



Women who use force in the context of domestic and family violence

Women who use force in the context of domestic and family violence (DFV) context is an emergent area of research, with contemporary findings shedding light on the complexities surrounding this issue (see Nancarrow et al., 2020; Wangmann et al., 2020; Kertesz & Humphreys et al., 2021; Larance et. al., 2022). This resource provides an overview of current themes from a scoping review of the literature.

Useful Definitions



Domestic and family violence (DFV)

Is abusive, threatening, or coercive behaviour used by one person to control or dominate another person in a relevant relationship.

Domestic Violence Order (DVO)

A DVO is an official document issued by the court. Also known as a protection order, it is intended to be an extra safety measure to protect those who have experienced or are experiencing DFV. A DVO outlines consequences for the respondent if they commit DFV against the aggrieved or anyone else listed on the protection order.

Coercive behaviour

Forcing a person to act in a way they do not want to by use of threats or force. It can also include humiliation and intimidation or other abuse that is used to harm, punish, or frighten someone.





The Issue

The topic of women who use force in the context of DFV is a complicated and contested one, generally provoking extremes in rhetoric (Larance et al., 2019; Wangmann et al., 2020). These arguments are typically about whether women and men are capable of being equally violent towards each other. Such arguments obscure the nuances behind the reasons why women come to use force and the consequences for these women.

What we know



Anyone can be a victim or perpetrator of DFV.

Women are overwhelmingly the victims, and men are predominantly the perpetrators, of DFV

(Australian Bureau of Statistics [ABS], 2023; Australian Institute of Health and Welfare [AIHW], 2019).



There is a growing number of women being named as DFV respondents. For example, according to the Crime Statistics Agency Victoria (2020), in that state the number of female respondents listed on Family Violence Reports increased 27% from 2016 to 2020, and there was an increase of 44% for Aboriginal women for the same time period. The same source (Crime Statistics Agency Victoria, 2020) reported that in 2020 the proportion of respondents on Family Violence Reports who had previously been recorded as a victim was 58.7%, with 79.4% for Aboriginal women.

Queensland's Domestic and Family Violence Death Review and Advisory Board (Queensland Government, 2017, p. 82) found that **"nearly all of the (female Indigenous) victims had a prior history of being recorded as both respondents and aggrieved parties, in both their current and historical relationships"**.




Women's use of force does not have the same dynamics; impacts of fear, hospitalisation, or death; nor the ongoing pattern of coercive power and control, that men's violence has.



The problem with the “perfect” victim

There is a need to understand more about the growing number of women, from all cultural backgrounds, who are being named as respondents on protection orders with many being gaoled for breaching these orders through acts of force that are either “minor infractions in self-defence or retaliation against men’s attacks” (Gleeson, 2019).

Women who use force may have a “mixed and complex experience of victimisation and perpetration” (Wangmann et al., 2020, p. 18).



...responses to gender-based violence have created a clear distinction between victims and perpetrators... in recent years it has become increasingly clear that a black-and-white victim/ perpetrator distinction does not work in the best interests of those women who do not conform to the community’s conception of how a victim behaves.

(Kertesz & Humphreys, 2021)

Women using force is a ‘grey’ area, in which a woman often presents with dual experiences of victimisation and perpetration, and there are gaps in service responses for these women. Domestic violence is known as a gendered form of violence and a gendered lens should be used to view women's use of force with a current or past partner.



**Within DFV contexts,
many women who use
force against their
intimate partner are
motivated by self-defence
or retaliation.**

Characteristics

Contextual and situational characteristics paint a picture of the circumstances in which women are most likely to use force. Reports by the Australian Institute of Criminology (AIC) highlight characteristics common to women who use force and homicide incidents in which women have killed their partners in Australia (Boxall et al., 2020; Voce & Bricknell, 2020). These characteristics were:

- Likely to have had contact with police as a victim of DFV rather than as a repeat respondent (Boxall et al., 2020, p. 9).
- Lived experience of DFV.
- Relationship with the homicide victim (married or de-facto).
- Substance use during DFV or homicide incident.
- Unemployment.
- Prevalence of self-defence/violent resistance during DFV or homicide incident.

These characteristics are amplified or exacerbated for Aboriginal and Torres Strait Islander women.



There are clear gender differences regarding the use of violence and experience of victimisation between males and females.

(Dobash & Dobash, 2004; Swan et al., 2008; Wangmann, 2020)



Why do women use force?



Several studies indicate that in circumstances where a woman uses force in response to a systematic pattern of coercive and controlling behaviours her violent resistance does not usually cause fear in her partner, nor does it involve an ongoing pattern of control.

(Bair-Merritt et al., 2010; Dobash & Dobash, 2004; Johnson, 2006; Swan et al., 2008)



The motivations, use, and experience of violence used by women within intimate partner relationships differ from those of male perpetrators.

(Bair-Merritt et al., 2010; Larance & Miller, 2017; Mackay et al., 2018; Swan et al., 2008; Wangmann et al., 2020)



Women defending themselves can find themselves in a more dangerous situation because their partner is likely to be physically stronger.

