



# The Journal

for women and policing

\$5 for non-members  
Issue No. 3 Spring 1999

Official Publication of the Australasian Council of Women and Policing Inc.



HOW WELL DO WE  
POLICE WOMEN?



Participants of the Second Conference of Australasian Women and Policing  
Emmanuel College, University of Brisbane, July 1999



# The Journal

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**Front Cover:** Cartoon by Judy Horacek (1997) reprinted with permission (Women Against Violence Journal Issue 2, June 1997).

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This issue of *The Journal* reviews the *Second Conference of Australasian Women and Policing*, which was held in Brisbane from the 7-9 July 1999. The conference was a big first step for the Council, both philosophically and financially, but a very rewarding one. As became apparent during the conference, the Council has quickly stepped into a gap that previously existed for women, providing a critical forum for a strategic and feminist analysis of policing and law enforcement.

**So how well DO we police women?** Judging by the papers presented to the conference over three days and the draft recommendations delivered to the police commissioners on the final day of the conference, very poorly indeed, particularly in the areas of violence against women. The final recommendations from the conference will be reproduced on disk along with the full set of conference papers. These are available only from the Council. An order form is included at page no. 12.

This issue of *The Journal* seeks to answer the question *How well do we police women?* We have selected five key papers from the conference addressing the issue. The first, *Welcome to Country* by Eunice Watson addresses the unique position of control that policing, as the gateway to the criminal justice system has over the lives of women in the community, particularly Aboriginal women.

The second paper is from Heidi Horvath of the Australian Federal Police examining *International Policing Obligations to Women*. Heidi urges Australian policing to develop improved responses, including intelligence gathering and coordination to address violations such as trafficking in women and female genital mutilation.

These are followed by research from Pamela Kinnear from the Australian Institute of Criminology into the policy failures within Australia that have failed to heed demands for the development of mechanisms to measure violence against women, making it impossible to measure the real size of the problem, or even to estimate how much of police work nationally is about the management of violence against women. The fourth paper, *Policing violence against women nationally*, follows, comparing police responses to violence against women to other types of crime and proposing a new national structure and focus on violence against women by Australian police services. Finally, Julie Stewart, presents her research into the policing and management of complaints of sexual assault in New South Wales.

We also report the winners of the Councils' inaugural *National Awards for Achievement in Policing* that were presented at the conference dinner at the University of Queensland on the 7th of July. Congratulations to those who received awards and to all those nominated for awards.

The next issue of *The Journal* will feature more papers from the conference, focusing especially on women and policing networks and future directions.

**Melinda Tynan**  
**Editor**

## Women speak out about policing

by Melinda Tynan and Helen McDermott

Over 180 police officers, police employees, academics, researchers and community women and representatives from throughout Australasia, Indonesia, the United Kingdom and Europe gathered at the University of Queensland in Brisbane in July for the Second Conference of Australasian Women and Policing. Following in the wake of the first conference held in Sydney in 1996, comparisons between the two events were inevitable, however the new, broader direction of this conference, *Connecting with the community*, was seized enthusiastically by all participants.

### Overview

The conference had three streams, the first focusing on the status of women within policing, the second focused on assessing and improving policing services for women in the community, and a third, smaller stream examining the scope for a global network of women in policing. Participants came not only from within policing but included a broad range of women from the community sector. The diversity of the group saw the pursuit and development of highly specialised issues of concern within the streams, including gender equity, workplace practices, family violence and family law, domestic violence and sexual assault. Despite the lush, tranquil setting in the grounds of the University of Queensland, the conference managed to maintain a broad, national and frequently international perspective on how policing happens for women.

### Papers, papers

With more than sixty papers presented to the conference over three days, it is impossible in one issue of *The Journal* to do justice to the depth and breadth of the issues covered and the excellent standard of the work presented. This report is just one impression of the conference, shaped by the particular sessions and workshops attended.

Several of the key note addresses and papers from the conference on the theme *How well do we police women?* are presented in this issue of *The Journal* and future editions will feature more of the conference papers on other themes. The papers are also available to purchase from the Council on disk. Complete the order form on page 12 to organise your order. We have also made available selected papers from the first conference in 1996, reprinted in a special edition of the

*International Journal of Police Science and Management*. An order form is included on page 12.

### Opening words

Ms. Eunice Watson spoke the first words at the conference, in a courageous and stirring “Welcome to Country”, observing *This conference and this time is not about maintaining the status quo. We are gathering here to identify needs and develop strategies that will advance the position of women across the global community and we shall do this because we are able to do this and we have to place our feet firmly on the destined path and walk forward into a land that is a safe and secure place for our children and our old people.*

(See Eunice’s address in full on page 13.)

Queensland Police Commissioner Jim O’Sullivan welcomed participants to the conference, which was then formally opened by the Hon Senator Amanda Vanstone, Federal Minister for Justice and Customs and followed by the Queensland Police Minister, the Hon. Tom Barton and the Hon Judy Spence, Minister for Women’s Policy (Qld), then spoke of the importance of policing to women’s access to justice.



Queensland Commissioner Jim O’Sullivan and Trudy Manders, Director of the ENP (standing).

# Women and Policing Brisbane 7-9 July 1999

## Mavis in demand

One of the most popular figures at the conference was “Mavis”, the Council logo girl. Council lapel pins in the shape of Mavis were available to participants to purchase at the conference and these purple and silver pins quickly sold out, with **Senator Amanda Vanstone** and **Police Commissioner Jim O’Sullivan** proudly sporting their Mavis’s to the media. Winners of the Council’s Awards (see article page 10) were honoured with gold and purple Mavis’s as part of their award. Life members of the Council also received gold Mavis’s at the Awards.

The conference quickly broke into parallel sessions on *Improving the position of women within policing and Policing domestic violence*.

## Improving the position of women within policing

From the Commonwealth perspective, Assistant Secretary of the Commonwealth Attorney-General’s Department Law Enforcement Co-ordination Division **Liz Atkins** reported back on the progress made by women in policing in Australia to date. Director of AUSTRAC, **Elizabeth Montano** spoke of the Commonwealth *Women In Law Enforcement Strategy* (WILES), designed to connect and support women in law enforcement. NSW Police Assistant Commissioner **Lola Scott**, representing the Australasian Women in Policing Advisory Committee (AWIPAC), observed the recent attacks by the media on senior women police. **Peta Blood** spoke as a representative of the Women Officials in Police Unions (WOPU) group and provided an overview of the work of that group.



*Senator The Hon. Amanda Vanstone, Minister for Justice and Customs opening the conference.*



## Launching the Council - *Splash Out!*

After the conference had been formally opened, Council President Christine Nixon formally launched the Council itself, some 18 months after it’s inception. Urging conference participants to come on board and support the Council by becoming members. Christine said *“It is clear that the Council has met a need in the community and policing alike. We are all trying to address the same problems and issues and to improve policing for women both within police services and for women in the community. The Council exists to provide a forum for discussion and debate and this conference is just one example of how the Council can facilitate these areas”*.

## Looking for a “reasonable man”

Keynote addresses were delivered on the second day of the conference first by Christine Nixon and then by Professor Ross Homel from Griffith University. On the final day of the conference, Professor Regina Graycar of the NSW Law Reform Commission discussed the gendered nature of law, how it is conceived and applied differently to men and women, and the law’s perception of the notion of the “reasonable man”.

## How well do we police violence against women?

The second morning of the conference brought participants back together for a session on women and violence. Qld Minister for Families, Youth and Community Care, the **Hon Anna Bligh** gave succinct feedback from her experience as minister and as a woman in the community concerned about the status of women and women’s access to justice. Representing the Commonwealth Government’s **National Crime Prevention area**, **Nicki Maloney** spoke about the work of National Crime Prevention in addressing violence against women. **National Women’s Justice Coalition** representative, **Deirdre Doherty** expressed the frustrations often involved for community workers in attempting to improve policing responses to women. **Melinda Tynan** then discussed the failure of policing to address violence against women as seriously as other types of crime, comparing the national police strategy to motor vehicle theft to the fragmented response to violence against women, observing *there is no national strategy on violence against women; just jurisdictional responses*. (See an edited version of that paper on pages 20-30)

## Improving the relationship between policing and women in the community - how can police do it better?

Chaired by Ann Scott, this session featured **David Brereton** from the Criminal Justice Commission of Queensland, **Jill Bolen** from the University of Western Sydney and **Boni Robertson**, presenting Aboriginal community perspectives. Senior researcher with the Australian Institute of Criminology, **Pamela Kinnear** provided a startling report on the lack of mechanisms within Australia to measure and record violence against women, observing *there is no national violence against women data collection despite recommendations by the National Violence Against Women Committee in 1994 and that this is in part a reflection of the political environment*. Pam recommended the development of an integrated monitoring system, such as that used for monitoring drug crime. It is startling to realise that, in 1999, such recommendations have still not been acted upon. (See Pam’s paper on pages 30-34 )

## Policing women’s human rights?

Representing the Queensland Council of Civil Liberties, **Terry O’Gorman** addressed the issue of mandatory strip searches in police watch houses and advocated the development of fixed criteria for strip searching. From the AFP, **Heidi Horvath** presented a paper on the role of the AFP in policing violence against women internationally. (See Heidi’s paper on pages 14-19)

## Policing sexual violence

This session provided a fascinating comparison and contrast in the management of sexual assault by police in New South Wales and Victoria. Researcher with the NSW Police Service, **Julie Stewart** provided an overview of findings from research conducted into the incidence of sexual assault between 1995-96. Julie observed that of all the 66,000 incidents of sexual assault reported to NSW Police in 1996 (an increase of 20% since 1995), only 407 charges were ultimately laid. Of these, only 133 were “successfully” convicted at court. In November 1997, about 1000 sex offenders were incarcerated throughout New South Wales jails. Julie described new training for NSW detectives commenced in May 1999 that treats sexual assault as a serious incident from the initial report to police and suggested it may go some way to addressing the obviously appalling conviction rate for sexual assault.

By way of contrast, CASA (Centre Against Sexual Assault) House representative, **Marg D’Arcy** endorsed the community policing squad response provided to victims of sexual assault (and domestic violence) in Victoria, and considered the proposed co-location of community policing squads with other policing units as a backward step. She suggested it was the structure of the community policing squads that provided support, not only to victims but also to investigating police. She considered the introduction of the community policing squads and the increase of women police in Victoria had improved the response to sexual assault in that jurisdiction.

## Improving the Police Response to Domestic Violence

From Polaroid Australia, **Mark Digby** gave a presentation on the *First Responder Program* which is being trialed in a number of jurisdictions throughout Australia. The program provides instant photographic evidence to police and victims alike of the injuries and damage inflicted by the offender in domestic violence cases and appears to have a marked impact on the perceptions of the victim. Similarly, **Christine Jennett** presented a research paper on behalf of herself and three other women from Charles Sturt University on research conducted within New South Wales into the critical difference prosecutors make to victim perceptions and the final outcomes of domestic violence matters before the court.

**Melinda Tynan** presented a paper examining the existing policies and policy gaps of the nine Australasian police services to the management of domestic violence amongst police officers and police employees and highlighting some of the experiences of women police and employees as victims of domestic violence. This issue was picked up by the media during the conference and reported in *The Australian*.

### **Women in Policing - Gender equity**

Other papers addressed gender equity within police services, with **Dr Tim Prenzler** from Griffith University providing an update on progress of women within the Australian police services since the first conference in 1996, and deciding ultimately that, apart from the issues of the poor performances of some agencies in retaining women, *police agencies are collecting insufficient information to properly assess issues of gender equity across all aspects of a police career.*

Tim's paper will be provided in full in the next issue of *The Journal*. **Inspector Jill Wood** of the Victoria Police also presented a paper on *The Glass ceiling- Is mentoring the way through?*

### **Policing Family Violence and Family Law**

This session focused on how well police services manage family violence, focusing on some areas often neglected by police services. **Jude Irwin** from Sydney University presented a paper on lesbian domestic violence titled *Unseen, unheard and discounted*. **Zoe Rathus** of the Brisbane Women's Legal Service then presented a paper on family law and violence and the effect of cuts to legal aid. AFP member Denice Bird then presented a paper on policing (federal) family law orders in Australia. Cheryl Hastie presented her work on blending community needs, policing and welfare practices. Finally, Inspector Ashley Dickinson of the Victoria Police gave a presentation on the Family Violence Project in Victoria.

### **Creating a link in the Global Network of Women and Policing**

Chaired by Tim Prenzler, this session drew on the expertise of renowned researchers from Britain, **Professor Frances Heidensohn** and **Dr Jennifer Brown**, each taking turns to present both joint and independent work. Frances began with some historic comparisons of the development of women police networks throughout the world. Jennifer picked up on the theme of violence against women at this conference, proposing that the hostile work environment experienced by women within policing *is analagous to family situations where violence against women occurs. The ambivalence of policemen in terms of their behaviour towards police women as vicitms, is in part carried over into attitudes towards*

## ***Police Credit Union creates global link***

**The NSW Police Credit Union provided critical support for the Second Australasian Conference of Women and Policing by supporting Director of the European Network of Policewomen, Tudy Manders to attend the conference.**

Trudy, on secondment from the Netherlands Police to the European Network, contributed to several sessions at the conference, and some invaluable advice to the Australasian Council of Women and Policing in developing their networking strategies. The next ENP conference will be held in Sweden in September 2000. See the ENP's website at [www.enp.nl](http://www.enp.nl)



*The global link: (l-r) Melinda Tynan, ACWAP; Christine Nixon, ACWAP; Trudy Manders, ENP; Helen McDermott, ACWAP; Jeannine Schell, Police Credit Union; Dr Tim Prenzler, Griffith University; Prof Frances Heidensohn, Goldsmiths University (UK); Dr Jennifer Brown, University of Surrey (UK).*

women victims. Thus, in order to deal with women's victimisation, attention needs to be drawn to behaviour within the police service as well as delivery of services to the public.

**Director of the European Network of Policewomen, Trudy Manders** then provided an overview of the history and strategies of the ENP. Finally, **Helen McDermott** presented the Council's proposal for an international networking conference in Australasia in 2002. These papers will be presented in full in the next issue of *The Journal*.

### Whither The Recommendations?

Workshops at the conference developed a series of recommendations addressing the key issues at the conference: "Policing and women in the community", "Policing domestic violence and sexual assault", "Improving the position of women within policing - equity issues and best practice", and "Creating a link in the global network of women in policing".

Despite allowing twice as much time for the development of the recommendations as was allocated at the 1996 conference, the workshops still presented an extraordinarily difficult task for representatives and facilitators alike, trying to distil ideas and reach consensus. The draft recommendations were delivered to the whole conference on the final day, with a number of the commissioners present.

The recommendations made by the working groups at the conference were collected by the Council executive and are currently being developed. You can find a full set of the final recommendations included on the disk of conference papers available from the Council.

Working parties are currently being formed to address the recommendations. Anyone interested in pursuing any of the recommendations should contact the Council for further information on the working parties. The recommendations will also be used by the Council in developing its forthcoming Strategic Plan.

### The Commissioners Panel

As occurred at the first conference, the final afternoon of the conference included a panel session. Commissioners **Mick Palmer** (AFP), **Richard McCreadie** (TAS), **Peter Doone** (NZ), and **Brian Bates** (NT) attended the Commissioners Panel session, which was chaired by **Tim Rohl** of the Australian Institute of Police Management. Representatives also appeared for the Victorian, NSW, Queensland, and South Australian commissioners. Western Australia was the only jurisdiction not able to be represented on the panel, as they await the arrival of their new commissioner in the latter part of 1999. Commissioner **Jim O'Sullivan** apologised to the conference earlier in the day that he was not able to participate in the afternoon panel session as he had the

unhappy duty of attending a funeral.

The commissioners and representatives each provided a brief assessment of progress to date, with NZ Commissioner **Peter Doone** observing that he had been *impressed at the 1996 conference by the efforts of those involved in its development and the strong recommendations that had been ultimately delivered*. He endorsed the methodology employed by the conference in providing direction to the commissioners and called for another set of firm recommendations from this conference. Issues raised by the audience included the question of mobility between police services, and the need for senior managers to attend conferences such as this. Commissioner **Brian Bates** observed the position of police forces *as the instruments of government* and commended the conference on addressing the broader political climate and subsequent issues.

### Reflections

Providing reflections at the final session on the final day of the conference, **Dr Jennifer Brown**, comparing the first and second conferences made seven key points:

- The conference had moved from a fairly narrow focus on women within policing in 1996 to a broader, evidence based view;
- As a result of some of the measures put in place after the first conference, there was now an empirical basis to the claims being made at the second conference;
- There was a much stronger outward, rather than inward looking focus;
- The bulk of the work at this conference had been undertaken by the women themselves and she commended the strong and creative contributions from the women involved;
- The change in modus operandi for this conference, from being a solo effort to a collective/consultative process with new infrastructure;
- Move from volunteerism in 1996 to the development of a new professionalism, eg. *The Journal*;
- The evolution of focus from a local to a national to an international perspective.

Jennifer said she looked forward to returning to Australasia for the 2002 conference and thanked the Council for its invitation and support with funding.

**Barbara Etter**, Director of the Australasian Centre for Police Research noted the importance of the strategic view and the need to be proactive, querying the lack of union involvement in this conference and the issue of the media targeting women. She observed the continuing lack of women in decision making positions within law enforcement and the value of mentors, both male and female, for women and urged women to use the resources available to them in

their careers.

**Trudy Manders** from the European Network of Policewomen (ENP), in comparing this conference to the International Association of Women Police (USA) and ENP conferences, commented on the degree of involvement of the delegates in the process and their commitment to concrete resolutions and alternatives. She applauded the concept (as outlined by Helen McDermott) for a global 2002 conference, but also recommended ensuring that local and internal issues were not overlooked in broadening the focus.

