

No. 8**Racist Violence**

**Stephen Nugent, Secretary,
Meredith Wilkie, Senior Research Officer,
Robyn Iredale, Director of Research,
National Inquiry into Racist Violence**

The National Committee on Violence (NCV) has been asked to examine 'the vulnerability to violence of particular groups' as part of its broad-ranging terms of reference. The Committee's task is one that potentially overlaps with the National Inquiry into Racist Violence by the Human Rights and Equal Opportunity Commission.

To avoid duplication of effort, and to maximise the resources available to examine this disturbing issue, the Race Discrimination Commissioner Ms Irene Moss, co-hearing Commissioner Mr Ron Castan QC, and the staff of the National Inquiry into Racist Violence have collaborated with the National Committee on Violence in a number of activities, including the production of this issue of *Violence Today*.

Research undertaken by the Inquiry highlights the seriousness of racist violence directed against certain groups in Australia. As discussed in this paper, collection of statistical data on the incidence of racist violence, community education programs, racial vilification legislation and the law enforcement response to racial violence, all need to be considered in an attempt to reduce the incidence of this troubling form of violence.

Duncan Chappell
Chair
National Committee on Violence

INTRODUCTION

An elderly Vietnamese couple and their three grown-up children recently moved to an outer suburb in one of Australia's capital cities. After only three weeks in their new home, rocks were thrown through the front windows of the bedroom and lounge. Fortunately, no one was hurt, but the family had to sleep on the floor away from the windows. The initial attack was followed by the spray painting of graffiti across the front of the house. The graffiti consisted of the words: 'Asians Out'. Finally, rubbish was dumped in their garden. Not surprisingly, the family wanted to move.

A similar incident happened to an Aboriginal family in another city. In their case, the attacks consisted of smashed windows, broken water pipes, harassment of the children, and spotlights being shone through their windows at night. The family were abused to the point where they simply walked out of their home and did not return.

In another incident, a young woman purchased a sticker with the slogan: 'Don't Buy Apartheid'. Three months after putting the sticker on her car, her tyres were slashed. The tyre slashing occurred on a regular basis over an extended period. There was always more than one tyre slashed, and on one occasion all four were cut. In total, the tyres were slashed 13 times. The front and rear windscreens were also smashed during one of the attacks. The woman did not replace the sticker after the new

windscreens were installed. Soon after, the attacks stopped.

These three different stories have at least one thing in common. In each case, the victim(s) believed that the violence was racially-motivated. That is, there was a common perception that the violence was motivated by the racist attitudes of the perpetrator or perpetrators. This type of violence, racist violence, is the subject of this issue of *Violence Today*.

WHAT IS RACIST VIOLENCE?

The thing which distinguishes racist violence from other forms of violence is the motivation behind the behaviour. As the above examples show, a wide range of behaviour is involved. Many of these acts are crimes under State or Federal laws. Some would argue in favour of a wide definition of racist violence. At the first public hearing of the National Inquiry into Racist Violence, one of the speakers proposed that the deliberate desecration of Aboriginal sacred sites should be considered as racist violence. Other people have argued that institutional racism is a form of racist violence. Others have proposed a more limited definition. The problem of definition is one of the many issues that the Human Rights and Equal Opportunity Commission is dealing with in its National Inquiry.

The Inquiry is considering two major questions in relation to definition.

- What forms of racist behaviour should be considered violent?
- How can we determine the motivation behind specific acts of violence?

The working definition of racist violence developed at the beginning of the Inquiry defines racist violence as a specific act of violence, intimidation or harassment carried out against an individual, group or organisation on the basis of race, colour, descent or national or ethnic origin.

Problems of definition will be dealt with in more detail in the Inquiry's report.

NATIONAL INQUIRY INTO RACIST VIOLENCE

Racist violence represents the antithesis of everything our society values, everything Australians have worked for, everything we have achieved.

With these words, Federal Race Discrimination Commissioner Irene Moss opened the first public hearing of the National Inquiry into Racist Violence. The Inquiry is being conducted under the terms of the *Human Rights and Equal Opportunity Commission Act 1986* and the *Racial Discrimination Act 1975*. Mr Ron Castan QC, a Melbourne barrister who was formerly a member of the Constitutional Commission's Advisory Committee on Individual and Democratic Rights, is assisting Commissioner Moss. The Inquiry is due to report its findings in April 1990.