(Abraham, 2005; Rajah, 2007)



SELF-DEFENCE BASED USE OF VIOLENCE

The use of violence as protection from immediate harm is cited as a significant motivation for women who use force.



FEAR-BASED USE OF VIOLENCE

Use of violence driven by imminent fear of fatal harm or death. Although fear is more likely to deter victims from using violence, it can be a mobilising factor for the use of violence as a form of self-protection or retaliation against anticipated victimisation.



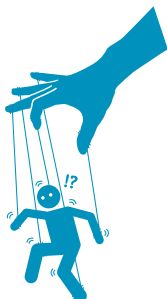
EXPRESSION-BASED USE OF VIOLENCE

Within this category, there are several violent responses perpetrated by women as expressions of retaliation, frustration, and anger.

Violent resistance or retaliation to victimisation is typically a response to a systematic pattern of abuse. There is agreement in the literature that violence can be used as an expression of a variety of negative emotions such as anger, humiliation, frustration, or jealousy for example.

Use of violence as a result of a 'breaking point'. Victims reach a breaking point typically after experiencing repeat and systematic patterns of victimisation. An event/situation may trigger a victim to 'snap' and use violence.

Use of violence as retribution for previous verbal, physical, or psychological abuse, or in response to real or perceived wrongdoing.



CONTROL-BASED USE OF VIOLENCE

Control of victim narrative. Use of violence as short-term control of situation/abuse, establish autonomy. It is also noted that resistance or retaliation to violence is also about the victim trying to assert their dignity.

Control and compliance of a partner's behaviour used as a means to 'get through to partner' or 'make them listen'. Much of the literature corroborates women who use violence can be informed by control-based motives; however, a number of studies highlight that the type of control and particularly coercive control is not a major motivator for women who use violence.

In the context of ongoing violent relationships, the seemingly innocuous or trivial actions of their abusive partner may foreshadow the use of violence and trigger a 'fight or flight' response in women, which may manifest as lashing out with aggression.

(Boxall et al., 2020, p. 5)



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I'd been getting flogged all my life by him and plus watching my mum get flogged. There was no way I was going to stand back and let a man flog me... so I gave just as much as he tried to give me.

(Wilson et al., 2017, p. 7)

This particular quote highlights the theme of violence as an expected reality and a normal part of life; women using violence as a tool to address violence; and having witnessed intergenerational violence, using violence as a means to reject the passive victim narrative.

A number of studies highlight that women's use of force is not motivated by intentions to coercively control. However, control is expressed by different intentions and feelings. Force can be motivated by the desire for short-term control of the situation, to 'get through' to their partners and make them 'listen' or to establish autonomy and restore dignity (Swan et al., 2008; Larance & Miller, 2016; Dasgupta, 2002; Wilson et al., 2017; McMahon & Pence, 2003). Women may also use violence for other reasons, such as jealousy or retribution.

Swan et al. (2008) highlight that women may be motivated to use force as reprisal for real or perceived wrongdoing. Forty-five percent of the women in the Swan and Snow (2003) study stated that they had used violence to get even with their partners for something they had done.



Responses to women who use force in DFV contexts

Given the differences between men's and women's use of force, understanding the context and history of violence to make accurate assessments is imperative in identifying the predominant aggressor. Incident-based assessments can be flawed and there are “serious questions about the mis-identification of female perpetrators of violence by police and the courts” (Kertesz et al., 2019). An ANROWS report (Nancarrow et al., 2020) expands on this and identifies areas of improvement for police and court practice regarding accurately identifying the person most in need of protection in DFV contexts. This research stems from the concern regarding the inappropriate use of DFV legal sanctions, and mis-identification of women, who use force in response to the violence perpetrated against them, as the primary respondent.

Similar to Kertesz et al. (2019), the authors highlight that police practice is guided by a response to single incidents of visible or physical violence, and that this does not always support the appropriate application of the DFV legislation.

The impacts of being misidentified are far-reaching and can increase violence and the risk of associated harms:

A woman may be mandated to attend a behaviour change program. There is a scarcity of specific programs for women who have used force in Australia; most programs for DFV perpetrators are designed for male perpetrators.

If someone experiencing DFV is identified as a respondent, they may also miss out on risk-screening because they are not seen as a victim. They may be unable to access critical support services (such as shelter, social services, or counselling) because they have been labelled a perpetrator.

They may be subject to a DVO as a respondent, which has implications for the residence of children, engagement with the criminal justice system, and most importantly, their safety. Consequently, protection orders can result in temporary homelessness and losing contact with children.

If women are truly the victims rather than the offenders, then arresting or making an order against them, when they refuse to submit to additional physical abuse is victimising them a second time. (Nancarrow et al. 2020)

Recommendations for preventing misidentification:

- Create guidance for police on identifying patterns of coercive control.
- Improve processes of decision-making and accountability between police and courts.
- Create guidance for magistrates on how and when they can dismiss inappropriate applications and/or orders.

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