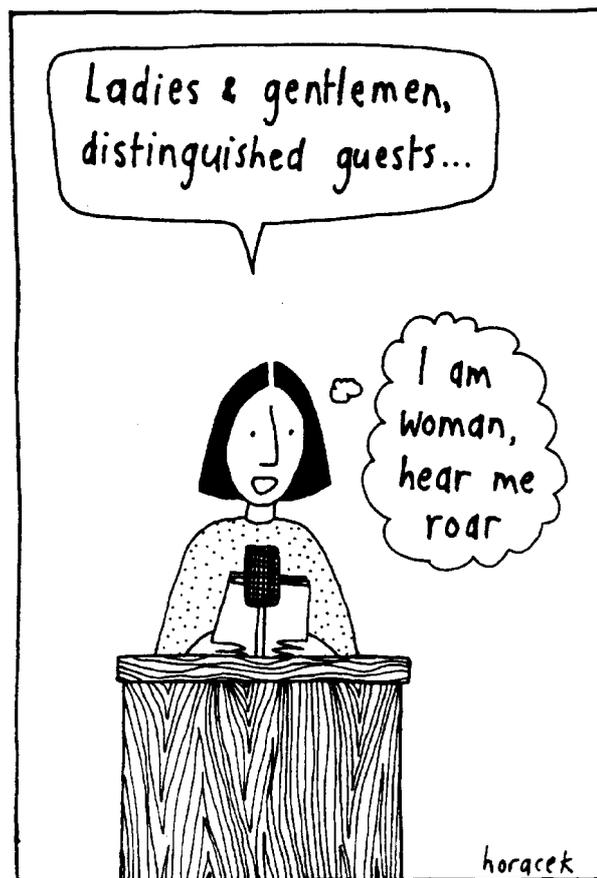
Professor **Frances Heidensohn** observed *the great progress made since the first conference*. She said *the structures established, such as the Council of Women and Policing have been very effective. It seems ironic that, as the youngest of all the global women police networks, a conference such as this could not have happened anywhere else in the world at this time. It could not have happened in the US or in the UK at this time and certainly not with the same level of debate and political awareness*. She described the work by the Council preceding and during the conference as *a streamlined process, working resolutely towards change*. She also remarked on *the impenetrability of the acronyms* in use at this conference (ACWAP, AWIPAC, WOPU, WILES) and wondered if these difficulties would ease with time.

She queried whether an “Australasian conference” should have greater participation from the Asian countries, and also questioned the need to develop targets for the recommendations arising from the conference. She concluded, *I commend you on achieving the level attained at*

*this conference and the commitment to handover of the process by the early Council members that will ensure the growth of the Council and the development of your recommendations.*

The Australian Institute of Criminology’s “rapporteur” at the first conference in 1996, **Jane Mugford**, (now an independent researcher) compared this conference to the first and found it considerably improved in a number of areas. She noted the development of *new partnerships between key groups* and observed there was a *different tempo and atmosphere at this conference. It was stronger, more political, and more confident*. Jane also observed the need to maintain the momentum on the recommendations arising from the conference.

Finally, **Christine Nixon** observed the need for closer relationships between the women’s networks, including the Council and the AWIPAC, and offered her view that *this conference has gone a long way towards ensuring the future strength of that partnership and ensuring that we can continue to work closely together in the future*. She formally closed the conference, thanking participants for their contributions, and encouraging them to return to the 2002 conference, *wherever it may be*, and providing a commitment on behalf of the Council to the reproduction of the conference proceedings.



# Council Awards Celebrate Women's Achievements

On the evening of the 7th of July 1999, the Australasian Council of Women and Policing held its first Awards dinner at the University of Queensland. Principal of the Women's College at the University of Sydney and former Sex Discrimination Commissioner, Quentin Bryce spoke of the courage required by women just to survive in male dominated professions. In a moving ceremony, nine awards were then presented by Council President (NSW Assistant Commissioner) Christine Nixon, with one award presented posthumously. The tenth award, for the Best Police Union for Women was withheld, as no nominations were received.

Winners each received a gold lapel pin of the Council icon, *Mavis*, and a framed certificate of their award.

### *And the winners are:*

**The Bravery Award** was jointly awarded to **Lisa Bailey and Rebecca Fittler** for their courage in blowing the whistle on sexual harassment within the AFP. Throughout 1994 Bailey and Fittler were subjected to systematic sexual harassment abuse and indecent behaviour by senior male colleagues in the ACT Region. When their immediate supervisor failed to act on their complaint, Rebecca and Lisa complained directly to the Commissioner. This was an act of considerable determination and courage. One of their motivating factors was to ensure that such harassment did not affect other AFP staff. The subsequent investigation ran for

over a year and resulted in 13 sergeants having their employment terminated.

Lisa left the AFP and the ACT. Rebecca went on to become the AFP's first female driving instructor. They were jointly given this award for their bravery and courage in pursuing these issues under great duress. The Commonwealth Ombudsman Ron McLeod travelled to Brisbane to personally present the awards.

**The Bev Lawson Memorial Award** was presented to **Christine Nixon** by Commissioner Jim O'Sullivan in recognition of the leadership and responsibility she has undertaken in her role with the Council and as friend and mentor to other women.

Apart from her considerable academic qualifications, Christine has a reputation for putting her beliefs into action. Christine was presented with this award for her outstanding commitment to advancing the cause of women and policing.

**The Most Outstanding Female Leader Award** was posthumously awarded to (NSW) **Deputy Commissioner Bev Lawson** in recognition of her mentoring and leadership towards other women in policing throughout Australasia. Bev died on 22 January 1998. The award will be presented to Bev's parents.

**Most Outstanding Female Investigator Award** was presented to **Detective Superintendent Anne Lewis** for her



*The Commonwealth Ombudsman Ron McLeod, presents the Bravery Award to Jennifer Bradley of the AFP, who accepted the award on behalf of Lisa Davey and Rebecca Thompson.*



*The Award for the 'Most Outstanding Female Leader' was posthumously awarded to the late (NSW) Deputy Commissioner Bev Lawson*

excellent work with the Criminal Justice Commission in Queensland. Currently the Superintendent of Operations at the CJC, she has been a senior manager and investigator with the Queensland Police since 1992. Commenting on Anne's work with the CJC, the Hon W.J. Carter Q.C. said of Anne, *Superintendent Lewis is clearly more than a competent detective and investigator. She has a breadth of vision about policing and its role in the community which one associates with a person who is destined for a leadership role in the police service.*

**The Most Outstanding Female Administrator Award** was awarded to **Ms Cathy Rossiter** of the Commonwealth Attorney-General's Department for her work in keeping women in policing and violence against women issues on the policing and law enforcement agenda. Cathy has provided vital behind the scenes progress on the issues of violence against women and has provided critical advice and support to women within policing.



*ACWAP President Christine Nixon presents the award for the Most Outstanding Female Practitioner to Senior Constable Sandra Brooks of the NSW Police.*



*ACWAP President Christine Nixon presents the award for Most Outstanding Female Administrator to Liz Atkins, who accepted the award on behalf of Cathy Rossiter of the Commonwealth Attorney-General's Department.*

**The Most Outstanding Female Practitioner Award** was awarded to **Senior Constable Sandra Brooks** for her excellent work with the Aboriginal community in the Redfern area of Sydney. Sandra has been commended for her work during the Nyngan floods. She currently works full-time with the NSW Police Service at Redfern Police and is a mother of three boys aged 6,8 and 10 years.

**The Award for the Best Police Service Employer for Women** was won by the **NSW Police Service Recruiting Branch** for their innovative work in attracting women to the NSW Police through targeted advertising to women from all walks of life, including lesbian and NESB women. The award was accepted on behalf of the NSW Police Service by Lola Scott.

**The Award for the Most Significant Achievement in Advancing the Status of Women in Law Enforcement** was presented to (QLD) **Commissioner Jim O'Sullivan** for his commitment in providing support to the hosting of the Second Conference of Women and Policing and his support to the development of the Australasian Council of Women and Policing, despite some significant opposition from some of his peers.



*ACWAP President Christine Nixon presents the award for the Best Police Service Employer for Women to Lola Scott, who accepted the award on behalf of the NSW Police Service*

*The Community Award for the Most Significant Achievement in Improving the Relationship Between Women in the Community and Law Enforcement and Policing* was awarded to **Barbara Kilpatrick**, Director of the Manly-Warringah Women's Refuge for her work with police in New South Wales. Barbara has worked with the NSW Police since the 1970's, and has also been part of the NSW State Domestic Violence Committee. She is a dedicated worker for women and children committed to

improving their treatment by their partners, the community and the State. Barbara has five children of her own and six great-grandchildren. The award was accepted on Barbara's behalf by Jill Bolen.

**Best Police Union for Women** - no nominations.

Nominations for the next awards will be called in January, so get your pencils ready!!!

## Papers from the Second Conference of Australasian Women Police

### The Conference Papers

*Second Conference of Australasian Women and Policing*

### Order form

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## Selected papers from the First Conference of Australasian Women Police

### Order form

A special edition of *The International Journal of Police Science and Management*, December 1998, with Guest Editorial by Dr Tim Prenzler.

Includes the papers presented to the 1996 Conference by Professor Frances Heidensohn, Dr Jennifer Brown, Dr Tim Prenzler, Margot Ffrench and Linda Waugh, Helen Braithwaite and Neil Brewer, Andrew Ede and Avril Alley, Melinda Tynan, Joanne Dangoume, Jennifer Bradley, Louise Corbett.

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*I wish to order a copy of the Special Edition of Selected papers from the First Conference of Australasian Women Police*

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# Welcome to Country

Ms Eunice Watson

*Good morning,*

*Distinguished guests, our visitors from other places, and my fellow Australians: I am very pleased to be here this day. Although I was born not far from the banks of the Brisbane River, I am a woman of the Munnenjarl Dreaming, and my land is to the south of this city. A privilege has been bestowed upon me, that I, as a Murri woman, have been invited to welcome you to this conference; and I wish you well in your deliberations.*

*As is customary law, so I acknowledge and pay my respects to the traditional people of this country, upon whose land we now stand.*

*The business of this conference is 'Women and Policing' and this is very important to my people and indeed, to all women. The access of women to justice has critical ramifications for every Australian family, and to families across the globe - so please remember that in the way of my people - words are important; but action is the only thing that will bring about real change.*

*So the decisions that are made here on the floor of this conference, must be translated down to street level and must deliver something real and something positive to women who are there at the coal face of life.*

*It is beyond dispute that at this time, women are the most vulnerable and most exposed sector of the community in matters of criminal violence and therefore, it is women who require the highest level of support and protection from the legal system.*

*It is ironic that while we constitute the most significant group of victims within this society, on the other side of the ledger - women are substantially under represented in the processes that shape and determine the administration of law and justice within this country. I acknowledge that things are changing and we see women now on the highest courts of the land, we see women in our parliaments, women as captains of industry and we see women Police officers on the beat. And I pay tribute to those women who are here today who have attained high office and who are doing so much to advance the cause of the sisterhood; but the pace of progress is far too slow and our survival clock as women is ticking down. Within the Australian nation, women are almost fifty percent of the population, yet there are only a small number of women in federal parliament and even smaller proportion represented in the inner cabinet. When I watch the ABC coverage of Question Time, I would like to see a lot more women on their feet as Ministers, debating and presenting positions on the great matters of the day. I have seen Minister Vanstone and Minister Newman in Federal Parliament. The equation is slightly better in the State Parliament, and we have Ministers doing the business of Government, not primarily as women, but because they are gifted and determined politicians, and they are capable and skilled Administrators.*

*So there is still a great deal to do in terms of gender equity and so much to do to make our detractors realise that they*

*have to change their ways and respect us for what we are and what we can do.*

*And we come to the matter of identity, it saddens me as a Murri woman that Aboriginal women have to totally construct a new sense of self - one that reflects our past and one that can confront the trials of today and can meet the challenges of tomorrow. In constructing that new identity, we have to reach back to our roots and draw on a culture that began with the journey of the Rainbow Serpent. The problem is that many of those same creation stories that I was taught as a child, are based on appalling stereo types that have no place in today's world. Many of our dreaming stories are centred around women who were beaten, sold and enslaved by the men of their tribes. In those stories, women had no power - no place, no independence of thought or action. Some of the stories tell of women who tried to break the cycle and rebel against those draconian regimes; but invariably, those wilful women meet with terrible ends and the status quo is maintained.*

*Well, this conference and this time is not about maintaining the status quo. We are gathering here to identify needs and to develop strategies that will advance the position of women across the global community and we shall do this because we are able to do this and we have to place our feet firmly on the destined part and walk forward into a land that is a safe and secure place for our children and our old people. At one time, we had place and we had power, let us use this forum as a signpost on that journey back to our roots.*

*Thank you.*

Footnote 8-7-99

I would like to acknowledge the Commissioner's apology to Aboriginal people, and his comment on air regarding Police/Indigenous relationships. It was a very brave and positive step in the progress towards reconciliation. I am sure it was warmly appreciated by the Indigenous community of Queensland.

Also, the Queensland Police Service should be commended in regard to the recruitment of Aboriginal and Torres Strait Island People.

It appears that the Queensland Police Service has a high proportion of Indigenous recruits.

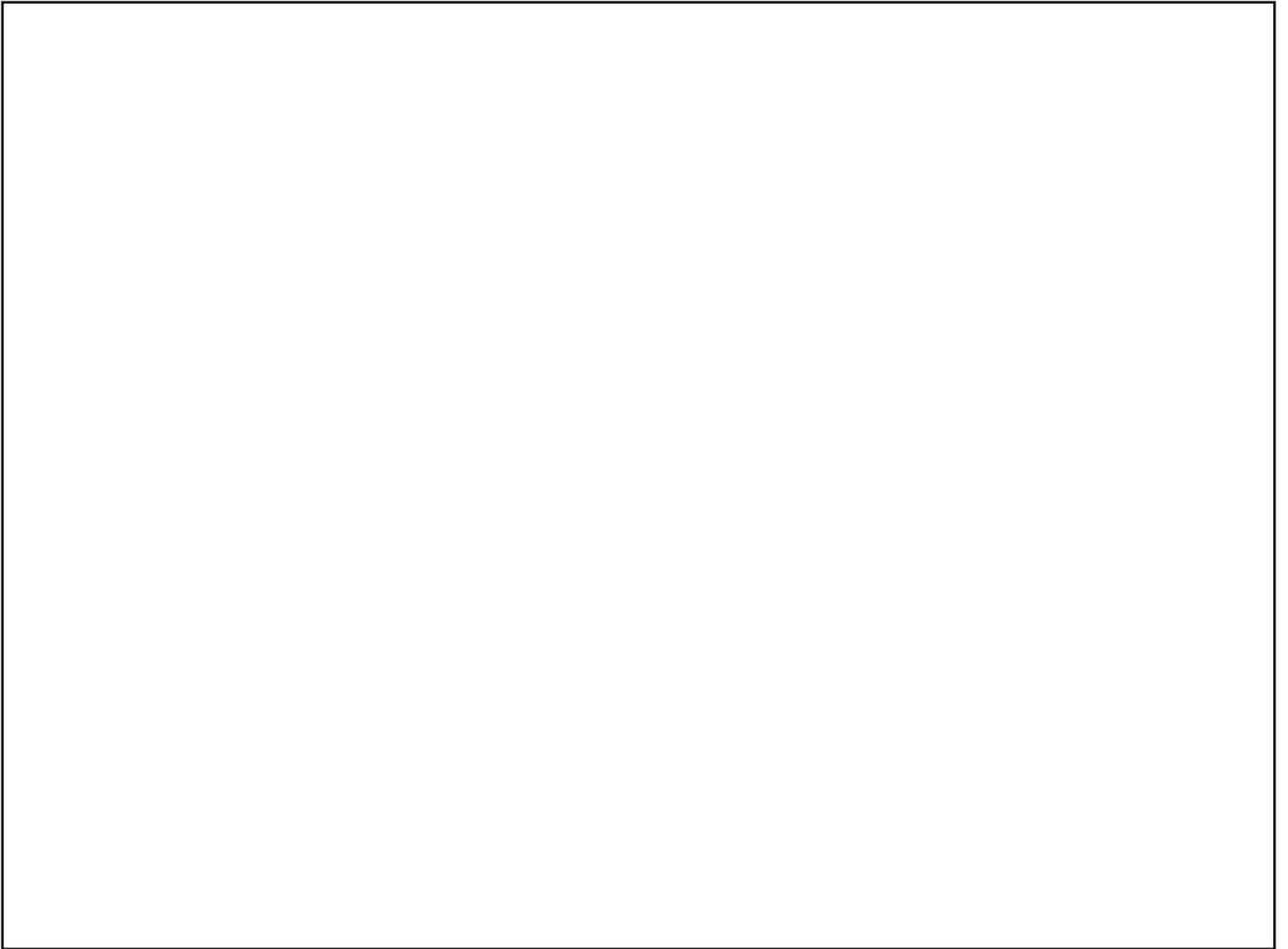
Cross-cultural training for QPS Officers, which is proving to be such a huge success, should be an ongoing process. Trainees should have, as part of their training, this component as a compulsory requisite throughout their course. Senior Officers and established Staff should be continually briefed in Indigenous matters, and the Indigenous perspective.