Terms of Reference

The Inquiry, announced by the Commission in December 1988, has the following Terms of Reference. The Race Discrimination Commissioner is to conduct an Inquiry into the following.

- Acts of violence or intimidation based on racism directed at persons, organisations or property.
- Acts of violence or intimidation directed at persons or organisations on the basis of their advocacy of, support for, or implementation of non-racist policies, including violence or intimidation intended to deter

such advocacy, support or implementation.

- Current or prospective measures of government or government instrumentalities to deal with the above matters.

Matters currently under consideration by the Royal Commission into Aboriginal Deaths in Custody are expressly excluded from the Inquiry's ambit.

The major aims of the Inquiry are:

- to determine the extent of racist violence within the Australian community;
- to determine the forms by which racist violence is expressed; and
- to determine what options are available for governments, government instrumentalities and non-government groups to counter the problem of racist violence.

The major goals of the Inquiry are:

- to increase public awareness that racist violence, and racism in general, is a problem that society needs to take seriously;
- to encourage acceptance by the authorities and the general public that racist violence is criminal behaviour and unacceptable social behaviour in the Australian community; and
- to recommend proper mechanisms for measuring and dealing with the problem of racist violence and to encourage the development of community responses at all levels.

Reasons for Establishing the Inquiry

The Inquiry was motivated in large part by a widespread community perception that racist attacks, both verbal and physical, were on the increase. There were indications of a possible resurgence of racist violence and, in particular, a resurgence of organised racist violence. During 1988, a number of church and community leaders and other active anti-racists were subjected to some seemingly well-organised attacks on their property for the apparent purpose of intimidating them and deterring their activities. Commonly, the attacks involved the slashing of car tyres, the throwing of bricks through the windows of homes, and daubing graffiti on homes and offices. Journalists were among those subjected to these attacks as

were members of ethnic community organisations and others.

INFORMATION COLLECTION

Information on racist violence has been collected by the Inquiry using the following methods: seeking written submissions, seeking oral submissions at public hearings, and conducting in-house and contracted research.

The first two of these methods were accompanied by a comprehensive outreach campaign designed to inform all parts of the community of the Inquiry and its aims. The outreach campaign also aimed to encourage members of the community, particularly those who had been affected by racist violence, to tell the Inquiry of their experiences. This was particularly important in relation to racist violence given the apparent reluctance of victims to complain about attacks they experienced. It has become clear that the phenomenon of the 'silent' victim is prevalent in the context of racist attacks.

Victims may decide not to make a complaint to the police because they perceive that the matter (which can include a campaign of harassment as well as an isolated incident) will be considered as trivial and dealt with accordingly. They may fear that they will not be believed or that, having made a formal complaint, they will be subjected to increased attacks or harassment. Victims may wish to remain as 'invisible' as possible. They may presume that there is nothing the police can do or that whatever action is taken will not deter the perpetrator.

It was realised soon after the start of the Inquiry that the reasons people have for not approaching the police, would probably also prevent them from approaching the Inquiry. Consequently, a number of research projects, designed to tap community experiences and opinions in a non-threatening manner, were initiated.

One aspect of the research program involved the distribution of questionnaires to organisations and individuals. These questionnaires sought information on specific incidents as well as estimates of the size of the problem and of the types of violence involved. In addition, the Office of Multicultural Affairs made their group facilitators

available to the Inquiry for the purpose of collecting information from ethnic communities. These facilitators gathered together 'grass roots' representatives of various communities to discuss their experiences of racist violence. The group facilitations were designed to provide a non-threatening environment for people. Groups were relatively small, mostly between 10 and 15 people, and were generally homogeneous in terms of the ethnic background of participants. People were able to discuss their experiences in languages other than English.

This combination of factors ensured the success of the facilitations. People were generally willing to talk about racist attacks they had experienced, including those which they had never reported to the police or other authorities. Group facilitators led participants through a structured series of questions and much valuable information was gathered. A number of facilitations were carried out in each State as well as in the Northern Territory.

