

RESEARCH STATEMENT

Original Creative Work

Citation: Nancarrow, H 2006, Violence prevention for ‘enmeshed’ dating relationships: interpreting Queensland’s civil law, Queensland Centre for Domestic Violence Research, CQUniversity, Mackay.

Research Background

- Field – Domestic and family violence
- Context – Effective implementation of legislative provisions aimed at protecting people from abuse in prescribed dating relationship.
- Research Question – Does inconsistency in Magistrates’ understandings of the term ‘enmeshed dating relationships’ in section 12A(2) of the *Domestic and Family Violence Protection Act 1989* disadvantage some people in accessing the protection of the Act?

Research Contribution

- Innovation – The research responded to concerns expressed by Domestic Violence Court Assistance Workers in Queensland and the, consequent, information needs of the Queensland Government for its evaluation of the *Domestic and Family Violence Protection Act 1989*.
- New Knowledge – The research found that due to practices of magistrates there was almost no evidence of applicants for court orders being disadvantaged because of magistrates’ understandings of the provisions. It did find however, that the policy intent of the provision had not been clearly articulated in the drafting of the legislation, which was unnecessarily cumbersome; and it had not been effectively communicated to the community sector, or the agencies responsible for the implementation of the Act.

Research Significance

- Evidence of Excellence – the results of the research were incorporated into the evaluation of the *Domestic and Family Violence Protection Act 1989*, and in a report of the Queensland Domestic Violence Council to the relevant Minister. The results were also used in the most recent review of the Act which commenced in 2008. The new *Domestic and Family Violence Protection Act 2012*, has a completely new definition of the relevant relationships, with a clear articulation of the policy intent.

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