**It is ironic that while we constitute the most significant group of victims within this society, on the other side of the ledger - women are substantially under represented in the processes that shape and determine the administration of law and justice within this country.**

**Well, this conference and this time is not about maintaining the status quo. We are gathering here to identify needs and to develop strategies that will advance the position of women across the global community and we shall do this because we are able to do this and we have to place our feet firmly on the destined part and walk forward into a land that is a safe and secure place for our children and our old people. At one time, we had place and we had power, let us use this forum as a signpost on that journey back to our roots.**





# International Policing Obligations to Women

by Heidi Horvath, AFP

Paper presented to the Second Australasian Conference Australasian Women and Policing  
Brisbane, 7-9 July 1999

## Introduction

The alarming global dimensions of female targeted violence were not explicitly acknowledged by the international community until December 1993 when the United Nations General Assembly adopted the Declaration on the Elimination of Violence Against Women. Until this point, most Governments tended to regard violence against women as largely a private matter between individuals and not as a pervasive human rights problem requiring State intervention. Governments agreed to adopt and implement national legislation to end violence against women and to work actively to ratify all national agreements that relate to such violence. Clearly, police must play a crucial role in preventing and combating violence against women. This paper examines the role of police in relation to two issues of international concern where women are particularly vulnerable: female genital mutilation, and trafficking in women for sexual exploitation.

## International Instruments to Combat Violence Against Women

Violence against women is a manifestation of historically unequal power relations between men and women. Women are vulnerable because they have no real power, and violence reinforces the power imbalance between men and women (Charlesworth and Chinkin, 1994).

A crucial reason why legislators and law enforcement agencies have avoided the issue of violence against women is that this violence is invariably related to sex. Most of these crimes are perpetrated by men or by male dominated forces and most of the time these sex related crimes are not motivated by male sexuality but by lust of

power to dominate, or by greed and scorn (Hemeldonck, 1997).

Because of prevailing societal norms, both national and international arenas have been slow to address the issue of violence against women. In 1979 the UN adopted the Convention on the Elimination of All Forms of Discrimination Against Women (the Women's Convention). This Convention is monitored by the Committee on the Elimination of Discrimination Against Women (CEDAW). This group has been active in persuading the international legal system to analyse violence against women as a human rights issue. In 1989 CEDAW adopted a General Recommendation that requires states to include in their reporting, information on the incidence of violence against women and the measures adopted by the state to deal with it. Countries that have ratified the Convention are legally bound to it and are also committed to submit national reports, at least once every four years, on measures they have taken to comply with their treaty obligations (Charlesworth and Chinkin, 1994).

In 1992 General Recommendation 19 was adopted and stated that "states may be... responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence, and for providing compensation" (Charlesworth and Chinkin, 1994). This was an important development as there is the enduring attitude that violence against women is somehow a "private" matter and therefore out of the domain of the state (particularly policing and law enforcement).

The Declaration on the Elimination of Violence Against Women was an initiative of the Commission on the Status of Women (CSW), which was established in 1946 as the major United Nations forum for women's policy, and was adopted by the UN General Assembly in

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Violence against women is a manifestation of historically unequal power relations between men and women. Women are vulnerable because they have no real power, and violence reinforces the power imbalance between men and women (Charlesworth and Chinkin, 1994).

**This strategy does not deal effectively with the issue of how police in Australia should approach crimes against women that cross national borders, such as female genital mutilation and the trafficking of females.**

December 1993. It is the first international human rights instrument to exclusively and explicitly address the issue of violence against women.

In 1994, in response to the increasing number of cases of violence against women around the world, the United Nations Commission on Human Rights appointed a Special Rapporteur on Violence Against Women to monitor women's human rights. The Special Rapporteur has a mandate to collect and analyse comprehensive data and to recommend measures aimed at eliminating violence at the international, national and regional levels.

The Australian Government is a signatory to the UN Platform for Action on Women which was developed at the 5th World Conference for Women in Beijing in 1995, where it was restated that "violence against women is a universal problem and must be universally condemned" (United Nations, 1996). In 1999 after four years of negotiation, the CEDAW Optional Protocol has been ratified by the UN which empowers women who have had their human rights violated to take their complaints direct to the UN.

It is evident that statements of international concern about violence against women cannot eradicate those pervading societal attitudes that entrench the subordination of women. That is why both CEDAW and CSW have made a number of recommendations in relation to violence against women including legal reform, educational programmes, gender sensitive training of law enforcement judicial and other public officials, and educational and public information programmes to eliminate prejudicial attitudes and practices (Charlesworth and Chinkin, 1994).

There is clearly an obligation for all countries that are signatories to the various international conventions to act to prevent violations of women's basic human rights and to investigate and punish acts of violence. Police and law enforcement are crucial in ensuring that the aims of the international instruments do not remain "pie in the sky" but are actually put into practice to achieve the desired results.

### **National Strategies**

In 1990, the Prime Minister established a National Committee on Violence Against Women (NCVAW) with a secretariat based at the Office of the Status of Women in Canberra, to coordinate the development of policy, legislation and law enforcement at the national level as well as community education on violence against women. Recommendations made in 1993 by the NCVAW

provided the Commonwealth Government with a National Strategy on Violence Against Women. However the problem of violence against women remains widespread. This strategy does not deal effectively with the issue of how police in Australia should approach crimes against women that cross national borders, such as female genital mutilation and the trafficking of females.

### **Policing of crimes with an international focus**

#### **Female Genital Mutilation**

Females fall victim to traditional practices, deeply rooted in the tradition and culture of society, that violate their human rights. 85 to 115 million girls and women have undergone some form of female genital mutilation (FGM). Every year an estimated two million young girls, mostly from Africa and Asia, undergo this procedure (United Nations, 1996).

There is a growing consensus that the best way to eliminate these practices is through educational campaigns that emphasise their dangerous health consequences, and several Governments have been promoting such campaigns in their countries. However people that persist in the mutilation of women in the name of tradition need to be given a clear message that the practice is a crime. This is confirmed in Article 4 of the Declaration for the Elimination of Violence Against Women: "states should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination" (Declaration, 1993).

There are various responses to the problem of FGM in countries where the practice continues. In December 1997, the highest administrative court in Egypt ruled in favour of the Minister for

Health's decree to ban FGM in government hospitals and health units. However in Kenya, a motion seeking to ban FGM in Parliament was defeated by an overwhelming majority in 1995 (Awaken excerpts, 1996).

In Australia it appears that the policing response to FGM has been largely reactive. This is because the practice is foreign to this country and has only relatively recently been publicised. Nevertheless, legislation has been introduced in all States (except WA and Qld) prohibiting FGM. Commonwealth legislation (Migration Act 1958) has also been invoked in relation to refugees seeking asylum in Australia based on the threat of FGM if they return to their country of origin.

In the Australian Capital Territory a Committee has been set up to increase public awareness about FGM, and includes representatives from the police. The police also have protocols in place with local hospitals for the procedures that should be followed should any woman be admitted with signs of FGM, however there has been limited prosecution under this law (one case in the last six years).

There is no national strategic police response to this problem in Australia and this is not surprising given the lack of consistent legislation and ignorance of FGM. It is unlikely that, police have ascertained how prevalent the practice is in Australia. In countries where the practice is accepted, there is so much that needs to be done in relation to changing deeply ingrained cultural attitudes. Before police can effectively begin to enforce laws banning FGM (if indeed they are ever implemented), these cultures must regard FGM as a crime and not a tradition. Given the prevailing attitudes and the continuation of FGM in Africa and Asia, this change of attitude will take a long time - at least a generation, perhaps more.

### **Trafficking of females for sexual exploitation**

Nearly every country in the world is in some way affected by trafficking - either as a country of origin, transit or destination. The International Organisation for Migration (IOM) indicates that traffickers move as many as four million illegal migrants each year grossing an estimated \$5-7 billion per year. Many of the victims end up in slavery-like conditions, stripped of their basic human rights and treated as property. According to the United Nations, one of the fastest growing people trafficking businesses is the sex trade. Many women, lured by the promise of well paid jobs abroad, accept the services offered by traffickers. Once they are trapped within the illegal immigrant environment, these women are vulnerable to abuses such as bonded labour, forced prostitution, sexual violence, or even sold as mail order brides (Gramegna, 1 997).

Trafficking in women is increasing because of the high profits, the slowness of tracing it and the low risk of prosecution and low penalties. It is a structural problem linked to poverty and the lack of jobs in developing countries and in central and eastern European countries combined with the subordination of women almost all over the world (Graycar, Cook and Nelson, 1999).

In international law there is a convention that deals with trafficking in women and prostitution, the *1949 Convention for the Suppression of the*

*Traffic in Persons and of the Exploitation of the Prostitution of Others*, however it was ratified by only a small number of countries (Australia did not ratify). Various pro and anti-prostitution organisations would like to replace the convention. In particular, the Coalition Against Trafficking in Women seeks a convention that penalises all those who profit from or use women in prostitution whilst decriminalising the activities of prostituted women. The Global Alliance Against Trafficking in Women seeks a convention which will outlaw trafficking of anyone for any purpose (Jeffreys, 1997).

### **Trafficking and the police response in Australia**

Indications are that Australia is becoming an important destination for victims of trafficking, and intelligence from Australian and overseas sources confirms that the problem is a significant one for Australia. Hundreds of women, mainly from South-East Asia are kept in brothels as sex slaves. Once in Australia, they are put under heavy security and their movements strictly controlled. If they do not live in the brothel they are driven to and from the brothel and are not free to go anywhere else. They are not free to reject a client or to choose the sexual practice, and are required to practice unsafe sex. Their passports are usually taken away from them and the money they make is paid to the sponsors to pay off airfares, false documents etc. These debts can range from \$30,000 to \$50,000 (Greygar, Cook and Nelson 1999).

In August 1998 the AFP reported that there were numerous syndicates and individuals suspected of engaging in sex trafficking into Australia, and that many had been operating for a number of years. They allegedly use sophisticated methods and appear to be linked to organised crime. Large untaxed profits are made and investigations show that the gross cash flow to organisers could be in the region of \$1,000,000 per week, much of which is transferred overseas. In August 1997 the AFP reported that in the previous 18 months it had received information of 14 possible cases. The NCA also reported that it was aware of eight possible cases over the period from December 1992 to November 1996 (Williams, 1998).

Given the estimates of the number of women employed as sex slaves in the country and the number that have come to police attention, it appears that the police response has been purely reactive. The AFP has acknowledged that apprehension and voluntary departure of Asian prostitutes working in Australia has proven

**There is no national strategic police response to this problem in Australia and this is not surprising given the lack of consistent legislation and ignorance of FGM. It is unlikely that, police have ascertained how prevalent the practice is in Australia.**

**Given the estimates of the number of women employed as sex slaves in the country and the number that have come to police attention, it appears that the police response has been purely reactive.**

**As with any other illegal activity with such significant social impact, the issue of demand must also be addressed, and the men who keep this industry viable must also be held responsible for their actions.**

**Police and law enforcement in Australia clearly need to develop a national approach to the problem of trafficking, which would include the coordination of national law enforcement, agencies and other relevant institutions.**

**The conference recommended that every country should have one law enforcement information and contact point where questions relating to trafficking in women for the purpose of sexual exploitation (national as well as international) could be coordinated.**

relatively ineffective and that conventional law enforcement strategies will not curtail this type of criminal operation. In response the AFP has initiated liaisons and joint investigations with other relevant agencies to enable a multifaceted approach in Australia and overseas to be taken against offenders (Pacor, 1994).

The Australian Institute of Criminology confirms that “national policies do not provide effective tools to dismantle organised crime structures, including their transnational alliances, to cut their profit margins and to counteract attempts to diversify supply. Legal provision, including procedural penal codes and regulations for police vary greatly among jurisdictions thus resulting in safe havens for traffickers” (Greycar, Cook and Nelson 1999). A consistent national approach to the problem is required in order to have any sort of impact on this type of crime in Australia.

Current Commonwealth, State and Territory laws have not effectively discouraged the growth of this activity in Australia, as trafficking in women for sexual exploitation is in many States not sufficiently well defined, if at all, in the criminal code. The Standing Committee of Attorneys General referred the issue to the Model Criminal Code Officers Committee for examination and report. A discussion paper was issued in April 1998 and the Commonwealth Government introduced the Criminal Code Amendment (Slavery and Sexual Servitude) Bill 1998 into the House of Representatives, based on the draft bill in the discussion paper. However the bill lapsed when the election was called. A final report was released in November 1998 which examined the Commonwealth proposal to enact laws dealing with ‘sex slavery’ with interlocking and complementary State, Territory and Commonwealth laws. The objective is to target those who organise and/or facilitate the trade rather than those who are objects of it (Model Criminal Code, 1998).

There must also be severe penalties for the principals and the organisers of the brothels. One also wonders about the men who use these brothels and why they do not question the condition of the prostitutes but rather take advantage of the women’s powerlessness. This abhorrent behaviour is reflected in the risk to which they put their wives, girlfriends and partners by having high-risk, unsafe sex. As with any other illegal activity with such significant social impact, the issue of demand must also be addressed, and the men who keep this industry viable must also be held responsible for their actions.

Police and law enforcement in Australia clearly need to develop a national approach to the problem of trafficking, which would include the coordination of national law enforcement, agencies and other relevant institutions. The fact that it is difficult to obtain a conviction against those who traffic may mean that law enforcement agencies give less priority to combating this crime. Hopefully this will change with the introduction of consistent national legislation.

### **Police response overseas**

A large number of countries do not have the capacity to respond to the crime of trafficking due to limited law enforcement capacities; lack of protection and assistance for victims and witnesses; the absence of prevention strategies and deficiencies in international cooperation and internationally agreed strategies of prevention and control (Graycar, Cook and Nelson, 1999).

Particular problems arise in countries such as Thailand and India, where trafficking and prostitution receive the support of the state through the complicity of government officials, including police. The policemen who use the illegal brothels and receive bribes from the owners are generally the same ones who raid the brothels for trafficked women. Often policemen are the pimps who traffic women across the borders (Jeffreys, 1997). When all countries concerned do not have similar or compatible legal systems, when the criminal activity is not treated with the same severity, and when the police do not cooperate across borders, eradication of these crimes becomes extremely difficult.

In response to the 1995 Women’s Conference in Beijing, the European Network of Policewomen organised a conference to focus on the role and responsibility of police in the prevention and combating of violence against women. The conference was held in the Netherlands in June 1997, with more than 200 police officers from 32 countries attending to discuss combating violence against women.

The conference recommended that every country should have one law enforcement information and contact point where questions relating to trafficking in women for the purpose of sexual exploitation (national as well as international) could be coordinated. Governments were called upon to fully cooperate with Europol and Interpol. Interpol has recently been focusing on the issue of trafficking in women and held a conference in Vienna in October 1998 to discuss police techniques, procedures, policies, etc, used to combat trafficking.

It was also recommended that every police service in each country should have at least one specialist department where crimes against women could be reported and investigated by specialist and trained police. Training was considered crucial, and it was recommended that in all basic, in-service and management training within the police, attention should be paid to developing skills and knowledge of violence against women and that this should be mentioned explicitly in the action plans of police training institutes.

For police and law enforcement to have any effect on international crimes against women, an international response is required. Collaborative relationships must be formed between the sending countries of Asia, Africa, Latin America and receiving countries such as Australia. The United Nations is now setting up a global program against trafficking in human beings. The goal is to develop models of intervention to be adopted by governments, decision makers, the media and non-governmental organisations in order to reduce the presence of transnational organised crime (Graycar, Cook and Nelson, 1999).

## Recommendations

Police services around the world have attempted with varying degrees of success to deal with the problem of violence against women. However it is clear that where there are crimes that are entrenched in the criminal world internationally, the police response has been ineffective. This is because there has been no unified, concerted effort by police services nationally and internationally to combat widespread crimes such as FGM and trafficking.

Police and law enforcement priorities around the world need to change so that violence against women is regarded as a high priority.

Police and law enforcement also need to fully cooperate with non-governmental organisations if they are serious about combating violence against women. It is important that there are

networks between various institutions so they can learn from each other and view the problem from different perspectives to develop a cohesive approach.

Many of the recommendations in Melinda Tynan's paper for this conference entitled "Policing Violence Against Women Nationally", would facilitate the policing in Australia of international crimes against women. One of the recommendations is for the development of a national police Violence Against Women Unit. Such a Unit would be in a position to monitor the effectiveness of the various police responses to violence against women, and to collect and collate

information on violence against women as identified and managed by police nationally, thus fulfilling the police responsibility to at least some of the requirements of the United Nations Convention on all forms of Discrimination Against Women.

## Conclusion

Combating violence against women not only requires changing the way police perform their roles, but also challenging the way that gender roles and power relations are articulated in society. Fundamentally, it is societal attitudes that need to change so that violence against women is regarded as a problem for society as a whole. Society at large, including judges and police officers, must be educated to change the attitudes and beliefs that encourage and tolerate male violence. Violence against women should not be marginalised on the law enforcement and policing agenda but rather regarded as part of the mainstream law enforcement effort. Changing attitudes will take at least a generation and perhaps longer, but once this is achieved, less women will suffer violence simply because they are women, and society as a whole will benefit.

