**Young male killers using defence law**

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THE new law of defensive homicide, designed to treat female victims of family violence more compassionately in the justice system, has failed, with young violent men emerging as the key beneficiaries of the 2005 legal reform.

A state government report, to be released today, shows not one woman was convicted of defensive homicide since its introduction. The new offence aimed to produce more lenient sentences for women who killed their partners after long periods of family violence.

But the Department of Justice review shows that the 13 people convicted of defensive homicide since 2005 were almost all males killing other males, and mostly not in family violence situations.

With the exception of two cases, the offenders were young men involved in one-off violent confrontations, usually bashings or stabbings.

''Rather than operate in the sphere of family violence, these cases have involved one-off, violent confrontations between males of approximately equal strength, reflecting the traditional understanding of self-defence,'' the report said.

The government discussion paper is part of a five-year review of the new offence. It raises the possibility that it be scrapped or limited to serious family violence. The report found that other parts of the 2005 reform, such as courts taking long-term abuse into account for self-defence cases, significantly improved the system.

The defensive homicide offence was recently engulfed in controversy after it was used successfully by a man who killed his girlfriend. This case was the only one of the 13 that involved an intimate-partner homicide.

Luke Middendorp was found guilty of defensive homicide for stabbing to death his girlfriend, Jade Bowndes, in 2008.

Middendorp gave evidence that Bowndes came at him with a raised knife and that his life was at risk.

He was a 90-kilogram man, she weighed 50 kilograms, and Bowndes' family argued that the killing should have been called what they believed it was: murder.

Women's rights advocates claimed the defence ran the case under the old ''provocation'' excuse, which was abolished as part of the 2005 reforms.

The provocation defence was used by violent men who said their partners had taunted them, or were said to be unfaithful.

Anti-violence campaigner Phil Cleary said that in the Middendorp case defensive homicide had simply replaced provocation as a defence for a violent man. ''It's not as if the defence of defensive homicide is the problem. The real problem is we still blame women for the violence,'' Mr Cleary said.