are the same', does not suggest that men's violence against women is only a problem of deviant and aberrant men. Such statements take the focus off wider patterns of coercion and control under patriarchy that involves all men.

Marchese (2008) suggests that the continual focus on reassuring men that they are not implicated in men's violence against women also works to standardise men's resentment about feminism.

In a context of men's animosity towards feminism, this form of retreat functions to accommodate to men's resistance rather than challenging it. In trying to minimize men's defensiveness, we end up appeasing men.

The role of men in prevention as bystanders, role models and advocates rarely emphasises men's responsibility to get involved because of how they are implicated as perpetrators of men's violence (Pease 2008).

If non-violent men are not implicated in the violence of other men, then it is also harder to make an argument about why they should be involved in violence prevention work at all (Marchese 2008).

Hence, I argue that we should be more explicit in naming violence against women as men's violence against women and make the case more strongly that all men (whether they are physically violent towards women or not) are implicated in this violence because they are part of causal relationships that lead to that violence.

All men have an underlying moral responsibility to challenge men's violence because they participate in the patriarchal processes that produce such violence. None of us are innocent.

## References

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# What's On?

## Domestic & Family Violence Prevention Month: **May 2013**

Don't miss the art exhibit: **'Invisible'**

A series of artworks created by children and youth on their experiences of Domestic Violence

1st May - 1st June, Cell Art Space, 109 Lake Street Cairns



### Olgeta yarn up 8th & 9th May, 2013

### Qld Indigenous Family Violence Prevention Forum

For further information: [www.noviolence.com.au](http://www.noviolence.com.au)

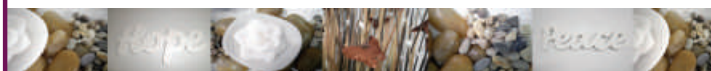
Invitation to remember those who have died and the loved ones left behind because of Domestic and Family Violence with a **Candle Lighting Ceremony**

Wednesday 1st May, 5.30pm  
Six Degrees Terrace Hilton Cairns

All welcome to attend.



### Cairns Regional **Domestic Violence Service**



#### Domestic & Family Violence Prevention Month

#### Breakfast & Seminar

10th May, 7.00am—9.00am (by invitation or ticket)  
Tickets available from [office@dvcairms.org](mailto:office@dvcairms.org) \$30 prior to the day

It's with great pleasure we announce our guest speaker will be Professor Bob Pease, Chair of Social Work, Deakin University

## Professional Training

### Cairns Regional **Domestic Violence Service**

### Upcoming Training Offered by CRDVS

#### Training & Cost

##### RECOGNISING & RESPONDING TO DOMESTIC & FAMILY VIOLENCE

- Recognise the signs, patterns and effects of domestic and family violence
- Gain practical tips on how to support someone who's experienced domestic violence
- Information about Queensland's Domestic and Family Violence Prevention Act 2012
- Identify appropriate referral options

Cost \$25 (includes morning tea and lunch). Closing date for applications is 20th May 2013.

##### THE EFFECTS OF DOMESTIC VIOLENCE ON CHILDREN

- How to recognise the effects of domestic violence on children
- How children cope
- Strategies that can help children overcome these effects
- Available services for children

Cost \$25 (includes morning tea and lunch). Closing date for applications is 3rd June 2013.

**Prerequisite:** To attend this child-focussed training, applicants must have already completed CRDVS's Recognising & Responding to Domestic and Family Violence training.

#### To Book

Application forms are available from our website [www.dvcairms.org](http://www.dvcairms.org)

Forward your application to CRDVS > Email: [office@dvcairms.org](mailto:office@dvcairms.org) | Phone: 07 4033 6100 | Fax: 07 4033 5863

#### Date, Time & Venue

29th May 2013  
9.30am - 4.00pm  
Meeting Room 1, Cairns City Library  
151 Abbott Street, Cairns

12th June 2013  
9.30am - 4.00pm  
CRDVS Training Room 14  
Calanna Pharmacy Complex  
600 Bruce Highway, Woree

# Invisible

by Marta  
Child & Youth Counsellor

May is Domestic and Family Violence Prevention month. We are excited to announce that we are exhibiting a series of art works created by children and youth on their experience of domestic violence. This art exhibit is named 'Invisible' because children often say that's how they feel when domestic violence is in the family.

I have been privileged enough to work with these amazing children and enter their most intimate thoughts and fears through the process of art therapy.



## Cell Art Space

109 Lake Street, Cairns  
1st May - 1st June



## What is art therapy?

Art therapy is a specialised way of using the power of the creative process as a vehicle for healing, communication, self-expression and personal growth. Many children do not live ideal lives. It often goes unnoticed that even very young children have encountered trauma in their first few years of life.