The Inquiry also initiated projects to tap the experiences and views of Aboriginal communities who otherwise would have been unwilling or unable to approach the Inquiry. These projects were generally carried out by Aboriginal people. Each focused on a particular small region, informing people about the Inquiry, facilitating the formation and expression of views and experiences, and ultimately reporting findings to the Inquiry. Regions covered included Adelaide, Perth-Geraldton, Bourke-Enngonia, the hinterland of Cairns and parts of the Northern Territory.

Further research relating to Aboriginal people was initiated after evidence was submitted to the Inquiry that many of the attacks upon Aborigines, young and old, were perpetrated by police. This was made plain to the Commissioners at the first hearing. It was also the clear message of submissions received from around the country.

In response, the Inquiry undertook a study of Aboriginal-police relations and the measures taken by police forces in Australia to counter the racist tendencies of some police officers and to ensure that racist attacks did not occur. The measures being taken are being evaluated for effectiveness, partly by collecting statistical and qualitative information about complaints made by Aboriginal

people concerning violence on the part of police.

In addition, a number of other research activities have been undertaken. Subject areas covered by the Inquiry's research program include the following:

- a historical perspective on racist violence in Australia;
- the media and racist violence;
- inter-ethnic violence;
- racist attitudes in Australia and their connection to racist violence; and
- overseas strategies to combat racist violence.

SIZE OF THE PROBLEM

The Inquiry has encountered two major problems in trying to determine the extent of racist violence in Australia.

As already discussed, many victims of racist violence do not report the attacks. A number of surveys have been carried out in the United Kingdom to try to determine the true extent of racist violence in that country. One of these was conducted in the London Borough of Newham and it concluded that only one incident in 20 was reported to the police (London Borough of Newham 1987). Another study carried out in Glasgow found that 44 per cent of racial incidents were not reported to the police (Scottish Ethnic Minorities Research Unit 1987). Whatever the true figure is, many racial incidents in the United Kingdom are not reported to any statutory agency.

The National Inquiry into Racist Violence has come to the conclusion that the same situation applies in Australia, and any official statistics on racist attacks are almost certainly an underestimate of the size of the problem.

This brings us to the second difficulty encountered by the Inquiry—a lack of official statistics on racist attacks. Contact with the police forces in each jurisdiction found that no statistics were kept on racially-motivated crimes. Any such offences that are reported to the police are recorded according to the nature of the offence, rather than according to the motivation behind the attack. Therefore, it is impossible to draw out statistics on the number of racist attacks reported to police forces. The Inquiry is not aware of any other organisation that collects

comprehensive statistics on this problem.

The Inquiry's aim of determining the extent of racist violence in Australia is therefore a difficult one. The Inquiry is relying on its research activities to try to arrive at some estimate of the extent of racist violence in Australia. It has initiated surveys in a number of locations to try to measure the size of the problem.

WHO ARE THE VICTIMS?

While victims of racist violence come from a wide range of backgrounds and from all parts of the community, two main groups are affected.

The first group consists of members of what the Canadians call 'visible minorities'. That is, people who are visibly different in terms of their physical appearance or because of the language they speak. In Australia, this includes Aboriginal people and those from a non-English speaking background.

A study into the incidence of racial attacks in the United Kingdom found that Asian and black people were far more likely than 'white' people (50 times and 36 times respectively) to be the victims of these attacks (Home Office 1981).

Although these statistics are unlikely to be translatable to Australia, there seems little reason to doubt that these groups suffer more than others. Submissions and evidence presented to the Inquiry indicate that the experience of Aborigines has been that violence and abuse directed against them is a constant problem in their lives. The socio-economic situation of most Aboriginal communities, their relative isolation and the general environment of discrimination against them combine to make them most vulnerable to the very serious effects of racist attacks. Aboriginal communities are readily identifiable by those bent upon the perpetration of attacks and yet generally invisible to the majority of the Australian community.

The Inquiry has received a number of submissions from people of non-English speaking backgrounds who have experienced frequent racist attacks. However, our

research indicates that people from non-English speaking backgrounds are often unable or unwilling to respond to such attacks. This is generally due to language difficulties, lack of confidence, lack of knowledge as to how to respond, or to feelings of not wanting to 'rock the boat'.

The second group that appears to be targeted by racist attacks are those individuals or organisations who advocate or work for the implementation of non-racist policies. A wide variety of people who have publicly stated their support for multiculturalism or non-discriminatory immigration policies, or who have condemned racist policies or organisations, have been attacked. Included in this group are: politicians, journalists, ministers of religion, overseas aid organisations, government employees, community workers, and individuals who have expressed their beliefs in writing or by way of a sticker on their car.

