

#### FACING THE COMPLEX LINK BETWEEN FAMILY VIOLENCE AND SUICIDE

There is a complex, uncomfortable and yet incontrovertible link between family violence and suicide in Australia. Every week, an estimated 15 people who have been exposed to family violence are either killed or take their own lives (and the true figure may be considerably higher).

As a nation, we are struggling to tackle this issue from either a suicide prevention or a violence prevention perspective. The current Parliamentary Inquiry into a better family law system to support and protect those affected by family violence, provides an opportunity to consider what action we can take to keep people affected by family violence and family law matters, safe from suicide.

#### **REAL FACTS VERSUS ALTERNATIVE FACTS**

Some fathers' rights campaigners

, have made false and unsubstantiated claims that wildly overstate the scale of the link between male suicide, family law and family violence, while at the same seeking to diminish and deny the very real link between family violence and female suicide.

"As a nation, we should hang our heads in shame when, on average, three men, and occasionally a woman, suicide a day due to family breakdowns."

Senator Pauline Hanson's maiden speech to the Senate, 14 September 2016

When more than 800 murders and suicides a year are linked to family violence, we cannot allow those who are motivated by a one-sided gender political view of the world to prevent us from confronting the incontrovertible link between family violence and suicide in Australia.

According to Pete Shmigel, CEO of the suicide prevention charity, Lifeline, female victims of domestic violence are four-and-a-half times more likely to die by suicide and "their deaths are effectively murder by proxy".

The claim that a large proportion of female suicides are linked to family law and family violence is supported by data from the Australian Bureau of Statistics and the Coroners' Court of Victoria, which underpins the estimate that exposure to family violence is linked to the deaths of five woman and girls a week on average.

If these estimates are correct and more than 200 women who have been exposed to family violence every year are taking their own lives, then the issue is substantially more serious than Pauline Hanson's dismissive comments about the suicide of an "occasional" woman suggest.

The same data also reveals that exposure to family violence is linked to the death of 10 men and boys a week on average. While this number is lower than the unsubstantiated claims made by fathers' rights campaigners that 3 fathers a day suicide because of family access issues", the fact that official statistics from the ABS and the Coroners Court of Victoria suggest that at least 500 male suicides a year are linked to family violence, is cause for serious concern and calls for urgent action from all those working to prevent suicide and tackle family violence.

#### THE PARLIAMENTARY INQUIRY AND SUICIDE PREVENTION

The Parliamentary Inquiry has been established to consider "how the federal family law system should be improved to better protect people affected by family violence". There is clear evidence that people exposed to family violence are at least seven times more likely to kill themselves, than they are to kill (or be killed by) a partner or other family member.

As such, it should be self evident that the Inquiry can only fulfil its remit to ensure the safety of people affected by family violence, if it examines the complex link between family law, family violence and suicide.

Further, knowing that this link exists, the Inquiry has a duty of care to consider the potential impact of its findings on either reducing or increasing the risk of suicide among those exposed to family violence.

In executing this duty of care, the Inquiry will need to consider how it addresses the following "gender paradoxes".

Firstly, while suicide kills three times more men than women on average, women are generally more likely to make suicide attempts. As such, we should not allow the fact that around seven out of 10 people exposed to family violence who die by suicide are male, lead us to overlook the fact that women exposed to family violence are probably more likely to attempt suicide and need access to appropriate support to address this issue.

Secondly, the drive to prevent family violence in Australia places a greater focus on protecting women, who represent the majority of victims of domestic violence in particular. In seeking to protect people who have been exposed to family violence from suicide, the Inquiry will need to consider whether a gendered approach that prioritises women's safety can be effective at addressing the fact that 70% of people exposed to family violence who die by suicide are male.

We cannot allow a gendered approach to tackling family violence to prevent us from confronting the incontrovertible link between family violence and suicide in Australia, if this is not the most effective way to prevent male and female suicide in the context of family law.

#### THE EVIDENCE

Every week, an estimated 15 people who have been exposed to family violence are either killed or take their own lives, 10 of them men and boys, 5 of them women and girls. This section outlines the evidence that underpins this estimate.

According to data produced by the Australian Institute of Criminology, in the two year period between 2010 and 2012, a total of 192 people were the victims of family-related killings, an average of 91 people a year (59 women and girls, 37 men and boys).