This may be due to separation, loss of a parent, poverty, alcohol-abuse, or domestic violence. Art is an accessible language that all kids love. It's non-intrusive and it becomes a natural process for most children to paint or draw.

# Invisible

by Marta  
Child & Youth Counsellor

**I will use an example.** In the first session:

I ask a child to do me a drawing of anything she wants. She draws a happy rainbow with a pot of gold and a lovely sun smiling. However she has also added clouds and rain.



Immediately I am aware that deep down she is not so happy. I don't ask anything as I have not yet built any rapport. I just observe as she speaks to me through the unconscious mind. Eventually I will address her fears and give her strategies to cope with her emotions.

Art therapy for children can provide children with an easier way to express themselves since children are more naturally artistic and creative. A young child is likely to be more comfortable initially expressing him/herself with some crayons and paints, for example, than he/she is going to be at expressing emotions and feelings through words.

***Children and young people are not and cannot be 'passive onlookers in families where there is domestic violence: they are actively involved in seeking to make meaning of their experiences' and find ways of dealing with the atmosphere of fear, distress and uncertainty created.***

*(Flood & Fergus (2008), An Assault on our Future. White Ribbon Foundation: 9)*

## How can we help?

Specialised counselling services for children and young people are available at CRDVS.

Marta, an experienced art therapist, regularly works with young people who've been affected by domestic violence to help them express and resolve their feelings.

This service is free of charge. **Phone 07 4033 6100.**

# The Myth of: The Right to Equal Time

**By Trish Cope** of Cope Family Law

I often see people who talk to me about their right to spend “equal time” with their child – or their child’s right to spend equal time with each parent. There is no such right.

## **Rights and Responsibilities**

As far as parents are concerned the family law legislation talks about “responsibilities”. The only “rights” addressed in the legislation are the rights of the children.

Children’s rights include the right to know and be cared for by both their parents. Parents are required to jointly share duties and responsibilities concerning their children.

The old language of “guardianship”, “custody” and “access” has gone and we now talk about “parental responsibility”, “lives with” and “spends time with.” This is in a large part to take away language which implies ownership of children.

In deciding what orders to make about parental responsibility (decision making) and what time a child spends with each parent a court is guided by what is in “the best interests” of the child. The legislation sets out a list of issues the court must consider in deciding what is in a child’s best interests.

The two primary considerations are a child’s right to have a meaningful relationship with both parents and the need to protect a child from physical or psychological harm. The need to protect the child from harm is the overriding consideration.

There are 14 additional considerations that are considered to decide what is in the best interests of a particular child – and these include the child’s views. So a child’s wishes are not binding on the court or the parents.

This is because what a child wants and what a child needs are often two separate things. And sometimes children tell their parents what they think they want to hear or what will cause them the least trouble.

It is the parents, and failing that the courts, who make the decisions about what is best for children. And by law they are children until they are 18 years old. That said of course the older a child is the more we should listen to them – but there is no set age at which a child’s wishes must be followed by the court.

## **Parental Responsibility**

In discussing parental responsibility it is necessary to make a distinction between “day to day” decisions and decisions about “major long term issues”.

The day to day decisions are not decisions made “on a day” when a child is in that parent’s care. Rather they are decisions about minor issues such as taking a child to the doctor with a sore throat or what to pack in their lunch box.

Major long term issues include decisions about education, religion, culture, health, the child’s name and changes to where the child lives where the change will make it significantly more difficult for the child to spend time with a parent.

If there are no Court Orders in place then the legislation states that each parent has parental responsibility. They are expected to work together to make the decisions about major long term issues.

If a parent has a Court Order for sole parental responsibility he/she can make decisions about major long term issues for their child without the consent of the other parent.

The most common Court Order is for parents to have equal shared parental responsibility (ESPR) for major long term issues. There is in fact a presumption of ESPR. This means that the starting point is that parents should make decisions together about the major long term issues for their child - even if your child sees little or nothing of the other parent.

The presumption of ESPR can be set aside. In cases of severe family violence and child abuse generally ESPR is not in the best interests of the child. In other cases however a court is reluctant to deprive a child of the involvement of a parent.

# The Myth of: The Right to Equal Time

## Equal Parenting Time

If there is an order for equal shared parental responsibility the court must consider equal time but there is no presumption of equal time.

To make a decision about the amount of time that a child spends with each parent the court is guided by what is in the best interests of the child.

There is significant psychological research which indicates that it is not in the best interests of infants and young children to be separated from their primary carer for extended periods of time. Therefore equal time orders are rarely made for children who have not yet reached school age.

There is however no presumption that once a child reaches school age that equal time will follow. A court will only do so where it is going to work for the child. If you want to have your child spend equal time between households there are the factors that a court thinks are important such as:

1. The parents' ability to communicate about their children.
2. Whether the parents' live reasonably close to each other.
3. Whether the children can attend the same schools and maintain the same friendships in both homes.
4. Whether there is a history of positive co-parenting.
5. Whether parents agree about discipline, homework, health, diet and bed time.

