

The Journal for Women and Policing

- Australian Council for Women and Policing 2005 Conference
- 2005 ACWAP Excellence in Policing Awards
- Trafficking of Women and Children
- Better Policing Responses to Adult Sexual Assault
- Status of Women Police in Asia



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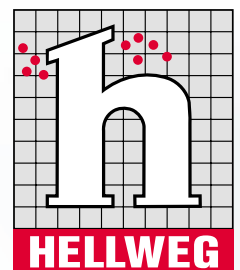
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Cover:

Officers from Asia Pacific Region come together for
 the flag ceremony at the recent ACWAP conference
 in Darwin.

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Editor's Report

I would like to start this editorial by thanking the delegates and the organising committee who made the recent 4th Australasian Women and Policing Conference such a success in Darwin. I would also like to acknowledge the tireless work of the ACWAP committee who made this week a huge success.

Congratulations to all the award recipients at the 2005 ACWAP Excellence in Policing Awards held at the conference dinner. The council would like to thank those people who took the time to nominate recipients, the entries flowed in from nearly every jurisdiction in Australasia and demonstrated what fabulous achievements are being made to policing and the community.

The majority of this journal will cover a number of papers that were presented in Darwin and for those that were not there, an overview of the conference and the many outcomes that were achieved.

A special mention needs to go to all the Pacific Island nations who were well represented with the assistance of many donor organizations. Without the financial support from these organizations, the opportunities for these delegates to be exposed to such a wonderful and informative conference would be limited. ACWAP

would also like to acknowledge the Larrakia people, traditional owners of the land on which the Improving Policing for Women in the Asia Pacific Region Conference took place.

The conference once again demonstrated the need for and the importance of networking between police services throughout the world. The Council's aim is to encourage you to look at your work from a wider human rights perspective, to promote networking and to inform you of the developments for women in policing.

For those of you who missed the conference we are planning to hold our next conference in 2007. If you require any information about ACWAP I would encourage you to take a look at our web site. I hope that you enjoy reading this 17th edition of the Australasian Council of Women and Police Journal and that you are all reinvigorated after the Christmas break and ready for 2006.

I would also like to encourage you to write letters to the editor.

Kind regards

Kim Eaton
Editor



Some of the members of the ACWAP Committee – Kim Eaton, Helen McDermont, Narelle Beer, Joanne Howard, Talei Bentley and Kim Ferguson.

Australasian Council of Women and Policing 2005 Conference

Improving Policing for Women in the Asia Pacific Region

By Senior Constable Kim Eaton, Qld Police

Delegates from Australia, New Zealand, the Pacific Islands, Asia, Africa, England and America met in Darwin at the fourth conference in the Australasian Women and Policing series. The conference explored how policing could be improved in the Asia Pacific Region.

Researchers, police officers, community workers, policy makers, human rights activists, feminists and people interested in improving policing for women attended this conference.

It was an opportunity for delegates to share insights, developments and strategies to improve policing for women in the Asia Pacific region. The conference also offered attendees the opportunity to create and develop women's policing networks in this region.



History of the Conference:

The council has conducted a series of conferences, usually every three years. Due to the success of the conferences we are looking at changing that to every two years with the next one being scheduled for 2007.

These conferences are academic in their approach and are designed to encourage women in policing to look at their work from a wider human rights perspective.

The first conference of Australasian Women Police was held in Sydney in 1996 with over 300 delegates attending. Recommendations from this conference were forwarded to the Australasian Police Commissioners' Conference 1997, Senior Officers Group and Australian Police Ministers' Council 1997, the National Police Research Unit, and the Australian Institute of Police Management.

The second conference in 1999 'Improving Policing for Women' was hosted by the Council and the Queensland Police Service. This conference held in Brisbane saw 180 delegates attending with 30 guest presenters.

The conference themes are aligned with that of the objectives of the Council. The objectives outlined were:

- Improving the relationship between policing and women within the community;
- Improving the position of women within policing; and
- In establishing a global network of women in policing.

The third conference in 2002 'Women and Policing globally' was a landmark event that was co hosted by the Council and the Australian Federal Police. The conference was held in Canberra in October of that year. We were able to explore how policing can be improved for women with the 800 police, human rights activists, researchers, policy makers, academics and law enforcement officers from around the world coming together at the conference. The theme of the conference was creating an Australasian link in the global network of women police and how, through that network, women's human rights can be better protected and policed.

2005 Conference – 'Improving Policing for Women in the Asia Pacific Region':

Day One Monday 22 August 2005

The Conference commenced in celebration with a grand opening ceremony held in the auditorium. Delegates were treated to a flag ceremony from female police officers from each policing jurisdiction.



tion participating. To watch these women come together and march onto the stage with such pride at representing their individual Police services was impressive.

ACWAP vice president Helen Mc Dermont, Commissioner Paul White from Northern Territory Police, The Hon Clare Martin MLA Chief Minister of Northern Territory and Senator the Hon Kay Patterson all provided a welcoming address, opening the conference.

The keynote address was provided by Ms Jean Enriquez, the Deputy Director of the Coalition Against Trafficking in Women - Asia Pacific, (CATW-AP), an international organisation of 500 members globally and with UN ECOSOC Status II. Ms Enriquez explored the problems of violence against women in the Asia Region.



The Hon Clare Martin, Commissioner Paul White, Ms Helen McDermont

Senator Marise Payne chaired the session entitled 'Policing Women in the Region'. We heard from Professor Andrew Goldsmith, who is a Professor of Law and Criminal Justice at Flinders University,



Ms Jean Enriquez

Adelaide. Professor Goldsmith spoke on Policing reform in the Asian Region in the 21st Century. His paper reflected the lack of gender analysts being considered in this area.

Dr Anne Gallagher an international lawyer in human rights addressed the delegation on Policing Human Rights in the Asia



Senator Marise Payne, Professor Andrew Goldsmith, Dr Anne Gallagher and Ms Jan Lloyd

region. She is currently leading a regional counter-trafficking project working with governments in the Asia region to strengthen their criminal justice responses to the crime of trafficking. In her address Dr Gallagher used women's rights as an example to argue for greater attachment to internationally recognised criminal justice and human rights standards in this age of fear and uncertainty.

Ms Jan Lloyd who manages the Ngaanyatjarra Pitjantjatjara Yankunytjatjara Women's Council (NPYWC) cross border Domestic Violence Service and is also the chair of the NT Domestic and Aboriginal Family Violence Advisory Council provided a paper on 'Good Policing for indigenous Women' who experience violence in remote communities. Ms Lloyd's paper explored good policing practices to protect indigenous women who experience domestic and family violence in remote communities and the social and cultural context in which the violence occurs.

The afternoon session was chaired by Federal Agent Audrey Fagan and we heard about 'Women in policing in the Region'. Police officers from Australian Federal Police, Tonga, Victoria and Queensland provided delegates with an overview of the status and number of women in policing in Australia, Asia, Pacific Regions and the rest of the world.

Dr Mangai Natarjan a tenured associate professor and coordinator for the International Criminal Justice Major at John Jay College of Criminal Justice, the City University of New York was the first of this panel to speak. Dr Natarjan provided a passionate address about the need for gender-sensitive initiatives, including the use of women police officers in dealing with violence against women. She further explored how local culture and norms greatly influence the deployment of women police officers in line duties.

Assistant Commander Lautoa Faletau LLB, Bachelor Soc Sci (Politics) is Barrister and Solicitor of the High Court of New Zealand and Supreme Court of Tonga and the Head of Training, Education and Legal Services for the Tonga Police Force. Lautoa

highlighted the history and achievements of women in the Pacific and provided a snapshot of the current status of women in that region.



Senior Constable Kim Eaton, Assistant Commander Lautoa Faletau, Dr Mangai Natarjan, Ms Jane Clark and Federal Agent Audrey Fagan

Ms Jane Clark from the Victoria Police provided delegates with an overview of the numbers and status of women in policing on behalf of the Commissioners' Australasian Women in Policing Advisory Committee (CAWIPAC).

I was the last speaker of this panel and presented a paper researched and written by Federal Agent Dee Quigley on the status and role of women in policing in Europe, Americas and United Kingdom.

Concurrent sessions were held in the afternoon allowing delegates to select from four different subjects to attend. Included ;

Policing Trafficking in Women and Children, by Director of Project Respect, Kathleen Maltzahn who covered trafficking of women in Australia and Mr Chris Payne, a former AFP officer, who spoke about the trafficking of Thai women imported on false passports to work in Sydney's Asian brothels in 1992.



Mr Chris Payne

Policing Sexual Assault, Rape, Reform and Resistance was the heading for Dr Jan Jordan's paper where she seeks to understand why, given the good will and awareness of many individual police officers, significant changes within police organisations overall remain difficult to achieve. Detective Superintendent Kim McKay, the current commander of the Child Protection and Sex Crimes Squad in the New South Wales police highlighted what occurred within the NSW Police Force since 2000 to improve policing services for women who are victims of sexual assault.

How policing needs to change, Chief Inspector Mark Szalajko from the New South Wales Police Service addressed sexual harassment within policing. Ms Nadi Boni from the ACPR, presented her paper on Making Policing an Employer of Choice: Barriers and Facilitators to the Success of Women in Policing. Included in this presentation were research findings from the Australasian Centre for Policing Research from the past seven years on the contemporary issues facing women in policing.

Policing for Women was in PNG presented by Ms Kirsty Allen who currently the Special Projects Manager for IWDA and Ms Helen Hakena the co-founder and executive Director of Leitana Nehan women's Development Agency (LNWDA) in Bougainville, Papua New Guinea. They covered how the RPNGC is notoriously under resourced, in both personnel and equipment and allegations of corruption abound. Women in PNG are in need of police assistance, they experience amongst the highest rates of violence against women in the world.

The afternoon concluded with the delegation coming together for a discussion on networking. Three guest speakers Inspector Sera Bernard, Fiji Police, Ms Erica Lewis, Project officer, WomenSpeak Network and Detective Superintendent Kim McKay, NSW Police spoke on their networking experiences. The speakers covered the developing of a network in the Pacific Region (PICP WAN), Women's Networking in Policing in NSW and Working Together for Women's Human Rights.



Delegates for Northern Territory Superintendent Helen Braan and Superintendent Barbera Etter from WA Police.

Excellence in Policing Awards Dinner:

The Council's National Awards for Excellence in Policing ceremony was held on the Esplanade lawns in Darwin at the conclusion of day one. The atmosphere was one of celebration at the council's opportunity to publicly acknowledge and reward the achievements of the women and men who are contributing to making policing and law enforcement better for women.

The awards recognised the excellence that is being developed and currently exists in policing and law enforcement. The awards acknowledge the work being done around Australia and New Zealand to ensure that women's concerns and needs are properly taken into account and addressed by policing and law enforcement.

A full list of award categories and winners is featured in an article by ACWAP executive member Detective Senior Constable Talai Bently from South Australia Police.

Day Two Tuesday 23 August 2005:

The program for this day explored equality through policing and the role and importance of policing from women's human rights. Dr Jenny Fleming who is currently the coordinator of Policing in the 21st Century the Research School of Social Science at the Australian National University, Canberra and ACWAP Treasurer, was the chair for the first session.

Dr Jude McCulloch, senior Lecturer, Criminal Justice and Criminology at Monash University presented her research on paramilitary policing and the future of community policing.

Dr Abby McLeod who is a Postdoctoral Research Fellow at the Australian National University presented on Women, Peace and Security in Melanesia. Her paper elaborated upon the dynamic problems women throughout Melanesia face through high exposure to domestic violence and lack of female representation in the law and justice sector. Her paper draws upon work undertaken with the Royal Papua New Guinea Constabulary as a means of demonstrating the ways in which external donors attempt to enhance peace and security for these women.

ACWAP Vice President, Helen McDermont, delivered a presentation on Equality through Policing. This paper covered the key role policing plays in protecting and enforcing women's human rights. It outlined the work the Australasian Council is doing to highlight the important role of policing women's equality and community participation with projects such as Women Leading Change training modules. This paper also identified the Council's Excellence in Policing Awards demonstrating again how the council highlights policing initiatives that are making a real difference to women's lives.

By day two the networking was in full swing, and every opportunity was taken by delegates to interact and build up contacts.

Some of the concurrent sessions for this day included sessions on Domestic and Family Violence, Police Unions, Women in Policing, Resolving Conflict, Policing in Timor-Leste, Rethinking Women's Crimes and a session on why we need women as leaders in policing.



Hypothetical Panel

Hypothetical Session – If Women Ran Policing

AFTERNOON SESSIONS EXPLORED POLICING FAMILY VIOLENCE, ARE POLICING STRATEGIES WORKING FOR WOMEN, IMPROVING POLICING RESPONSE TO WOMEN AND PEACE-KEEPING AND REBUILDING IN THE PACIFIC.

The Council then concluded the afternoon with a hypothetical session: 'If women ran policing'. The session was well received, comical and highlighted the difficulties and barriers that so many women come up against. Male and female roles were reversed and an integrated police service that policed the whole Asia Pacific Region with management being 90% female was hypothetically formed.



Hypothetical Panel

This was an informal and fun session to end day two.

Day Three Wednesday 24 August 2005:

Day three consisted of an optional interactive workshop program with guest lecturers providing delegates a choice of one of four workshops.

Session One: 'Developing networks locally, nationally and internationally' was presented by the council's vice president Ms Helen McDermont and Ms Erica Lewis Project officer Women Speak Network, it explored the invaluable resource networking is to women.



Dr Mangai Natarajan

This session provided an opportunity for delegates to develop a strategic and achievable plan for improving networks and allowed attendees to see networks in action and be part of the Australasian, Asian and Pacific networks linking to improve policing for women.

Session Two: 'Leadership challenges in Policing' presented by Chief Commissioner Christine Nixon, Council President, exposed participants to the skills used by various leaders to bring about change. Participants had the chance to think about their own leadership success and failures and shared the lessons they had learned.

Session Three: 'Trafficking in women for prostitution' by Ms Kathleen Maltzahn was an opportunity for participants to deepen their understanding of trafficking and identify ways to strengthen policing of trafficking.

Session Four: Policing Family Violence: Are policing Strategies Working for Women?, conducted by Dr Mangai Natarajan, Associate Professor and Coordinator for the International Criminal Justice Major at John Hay College of Criminal Justice, the City University of New York. Dr Natarajan outlined a problem solving approach to dealing with domestic violence cases. She provided an introduction to new ways of responding to domestic violence, which have been used by women police in Tamil Nadu, India. The workshop provided attendees with basic dispute resolution techniques and counselling, ability to detect, intervene and prevent domestic violence at an early stage and outlined the multiple roles required when dealing with domestic violence cases.

Conference Outcomes

Over the three days of the conference we heard about the status of women in policing in the region, and what the key issues are for women in the region. We explored how policing plays a key role in protecting women's human rights. Delegates were able to take away strategies for how they can improve policing for women.

We formed networks, learnt from each others experiences and were reinvigorated to work towards improving policing for women.

The Australasian Council of Women and Policing is conducting its fifth conference in 2007. We aim to continue to encourage women in policing to look at their work from a wider human rights perspective, provide updates on women in policing and encourage the development and strengthening of networks of women in policing.

The Council would like to take this opportunity to thank the Northern Territory Police Service, Australian Government Office for Women, Aus Aid and the Australian Federal Police for their support in making this international event truly successful.

Kim Eaton is a Queensland Police Officer currently performing duties as a District Training Officer in Cairns. She is a executive committee member of the Australasian Council of Women and Policing and the editor of their Journal.

2005 ACWAP Excellence in Policing Awards

By Det. S/Const Talei Bentley, SA Police

The 2005 Australasian Council of Women and Policing (ACWAP) Seventh Annual Excellence in Policing Awards were presented on the 22nd of August at the Council's 2005 Improving Policing for Women in the Asian Pacific Region conference in Darwin. We were treated to a beautiful balmy Darwin evening with the awards dinner being held on the lawns opposite the conference venue.

The Award categories were revised for this year with two categories being replaced and the new category of Excellence in Policing in the Asia Pacific Region added. The new category was introduced to recognise not only the contribution of women to policing in the region, but the work being done to improve the conditions for women police and the delivery of services to women in Asia Pacific communities.

As the Awards Administrator for 2005 I collected and collated all of the entries that flowed in from nearly every jurisdiction in Australasia, as well as a healthy representation from the Pacific Islands, including Tonga, Vanuatu, Samoa and Fiji. With the Awards growing in recognition throughout the region the number and standard of nominations increases each year. I took the time to read each nomination as it arrived and I felt humbled and privileged to be working with and amongst some truly outstanding police officers and support staff, both male and female. The Awards Committee were faced with the unenviable task of selecting winners in each of the categories. In some categories the Committee also chose to Highly Commend nominees for their outstanding contribution to that field.

To all of the Award Winners and those Highly Commended ACWAP congratulates you. To all of the nominees – know that your outstanding contribution to policing and the community is being recognised by your friends, colleagues and the communities you serve. We encourage you to start thinking about those around you who you think would be worthy of a nomination in next years Excellence in Policing Awards and, when the time comes, put pen to paper in recognition of their hard work.

ACWAP would like to acknowledge the following award recipients:

Bravery Award

The Council's Bravery Award is not a duplication of the various bravery awards already in place. It instead recognises and honours the difference women bring to policing and how many women and men face additional challenges to those already present in policing and law enforcement. The Award recognises the fortitude needed in a situation where there is time to reflect of the consequences of your actions, where you have time to analyse the risks and long-term damage, and where you know that your actions will change your life and impact on the your career forever.



Aboriginal Community Police Officer (ACPO) Lorraine Jones, NT Police, is a 31 year old traditional indigenous Ngalawurru woman. She resides in the town of Timber Creek, approx. 600 km from Darwin where she works along side the police stations two full-time, and one part-time, police officers. At the age of 21 ACPO Jones was nominated by her community to become only the second woman ACPO in the NT Police. Lorraine was the first woman president of the Ngalawurru-Wuli Community Council and first indigenous woman President of the Timber Creek Community Government. Lorraine's work involves the difficult task of enhancing understanding and drawing a balance between the cultural sensitivities of her people and the sometimes difficult to understand NT law. Her outstanding work has seen her forge successful relationships as a traditional woman in a non-traditional role showing great commitment, courage and a determination to improve the lives of those she has been involved with, often in stressful and violent situations.

