

Perpetrator (non)-compliance with domestic violence orders: Situational circumstances, risk factors & rationalisation

Dr Silke Meyer

Lecturer in Domestic and
Family Violence Practice

s.meyer@cqu.edu.au

Background

- Qld 2014-15:
 - 26,757 DVO applications
 - 8,350 DFV-related criminal charges
- Addressing perpetrator accountability through CJS responses
 - Deterrent effect mixed (Sherman et al 1992; Trevena & Poynton, 2016)
 - Some responses counterproductive (e.g. fines)
- Increasing focus on behaviour change programs
 - Evidence also mixed
 - Motivation to change remains key challenge (Day, 2015; Donovan & Griffiths, 2015)

How do perpetrators see their (non)-compliance?

The study

- 23 men
 - 18 fathers
 - Except for 2 fathers, all had contact with their children
 - Mean age 39 years (range: 22-69 years)
 - 11 men still residing with most recent victim (and children)
- Court-mandated behaviour change program
 - Visible cohort with complex needs

Participant lifestyles

- **‘Deviant lifestyles’ (n=14) (≥ 3 present)**
 - Criminal histories
 - Histories of abuse and neglect
 - Substance misuse
 - Inconsistent employment
 - Education < grade 10

DVO breaches

- **All had breached**
 - Ranging from 1-6 breaches (self-reported)
- **Consequences of breaches**
 - ***Custody (n=7)***
 - All had at least short (≥ 6 days) watch house experience
 - Five custodial sentences for '**breaches**' (between 1 and 3 months)
 - 2 DVO extensions
 - 2 fines (up to \$10,000 accumulated)

Situational circumstances of breaches (I)

- Common themes for **existing couples**:
 - Substance misuse (often both parties)
 - Parenting
 - Money
 - Jealousy
 - *Issues of entitlement*
- Some with **severe history of abuse & control** (n=3)
 - *Reflected in child contact*:
 - 1 without contact;
 - 1 with supervised contact;
 - 1 where children had been removed (perpetrator still living with victim)

Situational circumstances of breaches (II)

- Common themes for **separated couples** (includes some with temporary separation)
 - *Primarily in context of custody/ visitation*
 - Fathers often accused victim of being neglectful
 - E.g. driving drunk to handover
 - Parents argued over scheduled visitations
 - Via phone, text or in person
 - **Verbal abuse/ threats most common breach**

Partner-related attitudes & beliefs

- Prevalence of victim-blaming attitudes
 - The victim as 'the problem'
 - Little concern for their partner's wellbeing or perceptions of the abuse
 - No ownership of their behaviour

[...] there wouldn't be no domestic violence and breaches in my life to start with if this girl never rocked up in my life because I've never been in trouble with police like this before. When I first met her is when I started [...] (SB 8)

[the program] won't make me a better person because I wasn't a bad person prior. I was always treating other women with respect. It's just singled out one person in 37 years and, [...] I have dated a lot of women and nothing else has happened in those situations. (SB 1)

The role of children

- Many DVO breaches related to parenting and/ or visitation
 - ‘Breaching for the greater good’
- Fathers seemed *stuck between reality of repercussions and their fatherhood identity*
 - Perception of needing to protect children
 - Desire to see children even if risking a breach
 - Some concerned about increasing severity of punishment
 - However: bottom line for most was, **they’d behave the same way again ‘if they had to’**

Fatherhood, male entitlement & (lack of) compliance

I think it was rational and irrespective of the outcome if it was to prevent potential dangers that are involved with excessive alcohol intake and driving I'd probably go through the same actions again. (SM7)

As a breach, yeah. But then at that time I hadn't been in jail. I desperately wanted to see my son. I wanted to hear his voice. I wanted to know that he was okay. [...] I'd probably still do it again knowing what I know. (SM1)

Using fatherhood identity as 'leverage' for compliance?

Prioritising safety & wellbeing of children

- 'Naming the problem'
- Generating compliance through early engagement around:
 - impact of **DFV on children**
 - impact of **DFV on father-child relationship**
 - Impact of **repercussions on father-child relationship**

➡ To generate ownership of behaviour

➡ To generate motivation around broader DFV-related behaviour change

Addressing complex needs

- **NOTE:** Substantial number seemed to experience DFV in complex relationships (see also Hart, 2008)
 - Underlying issues (substance misuse, poor communication skills, education/employment)
 - often of both parties
- ➔ *requires holistic response building on feminist framework*
- Both parties may require support to address underlying issues
 - To facilitate perpetrator compliance
 - To increase victims' future protective factors

Summary

- **Male entitlement & victim-blaming attitudes**
- **Implications for child contact & victim safety**
- **Fatherhood as motivator**
- **Challenge:** What may motivate those that aren't fathers?
 - Stakes in conformity?
 - Skilled, early engagement?

Questions/ comments?

Dr Silke Meyer
Lecturer in Domestic and Family Violence
Practice
s.meyer@cqu.edu.au