6. Whether the parents agree about religion, cultural identity, sports etc.
7. Whether the child can move freely between households.
8. Whether the parents respect each other as parents.
9. The child's wishes and the factors that influence those wishes.
10. Where siblings live.

If you can tick off most of these factors then equal time is probably going to work for your children. If not, then your children may be exposed to parental conflict, they may miss out on sport and social events and most likely their school and personal happiness will suffer.

If there is family violence, child abuse or significant parental conflict a court is most unlikely to make an order for equal or significant time.

It is recommended that before you negotiate arrangements for your children you obtain legal advice about your particular situation. Each family is different and what is set out above may not be relevant to your family.

If you have limited funds then free legal advice is available from Legal Aid Queensland, the Women's Legal Service and the Cairns Community Legal Service.

## DO YOU NEED LEGAL ADVICE ABOUT A FAMILY LAW PROBLEM ?

*The Cairns Community Legal Centre may be able to help. Our solicitors provide free advice sessions and casework services in Cairns.*

*Advice is available in relation to both children's matters and property disputes. Face to face appointments are available in Cairns. Advice may also be held over the phone. All Enquiries are welcome.*

*For more information or to make an appointment please call **1800 062 608** or **4031 7688**.*

*mq* women's legal service

*Free Legal Advice*

We provide advice on family law (property & child related matters), domestic & family violence, child protection, victims assist, sexual assault & immigration.

*Face to Face Advice*

**available every Thursday by appointment (Cairns office)**

*Phone* **07 4772 5400**

**Telephone Legal Advice** (every Tuesday, Wednesday & Thursday 9am-1pm)

*Freecall* (from landlines only) **1800 244 504**



# Cairns Regional Domestic Violence Service

## Services We Provide:

Cairns Regional Domestic Violence Service is free & confidential and open to all people of all backgrounds. We can arrange interpreters if required.

### There are many issues that you can discuss with our staff members such as:

- Information about your rights and the rights of your children.
- Steps that may help you to protect yourself from further domestic violence.
- Information and assistance in making an application for a Domestic Violence Protection Order.
- Support services that are available through our organisation, including Court support.
- Counselling for you or your children to overcome the effects of domestic violence.

Our Domestic Violence Workers can also refer you to other support services for financial assistance, crisis accommodation, relationship counselling, legal advice on matters of family law, parenting education and many other issues.

One member of our team is a Child Counsellor, who can provide face to face counselling for children and young people aged 4 to 17 years who are affected by domestic violence.

We can also provide information about programs for perpetrators of domestic violence.

Our service regularly conducts and participates in workshops, seminars, conferences, lectures and training sessions in Cairns and surrounding areas. If you are not sure that we can help with your needs, then please telephone and ask us on (07) 4033 6100.

**We're open Mon, Tues, Thurs, Fri 9am-5pm & Wed 12pm-5pm**



Phone: (07) 4033 6100



Email: office@dvcairns.org



Fax: (07) 4033 5863



CRDVS, PO Box 12103, Cairns 4870

*No appointment is necessary in an emergency*

Room 19  
600 Bruce Highway  
Woree 4868  
(Behind Calanna Pharmacy)



## Useful Contacts

### Telephone Contact Numbers

If you're in immediate danger  
call the POLICE

**000**

If you want to access safe accommodation (refuge for women and children who are in danger), or you need help and support dealing with a violent relationship you can call **dvconnect**, the Queensland 24hr domestic and family violence telephone service on:

**1800 811 811**

**Cairns Police**  
4030 7000

**Lifeline Telephone Counselling**  
13 11 14

**Go Forward For Men**  
A service for men to "stop family violence and build better families."  
1300 364 277

**dvconnect Men's Information Line**  
1800 600 636

### Websites with information about domestic & family violence

[www.theline.gov.au](http://www.theline.gov.au)

[www.noviolence.com.au](http://www.noviolence.com.au)

[www.burstingthebubble.com](http://www.burstingthebubble.com)

[www.austdvclearinghouse.unsw.edu.au](http://www.austdvclearinghouse.unsw.edu.au)

[www.dvirc.org.au](http://www.dvirc.org.au)

[www.whiteribbon.org.au](http://www.whiteribbon.org.au)

[www.ntv.org.au](http://www.ntv.org.au)

## We're on the web

[www.dvcairns.org](http://www.dvcairns.org)

Would you like to subscribe to receive forthcoming issues of the CRDVS newsletter?

Have you an interesting article about domestic or family violence you'd like to contribute to the next issue of this newsletter?

Please let us know by contacting Gill at CRDVS  
Tel: (07) 4033 6100

Look out for the  
next issue in  
**October 2013**