The attacks are generally aimed at intimidating the victims and at stopping them from expressing their point of view. Unfortunately, in some cases this aim is achieved and the victim's freedom of speech is inhibited.

IMPACT ON VICTIMS

There are a number of ways in which racist violence impacts on its victims. The case studies at the start of this paper involved substantial financial costs to the people experiencing the racist attacks. Costs included repairing broken windows, moving house, and numerous repairs to a car. Other attacks have resulted in physical injury to victims and occasionally even death. Nearly all incidents of racist violence have a psychological impact on the victim.

The psychological impact of an incident was mentioned by many of the victims who have completed questionnaires as part of the Inquiry. People were asked how they felt about an incident at the time it happened, and also whether it resulted in any long-term effects.

A man of Italian background reported an incident in which bricks were thrown through his window and death threats were delivered over the phone and by way of graffiti. He said that he had felt 'very vulnerable and helpless' at the time it happened and that he

remained wary and suspicious for a long time after the event. In another case, a Jewish woman and her Asian spouse had bricks thrown through their bedroom windows by a group of young 'white' males. She said that the incident made her think of Nazi Germany and had the long-term effect of making her determined to take security precautions against such attacks.

WHAT CAN BE DONE?

There are a number of strategies which could be considered in terms of preventing and responding to racist violence.

Changes to existing legislation or the introduction of new legislation could stipulate penalties for the perpetrators of racist violence and abuse. Steps have already been taken in this area. New South Wales recently introduced racial vilification legislation and Victoria and Western Australia are considering similar legislation. There have also been suggestions that people convicted for a variety of offences should attract additional penalties if it can be shown that their offence was racially-motivated.

An improvement in the methods of monitoring the frequency and nature of racist attacks is clearly needed. The collection of statistical data on racist violence would ensure that decisions made by governments about this problem would be based on better information. Initiatives in the area of law enforcement appear to be important. Changes to the way in which police officers are recruited and trained, and to the way in which racist attacks are investigated, appear to have the potential to improve the law enforcement response to this problem.

Effective community education programs is another consideration. Attitude change and behaviour change are closely tied.

All of the above areas are mainly the responsibility of government. It is important for governments to be seen to be taking the problem of racist violence seriously. However, there is also a need for the community itself to be organising against racist violence. Community groups are often better placed to monitor racist attacks in their local area, to educate their community on the issues involved, and to offer support to the victims of racist attacks. The Inquiry's report will

consider the possibility of fostering grassroots projects as well as other possibilities in greater detail. Specific recommendations on what should be done in response to racist violence will be developed.

The remainder of this paper presents three different perspectives on racist violence as told by those who have experienced it. These perspectives provide insights into the diversity and entrenched nature of racism in Australia.

AN ABORIGINAL PERSPECTIVE

The following is an extract of an oral submission provided by an Aboriginal woman to the National Inquiry into Racist Violence at its public hearing in Redfern, Sydney, on 24 August 1989.

My reason for being here today is because I have been affected by racism all my life which, no doubt, all Aboriginal people have, but in 1957 I was taken away and put into the homes at Cootamundra by the Aboriginal Welfare Protection Board Act. That Act was brought into being in trying to take away children and bring them up as white.

Whilst in the homes we had all white values instilled so that when you leave you not only think white, you act white and hopefully ask to be accepted as a white person even though your skin is black. A lot of the problems with kids that I went through the homes with, came out of that Act. And it still affects the Aboriginal community today. The attitudes behind the Protection Board Act and the assimilationist policies have not changed. Only the names have changed. I feel that assimilation is still going on, for example mainstreaming, closure of Aboriginal departments and organisations, and it means that Aboriginal people do not have any support any more.

In 1957 I was taken away along with my other sisters and brothers, six of us. I did not see my other family, my sisters and brothers, until 1966 I think it was, when I met my family again. In 1982 I had a brother who was a queried death in custody. In 1988 my brother was refused admission to a hospital here at Redfern; he then walked out of the

hospital. They told him to come back on Monday, it was Sunday, because they had no hospital—no doctors on duty on Sunday. He presented with chest pain and I thought that any person presenting with chest pains to any hospital would therefore be warranted to immediate investigation. He was told to go home. He walked down from Redfern, right across the hospital, down to Cope Street and died; 32 years old. My brother who died in custody was only 26 years old. He was training over at the Police Boys Club at Glebe; had been no drinking for 12 months and they have got it down as a natural death.