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**Police and law enforcement priorities around the world need to change so that violence against women is regarded as a high priority.**

**Violence against women should not be marginalised on the law enforcement and policing agenda but rather regarded as part of the mainstream law enforcement effort.**



# Policing Violence Against Women Nationally - Developing national structures, achieving national coordination

by Melinda Tynan, ACT Attorney-General's Department

Paper presented to the Second Australasian Conference Women and Policing,  
Brisbane 7-9 July 1999



*Violence against women is perhaps the most shameful human rights violation. As long as it continues, we cannot claim to be making real progress towards equality, development and peace. Each of us must accept responsibility for stamping out gender-based violence. We must ensure that there are legal frameworks and institutions capable of dealing with it. We must ensure that violence is recognised and condemned, and that those who perpetrate it do not go unpunished.*

Secretary-General to the United Nations, Kofi Annan, 1999<sup>1</sup>

### Introduction<sup>2</sup>

**Violence against women in Australia is poorly managed by police at the national level compared to other types of crime and, traditionally, with less enthusiasm and more caution. Domestic violence is consistently rated the “worst” police duty by police officers<sup>3</sup> and the day-to-day police management (victim support and liaison, investigation and subsequent action) of violence against women is still regarded within Australian policing as a “lesser duty”, with fewer resources and less time allocated (with the notable exception of homicide investigations). In most jurisdictions this attitude is reinforced by police career paths and structures that fail to either recognise or legitimise work on violence against women and fail to provide recognition or career advancement to police on the basis of such experience.**

Over the past twenty years a considerable body of research has identified the failures of policing to adequately address violence against women<sup>4</sup>, yet the overall policing response to violence against women has not altered markedly. I argue that this is, in part, a reflection of the lack of national structures and mechanisms to address the issues, and a result of the small numbers of women at senior levels of police management. And all too often, women have been socialised to ‘make do’ with what is leftover, always taking the ‘burnt chop’.

The dimensions of the crime of violence against women in Australia should have attracted far greater police resources and attention than it has over the past two decades. Although estimates vary and statistics stubbornly refuse national attempts at collection, there is general consensus amongst Australian police that violence against women, primarily sexual assault and domestic violence, occupies a considerable proportion of police time. Avery estimated that 85% of all police work consisted of community “help-seeking” and calls for assistance<sup>5</sup>. The Australian Bureau of Statistics Women’s Safety Survey<sup>6</sup> (1996) found that 23% (nearly a quarter) of all women who had ever been married or in a de facto relationship had experienced violence from their partner at some time during the relationship. Anecdotally, one senior officer in Western Australia estimates that in some remote Aboriginal communities, between 80-90% of all police work is domestic violence related<sup>7</sup>. Additionally, recent evidence suggests that police are subsequently required to re-attend approximately 90% of all domestic violence incidents that they do attend<sup>8</sup>. Recent research however, reveals that up to 80% of Australian women who experienced domestic or personal violence **did not** contact police services for assistance<sup>9</sup>. The Commonwealth Office of the Status of Women attribute the failure of women to seek protection from violence to, amongst other things, fear that

*contacting police might make things worse (especially for) indigenous women and some immigrant women, and, a lack of faith in the police response.*<sup>10</sup>

It appears that, whilst police concede that a large proportion of police work is domestic violence, they are, in fact dealing with only a very small proportion of the actual violence experienced by women in the community.

It is estimated that Australian governments spend over \$200 million each year directly countering domestic violence<sup>11</sup>. The New South Wales report *Costs of Domestic Violence*<sup>12</sup> estimated the annual cost of domestic violence in New South Wales alone to be in excess of \$1.5 billion. This included direct and indirect costs such as medical, accommodation, legal services, income support, court and corrective services, forgone income and lost productivity. Yet surprisingly few police resources are dedicated to addressing the issue. New South Wales is the only state with dedicated regional police Domestic Violence Liaison Officers (DVLOs) throughout. Other states have trialed alternate models of managing violence against women, such as the centralised Domestic Violence Unit of the South Australia Police and the Community Policing model in Victoria. However, there has been no national comparison of such models to determine their effectiveness, or to measure the client satisfaction with such services. My argument is that violence against women constitutes a significant threat to the safety of the community as a whole and is a significantly larger problem than police agencies currently manage, with most abused women managing the violence directed at them, as far as possible, entirely by themselves.

This paper examines the police view of violence against women from the international, national and jurisdictional positions to try to discover where the gaps in policing services and coordination lie. Internationally, there are obligations in the form of international law and United Nations protocols that police must meet in addressing violence against women. Within Australia, at the state and territory levels, each police service has developed its own jurisdictional response to violence against women. At the national level however, although domestic violence is a regular item on the Australian Police Minister's Council (APMC) agendas, there is no coordination of police services or direction, no national police strategy on violence against women. There are examples in other countries of national coordination of law enforcement efforts to address violence against women, such as the

Violence Against Women Office (VAWO) within the U.S. Department of Justice, which coordinates programs encouraging jurisdictional responses, arrest policies and the strengthening of law enforcement responses to violence against rural and indigenous women.<sup>13</sup>

I compare the Australian police services response to violence against women with police responses to other categories of crime, such as motor vehicle theft, and propose that a national police strategy on violence against women would provide desperately needed direction, coordination and impetus for all Australian police services.

### **Violence against women - international obligations and imperatives**

Policing has often tended to address violence against women as though it is an 'optional extra', something we would do better and more thoroughly if only there were more time, more money, and more resources. Additionally, in most jurisdictions, many police policies and practices addressing violence against women allow a considerable amount of individual discretion on the part of the constable. The Australian Government is a signatory to the United Nations' Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (1985), the UN's Platform for Action on Women that was developed at the 5th World Conference for Women in Beijing in 1995 and, more recently, to a new Optional Protocol that empowers women to take their complaints of human rights abuses, including lack of satisfactory police investigation or assistance, direct to the United Nations (1999).

The United Nations has had violence against women firmly on its agenda since the Decade for Women (1975-85), with the closing conference in Nairobi in 1985 putting the issues of abused women, gender specific violence and the need to intensify efforts to introduce national legislation included in the conference report. Titled *Forward Looking Strategies for the Advancement of Women* the report was adopted by the conference, calling for the creation of policies for the prevention of violence against women and institutionalised responses. The review and appraisal of the Forward Looking Strategies by the UN Secretary-General in 1990 found that *violence against women in the family and in society remains a serious problem everywhere in the world* and called on governments to take urgent and effective steps to eliminate it.<sup>14</sup> In 1985 the UN conference in Milan defined what a "victim of crime" was in the Declaration of Basic Principles of Justice for

**It appears that, whilst police concede that a large proportion of police work is domestic violence, they are, in fact dealing with only a very small proportion of the actual violence experienced by women in the community.**

**A national police strategy on violence against women would provide desperately needed direction, coordination and impetus for all Australian police services.**

Victims of Crime and Abuse of Power and, more importantly, inserted a clause observing

*Police, justice, health, social service and other personnel concerned should receive training to sensitise them to the needs of victims and guidelines to ensure proper and prompt aid.<sup>15</sup>*

The clause has massive implications for police in their management of victims of both sexual assault and domestic violence.

The UN General Assembly also adopted a resolution on domestic violence calling for, among other things, members of the UN to make their legal systems more sensitive in responding to domestic violence. Women's human rights abuses were again highlighted in the Platform for Action which arose out of the 1995 United Nations World Conference for Women held in Beijing. Australia was a signatory to this Platform for Action, which identified critical areas of concern for women's human rights which governments needed to prioritise.

Adopted by the United Nations in 1979, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) is one of six UN human rights treaty monitoring committees, and has been instrumental in persuading the international legal system to consider violence against women as a human rights issue. In 1989, CEDAW adopted a general recommendation that states include in their initial and periodic reports information about the incidence of violence against women and the measures adopted by the state to deal with it. General recommendation 19 reflects the development of the international law regarding the responsibility of the state, observing

*states may be ... responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence...<sup>16</sup>*

Thus there is an onus on signatory governments like Australia, to act to prevent the violation of women's human rights and to investigate private acts of violence. In many instances this duty falls to police. Until 1999, the CEDAW was regarded by many as something of a "toothless tiger". The introduction of the new "Optional Protocol" in 1999 suggests that may be about to change.

### **CEDAW's new watchdog - the Optional Protocol**

In 1999, after four years of negotiation, the CEDAW Optional Protocol has been ratified by the United Nations, providing a new mechanism

for individual women whose human rights have been violated, either individually or collectively, to take their complaint to the United Nations and have their complaint heard by an international committee. It is anticipated that the new Optional Protocol will provide extra 'teeth' for the CEDAW, at the same time providing a new international watchdog on police services throughout the world.

### **The national coordination role of police in the prevention of violence against women**

Under the terms of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the (Federal) Office of the Status of Women must provide a regular report to the United Nations on the status of women in Australia, including the steps taken by government to address the forms of discrimination, including violence suffered by Australian women nationally. It is clear however that Australian police are not well placed to be able to provide information to governments or international forums on the extent of violence against women nationally.

An overall lack of expert police knowledge and resources to address violence against women is apparent at the national level. Although theoretically the Australian Federal Police (AFP) should have a role in the detection and investigation of trafficking in women in Australia, it appears that there is little expertise or intelligence in the field and few police resources in the field. Recent research by the Australian Institute of Criminology (AIC) at the national level identified the lack of official recognition of the problem, reflected in a lack of specific legislation and familiarity with the issue, as well as a lack of coordination in the area of investigation into trafficking in humanity in Australia.<sup>17</sup> In the field, the AIC observed

*inadequate investigation capacity and the inability to produce evidence are often caused by institutional shortcomings such as organisational deficiencies, a lack of specialised manpower and lack of coordination among law enforcement and criminal justice institutions... As a result there is no efficient response to the activities of organised criminal groups.<sup>18</sup>*

Incompatibility between the various jurisdictional police practices and statistical collection between jurisdictions means that we are still unable to obtain accurate information on violence against women and the outcomes of police interventions

on a national scale. Even the definition of “domestic violence” varies significantly from jurisdiction to jurisdiction. In some jurisdictions it is still not possible to determine, other than by manual collation, exactly how many domestic violence incidents police attend in any given period. Thus it is almost impossible to estimate what percentage of police work nationally relates to violence against women. It may be that this is a case of hiding the size of the problem by hiding the resources that might properly address it and, in doing so, reveal it for what it truly is - not a soft ‘optional extra’ for police services, but the critical day-to-day work of protecting women and children and creating safer communities.

## Information management and sharing

At the end of the 20th century, Australian police services remain unable to provide accurate statistics on how many domestic violence incidents they attend nationally each year, or on any given day. The ABS Crime and Safety Surveys (1975, 1983, 1993 and 1998), the Women’s Safety Survey (1996), and Crime Victimization Surveys all help us to understand the size of the problem in the wider community, but this fails to indicate what proportion of violence police are called to deal with, let alone how they actually respond when they attend. The National Crime Statistics are developed from police data, but as Putt and Higgins observe

*a major problem has been the gathering of information on domestic violence from police data. Domestic violence is not listed in the ABS Australian National Classification of Offences, which is used in some police statistics and is not recorded as a distinct category of crime in routine police statistics...<sup>19</sup>*

Again, (the high profile) homicides are the one exception to this general information collection failure, with the Australian Institute of Criminology collecting data on homicides across all eight jurisdictions. Putt and Higgins conclude

*at this stage it is not possible to calculate reliable national figures on the proportion of “domestic” assaults, homicides or sexual assaults because, first, there was no New South Wales data on the relationship of the offender to the victim, and, second, there was a very high number of unknowns for this variable in every jurisdiction except South Australia.<sup>20</sup>*

The problems of coding and recording of police information have not eased over the past several

years since the Australian Institute of Criminology examined the problem. In fact the situation has worsened; in some jurisdictions less is collected than previously, centralised collection points that existed three years ago have since been ‘devolved’, and in other jurisdictions new databases have proved even less effective in recording information than the old systems they were designed to replace, despite all the promises to the contrary.

Statistically, most jurisdictions are still unable to separate incidents of domestic violence attended by police from other incidents of “assault” or “disturbance”. As Putt and Higgins observe

*Except for South Australia, jurisdictions do not have a special category of (recording) domestic assault. As a result, domestic violence will only be indicated when there is reliable and consistent information on the relationship between the offender and the victim for offences against the person. At present, criminal justice data on domestic violence, in most instances, are confined to data on breaches of protection orders...*

This is a phenomenon repeated in the UK and other countries, where a review by the Home Office found that

*forces lacked a systematic approach to the management of information relating to domestic violence incidents, leading to under-counting of them.<sup>21</sup>*

## CrimTrac : A future weapon for violence against women?

*In order to create a national perspective on violence against women, there remains the urgent need to coordinate existing data and to analyse the data for national profiles of offenders and victims, on national trends in responses from the criminal justice system, and for a national perspective on access to justice issues.<sup>22</sup>*

In November 1998, the Federal Minister for Justice Amanda Vanstone announced the Commonwealth’s intention to provide \$50 million funding for the development of a national crime investigation tool that would incorporate the national DNA database, a national child sex offenders database, replace the National Fingerprint Index, as well as to provide “real-time” access to police service databases across jurisdictions, including information on modus operandi which might be critical in proving repeat offending such as stalking across jurisdictions. Additionally, it is also anticipated that CrimTrac

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**Statistically, most jurisdictions are still unable to separate incidents of domestic violence attended by police from other incidents of “assault” or “disturbance”.**

To date there has been no research determining the most effective policing structures to support women escaping violence.

There has been no research into the comparative effect of implementing specialist units or squads to address violence against women issues, a task the National Police Research Unit (NPRU) would surely be able to undertake.

Police intelligence into violence against women is virtually non-existent, existing only occasionally at patrol levels and not at all at higher levels. Internationally, police intelligence monitors violence against women from a number of sources.

will also have the capacity to flag information on domestic violence protection or restraining orders and firearms registrations. There is no intention at this time for CrimTrac to provide statistical information, intelligence collection or analysis.

It is critical that violence against women becomes and remains one of the core strands of CrimTrac, supporting what we now know to be the true nature of police work. New tools, no matter how wonderful they are, will only ever be as good as their users. If violence against women is not a police priority now, no new tool is going to change its status overnight and there should be sustained effort to ensure that the new technology enabling CrimTrac does not become simply more “electronic toys for the crime boys”. It is critical that addressing the service delivery gaps to women in the community shape the future direction and capacity of CrimTrac in Australia.

### **National police standards in the management of violence against women?**

In 1993 the National Committee on Violence Against Women recommended the development of compulsory modules for training of police on violence against women issues. No progress was made on the recommendation until recently. In 1997, the National Police Competency Standards Council was tasked with setting competencies in all facets of police work, including the management of domestic violence and sexual assault. Thus minimum standards will soon be developed for the police management of violence against women. How these standards are to be implemented and monitored remains an issue of concern. External to policing, Kangan-Batman TAFE (Victoria) were tasked in 1998 by the Commonwealth Partnerships Against Domestic Violence (PADV) to develop competencies for jurisdictional practitioners working in the field of domestic violence, including police. It is possible therefore there will be two separate, and perhaps significantly different standards police will be measured by in their management of violence against women.

More urgent than the development of minimum standards however may be the issue of police deployment to specialist violence against women duties. To date there has been no research determining the most effective policing structures to support women escaping violence. Variations in structure within police services themselves means that some police services (SA, NSW) have various specialist police units or officers to address the

issue of violence against women whilst others do not. In some jurisdictions, generic police ‘victim services’ attend to all victims of crime and in others no specialist services exist. Women fleeing violence might well feel confused in the face of such a mishmash. Despite recommendations by the Australian Institute of Criminology in 1997,<sup>23</sup> there has been no research into the comparative effect of implementing specialist units or squads to address violence against women issues, a task the National Police Research Unit (NPRU) would surely be able to undertake. As Putt and Higgins point out

*Most police services now have specialist units and / or personnel in sexual assault and to a lesser extent domestic violence units, and despite the 1993 Report of the National Committee on Violence Against Women, there has been no large scale research on the impact of the units or of police training.<sup>24</sup>*

In Britain, the Home Office identified the need for the development of best practice models both for specialist domestic violence officers and for generalist police officers.<sup>25</sup>

Other strands of police practice also need to address the area of violence against women and these are unlikely to be adequately addressed by the development of ‘competency standards’. For example, police intelligence into violence against women is virtually non-existent, existing only occasionally at patrol levels and not at all at higher levels. Internationally, police intelligence monitors violence against women from a number of sources. In the USA, the National Centre for Women and Policing (NCWP) has been conducting “Abortion Watch”, monitoring attacks by right to life groups and others on abortion clinics and their staff and clients for the past six years.

In Australia over the past two decades, father’s rights groups such as the DADS (Dads Against Discrimination), LFAA (Lone Fathers Association Australia) and FLAG (Family Law Action Group), have proliferated in all states and territories, receiving much media attention. The campaigns of terrorism and bombings of the Family Court in the 1980s were found to be the work of disgruntled father’s rights activists, however in the 1990’s father’s rights groups have achieved a degree of credibility, lobbying Attorney-Generals in each state and territory in their campaign to legitimise themselves and ‘delegitimise’ their target, the Family Court.<sup>26</sup> This strategy has apparently met with some considerable success, resulting in the development

and establishment of the “Abolish the Family Court Party” in 1998<sup>27</sup> and some remarkable achievements in attracting otherwise unavailable government funding.<sup>28</sup> Such success suggests that there are particularly powerful right-wing father’s rights activists at work that have not yet reached their zenith in Australia.<sup>29</sup>

Despite the parallel political and social forces operating in the USA and Australia, Australian police and intelligence services have not identified the links between such groups and the potential for violence against women in Australia. Violence against women is still not regarded as a matter for organised crime units (until it becomes violence against judges and the court). There are no national violence against women intelligence holdings or projects occurring on behalf of police services in Australia.

### **The impact of incompatible police practices on women - the jurisdictional level**

It is a reality that women are in most danger of violence from their partner or ex-partner when they attempt to leave the relationship<sup>30</sup>. Women attempting to escape violent men are frequently advised by workers, including police, to move interstate for their own protection, advice they often take, understanding full well the danger they are in. In doing so however, they are often placed at further risk by inadequate police coordination and resources. As a police domestic violence officer in New South Wales, I frequently had to (reluctantly) agree with refuge workers when they advised women trying to escape violent men that police would not be able to protect them and that moving interstate was often the best means to ensure their safety<sup>31</sup>. I also had frequent interactions with women from other jurisdictions who had ‘landed’ in my local area and were experiencing new sorts of problems. Most often they feared they were being, or were about to be followed and stalked by their former partner - not an uncommon occurrence - and they often sought police assistance to enforce protection orders they had brought with them from interstate, and to protect them from the anticipated stalker; fears that often proved well founded.

