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**Police should identify primary victim in domestic violence incidents**

“Over the past five years, Women's Legal Services NSW has seen an increase in the number of apprehended violence orders (AVOs) against women where they are in fact the victim," says Helen Campbell, Executive Officer of Women's Legal Services NSW.

"In an upcoming report soon to be published by Women's Legal Services NSW, the service found that in 2010:

- over two-thirds of our women clients defending AVOs reported that they were the victim of violence in their relationships.

- Less than 40% of these clients had a final AVO made against them when the matter came before the court," says Ms Campbell.

“While there may be a range of circumstances for the other 60%, you do have to wonder why such a significant proportion of women defendants of AVOs were brought before the court in the first place when no final action was taken,” says Ms Campbell.

"We welcome the NSW Police pro-arrest policy, however, in our experience the number of women defending AVOs is due to this policy being applied without also looking at who is the primary victim," says Ms Campbell.

"Many of the women defending AVOs in the study reported that when police had been called after a violent incident, they felt that their version of events had not been viewed as credible compared with the other party, due to the circumstances of their heightened stress and anxiety.

Other women reported that they believed the other party had deliberately initiated AVO proceedings as a further mechanism of controlling their behaviour, by giving them the ability to threaten them with reports to police in the future.

Significantly, in the majority of cases where women were defending AVOs, the other party's complaint related to a single incident only. In several of these cases injuries to the other party could be indicative of self-defence, such as scratching or biting on the arm or hand," says Ms Campbell.

"Women's Legal Services NSW believes it is important that the NSW Police continues to strengthen their policies and procedures around identification of the 'primary victim' in domestic and family violence incidents and provide continuous training about the nature and dynamics of family violence," says Ms Campbell.

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Women’s Legal Services NSW is a community legal centre that aims to achieve access to justice and a just legal system for women in NSW. We seek to promote women’s human rights, redress inequalities experienced by women and to foster legal and social change through strategic legal services, community development, community legal education and law and policy reform work.