Bev Lawson Memorial Award

Senior Constable Joanne Bailey joined the Queensland Police Service in 1993 before transferring to Cairns in 1995. Cairns provides relieving officers to 11 remote police stations in the Cape York & Torres Straits. These remote stations are isolated during the wet season and were considered 'high risk' areas in the late 1990's and unsuitable for female officers. In January 1996 S/Const Bailey became the first female to undertake a rotational transfer to the Aboriginal Cape Community of Kowanyama. She enjoyed the challenges and excelled in this role and for the last 4 years has been stationed at Bamaga on the tip of Cape York. She has contributed greatly to the indigenous communities she polices, and in return, has earned a high level of respect from the Aboriginal people. She is working in an area of policing that is challenging, dangerous,

rewarding and very important to the lives of those in the community in which she works. S/Const Bailey now actively encourages other women to follow in her footsteps, providing advice and encouragement to many, having blazed a trail for them to follow.



Excellence in Policing in the Asia Pacific Region

Senior Inspector Delphine Vuti from the Vanuatu Police Force (VPF) is the inaugural winner in this category. She is the highest ranking female officer in the VPF and is a woman who leads by example and demonstrates her commitment to continual improvement. Senior Inspector Vuti strives to improve her own skills and knowledge, and encourages those around her to do the same. In doing so she is making a stand for other women in the VPF and has stood up to significant challenges and resistance from her male colleagues. Delphine Vuti is highly regarded by those who work with and for her, which is evidenced in the fact that ACWAP received two independent nominations for this recipient.



Highly Commended

Assistant Commander Lautoa Faletau, Tongan Police, is currently posted to the South Pacific Chiefs of Police Conference (SPCPC) Secretariat based in Wellington, NZ. At the conclusion of

the first SPCPC Women's Advisory Network, now known as the Pacific Island Chief of Police (PICP), in 2003 she was unanimously voted by all the women present as the spokesperson to present the WAN findings at the next SPCPC. She has been an instrumental role model for the WAN and the Tongan Police where she will be returning in late 2005 to upgrade their training curriculum. She is an advocate in the prevention of Domestic Violence and is currently implementing awareness programs throughout the Pacific Islands.

Assistant Commander Lautoa Faletau – Tongan Police; Detective Superintendent Ann McEvoy – AFP; Federal Agent Gerry Morris – AFP; Federal Agent Sharon Cowden – AFP; Inspector Dawn Bell – NZ Police were jointly nominated for their outstanding work over the last 3 years in mentoring and leading the emerging Pacific Islands Chiefs of Police Women's Advisory Network (PICP WAN). The idea has its roots in the 2002 ACWAP Conference where AFP and NZ Police agreed to assist in the set up and finance of the networks. During the next 2 years they undertook a considerable amount of networking, mentoring, strategic planning and the submission of funding applications. Their activities were beyond the scope of their normal policing duties and additional to their normal roles. Without their leadership, foresight and perseverance the network would have faltered.



Acting Commissioner of Police (A/COP) Arthur Edmanley, Vanuatu Police Force was also Highly Commended in this category. He has been extremely supportive during the inception of the VPF Women's Advisory Network and has made himself available to assist them at all times. In a historically significant moment in December 2004 he promoted 13 female VPF members, 3 to senior levels. A feat previously unheard of in the VPF. The A/COP has encouraged the VPF women's full participation in the workplace and ensures there is female representation at all meetings and appointments within the VPF.

Most Outstanding Female Investigator

Detective Senior Constable Sharon Butterfield, NSW Police Service was recognised as this year's Most Outstanding Female Investigator. She is a member of the NSW Homicide Squad and was a lead investigator in Strike Force Seabrook. Through resolute, belief and challenging traditional attitudes along with the search for psychical and psychological evidence and the provision of support to victim, Detective Butterfield significantly and permanently changed attitudes and improved the response to crime against women, perpetrated by female offenders. Her work has been recognised by the Deputy State Coroner at inquest and by the Crown Prosecutor at trial. She is highly regarded by her colleagues and is a mentor to many women in the NSW Police Service.

Highly Commended

Constable Elaina Conyers (nee Deayton) has been with the Tasmania Police for 7 years. In 2001 she was seconded to the Hobart CIB to work within the Victim Crime Unit. As a result of a complaint from a young female alleging that her drink had been spiked by a well known & high profile night club owner, Const Conyers commenced an investigation. The investigation was broadened and unveiled 7 further victims, going back 6 years. Over 18 months Const Conyers prepared a large brief of evidence, with minimal support. The quality of the investigation was applauded not only by the DPP but by the defence counsel. At trial the accused was found guilty on the initial investigation. As the second trial was about to commence the accused plead guilty to the further 7 victims and was sentenced to a lengthy prison term.



Detective Senior Sergeant Christine Grant currently works in the Complaint Division of the Ethical Standards Department of the Victoria Police. She is recognised as an outstanding investigator



by her colleagues and superiors, and regularly receives accolades for her investigative skills, high work output and impeccable judgement in dealing with highly sensitive investigations. Det. S/Sgt Grant has been recognised for the respect and support she has provided female complainants during her time at ESD. This support in particular is evident in cases involving extreme violence, including sexual assaults allegedly committed by, or against, police officers.

Most Outstanding Female Leader

Superintendent Sandra Nicholson has been a member of the Victoria Police for over 30 years. She currently heads Region 2's Division 1 (Westgate), commanding over 530 personnel. Sandra has established Women's Consultative Networks in each Division in Region 2 and initiated a Seminar to celebrate International



Women's Day 2005. She provides an environment of mutual respect where the ability and potential of men and women are valued equally. Her very personable, supportive and unselfish nature is a source of motivation for all. Supt. Nicholson is a strategic thinker with excellence communication skills and a "can do" approach who delivers results and treats other with respect and empowers them to fulfil their highest potential.

Highly Commended

Detective Chief Inspector Janice Stirling, NSW Police Service, has been the manager of the Joint Investigation Response Teams (JIRT) within the Child Protection and Sex Crimes Squad, since July 2003. As such she is responsible for 116 staff in 22 locations around NSW. Her HR practices have led to a healthier, happier, more committed workforce who are dedicated to policing Child Protection issues. To quote her nominator "It has been her ability to lead and manage staff that has resulted in JIRT's operating so effectively and delivering to the State of NSW an excellent policing service".

Most Outstanding Female Practitioner

Senior Constable Annette (Annie) Barton, South Australia Police, is a long standing member of SAPol's Victim Management Unit, attached to the Sexual Crime Investigation Branch. She is dedicated to improving services to people who have been raped or sexually assaulted. This includes direct contact with victims as well as training Police in how to professionally and effectively deal with complainants to prevent secondary victimization. S/Const Barton is a powerful advocate for female victims and survivors of sexual assault. She was not nominated by a colleague for this award, but by a researcher from the Australian Institute of Criminology who saw her wonderful work in action. Katherine McLachlan, who nominated this award recipient, says that her integrity and commitment is evident in the exemplary service she provides to the victims of crime.

Highly Commended

Senior Constable Linda Hancock, Victoria Police, is a Crime Prevention Officer who works closely with the communities and local government of Knox, Maroondah and the Yarra Ranges. She was the first Crime Prevention Officer to collaborate with the City of Knox and its officers and has established many networks and projects aimed at creating safer communities. S/Const Hancock was the only local police officer invited to participate in the Roundtable Discussions for Women recently held by the Victoria State Government in Maroondah. Her nominator stated that "She is not just a police resource, but an integral part of the organisational fabric of the community she services."

Most Outstanding Female Administrator

Renae Hodgson entered the WA Police in November 2001 as the EEO Coordinator with a mandate to implement change and seek to provide a workplace that valued diversity. Strangely, for some

jobs, an increase in complaints is actually a measure of success, and this is one of those cases. Since her reforms commenced the number of complaints relative to EEO matters has risen dramatically as staff have become empowered to report behaviours they had previously tolerated. Renae is an intrinsic member of the Women's Advisory Committee and has had a significant impact on the lives of many women within the WA Police.

Excellence in Policing for Women Initiative

Inspector Rob Veale, NZ Police is the Manager of Violence Reduction, Operations Support. Since 1996 he has been outstanding in his contribution to family violence prevention in NZ and the Pacific Region. Due to his groundbreaking work in reducing domestic violence and enhancing the police response in Kiribati, Insp. Veale was invited to widen his vision across all of the South Pacific Islands. He has since developed and delivered training across the region while assisting many of the Islands to develop and implement their own specific programs to incorporate cultural needs. His contribution has been at great personal expense with cooperation from his wife and children. His 42 visits to the Pacific has taken him from his home and family for a period in excess of 2 years. On one visit to Kiribati he contracted a serious illness. Insp. Veale's work has made a real difference to the lives of women in the Pacific Region and the Council recognised him as this year's winner of the Excellence in Policing for Women Initiative Award.





Highly Commended

The Ngaanyatjarra Pitjantjatjara Yankunytjarjara (NPY) Women's Council encompasses traditional lands spread across three jurisdictions – the Northern Territory, South Australia and Western Australia, encompassing an area of 350,000 square kilometres. The council first formed in 1980 and represents 3500 community members. The members are a group of strong women determined to improve the quality of life for families in the region. Among the services provided by the council is a highly successful Domestic Violence Service which compliments the work of law enforcement and provides a range of services including advocacy and interpreter assistance in an area where at least one in four women aged between 15 and 44 have suffered domestic violence.

A/Sergeant Michelle Clarke, NSW Police, is a Domestic Violence officer in the Shoalhaven LAC. She has been described as dynamic, committed, dedicated and selfless in ensuring the safety of women within the community. She has designed and implemented the “Choice” program to identify, respond to and reduce incidence of domestic violence in the Shoalhaven LAC. This program has provided a benchmark of best practice for domestic violence investigation and victim support, and has been replicated throughout much of NSW.

Excellence in Employment Initiative

North East Local Service Area – SA Police: The management and staff of the North East Local Service Area (NELSA) have long recognised the benefits of actively recruiting, retaining and advancing experienced female police officers. In 1995 NELSA was the first in Australasia to appoint a female officer to a one person police station. NELSA has sought to creatively and positively find avenues which accommodate organisational needs and at the same time remain family friendly. They have made particular headway in identifying and accommodating the needs of staff who are returning to work from parental leave. NELSA recognises that by finding ways

to accommodate employees different needs it loses nothing, in fact it makes huge gains in employee commitment and enjoyment. NELSA has 5% more female operation members than the average in SA Police and 20% of their Sergeants are women. NELSA is a great example of how valuing all staff pays off and how it is the most efficient and effective way of delivering policing services to a diverse community.

Griffith University Excellence in Research on Improving Policing for Women Award

ACWAP received a number of very interesting nominations for this category but unfortunately as their research was not yet public, they would not be considered for the award.

The recipient of this year's award was **Dr Jude McCulloch from Monash University** who was recognised for her ground breaking research in the early 1990's that informed many of the developments in policing since. This research includes her paper Brute Force: the need for affirmative action in the Victoria Police Force which highlighted how the recruitment practices of the day prohibited the equal participation of women in Vicpol and how this historically institutionalised discrimination promoted a workplace culture out of step with community expectations and attitudes.



Barriers and Facilitating Factors for Women in Policing: Considerations for Making Policing an Employer of Choice

By Ms Nadia Boni,

Research Officer for the Australasian Centre for Policing Research

In recent years, problems and issues facing women in policing have attracted increasing research interest. Issues such as equal employment opportunities, sexual harassment and turnover have attracted closer academic scrutiny as researchers search for ways to improve the opportunities and options for women in policing. The Australasian Centre for Policing Research has spent the past seven years researching contemporary issues facing women in Australasian police organisations. This Current Commentary reviews the key findings from this research program. Also presented are the findings from other recent projects conducted at the Centre that contribute to a greater understanding of the factors that impact on the success of women in policing. This paper focuses on barriers and facilitators to the progression and retention of women in policing. Key issues discussed include discrimination, work-life balance, career development and management. Strategies for improvement are also suggested, which aim to make police organisations an “employer of choice”.

Introduction

The roles and opportunities for women in policing have changed significantly since women first entered policing. Women are now represented in a range of fields and areas of specialisation and comprise one fifth of all sworn police officers in Australia (Australian Institute of Criminology, 2003). While significant improvements have been achieved, women are still not represented equally or proportionately in all ranks and roles, both in Australia and internationally (Australian Institute of Criminology, 2003; Lonswayet al. 2002).

Police organisations are increasingly being tasked to deliver their services in an environment characterised by fiscal constraints and community expectations for accountability. In order to remain competitive, police organisations need to capitalise on the skills and experience of all employees. Diversity management is one tool that police agencies can use to maximise organisational performance and achieve strategic business objectives. By demonstrating diversity management, police agencies will be better placed to attract and retain a diverse workforce comprising both male and female employees from a variety of educational and cultural backgrounds.

At the same time, organisations are increasingly seeking to become competitive and to have the capacity to attract and retain quality employees. As a consequence, the concept of an “employer of choice” is gaining more prominence in organisations. An employer of choice is one that is recognized for its leadership, culture, and best practices that attract, optimise, and retain its pool of skilled employees. Companies that are recognised as an employer of choice are characterised by particular business practices including diversity management (Commonwealth of Australia, 2005), being an inclusive workplace and providing opportunities for advancement, access to continuous learning, and a balance between professional and personal lives (Public Service Commission of Canada, 2005).

In the past seven years, the Australasian Centre for Policing Research (ACPR) has devoted significant resources to investigating the barriers to the success, advancement, and retention of women in policing. In general terms, these fall under the following categories: discrimination; difficulties in achieving work-life balance; obstacles to career development; and perceptions of management

and co-workers. In addition to barriers, ACPR studies have also investigated factors that are likely to be beneficial to the advancement and retention of women. These have included women's aspirations, job intentions, self-efficacy and use of mentors.

The main aims of this paper are to describe the major barriers experienced by women, relative to men, in policing using key findings from ACPR research; explore the factors that are likely to facilitate women in their policing career; and to highlight areas for improvement. The strategies for improvement aim to make police organisations an “employer of choice”. While it is recognised that police agencies have implemented a number of pro-active and positive measures to improve the prospects for women (e.g., anti-discrimination policies, mentoring programs), there is still more that can be achieved to ensure that the benefits are translated into practice.

Key results from the following four ACPR reports¹ will be discussed throughout this paper: Understanding voluntary turnover (Lynch & Tuckey, 2004); Contemporary issues facing women in policing (Boni & Circelli, 2002); Educational and professional development experiences of female and male police employees (Boni, Adams, & Circelli, 2001); and Women in senior police management (Adams, 2001). Each of these studies included perceptions and experiences of men as well as women in policing. This allows us to answer questions regarding the impact of problems and issues facing women relative to men² and departs from many studies of women in policing that have typically focused exclusively on women. Before discussing the barriers, the next section sets the scene by presenting the current status of women in policing.

Status of Women in Policing

Recent statistics indicate that women make up 20.9% of all sworn police officers in Australia (Australian Institute of Criminology, 2003). This compares to 18.1% in the UK³ (Metropolitan Police Authority, 2005), and 12.7% in the US (Lonsway et al., 2002). These figures suggest that Australia is able to recruit and/or retain a greater number of women compared to other similar English-speaking countries.

While women and men in Australia are still not represented equally, a significant shift has occurred over the last decade. For example,

in 1995, only 13.5% of sworn police positions in Australia were occupied by women (Australian Institute of Criminology, 1995). This compares to the most recent figure available of 21.0% in 2003 (Australian Institute of Criminology, 2003). Further, only 1.6% of women were Commissioned Officers (Inspector and above) in 1995. This compares to 5.9% of women Commissioned Officers in 2003. Overall, this suggests that improvements to the recruitment and/or retention of women have taken place in Australian police organisations. However, more needs to be done before women are represented equally in sworn police roles.

Barrier Barriers

A number of barriers concerning the appointment, promotion and transfer of women have been well documented in the literature. Barriers such as discrimination, difficulties balancing work and family life, obstacles to career development, and perceptions of management and co-workers have been discussed as factors that contribute to the under-representation of, and/or the rate of voluntary turnover among, women in policing.

Discrimination

Despite the introduction of equal employment opportunity legislation and a range of policies and strategies that aim to reduce and prevent discrimination, there is a perception that discriminatory practices still occur in the workplace. A range of both formal and informal discriminatory practices have been observed over the last ten years both in Australia (e.g. Sutton, 1995) and overseas (e.g., Brown, 1996; National Center for Women and Policing, 2000a; Raffel Price, 1996).

In a similar vein, research from the ACPR has found that women and men have different perceptions of the impact of sexual discrimination on their career. For example, Boni and Circelli (2002) examined a range of contemporary issues facing men and women in policing up to the rank of Senior Sergeant. Results indicated that women were more likely than men to perceive that discrimination based on sex occurs in the workplace. In addition, women perceived that sexual discrimination was occurring to a significantly greater degree than did men. This same pattern of results was found for men and women in senior management (from the rank of Inspector, or equivalent, and above, Adams, 2001).

A similar pattern of results was found regarding perceptions of sexual discrimination as a career barrier. Police women at both lower levels (Boni & Circelli, 2002) and in senior management (Adams, 2001) were significantly more likely than their male counterparts to consider sexual discrimination as having been a career barrier. Adams (2001) also found that the types of

behaviour experienced by women varied and were not limited to sex discrimination (e.g., missing work opportunities, intimidation/bullying). These behaviours had a detrimental impact on women both professionally (e.g., slowed their promotion and advancement opportunities and influenced their need to transfer to another unit) and personally (e.g., a loss of confidence and stress).

In line with these findings, Lynch and Tuckey (2004) found two forms of overt discrimination as having had an impact on employee turnover. Although not a principal reason for leaving the police service, sexual harassment and bullying, were perceived to have had a vastly different impact on men and women. Specifically, women rated these factors as having had a much greater influence on their decision to leave policing than did men.

In short, perceptions of sexual and other discrimination in the workplace were vastly different between men and women in policing. Women perceived and experienced different forms of discrimi-

nation in the workplace to a greater degree than did men, from lower levels through to senior management. The behaviours had a negative impact on women both professionally and personally.

Balancing Work and Family Life

The need to effectively manage paid work with family responsibilities (or other activities) is gaining more and more prominence in the workplace. Adopting policies and practices that promote work-life balance is considered a critical tool for attracting and retaining employees, and is particularly important for maintaining a diverse and productive workforce (Hudson, 2005).

While men may be taking on more family and child care responsibilities than they have in the past, women still appear to be managing the "lion's share" of work around the home and with the family. For example, a recent UK study found that working women were over three and a half times more likely than men to report that they do most of the household tasks themselves, and over 12 times more likely to report that they do most of the childcare (Jones, 2003). In Australia, gender differences are also apparent. For example, the Human Rights and Equal Opportunity Commission (2005) found female parents spend a significantly greater amount of time caring for children (19.6 hours per week) than do men (9.6 hours per week).