The reality is however that, unless the woman had lodged an original (not photocopied or faxed) copy of her protection order (stamped by the court of origin) with a court in the new jurisdiction, the order would not be enforceable in the eyes of the police or the court in the new jurisdiction. The (national) Model Domestic Violence Laws report

released in April this year made recommendations for the automatic recognition of an order lodged in any other jurisdiction<sup>32</sup>. Those recommendations should be supported by this conference. Similarly, any police records held by police in the victim’s former state of prior incidents involving her stalker that did not result in charges being laid, such as harassment, threats or intimidation, would also not be able to be accessed by police in the new jurisdiction. Despite the fact that such records might prove a pattern of behaviour that might amount to the offence of stalking, they would not generally be available.

It is also possible that despite national police intelligence systems such as those administered by the National Exchange of Police Information (NEPI), some violent offenders may not be entered into the national intelligence system (a not infrequent occurrence). Thus it is possible that police in the woman’s new jurisdiction would have no knowledge whatsoever (other than her word) of the offender’s criminal history.

Currently, jurisdictional inequities between police service standards means that victims of crime are treated quite differently from one state to another. Different police services have different standards of proof for what constitutes an assault, creating significant confusion for victims of violence moving between jurisdictions. **The critical point here is that these are not reflections of variations in the criminal code between the jurisdictions, rather they are reflections of variations between police practices that demand a certain standard of ‘proof’. In one jurisdiction, a woman’s statement of complaint of assault to the police will be sufficient ‘proof’ for the police to investigate and pursue the complaint, in another it will not.** In effect, police demand that every woman fleeing a violent partner must start over in her new jurisdiction with fresh records and fresh applications to the court. No wonder women trying to escape violence become so exhausted and defeated when they have to battle a system that may well appear to them to have been deliberately structured to disempower them.

Additionally in recent times, a number of jurisdictions, (most noticeably in New South Wales in the wake of the Wood Royal Commission), have completely overhauled the police practices and procedures for the management and investigation of child abuse. In NSW such cases are now conducted as joint investigations by Joint Investigation Teams (JITS), with officers from Family and Community Services and other relevant bodies involved providing significantly improved services to

**In one jurisdiction, a woman’s statement of complaint of assault to the police will be sufficient ‘proof’ for the police to investigate and pursue the complaint, in another it will not.**

**In considering a national police response to the problem, it is useful to compare national strategies to address other types of crime that have been problematic for police. I have used the example of the National Strategy on Motor Vehicle Theft, not to equate the two problems of violence against women and motor vehicle theft, but to equate some of the solutions.**

abused children. This is as it should be, however, there is now a large gap in the quality of the services provided to female victims of abuse under a certain age compared with the services provided to abused females only a few years older. In most jurisdictions, “domestic” assaults against adult women will be delegated to general duties police with no specialist training or experience in the management of violence against women.

Other jurisdictions have developed specialist sexual assault and child abuse teams, yet continue to manage the “non-sexual” assault of women, “domestic violence”, as any other type of crime, by general duties police. Little thought has been given by policing services to the very large proportion of domestic violence that includes the sexual abuse of women.

### **National strategies on violence against women: what has already been done?**

In 1990, the National Committee on Violence Against Women provided a national strategy to address violence against women, including seven recommendations on the national police management of violence against women. In 1996, Prime Minister John Howard held a National Domestic Violence Summit which led ultimately to the development of the joint state and commonwealth campaign on domestic violence, known as Partnerships Against Domestic Violence (PADV), which is serviced by the Office of the Status of Women. The Commonwealth Government also established the National Campaign Against Violence and Crime (NCAVAC), now known as National Crime Prevention, (NCP), and although domestic violence is one of a number of priority issues being addressed by NCP, neither NCP nor the PADV has a particular focus on the police management of violence against women. Again, none of the strategies imposed at the national level provide or attempt to provide policing strategies, however they do provide some guidance.

In considering a national police response to the problem, it is useful to compare national strategies to address other types of crime that have been problematic for police. I have used the example of the National Strategy on Motor Vehicle Theft, not to equate the two problems of violence against women and motor vehicle theft, but to equate some of the solutions. It is also worth questioning the motivation behind police responses to crimes such as motor vehicle theft and examining what it

is that has made police respond more readily and cooperatively to a crime against property, motor vehicles, than one against humanity.

### **Motor vehicle theft - a case study of one coordinated national police response**

By way of contrast to violence against women, motor vehicle theft must be one of the most over-reported of all crimes (when one also takes into account fraudulent reports made for insurance purposes) and insurance companies have been key partners in the development of the numerous national strategies. National initiatives to prevent motor vehicle theft began in 1987, and have been revised and updated almost every second year since. Most recently, the National Motor Vehicle Theft Task Force, established by the Premiers and Chief Ministers and comprised of *senior representatives drawn from the motor vehicle and insurance industries, the police and registration and other government authorities*, devised (another) comprehensive national strategy to reduce and prevent car theft incorporating vehicle component identification and tracking mechanisms, consistent national protocols and standards in vehicle registration procedures, and security improvements to new vehicles.<sup>33</sup> Note that whilst the Taskforce is comprised of both police and industry, police have clearly played a key role in the development of the strategy, to the point that operational (Victoria) police were seconded to the Department of Justice in order to prepare the final report.

The Task Force estimated that approximately 80% of stolen motor vehicles are recovered. (I would add that they are generally recovered without police assistance and most often within 72 hours of being stolen.) It is well recognised that, in the vast majority of cases, it was design faults in the vehicles which permitted the theft to occur; the door locks were easily removed or manipulated, the steering column was easily broken, the car started when the ignition wires touched so you didn't need a key. Despite this acknowledgment of human fallibility and design error, police have always regarded the theft of motor vehicles as legitimate police business. A crime had been committed, property had been stolen and police would respond, every time, sympathetically recording the necessary information, and providing helpful advice where possible. Over time, as the design faults remained, theft of motor vehicles reached epidemic proportions. In 1984-5, just over 100,000 were stolen nationally. By 1994-5 that figure had risen to over 120,000. Despite the

large numbers involved however, only a few thousand were never recovered, suggesting only a limited organised crime capacity. Arguably, the greatest impact of motor vehicle theft is on the police and the insurance companies themselves.

In response to the problem, by the end of the 1980s, every police department had its own specialist Stolen Motor Vehicles Index (SMVI) established to monitor the theft of vehicles, to record every detail of their theft and recovery and to provide intelligence about what was being stolen, what colour it was, when it was stolen, where and how. Offenders and gangs were the focus of considerable intelligence and countless specialist operations by specialist police anti-theft squads. The resources to address the problem, police cars, cameras, computers, surveillance, overtime was all available.

By 1989, a National Stolen Vehicles Register was developed and administered by the National Exchange of Police Information (NEPI). A stolen car could be identified almost immediately as a stolen car in any state or territory. The radio operator could tell the locating officer any detail about the vehicle concerned, including the victim's contact details and telephone number. It was all recorded because it was all important information. Despite the fact that fewer than 10% of vehicles were never recovered, the Australian Bureau of Criminal Intelligence in 1989 conducted a report into organised motor vehicle theft. The Australian Police Ministers Council working party on motor vehicle theft was established in 1990. By 1991 the Motor Vehicle Theft Task Force Implementation Committee was underway. In 1992 they reported to the Australasian Police Ministers Council. In 1996 a *National Best Practice Workshop for Autotheft Officers in Charge* was held in Brisbane.

Police and police ministers have been closely involved in the development of all of these strategies. There is no doubt that the National Strategy on Motor Vehicle theft has developed largely as a result of lobbying on the part of the insurance industry, which estimated the cost of motor vehicle theft at \$650 million annually<sup>34</sup> (which is subsequently passed onto the community through higher premiums). But still you have to wonder: *was it because it was cars ???*

Perhaps, from the policing perspective, women arrive in the world with their own design faults. They are generally not as strong as men. They can be raped and, until they learn otherwise, they tend to trust people. And there are millions of them. Yet

crimes of violence against women have not been automatically accorded "legitimate police business" status. It is often (still) said by police that women "permit" these crimes to occur. That by commencing, and staying in relationships with violent men, these women are faulty, like the cars.

But there was no violence against women unit set up in their jurisdiction to record the information and investigate the crime. There was no national police unit established in 1989 to collect intelligence about offenders nationwide, to research the issues, to coordinate a national response. There was no *National Best Practice Workshop for Violence Against Women Officers in Charge* to call stakeholders together to hear and learn about the "design faults", to assess the cost of the crime and consider what might be the best options and to develop coordinated approaches and strategies. There was no repository of police expertise - when a woman needed to disappear because she believed she was about to be murdered, how was that to be achieved? When a woman needed the police in the next state to recognise the protection order she had with her as valid immediately, there was no record available, no national database to check.

One might surmise from the above that women in Australia have been accorded a status below that of motor vehicles. When was the **National Police Summit on Violence Against Women**? Where is the **National Database on Violence Against Women** that can track and monitor violent offenders between jurisdictions? Why don't the police domestic violence coordinators have a regular forum to discuss strategies and share information? Nationally, police domestic violence coordinators and policy officers have not met together for more than three years. There is no national plan of concerted police action - only jurisdictional models with which other jurisdictions are generally unfamiliar or have had to undertake individual research or reconnaissance to observe.

It is worth considering at this point how decisions and priorities within policing are made and set. Modern management theory informs us that most managers and executive officers (CEOs) make the vast majority of major business decisions based most strongly, not on the advice of others or on the results of client surveys, but on their own personal experience. When CEOs personally experience the theft of their motor vehicle, that is the experience that has the greatest relevance and reality for them. Within policing, 98% of police CEOs are men. Violence against women mostly affects just women. One of the possible reasons

**There is no national plan of concerted police action - only jurisdictional models with which other jurisdictions are generally unfamiliar or have had to undertake individual research or reconnaissance to observe.**

**One of the possible reasons for the lack of a national police strategy on violence against women in Australia may well be because only 2% of the police senior executive are women.**

Such a project could, in a similar way to the National Missing Persons Unit, also provide the interface with police at the jurisdictional level, providing a "Police VAW Helpdesk" to operational police and an intelligence capacity to interrogate CrimTrac and monitor violence against women trends within Australia.

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### **A National Police Violence Against Women Strategy**

Using the case study of the police response to motor vehicle theft and the subsequent development over the past twelve years of a National Motor Vehicle Theft Prevention Strategy, including a National Council for Motor Vehicle Theft, it is worth considering what an ideal national structure addressing the police management of violence against women in Australia might look like.

A National Violence Against Women (VAW) Policing Strategy, could be directed by a national council similar to that developed to address motor vehicle theft. Such a council should be comprised of police VAW specialists and trainers from each jurisdiction, as well as including representatives from peak organisations such as the Office of the Status of Women, NCAVAC and PADV), and CrimTrac, and should meet as necessary to develop a more comprehensive strategy.

### **A National Police Violence Against Women Unit**

Within Australia, the National Missing Persons Unit located at the Australian Bureau of Criminal Intelligence (ABCI) in Canberra and administered by the Australian Federal Police (AFP), and managed by the Police Commissioners through the SOG may provide a useful model for the development of a national police Violence Against Women Unit. In addition to its secretariat function to the VAW Council, such a project could, in a similar way to the National Missing Persons Unit, also provide the interface with police at the jurisdictional level, providing a "Police VAW Helpdesk" to operational police and an intelligence capacity to interrogate CrimTrac and monitor violence against women trends within Australia.

### **Conclusion**

Whether or not Australian police uphold the human rights of women in Australia remains largely unclear, as there is no national police monitoring of that process, no national police strategy and no national police coordination of law enforcement efforts to address violence against women. After twenty years of discussion at the international level and intense efforts by police to address problems at jurisdictional levels, it still remains for police in Australia to address

violence against women at the national level in a systematic and coordinated manner. New watchdogs in the form of enhanced protocols at the United Nations may soon begin to reveal human rights abuses of women within Australia and there is potential for police to be held accountable to this forum.

The police management of other types of crime, such as motor vehicle theft, prove that the capacity exists within police services, given sufficient external support and pressure, to develop effective national coordinated responses to very high numbers of relatively low level crimes. A national VAW policing strategy should be grasped by both policing and the community as a strategy that has the capacity to make a difference for women.

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# Understanding Violence Against Women: Information and Data Issues for Australia



by Dr Pamela Kinnear, Australian Institute of Criminology

Paper presented to the Second Australasian Conference Women and Policing Brisbane, 7-9 July 1999

**At the end of the 1990s, despite some improvements and innovations in data collection around Australia, no efforts have succeeded in bringing the goal of national data to fruition.**

## **Abstract**

**Key issues to emerge throughout the debates in Australia regarding violence against women are: the lack of appropriate information, the poor dissemination of existing information, and inadequate/poorly coordinated data collection. Without reliable information, police, government and services providers can only make 'best-guesses' about the validity and appropriateness of their policies and responses to women who are victims of violence. This paper outlines the present state of information dissemination and data collection in Australia and raises some questions about ways to utilise existing resources and enhance the quality and quantity of information available.**

## **Introduction**

Over recent years, a number of national forums addressing the problems of violence against women (VAW) have lamented the inadequacy of reliable and consistent information and data about the issue – the prevalence of VAW in the community, the impact and effects of violence upon female victims, risk factors for victimisation, and the effectiveness or otherwise of responses. The concerns have primarily been concentrated around the two types of crimes in which women are overwhelmingly represented as victims: sexual assault and domestic violence.

Ten years ago, the National Committee on Violence Against Women (NCVAW 1993) outlined the need for a commitment to a national approach to data collection. But here, at the end of the 1990s, despite some improvements and innovations in data collection around Australia, no efforts have succeeded in bringing the goal of national data to fruition.

This paper will examine the utility of our national statistical collections and suggest ways to build upon current collections to enhance the capacity of policymakers at all levels of government to tackle the problem of VAW.

## **A Philosophical Reflection: Why Do We Need National Data?**

Before we begin, it is worth reflecting more philosophically for a while. At the most fundamental level, people and agencies who have been calling for good quality national data come from a tradition of believing that violence against women is unacceptable and that it is imperative to achieve a community in which women can be safe, and in which women victims can be treated with dignity, respect and in ways that meet their needs.

How does the development of national data contribute to the achievement of this objective?

The most obvious and common reason put forward is that good data equals good policy. Especially in the current political climate of reducing public expenditure, government insists that resource allocation should be firmly 'evidence-based' and 'evidence-driven'. Whilst on the surface this seems to be uncontested, there are good reasons to not unthinkingly or uncritically adopt this view. Sociology tells us that there are many factors which go into policy formation – economic and structural factors, political ideologies about the role of the State in governing social problems, the influence of powerful interests – class, gender and race, and the way in which the scientific and research community itself is shaped by a mix of all of these factors. In these contexts, 'evidence' itself is seen

as a product of power relations. In the light of this, it seems extremely simplistic to imagine that major turns in policy direction will be brought about simply through the accumulation of 'evidence'.

The inability thus far to achieve reliable national statistics, despite such calls from national forums, indicates that the very process of obtaining 'evidence' is part of the political process. Securing a commitment to data collection is part of the fight to place the issue of violence against women firmly on the agenda of powerful institutions and formal processes. The current state of Australian data is a reflection of just how far we have come, but also of just how far we have yet to go.

The theme of this session is entitled "Improving the Relationship Between Police and Women in the Community". Without reliable data on women's needs, the prevalence of violence against women, the extent of and the reasons for under-reporting, police strategies to improve their standing with women will always be based on hunches and best-guesses, will be unevaluated and uncomparable.

## Data Sources

There are a number of obvious sources for statistical information about violence against women such as:

- Police/Court Statistics
- Crime Victim Survey Data
- Independent/academic research
- State/Territory funded collection systems

## Police

Each year, State and Territory police services publish statistical profiles of their activities including data on offences/incidents reported to police. Since the mid-1990s, the Australian Bureau of Statistics (ABS) has used these records to produce uniform crime statistics which it publishes on an annual basis. Police records - either jurisdictional or national - are primarily organisational records designed with the intention of providing accountability to taxpayers and governments. Because of this, they have limitations in terms of informing research and policy as they are not compiled with that intention.

The limitations are that:

- Police records obviously can only reflect those incidents which have been reported to police - which, in the case of sexual assault and domestic violence is only a small proportion of incidents which occur in the community.

- Organisationally based records vary across jurisdictions in the type, amount and quality of information collected.
- Although theoretically such records are able to provide trends analysis, in practice, the differences between and changes to definitions and counting practices both between and within jurisdictions limit the ability to truly track trends over time.
- Given the large variations in the legislative bases of each jurisdiction, State/Territory records are very difficult to compare.

## Courts

The type of information available from court-based data is very rudimentary, releasing a limited amount of information on outcomes and penalties for only a limited number of offence categories. The type of information collected and published varies across jurisdictions and with time. Although the gender of the accused is published, no such information is available about victims. National court statistics have only been produced since 1997, but these do not provide breakdowns by the type of offence and the main reports on the national data only publish information from the higher courts which see relatively few of the domestic violence and sexual assault cases.

Of most importance is the standardisation of information about applications for protection orders and how such cases are dealt with by the courts. Some jurisdictions have developed methods of collecting data on protection orders from the courts, but, once again although within jurisdictions these are useful, they are compiled differently, information is published sporadically and standardisation is limited by different legislative bases for protection orders in Australian jurisdictions. A national examination of court processes for violent offences against women will not be possible until there is a degree of uniformity across jurisdictions in the collection and classification of at least a core set of variables (Putt and Higgins 1997).