CATEGORY	MALE	FEMALE
Number of victims of family-related death where victim	24	19
is <18 (2010-2012)		
Number of victims of family-related death where victim	50	99
is >18 (2010-2012)		
All victims of family-related death (2010-2012)	74	118
Average family-related deaths per year (all ages)	37	59

In terms of suicide, research base on the Coroners Court of Victoria's Victorian Suicide Register has found that between 2009 and 2012, 42% of women and 33.9% of men who took their own lives were known to have been exposed to interpersonal violence. Of these, 70.3% of the women were reported to have experienced violence within an intimate or familial relationship and 63.5% of the men reportedly perpetrated violence against an intimate partner or family member.

According to the Australian Bureau of Statistics', there were 3,027 suicides in 2015 (2,292 male suicides and 735 female suicides). If we assume that the Victorian figures are repeated across Australia we arrive at an estimated figure of 710 suicides a year being associated with exposure to family violence (493 male suicides and 217 female suicides).

As the authors of the Victoria Suicide Register research have not published the figures for the number of male victims (or female perpetrators) of family violence how died by suicide, the estimate of 710 suicides does not include these deaths. With two out of five victims of family-related killings are male, the unavoidable exclusion of male victims from the suicide figure may represent a significant underestimate.

CATEGORY	MALE	FEMALE
% of suicides exposed to interpersonal violence	33.9%	42%
% of those exposed to IPV who experienced violence in an intimate or familial relationship	n/a	70.3%
% of suicides associated with violence within an intimate or familial relationship	n/a	29.5%
% of those exposed to IPV who perpetrated violence against an intimate partner or family member	63.5%	n/a
% of suicides associated with perpetrating violence against an intimate partner or family member	21.5%	n/a
Number of suicides in Australia 2015	2,292	735
Estimated number of suicides associated with exposure to interpersonal violence	777	309
Estimated number of suicides associated with violence within an intimate or familial relationship	n/a	217
Estimated number of suicides with perpetrating violence against an intimate partner or family member	493	n/a

When we combine these figures we can estimate that 806 people who have been exposed to family violence are either killed or take their own lives every year (530 males and 276 females), giving us our average figure of 15 deaths per week (10 male, 5 female).

## **VICTIMS, PERPETRATORS AND VICTIM/PERPETRATORS**

Creating a better family law system to support and protect those exposed to family violence, requires us to put in place suicide prevention measures that target the following groups:

- Women and men who are victims of family violence
- Women and men who are perpetrators of family violence
- Women and men who have been both perpetrators and victims of family violence

When seeking to keep everyone affected by family violence safe, it is important to recognise the unequal levels of concern and compassion that exist for different groups of victims and perpetrators. In a culture where men are seen as "the stronger sex" and women as "the weaker sex", it is not uncommon to have more concern for female victims and more compassion for female perpetrators, for example.

It's also important to recognize that some groups of people exposed to family violence are less visible than others, particularly those groups which do not conform with the "public story" of domestic violence. Researchers have described this "public story" as locating "the phenomenon inside heterosexual relationships within a gendered victim/perpetrator dynamic (the stronger/bigger man controlling the weaker/smaller woman)".

It has been argued that such "dichotomous understandings of domestic violence prevent both discussions about those experiences that lie outside the defining binaries and also recognition of and support for those living with those experiences", particularly in relation to those in same sex relationships who experience domestic violence.

It is said that these pervasive public stories: "become representations that people cannot avoid working with at both a deep and surface level. Pervasive stories are a stock of narratives that anyone can draw on or distance themselves from when telling their own story. Public stories also feed into both public and private lives when they coalesce into official views shaping public policies, laws and the distribution of resources."

Other groups that are overlooked by this public story include female perpetrators, male victims and men and women who are both victims and perpetrators of family violence. For example, a female victim of partner violence may also perpetrate violence against her children and in some couples both partners are know to use violence.

The invisibility of certain groups affected by family violence is both a cause of (and caused by) under reporting at an individual, cultural and systemic level.