Similarly, ACPR research found balancing work and family to be more salient for women than men. For example, women at lower levels (Boni & Circelli, 2002) and in senior management (Adams, 2001) rated lack of adequate childcare as a more significant career barrier than did men. This is despite the fact that men were more likely to have dependent children than women.

In addition, Adams (2001) found that women in senior management experienced a greater degree of work-family conflict than did their male colleagues. Specifically, senior women were more likely to agree that their work "spills over" into their marital relationship, parent-child relationship, leisure time, and household tasks (Adams, 2001).

Lynch and Tuckey (2004) also lend support to the findings that child and family responsibilities have a greater impact on women than on men in policing. For example, both men and women nominated "caring for young children" as one of the key individual reasons for leaving the police service. However, women rated this much more highly (ranked eighth) compared to men (ranked 49th). In addition, a lack of access to flexible work practices was more frequently nominated by women as a critical reason for leaving the department. Specifically, they found that caring for young children, lack of flexible work practices, and the need to work shifts (which interfered with their ability to tend to their family) had greater impact on women than on men in policing and were key reasons for leaving the police service. Specific problems identified in accessing flexible work arrangements included negative attitudes of supervisors, managers, and the police organisation in general towards flexible work options. It is important to note that men also identified problems associated with access to flexible work practices as an important factor in their decision to leave policing. However, this issue was more salient for women.

In short, issues related to managing work and home life emerged as a barrier particularly for women in policing. Although women were less likely than men to have dependant children, they were more likely to experience work-family conflict. In addition, the issue of flexibility in managing work and family roles was considered a major factor in employee turnover, particularly for women but also for men.

Career Development

Most organisations recognise the importance of having a skilled and versatile workforce in order to compete effectively in the global marketplace. This makes employee training and development an important organizational investment. Indeed, improving employees' skills and capabilities is considered to be critical for enhanced organisational performance (Muchinsky, 1999). Employees must be willing to engage in training and education, but employers also need to encourage and provide opportunities for training and education. Professional development and the promotional system have been major themes in the literature of women in policing, both in Australia and internationally (e.g., Lonsway et al., 2002; McKean, 2002; Niland, 1996), and in ACPR research.

Issues of significance include organisational and personal barriers to accessing professional education, career opportunities, promotions, and other barriers to professional development.

Barriers to Professional Education

ACPR research has found the most salient barriers to professional education for both men and women to be work commitments and family commitments (Boni et al., 2001). Men tended to rate these barriers significantly more highly than did women. Demographic differences between the men and women in the sample may help to account for this difference (e.g., men tended to hold a higher rank and were more likely to have dependent children than women). Interestingly, the reverse was true for men and women in senior management (Adams, 2001).

Other barriers to professional development included the support from supervisors and colleagues. For example, women in senior management were less likely than men to think that their supervisor's support had facilitated their professional development (Adams, 2001). In a similar way, women were more likely than men to view a lack of career guidance as having impeded their professional development (Adams, 2001).

Apart from the differential impact of gender, both marital status and having dependant children had a significant influence on the ability of both men and women to pursue professional development opportunities. Irrespective of gender, the ability of men and women in policing to undertake professional education/training was more difficult for those who had a spouse/partner and/or dependant children compared to single respondents and/or those without children (Boni et al. 2001). In addition, family commitments precluded many respondents from attending management courses that involved a long residential component.

Promotions and Career Opportunities

Career development, promotions, and the promotional system have been major themes in the literature of women in policing (e.g., Lonsway et al., 2002; McKean, 2002; Niland, 1996). Accordingly, these themes have been examined by the ACPR in an effort to identify specific obstacles that may prevent women from advancing and remaining in policing. Problems associated with the promotional process and career advancement were identified by Lynch and Tuckey (2004) and were found to be major factors in employee turnover. For example, lack of career options, lack of promotion and professional development opportunities, and problems with the promotion (e.g., limited opportunities, nepotism) and transfer systems (e.g., difficult to get, nepotism) were perceived to be problematic, were associated with a decline in the enjoyment levels of their work, a feeling that they had not reached their full potential, and the subsequent resignation of both women and men from the police service.

Other problems identified included a perception that job selection processes were unfair (e.g., based on nepotism), that there were limited opportunities for training/education, lack of support to undertake training/education, and inadequate career development advice. Of particular importance was that men and women had similar perceptions of the problems associated with career development. This underscores the importance of the need for improvement in these areas in order to retain skilled and experienced women and men in policing.

In summary, a range of career development issues have been examined by the ACPR in an effort to tease out the barriers to the success, advancement, and retention of women in policing. Barriers to the career development of women included work commitments, family commitments and a lack of supervisor support. It should be recognized that family commitments and work commitments also impacted on men, particularly at lower levels of the hierarchy (up to Senior Sergeant). Not surprisingly, the ability of employees to undertake professional education/training was more of an issue for those who had a partner/spouse and who had dependent children. This was true for both women and men in policing. Other career development issues that were pertinent to men and women included the lack of promotional opportunities, lack of professional development opportunities, perceived unfairness of the promotion and transfer systems, and inadequate career advice.

Management and Co-workers

The attitudes and behaviours of police managers are likely to have a significant influence on the job satisfaction of employees, their career progression and success, and ultimately whether they decide to remain working for the organisation. In addition, the police culture, in general, and attitudes of policemen in particular, may still represent obstacles that have been traditionally considered to be negative (e.g., Martin, 1989; Sutton, 1995; Taylor & McKenzie, 1994) and act to constrain women in policing (e.g., Hale, 1992; Heidensohn, 1992; Martin, 1993).

The impact of management and co-workers on the experiences of men and women in the workplace was examined in several ACPR studies. For example, women were more likely than men to perceive lack of colleague support as having hindered their professional education (Boni & Circelli, 2002), the prejudice of colleagues as having been a career barrier (Adams, 2001), and supervisor support as having been a barrier to their professional education (Adams, 2001).

The support of managers and co-workers in relation to promotion was also examined. Both men and women felt that they would receive only a limited amount of encouragement from their co-workers and supervisors to seek promotion. Interestingly, the result for women was more promising than for men. Women thought that they would receive a greater amount of encouragement from both their female peers and their immediate supervisor than did men (Boni & Circelli, 2002).⁴ This suggests that women have, on average, more favourable perceptions of their female peers and supervisors than do men, at least insofar as their encouragement for promotion is concerned.

Boni and Circelli (2002) also found that women were less likely than men to think that their male colleagues' reaction would be positive if they were to receive a promotion. This could suggest that men in policing may not be as accepting towards women being promoted. This perception may deter some women from seeking promotion. Indeed, those who believe that they are receiving little support from co-workers are likely to modify their behaviour accordingly, regardless of the actual amount of support received (South, Markham, Bonjean, & Corder, 1987).

Overall, perceptions of the likely reaction of colleagues and supervisors was not particularly positive (Boni & Circelli, 2002). Similar results were reported by Adams (2001). For example, both men and women received a low degree of help and support from immediate supervisors and even less help/support was received from senior managers. This suggests that there is quite some room for improvement in the extent to which colleagues, immediate supervisors, and in particular, senior managers, can help in supporting and advancing both women and men in policing.

The potential impact of colleagues, supervisors, and managers can extend beyond career development and promotion and can have a significant influence on men and women's decision to leave the police service. For example, Lynch and Tuckey (2004) identified management, culture, and the workgroup as a critical factor in women and men's decision to resign. More specifically, men and women were critical of the management style of their supervisors, particularly their senior managers. This was evident in their perceptions of poor leadership (e.g., poor support, direction, inadequate skills, experience, or qualifications) displayed by supervisors and management generally.

In short, a low degree of support and encouragement from male and female colleagues, supervisors, and senior managers was perceived by both men and women in policing. This related to perceptions of the likely reaction of colleagues if they were to receive a promotion and the level of support received. Interestingly, women were more likely than men to feel that their female peers and supervisors would encourage them and have more favourable reactions if they were to be promoted. Other problems and issues concerning management were evident in the study of police who had left the organisation. Problems such as poor leadership of supervisors and senior managers contributed to employees' decisions to resign from policing.

Identifying facilitators to the advancement and retention of women in policing

The above discussion focused on examining specific barriers to the success of women in policing. In order to improve the likelihood that women will remain and advance within policing, it is useful to explore factors that may assist and encourage women in this regard. This section highlights a number of factors that are likely to help retain and promote women's success in policing.

Interest in Professional Development

Women showed considerable interest in attending variety of professional development courses. Indeed, women expressed a higher degree of interest in attending courses than did men (Boni et al., 2001). The types of courses women were interested in included leadership, negotiation, career development, supervision, and performance appraisal/feedback. This suggests that women are at least as interested, if not more interested, in career development as men, at least in so far as their intentions are concerned. While willingness to attend courses alone will not guarantee success at higher management levels, it is a necessary prerequisite for advancement in policing (Etter & Adams, 2001).

Promotion

Boni and Circelli (2002) found that most women (and most men) wanted to be promoted which shows that many women do aspire to more senior roles. Promotion often involves successful applicants having to move to another station, which may involve relocating to a different city/town. Results from two ACPR studies indicated that women were as willing as men to relocate in order to

accept a promotion (Adams, 2001; Boni & Circelli, 2002). This is encouraging as it suggests that the requirement to move for a promotion does not pose a particular problem for women, relative to men. Taken together, these results suggest that women have aspirations to enhance their professional skills and advance in policing.

Self-efficacy

Having confidence in one's abilities is one factor that is likely to impact on the ability of women and men to progress in policing. Self-efficacy is based on the theory that a person's beliefs about their ability to succeed at a given task or behaviour can significantly influence their behaviour (Bandura, 1977). Both women and men demonstrated a high degree of self-efficacy, which indicates that they were confident in their ability to successfully complete the training requirements and job duties of a management position.

Job intentions

Boni and Circelli (2002) found that the majority of both men and women did want to remain working for the police service in the medium term (five years). In addition women were more likely than men to want to remain in the service beyond five years. This result is consistent with previous Australian research (e.g., Sutton, 1995). This is a particularly positive result as it suggests that police organisations can be confident that their investments in the training and education of women will not be wasted through early attrition.

Mentors

Studies have found considerable positive outcomes from mentor-protégé relationships, including high levels of commitment, career satisfaction, career success, and income (e.g., Baugh, Lankau, & Skandura, 1996; Collins, 1994; Corzine, Buntzman, & Busch, 1994). Mentoring programs and networks have been widely proposed as a means of enhancing the self-confidence, performance, and capabilities of women in policing (e.g., Etter & Adams, 2001; National Center for Women and Policing, 2000b). Boni and Circelli (2002) found that most women (and men) in policing had had a mentor at some stage. Although women more likely than men to have had a mentor, the effectiveness of the relationship was not examined. Not all outcomes of a mentor-protégé relationship are positive (Foegen Carsten, 1994). Indeed, the effectiveness of mentor relationships in policing is an area that has been under researched. Evidence-based research is needed to determine how best to implement a mentoring program to ensure optimal outcomes for mentors, protégés, and the police organisation as a whole. In short, a number of factors have emerged as potential facilitating mechanisms to promote the retention, career success, and advancement of women in policing. These have included women's interest in professional development, aspirations for promotion, confidence in their abilities, and their desire to remain working for the police organisation.

Areas for Improvement

The preceding discussion of barriers and facilitators provides a useful background from which a number of suggestions may be proposed to improve the prospects of women in policing and to promote policing as an employer of choice.

Discrimination

ACPR research has suggested that perceptions of discrimination still occur in policing. The types of discrimination involved sexual discrimination but also extended to other forms of discrimination (e.g., missing work opportunities, intimidation/bullying, being undermined), which may be more suggestive of bullying. These results suggest that more needs to be done by police organisations

to ensure the strict application of policies and practices designed to prevent discrimination occurring in the workplace. It is particularly important that police managers and supervisors demonstrate non-discriminatory practices, seek to identify and eliminate discrimination, and also actively pursue a culture of exclusivity and diversity. Police organisations must move beyond the rhetoric contained in equal employment policies, as these, in and of themselves will not prevent discrimination from occurring. This may involve regular monitoring of antidiscrimination policies to ensure that they are effective, relevant, and span a range of formal and informal discriminatory behaviours.

Balancing Work and Family Life

Difficulties in managing work and family life were experienced by both men and women in policing.

Flexibility in the workplace has become the new "buzz word" in organisational circles. Police organisations should continue to work towards developing flexible work options and ensure that the options are readily accessible by all employees. This may require an increase in sensitivity to personal issues and educating supervisors and managers on the ways in which flexible work solutions can be implemented in the workplace. At the same time, police organisations may need to increase awareness of the range of flexible work options available to both male and female employees. Finally, increased access to different types of work arrangements will require a cultural shift in attitude towards one of acceptance and enthusiasm regarding flexible work arrangements.

Career Development

Access to education and training, and the ability to pursue promotion and transfers are essential for both men and women to advance in their career. By providing career development opportunities, the police organisation, as a whole, stands to benefit. ACPR research has found evidence to suggest that some police employees find it difficult to access education and training. This underscores the need for police organisations to increase work flexibility through strategies such as access to leave without pay, temporary work in a nonoperational or non-shift work position, part-time and casual work, and job-sharing. Further, police organisations could investigate the viability of work-sponsored child care which is likely to assist those with parenting responsibilities. ACPR research also found evidence of frustration and problems associated with the promotion and transfer systems. In order to address these issues, police organisations may need to consider a review of the promotion and transfer systems with a view to increasing transparency, reducing/removing bias or nepotism, and educating employees about how the systems work. In addition, police agencies could consider offering formalised career guidance that may include information provision about career options, career assessment, and counselling.

Management and Co-workers

Supportive and positive relationships with managers and peers are essential for a productive and harmonious work environment and rely on effective communication and reward systems. ACPR research has shown that the support and encouragement from colleagues and supervisors in relation to promotion was not particularly high. In addition, several problems were identified concerning the effectiveness and leadership of managers. This is one area that police organisations should target for improvement by focusing on enhancing management training that addresses management styles, communication and support.

Further, police agencies should continue to work towards implementing procedures and training that ensure that supervisors provide effective feedback, encouragement, and recognition of good work to all groups of employees. This could be incorporated into formalised performance review systems to highlight and reinforce the importance of these effective management behaviours. Strong, positive, and effective leadership will ultimately improve the prospects for all police employees.

Issues for Further Consideration

Addressing the problems and concerns facing women in policing is only one issue that police organisations need to consider in order to become an employer of choice. Much of the preceding discussion has highlighted areas that police agencies can target that will impact on men as well as women. Both groups within policing could benefit from further consideration of the issues that relate to the barriers discussed above. For example, police organisations may want to consider expanding flexible work arrangements to include a broader range of family responsibilities (e.g., caring for grandchildren, elder care). These options must be balanced with considerations of the impact these will have on the organisation.

Further, while recognising that police agencies have implemented a range of policies and practices to, for example, prevent discrimination, promote work-life balance, and facilitate the attainment of educational qualifications, the effectiveness of these changes are frequently not assessed. Police organisations could benefit greatly from systematically reviewing the effectiveness of such policies and practices in terms of the benefits to the individual as well as to the organisation as a whole.

Conclusion

If policing is to be recognised as an employer of choice, various business and human resource practices need to be targeted. This includes taking all steps possible to remove discriminatory practices to ensure that the workplace is inclusive and diverse. Clearly, this extends beyond improving the prospects solely for women in policing. Ensuring access to flexibility and to career development opportunities, as well as providing strong, effective leadership is essential for policing to be acknowledged as an employer of choice. While diversity principles are actively promoted in the policies and strategies of many Australasian police jurisdictions, the effectiveness of these initiatives will depend on the commitment and leadership shown by management to ensure that the policies are translated into practice.

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Better Policing Responses to Adult Sexual Assault

By Kim McKay, Detective Superintendent, NSW Police Force

Introduction

During the winter of 2000, on the eve of the Sydney Olympics, the southern suburbs of the city became the hunting grounds for gangs of rapists who committed a series of sexual assaults against young women. How this ultimately played out in the media left an impact on the community of NSW that cannot be understated. This paper highlights these attacks and identifies the effect they had on the government and NSW Police Force. It then details the current response of NSW Police to adult sexual assault offences.

Strike Force Sayda

Starting around August 2000 a series of very serious sexual assaults by multiple offenders were committed upon young women and girls in the south western suburbs of Sydney. The following is a summary of the main offences:

4th August, 2000 – 14 year old girl

Train between City and Punchbowl. Surrounded on train by four males. Indecently assaulted, male masturbated in front of her. Demands for sex

8th August, 2000 – 13 year old girl

Coaxed into a park at Drew Street, Greenacre. Tied up using packing tape. Two males forced oral sex and one attempted vaginal intercourse. Stated they had done it before and their mates were on the way.

10th August, 2000 – 17 and 18 year old girls

Offered a lift home from Chatswood Shopping Centre. Instead taken to Northcote Park, Greenacre, where they were sexually assaulted (oral) by eight males, assaulted and threatened with a knife.

12th August, 2000 – 16 year old girl

Victim received an offer from a male for a drive to the City. Taken to Gosling Park, Greenacre and violently sexually assaulted by two males. Group of eight males assisted and looked on.

13th August, 2000 – 15 year old girl

Victim offered a lift from near a train station. Was forced into the car by four males, taken to an unknown park near Lidcombe and sexually assaulted.

16th August, 2000 – 13 and 15 year old girls

Forced into a car at Belmore Street and taken to Allum Park, Greenacre, by three males. Unsuccessful attempts to have forced sex with the victims.

24th August, 2000 – 16 year old girl

Vicinity Bankstown Square. Surrounded by 10 males and indecent-

ly assaulted. All demanded sex. Escaped into female toilets and was followed by one male who attempted to force intercourse.

30th August, 2000 – 18 year old girl

Sexually assaulted by 14 males in three different location using three different vehicles to transport her around. Offences last for six hours and included oral, vaginal and anal.

5th September, 2000 – 15 and 16 year old girls

Forced from Bevelery Hills Railway Station and taken to a home in Villawood. Sexually assault by four males over a four hour period.

Strike Force Sayda was established to investigate these offences. It was lead by (then) Detective Inspector Kim McKay of the Homicide Squad, with the Officer in Charge Detective Sergeant Michael Porter of the Child Protection Enforcement Agency.