## Service Providers

Some of the women victims who do not report to police (and some of those who do) turn up at service providers - refuges, counsellors, financial/legal advisors - for assistance. Although most of these agencies collect some data, once again the data is usually for their own organisational purposes. In particular, this data is increasingly used for funding applications given the increased emphasis upon greater accountability which such agencies now encounter. Agency records such as these may rich

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qualitative sources and may have some quantitative value, but are largely out of reach of researchers and data collection organisations for reasons of confidentiality. Moreover, because of the low resource base and the crisis focus of such organisations, data collection is rarely prioritised as an important task. This is being addressed to some extent by the development of the database of the Supported Accommodation Assistance Program.

These limitations demonstrate the inadequacy of relying upon administrative based data to provide information for policy purposes and highlights the need, instead, for data gathered with non-administrative motives. Crime Victim surveys provide a more reliable source of data.

### **Crime Victim Surveys**

Since 1975, the ABS has conducted four Crime and Safety Surveys and similar surveys have also been conducted from time to time in some Australian jurisdictions. The value of such surveys is that they are able to tap the amount of unreported crime and provide an essential supplement to the National Crime Statistics mentioned earlier. Nevertheless, these surveys also are also limited in terms of providing information about violence against women because:

- they collect information across all crime types and only a few lines of questioning are possible for the issues of violence against women;
- changes in wording and methodology (ie: interview and sampling techniques) limit the ability to identify trends;
- there are differences between national CSS and jurisdictional surveys; and
- there is a limited release of unit record data for secondary analysis.

The exception to this, of course, is the Women's Safety Survey (WSS) conducted by the ABS in 1996. The WSS had as its specific objective to obtain reliable national data on violence against women in Australia. It collected information across a large range of variables and included both background predictor variables as well as variables relating to the actions taken in response to an incident and the reasons for non-reporting. Through this survey, Australia gained its first reasonably comprehensive and nationally reliable estimates of prevalence and predictors of violence. Moreover, the unit record files have had some release to other agencies to further interrogate the information (see for example: Coumarelos and Allen 1998; and also forthcoming

publications from the Australian Institute of Criminology).

Unfortunately, at this stage and for the foreseeable future, there are no plans to repeat the WSS. Its ability to inform debate and influence decisions, therefore, will steadily decline with the passage of time.

### **Other Research Data**

During the past 15 years particularly, a fairly large body of literature has been built up by individual academics and as a result of government contracted projects. The information provided by this research is valuable and has added to our understanding of violence against women in Australia. Studies have covered areas such as community attitudes, police attitudes and responses, the extent of domestic violence, women's experience of violence in non-English speaking, indigenous and rural communities, the effectiveness of protection orders etc. However, once again, obtaining a reliable national picture of the problem from this research is not possible.

Research data:

- are often confined to relatively small surveys and consultations with small groups of women and service providers
- go out of date and are rarely repeated at a later time
- are rarely confirmed by replication
- are subject to researchers' interests and levels of support and funding as well as changing governmental priorities
- often must rely for base-line and comparative purposes upon pre-existing data collections, which are inadequate.

### **State/Territory Specialised Collections**

A number of organisations at the State/Territory level have specialised data collection procedures which were identified by VAWIP. Such collections exist within or are jointly organised by government departments, courts, police, community agencies and cover many aspects of domestic violence and VAW.

Although these collections can be of considerable value at the State/Territory level, once again, the ability to extrapolate their results to the national level or to develop a reliable national picture of the problem is limited because of:

- lack of coordination
- little consistency in methods

- variations in the type of data collected
- the purposes for which it is collected.

## **National Data for Australia: How Can it be Achieved?**

The need for nationally coordinated data on violence against women is clear. In order to gain the attention of a Federal system, contradictory and inconsistent data is not adequate. A Federal system requires information to facilitate resource allocation, to develop effective and well-targeted policies and to evaluate jurisdictional efforts to address the problem of violence against women. This is unlikely to be achieved through a reliance upon administrative collections such as police and agency records or upon limited and/or sporadic surveys.

In the mid-1990s the Australian Institute of Criminology was tasked with the responsibility of conducting an anticipated 4 year project called the Violence Against Women Indicators Project (VAWIP). This project had as its objective to “coordinat[e] research on the criminal justice response to violence against women so that the Government would have reliable national data for the development of the most appropriate responses” (Putt & Higgins 1997: xiv). After its first year of operation in which it conducted an audit of existing data collection mechanisms in Australia, the project lost its funding with the change of government in 1996. Assuming that the untimely end of the VAWIP signalled a change in priority in Commonwealth thinking around the need for coordinated data, the question is what must we do now?

Step One is to re-emphasise that the issue is one of national priority.

Step Two is to work towards the development of a method of producing useful, sophisticated and policy-relevant data through utilising existing resources and innovations to maximum effect with minimum disruption/resource drain upon existing agencies. To this end, it may be possible to follow the proposal recently made by the AIC for the development of an Integrated Monitoring System for the purposes of better collection and coordination of data on drugs in Australia (Makkai 1999). Rather than calling for a new and specialised central data collecting agency or program, the Integrated Monitoring System concept focuses upon adapting existing specialised collections for policy purposes.

Throughout 1996, VAWIP identified a large range of specialised and non-specialised resources in addition to those already outlined in this paper -

some of which could form the basis of such a system. The VAWIP also identified a number of strategies for reaching the goal of coordinated data as well key areas which require the development of indicators.

The development of an Integrated Monitoring System would require the formation of a committee-style structure which would facilitate:

- the selection of a core set of data collection agencies/programs currently in existence to build upon as the basis for the system
- the development of agreed national priority areas for data collection
- the development of agreed sets of indicators/data items
- the development of agreed gaps in current knowledge and methods of filling such gaps (ie: tendering for new surveys/database development etc)
- consultations/negotiation mechanisms (eg: MOUs) to coordinate collection methods and indicators.

Overall, such a system should:

- develop the potential of existing programs
- integrate systems along consistent and comparable lines
- have a long-term commitment to future and built-in protection mechanisms from de-funding or detrimental alterations.

## **Conclusion**

This paper has argued that current systems of data collection in Australia are not adequate for the purposes of informing national policy - either because such systems are designed for administrative purposes or are not adequately targeted or integrated. Despite the calls for better national data collection in Australia on violence against women, this goal has yet to be realised and has been stymied at various points due to the absence of a long-term vision and/or changes to funding priorities. In the light of this, we must find ways to utilise and integrate existing resources and innovations which can operate in an ongoing monitoring capacity. Such a system requires the development and negotiation of nationally agreed data items and indicators and priority research areas.

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**Current systems of data collection in Australia are not adequate for the purposes of informing national policy - either because such systems are designed for administrative purposes or are not adequately targeted or integrated.**

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## Appendices

### Appendix A: Sources of Data Identified by the Violence Against Women Indicators Project

#### National Collections

##### Non-Specialised:

- ABS Crime Victimization Surveys
- ABS National Crime Statistics (Recorded Crime)
- AIC National Homicide Monitoring Program
- National Injury Surveillance Unit
- Legal Aid Commission Data

##### Specialised:

- ABS 1996 Women's Safety Survey
- Supported Accommodation Assistance Program

#### State and Territory Collections

##### Non-specialised:

- Crime Statistics Bureaux
- Police Statistics Units
- Courts
- Protection Orders
- DPPs

##### Specialised:

- Northern Territory Office of Women's Policy:

domestic violence Data Collection Project

- Queensland DPP: violence Against Women Database
- South Australian Office of Crime Statistics: Criminal Justice Statistics on Domestic Violence
- Victoria: Courts: Monitoring Reports of the Crimes(Family Violence) Act
- Victoria: Police: Family Incident Report Data
- Western Australia: Police: Family Violence Database
- Western Australia: Sexual Assault Referral Centre Sexual Assault Services data collection

#### Local/regional databases within:

- Counselling/mediation services
- Crisis centres/refuges
- Women's health and sexual assault referral centres
- GPs/health centres

## Appendix B:

### 1. Steps towards the goal of coordinated national data collection (VAWIP)

- to support, complement and replicate existing initiatives around the country which are beginning the process of inter-agency information sharing, networking and integrating data systems
- expand the national audit or compendium of data sets
- identify gaps in data sets
- develop a core of sets of data items and definitions
- the development of guidelines for minimum data sets
- the development of a national database on protection orders

### 2. Key Areas which require the development of Indicators (VAWIP)

- Indicators of disadvantage and vulnerability (ie: age, race/ethnicity, disability, socio-economic status, geographical isolation etc)
- Indicators of violence (ie: level of harm, type of violence, nature of incident, relationship of perpetrator to victim etc)
- Indicators of the effectiveness of the criminal justice response (protection orders, court proceedings, sentencing, programs for offenders etc)

These are known as the National Crime Statistics and are published as *Recorded Crime, Australia* by the ABS.



# Police Response to Sexual Assault in New South Wales

Findings and outcomes of a research project conducted for the New South Wales Police Service by Julie Stewart, Centre for Applied Policing Research

Paper presented to the Second Australasian Conference Women and Policing Brisbane, 7-9 July 1999

## BACKGROUND TO THE RESEARCH

In response to the paedophile reference of the Royal Commission into the New South Wales Police Service during 1996, the Child Protection Enforcement Agency was established to provide a highly specialised response to child abuse and particularly child sexual assault. Sexual assault of adult victims had not received executive attention for a number of years. Until this time, victims of sexual assault and child abuse had been interviewed by "IROC officers" (general duties police officers who had undertaken the Initial Response Officers' Course) and investigation of these matters was the responsibility of detectives. In recognition of the shortcomings in the investigation of child sexual assault, it seemed likely that there could be some shortcomings in investigation of adult sexual assault.

The Commissioner's Executive Team commissioned research to be undertaken to examine the status of its response.

In addition, over the past decade some dozen or so Government reports and inquiries at the highest level had examined the issue and, in each report, police were roundly criticised; many recommendations were made to improve police practice, focussing mostly on training as the solution to poor police attitudes and practice.

## WHAT DID THE PROJECT AIM TO FIND OUT

The project was commenced by the writer on 1 June 1997. The principal objectives of the project were:

- to identify the size of the problem within the

community and compare that with the

- size of the problem for the Service
- to attempt to identify reporting patterns, comparing with other data sources
- to examine the quality of the police response, including compliance with guidelines and interdepartmental protocols and deployment of specially trained officers (IROC officers)
- to critically evaluate guidelines, procedures, interdepartmental liaison and cooperation and training course materials in terms of Service and client needs and priorities
- to identify rates of attrition between reporting and prosecution
- to audit the status of implementation of recommendations of recent Government reports
- to identify current training needs and make recommendations for improvement.

## WHAT DID THE PROJECT DISCOVER

### Size of the problem and data collection problems

Statistics for this issue are a problem: on the national scale, definitions and methods of recording are not uniform and this affects consistency and comparability of data. The Australian Bureau of Statistics (ABS) clusters crime data figures for reported/recorded sexual assaults in victim age groups which cut across child and adult age groups, in particular, the 14 to 19 years age group. Other examples of difficulty encountered are that, in New South Wales, the age of consent for sexual intercourse is 18 years for males and 16 years for females, and, at the time of the research, homosexual intercourse over the age of 18 was still an offence in Tasmania

...on the national scale, definitions and methods of recording are not uniform and this affects consistency and comparability of data.

**It was also reported that detectives would be unlikely to make a COPS entry until after there was a case under investigation. The conclusion is that where a victim decided not to proceed at any point prior to this, no record would have been made in any number of cases.**

Notwithstanding these difficulties, the ABS provides this comparison between the States and Territories by rate of sexual offences per 100,000 people for 1996

nationally	78.6 (an increase from 71.8 per 100,000 for 1995)
Northern Territory	149
Western Australia	99.5
South Australia	92
Queensland	90
New South Wales	80
Victoria	62.5
ACT	35.1
Tasmania	33.7

The national rate is blown out by the high rate in the Northern Territory, but mitigated by the lower rates of the ACT and Tasmania. The New South Wales rate exceeds the national rate.

Victims of sexual offences tended to be young and female: 80% of victims were female; 30% were females under 14 years of age and 17% were females aged between 15 and 19.

10% of victims were males under the age of 14 and 3% were males aged between 15 to 19

40% of the total were under 14 years of age and 60% of the total were aged 19 years and under

While the NSW Police Service data showed that 6600 sexual offences were reported by adult victims (aged 20+) in 1996, including historical incidents, the ABS Women's Safety Survey in 1996 found that 48,000 New South Wales women over the age of 18 experienced sexual violence and 34,400 had been sexually assaulted in the previous twelve months. 6100 or 18% of these reported the offence to the police

The age categories for this collection, which is governed by the ABS, unfortunately excludes 18- and 19-year-olds, the young adult group which is both vulnerable and quite 3351 adult victims reported having been sexually assaulted as an adult to NSW Health Sexual Assault Services for the financial year 1995/1996. In previous years, only one third of the adult clients of these services presented as victims of recent sexual assault' or of sexual assaults involving intercourse more than 10 days prior to presentation.

A significant finding was that the majority of all adult victims referred to the services by police, as required by the interdepartmental protocol, were victims of very recent assault. Very few victims

who presented to the services as referrals by police were victims of indecent assault or acts of indecency or attempted sexual assault

In researching all data sources to ascertain the size of the problem within New South Wales, it was ascertained that police seemed to be only referring victims where there was a recent and more serious assault. The inference is being that police considered that referrals were only necessary if forensic evidence might have been obtained.

In addition, the issue of recording reports on COPS by police emerged as a concern: it was reported that a victim may report a sexual assault to police and be referred immediately to a sexual assault service with little detail and no statement being taken - in accordance with the protocol. In this instance, it would be rare for the officer who was the first point of contact to make a COPS entry. It was further reported that the IROC officer who may have accompanied the victim to the sexual assault service and may even have taken a statement would be unlikely to not make a COPS entry. Given that the officer in charge of the investigation would be a detective. It was also reported that detectives would be unlikely to make a COPS entry until after there was a case under investigation. The conclusion is that where a victim decided not to proceed at any point prior to this, no record would have been made in any number of cases.

As well, information may be recorded in a police officer's notebook and not later entered on COPS, or may be entered as an information Report only. Differing points of view were expressed about when a crime report should become an event. This is a major concern for good data collection and more likely to apply to such offences than to others, like robbery

The problem as recorded is nevertheless significant, with 92 victims aged 20 years and over reporting each week in 1996

### **Relationship of offender to victim who reports to police**

This information is not recorded on COPS in a form from which categories of relationships can be readily collated. A manual analysis of the narratives recorded on COPS for all events created over a three month period (August to October 1997) showed 458 events created by Local Area Commands, this excludes the reports received through Operation Paradox during September 1997. 48% of sexual assaults reported by adults over the three-month period were committed by strangers. In contrast, the ABS Women's Safety Survey found that, of the 34,000 New South Wales

women sexually assaulted in the twelve-month period prior to the survey, 25% of offences were committed by a stranger. In addition, 58% of the 165,700 women stalked over the previous twelve months were stalked by a stranger, potentially a sex offender. This illustrates the gap between the experience of sexual assault and reporting it to police.

From a comparison of the two data sets, it could be concluded that sexual assault committed by a stranger is more likely to be reported to police.

### **The effectiveness of the New South Wales Police Service response**

With the establishment of sexual assault services in New South Wales in 1979 and the development over the next two decades of 50 such services, issues of policing were identified by victim advocates. As well as a formal mechanism, the New South Wales Sexual Assault Committee, was convened at the level of central government from the early 1980's until mid 1995 as an interagency forum for discussion, debate and problemsolving around service delivery and law reform issues. The police response was frequently the subject of scrutiny.

In response to the frequently and vocally expressed concerns for the welfare and treatment of the victim, the New South Wales Police Service established a policy which would provide for supportive victim care at the point of report, support and facilitation of the victim's attendance at a sexual assault service and sympathetic statement-taking. In order to provide this type of response statewide, the Police Service trained general duties police who were at first selected, later elected and later still, were nominated to undertake specialist training for accreditation, the Initial Response Officers' Course, to better respond to adults and children reporting sexual assault and children who had been physically abused. At the same time, the sexual assault service had input into the Detectives' Education Program, with a view to fostering better understanding of victims' crisis, health and welfare needs, as well as forensic medical issues, and the role of sexual assault services

There is no doubt that victim support at the point of initial contact improved for a time. Some 1500 officers were trained, during the project, an audit of the deployment of IROC-trained police revealed some 300 practitioners work ing full-time and 77 part-time in September 1997. All were performing other duties and many had begun to decline the work for a variety of reasons, ranging from burn out, particularly in regard to child abuse, being unavailable for call-out outside

of business hours, being unavailable due to their other duties, for example, as the Intelligence Officer or the Education and Development Officer feelings of inadequacy due to lack of practice and investigative experience, little satisfaction as cases are handed over and since detectives generally provided no feedback on the progress of the case.

The deployment of these officers was haphazard - their location bore no relationship to workload. Some critical locations with heavy workloads in sexual assault had no IROC-trained officers on staff.

Moreover, it came to light that due to their limited experience in investigation of serious and complex offences, there was lacking more often than not a concern for detail in

statement-taking, crime scene preservation, investigative methods, knowledge of the evidentiary requirements for a prosecution and an understanding of the potential for obtaining forensic evidence. It also appeared that (generally there was no local capability for recognising serial offending, either within the Local Area Command or in surrounding Local Area Commands. The role of Intelligence Officers and Crime Managers is crucial to this process; the research showed that Local Area Commands or Patrols tended not to look at crime outside of their own boundaries.) As well, sexual assault was included within the focus of the Operations and Crime Review process.