At an individual level, for example, we know that male victims of family violence are less likely to seek help than female victims, which contributes to the issue being under-reported. Research by the Australian Bureau of Statistics, for example, has found that:

- Male victims are twice as likely to have never told anybody they are experiencing current partner violence (54.1% of male victims and 25.6% of female victims)
- Male victims are three times as likely to have never told anybody they have experienced previous partner violence (20.9% of male victims and 6.7% of female victims)
- Male victims of current partner violence are twice as likely to have never sought advice or support (70.3% of male victims and 39% of female victims)
- Male victims of previous partner violence are twice as likely to have never sought advice or support (47.6% of male victims and 23.9% of female victims)
- Male victims of current partner violence are nearly four times less likely to have contacted the police (5.3% of male victims and 19.8% of female victims)
- Male victims of previous partner violence are half as likely to have contacted the police (20% of male victims and 42.4% of female victims)

At a systemic level, there can be a tendency to make male victims and female perpetrators invisible. For example, the research into suicide and interpersonal violence involving researchers at Coroners Court of Victoria, that is referred to in this submission, was made public in 2015, but only data on female victims and male perpetrators was released.

When more than 800 murders and suicides a year are linked to family violence (and two thirds of those who die are male) we cannot allow those who take a one-sided gender political narrative violence to prevent us from confronting the incontrovertible link between family violence and suicide in Australia, that places the lives of both men and women at risk.

#### **FALSE ALLEGATIONS AND SUICIDE RISK**

When we listen to the lived experience of men involved in family law matters, a common theme is that they are subjected to false allegations, sometimes resulting in an ADVO (apprehended domestic violence order).

False allegations appear to be a uniquely gendered crime. Research by the Crown Prosecution Service in the UK found that 92% of people suspected of making false allegations were female and 98% of alleged victims were male.

While it is difficult to find reliable research that quantifies the scale of false allegations in family law matters, or the proportion of ADVOs that involve false allegations, the issue cannot be ignored.

One survey of 68 NSW magistrates concerning apprehended violence orders (AVOs), found that 90 per cent agreed that some ADVOs were sought as a tactic to aid their case in order to deprive a former partner of contact with the children, which suggests the issue merits further investigation.

While the question of false allegations is a difficult and uncomfortable issue to address, the problem does exist and has been associated with increased suicide risk. A recent survey of 30 victims of false allegations (80% male and 20% female) by the University of Oxford's Centre of Criminology, found that over a guarter reported being suicidal.

If the Parliamentary Inquiry is committed to protecting those affected by family violence from harm, then it will need to consider the experience of those who are known to be or claim to be subject to false allegations and examine how we can reduce the risk of suicide in this group.

# SEPARATION, FAMILY LAW AND SUICIDE RISK

In general, the legal system tends to operate in a black-and-white, binary fashion that separates parties into one of two groups: prosecution/defence; perpetrator/victim; innocent/guilty; applicant/respondent; winner/loser etc.

One of the primary objectives of the Family Law System, in most cases, is to help two parents who previously divided their parenting responsibilities within the context of an intact relationship, to try and find a way to share these responsibilities as separated parents. In some cases, the Family Law System also seeks to help parents with no previous experience of parenting together to try and find a way to share parenting. In all cases, the aim is to arrive at outcomes that are in the best interest of the child or children, which generally means promoting a meaningful relationship with both parents.

Placing separated parents within a binary system that is inherently competitive and confrontational, is not the ideal framework for seeking shared solutions that promote ongoing collaboration. As such, it should not be surprising that most separated parents do not enjoy a meaningful shared parenting arrangement. According to the Australia Bureau of Statistics, just 6% of children whose parents are separated, live with their non-resident parent (usually the father) for 30% or more of the time. Furthermore, half of the children whose mum and dad are separate, never stay overnight with the non-resident parent.

If the Parliamentary Inquiry is to help create a better family law system then it needs to better understand the harm that separated parents who use the system experience. One way to examine this harm is to consider the links between separation, family law matters and suicide.

According to the Queensland Suicide Register, relationship separation is associated with 23.9% of male suicides and 18.1% of female suicides, while child custody disputes are associated with 3.2% of male suicides and 4.3% of female suicides.

If we assume that the Queensland figures are repeated across Australia and apply them to the suicide figures for 2015, we can estimate that around 10 male suicides a week and two-to-three female suicides are associated with relationship separation. Furthermore, around 100 suicides a year are associated with child custody disputes, with seven out of 10 being male suicides.