An initial task was to identify what offences were linked by common offenders and what offences were isolated instances. An analytical review had identified 25 offences in the previous twelve months that were multiple offender sexual assaults. Of these the Strikeforce linked 11 offences to a loose grouping of 25 offenders.

The offenders were identified through a number of different investigative strategies. The most commendable was the linkage of the offenders for the sexual assault on the 30 August, 2000 by 14 offenders over six hours. Good police work by local Bankstown police had previously lead to two of the suspects being questioned over their involvement with an unregistered car. Their photographs were taken and Strike Force Sayda investigators notified re concerns the local police had with these offenders having female underpants and condoms in the car. When the offence of the 30 August occurred CCTV footage was obtained from the Bankstown Railway Station. Immediately Strike Force Sayda investigators were able to identify the offenders as they were wearing the same clothing when they were earlier photographed by the local police.

Ultimately 19 offenders were arrested and charged with 380 indictments for 8 offences against 11 victims. All were convicted. The following is a sample of the range of sentences the offenders received. The two highest sentences were for two brothers who were central to most of the sexual assaults and were convicted of multiple offences.

- 18 months • 11 years • 13 years • 14 years • 18 years • 21 years
- 23 years • 25 years • 15 years • 32 years • 40 years • 55 years

Sayda Victim Management

Victim management for this Strike Force was very onerous for both police and the victims. The majority of victims required constant information updates. In some instances, the victims were close to breakdown and suicide. These factors had to be managed in a manner that ultimately considered victims' welfare as the first priority, with the court process a secondary concern.

The following strategies were enacted throughout the duration of the investigation and court process:

Different case officers were designated to separate victims as their first point of contact and responsible for updating the victim,

Most of the victims were under the age of 18 which required their parents to be similarly updated,

Referrals for sexual assault counselling were made in all instances,

Victims were deliberately not told of any links between their own case and the other cases being investigated by the Strike Force,

All Court appearances by the victims were supported by a strong police presence, to protect them from the media and from the strong intimidating behaviour of the offender's relatives,

All victims and their families were advised against speaking with anyone from the media until the completion of their matters. They were advised that any such interviews may impact upon future trials,

Department of Public Prosecutions Witness Assistance (WAS) utilized in the preparation of victims for court, and

DPP WAS officers and Salvation Army Chaplain used as support person for each victim during court.

Best practice investigation leads to optimum responses to victim's and community needs.

Strike Force Sayda became the template for 'best practice' in the investigation of complex sexual assault investigations. The most effective way of ensuring the optimum policing response to victims is to undertake a thorough and professional investigation. The Crown involved in the prosecution of the Sayda matters commented that the investigation followed the thoroughness of a homicide inquiry and this was reflected in the large amount of corroborative evidence obtained by the Strike Force. The key aspects of the comprehensive investigation included:

- Appropriate and adequate resourcing;
- Detailed investigation planning;
- Risk Management strategies;
- Victim welfare focus;
- Division of cases across the team;
- Proactive investigation to establish, identity, association and incriminating conversations;
- Use of surveillance to establish association, links to vehicles, evidence of clothing worn by offenders and proof of the use of mobile phones by offenders to corroborate telephone intercepts;
- Attention to the collection and analysis of physical evidence;
- Thorough canvassing;
- Attention to identification evidence;
- Detailed analytical examination of phone usage by offenders, police intelligence and technical evidence from mobile phone companies;
- Corroborative evidence obtained so that there was not an overwhelming reliance on the victim's evidence and credibility;
- Attention to Bail hearings by investigators to ensure that the best evidence was presented so bail was not granted;

- Early engagement of the ODPP so that all briefs are handled by the same instructing solicitors and crown;
- Comprehensive investigation information management.

Since 2000

In 2000 responsibility for the crime type of adult sexual assault was disjointed. The Local Area Commands had responsibility for responding to incidents that occurred in their geographical borders. The Homicide Squad had responsibility for investigating serial sexual assaults against adults.

While local commands looked for linked offences within their own areas responsibility for the monitoring of state wide trends and serial offending was the responsibility of the Information and Intelligence Command under the auspices of ViCLAS. The priority of the Homicide Intelligence Unit was the tactical support of murder investigation and it did not have the capacity or mandate to monitor the adult sexual assault environment.

At this time the Child Protection Enforcement Agency was well resourced. Its Intelligence Unit was daily monitoring sexual offences against children to identify trends, offenders and linked cases. However they were not examining adult sexual offending. While there was a Corporate Spokesperson for Adult Sexual Assault there was not much policy support in this area.

Structural Responses

A number of these problems were addressed with the formation of the Child Protection and Sex Crimes Squad, which amalgamated the responsibilities of the Child Protection Enforcement Agency, Information and Intelligence Command and serious Adult Sexual Assault investigation. The Commander of the Squad has Corporate Responsibility to provide direction on the Police Force's response to victims of sexual assault. The underlying principles of the corporate direction are:

- Recognition of the needs and rights of the victim as paramount;
- Consideration of public interest and safety;
- Provision of appropriately trained officers and resources;
- Appropriate priority provided to investigations;
- Successful investigations resulting in convictions;
- Intelligence support at both strategic and tactical levels;
- Policy development;
- Prevention programs;
- Interagency cooperation;
- Commitment from all levels of the organization to the issue;
- Capacity to advise the government and public on police perspective and issues relating to sexual assault;

Accountability for responses is clearly defined in the various roles involved.

Position: Commissioner of Police

Responsibility: Ensuring appropriate priority is given to sexual offences. Measuring the NSW police response. Providing resources. Responding to political interest and making public statements about the issues.

Position: Senior Executive, State Crime Command.

Responsibility: Ensures appropriate resources are available to

investigate serious sexual assault offences. Monitors progress of investigations. Facilitates policy and corporate strategy development.

Position: Commander, Child Protection and Sex Crimes Squad.

Responsibility: Is the Corporate Spokesperson for Adult Sexual Assault. This role holds the responsibility of being the Police Expert on sexual assault offences and available to provide public comment. Reports to the Commissioner on current issues relating to adult sexual assault. Manages the Squad's investigations. Ensures the maintenance of a centralized intelligence unit that monitors for state-wide trends and provides environmental scans. Chairs the NSW Police Adult Sexual Assault Interagency Committee and the Squad Advisory Committee where stakeholders invest into the operations of NSW Police. Monitors NSW Police responses to sexual assault and provides for corporate strategies on training and policy development.

Position: Manager, Strategic Support, CPSCS

Responsibility: Manages Squad's dedicated surveillance unit. Provides strategic advice on current research and issues relating to adult sexual assault. Participates in interagency committees. Focuses on prevention strategies.

Position: Policy Officer, (Operational Support Command)

Responsibility: Responsible for all policy and program development in the area of sexual assault.

Sex Crimes Teams

Undertakes investigations into serious, complex sexual assaults. Assists local police with their investigations. Provides an on call capacity to respond to serious sexual assaults. Maintains a high level of attention to victim safety and support.

Intelligence Unit

Monitors for serial sexual offences. Maintains a high risk offender and offences database. Liaison with local police on their investigations and attempts to identify unknown offenders. Supports Strike Forces with tactical intelligence. Provides strategic intelligence and advice.

Local Area Commands

Initial response to incidents of sexual assaults and investigation. Provides high prioritisation of investigations. Responds to victim safety and welfare issues.

Education Services

Provision of training within all levels of policing development. Provision of Adult Sexual Assault Investigator's course.

Policies and Processes

Married to correct structures that allot appropriate accountability is effective policy and processes. NSW Police have been working towards establishing the right policy position on the issue of sexual assault investigation to ensure that victims receive a seamless response from police and other government agencies. Responses to victims of sexual assault do not occur in isolation but with other government and non-government organisations. To this end there is the New South Wales Police, Health, Office of Director Public Prosecutions Guidelines for responding to Adult Victims of Sexual Assault document. This document provides a vehicle by which all agencies understand each others roles and position.

An example of why Interagency Guidelines are needed in respond-

ing to victim's of sexual assault is the issue of taking of photographs of a woman's genitals during a forensic medical examination. Different agencies held disparate views on this issue. Matters considered during discussion were:

- when would you take the photographs;
- who would do it;
- who has control of the photographs;
- what is the position of the Office of Department of Public Prosecutions relating to the production of these photographs during court proceedings;
- what is the victim's rights in this area;
- when can the victim withdraw consent for the use of the photographs;
- can the photographs be used for research and or training purposes.

Opportunities for improvement

Legislation plays another important role in formulating responds to victims and their ultimate experience of the judicial process. Great advantage can be gained from being conscious of where there is a need for legislative improvement and highlighting these issues to government when matters receive media attention.

An example of how high profile sexual assault investigations can influence the change in law is Strike Force Sayda. Initially the investigations received little to no media coverage of events. The Olympics were on and there was not much attention by the media on sexual assault. It was seen as a 'bad news' story, which did not attach viewers, listeners or readers. The Strike Force was not reliant on the media to assist with identifying the offenders or warning the public of any risk as the main offenders were known early in proceedings.

It wasn't until 2001 when the matters started going to trial that the media started to comprehend the full magnitude of these offenders criminality. The first trial saw the offenders plead guilty and receive small custodial sentences. The media reaction to the sentences handed down was unprecedented in reflecting community outrage. This resulted in a Criminal Court Appeal that overturn the sentences and greatly increased them to around 13 years imprisonment. Another matter that changed, as a result of this trial was the ODPP's plea-bargaining with the accused had to occur in consultation with the victims. In this instance the aspect of the accused producing a knife was taken out of the facts presented to the sentencing judge. New procedures were introduced where the victim must be consulted before facts are changed.

A number of the offenders were juveniles. A public debate then occurred over the issue of juveniles not being named and spending many years in a juvenile detention centre, even after they had become adults. As a result of the Court of Criminal Appeals raising the sentences, and the seriousness of the offending by the main accused the offenders in these matters received unprecedented sentences.

One of the matters was granted a retrial by the Court of Criminal Appeal when two members of the jury were discovered to have attended the scene during deliberations without the knowledge of the court. The victim did not wish to go through the trial a second time. The government introduced retrospective legislation allowing for evidence given by the victim at trial to be used at the retrial without the victim having to attend.

The government also enacted new legislation in relation to multiple offender sexual assault providing a more severe sentence of life imprisonment for convicted offenders. Other improvements to the court process has been introduced with the capacity of victims to give evidence from a remote location via the use of audio/visual linkup.

The Influence of Interagency Committees

The Commander, Child Protection and Sex Crimes Squad chairs the NSW Adult Sexual Assault Interagency Committee. This committee has representatives from Health, ODPP, Corrective Services, Violence Against Women specialist Unit, NSW Rape Crisis Centre, Premiers Department, Women's Legal Resources Centre, Attorney Generals Department, Department of Aboriginal Affairs and Victims of Crime Bureau. The Committee meets every three months.

The Objectives of the Committee are:

To promote and enhance interdepartmental cooperation, collaboration and coordination in developing improved whole of government responses to adult victims of sexual assault.

To recommend strategies and legislative change to address the shortcomings in the criminal justice response to adult victims of sexual assault. This will include an examination of the entire legal process from reporting and police investigation through to trial, sentencing and appeals.

To identify and examine other government responses to adult sexual assault with a view to enhancing the current service response. This will include linking with other initiatives that address sexual assault such as the Roundtable on Sexual Assault in Aboriginal Communities.

To recommend, monitor and support the implementation and evaluation of strategies to address the gaps and shortcomings in the provision of services to recent victims and survivors of past sexual assault.

To recommend, monitor and support the implementation and evaluation of crime prevention strategies to address the incidence, prevalence and impact of adult sexual assault in the community.

To establish working groups as appropriate to investigate issues identified by the committee. These working groups will report back to the committee on their progress and will in turn receive feedback from the committee.

To provide an opportunity for each agency to report on any current issues in relation to adult sexual assault.

An example of the interagency work has been the Committee's support of the Department of Health's introduction of SANE practitioners. This is where specialist nurses are being trained to conduct forensic sexual assault examinations which have previously only been conducted by Doctors. The Sexual Assault Nurse Examiner will provide the Department of Health with many more qualified people to readily respond to victim's of sexual assault presenting at hospitals. This is particularly relevant in country locations where health services are scant.

Members of the Committee have also directly approached the Attorney General over concerns with the criminal justice system.

A particular issue is the low reporting rate for sexual assault. They proposed that a Special Court for sexual offences be considered. As a result the Attorney General established a Taskforce into the Criminal Justice System's response to Sexual Offences. Many members of the Interagency Committee are on this Taskforce and close networked relationships are supporting this wide sweeping review of all aspects of the criminal justice system as they relate to sexual assault offences.

The Committee developed the legal issues paper called "A Fair Chance – proposals for sexual assault law reform in NSW" The paper canvassed such legal issues as:

Evidential Issues – Protection for the complainant against improper questions, sexual reputation and experience, exclusion of evidence in certain circumstances and coincidence and tendency evidence.

Jury Directions – Corroboration and Delay in Complaint.

Court Procedure – Suppression of publication of evidence, Multiple offences, Pre-trial hearings and committal hearings.

Scope of Sexual Assault offence provisions and definition of consent.

This document was submitted to the Taskforce and has formed the basis of a large part of its Terms of Reference.

The Committee is currently working on a positive media strategy that will ensure that all organisations are expressing the same message when it comes to matters of sexual assault. Further a number of articles will be produced to educate the populace about sexual assault and dispel myths.

"Anyone's Story" Example of best responses to victims of sexual assault

A highpoint of all this activity been the production of "Anyone's Story – Understanding and Responding to Adult Sexual Assault" Training Video. This video is a joint training enterprise between NSW Police and Department of Health. It demonstrates the close working relationship that has been fostered over the years between the organisations to support victims. The training video is extremely professional in its presentation and features the victim's own stories along with interviews with an offender. As a teaching tool it has something for every police officer from new recruits who have never meet a victim to harden sexual assault workers. The true power in this video lies within its ability to influence attitudes and perceptions about sexual assault held by police. The Commissioner has ensured that it is part of mandatory training and all officers will view it and receive training on its message.

Conclusion.

Historically within police forces sexual assault was seen as 'women's business' and relegated to female investigators. Other crimes received far greater attention and energy. There was low status for investigators working in the field and the perpetuation of a number of false assumptions and myths. Greater media and government attention, coupled with a strong focus from the Commissioner and Senior Executive on this crime has seen NSW Police greatly improve their responses to victim's of sexual assault by providing the most empathic and professional service they can.

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How to Identify and Protect Yourself from Confidence Scams on the Internet

By Alastair MacGibbon,

Trust & Safety Director, eBay Australia & New Zealand

Confidence scams are not new. Sadly, people have been trying to trick others into losing money and other valuables for eons. So it is hardly surprising that fraudsters are now using some of the oldest scams in the book on the Internet - two such examples are grey market scams and phishing.

Grey market scams

Grey market scams typically involve fraudsters attempting to lure online shoppers outside of the online marketplace where they are trading. Think of it as if a consumer looking at purchasing a TV from a department store is approached by someone in the store who makes them an offer to purchase a bargain TV only if the consumer pays upfront and picks the item up from the back alley the next day.

Typically, fraudsters attempt this scam with eBay members by emailing them after the item they have shown interest in has been sold to another person, or has been removed from the site by eBay due to fraud concerns. The fraudster makes them a seemingly bargain offer and in most cases will ask for cash or an instant wire transfer payment such as Western Union or MoneyGram.

To avoid grey market scams Internet shoppers should remember:

Only complete transactions on the eCommerce site, not off it. In eBay's case they should log into their eBay account to see if they are the winning bidder by looking in My eBay

Cash and instant wire transfer systems like Western Union and MoneyGram should not be used for Internet purchases.

Pay smart! Use PayPal.com.au, an online payment service that keeps your account information hidden from your trading partner. PayPal can also cover you for purchases of up to \$1,500 on eBay.com.au when an item is not received or as described

If an offer sounds highly suspicious or too good to be true, it probably is

Phishing

Phishing is an online identity theft scam used to lure people into disclosing their personal and financial information, including account names and passwords, banking details and credit card information. It is the online equivalent of standing at an ATM and somebody tapping you on the shoulder and asking you for your card and your PIN.

When phishing, criminals typically send out a massive number of generic emails – known as spam – that often imitate genuine communication from companies such as banks, internet service providers, online retailers such as eBay and other trusted brands. With the fraudster's identity hidden behind these credible sources, the emails prompt the user to willingly give away their personal information often asking recipients to update their account information.

The email sent to the unsuspecting consumer will often convey a

sense of urgency and may stress that the recipient's account information has expired, been overcharged, compromised or lost, and that the account holder needs to contact the company immediately. Phishing emails often lead the consumer to an official-looking website to "assist" this contact and make it easy for the consumer to provide personal or financial information.

Phishers have only one intention: to commit crime for financial gain. Criminals continue to use phishing because it is profitable, even if a small fraction of the recipients respond. It is an inexpensive crime to attempt and repeat regularly.

eBay provides its members with a number of tools to combat phishing and we are committed to educating internet users on how to protect themselves from phishing.

eBay anti-phishing tools include:

the eBay Toolbar featuring Account Guard (free to download) – which helps to make sure Internet users are on a legitimate eBay site. The Account Guard turns green if you are on a legitimate eBay website and red when you need to use caution

a spoof reporting service – so if someone receives a suspicious email purporting to come from eBay it can be sent to spoof@eBay.com.au and we will get back to you within 48 hours to confirm if it is a legitimate email

Phishing can be convincing since the emails can look very similar to legitimate emails but there are ways Internet users can protect themselves:

Keep anti-virus and anti-spam software up to date

Never email anyone your online account details (user name and password) – sharing this information is similar to giving out your ATM card and PIN

Use anti-phishing tools such as "<mailto:spoof@eBay.com.au>" spoof@eBay.com.au and the eBay Toolbar

Investigating Internet confidence scams

There is a perception that investigating Internet confidence scams is difficult and tracking down the criminals involved near impossible. This is not the case. Internet criminals leave evidence of their activities and they can be caught, but it does require cooperation between the police and online companies, and may involve inquiries overseas. Companies like eBay have a large number of international offices, we work closely with law enforcement and government agencies all around the world to address any wrongdoing and help bring offenders to justice. Where police are investigating an Internet confidence scam with an eBay link we may be able to assist.