A survey of sexual assault services was conducted during the project to provide the opportunity for practitioners from other disciplines to reflect on the practice standards of police. Sexual assault services made it dear that their overriding concern is the victim's care and survival and were not much concerned about the success or otherwise of investigations and prosecutions, unless they impinged on their clients' well-being. In relation to police practice, they reported a number of issues: some examples follow:

- non-referral by police to the services
- overall poor service to victims with a disability
- poor service to victims who are sex workers
- poor service to victims whose English is poor
- little or no follow-up contact with victims to provide information about bail or the progress of investigation or the prosecution
- counsellors' phone calls to detectives not resumed
- victim details being faxed risking privacy of the victim
- police officers seeking an inappropriate

**From a comparison of the two data sets, it could be concluded that sexual assault committed by a stranger is more likely to be reported to police.**

**Many had begun to decline the work for a variety of reasons, ranging from burn out, particularly in regard to child abuse. Feelings of inadequacy due to lack of practice and investigative experience, little satisfaction as cases are handed over and since detectives generally provided no feedback on the progress of the case.**

**There is clearly a need for centralised statewide co-ordination of service delivery and a formal mechanism to ensure interdepartmental co-operation to resolve problems and accountability.**

**From 1990 up until 1996, there were eight New South Wales Government reports and four Commonwealth Government reports which made specific reference to the problems of the policing of sexual assault and made recommendations to remedy the problems.**

**Little or no action had been taken in respect of these reports and their recommendations and no problem had gone away of its own accord. One constant theme was the poor response to the most vulnerable to sexual violence and exploitation in our community, people with an intellectual disability. At the time of writing, there is still no Police Service strategy to specifically address these sensitive issues appropriately.**

- relationship with victims
- unexplained and inexplicable delay in apprehending offenders when known
- racism towards Aboriginal victims
- apparent identification with the offender
- apparent disbelief of victim
- inappropriate assessment of the victim's need for medical services
- failure to refer appropriate cases for forensic examination
- victim-blaming comments made to victims by police officers, including IROC trained officers
- value judgements expressed by police about the victim
- incorrect legal advice given to the victim by police
- minimisation of sexual offending by juveniles
- inconsistency of quality of response.

Some sexual assault counsellors reported that they had to spend much of their time working on behalf of clients mopping up after they had experienced unprofessional practice of police officers and more time later attempting to resolve the problems locally, generally to no avail. It appeared that local interdepartmental problem-solving was more likely to be possible in services confined to one or two Local Area Commands.

There is clearly a need for centralised statewide co-ordination of service delivery and a formal mechanism to ensure interdepartmental co-operation to resolve problems and accountability.

#### **Policy and procedures**

Police Service and interdepartmental guidelines were reviewed in the course of the project. The unfortunate findings were that they contained inaccurate information and were grossly inadequate to address the range of investigative, forensic and legal aspects of sexual assault. The need for rewriting the interdepartmental guidelines was recognised by the Office of the Director for Public Prosecutions and NSW Health. Although this was notified to senior executive during the project, interdepartmental policy and procedural issues have still not been addressed.

#### **Infrastructure within the Police Service**

Within the Police Service from 1979 until 1997, the capability for policy analysis and development, for interdepartmental liaison and co-ordination and critical evaluation of practice and training has been ad hoc, with a number of practising detectives taking responsibility for some aspects, the Academy taking responsibility

for others and different officers attending different committee meetings with little flow-on or opportunity for feedback to or from the field. The current restructured policy branch, Operational Programs, since the presentation of the final report on the project to the Commissioner's Executive Team in January 1998, forms part of the command of the Deputy Commissioner (Field Operations), as does Education Services. The potential for strengthened links with the field and the capacity for centralised co-ordination and influence on the development of training should address the issues which have run out of control in the recent past, such as the dissatisfaction of victims as reported by sexual assault services, as well as the extraordinary attrition rate from report to prosecution.

#### **Audit of the status of implementation of recommendations made by recent Government reports**

The New South Wales Police Service has not been short of information and advice on improving its response to sexual assault. From 1990 up until 1996, there were eight New South Wales Government reports and four Commonwealth Government reports which made specific reference to the problems of the policing of sexual assault and made recommendations to remedy the problems. Three New South Wales Government reports had been published in 1996.

Issues concerning the police response which were identified in the reports were the same as were identified in this research. Over the years, little or no action had been taken in respect of these reports and their recommendations and no problem had gone away of its own accord. One constant theme was the poor response to the most vulnerable to sexual violence and exploitation in our community, people with an intellectual disability. At the time of writing, there is still no Police Service strategy to specifically address these sensitive issues appropriately.

### **RECOMMENDATIONS OF THE REPORT TO THE EXECUTIVE**

The recommendations covered a range of matters concerning practice, from data collection to training, interdepartmental liaison, protocols and procedures.

The principal recommendation was underpinned by the recognition that sexual assault should be dealt with by investigating police as a serious crime. This fundamental change meant a change in the model of intervention in sexual assault cases, in order to address the poor quality of

investigation and management of cases, due to inexperience and lack of interest or commitment, and to hopefully increase the likelihood of successful prosecutions. The recommendation was that cases of sexual assault should be managed by specialist investigators.

## **WHAT HAPPENED TO THE REPORTS RECOMMENDATIONS**

Following the adoption of the Report to the Commissioner's Executive Team, Reporting Sexual Assault- the New South Wales Police Service Response, and endorsement of its recommendations in January 1998, a direction was given to implement the recommendations.

For more than one year, no progress was made. A number of officers became involved in the process and all the old issues were revisited and re-run. Disenfranchisement was discussed - some general duties IROC-trained officers expressed resentment at having the IROC role taken from them. In contrast, there had never been a murmur of dissent or discontent when child abuse cases were removed from their domain of practice to be taken up by Joint Investigative Teams and the Child Protection Enforcement Agency. The study revealed that it was commonly recognised that many IROC officers were currently actively avoiding this area of work. There was resistance to change, with the "reversion to old ways". There was a reluctance to recognise the value of research based practice and education. There was a failure to understand the political implications of the research findings and the implications of ignoring them. There was a failure to understand the implications of maintaining bad practice. The desire to cling to the familiar past overrode the proven need to improve the outcomes for victims and to advance the professional standing of the police response.

By the end of one year, the situation was that the fundamental recommendation had been ignored and a training course was being developed for general duties police officers, called Adult Sexual Assault Response Officers. The course content closely resembled the IROC course and did not incorporate material to address the current gaps in knowledge; nothing was done towards the development of detectives who had received no inservice training in an area of rapidly and continually advancing technology and forensic science, since becoming designated.

What was extraordinary was the ability of those several officers to choose to reject the research in effect, to ignore the position of the

Commissioner's Executive Team, to defy the direction of the Corporate Sponsor, to make up their own policy and to seek to perpetuate a situation which was now clearly identified as inadequate.

Comparing other public sector organisations and professional practice in other disciplines, one cannot help but wonder what it is about policing which enables this conduct to occur unchecked; what sets a police service apart from other public sector agencies in terms of taking directions and accountability? Was it the issue itself that evoked such conduct?

## **FINALE**

The situation was retrieved with the appointment of a highly skilled, competent and committed police officer as principal tutor for the development and implementation of a specialist course for detectives. The course includes presentations by experts in forensic technology and prosecution of sexual offences. To date, it has now been offered twice and participants have evaluated it extremely positively. A new Police Service policy was launched in the last week of August 1999. The impact will be evaluated in early 2000.

The research project and the subsequent process have highlighted the necessity for centralised monitoring and accountability at the corporate level. As well, the process has demonstrated that the integrity of change processes relies on the professional integrity of individual officers.

**The principal recommendation was underpinned by the recognition that sexual assault should be dealt with by investigating police as a serious crime. This fundamental change meant a change in the model of intervention in sexual assault cases, in order to address the poor quality of investigation and management of cases, due to inexperience and lack of interest or commitment, and to hopefully increase the likelihood of successful prosecutions.**

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# Julie off to investigate war crimes in Rwanda for the United Nations

Queensland Senior Constable Julie Christoffel has accepted a position with the United Nations as an Assistant Investigator on the International Criminal Tribunal for Rwanda.

After 19 years with the Queensland Police Service, with the last 15 years as an investigator, Julie, who is currently attached to the Brisbane CIB, has taken leave without pay from the Queensland Police for 12 months. A single mum, Julie is taking her three children, aged 2, 8 and 10 years with her to Rwanda. Julie said, *I can speak French and I think that that helped me get selected, since Rwanda is a former French colony. Also, that I was prepared to take my kids with me and to move at short notice.* Julie expects her duties to include interviewing witnesses, and the preparation of briefs in relation to genocide and complicity in crimes against humanity. She expects to depart Australia in mid-August 1999 for at least twelve months.



## ***One hundred people: the way the world is structured - and why it must change.***

If we could shrink the earth's population to a village of 100 people, with all the existing human ratios remaining the same, it would look like this...

There would be:

57 Asians

21 Europeans

14 from the Western Hemisphere (north and south)

8 Africans

52 would be female; 48 would be male

70 would be non-white; 30 white

70 would be non-Christian; 30 would be Christian

89 would be heterosexual; 11 homosexual

**59% of the entire world's wealth would be in the hands of only six people and all six would be Americans; 80 would live in substandard housing; 70 would be unable to read; 50 would suffer from malnutrition. One would be near death, and one would be near birth. Only one would have a college education and only one would own a computer.**

Feeling fortunate?

Source: UNity News, Newsletter of the United Nations

# WAPNET: Women and Policing on the net

By Helen McDermott



Have you ever wondered how people involved in groups like the *Australasian Council of Women and Policing* know what is going on? Well one of the most important ways we keep each other informed about what is happening at a local, national and international level is through our email list called WAPNET.

It is easy to become a part of WAPNET and to hear about what is happening for women both in your area and overseas. All you need is an email address.

It is easy. Just send a message to the list to join and then every day you will receive a few email messages about what is happening in Australia and around the world. It will also give you the opportunity to discuss issues of interest to you and members of the email list.

While some of the messages are of general interest, for example information about reports which are released about women and work, or women and child care, you will also be sent information about women and policing issues such as domestic violence and preventing violence against women. This information could be anything from the results of a new study or a request for information from an international group.

We want you to contribute to WAPNET! The email list is not just a one-way communication channel for us to give you information, you are also encouraged to contribute to WAPNET by posting interesting things you have found or if you would like to discuss an issue or find out more about something, WAPNET is where you can do it.

So how much does it cost? It is free!

How do you get involved? Well, this is where you have to do a bit of computer talk, but it is very easy! Joining a mailing list like WAPNET is called subscribing. To do this all you have to do is send an email message to:

**majordomo@bit.net.au**

Leave the subject line of the message blank or as **<no subject>** depending on what your computer insists on doing. In the text of the message, not the subject line, put the following command:

**subscribe WAPNET**

Please make sure that you send this request from the email address you will be using to access your WAPNET messages. If your email software automatically puts in a **^signature** at the bottom of all your messages, put in the following command in the message: **end**. If you want to cancel your subscription from WAPNET all you have to do is to send a message to:

**majordomo@bit.net.au**

and in the text of the message put:

**unsubscribe WAPNET**

Make sure that you also send this message from the email address from which you are subscribed to WAPNET. If you would like any more information about WAPNET, email me at: **helenmcd@ozemail.com.au**

## Website Reviews: Get outta here girl!

*Wondering where women are on the net? Sick of searching and only finding offensive pornographic sites? These reviews will give you a better place to start to help you harness the resources available to you on the net.\**

### Journeywoman

[www.journeywoman.com/](http://www.journeywoman.com/)

A great ezine for any woman interested in travel. It is a great on-line travel resource just for women. The site includes information on gal-friendly cities, travelling alone, women's travel tales, the older adventuress, ecoadventruess and books.

### HERmail.net

[www.HERmail.net/right1.html](http://www.HERmail.net/right1.html)

HERmail.net is Journeywoman's sister site. It is an international directory of women travellers and a way for women to help other women travelling. It is an email based service that allows any woman, anywhere in the world to connect with other women who love to travel.

How does it work? If a woman traveller needs some information about a city she types in the name of city and HERmail provides up to two female contacts in that city. The actual email address of the contacts are never revealed but a message form is used.

### International Centre for Research on Women

[www.icrw.org](http://www.icrw.org)

The ICRW was founded in 1976 and focuses principally on women in developing and transition countries. It is a private, non-profit organisation dedicated to promoting social and economic development with women's full participation. It generates quality, empirical information and technical assistance on women's productive and reproductive roles, their status and their management of environmental resources.

### Gender Inn

[www.uni-koeln.de/phil-fak/englisch/datenbank/e\\_index.htm](http://www.uni-koeln.de/phil-fak/englisch/datenbank/e_index.htm)

This European site is result of an interdisciplinary project conducted in cooperation with the Department of Art and Design at the Fachhochschule Koln. The Gender Inn site has a comprehensive choice of gender and women's studies links. Gender Inn is a searchable database that has more than 6,000 records on feminist theory, feminist literary criticism and gender studies focusing on English and American literature. Gender Inn also points to reading lists, bibliographies and metapages. The records are indexed using a feminist thesaurus.

### Centre for Women & Information Technology

[www.umbc.edu/cwit](http://www.umbc.edu/cwit)

This site has one a very comprehensive list of women related sites. While it is US-centric, it is a very useful place to start looking.

# Coming soon - conferences and events

### **Australian Institute of Criminology and Department of Correctional Services (SA) *Best practice in Corrections for Indigenous People***

13 -15 October 1999, Hindley Parkroyal, Adelaide  
Full registration \$445.00 (before 10.9.99), Student \$275.00,  
Daily rate \$250.00  
Inquiries 02 6292 9000

### **Australian Crime Prevention Council 19th Biennial International Conference on Preventing Crime, *Myths and Realities***

17-20 October 1999, Carlton Crest Hotel, Melbourne  
Full registration \$480.00, Student \$175.00, Daily rate \$185.00.  
Inquiries 03 9925 7797

### **Australian Institute of Criminology and Charles Sturt University *History of Crime, Policing and Punishment***

9-10 December 1999, Australian National University, Canberra  
Full registration \$245.00 (before 01 November), Student \$165.00, Daily rate \$165.00  
Inquiries 02 6260 9232

### **Hate Crime: A Conference**

9-10 December 1999, Department of Gender Studies & the Institute of Criminology, The University of Sydney

What does hate crime in Australia look like? Is it a problem or is it many problems? Should we legislate against it or should we be wary of even importing the concept itself? In a joint initiative between the Department of Gender Studies and the Institute of Criminology (University of Sydney) these questions and more will be addressed at conference to be held at the University of Sydney on 9-10 December 1999.

The conference will seek to identify the phenomena categorised under the notion of 'hate crime', to explore the utility and limitations of the concept of hate crime, to develop practical prevention initiatives, and to explore the options for addressing issues of hatred and bigotry. The conference will bring together community organisations, activists, government bodies and academics with an interest in the field.

You can register for the conference by phoning the Department of Gender Studies. Ph: (02) 9351 3638. If you would like to give a paper at the conference, this may still be possible. Please contact: Gail Mason on Ph: (02) 9351 7487 Fax: (02) 9351 5336 or [gail.mason@genderstudies.usyd.edu.au](mailto:gail.mason@genderstudies.usyd.edu.au)

### **Regional European Conference of the International Society for the Prevention of Child Abuse and Neglect**

17 - 21 October 1999, Jerusalem, Israel.  
The International Society for the Prevention of Child Abuse and Neglect presents the 1999 Regional European Conference, the central theme of which is 'Beyond Detection: Interventions, Programmes and Treatments for Children and Families'.  
Subtopics include: community and interdisciplinary work:

learning from success and identifying difficulties; different settings - different populations; ethical questions and dilemmas; research - new directions; professional training: balancing between generic and specialised training. Contact: Regional European Conference of ISPCAN, Peltours-Te'um Conference Organisers, 9 HaUman St., Suite 207, Jerusalem 93420, Israel. Phone: 972 2 648 1245. Fax: 972 2 648 1305. Email: [teumcong@netmedia.net.il](mailto:teumcong@netmedia.net.il)

### **UNICEF's 10th Anniversary of the signing of the Convention on the Rights of the Child**

20 November 1999.

### **National Young Women's Day of Action**

22 October 1999.

### **YWCA International Week Without Violence**

24 - 31 October 1999. Contact: 02 62305150, fax 02 62305156, email [natoffice@ywca.org.au](mailto:natoffice@ywca.org.au)

### **Fifth International Conference on Children Exposed to Family Violence**

27 - 29 October 1999, Vancouver, Canada. The theme of the conference is Integrating Research, Policy and Practice, with the following streams: Preventing the Cycle of Violence ; Early Intervention for Children; Children at Risk ; Custody and Access ; Minority and Special Needs Groups ; Aboriginal People ; Juvenile Justice ; Trauma and Children. Contact: B.C./ Yukon Society of Transition Houses, Suite 1112, 409 Granville St., Vancouver, B.C., V6C 1T2. Telephone: (604) 669-6943. Facsimile: (604) 682-6962

### **National Reclaim the Night - Women and Children's March Against Violence**

29 October 1999.

### **International Day Against Violence Against Women**

25 November 1999.

### **Geodemographics of Ageing in Australia Symposium**

30 Nov - 2 December 1999, Brisbane, Qld. The Royal Geographical Society of Queensland and the Australian Population Association Queensland Chapter are organising this Symposium which will emphasise the geography of the ageing, moving from the international scale through the national scale to the urban and rural scale. The Symposium will look at both the problems and opportunities created by rapidly increasing numbers of people entering the later stages of the ageing process. Contact: Ageing Symposium Secretariat, c/- Royal Geographical Society of Qld, 112 Brookes Street, Fortitude Valley Qld 4006. Fax: 07 32524986. Phone: 07 32523856. Email: [rgsq@gil.com.au](mailto:rgsq@gil.com.au)

### **International Day for the Abolition of Slavery**

2 December 1999. Contact: [www.un.org/rights](http://www.un.org/rights) and [www.universalrights.net](http://www.universalrights.net)

### **Human Rights Week (Tasmania)**

3-10 December 1999. Contact: Human Rights Commission, Tasmania, 03 6234 3599

### **Global Conference on Children 2000 AD**

15 - 18 December 1999, Calcutta, India. This conference will provide the opportunity for 'A unique stock-taking by children of adult's pledges and promises on the Rights of the Child'. The main theme of the conference is study and evaluation of country papers on UN Convention on the Rights of the Child presented at the conference by the different states of the world. A strategy will be evolved for a better and more effective realisation of the recommendations of the Convention. Sub-themes will be: children in crises; children's voices - the unheard to be heard; social commitments to the sexually abused children; family violence and the battered child; girl child trafficking and state responsibility; child workers - victims of administrative apathy. Contact: IPER, P - 39/1 Prince Anwar Shah Road, C.I.T. Scheme 114A, Calcutta - 700 045 India. Phone: 91 (33) 440 6030. Fax: 91 (33) 440 4553. Email: iper@giasc101.vsnl.net.in. Conference Website: <http://www.children2000ad.com>.