My son in May of this year went up to—came in from Padstow—went up to Kings Cross to celebrate his birthday with other boys and boys from the football team that he played with. There were white boys with him too and the police up there were moonlighting as bouncers at the club. They grabbed my son and another boy and stabbed the other boy in the arm. They grabbed my son and belted him; took him to the Kings Cross police station; hit him on the back of the head with the baton. He was then taken to St Vincents Hospital where the head injury required four stitches. I then—when he came home and I seen him, he had black eyes; he had choke marks on his neck. I went then and took photos of the injuries; took to the Legal Service. I have been informed that it is in the Internal Affairs Bureau, but I along with other Aboriginal people here feel that these sorts of things are not going to be investigated properly; nothing will come out of them because it is all done internally by police investigating police.

I feel that that should be taken out of the police hands and put into other bodies and have the investigations carried out by other bodies, other than the police.

AN OVERSEAS STUDENT PERSPECTIVE

The following perspective on racist violence was prepared by Wee Aik Pang of the Network of Overseas Students Collective in Australia (NOSCA).

... The aim of the Overseas Students Plan (OSP) then, was to provide developmental assistance to, and foster cultural and trading ties with, Third World countries. The acceptance of overseas students to Australia was also meant to bridge the isolation of Australia from the region, due to its racist immigration policy: the White Australia Policy. Since then, many reviews and reforms have been steadily introduced, resulting in new policies and regulations being implemented. These policies and regulations governing the OSP are in effect creating a subtle, but more severe form of institutionalised racism affecting secondary and tertiary students.

Overseas students have been blamed for concentrating on a few campuses like the University of NSW and Monash University in Melbourne. On campuses, overseas students are attacked for not being willing to 'assimilate' with Australians. They are also accused of causing racism, as was stated by the former Education Minister, Senator Susan Ryan, in her address on the new legislation for the OSP:

Some of the examples of racism we have most regrettably seen on our campuses arose partly from the fact that there have been very large concentrations of overseas students in particular faculties of institutions . . . this will be addressed by the new policy because there will be limits on particular faculties and institutions.

The quota system was introduced whereby the number of overseas students in any one given tertiary institution is severely limited. Because the vast majority of overseas students come from the Asian/Pacific/African countries, this is effectively excluding students on the basis of their race/nationalities.

Such irresponsible policies have had a serious effect on overseas students. Racist groups and individuals on and off campuses have used comments such as those coming from ex-Senator Ryan to justify their violence on overseas students. Racist propaganda in the form of graffiti, literature and stickers are constantly distributed on and off campuses. Such material encourages Australians into physically and verbally

attacking overseas students and their supporters. Prominent members of overseas students groups who are involved in anti-racist campaigns are being subjected to constant harassment, threats, abusive phone calls and letters. Racist attacks on overseas students are more prevalent every time immigration issues become the subject of political and public debate. That politicians and other prominent leaders such as Blainey and Ruxton have been able to get away with making racist comments is due mainly to the general racist attitude of the community, as well as the fact that overseas students lack any effective voice in Australia.

As it is on the campus level, the structural organisation is heavily weighed against the individual. Academics and administrative staff who have racist attitudes are able to escape any repercussions as there is no adequate and effective mechanism to deal with such matters. Academics often used academic justifications for their racist attitudes. It is difficult to prevent the victimisation of students who are prepared to make complaints. Such attitudes on the part of academics and other staff endorse the crude and threatening racist behaviour occurring on campus. . . .

The following case studies were supplied by another member of NOSCA, Debbie Stothard.

Overseas and Asian students acknowledge that racism is alive and well but feel helpless to do anything about it. They feel it most at lectures and tutorials. Women, in particular, are targets for racially sexual harassment.

In one case a woman overseas student at her first class was asked her country of origin by her lecturer. When she told him, he proceeded to tell the class at length about his visit to the redlight district there. The woman student felt uncomfortable and offended but found she could not bring herself to object to the lecturer—worried about worsening the first impression; she was afraid that the objection to a probably true story could not be justified. Yet the damage was done. The lecturer used his authority to assert to her peers the stereotyped image of the women of her race as prostitutes and sex toys. . . .