CATEGORY	MALE	FEMALE
% of suicides associated with relationship separation	23.9%	18.1%
% of suicides associated with child custody disputes	3.2%	4.3%
Number of suicides in Australia 2015	2,292	735
Estimated number of suicides associated with	548	133
relationship separation per year		
Estimated number of suicides associated with child	73	31
custody disputes per year		

Suicide is clearly a risk factor for men and women involved in family law matters, with research finding that a half of separated dads who feel suicidal, citing the stress of legal negotiations as a factor. One Australian study found that more than half of separated dads (54.8%) and nearly a third of separated mums (32.9%), thought about taking their own lives.

Among the dads who still felt suicidal six months after the initial interview, four out of five said financial difficulties and feelings of loss and loneliness were an issue; three out of five cited loss of social networks; half referred to the stress of legal negotiations; while two out of five mentioned the stress of disputes over custody; reduced contact with their children and making the separation public.

With more than 700 people a year exposed to family violence taking their own lives (70% of them male), the Parliamentary Inquiry is an ideal opportunity to examine the links between family law, family violence and suicide.

### **IDENTIFYING PERPETRATORS AND VICTIMS**

Every week, an estimated 15 people who have been exposed to family violence are either killed or take their own lives (10 men and boys and five women and girls).

It is that estimated that around 700 of these deaths are due to suicide, though the real figure is probably higher. Some of those who die by suicide will be perpetrators of family violence, some will be victims of family violence (and/or false allegations) and some will be both perpetrators and victims.

Research based on Coroners Court of Victoria data suggests that the nature of the suicide risk experienced by perpetrators and victims of family violence differs.

Being aware of the risk factors for suicide enables us to target suicide prevention initiatives more effectively in line with the Parliamentary Inquiry's commitment to protect those affected by family violence from harm. Those perpetrating violence, for example, had most commonly last done so within the six weeks prior to their suicide. Victims of violence, however, more commonly suicide more than a year after their last violent experience.

Developing a better understanding of the differences in the pathways that men and women (and perpetrators and victims) take can help us develop more effective and targeted suicide prevention initiatives for people exposed to family violence.

To achieve this we need to confront that fact that female perpetrators and male victims are less likely to be identified within the current system of family law and that a better system will need to be more effective at reaching these under-represented groups if it is to be help reduce the high rates of suicide linked to family violence.

Our ability to prevent female perpetrators and male victims from dying by suicide will be limited if we continue to make these individuals invisible by downplaying their existence and invalidating their experience.

Similarly, we can only become more effective at preventing male perpetrators and female victims from taking their own lives is we acknowledge that they not only need interventions to prevent them from harming (or being harmed by) others, but also need appropriate help and support to prevent them from harming themselves.

#### WHAT "CAUSES" SUICIDE

The fact that someone who dies by suicide has been exposed to family violence, does not mean their suicide was "caused" by their experience of family violence. What we can say, is that being exposed to family violence appears to increase for the risk of suicide for both men and women, irrespective of whether they are victims only, perpetrators only or both victims and perpetrators.

Being aware of the risk factors for suicide enables us to target suicide prevention initiatives more effectively in line with the Parliamentary Inquiry's commitment to protect those affected by family violence from harm.

## IS SUICIDE A MENTAL HEALTH ISSUE?

Suicide is commonly seen as a mental health issue, but at least half of all suicides are not primarily associated with a diagnosed mental health disorder. In some Australian studies, researchers have found that more than 80% of suicides are not associated with a long-term mental illness.

While experts agree that long-term mental health issues are not the only cause of suicide, there is no agreed way to define and prevent suicides that are not predominantly linked with a mental illness. However, one term that is growing in usage is "situational suicide".

In simple terms, situational suicides are predominantly associated with some form of situational distress, rather than a mental illness. Some of the issues that can put people on the path to situational suicide include relationship difficulties, social isolation, loss of a job or income and exposure to family violence. Situational distress may also be linked to a mental health issue, such as depression or anxiety.

In terms of gender, coronial reports suggest that men are around twice as likely as women to die by suicides associated with mental illness and four times more likely to die from situational suicide. When seeking to identify and support people with experience of family violence who are at risk of suicide, it is important to differentiate between "male friendly" and "female friendly" approaches, while taking into account the different needs of people who identify (or have been identified) as perpetrators and people who identify (or have been identified) as victims.