Police seeking to contact eBay should do so via the Police enquiry email:

["mailto:aupolicerequests@ebay.com"](mailto:mailto:aupolicerequests@ebay.com) aupolicerequests@ebay.com

Rape, Reform and Resistance

By Dr Jan Jordan, Institute of Criminology, Victoria University of Wellington,
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Introduction

The crime of rape is one of the oldest and most serious on our criminal statute books. The history of criminal justice system responses to it, however, demonstrates the continuing legacy of patriarchal beliefs and reflects often damaging, stereotypical thinking about both the nature of women and the nature of rape. While many police departments internationally have struggled to make improvements in the area of rape investigations, the experiences of victims of sexual assault reveal the difficulties many still encounter when reporting rape to the police. This paper seeks to understand why, given the good will and awareness of many individual police officers, significant changes within police organisations overall remain difficult to achieve.

To understand women's experiences of reporting rapes to police officers today, we need to appreciate the broader historical context within which rape has been defined as a crime and responded to by criminal justice system agencies. The paper begins with a brief examination of both the nature of rape and the nature of women, before moving to consider major criticisms levelled at police forces internationally. How these have been responded to will be canvassed, both in terms of reforms and resistance. Information from New Zealand will be presented as a case study to illustrate recent reform processes, and the merits of these acknowledged alongside concern that substantive change in this area will remain elusive.

The Nature of Rape

When we consider the changing legal responses to rape over the centuries, we see before us a microcosm of gender relations in the social world. In many ways, the history of rape is the history of women.

The earliest references to rape depict a social process by which men were condoned in taking a woman by force, since this was regarded as a legitimate means of acquiring a spouse. Bride capture literally meant the capture and forcible rape of a woman whom the man desired to possess as his wife (Brownmiller, 1975). To take possession of a woman's sexuality meant that a man had control of her for life.

The legacy of bride capture has remained evident until very recently in our rape laws, and still persists in many social groups. In New Zealand, a woman was prohibited from making a claim of rape against her husband until 1986, precisely because the husband was viewed in law as the sexual master of his wife. When she said 'I do' in the wedding ceremony, and promised to 'love, honour and obey', she was effectively consenting to sex on demand – his demand – for the rest of her life. There was no right of refusal, no choice for her – the choice was all his. Her 'no' had no meaning in the context of a relationship where, legally, it was only his 'yes' that counted.

In determining what rape 'means', one major complication arises from the issue of deciding whose voice to privilege, whose perspective to speak from. Rape as defined by the victim will be a very different phenomenon from rape as defined by the perpetrator. For many victims of rape themselves, the definition of rape is a vexed issue, particularly in relation to naming their own experience as

rape (Kelly, 1988; Patton and Mannison, 1998; Wood and Rennie, 1994). Rape itself is an emotive word, and has traditionally borne its own cloak of stigma. Many sexual assault victims struggle to make the decision to report; the majority never do (Bachman, 1993; Burt and Katz, 1985; Epstein and Langenbahn, 1994; Freckelton, 1998; Koss et. al., 1987; LeDoux and Hazelwood, 1999; Russell, 1984). The reluctance to define oneself as a rape victim can be linked to various concerns, including fear of being blamed or ostracised, fear of the perpetrator and/or consequences, mixed emotions towards the perpetrator (who is typically already known by the victim and may be her boyfriend or partner), and a general reluctance to admit to being sexually violated (Holmstrom and Burgess, 1978; Kelly, 1988; Wood and Rennie, 1994).

It is impossible to understand the complexities involved in reporting without understanding the broader context within which women are raped and rape allegations are made. The historical legacy of centuries of structured gender inequalities leaves its imprint still today in our laws, institutions and procedures, reflecting at heart the fundamental differences believed to characterise the nature of women.

The Nature of Women

In recent years there has been considerable debate regarding whether women have always been viewed as inferior to men or whether pre-patriarchal societies existed, in which women were perceived more positively (Eisler, 1987; Gimbutas, 1989). Archaeological evidence from pre-Judeo Christian times suggests the possibilities of a time when women were revered and respected as nurturers and givers of life, pointing to the possible existence of early "goddess" cultures (Gimbutas, 1989; Wilshire, 1994). With the development of patriarchal myths and religions, the goddesses became devalued in many cultures and were replaced by male gods (Gimbutas, 1989; Wilshire, 1994).

The influence of Judeo-Christian thinking played a major role in reconstructing the portrayal of women. From the Biblical account of the Fall, women have been presented by men as deceitful, as natural born liars (Cavanagh, 1971; Easteal, 1998). The first woman in the Bible, Eve, is presented as a lying temptress. Formed as she was from the bent rib of a man, Eve was inherently flawed from the outset (Cavanagh, 1971; Highwater, 1990). When the devil tempted Eve, she seduced, deceived, and manipulated Adam, using her feminine wiles to beguile and lead him into sin. This displayed both woman's weakness to manipulation by the devil, and men's weakness to manipulation by women. In patriarchal religions, all the woes and afflictions of humanity derive from this one source – the deadly charms of a woman (Griffin, 1975; Tong, 1984).

Later Judeo-Christian writings portrayed women's sexuality in dualistic terms, juxtaposing the virtue of the Madonna with the contemptibility of the whore (Easteal, 1998; Summers, 1975). Such thinking was supremely evident in the misogynistic writings of St Augustine, who urged men of faith to love their wives spiritually and despise them physically:

A good Christian is found toward one and the same woman, to love the creature of God whom he desires to be transformed and renewed but to

hate in her the corruptible and mortal conjugal connection, sexual intercourse and all that pertains to her as a wife. (Quoted in Tong, 1984, 100)

Woman's hope comes with the resurrection, when to equip her for a state 'suited to glory rather than to shame', she will be effectively reborn without the organs associated with intercourse and reproduction (Tong, 1984). As many of the Church Fathers went on to proclaim:

Because of her sexual being and reproductive function, woman was less rational and less spiritual than man; that is, less able to distinguish between truth and falsity and less able to discern between good and evil. (Tong, 1984, 100)

Such thinking paved the way for centuries of philosophical and religious thought depicting women as weak, passive, manipulative, low in intellect, excessively emotional, and prone to hysteria. Dominant images included women as the alluring sirens of the seas, women as witches charming and ensnaring men with their potions and, in more recent times, the Marilyn Monroe and Madonna type depictions of women as sex goddesses and temptresses.

Against this backdrop, it is not surprising that women's allegations of rape have typically been viewed with suspicion, if not outright disbelief (Jordan, 2004a, 2004b). Men's sexual demands were historically justified as 'needs', with marriage bestowing on husbands an 'entitlement' to sex with their wives that has only been challenged in law in the last twenty years. Recent developments in the areas of feminism and human rights have undermined traditional beliefs concerning men's ownership of their wives and children. The legal and criminal justice system processes that upheld men's 'rights' have been subject to stringent criticism regarding the need for extensive reform (Kennedy, 1992; Gregory and Lees, 1999; Lees, 1996; Scutt, 1998; Thomas, 1994). Feminists' analyses have stressed the ways in which stereotypical and negative views of women have impacted on police and court responses to them, not only as offenders but also as victims. Research studies conducted with women reporting rape have typically yielded mixed results, with often polarised views between those satisfied with the police's response and those who felt totally dissatisfied (Adler, 1991; Gregory and Lees, 1999; Jordan, 1998, 2001, 2004b; Kelly, 2002; Temkin, 1997). In many of these studies, common criticisms were made of how the police treated rape complainants.

Police Responses to Rape Complainants

International research attests that police organisations are informed about only a minority of the rapes and sexual assaults that occur (Gregory and Lees, 1999; Kelly, 2002; Walby and Allen, 2004; Walby and Myhill, 2001). The decision to report is extremely difficult for many victims, and can raise issues of denial, safety, fear, shame, and self-blame (Feldman-Summers and Norris, 1984; Gilmore and Pittman, 1993; Koss et al., 1988; Williams, 1984). How the police respond is critical, given their strategic position at the gateway to the criminal justice system (Kerstetter, 1990; LaFree, 1980; Radford, 1987), with the procedures and attitudes complainants encounter having the potential to assist either in recovery or revictimisation (Campbell and Raja, 1999; Epstein and Langenbahn, 1994; Gilmore and Pittman, 1993; Stuart, 1993; Winkel et al, 1991). As Goodstein and Lutze observed:

Police response to rape may be the most crucial link in the chain to ensure fair treatment for rape victims. The police officer is the first representative of the criminal justice system the reporting victim encounters; the quality of her contact with the police officer may colour her perception of the entire prosecution process. (Goodstein and Lutze, 1992, 169)

A negative police response can compound the trauma suffered by a rape victim, making it less likely that she will decide to proceed with legal action and increasing the possibility that her experience will deter others from making even the initial police contact in similar circumstances (Gilmore and Pittman, 1993). If for no other reason, it is in the overall interests of law enforcement for the police to act in ways that are consistent with promoting the victim's emotional well-being (Burgess, 1999). While scarcely a radical observation, this perspective has unfortunately not characterised police sexual assault investigations. In the 1970s and 1980s, for instance, police writers referred to the skills needed for the 'interrogation' of rape victims (for example, Firth, 1975; Wagstaff, 1982), while rape complainants graphically described feeling as if they were being interrogated by police (Chambers and Millar, 1983; Hall, 1985; Holmstrom and Burgess 1978; Medea and Thompson 1974; Toner, 1982).

Senior detectives openly encouraged that scepticism should shape and inform police interviewing practices with sexual assault complainants, as the following advice demonstrates:

Women and children complainants in sexual matters are notorious for embroidery or complete fabrication of complaints.

It should be borne in mind that except in the case of a very young child, the offence of rape is extremely unlikely to have been committed against a woman who does not immediately show signs of extreme violence.

If a woman walks into a police station and complains of rape with no such signs of violence, she must be closely interrogated. Allow her to make her statement to a Policewoman and then drive a horse and cart through it. It is always advisable if there is any doubt of the truthfulness of her allegations to call her an outright liar. (Firth, 1975, 1507)

As well as doubting the veracity of rape allegations, researchers observed a tendency for many officers to have their thinking dominated by prevalent rape myths and stereotypes (Burt, 1980; Holmstrom and Burgess, 1978; Kerstetter, 1990; LaFree, 1981; Schwendinger and Schwendinger, 1974; Shapcott, 1988; Weis and Borges, 1975), and to have little understanding of the impacts of rape trauma (Chambers and Millar, 1983; Koss et al, 1988). Interviews with women who had reported rape suggested an inability on the part of most police to appreciate, and provide, what such victims needed in terms of respect, caring, support, and on-going information (Chambers and Millar, 1983; Feild, 1978; Holmstrom and Burgess, 1978; Madigan and Gamble, 1991; Radford, 1987; Stone et al, 1983; Young, 1983). It appeared that women's chances of receiving a sympathetic police response were most commonly linked to stranger attacks and increased in accordance with the extent of physical injuries suffered in the attack (Feldman-Summers and Norris 1984; Koss et al. 1988; Williams 1984).

In the wake of these earlier criticisms, and increased concern over the extremely low reporting rates for rape and other sexual assault offences, police departments around the world have attempted to improve their response to rape complainants (Chambers and Millar, 1983; Nixon, 1992). In the mid-1980s, Ian Blair (now Commissioner of the London Metropolitan Police) visited the United States to see what could be learned from police practices in sexual assault investigations there which might help to improve the situation in Britain. The basic difference, he observed, involved detectives in the United States being prepared to deal with the victim primarily from the perspective of understanding how rape affects her and her interactions with the police. Blair advocated that this 'new approach' should also be adopted within the United Kingdom (1985), and since then various measures have been intro-

duced such as rape examination suites (Gregory and Lees, 1999; Walklate, 1995); specialised sex crimes units (Brown and Heidensohn, 2000; Epstein and Langenbahn, 1994; Goodstein and Lutze, 1992); and training programmes designed to increase officers' sensitivity and awareness (Epstein and Langenbahn, 1994; Nixon, 1992). Some police departments deployed women officers to rape investigations on the assumption that this would automatically improve service delivery (Bohmer and Blumberg, 1975; Caringella-Macdonald, 1985; Jordan, 2002; Wood, 1973), and greater liaison with doctors and support agencies was sought as the concept of multi-agency co-operation and partnership grew in popularity (Blair, 1985; Gilmore and Pittman, 1993; Jordan, 1998; Lovett et al, 2004).

Impact of Reforms

The changes enacted within police departments have been part of a wider move within law and justice sectors generally to improve the treatment of rape victims and achieve greater case resolution. From the mid-1980s onwards, significant legal changes were enacted in New Zealand, Australia, North America, and the United Kingdom in response to feminist criticisms regarding rape injustices (New Zealand: Jordan, 1998; Australia: Heath, 1998; Mason, 1995; United States: Bachman and Paternoster, 1993; Doerner and Lab, 1998; United Kingdom: Gregory and Lees, 1999).

Despite the various initiatives and reforms introduced, there is little evidence of significant substantive changes having resulted in relation to women's experiences of reporting rape. Writing within the Australian context, Simon Bronitt has commented that recent empirical studies in the Australian states of New South Wales and Victoria

... suggest that the criminal justice system's treatment of women who allege rape has not significantly improved, and in some respects may be worse than before the reforms were enacted! (Bronitt, 1998, 42)

Similar conclusions have been drawn in relation to the difficulties involved in substantially improving police responses to rape complainants (New Zealand: Jordan, 1998, 2004; United Kingdom: Kelly et al, 2005; Lea et al, 2003; Lees and Gregory, 1999; Temkin, 1997). For instance, Jennifer Temkin observed, on the basis of her study of women rape victims in Sussex:

It seems that old police attitudes and practices, widely assumed to have vanished, are still in evidence and continue to cause victims pain and suffering. (Temkin 1997: 527).

In a later study involving interviews with both rape complainants and police officers, Temkin found that even when police guidelines provide a framework for a system of care for victims, in practice these guidelines are not always followed (Temkin, 1999). Of concern, she noted, was the fact that disbelieving and stereotypical attitudes about women who report rape persist in the minds of many officers.

Her results have been confirmed in subsequent British research (eg, Lea et al, 2003), as well as by my own research findings in New Zealand, suggesting that while it is clear that some individual police officers may respond supportively to rape complainants, an overall lack of consistency continues to prevail (Jordan, 1998, 2004). Thus despite apparent improvements in police processes, many women reporting rape/sexual assaults to the police are still likely to encounter similar police attitudes and behaviours to those experienced by women in the 1980s. Thus, as a result of research into rape and attempted rape cases occurring over a five-year period in south-west England, Lea et al observed:

While many officers did seem to be able to empathize with rape victims, there was also evidence of officers who still held traditional views about rape and rape victims. These officers appeared to be less sympathetic to rape victims and more likely to doubt their reporting of rape. Indeed, they still seemed to believe that many women cry rape in order to seek attention. (Lea et al, 2003, 593)

In an effort to understand why this should be so, information from New Zealand will now be presented as a case study to illustrate recent patterns of reform and resistance.

Case Study: New Zealand

In New Zealand, as in many overseas countries, it was widely assumed that greater community awareness about crimes against women had automatically produced enhanced sensitivity and responsiveness in the criminal justice sector. When the results of research documenting rape complainants' experiences of reporting rape to the police were initially presented at an inter-disciplinary conference on rape in March 1996 (Jordan, 1996), some officers seemed genuinely shocked at accounts of highly inconsistent and sometimes hostile treatment of rape complainants. Shortly afterwards one officer was assigned to oversee the development of a policy to guide the investigation of adult sexual assault offences, and a lengthy period of consultation and negotiation followed prior to its introduction in 1998 (New Zealand Police, Adult Sexual Assault Investigation Policy, 1998). The fact that no such policy had existed prior to 1998 reflects to some extent both the relatively low priority attached to such investigations as well as police reluctance to acknowledge the limitations of generalist training for dealing adequately with a specialist area.

This policy stipulates police adherence to procedures that include assuming all sexual assault complaints initially to be genuine and referring the complainant for a medical examination. The policy also suggests that the police obtain skeletal details initially from rape complainants and defer statement-taking until the victim has been able to rest and recover slightly from the trauma. If fully implemented, the policy should assist greatly in improving the quality and consistency of service delivery in this area. However, seven years have lapsed and it appears that the fervour surrounding the introduction of such a policy has not been matched by equal enthusiasm for seeing it adopted and adhered to nation-wide. The stipulated appointment of a sexual assault co-ordinator in each district did eventually occur, but sometimes appeared to be a knee-jerk response to a requirement that all districts send such a person to a seminar at the Police College. The views expressed by those present revealed there was considerable resistance to aspects of the policy and a desire to see it diluted in tone and application.

Currently it remains difficult to see many tangible impacts arising from its introduction, apart from the commencement of specialized training courses for detectives in sexual assault investigations in 2003. Dispute over the policy's contents, in fact, resulted in it being under on-going review even after it had been signed off by the Commissioner of Police. Today detectives still arrive at training courses at the Royal New Zealand Police College not even aware that such a policy exists. This is undoubtedly in part related to the fact that a national co-ordinator to oversee the nation-wide implementation of the policy was only finally appointed in August 2005. This appointment appears likely to be accompanied by a 'dusting-off' of the initial policy and will hopefully signal a new era of reform within sexual assault investigations.

The impetus for these moves emanates from the media coverage and political attention generated by recent scandals involving mem-

bers of the New Zealand Police, past and present. A brief outline of the most prominent of these follows.

(i) Louise Nicholas

In early 2004, media coverage of historic rape claims made by Louise Nicholas, against three then-serving police officers, led to other women coming forward with similar allegations involving pack-rapes and police cover-ups. As the New Zealand Herald later described it:

Nicholas' claims drew other women forward and brought tales of heavy-drinking, womanising cops treating small towns as their fiefdoms. "We were like young bulls in a paddock," was how former Police Association secretary Rob Moodie described policing in the 1980s.

What the public wonders now, however, is whether anything has really changed? (New Zealand Herald, 23/4/05)

The police re-opened investigations into some of these cases, and the Prime Minister ordered an independent Commission of Inquiry. The latter is now in a period of abeyance pending the outcome of police investigations and the trial of the officers allegedly involved.

What Louise Nicholas maintained was that she was 18 when the rapes occurred, and that the incidents included her being sexually assaulted with a police baton. Years later, in 1993, she made a complaint to the head of the CIB in Rotorua, John Dewar, whom she felt befriended her at the time. Dewar, however, subsequently persuaded her not to proceed with the complaint and was later criticised for failing to record a formal statement by her (New Zealand Herald, 4/2/04). A former Detective Chief Inspector who led a Police Complaints Authority inquiry into the case later alleged that Dewar had referred to Nicholas as a "police slut" (Dominion Post, 2/2/04).