It was a semester of cringing in class as the academic would insist

on using Third World countries, societies and individuals as the underdogs, incompetents and ignorants in hypothetical examples in his classes.

There did not seem to be enough reason to make a complaint. The white Australian administration would have treated it as a trivial matter, we would have been marked by the lecturer, and our studies would have suffered. This behaviour affected all the overseas students in the class. But somehow, the direct hits were aimed at the Asian women. He didn't like Asians but didn't dare pick on the Asian men.

... However, the main worry for students is that such attitudes on the part of academics and staff implicitly endorse the more crude and threatening racist behaviour occurring on campus. If the lecturer does it in class, what stops the students from doing worse? How can we complain of such incidents when we know some staff are like that themselves? Women students feel a stronger threat—it's bad enough being vulnerable to racist attacks without knowing that one could also be the target of racially-motivated sexual attacks.

A COMMUNITY ORGANISATION PERSPECTIVE

Community Alert Against Racism and Violence (CAARV) is an informal coalition of individuals and non-government organisations which was officially formed in Sydney in January 1989. The main aim of the coalition is to oppose all forms of organised racist and neo-nazi violence or intimidation against people in the community. The following is an excerpt from a written submission made by CAARV to the National Inquiry into Racist Violence.

Victims of racist, anti-semitic and homophobic violence have encountered many difficulties in obtaining satisfactory action from police and other public authorities.

The Police

One of the key concerns at the time of CAARV's formation was a

perceived lack of interest and action by the police authorities. The fear of many victims of attacks was that the problem was not being treated with requisite seriousness. This feeling was reinforced at a meeting with the Hon. Ted Pickering, NSW Minister for Police, late in 1988, where delegates from an informal coalition which preceded CAARV felt there was no distinction being drawn between random vandalism and systematic, low-level terrorism. Adele Horin, a member of the delegation, wrote:

When told that thugs had ransacked the church's garbage bins to extract parishioners' names and addresses, and had subsequently terrorised them, Mr Pickering blamed the church's lax security. When told of the many people whose car tyres had been slashed and whose car windows had been smashed for bearing Aboriginal land rights stickers, Mr Pickering likened it to his Liberal Party sticker being scratched. It was just life. 'That's how it is', he said' (Sydney Morning Herald 2 May 1989).

With attitudes such as this at 'the top', it is hardly surprising that many victims of violence and harassment report unhappy experiences with local police officers. When people have called the police after finding their tyres slashed or windows smashed by bricks, some have been given the distinct impression that they are the problem. Suggestions have been made that they must have 'provoked' the attack. Seldom, if ever, has there been any recognition of the legitimate anxiety of the targeted person or understanding that the damage is a sign of deliberate persecution rather than random vandalism. At the time of CAARV's formation, therefore, we had no evidence that the issue of racially-motivated violence was being addressed seriously or systematically by the law enforcement agencies. In fact, we knew of only two charges being laid until April 1989. One related to the harassment of the Liberal MP Helen Sham-Ho and the other to the protection of the National Action leader from phone abuse by a disaffected National Action member. We found it ironic to compare these two charges to the apparent police inaction (over

many months) where less prominent or left-wing people were the victims. We urged the Police Minister to ensure that his Department used their powers to protect marginal and leftist groups in our community, as assiduously as they protected mainstream and rightist groups.

Following our delegation to Mr Pickering, our initiation of intense publicity, and the appointment of a new officer to head the Special Branch investigation of racial violence, further charges were laid by police against individuals alleged to have acted in a threatening manner or to have committed acts of property damage for political purposes. . . . We are concerned, however, to ensure that this improved response is not just a 'flash in the pan', nor dependent on the goodwill of a small handful of police.

Telecom

An upsurge in abusive and threatening telephone calls directed at members of minority groups and anti-racists took place in late 1988 and early 1989. Individual complaints to Telecom did not give satisfactory results, again mostly because the authority tended to treat the abusive calls as random nuisance calls. Alternatively, the only remedy offered was for the victim to get a silent number, with the inconvenience and expense that [that] entailed; or to have a short-term 'intercept' placed on their line.