#### SUICIDE PREVENTION: ARE WE ON THE RIGHT PATH?

Most approaches to suicide prevention identify common pathways to suicide and then target support at groups and individuals who are thought to be at the highest risk of progressing along this pathway and taking their own lives.

The suicide prevention model most commonly applied in Australia describes an "inside out" pathway, which takes people from feeling suicidal, to thinking about and planning suicide, to attempting suicide and in some cases completing suicide.

The "inside out" model is used to identify people who are feeling suicidal, people who are thinking about suicide and people who have already attempted suicide. The aim is to intervene and take action to prevent these individuals from killing themselves. This approach is most effective with three groups:

- People with a mental health diagnosis who are at risk of suicide;
- People who have reported that they are feeling or thinking about suicide;
- People who are known to have attempted suicide.

As the majority of people in each of these groups are women, it should not be surprising that this "inside out" model of suicide prevention is less effective at helping men.

A less commonly applied approach to suicide prevention is the "outside in" model in which the pathway to suicide takes people from having problems, to trying to fix their problems, to trying to cope with problems they can't fix, to seeing suicide as the best possible solution to problems they can neither fix nor cope with.

Using this model, the aim is to identify people who are struggling with distressing situations that are placing them at risk of suicide and intervene to ensure these people get help to resolve their situation or find more effective ways to deal with their distress.

This "outside in" model of suicide prevention is more effective with the following groups of people:

- People at risk of situational suicide;
- People at risk of suicide who haven't reported that they are feeling or thinking about suicide;
- People at risk of suicide who aren't known to have made a previous attempt.

As the majority of people in each of these groups are men (and as the majority of people who die by suicide are male) the case for adopting this model more widely in the drive to prevent suicide in Australia is self-evident.

## GENDERED, GENDER NEUTRAL AND GENDER INCLUSIVE INTERVENTIONS

If the Parliamentary Inquiry is to help create a better family law system that is more effective at protecting those affected by family violence from suicide, it will need to consider whether the gendered approach to preventing family violence is a help or a hindrance.

The drive to prevent family violence in Australia currently places a greater focus on protecting women, who represent the majority of victims of domestic violence in particular. This gendered approach ensures that most of the time, money and energy invested in preventing domestic violence is focused on female victims and male perpetrators. In contrast, the drive to prevent suicide in Australia largely takes a gender neutral approach, despite the fact that the majority of people who die by suicide are male.

The limitation of the gendered approach is that is less effective at identifying and targeting female perpetrators and male victims. Gender neutral approaches can also be limited in their effectiveness as they tend to adopt a "one size fits all" model that fails to account for people's diverse needs, which can be shaped by characteristics such as gender.

A more effective approach, than either a gendered or a gender neutral model, is the gender inclusive model which seeks to offer an equitable balance of both male-friendly and female-friendly approaches, that is proportionate to need and takes into account the different experiences and preferences of men and women.

If the Parliamentary Inquiry is to be effective at helping develop a better family law system to support and protect those affected by family violence, then it will need to consider how it can promote a gender inclusive approach to both family violence and suicide prevention, that ensures an equitable balance of male-friendly and female-friendly approaches that respond to the fact that more than 15 people who have been exposed to family violence are either killed or die by suicide every week, 10 of them men and boys, 5 of them women and girls.

#### LISTENING TO PEOPLE'S LIVED EXPERIENCE

In recent years there has been a growing understanding of the importance of ensuring our approaches to suicide prevention are shaped and informed by people's lived experience of suicide and suicidality.

If we are to create a better family law system that responds to the fact that more than 800 people who have been exposed to family violence are either killed or take their own lives every year, then the Parliamentary Inquiry needs to ensure it welcomes and listens to the experience of both male and female victims and male and female perpetrators.

In terms of suicide prevention, as the majority of people exposed to family violence who take their own lives are male, it is essential that the Parliamentary Inquiry reaches out to men with experience of family law and family violence who have considered or attempted suicide. In addition, the Inquiry has a duty to reach out to the friends and relatives of men with experience of family law and family violence who died by suicide, to hear their stories and consider what lessons it can learn.

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