One of the officers who allegedly raped Louise Nicholas was Clint Rickards, who in 2004, having just been appointed as Auckland City police commander, was one of the highest ranking officers in the country, and was believed by some to be a future Commissioner in the making. The current Commissioner of Police attracted criticism for having appointed and promoted Mr Rickards while in full knowledge of the sexual assault allegations against him (New Zealand Herald, 2/2/04). As a result of further investigations, Rickards, along with former police officers Brad Shipton and Bob Schollum, were charged in March with multiple sexual assault offences against Louise Nicholas occurring between September 1, 1985 and 31 December, 1986, when she was a teenager. Depositions were heard in July 2005 and following the anticipated not guilty pleas from the accused, a trial date is expected to be set shortly (New Zealand Herald, 30/7/05).

(ii) Iraena Asher

In October 2004 a female student and dialed 111, the police emergency number, from a coastal settlement near Auckland. As the public later heard on recordings from that night, she sounded terrified as she told police she was being pressured for sex, thought she had been drugged and felt in real danger. Instead of sending a patrol car immediately, the police kept calling back for more information before asking a taxi cab to pick her up, which went to a completely different suburb by mistake. There were sightings of a distressed, naked woman later that night, then Iraena Asher disappeared and is now presumed to be dead, possibly from drowning in the rugged west coast surf. Subsequent investigations also revealed evidence of call centre staff swearing and using disrespectful language while dealing with her ((New Zealand Herald, 23/4/05).

(iii) 'Take a Walk' Case

In January 2005, a young woman visiting New Zealand from Australia dialed 111 and said she had been 'touched up' against her will four hours previously. She was told to walk to the nearest police station to make a complaint. It later transpired that, although too distressed to say so on the phone, the woman had been raped. After what the media described as an initially defensive stance by the police, they conceded a few hours later that they "may have let a victim down on this occasion" (New Zealand Herald, 10/2/05).

(iv) E-porn Investigation

The findings of an internal audit of police computer systems were made public in April 2005 when the Commissioner of Police announced that 330 staff, mostly sworn officers, had received letters asking them to explain why they were in possession of graphic sexual images on their work computers. Pornographic images allegedly took up a fifth of the capacity of the police email system (The Press, 22/4/05), with subsequent investigations by the Chief Censor determining that ten of these met with the classification "objectionable" and could result in criminal charges being laid against the officers concerned (Dominion Post, 13/8/05). Most staff did not face disciplinary charges as long as they agreed to attend a training day (The Press, 16/5/05), that some of those attending dismissed as "porn school" (The Daily News, 14/7/05).

The incidents and investigations described above seem to have produced radically different responses within the New Zealand Police which illustrate both the reform ethos of management and the resistance this can provoke from their staff. The Commissioner of Police has been under considerable media and political pressure in the wake of these scandals, with one result being that areas that have languished for years, such as the Adult Sexual Assault Investigation Policy, are now being assigned to senior staff to follow up on and advance. It is not surprising, therefore, that the Commissioner publicly stated it was clear a "behaviour change" was needed in the Police (The Press, 22/4/05). Nor should the reaction to his comments have been surprising – many rank- and-file officers felt betrayed by his opting for transparency and accountability over loyalty, as was made abundantly clear in letters to the New Zealand Police Association newsletter following the e-porn scandal. One writer voiced his anger loud and clear:

The self-initiated witch-hunt of unlucky, hardworking members with a sense of humour reeks of political motives – "How can I show that I'm making this organization squeaky clean in order to keep my job?" The moralistic, sanctimonious puppets with short memories, who should have swapped their blue uniform for a suit and tie years ago, are only too happy to shaft the real workers for a tick (and corresponding bonus?) in the appropriate Personal Appraisal box. (New Zealand Police Association newsletter, July, 2005, p. 133)

Another urged:

It would be nice to think that the organization enmasse would walk over hot coals to support its staff rather than leaping on opportunities to 'hang' its members in the name of transparency. (ibid.)

Reform vs Resistance

The question that prompted this paper arose in the context of struggling to understand why police organisations struggle to introduce changes that will produce substantive improvements in complainants' experiences when reporting rape and sexual assault offences. The New Zealand case material presented illustrates how, when responding to external pressures for change, police management can easily be perceived to be 'shafting' their own staff by mak-

ing internal practices and aspects of the culture transparent to wider scrutiny. It appears that some of the most fundamental barriers to achieving significant change in how the victims of sexual assault are treated can be found in those aspects of the police culture (or cultures) that emphasise police solidarity with their own, along with traditionally masculinist values and perspectives. This contributes to a primary identification with the predominantly male perpetrators of sexual offences, a suspiciousness towards women who make rape allegations, and a particular reluctance to identify fellow officers as sexual offenders.

However, while certain strands of thinking may be dominant within particular arenas within the police culture, the latter is not monolithic and homogeneous (Chan, 2003; Silvestri, 2003; Waddington, 1999). Nor, as Janet Chan argues, must police culture always be viewed as the antithesis to increased professionalism. Some aspects of the culture have developed to function as survival mechanisms for members of an occupational group who work in unpredictable and sometimes dangerous situations, and who encounter hostility because of what they are seen as representing. One problem is that there are dangers inherent within these survival mechanisms also – in particular the risk of their becoming over-developed and ultimately counter-productive. Thus, for example, while a suspiciousness towards the ‘other’ may be a sensible police trait, carried to the extreme it can become paranoia and erode trust within relationships both in and off the job.

Along with constant suspiciousness, Robert Reiner identified within police culture a sense of mission, an orientation towards action, sharp distinctions between good guys and bad guys, a machismo outlook permitting sexism as well as alcoholic and sexual indulgence, and both moral and political conservatism (Reiner, 1992, 111–129). He and other ethnographers of policing found evidence not only of formal rules but also discovered that police officers held an informal system of

recognizable and distinct rules, customs, perceptions, and interpretations of what they see, along with consequent moral judgments. (Skolnick and Fyfe, 1993, 90)

Socialisation into such perceptions and judgments occurs initially within police colleges and academies, where the explicit curriculum, even if avowedly gender-neutral, may be undermined in impact by what is termed the ‘hidden curriculum’ (Prokos and Padavic, 2002). The latter reinforces hegemonic masculinity in a range of ways, including treating women within policing as outsiders (for example, in the use of exclusionary language), exaggerating gender traits and differences, denigrating and objectifying women, and resisting powerful women (ibid.; Heidensohn, 1992). Both men and women recruits learn that the normative cop is male, the woman cop ‘oxy-moronic’ (ibid., 449).

Such messages are further reinforced on leaving the college, with a major vehicle for transmitting these being through the practice of police story-telling (Fletcher, 1996; Prokos and Padavic, 2003; Waddington, 1999). In recounting tales of crime fighting exploits and successes, police officers often communicate an image of the cop as a hero battling villains, reinforcing a sense of the ‘thin blue line’ pitted against an evil world. When analysing male and female officers’ story-telling, Fletcher noticed that the women tended to minimise action and their role in incidents, and appeared less comfortable with storytelling overall (Fletcher, 1996). Police-women interviewed said that even if they were present also, the men would ‘own’ the stories, and constantly repeat and embellish them. The overwhelming message the women felt they received was that they were expected to be the audience rather than the teller, prompting

Fletcher to assert that this pattern of male actors and women listeners symbolises “the change-resistant nature of police organizations” (ibid, 39). In this way, stories function as the ‘connective tissue’ or glue, helping to build camaraderie but also impeding prospects for reform.

Reforms that implicitly challenge patriarchal beliefs will be especially resisted, in ways similar to the resistance to female incursions into the male-dominated world of policing generally. Women within police organisations internationally have faced resistance and barriers at both organisational and interpersonal levels (Brown and Heidensohn, 2000; Doran and Chan, 2003; Gregory and Lees, 1999; Heidensohn, 1992). Women police challenge men’s identities as protectors and their role as controllers, as well as rendering it difficult to maintain the ‘crime-fighting’, danger and violence image of policing itself (Heidensohn, 1992; Martin, 1980). Thus while at one level police organisations may be promoting Equal Employment Opportunities, at another level resistance and backlash is encountered by those women who most threaten male dominance.

In recent years there has been a growing trend toward promoting greater police professionalism, typically sought through extended training and the promotion of police ethics and accountability measures. These tend to have met with limited success, often because they appear to be imposed from a top-down mentality (Chan, 2003). For this reason, Brogden and Shearing have argued that moves to professionalise the police must resonate with the practice of policing:

More realistically, for professionalism to be effective as a device that will restrain police culture, it must resonate with rank-and-file experience and not be imposed from the top by police elite. It must be connected to the operational reality of policing, be relevant to the specificity of policing, and experientially based. Professionalism in policing should not be removed from the hurly-burly of rank-and-file work. Rather, it should seek to elevate, in skill and commitment, the ‘best practice’ of ordinary police persons. Doing this, like so many things in police reform, is easier said than done. (Brogden and Shearing, 1993: 109)

Their observation highlights what is possibly one of the major barriers to achieving significant changes to how rape victims are treated by the police. The introduction of policies and the expansion of specialist training courses may be viewed as measures imposed from above, within an occupational culture characterized by ‘us’ and ‘them’ divisions internally as well as externally. From comments made in the media and Police Association newsletters, it appears that the upper echelons of police management in New Zealand are themselves regarded with police suspicion and cynicism by many of the rank-and-file. Add to this a resistance to any possible ‘feminizing’ of policing and the reinforcement of rape myths through police narratives and story-telling, and the difficulties of achieving substantive changes in how victims of sexual assault are viewed and treated becomes even more understandable.

Jennifer Wood began a recent article on cultural change in policing by maintaining:

It has always been important to understand the sensibilities, values or worldview of individual and institutional actors such as the police because culture provides cognitive and emotive guidance in day-to-day decision making. (Wood, 2004, 31)

Much of the resistance to reform initiatives derives from the ways in which cultural attributes channel, and sometimes blinker, police thinking as well as providing an emotional resonance with dearly held traditional and familiar beliefs – in this case, about both the nature of rape and the nature of women. A major challenge facing

police organisations if they are fundamentally committed to achieving substantive change is to find ways of working with their members to counter this resistance from within, and forge new ways of viewing and responding to the attributes and factors that characterise the majority of situations in which rape offences are committed. Until this happens, unconsciously or otherwise, the interests of offenders will continue to be better served than those of victims by continued adherence to deeply held myth-based beliefs that will undermine organisational efforts at reform.

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Community Policing, Paramilitary Policing and Implications for Women

By Dr Jude McCulloch,

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The 9/11 attacks were the harbinger of radical change in states' coercive capacities. After these attacks and similar ones in Bali, Madrid, and London counter terrorism measures have been at the forefront of international and domestic policy. Post 9/11 measures integrate law enforcement with national defense to an unprecedented extent. This raises a host of issues in relation the role and function of the police. Significant amongst these is the accelerated blurring of military and police roles. This article considers the potential negative impacts of this on community policing and how these may undermine the gains women have made in policing. It argues that maintaining a community-policing model is necessary not only to protect the gains made by women but also to minimize terrorism.

Western democratic states have traditionally maintained a strict demarcation between internal security undertaken by police and external security undertaken by the military. The Australian constitution contains provisions that imply a clear division between the military and law enforcement. The Australian military, unlike the military in countries such as Indonesia, has not traditionally been used as a coercive force against citizens, but instead has been overwhelmingly confined to dealing with external enemies in times of war. A close ideological and operational alliance between the police and military has been associated with repressive governments. Apart from their different spheres of operation the police and military also have different philosophical mandates. While police are duty bound to protect life and operate using only 'minimum force', the military are trained to kill and may use overwhelming force.

The establishment of police paramilitary units in Australian police forces in the mid 1970s breached the border between police and the military. This shift was in line with trends in other western countries away from the formerly strict division between internal and external coercive capacity (Andreas and Price 2001). The establishment of police paramilitary units in Australia was part of an inaugural national counter terrorism plan. Paramilitary police straddle the line between the police and the military. Paramilitary units are generally exclusively male with selection criteria that exclude all but the fittest and strongest of men. Paramilitary groups tend to cultivate a heightened version of traditional police culture that places great premium on physical strength and group solidarity. The heightened macho culture within paramilitary units would almost inevitably prove impossible for women to work in even if they could overcome the rigorous physical selection.

Although originally established with a narrow remit to counter terrorism, paramilitary units were readily incorporated and normalized into mainstream policing. Members and former members of the paramilitary units extended the impact and influence of paramilitary styles of policing through involvement in the training of other police. The paramilitary units are considered elite, thus providing role models for other police. The fertile soil this model of policing found within police organizations can be understood as reflecting traditional assumptions about the 'true' nature of policing as embracing a macho, action orientation approach to crime fighting.

That policing is a masculine occupation suitable only for 'manly' men is an assumption that has demonstrated great resilience. While the gendered nature of policing has changed markedly in recent times, the association of policing with masculinity was traditionally of such strength that it was often described as an occupational brotherhood embodying a cult of masculinity (Herbert, 2001; Skolnick 1996; Westley 1970; Smith and Gray 1995). The macho orientation of policing traditionally served both to exclude women from the job and to deny women victims what are now commonly perceived as appropriate police services.

At the same time as paramilitary units and a paramilitary model of policing were gaining ground, community policing emerged as a distinct paradigm of policing in the 1970s. Community policing is generally described as emphasizing a conciliatory rather than coercive approach. Community policing strategies focus on partnerships and incorporate the idea that police should represent the interest of diverse communities and be representative of the community in terms of its diversity (Findlay 2004: 28-40; White and Perrone 1997: 27). Community policing thus implies the representation of women within policing and the incorporation of women's concerns into policing strategies and priorities. In practice community policing was often associated with 'women's work' and confined to 'women's problems'.

Despite the increased focus on community policing from the 1970s onwards, the gains of feminism and the enactment of equal opportunity legislation women remained only a small percentage of police employees and miniscule proportion of the higher ranks well into the 1990s. While height tests were dropped gender biased physical agility tests, continued to operate as an effective hurdle to recruitment of significant numbers of women. Sexual harassment and a hostile occupational environment frequently led to marginalization of female police (McCulloch and Schetzer 1994; Prenzler and Hayes

2000). Continued ambivalence about the suitability of women as police saw them largely confined to areas of policing most closely linked to the policing of women and children.

During the 1980s and 1990s feminist agitation was successful in focusing government attention on crimes against women and significant legislative changes were made in the areas of sexual assault and domestic violence. Criminal justice reforms addressing the needs of women victims of crime, however consistently failed to translate into reforms in police practice (Walklate 2001: Chapter 5; Scutt 1990: 444-462; McCulloch and Schetzer 1994).

Up until the turn of the century community-policing rhetoric was strong but implementation was weak or distorted in ways that tended to undermine its core values of inclusiveness and partnership. Police resistance to the incorporation of women into mainstream policing and to criminal justice reforms designed to address crimes against women was closely related to this resistance to community policing. According to Herbert, 'Community policing implies a definition of the police role that runs counter to the masculinist crime fighter image, and thus faces resistance from officers' (Herbert 2001: 56). Research related to police failure to respond to family violence as crime likewise found that the police self image as crime fighters prevented them from perceiving and responding to family violence as real crime (Hatty 1989). The derogatory labels attached to community police work: 'pansy police', 'care bears' and other such phrases that imply a soft femininity unbecoming the work of 'real police' reflects the devaluation of not only community policing but also women (Miller 1999).

If community policing can be perceived as the 'soft' feminine side of policing paramilitary policing is its antithesis residing at the 'hard' macho end of the policing spectrum. In my book *Blue Army: Paramilitary Policing in Australia* (2001), I wrote that 'the rhetoric of community policing and token, but well-publicised, gestures towards its implementation are public relations strategies designed to counter the negative image and public antipathy arising from the use of coercive paramilitary tactics.'

More recent developments suggest that my conclusion as to the rise of paramilitary policing over community policing and the implications for women needs to be reconsidered. Television representations of policing demonstrate the pervasiveness of the shift in gendered assumptions underlying policing. The Clint Eastwood model of 'the armed man of action fighting crime and criminals' once dominated screen depictions of policing that and sensitive male police who use brains rather than brawn to solve crime now compliments images of 'violent renegade masculinity'. In addition, women are now central characters in a large and seemingly growing number of popular police television dramas (Blundell 2005).

Women are taking up a broader number of positions within police forces and have been included into the mainstream of policing. Women as a percentage of the total police force and as recruits are growing. Female police are still under represented in the higher ranks, however Victoria Police has a female Chief Commissioner, appointed to the post with strong feminist credentials and a commitment to community policing. Community policing appears to have taken root within policing in ways that contradict my earlier conclusion of mere window dressing. Gains by women in policing

are reflected in real changes to police response to domestic violence and sexual assault, which have as never before, been placed at the core of police business (see, for example, Age August 3, 2005). The Australasian Council of Police Women and Policing and its recent successful conference are also signs of the increased visibility and confidence of female police.

While these gains for women in policing and for policing services to women are substantial and undeniable, the post 9/11 environment poses some significant challenges. The blurring of the line between the police and military has intensified with the increased focus on security. Federal and state counter terrorism initiatives focus on the 'hard' end of policing and promise increased resources to paramilitary groups and for equipment and technologies to be deployed in the 'war on terror'. The greater focus on and resources towards paramilitary counter terrorism policing could impact on the status of and resources available to community policing. The greater involvement of the commonwealth in internal security as a result of federal anti terrorism legislation may put further pressures on community policing.

Federal anti-terrorist legislation has dramatically expanded the role of the Australian Federal Police (AFP) and the Australian Security Intelligence Organisation (ASIO) which for the first time has coercive powers. As a result of these changes the AFP and ASIO are much more heavily involved in law enforcement at a state level. The AFP has historically obtained the majority of its remit from the commonwealth external affairs power with the result that their work has not involved policing a community to the same extent as state police forces. ASIO, given its history as a security organization, has had no community policing role. This erosion of the border between state and federal law enforcement may increase pressure on community policing models.