### **Anniversary of Women's Suffrage**

16 December 1999.

### **44th session of the Commission on the Status of Women**

1 - 21 March 2000, New York

### **International Women's Day**

8 March 2000

### **Constructing Alliances : 4th National Regional Australia Conference**

11-14 April 2000

Whyalla, SA There are relatively few forums in which health, welfare, community, education and industry workers can gather together and interact on a national basis, with an emphasis on remote, rural and regional communities. The 4th National Regional Australia Conference will provide the opportunity, and will focus on promoting innovative policy and practice to enhance regional Australia. Presentations are invited, to be submitted by 31 October 1999. Further information : Intercomm Event Coordination, Sarah Nicolson, Anna Handley, PO Box 555, Whyalla SA 5600. Phone: 08 86450199. Mobile 0419 815 864. Fax: 08 86441775. Email: nicolson@w130.aone.net.au

### **National Stop Violence Against Women Day**

26 April 2000

### **Springboard 2000 Conference**

25 May 2000, Oxfordshire, UK. Contact: Roslyn Copas, 015 133 626, email rcopas@m140.aone.net.au

### **9th Family Law Conference**

3-7 July 2000, Sydney, NSW. Contact: Capital Conferences Pty Ltd, PO Box N399, Grosvenor Place NSW 1220. Phone: 02 92523388. Fax: (02) 9241 5282. Email: capcon@ozemail.com.au

### **World Forum 2000 - International Child Welfare Conference**

7-11 August 2000, Sydney, NSW World Forum is an international child welfare conference convened every year by the International Forum for Child Welfare (IFCW). Contact: Sharyn Low, Convenor World Forum 2000, PO Box 23 Pitt Town NSW 2756. Phone: 02 45723079. Fax: 02 45723972. Email sharyn@zeta.org.au. Internet: <http://www.acwa.asn.au/wf2000>

### **Meeting Children's Needs - The Opportunity for Change in Child Protection**

17-20 September 2000, University of York, UK. The Fourth National Congress of the British Association for the Study and Prevention of Child Abuse and Neglect will include international keynote speakers, free papers, symposia, workshops and poster presentations for a range of professionals from different disciplines involved in child welfare. Call for papers - for Abstract Form, contact BASPCAN (deadline for submission of abstracts 15 January 2000). Contact: BASPCAN National Office, 10 Priory Street, York, YO1 6EZ, UK. Tel: +44 (0) 1904 613605. Fax: +44 (0) 1904 642239. Email: conferences@baspcan.org.uk

### **SPCAN 2000 International Congress**

3-6 September 2000, Durban, South Africa. The South African Society for the Prevention of Child Abuse and Neglect (SASPCAN) is organising the International Society for the Prevention of Child Abuse and Neglect's international congress with the theme, Implementing the United Nations Convention on the Rights of the Child: Myth or Reality. Contact: Julie Todd, SASPCAN President, or Musa Mbanjwa, SASPCAN Chair. Fax: 27 31 239441; Email: cpdbn@lia.net

### **World Congress on Family Law and the Rights of Children and Youth**

18-21 September 2001, Bath, UK. Contact: Capital Conferences Pty Ltd, PO Box N399, Grosvenor Place NSW 1220. Phone: 02 92523388. Fax: 02 92415282. Email: capcon@ozemail.com.au



## Violence Against Women

Caroline Sweetman (Ed.) 1998. 80 pages. WE443. ISBN 0-85598-401-5.

Violence is both a human rights issue and an obstacle to women's participation in development-and one that affects all of us. The World Health Organization estimates that at least one in five women has been physically or sexually abused by a man or men at some point in her life.

The writers in this collection look at violence against women in a variety of different settings: in conflict and in peacetime; in the home and in public; as members of 'different' ethnic groupings; as children and as adults, providing a valuable overview of the many forms the violence can take. They focus on campaigning and advocacy as well as on work with women who have experienced violence in countries including Russia, Guinea-Bissau and India.

## “Making the Harm Visible: Global Sexual Exploitation of Women and Girls: Speaking Out and Providing Services”

Donna M. Hughes and Claire Roche (Eds.). 1999. 351 pages. WE444. ISBN 0-9670857-0-5

This book from the Coalition Against Trafficking in Women is a groundbreaking collection written by survivors, activists and service providers on the global sexual exploitation of women. The forty-four pieces from Asia, Africa, Europe, South America, the Caribbean, North America and the Middle East offer personal, insightful and challenging perspectives on sexual violence and prostitution. The accounts and reports describe how women are speaking out, organizing protests, building programmes and movements and providing services with the common goal of ending violence and the sexual exploitation of women and girls.

## Jeans and Rape

Sacramento, CA — Most of California's women lawmakers wore jeans to the State Capitol yesterday to protest an Italian judge's ruling that it's impossible to rape a woman who's wearing jeans.

The Appeals Court judge in Italy threw out a rape conviction last week, saying jeans are too difficult to remove without the woman's cooperation. Women in the Italian Parliament responded by wearing jeans last week.

California Assemblywoman Susan Davis, chair of the Women's Legislative Caucus, calls the ruling offensive to everyone.

Women from both parties and both houses of the California legislature – as well as some men – wore blue or black jeans.

## Consent?

OTTAWA, Feb. 25 (UPI) — The Supreme Court of Canada has handed down a landmark ruling in a sex assault case, saying “implied consent” cannot be accepted as a defense for rape.

The court's ruling today came in the case against Steven Ewanchuk, an Alberta carpenter who was accused of raping a 17-year-old girl in his trailer in June 1994, when she thought she was going to be interviewed for a job. The Supreme Court overturned an Alberta court ruling that acquitted Ewanchuk of rape charges.

The woman had testified that she said “No” three times, but the Alberta judge ruled that since she did not fight off Ewanchuk or try to run away, she had given “implied consent” to sex. The Alberta Appeals Court upheld the lower court ruling last year. In the Supreme Court of Canada today, all nine justices were unanimous in the decision to overturn the Alberta court ruling, saying “implied consent” is no defense for rape. The justices rejected the defense lawyer's argument that “No” does not mean “No” when it is accompanied by facial expressions and body language that

implied consent. The Supreme Court convicted Ewanchuk of rape, and ordered him returned to Alberta for sentencing.

Ewanchuk had a record of three previous convictions for rape, but these were not taken into consideration by the Alberta courts in the latest case against him. The Supreme Court's ruling was hailed by women's rights groups, who said it strengthened a 1992 rape law under which sex cannot be considered consensual if the woman says “No.”

## Gendering mortality

Internationally known obstetrics-gynecologist Dr. M. Fathallah has summarised the world's top 5 causes of “disease burden” for people aged 15-44.

### Female

1. Maternity
2. Sexually Transmitted Diseases
3. Tuberculosis
4. HIV Infection
5. Depression

### Male

1. HIV Infection
2. Tuberculosis
3. Motor Vehicle Injury
4. Homicide And Violence
5. War

## Military women

LONDON, 27 June 1999 (Abigails) A recent British Army recruitment advertisement shows a woman cowering in the corner of a bombed building. As the film runs, a caption reads: “She's just been raped by soldiers. The same soldiers murdered her husband. The last thing she wants to see is another soldier.

Unless, that soldier is a woman.” The advertisement plays upon two recent developments in the military, namely the steady integration of women and the growth of its peacekeeping role. The military, always disdainful of female qualities, suddenly seems to value women because they are women.

## **US violence against women**

WASHINGTON, May 5, 1999 (AP) — Nearly two out of every five women in the United States have been physically or sexually assaulted during their lifetimes, according to an American survey on women's health care.

While the 1998 Commonwealth Fund Survey of Women's Health, released in early May 1999, reported increased attention to women's health issues since its last survey in 1993 it also reported an increase in the number of working women without health insurance

According to the report, the number of women who were raped or physically abused either as children or adults remains "disturbingly high." A total of 39 percent said they had been victims of abuse or violence in their lifetimes, including rape, sexual assault, or other physical assault.

Reports of abuse crossed income, ethnic and demographic lines, although poor women were at somewhat higher risk. Women who had experienced violent or abusive acts were significantly more likely to experience physical health problems, and nearly twice as likely to show signs of depression or anxiety. The survey also reported that women were more likely than men to take care of a sick or disabled relative, in addition to fulfilling work and childcare responsibilities.

The survey of 2,011 women was conducted from 7 May to 10 November 1998 by Louis Harris and Associates for the Commonwealth Fund, a national philanthropy based in New York City. The margin of error is 3 percentage points.

## ***From Israel***

### **Israel: Court Rejects Viagra Defense in Rape**

An Israel court has rejected Anatoly Vitznudel's claim that the anti-impotency drug Viagra caused him to lose control and rape a woman. Anatoly Vitznudel admitted kidnapping the woman at knife point and drive her to a wooded area, but denied responsibility for the rape and claimed that the woman had made sexual advances toward him and given him the Viagra. A three-judge panel rejected Vitznudel's defense but wrote that Viagra was a

contributing factor in the rape. Vitznudel has not yet been sentenced.

## ***From Japan***

### **Japan Takes Step to Approve Oral Contraceptives**

After nine years of resistance, the Japanese Health Ministry has finally conceded that there is no reason to withhold approval for contraceptive pills. After the male impotency drug Viagra was approved for use in only six months, Japanese feminists and members of the news media questioned the Health Ministry's decision. Health officials have made all sorts of excuses for the resistance, claiming that access to oral contraceptives will destroy Japan's morals. Others have cited fears that the Pill's hormones will cause environmental harm, or suggest that access to oral contraceptives will discourage couples from using condoms, encouraging the spread of sexually transmitted diseases.

Finally, a Health Ministry committee has announced that it expects to approve the Pill for use in Japan this June.

From: Abigail's Rebels  
Sent: Monday, 19 July 1999 7:41

### **Sexual Assault in US Armed Forces**

#### **COURT-MARTIAL FOR SEXUAL ASSAULT**

SAN DIEGO: Channel 10, San Diego, California will air a segment detailing the court-martial of a Navy service member for sexual assault at Miramar. Interviews will include an interview with the victim, victim survivors of sexual assault in the military and advocates. The segment is expected to air Monday, July 19, 1999.

#### **SEXUAL ASSAULT TRAININGS**

The National Center for Women and Policing, in cooperation with the Office of Justice Program's Violence Against Women Office, is working to develop a comprehensive training curriculum on police investigation of sexual assault. Upon completion of the program, trainers will be certified to teach and will receive all the materials necessary to conduct future training sessions.

This innovative program will use interactive, multi-media tools to highlight techniques that are effective in responding to acquaintance rape and differentiate them from approaches that are more commonly used with stranger assaults. Many of these new techniques are not addressed in existing training programs and therefore represent an important step forward in our understanding of how to handle sexual assault cases. See <http://www.feminist.org/police/trainerswanted.html> for more information.

"Sexual Assault Prevention and Response," has been published by the US Army for use in Individual Entry Training units. Lt. Col. Dorothy Doyle, the handbook's author, has noted "anyone can train the subject using the handbook as a guide."

The handbooks are training tools in one hour rape prevention classes. The soldiers should be handed a handbook when leaving the class, according to Lt. Col. Doyle. The Human Relations Action Plan assessment following sexual misconduct incidents in 1996 directed DCSPER to develop a guide and briefing on rape prevention.

#### **MCIOs AND SEXUAL MISCONDUCT INVESTIGATIONS**

The National Academy of Public Administration issued a report, "Adapting Military Sex Crime Investigations to Changing Times," in June 1999. The Executive Summary is available on the Internet at: <http://www.napawash.org>

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"We are determined to foment a rebellion, and will not hold ourselves bound by any laws in which we have no voice or representation."

– From Abigail Adams to John Adams,  
31 March, 1776

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Visit the ABIGAILS-L homepage:  
<http://www.geocities.com/Wellesley/8984/>  
Irene Stuber's Women's Internet Information Net: <http://www.undelete.org/>



# *The Whole Woman* by Germain Greer

Doubleday London. rrp \$24.95



Jill Bolen

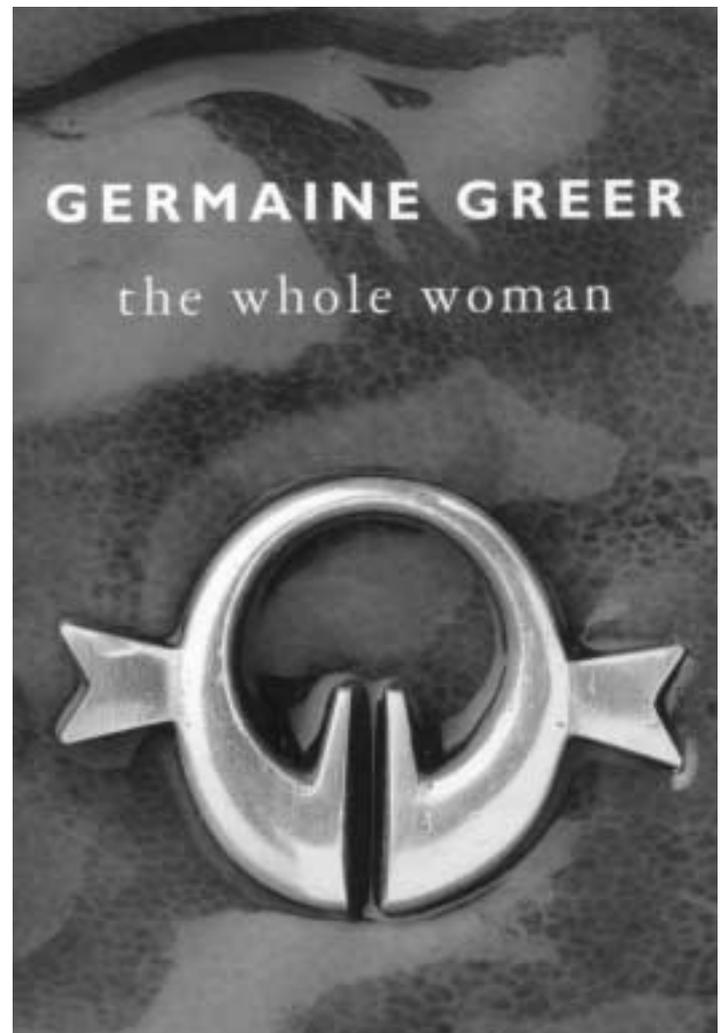
**Greer's latest book, *The whole woman*, is very readable and covers a wide range of themes. She describes it as a "sequel to *The Female Eunuch*", and presents a vast array of data to incite, challenge, endorse, and explain; given the situation confronting women today, she says, it is "time to get angry again". After the recantation and warm-up, the book is divided into four themes - body, mind, love, and power - and within each is a number of sub-themes. Writing very matter-of-factly, she challenges the view that women have actually been liberated over the past 30 years, although she does acknowledge that "women have come a long, long way" in that time. As she highlights in the recantation, Greer isn't seeking equality for women with men, she is seeking liberation for women.**

The format of the book allows one to read a section at a time, or to start and read it right through. A feature of having a relevant quote on most pages adds a starkness to the points made. Greer's frankness, in terms of language and content, may be a challenge for some readers. However, if one keeps one's eye on the prize, namely the assertion that women still have a long way to go in order to be truly liberated, there is something for everyone. Be it beauty, breasts, mutilation, housework, sorrow, mothers, fathers, single, fear, liberation, the examples she uses are such that one who keeps up with news and current affairs, and debates on sex and power, inequality and emasculation, will be able to recall many of the cases and much of the debate. To be sure, one may not agree with all Greer writes in this book, but one of the many strengths of the work is its ability to look at everyday events, with a different eye. For example, in the topic of mutilation, Caesareans, female genital mutilation, and hysterectomies are used to confront what is happening to women's bodies in terms of the male medical model and consider how healthy women function - culturally and physically.

In terms of women in policing, there is coverage of a number of notable cases from England on the topic of equality, which comes under the umbrella of power. Those cases could equally have come from any Australian jurisdiction. However, here she is not focussing on policing, but on the inequality experienced by women in a number of arenas,

including sport, other traditional male professions, and nursing. She concludes that section with the following caution: "If women can see no future beyond joining the masculinist elite on its own terms, our civilization will become more destructive than ever. There has to be a better way." That is consistent with the style of the book - challenging yes, prescriptive no.

Jill Bolen





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