CAARV decided to send a delegation to meet with a representative of Telecom to determine ways and means of ascertaining the sources of these calls, and the legal recourse open to victims. While the delegation was treated sympathetically, some problems have remained in that the arrangement that was reached apparently depends on the receipt of life-threatening, as opposed to abusive or intimidating, phone calls.

Department of Motor Transport

Another concern of victims of racially and politically motivated violence has been the ease with which home addresses can be obtained, for a small fee, from motor registry offices, if a potential attacker has knowledge of their target's car registration number.

In 1985, at a seminar organised by Australians for Racial Equality, persons known to be associated

with National Action were observed collating a list of car licence numbers of those in attendance. Harassment of some of the participants at their homes commenced or increased following this incident, and they came to the obvious conclusion that their addresses had been handed over by the Department of Motor Transport despite a group request that a 'block' be placed on such access.

Submissions were made to the Privacy Committee and the Department of Motor Transport re public access and, in December 1987, a new system was implemented, to allow those who have had their addresses accessed to know who has received this information. The procedure now requires the inquirer to fill in a form stating why they need the information and to provide some proof of identity. If this is satisfactory, the inquirer is given the information immediately, and a copy of their request form is posted to the person who owns the vehicle.

This approach to the problem is still unsatisfactory in that the owner only finds out that their address has been released days after the event. If the motive has been illegitimate, the notification may also be too late. Further, if the inquirer has given false information to obtain the address, prosecution is difficult (if not impossible) because the request form is not a statutory declaration.

CAARV appreciates that this issue involves some delicate balancing between two important principles—the right to know and the right to privacy. We understand that the Privacy Committee and the Motor Vehicle Registry Office are still involved in negotiations over this balance, and urge that the Human Rights and Equal Opportunity Commission should seek to become a party to these discussions to ensure that the particular interests of the victims of violence (whether political or domestic) are strongly represented. . . .

REFERENCES

- Home Office 1981, *Racial Attacks: Report of a Home Office Study*, Home Office, London.
- London Borough of Newham 1987, *Crime in Newham*, cited in Inter-Departmental Racial Attacks Group 1989, *The Response to Racial Attacks and Harassment: Guidance for the Statutory Agencies*, Home Office, London.
- Scottish Ethnic Minorities Research Unit 1987, *Racial Harassment in Glasgow*, cited in Inter-Departmental Racial Attacks Group 1989, *The Response to Racial Attacks and Harassment: Guidance for the Statutory Agencies*, Home Office, London.

**Publications from the National Committee on Violence
published for the Committee by the Australian Institute of Criminology**

Monograph Series

Violence in Australia: National Committee on Violence

An overview of the current Australian situations which looks at the background and the Terms of Reference of the Committee, Definition Problems, Violent Behaviours, Theories of Violence, Legal Categorisation of Violence, Patterns of Violent Crime, The Cost of Violence, Violence in the Streets, the Home, the Workplace, in Sport, and Entertainment, Alcohol and Violence, Drugs and Violence, Violence and the Criminal Justice System, Victims, Violent Offenders.

Victims of Violence: P.N. Grabosky

Describes the vulnerability to violence of particular groups, and the need for support and assistance for victims of violence. Includes information on restoring victims of violence, how the criminal justice system treats victims of violence and what compensation is available.

Society's Response to the Violent Offender:
P.N. Grabosky and W.E. Lucas

How does the Australian criminal justice system deal with violent offenders? Are there policy measure other than imprisonment which may be more effective in reducing violence? Is it possible to rehabilitate violent offenders? The principles of punishment are reviewed, and the range of sentencing options outlined. Case histories illustrating the variety of violent acts and the diversity of violent offenders appear throughout the monograph.

Violence Today Series, a series of papers between 6,000 and 8,000 words covering the following aspects of violence:

Violence Crime and Australian Society
Domestic Violence
Violence against Children
Violence in Sport
Violence and Public Contact Workers
Violence, Disputes and their Resolution
Violence on Television
Racist Violence (forthcoming)
Political Violence (forthcoming)

Final Report (forthcoming)



Australian Institute of Criminology
PO Box 28, Woden ACT 2606
Telephone: (062) 83 3833

ISSN 1032-7894
ISBN 0 642 14924 0
December 1989