A move away from community policing towards a more generalised paramilitary model of policing is potentially regressive in terms of the role of women in policing. Women may once again be seen as physically unsuited to policing, and community policing and women could again be relegated to a sidelined specialization rather than the policing mainstream. At another level the heightened focus on security as a political issue may also be relevant to the position of women in society more generally. Both the Federal government and the Labor Opposition are anxious to be seen as 'tough on terrorism'. Feminist critics accuse governments and the media of indulging in the 'hyperbolic machismo' of the 'war on terror'. Post 9/11 has seen a creeping militarization of politics and civil society more generally. Militarization is the process by which war and national security become 'consuming anxieties and provide memories, models, and metaphors that shape broad areas of national life' (Sherry quoted in Giroux 2004: 48). The last two Australian federal elections have been described as 'khaki', in recognition of the centre stage given to national security issues (Hogg 2002; McCulloch 2004). A number of feminists, Cynthia Enloe prominent amongst them, provide convincing argument that militarization assists in creating and reinforcing rigid gender divisions and hierarchies in society. In the context of the ongoing militarization of civil society under the 'war on terror' gains made by women generally and specifically in the field of gender assumptions underlying traditional notions of policing, are likely to be challenged.

The focus on paramilitary policing in Australia's counter terrorism response is likely to be counter productive not only for women but also in countering terrorism if it undermines the community policing focus that has been consolidated over the past decade. History demonstrates that special legislation and coercive policing frequently escalates conflict by fuelling alienation, humiliation and discontent amongst targeted groups (Wright-Neville 2004). Community policing, by maintaining and reinforcing partnerships across cultural, religious and ethnic difference provides the best chance of minimizing the threat of terrorism. The partnerships fostered by community policing are vital in ensuring that police gain access to information about criminal activity. If police are to perform an effective role in containing terrorism, the maintenance and enhancement of community partnerships is vital (Lyons 2002). Maintaining a community-policing model then is necessary both to protect and enhance the gains made by women in policing and to enhance national security.

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Legislation and Guidelines Addressing the Trafficking of Human Beings in the United States of America

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Abstract

Human trafficking is an issue that has gained significant amounts of exposure from governments across the globe throughout the previous decade. In recent years, as more information is becoming known about the much-hidden organized criminal enterprise, new legislation and guidelines are being developed to address the apprehension and punishments of persons who are committing these atrocious crimes against other human beings. The United States, which is listed currently as a primary destination country for traffickers, has taken significant steps in recent years to address the trafficking epidemic, both domestically and abroad, and to act as a catalyst for other nations to do the same. This paper addresses the legislation and guidelines that have so far been implemented and followed in the United States. It also acknowledges the international aspect of a crime such as trafficking, and highlights some of the international framework that addresses the issue in the United States. Much work is still to be done, but the groundwork has been laid and is discussed primarily in its relation to application by law enforcement.

* * *

The trafficking of persons in the United States is an epidemic of significant proportions, which is only continuing to grow as time passes. The United Nations Global Programme against Trafficking in Human Beings defines the trafficking of persons as:

“the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation” (Aronowitz, n.d., p. 165)

The United States has been documented as having served as a source country (a nation recorded as having had its citizens trafficked to other nations), as well as a transit country (a nation that has been recorded as having citizens of other nations trafficked through there en route to another destination). However, the nation is best known for its status as a destination country, or the final arrival place for trafficked persons who often are brought through multiple countries beforehand.

In 2003, the United States' government broadcasted their estimates of the trafficking situation both domestically and abroad. The figures presented were near a total estimated one million people as having being trafficked across international borders each year, throughout the world. Of this amount, it was estimated that somewhere in the range of 18,000 – 20,000 were being trafficking specifically into the United States of America for purposes ranging from involuntary

servitude to domestic labor to sexual exploitation and prostitution. The Central Intelligence Agency and many non-governmental organizations, however, estimate that these initial forecasts of trafficking counts in the high ten thousands, taken from the 2003 Trafficking in Persons Report, are actually significantly higher. (U.S. Department of State, 2003)

Of important domestic concern, men, women, and children are trafficked internally, within the confines of this nation's borders. Trafficking, itself, is a very hidden criminal operation and some non-governmental organizations consider this number to be significantly higher due primarily to this fact. “In 2004, the Justice Department opened 120 investigations and began 51 prosecutions” (“U.S. Wants,” 2004, p.8). By these figures, less than 1% of the trafficking cases are going through investigation each year. As well, investigation does not automatically equal prosecution. These are startling figures that should shiver the spines of both the citizens and government in this nation. Often times, trafficking goes on in both urban and suburban, as well as even rural communities, under the nose of unsuspecting citizens and local officials who do not even realise this epidemic exists, and is right in their own backyard. Many fear that as attention is drawn to the situation in urban areas, it is simply diverting the presence of trafficking rings to external, less urban parts of the nation. This situation must be addressed and is of high immediate importance.

One of the reasons that trafficking perpetrators get away with these heinous and often vicious crimes is that, as a product of their crime, “they have the financial resources to hire attorneys, post bail, and engage the system” (Florida State, 2003, p.21). The trafficking of human beings worldwide is a multi-billion dollar industry. The White House estimates that trafficking for women and children to work in brothels alone, beyond the other purposes associated with trafficking, grosses at least four billion dollars annually (White House, 2000). The United States judicial system is not specifically designed to safeguard against all powers controlled by the wealthy elite. Of course, until recent decades, crime and wealth were not as strongly associated with one another as crime and poverty have been. The “birth,” per se, of white-collar crime in this nation and abroad, has marked a day and age where scholars, researchers, activists, and governments are having to re-evaluate measures to effectively combat these types of crime and the threats to security that they pose.

Logistics also have a key role in the difficulty faced by law enforcement and the criminal justice system in identifying and investigating these occurrences. The reach or scope of human trafficking is not entirely measurable at this point in time due to a lack in qualitative research. However, researchers do know that most nations experience some form of trafficking - just some more than others. Eastern

Europe, for example, has high rates of women and children trafficked for sexual exploitative purposes. "If you go to other parts of Eastern Europe, there is such a flow of women leaving the country, that you can actually see the reduction in numbers of young women who are in society" (Tomiuc, 2003, p.2).

The international scope of the trafficking in person's epidemic makes it difficult for different national governments and law enforcement agencies to effectively coordinate their efforts to address the problem. This is for many reasons, but one important one is the fact that when considerations are given to something on a global scale, they are almost automatically going to have opposing cultural norms and opinions coming into play that can greatly affect defining the problem in the first place. For instance, is prostitution an illegal activity? What is the universal definition of a child? These are types of questions that must be addressed before governments can properly coordinate their efforts because their answers are sure to differ depending on what area of the world is being addressed. "Traffickers often transport victims from their home communities to unfamiliar destinations, including foreign countries away from family and friends, religious institutions, and other sources of protection and support, leaving the victims defenseless and vulnerable" (Office on Violence Against Women, 2000, p.1).

Since no culture can accurately be described as right or wrong, per se, when in comparison to another, one of the best global documents to guide the combat of human trafficking worldwide is the Universal Declaration of Human Rights. The declaration was adopted by the United Nations in December of 1948 in efforts to combat slavery worldwide and uphold the importance of human dignity in maintaining human rights for all people and it has been used by many governments and organizations in efforts to combat human rights violations on numerous occasions since its inception. (United Nations, 1998) This document, however, is not universal law and there are no immediate, severe sanctions for criminals who directly deviate from the guidelines it promotes, unless also committing another criminal act in the process that is legally punishable by pre-established laws.

As such, many nations have formulated their own legislation to address the issue of trafficking within their own borders. Most of this legislation is still relatively new. The United States of America is perhaps the current frontrunner in the development and implementation of trafficking legislation, despite the problem still being as widespread as it presently is. At this time, there are several grants being given out by various United States government offices and outside agencies to fund different trafficking initiatives, such as the formation of task forces to combat the problem, both within the United States and abroad. The government, under the Bush Administration, has identified trafficking, specifically for the purposes of commercial sexual exploitation - which is the main purpose for the modern human slave trade, as a serious problem that serves to be a grave violation of human rights. Yet, the trafficking of persons does not only produce crimes that are costing lives. "Trafficking is linked to international crime syndicates that peddle drugs, guns and false documents, as well as people. Trafficking is a global public health threat that helps spread HIV/AIDS and other terrible diseases. And trafficking is a global security threat, because the profits from trafficking finance still more crime and violence" (Powell, 2004, p.2).

It is obvious that this epidemic needed to be addressed. Globalization is only contributing to the problem. Some of the effects of globalization, such as borders opening in the European Union, migration growing worldwide, and the demand for cheap labor increasing, the situation only serves to ensure that the rates of human trafficking do as well. The rates will continue to rise until legislation is in place, and police are able to, under federal, state, and local laws, efficiently apprehend suspects of trafficking in this nation and globally. If these measures are not put into effect in the near future, the modern-day slave trade is going to grow far more out of hand than it already has become.

The United States has established several different laws independently to combat human trafficking. Perhaps the main document that guides the United States on how it addresses the trafficking dilemma is the Thirteenth Amendment of the United States Constitution.

The Thirteenth Amendment that governs United States policy on slavery and involuntary servitude states that, "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction" (U.S. Senate, 1996, p.1). This Constitutional Amendment has served as the primary basis for the future legislation that has come into action. No legislation written after this Constitutional Amendment has been allowed to conflict with its base principles.

Human beings who are not citizens of this country, unfortunately, are not guaranteed some of the Constitutional rights listed in other parts of the United States governing doctrine. For instance, while foreign nationals do have the right to an attorney in the court of law, they do not have the inalienable

right for one to be provided to them at United States government expense. This is extremely problematic in that, due to the very nature of most human trafficking cases, victims are specifically without the financial resources to support themselves and have to rely on the trafficker in order to control their victims once they reach the destination country. As well, Fourth Amendment rights are not written into the Constitution as mandatory for non-citizens in this nation, and thus, result in evidence that has been seized illegally potentially being permissible in any efforts used against a victim, but not the trafficker if he or she is a United States citizen. Nor do trafficking victims from outside the United States have any Fifth Amendment rights to remain silent and protect themselves against self-incrimination. This seems to be an unjust division of protections, but is one that cannot be changed without redefining the constructs of the nation's entire legislative system.

Beyond the Constitution, most of the legislation governing trafficking in the United States has been drafted and adopted in more recent years. The Trafficking Victims Protection Act of 2000 was created by United States government to establish harsh penalties for trafficking perpetrators in the country. It also allocated nearly a billion dollars for trafficking efforts. Congress states in the Act, "The purposes of this division are to combat trafficking in persons, a contemporary manifestation of slavery, whose victims are predominantly women and children, to ensure just and effective punishment of traffickers and to protect their victims" (Office on Violence Against Women, 2000, p.1).

THE INTERNATIONAL SCOPE OF THE TRAFFICKING IN PERSON'S EPIDEMIC MAKES IT DIFFICULT FOR DIFFERENT NATIONAL GOVERNMENTS AND LAW ENFORCEMENT AGENCIES TO EFFECTIVELY COORDINATE THEIR EFFORTS TO ADDRESS THE PROBLEM.

One notable occurrence that the **Trafficking Victims Protection Act** has changed is that a person involved in the crime can now be officially considered a perpetrator of the crime and accordingly, be held responsible for their participation and involvement. Particular emphasis was given to brothel-type operations that account for a large percentage of crimes against trafficked person. Under this policy, the following people can be held criminally liable for their actions involved with any human trafficking: recruiters, anyone who obtained documents or arranged travel, anyone who assisted with travel, anyone who worked in a brothel, landlords, drivers, guards, assistants who brought meals, accountants and managers. (Hughes, 2003, p.3) Previously, under United States law, there was no legal ramifications established to properly convict involvement from many of the previous people listed and they had to be charged under laws for other crimes that often did not give them a punishment that most people would consider to be fitting to the criminal acts they committed.

The **Trafficking Victims Protection Act** also requires the Department of State to annually conduct a systematic study of nations across the globe to continually assess and acknowledge which countries are making appropriate efforts to combat human trafficking, and which ones are not. This report is entitled, the Trafficking in Persons Report. The Report involved countries of origin, transit and/or destination for significant numbers of victims and categorically labels each country in one tier of a three-tiered classification labelling system, with a Watch List also created of countries in which "governments do not fully comply with the Act's minimum standards but are making significant efforts to bring themselves into compliance with those standards, and:

- a) The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; or
- b) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or
- c) The determination that a country is making significant efforts to bring themselves into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year"

(U.S. Department of State, 2004, p.17).

The Trafficking in Persons Protocol was introduced by the United States, in participation with Argentina. This, however, is an international protocol that applies to both the United States and numerous countries outside of its borders. The Protocol was proposed in 1999 and adopted in 2003. It was designed to help criminalize trafficking offenses in different countries and to help create plans for how different nations can aid victims of these heinous crimes.

Also in 2003, the United States adopted the Trafficking Victims Protection Reauthorization Act. This important piece of legislation was adopted in an effort to amend the initial 2000 Act. It was the piece of legislation that put the sub-categorical tier of the "Special Watch List" officially onto the Trafficking Report, and increased the stated need for investigation, conviction and sentencing of trafficking rings and criminals associated in the trafficking process. In a Statement of Administrative Policy, the White House publicly affirmed the Reauthorization Act and approved the improvements it made to original Act, including "facilitating the prosecution of the crime of

sex trafficking through jurisdictional improvements to Federal criminal law, authorizing programs to increase public awareness of this problem, and facilitating family reunification with minors who are trafficking victims" (White House, 2003, p.1).

The most recent newly-established piece of legislation to be passed in the United States regarding the combat of trafficking in persons was the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act that was adopted in the Spring of 2003. Otherwise known as the PROTECT Act, this policy tool was passed by Congress to serve as a new tool in giving severe punishment to perpetrators who prey on children. This Act specifically targets crimes of sex tourism; an element of sex trafficking that is global. It is the act of people travelling abroad with specific intention to engage in sexual acts with natives from the foreign country. Where prostitution is illegal, citizens from such countries will often travel to places where prostitution either is legal or to places that are commonly known for having large underground prostitution networks or brothels.

Unfortunately, children happen to be the prostitutes of choice for many criminal sexual tourists because of their lessened chances of being carriers of the HIV/AIDS virus or other sexually transmitted diseases. Children are sometimes seen as more pure than their adult counterparts and are thus, preyed on more commonly. To understand how children are affected by trafficking, one must make note of the definition of a child. The United Nations International Children's Fund (UNICEF), states that: "A child victim of trafficking ("child victim") is any person under 18 years of age" (UNICEF, 2003, p.1). The United States' law shares the age bracket for defining a child. Thus, the term child, in this context, will represent all persons below the age of eighteen. Police, then, will approach the assumed arrests of children differently than they would adults. Wherein some crimes would presume an immediate arrest of their adult counterparts, certain instances may occur where police,

rather than proceeding with an arrest, would either not make an arrest, or else refer the child to a social service organization. What the PROTECT Act enables Federal law enforcement to do, is to bring charges against sexual predators from this country who engage in sex tourist crimes, even if they occur outside of our borders. This is a gigantic step in establishing legislation that can more efficiently combat human trafficking in a world with so many geographical and cultural borders. "The Act serves as a historic milestone for protecting children while severely punishing those who victimize young people" (Patt, 2005, p.1).

There is still an incredible amount to be done. The steps that have been taken by the United States, while significant and breakthrough are in many aspects, can still be seen as baby steps in the global fight against the trafficking of human beings. Secretary of

State Colin Powell stated in 2004 that, "Up to 18,000 cases a year afflict our own country despite the redoubling of our efforts under the PROTECT Act. And we are not satisfied with our progress abroad, because trafficking is linked to other problems of the gravest concern" (Powell, 2004, p.2). There must be continual efforts made to not only develop policy on human trafficking, but on providing law enforcement and courts with the resources to implement these policy directives.

ONE NOTABLE OCCURRENCE THAT THE TRAFFICKING VICTIMS PROTECTION ACT HAS CHANGED IS THAT A PERSON INVOLVED IN THE CRIME CAN NOW BE OFFICIALLY CONSIDERED A PERPETRATOR OF THE CRIME AND ACCORDINGLY, BE HELD RESPONSIBLE FOR THEIR PARTICIPATION AND INVOLVEMENT.

One way in which the United States government is preparing for future actions regarding the formation of legislation and policy, as well as implementation procedures, is through the delegation of grant money to fund different research projects regarding human trafficking related issues. Task forces focusing on the trafficking in persons domestically seem to be one of the main uses of the money so far. "The Department of Justice is awarding more than \$7.6 million in grants - of which \$450,000 will go to the District of Columbia - to enable state and local law enforcement to fight human trafficking by creating task forces to aid in the identification and rescue of human trafficking victims" (Department of Justice, 2004, p. 1). Task forces, such as the one in the District of Columbia, are a good way to start collaborative efforts between local, state, and federal law enforcement because they offer the opportunity to address the human trafficking issue at a regional level. Since the varying demographics can differ what approaches are most appropriate and efficient in various cities, task forces allow regions to put specific focus on the needs of their given area versus trying to formulate answers in response to an epidemic of such massive proportions that their efforts may not have as much impact.

Each Protocol, Act and Amendment stated up to this point, have had an important role in the United States' effort to combat trafficking. However, all of the previously cited forms of legislation and policy do not make up the entirety of such legal tools that govern the United States in their efforts to resolve this worldwide epidemic. As a member of the United Nation, the United States of America, as with all other member states, has the option of ratifying different treaties, conventions and protocols underwritten by the United Nations. However, whether the U.S. chooses to adopt certain pieces of this type of legislation or not, they still often, if only indirectly, have a bearing on the United States. This is because, in the countries to which they are adopted, they have an effect on the trafficking epidemic locally. Trafficking, however, is an international phenomenon, and thus, will always have a bearing on destination countries, of which the United States currently is.

There are certain international documents and conventions that play a significant role in determining the actions of the United States government in addressing trafficking issues, particularly when it must implement specific guidelines that will have direct effects on the other nations involved. Primarily, these treaties and conventions are ones drafted and adopted by the United Nations, but include some other documents specifically pertinent to other nations or cultures. Such legislation includes, but is not limited to:

- The Berlin Treaty (1885)
- International Convention for the Suppression of the "White Slave Traffic" (1910)
- Geneva Declaration on the Rights of the Child (1924)
- Slavery, Servitude, Forced Labour and Similar Institutions and Practices Convention (1926)
- Forced Labor Convention (1930)
- Convention Concerning Forced or Compulsory Labour (1932)
- Commission on the Status of Women (1946)
- Universal Declaration of Human Rights (1948)
- Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1951)
- Protocol Amending the 1926 Slavery Convention (1953)
- [European] Convention for the Protection of Human Rights and Fundamental Freedoms (1953)

- Protocols (14) to the 1953 Convention for the Protection of Human Rights and Fundamental Freedoms (1954-2005)
- Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1957)
- Declaration of the Rights of the Child (1959)
- Abolition of Forced Labour Convention (1959)
- International Covenant on Economic, Social and Cultural Rights (1966)
- Convention on the Elimination of All Forms of Discrimination Against Women (1979)
- Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment (1984)
- African [Banjul] Charter on Human and Peoples' Rights (1986)
- European Convention for the Prevention of Torture and Inhumane or Degrading Treatment or Punishment (1989)
- International Convention on Rights of All Migrant Workers and Members of their Families (1990)
- Convention on the Rights of the Child (1990)
- Cairo Declaration on Human Rights in Islam (1990)
- Additional Protocol to the 1978 American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (1992)
- American Convention on Human Rights (1992)
- Declaration of the Elimination of Violence Against Women (1993)
- Inter-American Convention on International Traffic in Minors (1994)
- The Special Rapporteur on Violence Against Women (1994)
- Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women (1995)
- The Resolution for the Protection of Human Rights in the Context of Human Immunodeficiency Virus (HIV) and Acquired Immunodeficiency Syndrome (AIDS) (1997)
- African Charter on the Rights and Welfare of the Child (1999)
- Convention Against Transnational Organized Crime (2000)
- Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (2000)
- Charter of Fundamental Rights of the European Union (2000)
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2003)
- WHO Ethical and Safety Recommendations for Interviewing Trafficked Women (2003)

(University of Minnesota Human Rights Library, 2005)

As one can easily discern, the battle to uphold human rights is a vast one. There is practically no place in the entire world that it has not directly affected. As both media and technology have advanced, so have the tools that criminals commonly use to commit these atrocious acts. Yet, in other ways, more light has now been shed on the international epidemic through media campaigns in many nations across the globe. Human trafficking advocates are fighting to ensure that the media does not lose sight of this epidemic, as much of it did in the case of the genocide in Rwanda, or during other instances of horrible crimes against both humanity as well as individuals.

In 2003, during a United Nations address, President George W. Bush made a statement that has become rather well known in the battle

against human trafficking within this nation. Despite any differences parties may have in approval or disapproval of the current Administration, his words should ring true for all persons.

"There's a special evil in the abuse and exploitation of the most innocent and vulnerable. The victims of sex trade see little of life before they see the worst of life – an underground of brutality and lonely fear. Those who create these victims and profit from their suffering must be severely punished. Those who patronize this industry debase themselves and deepen the misery of others. And governments that tolerate this trade are tolerating a form of slavery. The trade in human beings for any purpose must not be allowed to thrive in our time" (Bush, 2004).

It is now the time that police agencies, government and NGO's must work together to find an effective solution to the trafficking epidemic. They must also find effective measure to coordinate efforts with social services to provide rehabilitation and resources to victims of this criminal by-product of globalization.

This is a harsh reality of the world today, but it is one that all citizens, regardless of race, creed, sex, age, religion, gender, nationality, or culture, share amongst one another. It is a criminal web intricately interwoven between nations and cultures with conflicting values and definition of these criminal actions, in order for the crime of human trafficking to flourish. It is the responsibility of each nation and its citizens, as human beings defending ourselves against the viciousness of self-destruction, to move forward in the development of legislation and policy to address the issue of human trafficking domestically and abroad. As well, it is our responsibility as nations to provide our law enforcement, prosecutors, and court system with the knowledge, training and resources to be able to effectively combat the crime of human trafficking that has soared due to the changed globalization has brought to the world in the twenty-first century.

Police need to be trained to properly identify trafficked persons and actions that are indicative of this type of crime. Many large departments are beginning to be trained or at least made aware of the issue and types of things to look for, but some smaller cities do not yet have the resources or manpower to address the issue. Many fear that as trafficking networks extend beyond metropolitan cities, that it is these law enforcement officials that will need to be prepared to tackle the crimes as it affects the less urban areas. Trafficking rings are being identified in cities of all sizes, across the nation. Sometimes, a victim is not even recognized by the police as having been trafficked until the investigation is already underway. This is because of the nature of the crime. Many times, a trafficked person is brought to the attention of police simply because of the criminal act they are engaging in, such as prostitution. They are initially arrested for that particular crime, but then are later found to have actually been victimized. "Tragically, legal systems are such that the woman is frequently arrested and charged as an illegal alien, or criminalized upon returning to her home country for being in possession of forged documents. The traffickers are rarely convicted" (Clark, 2003, p. 1). It is at this point that law enforcement can recommend them to any social service agencies that are available. Unfortunately, programs for victims of trafficking in social services, though increasing in number, are still few and far between in relation to the magnitude of the problem.

It is of great importance that state and local government place just as great of an emphasis on trying to combat human trafficking as the federal government of this country has, primarily because federal laws cannot be applied in individual cases the same as they would be in larger ones. So far, only five states have adopted any leg-

islation at a level below federally to be applied in cases of human trafficking. This is simply unacceptable and must serve as a red flag to this nation's citizens that reform is drastically needed. "Most child abuse reporting laws address maltreatment by parents or persons legally responsible for a child's well being and may be treated totally differently than a sexual abuse act committed by a person outside the family" (Skye, n.d., p. 2).

Attempting to effectively handle something as large, serious and widespread as human trafficking with the local and state laws that are currently in place, seems as absurd as trying to heat a home with a matchstick. All of the laws and policies can be in place, but it also requires the law enforcement on the ground being properly made aware of what the laws are, what things to look for, and how enforcement should be applied. Appropriate tools, resources and training must be provided for all parties involved in addressing the situation. Nations must pull together and save these men, women and children from the grave amounts of physical, sexual, mental and emotional abuse that is happening to them right under our noses and being otherwise simply allowed to continue.

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Pacific Island Chiefs of Police - Women's Advisory Network

By Senior Constable Kim Eaton, Qld Police

The Pacific Island Chiefs of Police - Women's Advisory Network (PICPWAN) held their latest network meeting on the 20th August 2005 in Darwin. Approximately thirty representatives from Vanuatu, Samoa, Papua New Guinea, Tonga, Cook Islands, Palau, Solomon Islands, Fiji, and Nauru, supported by the Australian Federal Police and New Zealand Police came together at the Customs office in Darwin.

The meeting was chaired by ASP Sera Bernard from the Fiji Police. Sera was elected spokesperson at the network's last meeting in Suva, June 2005 and replaced Tonga's Assistant Commander Lautoa Faletau the outgoing spokesperson for the network, for the previous two years.

The women discussed over 35 agenda items at this meeting after initially welcoming new delegates from Palau and Nauru. I was fortunate to attend this meeting as a representative of the Australasian Council of Women and Policing.

Prior to the meeting a church service was conducted by the AFP's female Chaplain and was held on the esplanade lawns with the ocean as our backdrop. The delegates were mostly dressed in tradition-

al floral outfits and were joined together in song and prayer. This moment highlighted to me the importance of providing these women with an opportunity to come together to build relationships and contacts amongst other female officers in the Pacific Region.

History of Picp Wan

The network originated after recommendations from the Australasian Council of Women and police conference held in Canberra in 2002. It was at this conference that Acting Commissioner for the Fijian Police, Mr. Moses Driver, supported a women's advisory body for the then South Pacific Chiefs of Police Conference (SPCPC).

Assistant Commander Lautoa Faletau was elected at the first WAN meeting in Suva in 2003, to represent this group at the 32nd SPCPC in Brisbane. Lautoa's presentation at this conference resulted in a pilot network being approved with participants from seven Pacific Island nations. The chief's of police supported the idea of a women's advisory network and encouraged the women to report to them annually at their SPCP conferences. As a result the net-



Police Officers from Pacific Islands



Pacific Island Chiefs of Police - Women's Advisory Network

work now provides timely and effective advice to the Pacific Chiefs of Police in relation to issues impacting on women in policing in represented countries.

The SPCPWAN formulated a business plan with its goals supporting and reflecting the goals of the Chiefs Strategic plan 2004 – 2007. The three goals are;

Foster a culture of absolute integrity for all Pacific Police offices;

Foster and facilitate communication, cooperation and collaboration to build effective relationships between police services in the Pacific Region;

Promote capacity building measures for Pacific Police Services to deliver an effective community policing service.

Delegates from each country have been responsible for establishing a network in their own police services, formulating local plans and actions and raising awareness of the PICP WAN.

Tonga Police Force Women's Advisory Network Plan 2005 – 2007

The Tonga Police Force Women's Advisory Network was one of the first networks established in a Pacific nation by a member of the PICP WAN. Tonga's history for inducting females into their police force started in 1970. Tonga's first eight female police officers were recruited into the Tonga Police Force on the 8th September, 1970. Now in 2005 Tonga prides itself on having the highest percentage of women in the police force in the Pacific Regions. With 36% of com-

missioned officers and 22% of the total sworn officer's female, Tonga currently leads the way in the Pacific.

The Tonga Police Force Women's Advisory Network's has developed a Network Plan 2005-2007 and Terms of reference. Their vision is to add value to Tonga Police by supporting women to achieve their full potential and be confident, accepted and respected as valuable members at all levels of the organisation.

Their Mission Statement is to assist the organization to achieve best practice policing through the realization of the potential of women by maximizing opportunities. Removing barriers and valuing diversity. The main objectives of this network are integrity, communication and capacity building whilst providing advice and representation at both district and national levels on the recruitment and retention of women in the organisation.

Sister City Program

The AFP and the New Zealand Police women's network have continued to advise and assist with the coordination of the PICP network. They have in place a pilot sister city program which aims at fostering a productive working relationship between the nations of the Pacific, Australia and New Zealand.

Currently there is a partnership developing between Fiji and AFP's Brisbane office and Vanuatu and AFP's Melbourne office. The Fiji Women's Network and the AFP Brisbane Women's Network have a draft Sister City Network plan which they hope will be approved

in March 2006 thus making the concept of a Sister City network reality. Whilst still in its infancy, the officers have started to develop their relationships by communicating, supporting and learning from each other.

New Zealand is currently developing their pilot sister city program with Tonga, Samoa and the Cook Islands.

Status of Women in Pacific Islands

The AFP is currently analysing a survey on the status of women in police in the seven network member countries. Each delegate provided an update on the status of women in their country and any developments for women. It was interesting to hear this information and realise how important the network is to assist in removing the feelings of isolation amongst the women of the Pacific region.

We heard from the Cook Islands who are the smallest country in the Pacific, they have a total of 98 sworn staff with 15 of them being female, compared to the Royal Solomon Island Police who have 1007 sworn officers with 144 of them being female. The latest members of the network Palau and Nauru have only 11 female officers out of a strength of 154 in Palau and Nauru have a total of 8 female's officer out of 122 sworn officers.

At the networks Darwin meeting the representatives were provided the opportunity to address the other members of the network. All spoke proudly about their individual police services and their own personal service history, the members shared individual experiences and exchanged information. The support for each other was evident even though some had only met for the first time.

In listening to these female officers tell their stories; I thought there could easily be a documentary compiled on each of these women. I hope to be able to obtain profiles on women from this region in the next few journals for you all to read.



Dr Abby McLeod and Federal Agent Leisa James who is part of the sister city program with Fiji and also fellow ACWAP committee member

The Pacific Island Chiefs of Police Women's Advisory Network is sure to strengthen in the future. The Chiefs have formally supported WAN by demonstrating their approval for WAN to be a standing agenda item at all its annual meetings. The outcomes achieved by the networks members from having the opportunity to build relationships and contacts amongst other female officers in the region are history in the making.

Well done to all involved for continued success with this network, ACWAP will endeavour to continue to keep you informed about this group's progress.

Congratulations to Pacific Island Chiefs of Police Women's Advisory Network for being awarded highly commended in the recent Excellence in Policing in the Asia Pacific Region category.



Officers from Samoa and Vanuatu taking part in the Women's Advisory Network Meeting

Status of Women Police in Asia

An Agenda for Future Research

By Dr Mangai Natarajan, Associate Professor and Coordinator for the International Criminal Justice Major at the John Jay College of Criminal Justice, the City University of New York

Asia falls into five regions

www.asiasource.org/profiles/ap_mp_02_eastasia.cfm

East Asia,

www.asiasource.org/profiles/ap_mp_02_southasia.cfm South Asia,

www.asiasource.org/profiles/ap_mp_02_centralasia.cfm Central Asia,

www.asiasource.org/profiles/ap_mp_02_southeastasia.cfm Southeast Asia and

www.asiasource.org/profiles/ap_mp_02_australasia.cfm Australasia) that between encompass 37 countries (see appendix A)

More than half (an estimated 3,647,685,000 in 2002) of the world's population reside in this region (Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat 2003).

According to the 7th UN survey in 2000, the representation of women officers in the police of 13 countries that provided data in the Asia region varies between 2.2 to 19.1 percent (see Table 1). There is no information concerning the ranks held by these women or their duties.

Table 1
Percentage of women police
in 13 Asian countries
(Source: 7th UN Survey)

Singapore	19.1
New Zealand	14.6
Hong Kong S.A.R	13.4
China	11.3
Kazakhstan	10.0
Malaysia	9.7
Sri Lanka	5.3
Papua New Guinea	5.3
Thailand	5.0
Kyrgyzstan	4.9
Japan	3.7
South Korea	2.4
India	2.2

An exhaustive review of the research published in English on women policing in Asia found relatively few empirical studies (Aleem, 1991; Banks, 2001; Bhardwaj, 1999; Boni, & Circelli, 2002; Natarajan, 1996a, 1996b, 2001, 2003, 2005; Prenzler & Hennessey, 2000; Prenzler, 1995, 1998, 2004; Vishnoi, 1999; Wilkinson & Froyland, 1996; Wilson, 1999; Yang, 1985). Most of these studies concerned women policing in Australasia and in India. A brief review of the studies in India is provided below since these will be less familiar to the readers of this journal.

In India, there is a relatively low overall representation of women in the police force (2.2% in 2000; 3.5% in 2003) but there are considerable variations in the recruitment and utilization of women in the

police forces of the 28 States and 7 Union Territories in India. Despite the relatively low numbers of women in the police force, many more women are now deployed in supervisory positions.

In 1997, the police of Tamil Nadu (one of India's southern states) took advantage of a labor law legislation requirement to ensure that 33% of new recruits were women. This has increased the overall level of representation to 9.6%. As a result, the Tamil Nadu police now has five groups of women police trained to take on a variety of roles in the force, deployed among: 1. General police units (GPUs); 2. AWPU; 3. General battalion (GB); 4. Women commandoes (WC); 5. All women battalion (AWB) (Natarajan, in Progress). The introduction of 188 All-Women Police Units in the past few years, covering both rural and urban jurisdictions, has given women police in Tamil Nadu much more visibility and importance. These units were set up to deal with crimes against women including violence related to dowry problems, family disputes, marital problems, false promises of marriage, sexual assaults and rape. The following is the official list of other duties undertaken by the women officers of the AWPU (Natarajan 1996).

- Escort of women prisoners from jail to the Court and back (here the whole day is lost for the escort personnel).
- Temple bandobust duties (i.e. security patrols at religious celebrations).
- Prevention of "Eve-teasing" (i.e. harassment of girls and young women) in school and college areas and at bus stops in mornings and evenings.
- VIP Security duties.
- Other maintenance of law and order (e.g. during a recent month-long Government employees' strike, the entire women police strength was on L&O duty, all over the state)
- Getting petitioners, counter petitioners, witnesses, etc., to-and-from various places, which is a very time-consuming process.
- Mobile counselling duties/child line/women help line duties – a recent assignment.
- Attending public meetings
- On duty at religious/political processions
- Watch and ward duty
- Court duty
- Night duty
- Other duties in Assistant Commissioner's/Deputy Commissioner's office
- Training
- Awareness campaigns

A plethora of events that suddenly crop up requiring maintenance of law and order

The AWPU have become well known locally and increasing numbers of women now feel confident in approaching the units for help with domestic disputes. Further, these units greatly raised the sta-

tus of women police in the minds of the public and their success led many young women to seek a career in policing. In sum, these units have been successful not only in encouraging women to report domestic abuse to the police, but also in helping women police officers to achieve their law enforcement career goals and to play an active role in prevention of domestic violence. Women policing is also progressing in some other Indian states, but at a slower pace.

As for the broader Asian region, Internet sources reveal that there is growing recognition of the need for gender-sensitive policing, including the use of women officers in dealing with violence against women. According to studies reported in Pakistan (Wilson, 1999) and in India, women take up a career in the police service to ensure personal security and to help other women. They also show that local culture and norms greatly influence the deployment of women police officers in line duties. Many police forces in India, Sri Lanka, Nepal, Pakistan and the Philippines are creating women's desks, women cells, women stations, women bureaus and women units in order to open up opportunities for women to serve in the police as well as to deal with the increased numbers of domestic violence cases now being reported.

Without proper systematic research it is hard to judge the status of women policing in the region.

The following reason may help to explain why there are so few studies on women police in Asia:

No baseline statistical data and resource limitations in keeping records.

Women's organizations are more interested in the general welfare of women and spend their research energy in that area.

Difficult to gain access to the police for research purposes.

Women still represent a tiny percentage of officers and are often considered unsuited to line duties – so little reason to pay attention to them.

If we are to improve policing for women in Asia, we must learn more about such matters as the current representation and utilization of women in the police; the attitudes of men and women police, the views of citizens, and the nature of police training. In light of these needs, an agenda for comparative research is proposed.

First of all, it is important to collect some baseline statistics in the region to assess the status of women police. These data would include:

- The number of men and women in the police force.
- Policing style or philosophies
- History – When women were recruited in the police force and purpose
- Utilization of women in the police force
- Perceptions of women police of their roles

- Perceptions of the male officers of women's role in the police force
- Perceptions of citizens of the roles of women police officers.

Collecting data on these topics from the region's 37 countries will involve:

- Approaching the appropriate agencies (such as embassies)
- Developing a survey questionnaire to gather information
- Asking regional delegates at this conference to get involved in the compilation of information.
- Collating the information and producing a monograph on Women Policing in the Asian Region.

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Appendix A

Asian Nations

(Source: <http://www.asiasource.org/profiles/>)

East Asia (N=8)	South Asia (N=7)	Central Asia (N=7)	South East Asia (N=11)	Australasia (N=4)
China Hong Kong S.A.R. Japan Mongolia North Korea South Korea Taiwan	Bangladesh Bhutan India Maldives Nepal Pakistan Sri Lanka	Afghanistan Iran Kazakhstan Krygyzstan Tajikistan Turkmenistan Uzbekistan	Brunei Cambodia East Timor Indonesia Laos Malaysia Myanmar Philippines Singapore Thailand Vietnam	Australia New Zealand Pacific Island Countries Papua New Guinea





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